

5. Protection and Management of the Property

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Albula line > The Glacier Express
leaving Celerina.
A. Badrutt / Rhaetian Railway

5.a Ownership

The rail infrastructure of the Albula/Bernina line is owned by the Rhaetian Railway. The remaining ownership structures within the nominated World Heritage perimeter are also clearly defined, and the applicable terms and conditions are set out in the land register.

Real property

The land and buildings in the core zone directly serve rail operations and are, for the most part, owned by the Rhaetian Railway. In some cases the ground beneath bridges is privately owned. Most of the land overlying the tunnels is owned either by the municipalities or private individuals whereas built-up embankments and cuts rising to the top edge of embankments normally belong to the Railway.

The land in the buffer zone mostly belongs to the municipalities or citizens' councils, especially pastureland and forests, as well as so-called unproductive areas in rocky regions and alpine terrain. Most properties and objects in the localities and on open farmland are privately owned. Servitudes of real property are based on the existing planning regulations (cf. 5.b). In Switzerland, real property servitudes in the immediate vicinity of the Rhaetian Railway property, pursuant to Art. 18 of the Railway Act (cf. 5.b), require the permission of the Rhaetian Railway.

Company property

All structures in the core zone are owned by the Rhaetian Railway. The necessary legal basis, equivalent to the legislation governing real property rights, is extant if these structures are located outside the Railway's real property zone.



Albula line > Rhaetian Railway
train at Bever station.
A. Badrutt / Rhaetian Railway

5.b Protective designation

The “Rhaetian Railway in the Albula/Bernina Cultural Landscape” is protected by several legal provisions: On Swiss territory, the core zone i.e. the railway installations (engineering structures, buildings, civil engineering) are subject to Swiss legislation on the protection of nature and the national heritage; beyond this, the Rhaetian Railway is also committed to more extensive measures. The buffer zone is already protected by various existing laws; further provisions have been anchored in the legislation in the context of the World Heritage Candidature. The protection and definition of the perimeter of the site as a whole (core and buffer zones) will be integrated in the Cantonal Structure Plan which is binding for federal, cantonal and communal authorities. The Cantonal Structure Plan is the central instrument of coordination and management for spatial development in Switzerland. Thus the special protection and sustainable development of the World Heritage Property in Switzerland is guaranteed. There are also provisions to ensure this protection for the part of the property which is located in Italy.

Principles of Swiss legislation on the protection of cultural monuments and landscapes

The principle of the federal obligation

Pursuant to Art. 78 of the federal constitution and the federal law of 1 July 1966 on the protection of nature and the natural heritage (NHG; SR 451) based thereon, the federal administration shall, in exercising its obligations, ensure that the national landscape and urban heritage, as well as historic sites, cultural and natural monuments are preserved. They shall also be maintained in their unimpaired state wherever the general public interest predominates. Such federal obligations include the granting of concessions and authorisations for the construction and operation of traffic facilities and transport installations (such as the railway) as well as all other tasks of the federal government involving authorisations, the granting of concessions or financial participations (Art. 2, NHG). Within the context of its own tasks, the federal government details

its obligations in the ‘federal inventories’. These are defined by law in the decree of 9 September 1981 on the federal inventory of Swiss architectural heritage worthy of protection (VISOS; SR 451.12), the decree of 10 August 1977 on the federal inventory of landscapes and natural monuments (VBLN; SR 451.11) as well as the decree on the federal inventory of historic routes (VIVS; implementation in progress). This implies a fundamentally integrated protection of monuments for all objects covered by the principle of the federal obligations. It is incumbent on the *Federal Office of Culture*, the federal office responsible for the protection of monuments, archaeology and the urban heritage to examine all plans and projects that could impair the country’s natural and cultural heritage.

Legal framework and most important spatial planning instruments in Switzerland

Beyond the federal obligations numerous legal foundations for the sustainable development of the area and its cultural monuments are available

for the Cantonal Structure Plan, as the instrument of coordination, to draw on. The nominal legislation, which regulates the actual planning, should be differentiated from the functional legislation that regulates the various sectors to be coordinated (protection of nature and the national heritage, protection of the environment, infrastructures etc.). In accordance with the Swiss system of federal government various competences are delegated to the various state levels (federal – cantonal – regional – community) each with its own planning instruments.

Nominal spatial planning legislation

As a cross-sectional task spatial planning aims to control and guide spatial organisation and development as a whole and ensure coordination between the various relevant policy-making sectors. Spatial planning has been an integral element of

Art. 75 of the federal constitution (BV) since 1969.

Art. 75 BV Spatial Development

¹ The federal government defines the principles of spatial planning. The cantons are responsible for implementing these principles which ensure the expedient and economical stewardship of land and the well ordered settlement of the country.

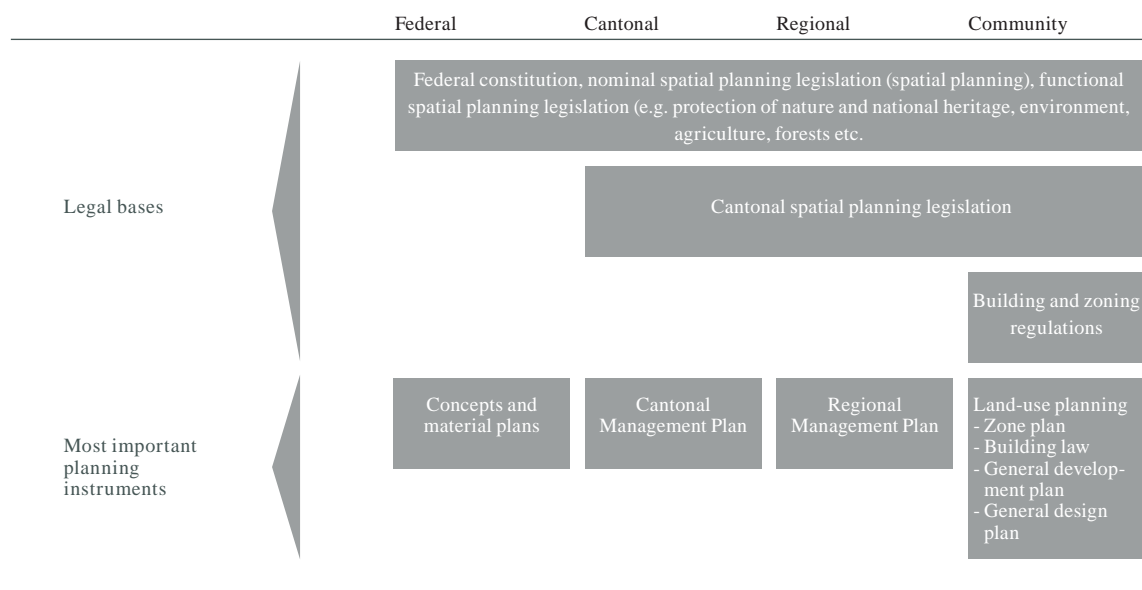
² The federal government supports and coordinates the efforts of the cantons and works in cooperation with them.

³ The federal government and cantons take the demands of spatial planning into account in the performance of their duties.

The objectives of Swiss spatial planning are stipulated in Art. 1 of the federal law on spatial planning (RPG) of 22 June 1979 (SR 700). This law is defined in the federal constitution as a “guide line” law.

Art. 1 RPG Objectives

¹ Economical stewardship of the land is assured at federal, cantonal and community level. These au-



thorities coordinate their spatial development activities and implement settlement policies geared to the desired development pattern of the country. Due consideration is given to the natural conditions as well as the needs of the inhabitants and the economy.² they apply spatial planning measures to support the following efforts, in particular,

- a. to protect the natural resources essential to life such as soil, air, water, forest and the landscape;
- b. to create and sustain residential settlements and the spatial requirements for the economy;
- c. to promote social, economic and cultural life in the various parts of the country and to promote an appropriate decentralisation of settlement and economic activity ;
- d. to safeguard a sufficient degree of self-sufficiency for the country;
- e. to safeguard overall defence.

Art 6 ff RPG stipulates that every canton is obliged to draw up a Structure Plan.

Art. 6 RPG Foundations

¹ The cantons prepare an outline of the spatial development of their area for setting up their structure plans.

² they determine which areas are:

- a. appropriate for agriculture
- b. are particularly beautiful, valuable and important for recreation or the natural environment;
- c. are significantly at risk from natural hazards or harmful influences.

³ they provide information on current status and desirable development of:

- a. settlement
- b. transport, supplies as well as public buildings and installations.

⁴ They take into account the concepts and specific plans of the federal government, the structure plans of the neighbouring cantons as well as the regional development concepts and plans.

The relevant legislation at cantonal level derives from this obligation: the spatial planning law for the canton of Graubünden of 6 December 2004 (KRG; 801.100, see annex) and the relevant spatial planning ordinance for Graubünden of 24 May 2005 (KRVO; 801.110).

Functional spatial planning legislation

Art. 78 of the federal constitution on the protection of nature and the national heritage as well as the law derived from it of 1 July 1966 on the protection of nature and the national heritage (NHG; SR 451) have already been mentioned. Besides the principle of federal commitment, the above law also regulates public spending for objects worthy of protection (Art. 13 ff NHG), the possibility of urgent measures (immediate protective measures, compulsory purchases, Arts. 15 and 16 NHG) as well as the protection of the native flora and fauna (Art. 18 ff NHG) and of moors and wetlands of outstanding beauty (Art. 23 ff NHG). The detailed provisions of the federal law are set out in the decree of 16 January 1991 on the protection of nature and the national heritage (NHV, SR 451.12).

At cantonal level, the cantonal ordinance on the protection of nature and the national heritage of 27 November 1946 sets out the provisions for the protection of nature and the national heritage as well as for the care of public monuments, archaeology and the protection of the architectural heritage.

Art. 1 Cantonal ordinance on the protection of nature and the national heritage: purpose

The canton and the communities shall safeguard the interests of nature and the national heritage according to this ordinance. This shall be assured especially by the following:

1. Protecting landscape areas of outstanding natural beauty against any defacement or unnecessary impairment due to public or private structures, advertising facilities, storage sites, quarries, gravel pits, landfills, subsidence, clouding or pollution of water, obscuring and closing off vantage points;
2. Maintaining artistically or historically valuable buildings or their remains, architectural heritage and road of value as well as planted areas;
3. Protecting places and monuments of particular scientific interest (unusual geological formations,

mineral springs, woodlands, plant communities, rare or unusual trees, animals, erratic blocks, fossils, relicts of historic or prehistoric people, animals and plants);

4. Preserving valuable antiquities (parts of buildings, inscriptions, armorial bearings, furniture, implements, tools, weapons, jewellery, textiles, coins, manuscripts, books, paintings, cult objects, prehistoric monuments such as burial sites, caches or priest's holes, remains of settlements and defence installations, formerly inhabited caves and sacrificial sites) from destruction, disappearance or leaving the canton;

5. Professionally excavating and recovering prehistoric and historical finds as well as safeguarding excavated buildings and other installations;

6. Repurchase of natural monuments, antiquities and local art and artefacts which had been sold out of the canton. The canton and the municipalities shall support relevant private initiatives in the sense of points 1 to 6 above.

The legislation on the protection of nature and the national heritage is complemented by numerous legal provisions relating to activities influencing spatial development and functional spatial planning law (forestry laws, agricultural and environmental legislation, legislation on traffic infrastructure etc.). These are listed in detail in an overview at the end of this chapter.

Key planning instruments

The importance and function of the Cantonal Structure Plan as central management and coordination instrument has already been considered. The Structure Plan coordinates all legal provisions with a view to their influence on the spatial environment and also interacts with federal concepts, specific plans and existing regional Structure Plans and development concepts as well as community planning initiatives.

Federal concepts and specific plans

The concepts and specific plans stipulated by Art. 13 of the federal law on spatial planning

(RPG) are the most important spatial planning instruments. In these instruments applicable for the whole of Switzerland, the federal administration shows how it fulfils its spatially-effective obligations in the various topics and fields, the objectives it pursues, how it proposes to act, and what demands and specifications it takes into account. The concepts and specific plans back up the spatial planning efforts of the authorities at all levels. The directives set out in these and in the Cantonal Structure Plan are mutually complementary, but are proposed from a different angle.

A summary of the federal concepts and specific plans is reproduced in the overview at the end of this chapter. The Specific Plan on traffic, transmission cables, aviation infrastructure (Samedan regional airfield) and the national sports facilities concept (there are sports facilities of national importance in the Engadin) are particularly significant for the nominated site.

Regional Structure Plan and the Forest Development Plan

In Graubünden the regions act as supra-communal planning entities in public law that exercise planning obligations and compile structure plans (Art. 18 KRG). These plans cover specific subjects of regional importance, such as land use (cf. Chapter 5.d). The regions are bound by the Cantonal Structure Plan in carrying out their spatial planning activities. The specific adjustment of the Structure Plan for the protection of the UNESCO World Heritage (cf. the relevant chapter below) thus exerts an influence on the regions. The regional structure plans are subject to approval by the cantonal government and are thus binding on the cantonal authorities. The regional structure plans, like the Cantonal Structure Plan, are updated continuously in line with new developments.

The forest development plan (WEP) may be seen as a kind of forestry structure plan. It contains the generally valid principles for the management and care of the forests and outlines the objectives and development plans for the entire forested area. A forestry development plan is set up for an entire planning region, overriding individual forest boundaries and ownership limits. Special areas are set aside for the following sectors:

- > protection from natural hazards
- > timber production
- > nature and landscape
- > recreation and tourism
- > agriculture
- > game and hunting

The specific forestry objectives linked with the particular land use are then defined together with the measures needed to achieve them. Besides these special forest areas there are extensive tracts of forest where no particular provisions are called for. The general forestry management principles have sole application in these cases.

Community land-use planning

In Graubünden, the communities are responsible for planning land use. They control the type and extent of land use in their territory by issuing regulations that are binding on the owners and cover every property and plot of land. Community planning for land use comprises the building law, zoning plan, the general architectural style plan and the general development plan.

A community building law comprises at least the building regulations, the zoning provisions and other provisions stipulated by cantonal law. According to local requirements, the building provisions focus on the specifications for buildings and installations with respect to their execution, operation and upkeep; the design and maintenance

of buildings, installations and open-air facilities; construction of community installations such as playgrounds, green areas, parking facilities, communal aeries; the provision of parking spaces for motor vehicles and bicycles; the utilisation of common ground and air-space by private individuals as well as of private property for public purposes as well as additional requirements on buildings and installations. The zoning provisions determine the purpose of the zones, the permitted type of land use and also regulate the style of construction in the building zones.

The zoning plan divides the territory of the community into various utilisation zones. The 'basic utilisation' zones generally determine the permissible land use. Additional land-use provisions are issued for zones where types of land use overlap. The communities designate building zones, agricultural zones, protection zones and others according to local needs. The building area is also called the settlement area, and the area where building is prohibited is the agricultural area. The zoning plan may define areas for a follow-up planning phase (property planning). Follow-up planning has the effect of making the area concerned a planning zone. It is initiated either by the authorities or, on application, by the party concerned.

The general organisation plan outlines the fundamental aspects (conservation, renovation, further development) of the settlements and the landscape. The communities may also issue design and style provisions instead of a general organisation plan (cf. Art 22 KRG; 801.100). The general development plan outlines the fundamental principles governing transport and utilities installations as well as waste disposal plants for the development of building zones and other utilisation zones. It covers at least the installations for elementary and primary utilities and, where

there is no follow-up plan, it also regulates the detailed development for utilities involving several properties.

The community land-use plans are updated as necessary.

Due to space restrictions, it is not possible to include copies of all the land use plans. An electronic version of the utilisation plan of one community, namely Bever, has been included in the candidature dossier to serve as an example (File, Annex). A detailed summary of the land use plans can be found in chapter 5.d.

Protection of the site (core zone)

Legal protection provisions

Legal protection of the sites ensures that changes to the railway, i.e. the alignment, engineering structures and buildings above and below ground may only be made with the approval of the *Federal Office of Culture*. This is done in the course of a railway planning procedure that constitutes a federal obligation (cf. chapter 5.c). In Switzerland the railways are regulated at the highest i.e. federal level. Art. 87 of the federal constitution (BV) stipulates that railway traffic comes under the jurisdiction of the federal government.

Art. 87 BV: Railways and other means of transport

The federal government is responsible for legislation on railway traffic, cableways, shipping, aviation and space travel.

Pursuant to the railway law of 20 December 1957 (EBG; SR 742.101), based on the above constitutional article, all changes to the rail infrastructure are subject to planning approval under federal law:

Art. 18 EBG

II. Planning approval procedure

1. Principle

¹ Buildings and plant serving entirely or predominantly the construction and operation of a railway (railway installations) may only be erected or modified subject to planning permission.

² The authority issuing permission is:

- a. the Federal Office of Transport [BAV];
- b. in the case of major projects the department specified in the annex.

³ All authorisations required under federal law are granted with the issue of planning permission.

⁴ Cantonal authorisations and plans are not required. Cantonal law shall be taken into account insofar as it does not unduly restrict the rail company in the performance of its duties.

⁵ Pursuant to the federal law of 22 June 1979 on spatial development planning, submission of a structure plan is a basic prerequisite to planning permission for projects having a significant impact on space and the environment.

⁶ Railway installations include the plant and facilities related to construction and operation as well as locations for the recycling and storage of excavated material that are closely connected, spatially and functionally, with the planned installations.

Under Swiss federal law, the so called “monument assumption” applies to any object whatsoever – whether it figures in an inventory or not; the “monument value” is determined in the event of proceedings. The Albula/Bernina line infrastructure is therefore basically subject to the legislation on protection of the national heritage, which in turn, is based on Art. 78 of the federal constitution. “Protection of the national heritage” is used as a blanket term in Switzerland for issues such as care of monuments, archaeology and the protection of townscapes and landscapes. It is derived from a civil society initiative, institutionalised as the “Association for the Protection of the National Heritage” in 1905 (cf. 2.a.4–2.a.6). Thus use of the term has been conditioned by historical events. In earlier days, the German word “Heimat” meant nature and cultural heritage within an area defined by the national

borders; accordingly “protection of the “Heimat” or heritage was synonymous with the conservation of nature and cultural customs and traditions within that territory. The national heritage movement generated significant impulses for enacting legislation on the above issues thereby ensuring that the relevant protection efforts were recognised as an integral part of government policy.

Art. 78 BV Protection of nature and the national heritage

¹ The cantons are responsible for the protection of nature and the national heritage.

² The federal government takes the requirements pertaining to the protection of nature and the national heritage into account in the performance of its duties. It respects landscapes, architectural heritage and historic sites as well as natural and cultural monuments; it ensures their unimpaired conservation when this is in the public interest.

³ It can support efforts for the protection of nature and the national heritage and acquire or safeguard objects of national importance contractually or by compulsory purchase.

⁴ It issues regulations for the protection of flora and fauna and for the conservation of their habitats in their natural diversity. It protects endangered species from extinction.

⁵ Moors and wetlands of outstanding beauty and national importance are protected. Installations may not be built and changes may not be made to the land in these areas. Installations for the protection or for agricultural use of the moors and wetlands shall be accepted.

Together with its implementing ordinance, the federal law of 1 July 1966 (NHG; SR 451) on the protection of nature and the national heritage based on Art. 78 BV of the constitution, guarantees protection of the railway installations; the federal authorities’ obligation in this respect is implicit in the provisions governing the federal duties.

Art. 2 NHG Performance of federal duties

¹ Performance of a federal duty pursuant to Article 24^{sexies}, paragraph 2 of the federal constitution implies in particular:

- a. the planning, construction and modification of works and installations by the federal government, its agencies and enterprises, including federal administration buildings and installations, national roads, Swiss Federal Railways buildings and installations.
- b. the granting of licences and authorisations, e.g. for the construction and operation of transport facilities and enterprises (including planning permission), works and installations for the transport of energy, liquids or gases or for the transmission of news as well as authorisations for forest clearance;
- c. the grant of contributions to planning, works and installations such as melioration projects, renovation of agricultural buildings, corrective measures to rivers and lakes, water protection plants and traffic installations.

² decisions by cantonal authorities on projects that can probably only be realised with the support of contributions pursuant to paragraph 1, letter c, are equated with the performance of federal duties.

Art. 3 NHG Federal and cantonal obligations

¹ In performing their duties, the federal government, its agencies and enterprises, as well as the cantons, ensure that the country’s landscape and architectural heritage, historic sites and natural and cultural monuments are looked after and preserved unimpaired when the public interest is predominant.

² They fulfil this obligation by

- a. designing and maintaining their own buildings and installations appropriately, or refraining from their construction altogether (Art. 2, letter a);
- b. only granting licences and authorisations subject to conditions or provisos or by refusing to grant them (Art. 2, letter b);
- c. only granting contributions conditionally or refusing to provide them (Art. 2, letter c).

³ This obligation applies regardless of the importance of the object pursuant to Article 4. A measure may not go beyond what is necessary for the protection of the object and its environment.

⁴ The federal authorities conduct a consultation procedure with the cantons concerned before taking their decision. The Federal Office of the Environment (BAFU), the Federal Office of Culture (BAK), the Federal Office for Roads (ASTRA) and other federal agencies involved assist in enforcing this law pursuant to Articles 62a and 62b of the governmental and administrative organisation law of 21st March 1997.

Paragraph 4 of Art. 3, NHG is particularly important in the context of the nomination. It ensures that the specialised federal agency for the protection of monuments, archaeology and architectural heritage – the *Federal Office of Culture* BAK – will be called upon by the *Federal Office of Transport* BAV, the agency responsible for all railway matters, to give an expert appraisal and approval of any building project. As a World Heritage Site, the Albula/Bernina line will acquire the highest legal status. It will, in its entirety, be treated as a monument of national importance.

The articles governing this cooperation between the federal authorities, in the above-mentioned organisation law, are worded as follows:

Art. 62a and 62 b RVOG

Art. 62a Consultation

¹ If a law provides for the concentration in a single authority (the Primary Authority) of decisions to be taken on plans for buildings and installations, then the latter shall obtain the expert opinions of the specialised agencies concerned before taking its decision.

² If several specialised agencies are involved, the Primary Authority shall hear them together; it may, however, hear them separately if this is justified on special grounds.

³ The Primary Authority shall set the specialised agencies a deadline for submission of an opinion; this term shall normally be two months.

⁴ The Primary Authority and the specialised agencies shall jointly determine cases where, exceptionally, no opinions have to be obtained.

Art. 62b Reassessment

¹ If the opinions submitted by the specialised agencies are contradictory, or if the Primary Authority does not agree with the opinions, it shall conduct a reassessment with the specialised agencies within 30 days; it may call in other authorities and experts to take part in this procedure.

² If the reassessment is successful, the result shall be binding on the Primary Authority.

³ If the reassessment is not successful, the Primary

Authority shall decide; in the event of significant differences between administrative units of the same department, the Primary Authority shall instruct the latter on how to decide. If several departments are involved, they shall reach an understanding. The differing opinions shall be recorded in the document stating the grounds for the decision.

⁴ The specialised agencies shall be entitled to provide information on their opinion independently to a court of appeal even after a reassessment procedure has taken place.

Moreover, a special feature of Swiss legislation is the associative right of appeal that entitles certain non-governmental organisations to file complaints against administrative decisions, mostly in the context of building permission and planning approval proceedings. It was incorporated in the federal law on the protection of nature and the national heritage (NHG; SR 451) in 1966, and later in the law on the protection of the environment (USG; SR 814.01) and in the federal law on foot paths and hiking trails (FWG; SR 704).

Art. 12 NHG Communities and Organisations' Right of Appeal

¹ The communities as well as Swiss organisations dedicated to the protection of nature, protection of the national heritage, conservation of monuments or to similar, purely idealistic, objectives, and which have been established for at least ten years, have the right of appeal. It applies, insofar as appeals against cantonal decrees or decrees issued by the federal authorities may, in the last instance, be made to the federal council, or in the case of appeals to the administrative court, to the federal court.

Additional protective obligations of the Rhaetian Railway

The Rhaetian Railway undertakes to apply additional protective provisions for the entire nominated line. For the construction, conversion and renovation of the railway infrastructure it consults experts or uses building methods it has developed in cooperation with specialists (cf. 4.a.1).

The consultations with professionals ensure that the specific character and the striking appearance of the Albula and Bernina railway are preserved and that new buildings or installations will blend in well with local architectural styles and the landscape. This additional commitment of the railway is anchored in the protection provisions for World Heritage Sites defined in the Cantonal Structure Plan (cf. the relevant chapter below) and therefore binding.

The railway installations in Italy (including the station), also belong to the Rhaetian Railway. As the owners and business operation are identical, the same applies materially for the Italian part of the nominated railway as for the Swiss part.

Protection of the environs of the site (buffer zone)

According to its function and importance as a “backdrop” to the site, the buffer zone was broken down into several categories: a primary buffer zone, a buffer zone in the ‘near’ area and a buffer zone in the ‘distant’ area (cf. chapter 1.e). The existing and additional protection provisions safeguard the preservation of the authenticity of the surrounding landscape and its importance and function for the nominated World Heritage Site. The protection status of settlements and landscape in the buffer zone of the Albula/Bernina line, as specified in the structure and land-use plans, are listed in the Annex, according to line sections. Chapter 7.b. lists plans from the site area that reflect the detailed regulations of the Cantonal Structure Plan.

Protection of the primary buffer zone

The settlement areas in the primary buffer zone are protected as key areas of national importance

(Federal Inventory of Protected Sites in Switzerland ISOS, cf. chapter 5.c) corresponding to special village protection zones in community building law. In these zones, the regulations on possible interventions and building projects are even stricter than in other settlement areas. The important buildings in these areas are listed buildings (for which every intervention requires approval by the cantonal heritage authorities). The Cantonal Structure Plan also implements the architectural consultancy obligation with respect to any intervention in the core zone.

The single buildings included in the primary buffer zone but located outside the settlement areas (e.g. churches, castles) are protected as listed buildings under cantonal and federal protection provisions. The landscape elements included in the primary buffer zone are protected by the Federal Inventory of Landscapes of National Importance or cantonal landscape protection zones.

Protection of the primary buffer zone in the ‘near’ area

Building in the settlement areas of the buffer zone is regulated by the communal building laws and land-use plans. They define precisely the possibilities for new constructions and their use: residential, commercial or tourist use of every plot is prescribed as well as the maximal exploitation (proportion between built surface and surface area of the plot), the maximal possible height of new buildings, both in storeys and meters (mostly 2 to 3 storeys and 15 meters), the minimal distances between the construction and the boundary of the plot, the form of the roof, the materials used and colours of façades and roofs as well as the mounting of aerials, number of possible parking lots etc. For example, any change in the façade of a building such

as piercing a wall for a new window or a change in the colour of the house, requires building permission. Community building law is subject to approval both by electorate vote and by the cantonal authorities. It must respect the Cantonal Structure Plan with its special World Heritage provisions: the Cantonal Structure Plan advocates architectural consultancy in the settlement areas close to the railway ('near' buffer zone).

Protection of the buffer zone in the 'distant' area

No building is permitted in the non-settlement areas of the buffer zone. Forest, special natural sites, agricultural land as well as rivers are protected by federal law. In these areas, only constructions that cannot be located elsewhere in view of their function are feasible. In order to avoid any impairment of visual appreciation of the core zone by such interventions (for example power lines) the cantonal structure plan specifies that they must be harmoniously embedded in the landscape (situation, dimensions, architectural quality, etc.).

Protection of the buffer zone in Italy

In Tirano, the only Italian community included in the World Heritage nomination, sensitive stewardship of the buffer zone is assured by the *Piano regolatore generale del Comune di Tirano* PRG which is the equivalent of the community land-use plans in Switzerland (cf. chapter 5.c). However, the PRG is subject to the overriding regulations of the province plans and national legislation. According to Italian law, no new buildings may be erected within a 150 m strip along a river; there is consequently a 300 m band (150 m on each side of the river) where new building is prohibited. The basic or primary buffer zone/buffer zone in the 'near'

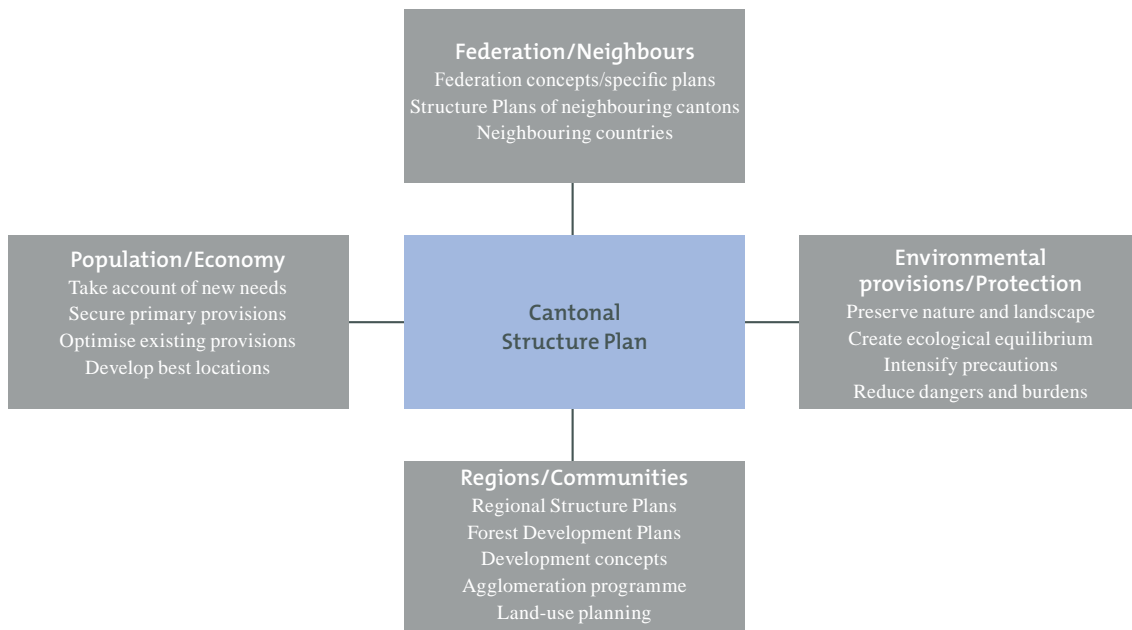
area lies within this 300 m strip along the Poschiavino river.

The existing buildings and installations in the buffer zone are subject to communal legislation as stipulated in the PRG. On a par with building legislation in Switzerland, restrictive provisions apply to utilisation as well as typology, characterisation, appearance and finish (lines, colours, materials etc.) for buildings and installations in the "centro storico" zones. The forms of utilisation and dimensions are also set out in detail for each plot of the other PRG zones. The building regulations for the entire province are also laid down in the *Piano territoriale di Coordinamento della Provincia di Sondrio* (PTCP) for areas with historic settlement nuclei and districts ("centro storico"). This plan was approved on 9 September 2006, by the mayors of the municipalities in the province of Sondrio and passed for approval by the region of Lombardy. Moreover, it is based on numerous legal provisions that contribute to the protection and sustainable development of the cultural landscape (cf. chapter 7.b). The PTCP protection provisions relevant to the property are appended to the candidature dossier ("Annex" File) in electronic form.

Anchoring the protection of the site (core and buffer zones) in the Cantonal Structure Plan

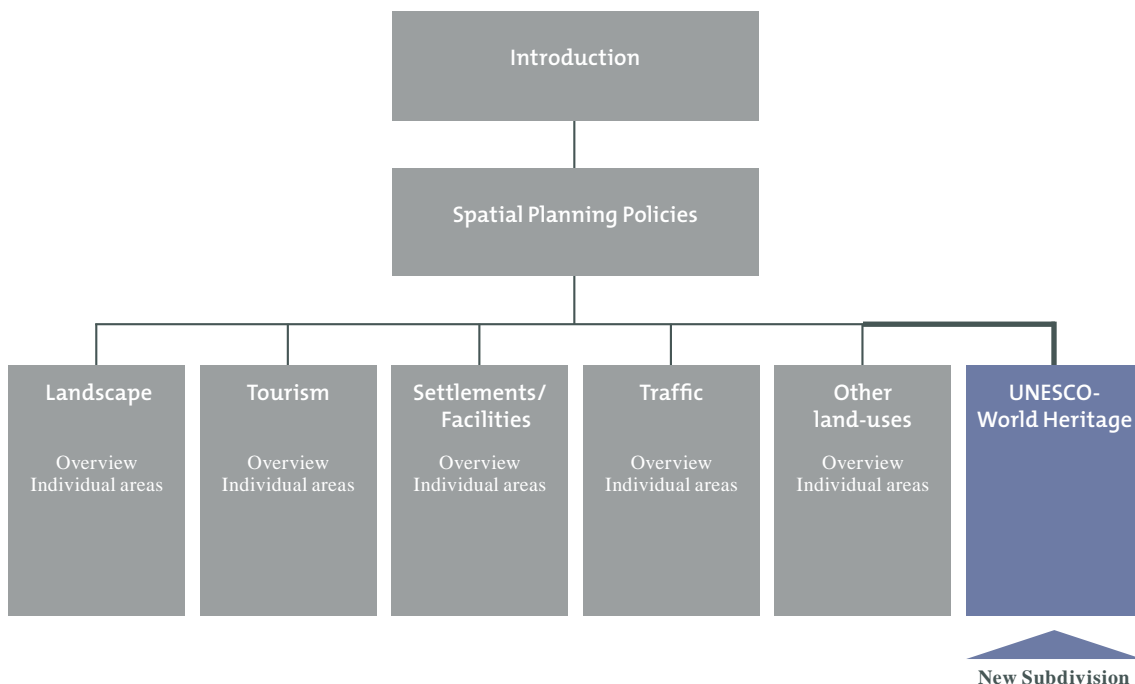
The Cantonal Structure Plan is the central steering instrument for spatial development; if the "Rhaetian Railway in the Albula/Bernina Cultural Landscape" is approved as a World Heritage Site, it would be integrated in this Structure Plan.

The Cantonal Structure Plan sets out how the



various activities of the federal administration, cantons and communities relating to spatial development are coordinated. This is done by drawing on federal inventories, concepts and specific plans (cf. the relevant chapter above) while taking into consideration the needs of the population and the economy, regional and com-

munity planning, concepts and programmes as well as the protection and conservation objectives concerning nature, landscape and environment. Consideration will also be given to the concerns of the neighbouring cantons and countries. With a view to sustainable spatial development, the aim is to strike a balance between



the differing demands on the site, in particular those made by the diversity of interests relating to protection and use of resources. The Cantonal Structure Plan is binding on the federal, cantonal and community authorities. The plan itself comprises a text and the relevant maps. It is continually adapted to changing circumstances and completely reviewed at least every ten years.

The Cantonal Structure Plan of Graubünden is currently divided into five subsectors: landscape – tourism – settlement – traffic – other land-uses. Each of these is introduced by a concise overview and then broken down into three to ten subchapters. Binding objectives are set and primary considerations defined for each topic that must be taken into account by the authorities in the course of their spatial development activities (planning, issuing authorisations, licences etc.).

If the nominated property is included on the UNESCO World Heritage list, a new subsection will be included in the Cantonal Structure Plan. This will define the provisions for protection and sustainable development of the World Heritage Site with legally binding effect.

The primary considerations and objectives set out in the draft for the new subsection relating to the “UNESCO World Heritage Rhaetian Railway in the Albula/Bernina Cultural Landscape” are as follows:

OBJECTIVE

In compliance with the protective provisions of a World Heritage Site, the Albula/Bernina line of the Rhaetian Railway and the cultural landscape around it shall be used and further developed in such a way that its particularities and specific qualities are preserved over the long-term as stipulated by the UNESCO Convention

PRINCIPLES

Railway infrastructure in the UNESCO core zone

In the event of the construction of new buildings or of conversions and renovations of the railway infrastructure (buildings, underground engineering, engineering structures) along the Albula and Bernina line, special attention will be paid to the preservation of its character and appearance as well as their integration into the local architectural tradition and the landscape. This will be assured on the basis of professional technical advice. In the case of renovation of the engineering structures, modular building techniques will be developed, in cooperation with construction experts in order to preserve the character and appearance of the line while complying with the requirements of running a modern railway system. These principles for the conservation of the character and appearance of the railway infrastructure as well as its integration in the cultural landscape will have no detrimental effect on its operation over the long-term.

Settlement areas and open cultural landscape in the primary UNESCO buffer zone

All new buildings, conversions and renovations of buildings and installations will require a heightened awareness and sensitivity to ensure their harmonious integration into the architectural heritage and landscape. The position, type and design of new buildings and installations will respect the local landscape and cultural values. They shall be executed to such a high standard that the intrinsic value of the region's cultural landscape will be enhanced, or at least not impaired. Consulting with urban development experts or similar measures is the key to ensuring compliance with these principles.

The cultural landscape in the UNESCO buffer zone in the ‘near’ area

All agents who intervene in the UNESCO buffer zone, in particular when zoning or upgrading zones (higher land-use densities or an increase in the number of storeys in existing building zones) are advised to consult with urban development experts. The decision on whether to implement this recommendation rests with the communities.

Keeping the horizon free of intrusive buildings and installations

The scenic horizon is an important element for the character of the mountain railway and the perception of the landscape. The skyline should therefore be kept free of new structures and installations as possible. Should they be inevitable, they should be planned meticulously to ensure that they impair the skyline as little as possible.

Forest stewardship along the Rhaetian Railway’s Albula/Bernina line

In the ‘near’ area along the Albula/Bernina line, the forest will be managed in such a way that passengers’ appreciation of the landscape and cultural values is impaired as little as possible by afforestation. This means ensuring an unobstructed view of parts of the landscape as well as specific structural elements of the cultural landscape. As part of this landscape, the forest, is managed according to the sustainability principle set out in the regional forest development plans. Where the forest has a protective function, this must not be impaired by any measures whatsoever.

Integrating special features into the tourist scene

Specific elements such as the Rhaetian Railway

engineering structures, historic routes, particularly valuable architectural monuments, historic settlement nuclei, building complexes, individual buildings and installations as well as natural monuments are deemed part of the tourist scene. Access to them will be provided via the existing network of paths and roads as far as possible. It will be ensured that such paths will be kept open and safe, rest places will be provided and these will be designed to blend naturally into the cultural landscape.

Utilisation of the cultural landscape and technological change support the objective

Various utilisations (e.g. farming, harnessing hydropower, use for tourism etc.) have left their mark on the cultural landscape of the prospective World Heritage Site. The resulting added value contributes directly and indirectly to the stewardship and conservation of the cultural landscape. Activities having an effect on land use are appraised on the principle of weighing up competing interests. The use of modern technologies on the railway and in the utilisation of the cultural landscape contributes to their efficient and sensitive development and consequently to the maintenance of their value over the long-term.

UNESCO World Cultural Heritage sponsoring association and management plan

The sponsoring association for the UNESCO World Heritage promotes the preservation and sustainable utilisation of the World Heritage Site and is responsible for coordinating all monitoring activities. A management plan has been produced for the UNESCO World Heritage as in line with the UNESCO directives with the aim of creating a legally binding framework for the association’s activities.

Overview

Overview of specific legislation

The legal bases and instruments for the protection and stewardship of the cultural landscape are listed below for the core zone (railway track) and the buffer zone (cultural landscape broken down into

settlement area and cultural landscape area, cf. chapter 5.c) according to topic. The laws are given in extenso in the “Annex” File and can also be consulted – under the relevant abbreviations – in the systematic law compendia on the Internet.

| <i>Asset</i> | <i>Classification</i> | <i>Type of classification</i> |
|---|--|--|
| CORE ZONE | | |
| Protection of the railway line with its engineering structures, below ground engineering as a national monument | - Art. 78 BV - Paragraph 1 NHG (Arts. 1-12) - Paragraph 1 NHV (Arts. 1+ 2) | - Federal constitution - Federal law - Federal ordinance |
| Railway planning and building permission proceedings | - Art. 87 BV, - Art. 18 EBG | - Federal constitution - Federal law |
| Coordination of the authorities involved | - Art. 62a + 62b RVOG | - Federal law |
| Definition of perimeter + special World Heritage protection provisions | - Canton Graubünden Management Plan | - Cantonal law (management planning) |
| BUFFER ZONE | | |
| Settlement area | | |
| Settlement area general | - Art. 15 RPG, building zone - Art. 22 KRG, community regulative system (building law and plans) - Cantonal structure planning (Chapter 5.2) - Differentiated building zones in land-use planning | - Federal legislation - Cantonal legislation, Structure planning - Cantonal legislation, Structure planning - Land-use planning |
| Building zone - protected areas (protection of architectural heritage) | - Art. 5 NHG, architectural heritage of national, regional and local importance - Art. 43 KRG development planning consultancy Art. 73 KRG development planning - Cantonal structure planning (Chapter 5.5.1) - Land-use plan protected zones, development planning consultancy, development directives, building law provisions (BauG, zoning plan, general organisation plan) | - Federal legislation - Cantonal legislation - Structure planning - Land-use planning |
| Building project adjacent to rail operation area | - Art. 18m EBG, Art. 18m EBG, building projects adjacent to or on railway property, Rhaetian Railway approval required | - Federal legislation |

| <i>Asset</i> | <i>Classification</i> | <i>Type of classification</i> |
|------------------------------|--|-------------------------------|
| Landscape area | | |
| Landscape area (forest) | - Art. 5 forest law, ban on clearance law | - Federal legislation |
| Landscape area (other) | - Art. 24 RPG, special licence, zone conformity, site-bound | - Federal legislation |
| Moor landscapes and wetlands | - Art. 78 BV, moors and wetlands of national importance | - Federal constitution |
| Biotope protection | - Art. 18 NHG, raised and flat bogs, wetlands, amphibian spawning grounds, glacier aprons, dry meadows | - Federal legislation |
| | - Structure planning (Chapter 3.7) | - Structure planning |
| | - Land-use plan protected zones | - Land-use planning |
| Landscape | - Art. 5 NHG, landscapes and natural monuments of national importance | - Federal legislation |
| | - Structure planning (Chapter 3.5 and 3.6) | - Structure planning |
| | - Land-use plan protected zones | - Land-use planning |
| Fauna and habitats | - Art. 11 JSG, no-hunting zones | - Federal legislation |
| | - Structure planning (Chapter 3.8) | - Structure planning |
| | - Land-use plan protected zones | - Land-use planning |

Protection of the Albula/Bernina buffer zone in the structure and land-use plans

Finally, the protection status of settlements and the cultural landscape along the Albula/Bernina line as specified in the structure and land-use plans (cf. chapter 5.c) is detailed below, broken down according to the sections of the line and the specific legislation. Chapter 7.b lists plans from the site area that reflect the detailed regulations of the Cantonal Structure Plan.

Abbreviations

| | |
|-------|---|
| OBSnr | Protection of village architectural heritage (national = n, regional = r) |
| OBSZ | Protection of architectural heritage zones |
| KDnr | Cultural monument (national = n, regional = r) |
| KDS | Protected cultural monuments (land-use planning) |
| EHZ | Conservation zones (protected zones) (groups of buildings of cultural-historical value) |
| KL | Cultural landscape with special stewardship |
| LSG | Protected landscape area according to structure planning |
| BLN | Federal inventory of landscapes and natural monuments of national importance |
| ML | Moor landscape of outstanding beauty and national importance |
| LSZ | Protected landscape area according to community land-use plan |
| LWZ | Agricultural zone |
| FFF | Crop rotation area |

| <i>General</i> | <i>Settlement</i> | <i>Landscape</i> |
|---|--|--|
| Domleschg/Thusis | | |
| - KL protected in near vicinity (LSG, LWZ, forest) | - Thusis: historic nucleus Altdorf and Neudorf (OBSr), OBSZ, development planning consultancy, protected | - Domleschg, KL with special stewardship and LSG/LSZ |
| - Orderly settlements | - Sils i. D.: OBSr, OBSZ, KDS, development planning consultancy (Palazzo, Campi ruins, Balenstein castle) | - San Cassian church and environs OBSn, KDS, LSG/LSZ |
| - Architectural heritage protected | | - Hohenrätien and Carschennna LSG/LSZ |
| - Art monuments and environs protected | | - Campi ruins and environs OBSn, KDS |
| | | - Hohenrätien ruins, KDn, KDS |
| | | - Fort Ehrenfels KDS |
| | | - Cave drawings Badugnas KDS |
| | | - Prehistoric rock drawings Carschenna KDn, KDZ |
| Schin Gorge | | |
| - Difficult access area with precipitous rocks and forest | - No settlements close to the core or buffer zone | - Mainly forest (ban on forest clearance and therefore protected) |
| - Protection from natural hazards necessary as required | - Villages Zorten, Lain, Muldain; sharp delimitation of building zone (buffer zone in far distance) | - LWZ |
| | | - Alvaschein, KL with special stewardship LSG |
| | | - Mistail church with environs (OBn, LSG) |
| Tiefencastel – Filisur | | |
| - Orderly settlements | - Tiefencastel Kirchhügel KDn | - Prada plain (LSG) with EWZ (electricity works) settlement |
| - Architectural heritage and cultural monuments protected | - Surava: Belfort ruins KDn | - KL Albula valley (LSG) |
| - Cultural landscape with special stewardship (hedge landscape) protected | - Surava/Alvaneu Bad: Surava regional crafts location with historical lime kiln KDS | - Valley plains LWZ |
| - Arable land on valley floor in LWZ | - Filisur OBSn, OBSZ, detailed organisation plan with protected buildings, development planning consultancy, protected | - Forest (ban on forest clearance and therefore protected) |
| - Quarry areas are being re-greened | | - Golf course |
| | | - KL Albula valley (LSG) |
| | | - Landwasser viaduct KDn |
| Filisur – Bergün/Bravuogn | | |
| - Deep cut valley with river, rock outcrops and forest | - Greifenstein ruins, KDS | - Largely forest (ban on forest clearance and therefore protected) |
| - Protection from natural hazards necessary as required | | - Landscape in the buffer zone, also extending to the far distance LSG/LSZ |
| Bergün/Bravuogn – Preda | | |
| - Orderly settlements | - Bergün/Bravuogn: OBSn and tower KDn protected, detailed heritage plan with protected buildings, development planning consultancy | - Forest (ban on forest clearance and therefore protected) |
| - Architectural heritage protected | | - Landscape in the buffer zone, also extending to the far distance LSG/LSZ |
| - Meadows on valley floor and around Bergün and Preda in LWZ | - Latsch: OBSn; environs protected, development planning consultancy | |
| - Extensive areas of forest and rocks/scree | - Stugls/Stuls: OBSn; KDn, detailed design plan with protected buildings, development planning consultancy | |
| - Protection from natural hazards necessary as required | - Naz: Maiensäss settlement in EHZ | |

| <i>General</i> | <i>Settlement</i> | <i>Landscape</i> |
|---|---|--|
| Val Bever – Pontresina | | |
| <ul style="list-style-type: none"> - Well structured, clear-cut settlements in Samedan – Celerina – St. Moritz – Pontresina area (tourism and focal points in the Engadin) - Meadows, grazing and open larch forests in LWZ, partly BLN and LSG | <ul style="list-style-type: none"> - Bever: OBSn, OBSZ, detailed organisation plan with protected buildings, development planning consultancy, protected - Bever: Church KDn - Samedan: OBSn, OBSZ, development planning consultancy - Celerina: OBSr; special community heritage directives - St. Moritz: OBSr - St. Moritz: Engadin Museum and Segantini Museum KDn - Pontresina: OBSn, detailed organisation plan with protected buildings - Pontresina: S. Maria chapel with tower and Grand Hotel Kronenhof KDn | <ul style="list-style-type: none"> - Val Bever in LSG - Bever-Samedan-Pontresina plain in LWZ and forest, BLN, LSG/LSZ - Samedan-Celerina golf course - S. Gian (KDn) with environs: BLN, LSG and LSZ - ML, BLN |
| Val Bernina – Bernina Pass | | |
| <ul style="list-style-type: none"> - Alpine meadow and water-glacier landscape with imposing views of Bernina Group; virtually unpopulated | <ul style="list-style-type: none"> - no cohesive settlements | <ul style="list-style-type: none"> - Val Bernina extensively covered in BLN and LSG - Glacier apron, Morteratsch glacier - Albris-Morteratsch federal no-hunting reserve |
| Bernina Pass – Cavaglia | | |
| <ul style="list-style-type: none"> - Alpine grazing and glacier landscape with imposing views of Palü glacier and into Val Poschiavo; virtually uninhabited | <ul style="list-style-type: none"> - no cohesive settlements | <ul style="list-style-type: none"> - Largely in LSG, subsectors in BLN - Palü glacier apron and Lake Palü LSG - Cavaglia plains with moulins LSG |
| Cavaglia – Poschiavo valley floor | | |
| <ul style="list-style-type: none"> - Well tended cultural landscape (Maiensäss areas) from Cadera to valley floor - Valley floor, orderly but changed settlements and intensively farmed areas; hedge landscapes on the alluvial fans (KL with special land stewardship) - Lake Poschiavo with largely natural shores (except Le Prese-Li Geri and Miralago) | <ul style="list-style-type: none"> - San Carlo: OBSn, detailed organisation plan with protected buildings, east flank LSG/LSZ - San Carlo: S. Carlo Borromeo church with Casa Volt, KDn - Poschiavo Borgo: OBSn, detailed organisation plan with protected buildings - Poschiavo Borgo: historic nucleus and “Spagnoli” district KDn - Poschiavo Borgo: S. Vittore church KDn - Poschiavo Borgo: S. Maria Assunta church, KDn - Poschiavo Borgo: Old Augustinian convent - Poschiavo Borgo: Council building with tower KDn - Poschiavo Borgo: De Bassus-Mengotti house KDn - Prada: OBSn, detailed organisation plan with protected buildings, - Canton: OBSn, detailed organisation plan with protected buildings - Le Prese OBSr | <ul style="list-style-type: none"> - Alluvial fans with hedge landscape (LSG) - Valley plain FFF, LWZ - Lake Poschiavo surroundings LSG, forest (clearance ban, thus protected), LWZ |
| Lake Poschiavo – Campocologno | | |
| <ul style="list-style-type: none"> - Narrow valley and valley floor that is relatively densely populated and intensively farmed | <ul style="list-style-type: none"> - Brusio – Campascio: orderly settlement pattern - Brusio OBSr, nucleus with development planning consultancy - Crafts locations (traditional) - San Romerio chapel KDn - “Cröt” cool house KDn | <ul style="list-style-type: none"> - Motta, massive rockfall area in LSG - Terrace landscape, LSG/LSZ - Chestnut forests with terraces, LSG/LSZ - Brusio reverse curve viaduct, LSG/LSZ |

Legal bases according to legislative level

The following table sets out the most important legal bases, arranged according to -legislative level (appended to the candidature documentation [“Annex” File] in electronic form). All

federal laws can be found in the systematic collection at www.admin.ch/ch/d/sr/sr.html available in the national languages German, French and Italian. The cantonal laws can be consulted at www.gr.ch.

| <i>Level</i> | <i>Most important legal provisions</i> | <i>Bases, inventories</i> | <i>Specific plans and concepts (Federation) structure planning (canton and region), land-use plans (communities)</i> |
|--------------|--|---|--|
| Federation | <ul style="list-style-type: none"> - Agreement of 23 November 1972 on the protection of the world cultural and natural heritage (SR 0.451.41) - Haag Convention of 14 May 1954 for the protection of cultural assets in the event of armed conflict (SR 0.520.3) - Federal law of 1 July 1966 on the protection of nature and the environment (NHG; SR 451). - Decree of 16 January 1991 on the protection of nature and the national heritage (NHV; SR 451.1) - Decree of 10 August 1977 on the federal inventory of landscapes and natural monuments (VBLN; SR 451.11) - Decree of 9 September 1981 on the federal inventory of Swiss Heritage Sites (VISOS; SR 451.12) - Decree of 28 October 1982 on the protection of riverside wetlands of national importance (Wetlands decree; SR 451.31) - Decree of 21 January 1991 on the protection of raised and transition bog lands of national importance (Raised bogs decree; SR 451.32) - Decree of 7 September 1994 on the protection of flat bogs of national importance (Flat bogs decree; SR 451.33) - Decree of 15 June 2001 on the protection of amphibian spawning grounds of national importance (Amphibian spawning grounds decree; AlgV; SR 451.34) - Decree of 1 May 1996 on the protection of moor landscapes of outstanding beauty and national importance (Moor and wetland landscapes decree; SR 451.35) - Federal law of 22 June 1979 on spatial planning (RPG; SR 700) - Spatial planning decree of 28 June 2000 (RPV; SR 700.1) | <ul style="list-style-type: none"> - Federal inventory of landscapes and natural monuments of national importance (BLN) - Federal inventory of cultural assets of national and regional importance - Federal inventory of Swiss Heritage Sites (ISOS) - Federal inventory of historic routes (IVS) - Federal inventory of the riverside wetlands of national importance - Federal inventory of raised and transitional bog lands of national importance - Federal inventory of the flat bogs of national importance - Federal inventory of the amphibian spawning grounds of national importance - Federal inventory of the moor landscapes of outstanding beauty and national importance - Federal inventory of glacier aprons and alluvial plains - Inventory of the federal no-hunting zones - National forestry inventory - Production cadastre for agriculture (extended transition zone, pre-alpine hill zone, mountain zones I-IV, summer grazing area) | <ul style="list-style-type: none"> - Swiss agricultural concept; (LKS), issued by the federal council by decision of 19 December 1997 - Specific crop rotation area plan; (FFF), issued by the federal council by decision of 8 April 1992 - Specific plan for transmission cables (SüL), issued by the federal council by decision of 27 June 2001 and updated continuously - Specific military plan, issued by the federal council by decision of 28 February 2001 - Specific traffic plan, part programme, issued by the federal council by decision of 26 April 2006 - Specific aviation infrastructure plan (SIL), part i - IIIB, issued by the federal council by decision of 18 October 2000 with continuous updating of part IIIC, 1. – 6. Series - National sports grounds concept (NASAK), issued by the federal council by decision of 23 October 1996 - Specific plan – AlpTransit, New Alpine Rail Axis (NEAT) issued by the federal council by decision of 15 March 1999 |

| <i>Level</i> | <i>Most important legal provisions</i> | <i>Bases, inventories</i> | <i>Specific plans and concepts (Federation) structure planning (canton and region), land-use plans (communities)</i> |
|--------------|--|---------------------------|--|
| | <ul style="list-style-type: none"> -Federal law of 21 June 1991 on the melioration of water courses (SR 721.100) -Railway law of 20 December 1957 (EBG; SR 742.101) -Federal law of 24 June 1902 on electrical light and heavy power installations (EleG; SR 734.0) -Decree of 8 November 1978 on licensing of cableways (Cableway licence decree, LKV; SR 743.11) -Federal law of 7 October 1983 on the protection of the environment (USG; SR 814.01) -Decree of 19 October 1988 on the environment compatibility test (UVPV; SR 814.011) -Federal law of 24 January 1991 on protection of waters (Waters protection law, GSchG; SR 814.20) -Federal law of 29 April 1998 on agriculture (LWG; 910.1) -Decree of 29 March 2000 on summer alp grazing contributions (SöBV; SR 910.13) -Decree of 4 April 2002 on the regional promotion of quality and the network of ecological compensation surfaces in agriculture (Eco-quality promotion, ÖQV; SR 910.14) -Decree of 7 December 1998 on structural improvement in agriculture (Structural improvement decree, SVV; SR 913.1) -Federal law of 4 October 1991 on forestry (WaG; SR 921.0) -Federal law on hunting and the protection of mammals and birds in the wild (Hunting law, JSG; SR 922.0) | | |

| <i>Level</i> | <i>Most important legal provisions</i> | <i>Bases, inventories</i> | <i>Specific plans and concepts (Federation) structure planning (canton and region), land-use plans (communities)</i> |
|--------------|---|--|---|
| Canton | <ul style="list-style-type: none"> - Law of 24 October 1965 on the promotion of the protection of nature and national heritage in Canton Graubünden (BR 496.00) - Decree of 27 November 1946 on the protection of nature and the national heritage (BR 496.100) - Decree of 2 June 1972 on the protection of the Upper Engadin lake landscape (BR 496.150) - Spatial planning law of 6 December 2004 for Canton Graubünden (KRG, BR 801.100) - Spatial planning law of 24 May 2005 for Canton Graubünden (KRVO, BR 801.110) - Decree of 21 November 2000 on the repurposing of farmsteads and buildings and installations worthy of protection outside building zones (repurposing decree, UVO, BR 801.150) - Directives of 6 May 1997 on risk zone planning (BR 801.500) - Introductory law of 2 December 2001 in relation to the protection of the environment law (BR 820.100) - Cantonal protection of the environment decree of 13 August 2002 (BR 820.110) - Cantonal decree of 30 April 1991 on the environment compatibility test (KVUVP, BR 820.150) - Law of 25 September 1994 on the conservation and promotion of agriculture (BR 910.000) - Agricultural decree of 28 March 2000 (BR 910.050) - Canton Graubünden melioration law of 5 April 1981 (BR 915.100) - Cantonal forestry law of 25 June 1995 (KWaG, BR 920.100) - Cantonal forestry decree of 2 December 1994 (KWaV, BR 920.110) - Export provisions of 19 December 1995 pursuant to the cantonal forestry law (AbzKWaG, BR 920.120) | <ul style="list-style-type: none"> - Cantonal nature and landscape inventory - Cantonal inventory of monuments | <ul style="list-style-type: none"> - Canton Graubünden Structure Plan, issued by the government 19 November 2002, approved by the federal council 19 September 2003 (www.richtplan.gr.ch) - Forest development plans (cf. 5.d) |

| <i>Level</i> | <i>Most important legal provisions</i> | <i>Bases, inventories</i> | <i>Specific plans and concepts (Federation) structure planning (canton and region), land-use plans (communities)</i> |
|--------------|--|---|---|
| Region | | | - Regional structure plans (see list in Chapter 5.d) |
| Communities | | - Detailed settlement inventories - Complementary inventories on biotopes and landscapes | Land-use planning comprising - Building law - Zoning plan - General urban organisation plan (or organisation directives) - General development plan (see list in Chapter 5.d) |



Albula line > The Glacier Express
at Bever.
A. Badrutt / Rhaetian Railway

5.c Means of implementing protective measures

Graubünden (Switzerland)

Basic procedural principles

In Switzerland the three strata of government – federation, canton and community – have graduated levels of competence for the implementation of the protective provisions. Three fundamental principles play a central role in the process of drawing up and approving protective and development measures: deposition for viewing by the public, consultation and appraisal of differing interests.

Deposition for public viewing

The spatially effective plans described in Chapter 5.b (Federal concepts and specific plans, structure plans, land-use plans) involve a public hearing and participation in accordance with article 4 RPG. This means that these plans are open to the public and that anyone may comment on them (see articles 7, 11, 13 KRVO). The basic principle of public presentation and giving members of the public the opportunity to lodge objection also applies to building projects, with the exception of construction work which either will take only a brief period of time or which does not affect public or private interests (see article 86 KRG and article 40 KRVO).

Consultation

The consultation process is based on the principle of involvement and is the same for all procedures (spatial planning, railway law). One of the first steps in this procedure involves the lead authority (as determined by law) investi-

gating the areas that will be or might be affected by the spatial plan or building project. Here ‘areas’ refers to aspects such as nature protection, heritage protection, environmental protection, agriculture, forestry, and so forth. The responsible technical bodies are given the opportunity to comment on the submission and to forward an opinion to the lead authority. As a rule, the lead authority prepares the decision on behalf of the legally established decision-making body. During this procedure, the various interests are weighed against each other. The same principle applies in terms of the involvement from a territorial point of view (directly affected regions or local authorities). In the case of the UNESCO World Heritage Site, for example, the *Federal Office of Transport BAV* invites the *Federal Office of Culture BAK* to submit an opinion.

Harmonising interests

The harmonisation of interests is a core method used in spatial planning, protection of nature and the national heritage protection. The method involves assessing the interests affected and weighting them in terms of clearly understandable criteria. The planning principles defined in article 3 of Federal law on spatial planning provide a guideline for this. These principles do not of course offer a definitive system, free of contradictions, as their application and weighting is always related to the particular problem being considered. The weighting takes into consideration the importance of objects, and when considering nature protection and national heritage protection a distinction is made between national,

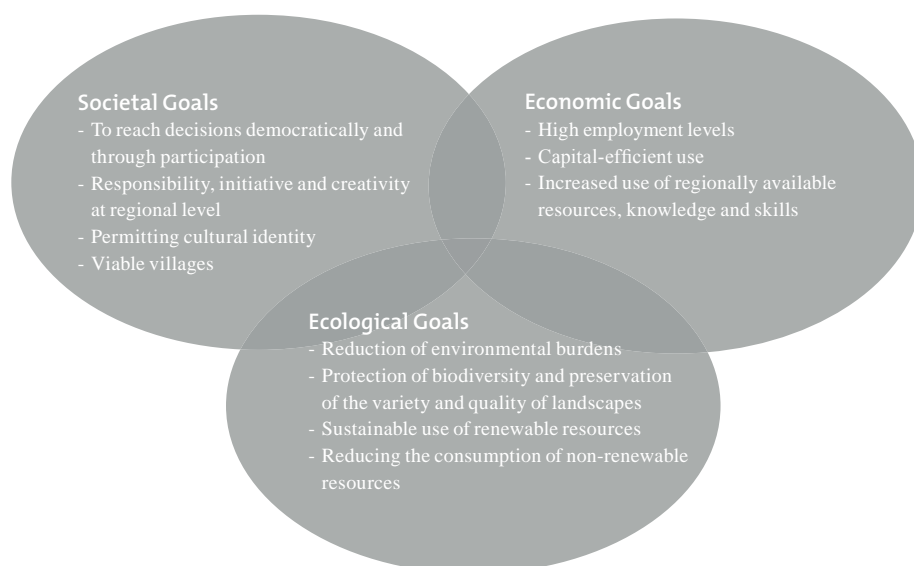
regional and local importance. The convention on the protection of the world's natural and cultural assets (SR. 0.451.41) is implemented by means of domestic laws (non self-executing). Switzerland has no special law relating to World Heritage sites, so in practice any such site within the country is taken to be of national importance and is therefore assigned the highest level of importance.

The harmonisation of interests is an open process that can respond to any new interests that may arise. It is also based on the concept of sustainable development, now established as part of the new Federal constitution, and is a higher-ranking guideline applicable to all policy areas. Sustainable development means satisfying the needs of the present day without putting at risk the ability of future generations to fulfil their own needs. Sustainable development aims to achieve societal, economic and ecological compatibility – three interdependent areas that must be given due consideration when harmonising the various interests.

Implementation of site protection (core zone)

Planning approval procedures in accordance with Railway law which take account of the legislation on protection of nature and the national heritage protection

The plan-approval procedure derived from railway legislation is regulated by the Railway Law, the Railway Directive and the Plan Presentation Order. When the BAV (*Federal Office of Transport*) as lead authority distributes a project to other federal bodies as part of a normal planning-approval procedure, the consultation process applied is based on the principle of involvement. These federal bodies may include the BAFU (*Federal Office of the Environment* – the federation's technical body responsible for the environment, forests, nature protection and landscape protection) and the BAK (*Federal Office of Culture* – the federation's technical body for the preservation of monuments,



archaeology and the protection of townscape images). BAK and BAFU check aspects such as the extent to which a project touches on the interests of the protection of nature and the national heritage. This work takes into account the special circumstances presented by the UNESCO World Heritage Report on the “Rhaetian Railway in the Albula/Bernina Cultural Landscape”, as set out in the Cantonal Structure Plan. These authorities base their decisions in part on the national importance of the railway fundamental for a World Heritage Site. The authorities may also ask (and in some cases are required to ask) the EKD and ENHK – the advisory commissions of the federation – to submit technical reports. The EKD is the *Federal Commission for the Preservation of Monuments*, and the ENHK the *Federal Commission for the Protection of Nature and Cultural Heritage*. As part of the assessment of a project, the technical departments can submit requests for changes to the lead authority or even reject the project completely. The BAV makes its decision based on a balance of interests and is required to reach an agreement with the technical departments by means of a legally defined procedure whereby the conservation and appropriate care and maintenance of the railway is of national importance i.e. the protection of the World Heritage Site is in the highest possible public interest.

The planning approval project is also sent to the canton, which accepts responses from the local authorities and any third parties affected. Laws passed by the canton and the local authorities cannot oppose the planning approval. In practice, however, due consideration is given to the laws passed by the canton and local authorities, as well as to the railway law and to other public interests. The local authorities keep the project

on public display in the form normally used locally for a period of 30 days. During this period, anyone whose rights and duties are affected by the building project and whose interest in the project is worthy of protection may express an opinion or request changes to the plan. The law on group complaints (cf. 5.b) allows all issues to be raised, including questions on alignment, environmental protection and noise protection, spatial planning aspects, and so forth. The planning approval procedure as a rule concludes with the BAV issuing a decision; this decision may be challenged.

The planning approval is important in two ways. On the one hand it is in effect a building approval and on the other it implies that the project correctly applies the normal rules of railway know-how and is designed using state-of-the-art technology; in other words, the planning approval also confirms that the project has passed a safety review by the BAV.

Technical advice and the Rhaetian Railway

The Cantonal Structure Plan contains provisions concerning protection of the World Heritage Site (see draft for the new Structure Plan subsection “UNESCO World Heritage” in 5.b). The provisions require the Rhaetian Railway to involve qualified specialists (specialists in the cantonal tasks of preservation of monuments or other experts) during the planning, design or implementation of new railway facilities and during the conversion and rehabilitation of existing railway facilities. The task of these experts is to ensure that the specific character and dominant image of the Albula and the Bernina lines remain preserved and that new structures and facilities are properly integrated into the townscape and the landscape images.

The example of the development of modular

construction methods for the rehabilitation of railway bridges shows how this type of technical advice works in practice (cf. 4.a.1).

Implementation of the protective provisions for the environs of the site (buffer zone)

As detailed in Chapter 5.b, the definition of the desired spatial development and its instrumental implementation, is largely incumbent on the cantons; the cantons delegate these obligations in part to the communities. As central steering instrument of spatial development, the Cantonal Structure Plan is compiled by the Cantonal Spatial Development Authority, the *Amt für Raumentwicklung*, in cooperation with other cantonal authorities as well as with the regions and communities on a partnership basis. The Cantonal Spatial Development Authority elaborates a draft structure plan, Presents this for public viewing for at least 30 days, and submits it to the relevant cantonal authorities for approval.

In Graubünden, the Structure Plan is approved by the government (article 14 KRG) whereupon it becomes binding on the cantonal authorities. Upon final approval by the Federal government, the structure plan then also becomes binding on the federal authorities.

As explained in Chapter 5.b, the relevant amendments will be made to the Structure Plan in the event of the site being inscribed on the UNESCO World Heritage List. This will be initiated as soon as the success of the candidature has been confirmed. Core and buffer zones together with the key considerations in the Cantonal Structure Plan have been elaborated in conjunction with the communities, regions, canton and federation. This specific amendment shall be binding on the authorities at all levels; all authorities committed to the higher interests defined in the Structure Plan

with respect to the protection and sensitivity in dealing with the World Heritage.

Details of the structure plan procedure may be found under www.are.gr.ch > Richtplanung > Verfahrenabläufe (in German).

Obligation to consult on design

The cantonal structure plan makes higher demands in terms of the design of buildings and facilities and the quality of their integration into the townscape and landscape images (see draft for the new Structure Plan subsection “UNESCO World Heritage” in 5.b). The approach used to implement this principle is that of ‘consultation on design’. In concrete terms, the consultation on design occurs through the involvement of qualified technical advisers in the approval procedure (see the relevant chapter below). Where this consultation is not possible, measures of similar value are pursued, for example establishing appropriate design guidelines or articles in the building law. During the period when the present candidacy was being drafted, the opportunity was taken to develop a number of implementation and support tools related to the area of village-level advice with respect to design. These tools are intended for use by the authorities involved in spatial development. They have been published on the Internet (www.siedlungsgestaltung.gr.ch) and provide a valuable basis for the day-to-day work and implementation.

In the *primary buffer zone* (for derivation and definition of the term cf. 1.e), consultation on design is an obligatory requirement. Where new agricultural structures within the UNESCO primary buffer zone are concerned, financial contributions from the public sector are only granted if the buildings concerned fit correctly into the townscape and landscape images.

In the *buffer zone in the ‘near’ area* (for derivation

and definition cf. 1.e) the various existing building regulations and zone plans of the local authority will ensure an orderly development. Consultation on design is recommended for the buffer zone in the adjoining area and is a way of emphasising the requirement for increased sensitivity of the design. Where proposals involve intensification of use or extensions to settlements, special attention must be paid to the design and the integration into the images of townscape and landscape. Measures for directing growth in extensions of settlement areas have already been set out by the existing structure planning.

For the *buffer zone in the 'distant' area* (views which include the horizon line, cf. 1.e), the significance of the horizon line moves into the foreground. This line is to be kept free of any new structures and facilities affecting the landscape and which can be seen from the core zone. Should such buildings and facilities be unavoidable due to higher-level public interest (e.g. to ensure national supplies), then a design and layout must be selected which will minimise any adverse affect on the horizon line.

Protection of nature and the national heritage

Aspects of special interest include the preservation of monuments, archaeology, protection of the townscape image, protection of the landscape and the protection of nature. The relevant technical departments of the BAK (*Federal Office of Culture*), the BAFU (*Federal Office of the Environment*), the cantonal section for the Care of Historic Monuments (*Denkmalpflege Graubünden*), the cantonal Archaeological Service (*Archäologischer Dienst Graubünden*), and the departments for nature protection and the protection of the landscape within the cantonal *Office for Nature and the Environment* (Amt für Natur und Umwelt

ANU) are responsible for the implementation of these aspects, both at federal and cantonal levels. The inclusion of the World Heritage Site in the Cantonal Structure Plan is a clear statement of the increased interest in its protection. During the harmonisation of interests, which is a normal part of the protection process (see above in this section), special consideration will be given to this feature.

It has already been described in the protection of the railway facilities (see the chapter on planning approval procedure earlier in this section) how the federal task of implementing protection of nature and the national heritage is carried out in individual cases. In a similar process, the BAK also checks all other federal tasks affecting the cultural landscape of the Albula/Bernina region, reviewing them in terms of their influence on the cultural heritage; the BAFU carries out a similar review in terms of the influence on the natural heritage. The federation is responsible for reviewing all activities with a strong spatial impact. Such activities include the construction or alteration of infrastructure facilities (a federal task commensurate with the federation's duty of approving them), transport facilities (concession under federal law), the development of waterways, the construction or conversion of structures for agricultural use or for protection against natural hazards (federal subsidies).

In making its assessment, the federation bases its work on the inventories of objects of national significance and on the preservation aims formulated with respect to them. These inventories are only legally binding on the federation, but are also taken into consideration in the canton's planning activities. A basic requirement is that the objects included must be preserved unimpaired. Deviations from this are only permitted when other, higher-level interests of national importance im-

ply that they cannot be avoided. Three federal inventories currently comply with the NHG – the ISOS, the BLN and the IVS.

The BLN, the *federal inventory of landscapes and natural monuments of national significance* includes objects, typical landscapes and natural monuments (for the entries in the inventory which concern the cultural landscape of the Albula/Bernina region see 5.b, Overview tables). Typical landscapes are mostly cultural landscapes strongly influenced by nature that contain surface forms especially characteristic of a region, or features of cultural history and habitats important to local flora and fauna. Natural monuments are individual animate and inanimate natural features such as erratic blocks, rock outcrops or typical forms of landscape. These are elements of landscape protection for which the overall appearance of the landscape is in the foreground.

The ISOS, the *federal inventory of Swiss Heritage Sites* includes permanent settlements worthy of protection (for the entries in the inventory related to the cultural landscape of the Albula/Bernina region see 5.b, Overview tables; they are also appended to the candidature documentation [“Annex” File] in electronic form). A “townscape image” is more than a settlement and something more than the sum of individual buildings. It is not only buildings which make up a townscape image, spaces are also involved – the spaces between houses, the squares and streets, the gardens and parks. A locality is characterised by the relation between the buildings themselves and between the buildings and their surroundings, such as woods and meadows, and the landscape. The ISOS seeks to illustrate this interrelationship as seen by an overall view of the ensemble; it also establishes specific preservation goals for each townscape image. The Cantonal Structure Plan lists the townscape images of national and region-

al importance; the associated regulations on protection are binding on the authorities. Protection measures relate to individual plots of land and are binding on the property owners; these are implemented within the framework of land-use planning (see below in this section).

The IVS, the *inventory of historic transport routes in Switzerland*, the principles of which are presently only available in draft form, contains comprehensive information on the course of historic routes, their history, their condition and their significance. It is not only meant to serve as a means for the protection, maintenance and care of historic transport routes, it is also intended to provide a means for promoting the sustainable use of historic routes for tourism. The inventory will therefore also make an important contribution towards the creation of an attractive network of footpaths, trails and cycle routes. A network of this type for slow-moving traffic is part of the strategy set out in the Federal law of 4th October 1985 concerning footpaths and trails (FWG; SR 704).

Further to the three federal inventories which are regulated in a specific ordinance based on Art. 5 of the NHG (VISOS, VBLN und VIVS; cf. 5.b), there are other inventories on the federal side which are relevant in dealing with World Heritage issues: the *Biotope inventories*. They cover raised and flat bogs, spawning areas for amphibians, meadowland, glacier aprons and alluvial plains; an extension to cover other protected nature surfaces is in preparation. The Cantonal Structure Plan lists the biotopes of national and regional importance; the relevant regulations on protection are binding on the authorities. The protection that relates to individual plots of land and which is binding on the property owners is applied in the context of land-use planning (see below in this section). Besides planning-based protection, where exploitation of the biotopes is essential and

possible, specific utilisation of these areas can be contractually agreed with the users and the specific utilisation paid for.

A project control that is essentially independent of political influence is guaranteed by the *Verbandsbeschwerderecht*, the NGO right to file objection (cf. 5.b). This right enables organisations active across Switzerland to lodge complaints against certain cantonal orders or against orders issued by federal authorities. To be eligible for this right, an organisation must be dedicated to the protection of nature and the national heritage, the preservation of monuments, or related but purely conceptual goals and must have been in existence for at least 10 years. This right to file objection also ensures that the implementation of the legal provisions for the protection of the cultural landscape of the Albula/Bernina region is effectively monitored. It can be exercised only in clearly defined circumstances, for example in planning approval procedures involving the railway and in proposals subject to an obligatory environmental impact assessment; other examples include requests for land clearance work, applications for structures outside the building zone (see chapter on building permission below) and other federal tasks. The right to object is not a veto right; it simply helps to ensure that building proposals comply with the current laws. At the moment, 30 Swiss NGOs have a right to object.

The cantons are primarily responsible for the actual implementation of nature and national heritage protection, as explained in the federal constitution (article 78 BV). In Graubünden, the responsibility falls on the cantonal technical bodies already referred to, and to which the NHK (*Cantonal Commission for the Protection of Nature and Cultural Heritage*) is assigned. The commission provides advice to the cantonal government, the local authorities and to private

individuals. The cantonal technical departments may also request that experts from the federation be consulted. EKD (*Federal Commission for the Preservation of Monuments*) and ENHK (*Federal Commission for the Protection of Nature and Cultural Heritage*), the federation's advisory bodies, can also be commissioned to prepare special technical reports. The *Denkmalpflege* (Care of Historic Monuments) and the *Archäologische Dienst* (Archaeological Service) are responsible for monitoring the cultural heritage of structures within the cantonal territory; these maintain close contact with the related cantonal technical bodies, the municipal authorities and with owners. Project support and monitoring takes the form of continuing support and advice from the canton's technical experts throughout the entire course of the project. ANU (*Cantonal Office for Nature and the Environment*) is the department responsible for biotope and landscape protection; it exercises a similar function to that of the department for the preservation of monuments and the cantonal department for archaeology.

Another source of support for the preservation of natural and cultural objects is provided by financial contributions from the public sector for objects in the fields of protection of nature and national heritage which are worthy of protection (cf. 5.b); for example, the federation and canton provide joint subsidies for restoration work. Where building work involves structures entitled to subsidies, what are known as 'costs entitled to a contribution' are deducted from the total cost; 25–35 % of these are then assumed by the federation and/or canton, the size of the contribution being based on the importance of the object. Owners can submit a request for a financial contribution of this type to the cantonal department for the preservation of monuments. This department reviews all the applications submitted and then arranges

them in a time-based sequence as part of the joint financial planning between federation and canton. One direct consequence of a subsidy is that the object is placed under protection. In this case, the entry of an easement in the property register in favour of the confederation and the canton means that any constructional measure planned for the object must first be approved by the BAK and by the cantonal department for the preservation of monuments. A financial contribution confirms the public interest in the monument. This support allows building work appropriate to the monument to be carried out by qualified craftsmen.

Financial resources are also available for the protection of biotopes within the area of the cultural landscape. The corresponding legal basis is provided for under article 13 NHG. The contributions granted within the framework of the laws on agriculture are of much greater importance for the cultural landscape (see the chapter on other control mechanisms below).

The federation may acquire natural or cultural objects by amicable means; where this is not possible, it can acquire or safeguard them by compulsory purchase. If a natural object or cultural monument of national significance is in imminent danger, the federation can place such an object under its protection, using time-limited measures, and can then organise the safeguards needed to ensure its preservation.

Federal concepts and implementation plans

The federation's concepts and specific plans (cf. 5.b) are developed in close partnership between the federal bodies and the cantons. This is a requirement for the interplay between concepts and specific plans on the one hand and the cantonal structure plan on the other. The approving authority in this case is the Federal Council.

The authorities at all the various levels of government are required:

- > to ensure compatibility of their spatial activities with current concepts and specific plans
- > when harmonising interests, to give due consideration to the issues arising from the concepts and specific plans
- > where necessary, to work together with the appropriate federal agencies
- > to justify any wish they have to modify valid concepts and specific plans and in so doing to fully consider the various interests involved.

If the area is accepted into the UNESCO list of World Cultural Heritage sites, the Cantonal Structure plan will be modified accordingly (cf. 5.b), which will affect the federation's specific plans and concepts.

Regional Structure Plans and Forest Development Plan

The *regional structure plans* prepared by the regions (cf. 5.b) become binding upon the authorities in the canton (including the local authorities) once they have been approved by the cantonal government. The local authorities affected take the details of the regional structure plan into consideration in their land-use planning, which is how the structure plans are implemented. The various responsibilities are defined in article 18 KRG and the process regulated by article 18 KRVO. The various steps in the procedure are similar to those of the Cantonal Structure Plan, except that here the region has the role of the canton and the canton takes over the function of the federation. For further information, see www.are.gr.ch > Richtplanung > Verfahrensabläufe (in German).

The *Forest Development Plan* (cf. 5.b) is approved by the government and by the local authorities affected. The procedure here is similar to that followed by the regional structure plan.

The cantonal and local authority departments are bound to comply with and implement the outcome of the planning process. The provisions under article 5 of the Federal law of 5 October 1991 concerning the forests (WaG; SR 921.0) is of fundamental importance to the forest development plans as it provides fundamental protection to the existing forest coverage. Approvals for land clearance may be given in exceptional circumstances and subject to specific conditions. The Cantonal Structure Plan stipulates that the forest development plans must take the requirements of the UNESCO World Heritage Site into consideration. The structure plan defines the special views which are to be kept free of obstruction by the forest as well as the special views visible from the railway, due allowance being made for the functions of the forest ('protective forest').

In practice, the forest development plans find their implementation through the forestry stewardship plans. These are developed by the forest owner in collaboration with and through the support and assistance given by the cantonal forestry service.

Local authority land-use planning

Land-use planning (building law, zone plan, general design plan, general structure plan, cf. 5.b) is approved by the cantonal government and takes into consideration higher-level controls, particularly with respect to the cantonal structure plan. A detailed explanation of this procedure may be downloaded from www.are.gr.ch or www.bvr.ch (in German).

Building permission

In practice, the land-use plan is largely implemented through the building permission procedure as based on the spatial planning law. This permission procedure applies to new buildings and facilities and the conversion or rehabilita-

tion of existing buildings and facilities; it involves checking to see whether the proposals comply with the legal provisions as well as with the framework established by the planning instruments. This procedure also involves checking for compliance with various requirements, such as the design and integration into the landscape and the environmental provisions for the buffer zones as set down in the Cantonal Structure Plan (cf. 5.b).

Buildings and structures with a significant impact on the environment are as a rule subject to an *environmental compatibility test* (Umweltverträglichkeitsprüfung UVP) – legislation specifies where such an assessment is required. Examples include proposals for new wider roads, parking structures with more than 300 parking spaces, railway facilities, power stations, high-voltage lines, large and special landfill sites, quarries for the extraction of large quantities of gravel, sand and stone. Also access to new regions by transport facilities for tourists, linking of ski areas, larger snow-making installations, golf courses, large sports stadia, land consolidation/land improvement measures, shopping centres, and the like. The type of approval procedure to be used depends on the type of facility proposed. For example, land-use planning includes assessing the environmental impact of proposed large scale sand and gravel quarries; for Federal tasks (cf. 5.b) such as buildings and facilities of the Rhaetian Railway (railway law), the UVP forms part of the planning permission procedure. The spatial planning authorisation procedure fundamentally distinguishes between *settlement area* and *landscape area*.

Settlement area

The settlement area comprises the actual building zone – those areas defined in the land-use plan as

building zones, for which the local authority defines the type and extent of use through the zone plan and the building law. As a rule, a distinction is made between village core zones (historic village nuclei which have evolved over a long time), residential zones with different intensities of use, mixed-use zones (residential and commercial), commercial/industrial zones and zones for public structures and facilities. Special protective zones are defined for local centres worthy of protection and/or similar protective measures taken. For townscape images that are worthy of protection and which are of national and regional importance, the Cantonal Structure Plan defines the principles for the protection and high-quality further development of the area involved.

As a rule, the land-use plan specifies a duty to prepare a district plan for larger new building areas, the goal being to promote high-quality development in terms of both architecture and settlement structure.

Structures and facilities within building zones may be built, altered, demolished or subjected to a change of use exclusively subject to written building permission granted by the building departments of the local authority. The local authority also requires the cantonal department for the preservation of monuments or its own design advisors to be consulted where a proposal relates to a monument that has been listed in one or other of the inventories.

For building projects, the application submitted directly by the owner is first subjected to a formal review by the local authority department, which checks to ensure the application is complete and clarifies whether any additional authorisations are needed, in which case the building department initiates the appropriate applications for permission from the authorities concerned. At the same time as the building application is submitted, the

applicant has profile markers staked out at the proposed building site showing the dimensions of the planned buildings or facilities. When the documents are complete (and additional documents are requested if this is not the case), the building application is published in the official cantonal gazette and can be viewed by the public for a period of 20 days. Should an environmental impact assessment or other special approval be necessary, the corresponding documents will also be made available to the public.

Those organisations entitled to file objection are informed of the building application by the building department. These can either express their interest in participating in the procedure or file objection. At the end of the objection period, the building department reviews all objections lodged and informs the applicant of them. The applicant then considers the objections and must state their response to them within a period of 20 days. On the basis of this statement of position and of the conditions defined by planning and building law, the building authority assesses the building submission and publishes the decision on the building approval together with the decisions on any other additional approvals that may additionally be required. As mentioned earlier, there is a provision that any building proposal in the primary buffer zone of the World Heritage Site must involve a neutral expert; it is recommended that an expert of this type be involved for any proposals within the buffer zone in the 'near' area, although this is not a requirement. At this stage in the procedure, the local authority either calls on an advisor qualified in the field of design and style planning (as a rule an architect or an expert from the cantonal department for the preservation of monuments) or itself reviews the building application in terms of compliance with the special design regulations which apply to the UNESCO primary buffer zone. If the

design qualities of a project are considered to be insufficient, the owner will be advised of this and given details of any specific deficiencies; the building application is returned for revision, in some cases together with specific suggestions for improvement. A revised building application is again subjected to the entire review process.

As a rule, to avoid any risk of conflict with his work as an advisor, the technical expert called in to advise may not accept any commissions within the local authority area which appointed him. Generally, the costs for this advisory service are passed on to the applicant on the basis of the expenses incurred. If the design of the proposed work for which the building application is submitted is of a high quality, then the services of the advisor will be less extensive; conversely, if the quality of the design is poor then his services (and the financial expenditure) will be correspondingly higher. This creates an incentive to prepare a design that is of a high quality.

A detailed explanation of the procedure may be downloaded from www.are.gr.ch or www.bvr.ch (in German).

Landscape area

The landscape area comprises all the territory outside the area of the settlement, and primarily concerns forest, agricultural areas, recreational areas (such as ski areas and golf courses), protected zones (such as nature, landscape and rivers and lakes protection zones, cultural objects, archaeological sites), mining and quarrying sites and land-fill areas and zones exposed to natural hazards.

These zones are also defined in the zone plan, and the building law contains the relevant provisions for them. In the landscape area, the local authorities also consider the binding content and area-specific considerations of the Cantonal Structure Plan and in particular the regulations concerning the

buffer zones of the outlying area. Cultural objects in the landscape are identified and protected; these include ruins of forts, unique religious buildings, rock drawings, and so forth.

Buildings and facilities outside the building zone require not only building permission from the local authority but also an approval from the canton (BAB approval). Essentially, only those buildings and facilities are approved that are located outside the building zone. A distinction is made between buildings and structures that conform to the zone (such as a new agricultural building in an agricultural-use zone), location-related buildings and facilities (such as power stations and overhead lines) and 'exceptions' such as the partial conversion of buildings no longer used for agricultural purposes. The main legal basis is provided under the Federal law on spatial planning (articles 24 – 24d RPG). The building approval procedure for structures outside the building zones is similar to that for structures within these zones. However, the local authority's building department is required to forward the building application together with a preliminary assessment to the cantonal *Office of Spatial Development*. This leads to additional consultation based on the principle of involvement with other cantonal technical departments. The results of this additional consultation provide the basis for the Office of Spatial Development to inform the local authority's building department with respect to the canton's decision. If the canton and local authorities cannot come to the same conclusion as to whether a building application should be approved or not, then the law requires a relevant settlement to be made.

A detailed explanation of the procedure may be downloaded from www.are.gr.ch or www.bvr.ch (in German).

Where applications concern buildings or facilities to be constructed in a forest area, the site-

specific requirement must be demonstrated just as for similar developments in a landscape area. Furthermore, the spatial planning requirements must be met and the site clearance must not lead to any serious risk to the environment. If more than 5,000 m² of forest are affected, the approval procedure for land clearance applications must also take the views of the federation into consideration. If the area to be cleared is less than 5,000 m² then the canton can issue permission autonomously. However, every case must provide for replacement of the cleared area of forest (reforestation or nature protection measures). Should clearance work or similar additional approvals be required, then as a rule these are coordinated in terms of land-use planning by the Office of Spatial Development and collected from the responsible technical body.

Other control mechanisms

The agricultural zones defined in the land-use plan ensure that the cultural landscape is preserved to its full extent. However, this requires that it should continue to be used and cultivated, as cultural landscapes not put to agricultural or forest use tend to run wild. Mountain areas are especially at risk of decline, due to their unfavourable location and population drift. A system of financial incentives has been set up to avoid this risk: area-based financial contributions to farmers and livestock owners ('direct payments') support their preservation of the cultural landscape. Additional, ecology-based compensation payments – founded on the concept of ecological networks – offer farmers financial support and compensation for their services in the protection of nature.

The provision of supporting information and advice is yet another way of implementing the protection of the World Heritage Site. Here, a large variety of guidelines and advisory documents on the design of buildings and facilities are availa-

ble (such as on the planning and design of power supply lines, land improvement measures, the design of quarry areas, landfill areas, roads and ski slopes).

Another starting point for implementing the protection of an area is to exert influence on a project during the early stage of its development. One example would be during the construction of new agricultural businesses ('relocation' cf. 4.a,2); a cantonal procedure used during the early design stages of such a scheme reviews possible locations for the project and its impact on the townscape and landscape images. This ensures that the planned building is integrated into the landscape; the subsequent design work then concentrates on the form of the proposed building.

The various guidelines, leaflets, and so forth are drawn up by the appropriate technical departments. Many of these are available on the Internet (www.are.gr.ch, www.anu.gr.ch, or www.alsv.gr.ch [in German]).

Tirano (Italy)

Both the *Piano regolatore generale del Comune di Tirano* PRG and the *Piano territoriale di Coordinamento della Provincia di Sondrio* PTC (cf. 5.b) are approved, in the last instance, by the Region of Lombardy. Structures have been created at regional level which are responsible for handling all World Heritage issues: these are the *Ministry of Cultural Heritage* and the *Ministry of the Environment*. Environmental and cultural heritage conservation matters are not dependent on municipal jurisdiction. The Ministry of Cultural Heritage is responsible for the cultural and monumental heritage and is located in the Regione Lombardia or Lombardy. On the other hand, the Ministry of the Environment is responsible for natural heritage and is also lo-

cated in the Regione Lombardia. Any structural interventions on the site, require environmental planning permission from the municipal authorities with a view to conservation of the land. The authorisation process is conducted by two environmental experts, nominated by the municipal authorities, who appraise the project and issue a binding opinion. Planning permission is granted by the municipality. The superior authority has the power to revoke the measure within 60 days. In the Municipality of Tirano, the person delegated by the mayor to grant environmental planning permission is the engineer Paolo Clementi, who is responsible for technical issues in the Municipality of Tirano. The environmental experts are the architect Simone Cola from Sondrio and the engineer Virgilio Scalco from Villa di Tirano. They both attended a specific environmental further training course to prepare them for the position as environmental experts for the municipality.

The *Directorate general for Lombardia's cultural and land heritage* is a regional expression of general managerial level of the Ministry of Cultural Heritage and Activities, attached to the cultural and natural heritage department and is located in Milan, the capital of the region. The regional director coordinates and controls the activities of the outlying offices ('Superintendences') of the territory, whose priority task is to protect the (architectural, landscape, historical-artistic, anthropological-ethnic and archaeological) cultural heritage and to handle relations with the Ministry of Cultural Heritage and Activities with Regione Lombardia, the local governments and other institutions on the territory. Moreover, the regional director proposes to the head of the department, the measures to be introduced in the one-year and multi-year programmes and the budget plans, defining priorities on the basis of

the indications submitted by the 'superintendences' of each sector. One activity which has been developed by the directorate general of Lombardia over the past two years represents enforcement of an initial value added Code to "exercise functions and activities with a view to promoting awareness of the cultural heritage and guaranteeing the best conditions for public utilisation and sustainable conservation of this heritage". The directorate general ensures the conservation of cultural assets in museums, archaeological sites and parks, monument-character objects in public ownership; it is convinced that the effectiveness of the measures implemented by the Ministry of Cultural Heritage and Activities on the site today, is to be measured in terms of (adequate and consistent) accessibility and usability of the cultural assets. Beyond the adhesion to and signing of many other important Programme Agreements, the Frame Programme Agreement between the Ministry of Cultural Heritage and Activities and the Regione Lombardia (signed in 1999 and renewed in 2003) concerns the cultural heritage and promotes the cooperation with other qualified institutions and individuals. The directorate general has implemented specific agreements and conventions governing individual sites and monument-character estates, in order to assess various modes of associate management of public services, respecting the particular characteristics of each reality. Within the directorate general there are many technical and scientific specialists. Among them, for example, architects, art historians and archaeologists, backed up by administrative and information personnel (some 30 people). Within the directorate general there is also an UNESCO work group, both for the sites that already figure on the World Heritage List, and for those which are nominated or candidates. These groups each comprise an architect, an art

historian, two archaeologists and an administrative officer.

Charter of the support group

A supporting group founded in the legal form of an association was founded, 13 June 2007, to realise the objectives defined in the Management Plan in the context of the UNESCO World Heritage: the “UNESCO World Heritage Rhaetian Railway in the Albula/Bernina Cultural Landscape Association” (cf. 5.e). Members of the Association are the Federal Office of Culture BAK, the Canton Graubünden, the Rhaetian Railway, the communities within the World Heritage perimeter as well as persons or organisations linked to the World Heritage. The Association is responsible for promoting the preservation and sustainable use of the World Heritage Site in general, for the coordination of monitoring and controlling activities concerning the railway and the cultural landscape, and in particular for information on and use of the UNESCO label.

To anchor increased sensitivity in dealing with the World Heritage more firmly, the Association members are also bound by a charter, that is incorporated in the Articles of Association in the form of an introduction. By signing the charter, all participants undertake to implement the principle considerations formulated in the Management Plan.



Albula line > The Glacier Express
in Val Bever.
A. Badrutt / Rhaetian Railway

5.d Existing plans related to municipality and region in which the proposed property is located

Graubünden (Switzerland)

Regional level

Regional structure planning

At present, the following regional structure plans covering the area of the property (core and buffer zones) are in force (cf. 5.b and 5.c), position 1 October 2006:

Heinzenberg-Domleschg

- > The Feldis, Sarn, Tschappina and Muttien ski areas, landscape protection and wildlife protection areas, regional public transport, hiking trails, cycle tracks, mountain bike routes, bridle-paths, and private motorised traffic routes were approved by the government 13 June 1995 by decision N°. 1469 and duly noted.
- > The Viamala motorway service area, approved by the government 30 March 2004 by decision N°. 444.
- > Change in the extraction and exploitation of material, Campi quarry; approved by the government 6th October 2005 by decision N°. 1209.

Mittelbünden

- > Ski areas, snow-making, concept for a golf course, landscape protection areas, landfills/deposits of material 1 part: Lenzerheide, regional public transport, concept for shooting range for civilian use, regional priorities extending the road network; approved by the government 16 March 1993 by decision N°. 557 and duly noted.

- > Lenzerheide snow-making facility, change approved by the government on the 13 June 1995 by decision N°. 1472.
- > Savognin and Sur Carungas ski areas, change approved by the government 4 October 1999 by decision N°. 1782.
- > Extraction of gravel, sand and stone, approved by the government 2 October 1995 by decision N°. 2531.
- > “Kessi” material extraction in Filisur, minor change approved by the department of economics and the interior, approved 14 May 1996.
- > Marmorera quarry, minor change approved by the department of economics and the interior, approved 30 August 1996.
- > Landfills/material deposits 2 part: Albula valley/Surses, approved by the government 2 October 1995 by decision N°. 2531.
- > “Schinterbödeli” in Schmitten, minor change approved by the department of economics and the interior 27 November 2000.
- > Gneida/Dartgaz, minor change approved by the department of economics and the interior 16 June 1997.
- > Proposal for landfills and material deposit, change approved by the government 23 April 2002 by decision N°. 563.
- > Proposal for the extraction of gravel, sand and stone, change approved by the government approved 23 April 2002 by decision N°. 563.
- > Recreation areas, approved by the government 17 June 2002 by decision N°. 843.

Upper Engadin

- > Snow-making facilities, approved by the government 11 July 1988 by decision N°. 2025.
- > Snow-making facilities in the St. Moritz area, approved by the government 12 August 1997 by decision N°. 1702.
- > Loipen (cross country skiing tracks), approved by the government 13 May 1997 by decision N°. 1052.
- > Ski areas and transport facilities for tourists, extraction of material, landfills for inert materials, paths (cycle ways and others), approved by the government 13 May 1997 by decision N°. 1052.
- > Golf facilities, approved by the government 29 August 2000 by decision N°. 1367.
- > Landscape protection, approved by the government 19 December 2000 by decision N°. 2094.
- > Snow-making facilities, approved by the government 1 October 2002 by decision N°. 1418.
- > Transport, approved by the government 19 August 2003 by decision N°. 1180.

Val Poschiavo

- > Winter tourism: ski areas, cross-country skiing, sledging, mountain huts/accommodation; summer tourism: walking trails, cycle ways, mountain huts/accommodation and mountain-bike routes; camping; landscape protection; quarrying for stone, gravel and sand; landfills; raw materials deposits; collection and sorting points, regional public transport, and private motorised traffic; approved by the government 2nd November 1999 by decision N°. 1936 and duly noted.
- > Regional snow-making facilities, approved by the government 27 October 1992 by decision N°. 2650.

- > Quarrying for stone, gravel and sand; landfills; deposits of material; modification of 2005, approved by the government 6 June 2006 by decision N°. 642.

Forest Development Plans

The current Forest Development Plans (cf. 5.b and 5.c) are:

- > Heinzenberg-Domleschg: in preparation, position summer 2006; the structure and details of demands have been prepared
- > Mittelbünden: approved by the government 5 March 2002 by decision N°. 294.
- > Upper Engadin: work is expected to start during 2006
- > Val Poschiavo approved by the government 11 March 2003 by decision N°. 317.

Local authority level

Local authority land-use plans (district plans)

The following table shows the current status of the local authority plans (cf. 5.b and 5.c). The following district plans are updated continuously.

Thusis: District plan approved by the government 15 January 1990 by decision N°. 82; with numerous subsequent partial revisions (the last approved by the government 20th September 2005 by decision N°. 1153).

Sils i.D.: District plan approved by the government 20 February 1989 by decision N°. 437; with numerous subsequent partial revisions (the last approved by the government 23rd December 1997 by decision N°. 2552).

Zillis-Reischen: District plan approved by the government 13 July 1993 by decision N°. 1760; with numerous subsequent partial revisions (the last approved by the government 7th March 2006 by decision N°. 248).

Scharans: District plan approved by the government 11 April 1983 by decision N°. 863; with numerous subsequent partial revisions (the last approved by the government 14 September 2004 by decision N°. 1305).

Mutten: District plan approved by the government 28 April 1975 by decision N°. 843; with numerous subsequent partial revisions (the last approved by the government 31 August 1999 by decision N°. 1548).

Vaz/Obervaz: District plan approved by the government 17 July 2001 by decision N°. 1179; with numerous subsequent partial revisions (the last approved by the government 28 February 2006 by decision N°. 219).

Alvaschein: District plan approved by the government 3 September 1991 by decision N°. 1578; with numerous subsequent partial revisions (the last approved by the government 7 September 1999 by decision N°. 1578).

Stierva: District plan approved by the government 14 November 1988 by decision N°. 2844; with numerous subsequent partial revisions (the last approved by the government 19 September 2000 by decision N°. 1526).

Tiefencastel: District plan approved by the government 12 October 1997 by decision N°. 2578; with numerous subsequent partial revisions (the last approved by the government 17 August 1999 by decision N°. 1465).

Brien/Brinzauls: District plan approved by the government 15 July 1985 by decision N°. 1948 and 15 December 1985 by N°. 3342; with numerous subsequent partial revisions (the last approved by the government 23 August 2004 by decision N°. 1191).

Surava: District plan approved by the government 12 July 1982 by decision N°. 1801.

Alvaneu: District plan approved by the government 16 July 1991 by decision N°. 2196; with

numerous subsequent partial revisions (the last approved by the government 3 June 2003 by decision N°. 829).

Schmitten: District plan approved by the government 19th March 1984 by decision N°. 674; with numerous subsequent partial revisions (the last approved by the government 26 October 1999 by decision N°. 1875).

Filisur: District plan approved by the government 6 April 1993 by decision N°. 817; with numerous subsequent partial revisions (the last approved by the government 4 July 2000 by decision N°. 1104).

Bergün/Bravogn: District plan approved by the government 16th December 1985 by decision N°. 3030, 1 December 1986 by decision N°. 3183 and 4 October 1994 by decision N°. 2511; with numerous subsequent partial revisions (approved by the government 20 September 2005 by decision N°. 1154).

Bever: District plan approved by the government 28 February 2006 by decision N°. 220.

Samedan: District plan approved by the government 21 October 1997 by decision N°. 2157; with numerous subsequent partial revisions (the last approved by the government 23 May 2006 by decision N°. 569).

Celerina: District plan approved by the government 13 April 1987 by decision N°. 889 and 7 December 1999 by decision N°. 2136; with numerous subsequent partial revisions (the last approved by the government 7 February 2006 by decision N°. 140).

St. Moritz: District plan approved by the government 29 February 2000 by decision N°. 326, 17 October 2000 by decision N°. 1638 and 15 January 2002 by decision N°. 37; with numerous subsequent partial revisions (approved by the government 26 September 2006 by decision N°. 1083).

Pontresina: District plan approved by the government 5 December 1988 by decision N°. 3017 and 19 June 2004 by decision N°. 943; with numerous subsequent partial revisions (the last approved by the government 27 June 2006 by decision N°. 790).

Poschiavo: District plan approved by the government 19 March 1984 by decision N°. 627; comprehensive revision of the settlement section 29 April 2004 by decision N°. 625.

Brusio: District plan approved by the government 13 April 1999 by decision N°. 657; with one subsequent partial revision (approved by the government 24 February 2004 by decision N°. 242).

Tirano (Italy)

Municipality of Tirano and the Province of Sondrio

- > *Piano regolatore generale del Comune di Tirano* PRG; approved by the Region of Lombardy 13 March 1990.
- > *Piano territoriale di Coordinamento della Provincia di Sondrio* PTCP, adopted by the mayors of the Province of Sondrio 9 September 2006 with a view to approval at regional level.



Albula line > Larch forests line the railtrack in Val Bever.
A. Badrutt / Rhaetian Railway

5.e Property management plan or other management system

The Management Plan establishes a binding framework for the efficient protection and long-term management of the “Rhaetian Railway in the Albula / Bernina Cultural Landscape” World Heritage site.

The Management Plan (annexed to the candidature material as a separate document) outlines the objectives for the World Heritage site and additional measures required to achieve these objectives. It also sets out the institutional framework needed to implement measures, as well as the means for monitoring, maintaining and further developing the World Heritage site in the spirit of the UNESCO Directives.

Fundamental for all phases of the Management Plan is the definition of a guiding principle expressing the understanding for and appreciation of the World Heritage concept.

Management guiding principle

The award of UNESCO World Heritage status will ensure that this stretch of the unique Rhaetian Railway will be durably preserved and enhanced in the Albula/Bernina cultural landscape. This will be achieved by qualitative development taking into account the various influential factors in order to achieve an optimum balance between traditional and modern. Appropriate landscape stewardship and continuity in spatial development policy, will ensure that the historical character of the Albula/Bernina cultural landscape, that has been formed by traditional use, can be maintained in the long-term.

Awareness of the cultural heritage of the region and the need to maintain it must be raised. This contributes to the generation of regional offers,

promoting the regional added value and ensuring continuity of settlement; it keeps jobs. Specific communications measures will be used with a view to raising cultural awareness beyond the region and, above all, to enhancing its appeal for tourism.

Sponsors

The “UNESCO World Heritage Rhaetian Railway in the Albula/Bernina Cultural Landscape Association” was founded 13 June 2007 (cf. Articles of Association in Management Plan). The purpose of the Association is to ensure the conservation and promotion of the World Heritage Rhaetian Railway in the Albula/Bernina cultural landscape according to the Management Plan. Accordingly, it is incumbent on the Association to coordinate the monitoring of the World Heritage site and to oversee the measures foreseen under the Management Plan. The Association relies on the existing structures, both for monitoring protection of the site and also in marketing and developing the offer. Its task is to establish and promote coordination between the existing institutions and administrative offices which are concerned with the protection and promotion of the World Heritage sites, within the legislative framework.

The Association’s strategy is based on the concept of sustainable development. The Association sets binding objectives for its work which

consist in compiling standards for general organisational work, determining means for protecting the cultural asset and cultural landscape and ensuring sustainable development. An appropriate system will be set up to assess the efficacy of the defined objectives and resulting measures as well as guidance of these measures; here the Association can have recourse to existing instruments both within the Rhaetian Railway company and in the national and cantonal spatial development observation system. The Association complies with all legal requirements in the implementation of its objectives which allows the communities, the regions, the cantons and the Rhaetian Railway company relative autonomy in their operations.

Fields of Action

Five fields of action are defined on the basis of the guiding principle:

1. Railway, technology and architectural heritage
2. Cultural landscape
3. Economy and tourism
4. Organisation and communication
5. National and International cooperation

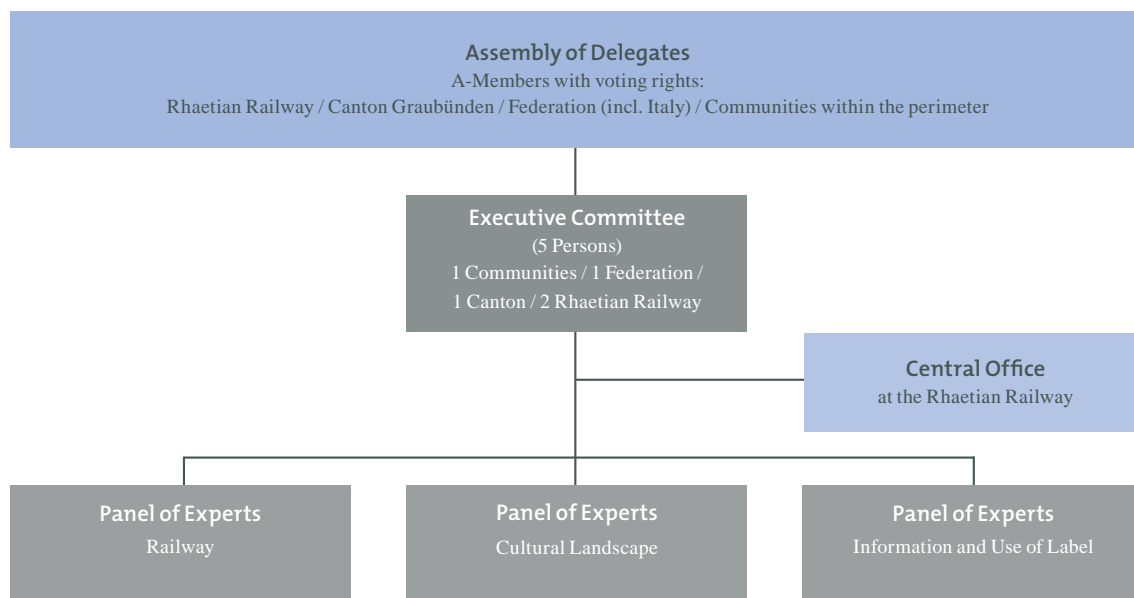
Objectives, fields of intervention and measures

The objectives, the relevant fields of intervention and the measures are based on the five fields of action. This operational process is set out, including concrete measures, in detail in the Management Plan. The Management Plan is designed so that new experience is incorporated and measures on the basis of the new findings can be further developed.

Transnational management

In addition to the 22 communities on Swiss territory, the perimeter of the property also takes in the municipality of Tirano, in Italy. This calls for transnational management of the World Heritage site. Like all the Swiss communities involved, Tirano is a full member of the Association, where it can promote its interests. At national level, the Swiss Federal Office of Culture will represent the concerns of Italy in the Association. The basis is the “Memorandum of Understanding” drawn up and signed by both states (the relevant document is an integral element of the Management Plan). The exchange of interests will be realised on the basis of interstate cooperation. Individual activities, calling for interstate cooperation will be dealt with on a case by case basis.

Sponsoring



Fields of action, objectives, fields of intervention and measures

| | | | | | |
|-----------------|---|--|--|---|---|
| | Sustainable development (activity maxims) | | | | |
| | Activity domains | | | | |
| | 1 | 2 | 3 | 4 | 5 |
| | Railway | Cultural landscape | Economy/Tourism | Organisation | Cooperation |
| Objectives O | Railway O ₁ | Cultural landscape O ₂ | Economy/Tourism O ₃ | Organisation O ₄ | Cooperation O ₅ |
| Sectors S | Railway S ₁ | Cultural landscape S ₂ | Economy/Tourism S ₃ | Organisation S ₄ | Cooperation S ₅ |
| | S 1.1 Protection, maintenance and further development S 1.2 Documentation S 1.3 Safety S 1.4 Public transport S 1.5 Railway museum/information center | S 2.1 Protection and care, biodiversity, landscape aesthetics S 2.2 Forestry S 2.3 Agriculture S 2.4 Settlement and building consulting | S 3.1 Railway programmes S 3.2 Natural and cultural landscape programmes S 3.3 Agricultural and forestry programmes S 3.4 Tourist programmes S 3.5 Regional development S 3.6 Networking S 3.7 Logo use and brands | S 4.1 Quality management association S 4.2 Coordination with administrations S 4.3 Monitoring and controlling S 4.4 Finances S 4.5 Communications | S 5.1 Cooperation with Italy S 5.2 National and international cooperation projects |
| Measures M | Railway M ₁ | Cultural landscape M ₂ | Economy/Tourism M ₃ | Organisation M ₄ | Cooperation M ₅ |



Albula line > The Glacier Express in Val Bever. The Beverin stream flows alongside the embankment.
A. Badrutt / Rhaetian Railway

5.f Sources and levels of finance

The owners of the objects which make up the nominated world heritage are basically responsible for financing the measures necessary for the preservation and sustainable development of the railway and the cultural landscape; their efforts are supported by government grants. Accordingly, the Rhaetian Railway receives a substantial amount of public funds to help offset the cost of transport services and the maintenance and repair of the rail infrastructure. “UNESCO World Heritage Rhaetian Railway in the Albula/Bernina Cultural Landscape” is an association financed by members’ contributions. A regional promotion plan, the “Regio Plus+”, will be implemented for the starting phase.

The association was created to promote the preservation and sustainable development of the World Heritage (cf. 5.e). It coordinates the activities of all the institutions involved in this work, and its two panels of experts – the Railway Committee and the Cultural Landscape Committee – ensure proper monitoring and controlling in the different areas of operation. The association is financed primarily by contributions from its members, the Swiss Federal Office of Culture, the Canton Graubünden, the Rhaetian Railway, the municipalities in the World Heritage perimeter and organisations or people connected with the World Heritage.

The association office is attached to the Rhaetian Railway. The implementation of the starting phase of the association (development of work processes and structures, realisation and further development of various part-projects such as staging/information, monitoring/protection, financing, regional cooperation etc.) is supported within the framework of a national promotional programme “Regio Plus”. Contributions by the federation, the Canton Graubünden and the Rhaetian Railway for the sustainable implementation of the association in the context of this project amount to 1.7 million Swiss francs.

The effective financing of the Albula and Bernina lines, including all fixed rail installations and the entire rolling stock, is handled by the Rhaetian Railway. Together with receipts from passenger traffic and freight transport, the most important sources of financing are contributions from the public purse, as provided for in the Railway Law (cf. 5.b): under “Compensation Payments for Regional Transport”, the federal and cantonal authorities reimburse transport companies for the cost of services ordered in the traffic and infrastructure sectors which are not covered by the budget. By means of special “infrastructure payments”, the authorities meet the cost of infrastructure investments which are not financed by the above compensation payments. These contributions take the form of interest-free, conditionally repayable loans. Compensation payments for traffic and infrastructure totalled CHF 116.2 million in 2005, with CHF 103.5 million provided by the Confederation and CHF 12.7 million by Canton Graubünden). In the same year, total public sector investment contributions for Rhaetian Railway replacement and extension projects amounted to CHF 78.4 million (Confederation CHF 66.4 million, Canton Graubünden

CHF 12.0 million). Furthermore, uninsured damage caused by natural disasters which exceeds the Company's financial capacity may be taken over by the federal authorities. The Confederation also provides subsidies to promote combined rail/road carriage of goods, and transport of accompanied motor vehicles by train. Apart from the Railway Act, there are other legal bases for public sector financing. Investment contributions, for example, can be granted under the Equal Opportunities for the Disabled Act or noise control regulations. The various financial flows in the public transport sector are basically an integral part of financial planning at the federal and cantonal levels of government – which means that they are subject to political influence. A reorganisation of railway infrastructure financing is currently under way.

The framework conditions necessary to secure the authenticity and integrity of the cultural landscape on a long-term basis are provided by regional planning. In the final analysis, the owners themselves are responsible for the maintenance and sustainable development of the objects making up the cultural landscape. Existing funding and support schemes are available to ensure the requisite finance. For instance in Switzerland, farms receive direct payments according to surface area farmed and tied to ecological conditions. Direct payments to farms in the Albula/Bernina region currently amount to approximately CHF 16 million a year. In addition, other annual contributions totalling CHF 4 million are made to the agricultural sector (investments and summer pasturing). Financial assistance is also provided for forestry. Regional policy instruments are available to encourage sustainable development projects in mountainous areas, the countryside and border regions. Plan-

ning consultancy fees for buildings and installations (cf. 5.b and 5.c) are normally passed on by the municipalities (the building authority) to the builder. Financial aid for projects to preserve monuments is granted in accordance with the relevant legal provisions.

Information is disseminated via the sponsoring institutions, the Rhaetian Railway and interested organisations, and paid for separately by those concerned. The costs of other specific projects, such as visitor management or the development of tourist services, are borne by the parties involved.



Albula line > Before the south portal of the Albula tunnel at Spinas (Val Bever).
A. Badrutt / Rhaetian Railway

5.9 Sources of expertise and training in conservation and management techniques

The technical expertise essential to ensure professional conservation and development of heritage sites is assured for all disciplines. The authorities responsible have access to accredited specialists who are already engaged in the management of the sites or can be called on to do so. The institutionalised cooperation between the individual departments, as well as with other institutions, guarantees the transfer of knowledge when specific problems arise; where academic questions and research projects are involved, the personnel also have access to numerous public and private institutions. Government legal and logistics services and sponsoring bodies assist the specialists in their work. Further education and training services are assumed by a number of public and private institutions. They offer qualified study and further training opportunities at all levels and for all specialised fields.

Graubünden (Switzerland)

Knowledge base of the authorities involved

At national level (www.admin.ch, www.ch.ch) the *Federal Office of Culture* (BAK, the authority responsible for the conservation of monuments, archaeology and protection of local heritage) and the *Federal Office of the Environment* (BAFU, the federal authority responsible for the conservation of nature and landscapes) and the *Federal Office of Spatial Development* (ARE, federal authority responsible for spatial planning, overall transport and sustainable development) have qualified personnel in all the specialised fields concerned (architecture, history of art and architecture, spatial planning, agronomy, geography, geology, biology, environmental sciences, forestry and cultural engineering sciences). The *Federal Office of Transport* (BAV, federal authority for land-based public transport) has the specialists for all technical questions (engineering sciences). The *Federal Commission for the Preservation*

of Monuments (EKD) as well as the *Federal Commission for the Protection of Nature and Cultural Heritage* (ENKH) are the technical commissions providing advice in the sectors conservation of monuments, archaeology and protection of local heritage and the protection of nature and landscapes. The commissions comprise reputed, highly qualified specialists in the fields of teaching, research and practice (architecture, art and the history of architecture, archaeology, natural sciences). BAK and BAFU and the cantons, can entrust the compiling of expert opinions in the context of cultural and national heritage to the commissions.

On application by the cantons, the federal government may appoint additional specialists from the private sector as federal experts and entrust them with specific mandates as the need arises. The BAK assigns some 150 expert mandates a year throughout Switzerland; currently some 300 are ongoing. In this way the sites always have experts to hand for highly specialised questions.

The *Federal Archive for the Conservation of*

Monuments (EAD) is a documentary office run by the Federal Office of Culture. The EAD collects, archives, looks after and provides access to documents on archaeology, care of monuments, visual aspects of urban patterns and the landscape, history of architecture and art as well as folk culture. The extensive archives include restoration reports, plans, photographs and negatives, administrative files and publications; they provide information on archaeological excavations, restoration measures carried out on listed objects and on the development of the visual impact of local areas; it also answers questions on changes to the landscape, culture and society over the past 110 years.

At cantonal level (www.gr.ch) the *Denkmalpflege* (Care of Historic Monuments) and the *Archäologische Dienst* (Archaeological Service) are departments of the *Office of Culture*; they have their own qualified specialists in architecture, history of art and architecture, archaeology and conservation. The *Office for Nature and the Environment* covers a large number of technical services including the Nature and Landscape service (geography, geology, environmental sciences, spatial planning, forestry and cultural engineering etc.). The staff of the Canton Graubünden *Office of Spatial Development* (architecture, geography, spatial planning, cultural and forestry engineering) are engaged in the fields of cantonal structure planning, regional master planning, outline planning, municipal land-use planning, building permission procedures, geographic information systems, electronic data processing, administration and archiving. The Cantonal *Office for Agriculture and Geo-information* (agronomy, geography, biology, other natural sciences) deals with questions involving geo-information and surveying, sustainable development

and structural improvements in agriculture.

The Graubünden *Forestry Office* is the cantonal centre of competence for woodlands and forests and implementing the relevant legal prescriptions; it also has specialists in forestry engineering and associated fields. The *Office for Hunting, Game and Fishing* is responsible for the maintenance of healthy game and fish populations appropriate to their habitats; the game and fish wardens and the other personnel are qualified experts. The Office for Economy and Tourism has qualified personnel for questions dealing with the economy, living space and tourism sectors.

The Cantonal *Commission for the Protection of Nature and Cultural Heritage* advises the Canton Graubünden authorities on issues involving care of historic monuments, archaeology and landscape preservation. The members are also highly qualified specialists in the history of art, architecture and natural sciences.

All historic documents and documents produced by the cantonal administration are in the safekeeping of the *State Archives* of Canton Graubünden. The archives preserve and classify the relevant archives and make them available to research in their registers, inventories and publications. The State Archives have a central function for research on the history of Graubünden and the regional cultures and also has its qualified staff.

Knowledge base of the private and public institutions involved

The *Rhaetian Railway* (www.rhb.ch) has its own qualified personnel in the technical fields of engineering and transport sciences. The material accessible in its archives, which go back to the earliest days, and the knowledge transfer (oral history) of employees – a large proportion

employed by the Rhaetian Railway for many years – is used in the management of the sites. The planned *Railway Museum* in Bergün/Brauvuogn (cf. 5.h) will be able to serve, on the one hand as information point for the UNESCO World Heritage, and on the other as competence centre for the history of railway construction. The Protection of Monuments *Expert-Center* (www.expert-center.ch) is an interdisciplinary counselling and research unit for natural science and technological questions in connection with the conservation of construction monuments and their furnishings. It makes its services available to public and private owners of architectural and art monuments, construction specialists, persons responsible for the care of monuments at federal, cantonal community level, university and polytechnic research and specialists in Switzerland and abroad. The Expert-Center with its two laboratories in Zurich and Lausanne is integrated in both Federal Institutes of Technology: The laboratory in Zurich collaborates with the Forschungsstelle für Technologie und Konservierung des Instituts für Denkmalpflege of the Federal Institute of Technology in Zurich and the Lausanne laboratory continues the work of the former Laboratoire de Conservation de la Pierre of the Federal Institute of Technology in Lausanne.

The *Federal Materials Testing Institute* (EMPA, www.empa.ch) is a research institute engaged in the field of material sciences and technology. It is part of the Federal Institute of Technology area and thus the Swiss science and technology and educational complex. The primary tasks of the institute focus on applications-oriented research and development and provides highest standard services in the field of sustainable material sciences and technologies. Innovative cooperation with industry and

public institutions assuring the safety of the individual and the environment, dissemination of knowledge and teaching at university level are all central elements.

The *Swiss Institute for Art Research* (SIK, www2.unil.ch/isea/) founded 1951 is an art history and art technology research and documentation centre focusing on art in Switzerland.

The institute enjoys federal recognition and is largely supported by public funds. The Swiss Institute for Art Research realises art science and art technology research projects, namely studies and material analyses. Works of art are conserved and restored in its own workrooms. These works may be paintings by old masters, classic wooden sculptures or contemporary works of art. The institute compiles technological expertises on cases of damages and offers counselling on and support in the care and preparation of collections and exhibitions.

The *Swiss national group* of the *International Council on Monuments and Sites* (ICOMOS, www.icomos.ch) is an association of specialists involved in the care of historic monuments. The group works in the fields of architecture, landscaping, conservation of monuments, archaeology, inventorisation, restoration, accessibility, natural sciences and in specialised crafts. The front line activities of ICOMOS Switzerland are the promotion of the national and international exchange of ideas on tasks and problems related to the maintenance of historic structures. To this purpose the Swiss group participates in the planning and realisation of congresses and seminars that are mostly jointly funded by professional associations, federal commissions or cultural institutions.

The *Society for the History of Art in Switzerland* (GSK; www.gsk.ch) is an influential participant in the research of location-specific art in Swit-

zerland and issues publications on its findings. It facilitates involvement in teaching and research and promotes young scientific talent in the field of Swiss art history research. To fulfil these tasks, the GSK collaborates regularly with institutions pursuing similar objectives.

The *National Information Centre for the Conservation of Cultural Assets* (NIKE, www.nike-kultur.ch) is the centre of information in Switzerland on the conservation of cultural assets. The centre is supported by 30 specialised associations and public organisations. Its objective is the interdisciplinary exchange of specialist knowledge and to provide information for the general public.

The objective of the *Plantahof Agricultural Training and Advisory Centre* (www.plantahof.ch) is to strengthen the economic and social situation of farming families and the rural communities in Graubünden. Thanks to its traditional roots in the rural region and specialist support by experts the information service can provide comprehensive counselling in all sectors of agriculture and rural economy (economics, production technology and ecological farming taking into account the cultural and social structures; it also provides appraisals, expert opinions and further training).

Training and further education of the persons responsible for heritage sites

Most of the specialists involved in the authorities and institutions working in the field of the cultural and natural heritage have a relevant university or college degree. In Switzerland this implies the two *Federal Institutes of Technology* in Zurich (www.ethz.ch) and Lausanne (www.epfl.ch), the *Universities* of Zurich (www.unizh.ch), Basel (www.unibas.ch), Bern (www.unibe.ch), Fribourg (www.unifr.ch), Neuchâ-

tel (www.unine.ch), Lausanne (www.unil.ch), Geneva (www.unige.ch) and Mendrisio (www.arch.unisi.ch). All Swiss federal institutes and universities offer university degree and post-graduate courses (Bachelors and Masters degrees, doctorates, post-doctorate and lecturing qualifications, post graduate courses) in the scientific fields concerning the conservation of nature and protection of the national heritage. The *Institute for the Conservation of Monuments and Building Research* of the Zurich Federal Institute of Technology (www.idb.arch.ethz.ch) is devoted to the specific issues of the care and protection of monuments.

Numerous *Universities of Applied Sciences* (the Eastern Switzerland, North West Switzerland, Zurich and Bern Universities of Applied Science, the Hautes écoles spécialisées de Suisse occidentale in western Switzerland, the Italian-speaking Scuola universitaria professionale della Svizzera italiana, www.bbt.admin.ch/fachhoch/e/index.htm) also offer courses, post graduate and further education courses in most of the fields concerning cultural and natural heritage.

The *Abegg-Stiftung Riggisberg* (www.abegg-stiftung.ch), the *Hochschule der Künste Bern HKB* (www.hkb.bfh.ch), the *Haute école d'arts appliqués* HEAA-Arc in La Chaux-de-Fonds and the *Scuola universitaria professionale della Svizzera italiana* SUPSI in Lugano provide training as restorers and conservers (Master/Bachelor of Arts AUS in Conservation-Restoration) in the various specialist fields (textiles, architecture and interior design, painting and sculpture, graphic design, written material and photography, modern materials and media, archaeology, ethnography, scientific objects, architectonic surfaces). Further, the Federal Office of Culture grants annual scholarships for

further training at the *Centro Europeo di Venezia per i mestieri della conservazione del patrimonio architettonico* in San Servolo.

The dual system for on-the-job occupational training customary in Switzerland offers numerous opportunities for learning the crafts and craftsmanship demanded in the conservation of cultural heritage.

Thanks to the recognised high standard of education and training, Swiss professionals have access to many further training opportunities abroad (for example the ICCROM courses) www.iccrom.org.

states, also guarantees the appropriate preservation of the cultural property.

As in Switzerland, training and continuous training in the field of natural and cultural heritage is assured by numerous university and other institution courses at the highest level.

Tirano (Italy)

Several authorities, at various political levels are responsible for the Italian part of the property: The administration of the *Provincia di Sondrio* (www.provincia.so.it), the *Municipality of Tirano* (www.comune.tirano.so.it) and, specifically for the architectural and cultural heritage, the *Direzione regionale per i beni culturali e paesaggistici della lombardia* (www.lombardia.beniculturali.it). All these authorities have the necessary experts available, in various scientific fields, for the conservation of the site. The *Ufficio Lista patrimonio mondiale UNESCO* in the *Ministero per i beni e le attività culturali* (www.beniculturali.it) deals with all questions concerning the Italian World Heritage Sites at national level, and oversees the management of the sites.

The association founded for the management of the sites, the “UNESCO World Heritage Rhaetian Railway in the Albula/Bernina Cultural Landscape Association” (cf. 5.e), in which all the parties involved will be represented, assures the transnational transfer of know-how and, further to the existing protection mechanisms of both



Albula line > Rhaetian Railway train on
the Albula Viaduct I.
A. Badrutt / Rhaetian Railway

5.h Visitor facilities and statistics

The Rhaetian Railway's Albula and Bernina lines carry almost 2 million passengers per year. The buffer zone of the property contains facilities offering the equivalent of 2.5 million overnight stays per year, provided by 150 hotels with around 11,850 beds and about the same number in the self-catering sector. Several documentation outlets in the area provide visitors to the heritage site with information on the Rhaetian Railway and the surrounding cultural landscape, and additional information centres are currently being planned. One example is the railway museum in Bergün / Bravuogn, that is still at the planning stage.

Railway infrastructure and statistics

The railway infrastructure immediately related to the World Heritage site focuses on the Albula/Bernina line peak seating capacity. According to the current timetable some 13,000 seats per day are available on the Albula section, whilst the Bernina section offers some 5,000 seats per day in winter and 8,000 in summer. The figures quoted apply to services operating at full capacity, although in practice the actual levels of utilisation vary with the time of day and are also subject to strong seasonal fluctuations. The passenger-carrying capacity is also dependent on the amount of freight transported by the trains providing the passenger services. In 2005, the Rhaetian Railway carried the following numbers of passengers on the Albula and Bernina sections:

Chur – St. Moritz section

| | |
|---------------------------|--------------------|
| Departing from Chur | 680,000 passengers |
| Arriving at St. Moritz | 430,000 passengers |
| Departing from St. Moritz | 355,000 passengers |
| Arriving at Chur | 640,000 passengers |

St. Moritz – Tirano section

| | |
|---------------------------|--------------------|
| Departing from St. Moritz | 320,000 passengers |
| Arriving at Tirano | 190,000 passengers |
| Departing from Tirano | 205,000 passengers |
| Arriving at St. Moritz | 320,000 passengers |

In the same year, some 17,000 passenger trains ran on the Albula section and some 11,000 on the Bernina section. All new wagons purchased under the Rhaetian Railway's current rolling stock acquisition programme will comply with the requirements of the Equal Opportunities for the Disabled law and will be equipped with modern passenger information systems. At present the railway stations within the nominated property at Thusis, Tiefencastel, Filisur, Bergün/Bravuogn, Samedan, St. Moritz, Pontresina, Poschiavo, Campocologno and Tirano are fully staffed, either by the Rhaetian Railway or by subcontractors. The personnel at these stations are able to provide visitors with information on the Albula and Bernina railway lines and on the cultural landscape. The stations also have a range of informative material on the lines. Should the Albula/Bernina Lines be accepted for inclusion in the list of World Heritage Sites, the

Rhaetian Railway plans, in cooperation with the local authorities, to make additional information available to the general public at a number of the stations; this material would cover the Albula/Bernina lines, the cultural landscape surrounding them and the UNESCO World Heritage Site. There are also plans to set up a UNESCO information centre in the planned railway museum in Bergün/Bravuogn, directly next to the Rhaetian Railway's main station building.

The Rhaetian Railway runs through the cultural landscape of the Albula/Bernina area, a popular destination for day trips. Should the property be included in the list of World Heritage Sites the popularity of the area will probably be accentuated, with starting points at the medium and larger-sized centres such as Davos, Scuol, Lenzerheide, Savognin, Chur, Flims, Laax and Tirano. Public transport services and the extensive networks of hiking and biking trails have opened up the area, providing ideal conditions for encouraging visitors to dispense with the use of cars. Combined tickets offered by the Swiss Federal Railways the Rhaetian Railway and the Italian Railways could also meet with interest. Even if there is a wider range of opportunities and attractions for discovering the cultural landscape in summer, should the nomination for listing as a World Heritage Site be successful, the demand for railway trips through the area during the winter season is also likely to grow.

Tourist infrastructure and key figures

The Canton Graubünden is one of the major holiday regions in Switzerland. The region has a total of 830 hotels with 48,000 beds plus a further 125,000 offered by the self-catering sector. Together these generate a total of 11 million potential overnight stays, of which 4.5 million are during the summer season. With the exception of

the Upper Engadin, the main tourist activity in the canton takes place largely outside the perimeter of the World Heritage Site. While tourism in the Albula valley and in the Val Poschiavo does indeed play an important part for both areas, in terms of numbers, it does not make a major contribution at cantonal level. The largest localities in these valleys – Bergün/Bravuogn and Poschiavo – typically record annual visitor figures of a mere 30,000 and 52,000 hotel overnight stays respectively (by comparison, the number of overnight stays per year in hotels in Davos is greater than 800,000). Altogether the number of overnight stays in hotels in the potential heritage site is around 1.5 million per year with a similar number of overnight stays recorded for the self-catering sector.

The hotel capacity in the Albula and the Poschiavo Valleys amounts to 1,547 beds, provided by 55 different businesses. In addition, about the same number of beds are available in self-catering apartments. There are almost 60 restaurants in the same area, with seating for some 4,900 guests. The localities in the Upper Engadin affected by the nomination as a World Heritage Site contain 100 hotels with some 10,000 beds together with 145 restaurants with seating for around 14,000 guests. Five camping sites are also located within the primary buffer zone.

Tourism in the province of Sondrio focuses on Livignio, Bromio, Aprica, Val Malenco, Madesimo and Teglio, but plays only a minor role in Tirano. The town has 292 hotel beds and recorded 29,000 overnight stays in 2005. Its 27 restaurants can accommodate 2,400 guests.

Museums and other sources of information

A number of informative and educational attractions and services are located within the perimeter (core and buffer zones) of the proposed World

Heritage Site. Extensive parts of the Mittellbünden (central Graubünden) region, including the Albula valley, are situated within a regional nature park (the Parc Ela). The park offers interconnected tourist services and features, each related to specific themes. The various themes include the Railway History Education Trail between Preda and Bergün/Bravuogn, which passes very close to the engineering structures of the Rhaetian Railway. The trail is almost 8 km long and involves a change in altitude of 400 m. Illustrated info boards erected at special points of interest provide details of the construction and alignment of the railway line, whilst timetables tell visitors the time when the next train will be passing. As part of the 'Albula Railway Experience' project – the heart of which is the planned Railway Museum in Bergün/Bravuogn – there are plans to extend the railway education trail as a railway adventure trail as far as Tiefencastel; the new trail section will cover the historic railway corridor between Stugl/Stuls and Bergün/Bravuogn, the former Bellaluna mining centre (today a cultural centre), and Filisur. The Filisur Nature Education Trail – a high altitude trail between Filisur and Wiesen – has illustrated info boards which provide information on the local flora, fauna and geology. Another resource within the perimeter of the World Heritage site which is connected with the Parc Ela is the "ansaina" waterway.

The international prize-winning 'On the track of climatic change' educational adventure trail runs between Muottas Muragl and Alp Languard (in the Upper Engadin). The trail aims to accentuate awareness of the global-warming induced natural phenomena in the Alps. Besides addressing the question of the rapid warming of the climate, the adventure trail also provides information on the causes and global consequences of the green-

house effect. The info boards show examples of different approaches to solving the problems and possible ways of dealing with them. The climate trail project was developed by WWF Switzerland in cooperation with the Engadin Nature Research Society. The valley station of the Lagalb cableway is the starting point for a mining history education trail whose eight stopping points lead the visitor over the Bernina Pass to the Camino mine tunnels, the only tunnels which are still accessible. The trail also leads over the Fuorcla Minor, crossing the two mining areas and passing the Fuorn d'Plattas ore smelting plant, which dates back to 1458. The trail provides information on the history of mining activities in the area from the 13th to the 16th centuries, on the history of the mine tunnels and on the type of rock in this area (pyrite – arsenopyrite). The 'Protecting People and the Forest' education trail runs between Alp Grüm and Poschiavo. The trail illustrates the links between the protective engineering measures and the important protective function that mountain forests provide with respect to settlements, railways and people. The 'Environmentally-friendly Electricity' education trail from Lago Bianco (Ospizio Bernina) to Cavaglia illustrates the history of the electrification of the Rhaetian Railway and Val Poschiavo, the requirements needed for the ecologically-friendly generation of electricity and also the geology and biology of the high Alpine valley. Seven moulins can be viewed in the Cavaglia area, at a height of 1700 m above sea level.

The AlpenAcademie (alpine academy) in the Engadin was established quite recently; it is supported by the Academia Engiadina in Samedan. As part of its GeoParc and Cultur Engadin educational courses, in lectures and guided tours the Academy introduces visitors to the attractions that the Engadin has to offer in the fields of cul-

ture and natural sciences.

There are numerous museums in the property. Thus, the starting point of the Albula line, is also the starting point of the Viamala EcoMuseum, run by the Association for the Cultural Area of the Viamala; the purpose of this museum is to preserve the valuable cultural area around the impressive natural monument of the Viamala Gorge and to use it for tourism at a sustainable level. The district museum (Fundaziun Museum) in Bergün/Bravuogn offers an insight into daily life in an Engadin house – a type of farmhouse which is unique in the Alps (cf. 2.a.6); the former working part of the house contains a 1:87-scale model railway showing the line between Bergün/Bravuogn and Preda on the Albula line. In Bergün/Bravuogn, work is presently in hand on the development and construction of the Albula railway museum. Here, the former arsenal next to the Rhaetian Railway main station building is being converted for this purpose.

In Samedan, the Chesa Planta museum of daily life offers the opportunity to visit one of the most important stately homes in the region. The museum provides an insight into the way of life of nobility in Graubünden during the 17th and 18th centuries (cf. 2.a.6). The Chesa Planta houses the offices of the cultural archives of the Upper Engadin and also what is probably the most important library of Rhaeto Romansh literature in the world. The Bob Museum in Celerina illustrates the history of the sport of bobsledding since 1900 and provides an understanding of an important aspect of the history of tourism in the Upper Engadin. There are several museums in St. Moritz including the Museum Engiadinais that dates from 1906. This museum provides an important record of the national heritage protection movement which grew up across Europe around 1900 (cf. 2.a.4) and is also a forerunner

of the many local customs and crafts museums which were set up after the Second World War. The Museum Engiadinais has exquisite interiors, high quality furniture spanning six centuries and a large number of other exhibits; it is one of the most representative museums in terms of local customs and traditions. The building itself, designed by the architect Niklaus Hartmann the Younger, was one of the first in the canton to be built in the 'Heimat' style (cf. 2.a.5). The Segantini Museum, which was designed by the same architect, was opened in 1908. The museum building, constructed in the form of a rotunda, was based on a preliminary draft by the renowned artist Giovanni Segantini (1858–1899) for an Engadin Panorama planned for the Paris World Fair of 1900 (cf. 2.b.9). Amongst other exhibits, the museum houses the artist's famous Alpine Triptych. Segantini spent the last five years of his life in the Engadin. The hundred year old Villa Arona in the centre of St. Moritz houses the Berry Museum, dedicated to the spa physician and painter Peter Robert Berry (1864–1942), who based his artistic work strongly on Segantini's style of painting. The Mili Weber House is the home of the Mili Weber Foundation. The house was built in 1917 for the artist of the same name (1891–1978), who also designed and decorated interior. The location of the house, on the wooded mountainside, above the eastern end of the lake is idyllic. The Museum Alpin in Pontresina, located in an Engadin house dating from 1716, hosts a permanent exhibition which covers many themes; these include the traditional Engadin house, the development of summer and winter tourism, mining in the Upper Engadin, minerals to be found in the region, hunting, game and the environment. The Palazzo de Bassus-Mengotti in Poschiavo, the most significant stately home in the Poschiavo Valley, contains a regional mu-

seum (Museo Poschiavino) which focuses on the lifestyle and way of life in the Val Poschiavo over the past 300 years. There are plans to move the museum's collection of 'farming tradition' items in the near future to the Casa Tomé, one of the last, largely unchanged farmhouses in the village. The Casa Console Museum of Romantic Art in Poschiavo displays the paintings collected by the former publisher Ernesto Conrad. The collection includes works from the 19th century (mainly of the Munich school), with works by Wilhlem Kaulbach, Franz von Lenbach, Carl Spitzweg, Franz von Stuck and also by renowned Swiss painters such as Ferdinand Hodler, Louis-Auguste Veillon and Heinrich Füssli. The Museo Casa Besta in Brusio is located in an aristocratic house dating from the 17th century. The museum provides information on tobacco-growing, smuggling, milk production and shoe-making in the valley. In Tirano, the Museo Ethnographico Tiranese, on the Piazza della Bailica documents the history of the town. The museum houses a wealth of artefacts from the region. Besides the education trails and museums the nominated heritage site also includes a large number of valuable sacred and secular buildings. These and several other places of interest which are open to the public can be reached by the Rhaetian Railway. Guided tours are frequently available.



Albula line > The Glacier Express on the Landwasser Viaduct.
A. Badrutt / Rhaetian Railway

5.i Policies and programmes related to the presentation and promotion of the property

There is already a range of information offers on the nominated property. Further presentation and promotional offers are in preparation. A comprehensive documentation system is at the planning stage.

Visitors to the property can already read various information pamphlets on the Rhaetian Railway and the surrounding cultural landscape (cf. 5.h).

Numerous measures and publications within the scope of the candidature have drawn the attention of the general public and visitors to the values of the UNESCO World Heritage in general as well as to the cultural-historic importance of the railway. They are being further developed on a continuous basis. If the site is entered on the World Heritage List, the information activities could be oriented in a more direct way to the UNESCO World Heritage. Thus a major information and implementation concept is currently being prepared as part of a promotional programme (“Regio Plus” Project) financed by the Swiss federation, the Canton Graubünden and the Rhaetian Railway. This project aims to communicate the values of the UNESCO World Heritage and the Rhaetian Railway in the Albula/Bernina Cultural Landscape to various target groups (population, rail passengers, holiday visitors, school classes) effectively and sustainably. The awareness for cultural and landscape values will be backed up by specific local information measures and the objectives of the UNESCO World Heritage will be made accessible to a broader public. Aspects such as culture, nature and daily use should be addressed in addition to the UNESCO World Heritage and the

Albula and Bernina line.

- > Schools and universities – The complete candidature dossier was submitted to UNESCO in Paris by two classes of school children from the Puschlav. The topics of the World Heritage and UNESCO had previously been covered in class. The aim of this Swiss initiative was to launch a pilot project on covering this subject in schools as well as to underline the key part played by young people in safeguarding our cultural heritage. The initiative was a resounding success and met with wide interest throughout the region. The Paris trip was accompanied by a blog brought it to the attention of a large part of the population.
- > Several diploma assignments dealing with the World Heritage candidature are currently being prepared at the HTW University of Applied Sciences in Chur as a direct outcome of this widespread interest. Members of the Association are assisting the students with information and explanations.
- > Informing the public – The public are informed regularly via newsletters printed in five languages (German, English, French, Italian and Romansh). These comment on the current progress of the candidature and present certain topics within its context.
- > The candidature web site (www.rhb-unesco.ch) includes an interactive flash map: a pop-up

- description of major engineering structures, monuments and features of the landscape can be obtained by clicking the object on a map. It allows numerous visitors to the website to appreciate the high density of valuable cultural and historic features. The web site is available in five languages.
- > The general public is kept up-to-date on the candidature and background aspects via media reports and press conferences. Numerous articles in all the major print media and on television ensure a broad flow of information about the UNESCO World Heritage and maintain its topicality. The PR Department of the Rhaetian Railway informs numerous national and international journalists by means of media trips and other initiatives on the progress of the candidature as well as on the objectives of the UNESCO World Heritage.
 - > During a trip on the Bernina Express, brief informative texts on the cultural-historic features are relayed over the public address system in several languages. Passengers are thus informed direct about the cultural value of the site and about UNESCO.
 - > A locomotive and a railcar of the Rhaetian Railway have been decorated with the “UNESCO World Heritage Candidature” logo. The passing trains continuously remind rail passengers and people living along the railway of UNESCO. Banners at all the railway stations in the core zone draw attention to the current candidature.
 - > Numerous information brochures and special offers run by the Rhaetian Railway (such as special historic trips or the opportunity to book a ride in the driver’s cab on the Albula/Bernina line) enhance the awareness of visitors and passengers for the UNESCO World Heritage.
 - > The *Bündner Monatsblatt*, a magazine with a cultural-historical focus, will publish a special issue on the Albula/Bernina line in 2008. Several guides are also planned by the GSK, Society for the History of Art in Switzerland, on objects of cultural and historic value in the region.
- Further initiatives to present and promote the World Heritage Site are planned. If the Rhaetian Railway in the Albula/Bernina Cultural Landscape is accepted for the UNESCO World Heritage list it will become a central theme permanent exhibition at the planned railway museum in Bergün/Bravuogn (cf. 5.h). Moreover, the existing documentation on the various topics will be coordinated and streamlined to heighten its PR impact. Public awareness of the cultural and landscape value of the nominated asset should be reinforced to heighten popular responsiveness to the need for its maintenance and promotion. In general, cooperation between representatives of the tourist industry, cultural bodies, spatial planners and the Rhaetian Railway will be intensified by placing the railway on the UNESCO World Heritage List. The development of such concepts and the promotion of inter-institutional cooperation is another element of the “Regio Plus” promotional programme currently in preparation by the Association for the UNESCO World Heritage Rhaetian Railway in the Albula/Bernina Cultural Landscape .
- This Association (cf. 5 e) will also create a documentation system in conjunction with the Rhaetian Railway and the communities in the nominated area with the objective of identifying and, where possible, providing access to the available material. Existing databases will be inter-linked to allow information on the World Heritage Site to be disseminated as efficiently as possible.

5.j Staffing levels (specialist, technology and maintenance staff)

Various organisations, with a large number of highly qualified specialists, ensure that the Albula/Bernina line and its environs maintains its World Heritage quality standard long-term.

The Rhaetian Railway alone, which as owner is responsible for the infrastructure and operation of the Albula/Bernina stretch, has a staff of some 1,500 including, among other professions: agricultural machinery mechanic, architect, automation technician, car mechanic, carpenter, carriage cleaner, catenary wire fitter, civil engineer, civil engineering draughtsman/woman, clerical workers, construction engineering draughtsman/woman, computer specialist, construction engineer, depot assistant, development engineer, economist, electrician, electrical assistant, electrical draughtsman/woman, electrical engineer, electronics technician, electro-mechanical engineer, engine driver, engine fitter, engineering draughtsman/woman, engine shed foreman, general mechanic, lawyer, locksmith, logistics assistant, machine fitter, machine mechanic, machinery fitter, mechanic, operating assistant, painter, plumber, precision mechanic, railway traffic controller, saddler, smith, secretary, track engineer, technical draughtsman/woman, ticket collector, turner, upholsterer, warehouseman/woman, workshop assistant.

In the cultural landscape sector as well, the project can draw on the expertise of Canton Graubünden and the Province Sondrio departments and administrative offices engaged in the sustainable management of the cultural landscape (cf. 5.g). The staff of these offices include the following specialists: architect, agronomist, biologist, chemist, forestry engineer, geographer,

geologist, lawyer, cultural engineer, art historian, economist and physicist.

Besides the Rhaetian Railway and the public administration, the personnel of the 23 communities involved will contribute to ensuring that the authenticity and integrity of the nominated property is sustained. There are several local and regional tourist offices in the nominated area, all run by qualified professionals, to provide information to tourists and to raise awareness.

