



Swedish National Heritage Board Proposals for Implementation of the European Landscape Convention in Sweden

Translation of part 1 of the Final Report

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Note to readers

This is the first part of the Swedish National Heritage Board's final report on how the European Landscape Convention could be implemented in Sweden. The report presents conclusions and proposals. It also briefly explains the measures that are necessary, as well as the consequences of their implementation.



Introduction

The landscape¹ is the entirety of our surroundings, where everything happens. It is the foundation of a good living space for man and of biodiversity, and it constitutes capital in business sector development and in local and regional development. The landscape is society's own shared resource and living archive. It is invaluable in helping us understand and explain our history. Out of the forty-six member states of the Council of Europe, twenty-nine countries have already ratified the European Landscape Convention (ELC)². This shows that there is broad unity on the significance of the landscape. It also shows that the need to coordinate different sectors exists in most countries, and that these countries see the ELC as an opportunity to unite various interests from a landscape perspective.

By implementing the European Landscape Convention, Sweden can move towards a more comprehensive perspective and reduce the cost of lack of coordination and conflicting interests at national and regional level. Sweden has the opportunity to take a leading role in international cooperation, promoting increased democratic influence for inhabitants and socially sustainable development where the potential for change is high.

In order for the ELC to gain acceptance and legitimacy at national level, it is important that as many as possible participate in the implementation process and that the relevant parties take on responsibility on a broad basis. Therefore, the Swedish National Heritage Board's proposals in terms of implementation of the ELC focus on creating understanding for the underlying motives, pointing out the potential of the ELC, and illustrating the shortcomings that exist in current landscape management. The Swedish National Heritage Board has sought to propose measures that can be developed step by step, in broad collaboration with other relevant parties.

Current status in Europe

The European Landscape Convention was opened for signature in 2000 and entered into force in 2004 when ten countries in the Council of Europe had decided to ratify it. Since then, a further nineteen countries have ratified the ELC. That means that twenty-nine of the Council of Europe's forty-six member states have both signed and ratified the convention.³ Six countries have only signed the ELC, of which Sweden is one. Of the Nordic countries, Norway, Denmark and Finland have both signed and ratified the ELC. Thus far,

¹ The meaning of the term landscape should be understood here and in the rest of the report as *an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors* (ELC, article 1).

² European Landscape Convention (ELC) 2000. European Treaty Series – No. 176.

³ Status report according to the Council of Europe, 31/12/2007 (www.coe.int).

Iceland has neither signed nor ratified the ELC. The Nordic Council of Ministers has given priority to the ELC.⁴

Given that the European Landscape Convention is a relatively new convention, the level of acceptance thereof can be considered good. There is a general understanding of the significance of the ELC and great interest in pursuing the convention among the states of Europe, despite the fact that in many countries, particularly in the former Eastern Bloc, it implies major challenges.⁵ In many of the countries that have not yet adopted the ELC, there are processes working towards ratification, regardless of whether the country concerned has signed the convention or not.

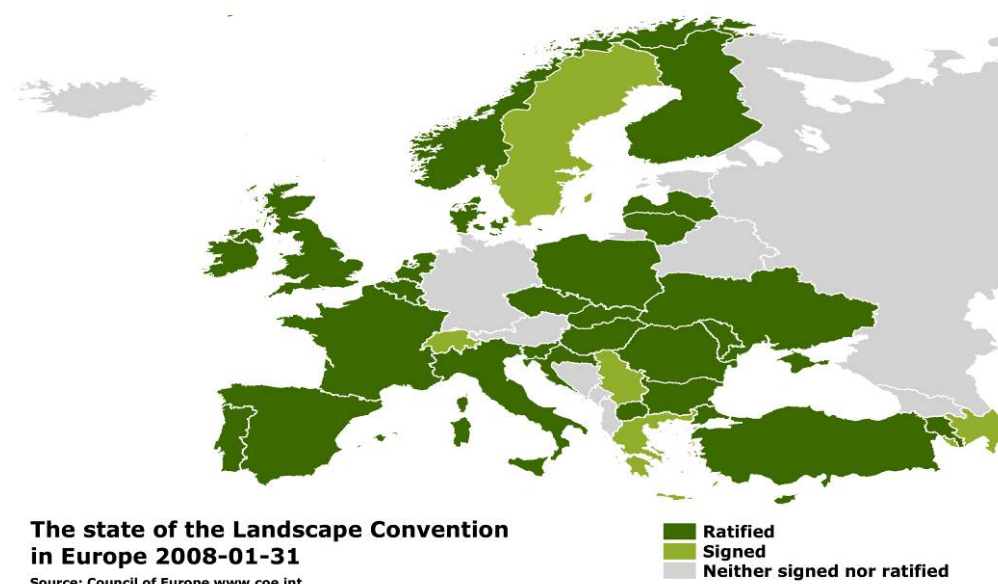


Figure 1. *The status of the European Landscape Convention in Europe, 31/12/2007.*

The reasons why certain countries have not yet ratified the ELC vary within Europe. In states with a strong federal structure, such as Germany, the reasons are mainly constitutional. Factors such as level of ambition and views on the scope of the process needed to make decisions surrounding ratification are also significant. For example, the UK has been a driving force in developing the ELC at European level, but it only chose to sign and ratify the ELC in 2006. Before then it did not have enough domestic political support.⁶

⁴ Nordic Council of Ministers 2005.

⁵ T-FLOR (2007) 14.

⁶ Michael Dower, expert advisor to the Council of Europe's Working Group for the European Landscape Convention 1995–1998. Verbal information on 19/11/2007, European Landscape Convention – Expert seminar, Sheffield University.

Description of the commission

In 2006, the Swedish Government commissioned the Swedish National Heritage Board to develop a proposal for national implementation of the European Landscape Convention. The commission included an overview of the division of responsibility between government agencies in terms of landscape issues.⁷ The issue of division of responsibility is central to the proposal for implementation of the ELC. As such, it is not dealt with as a separate issue, but as an all-pervading aspect of the proposal.

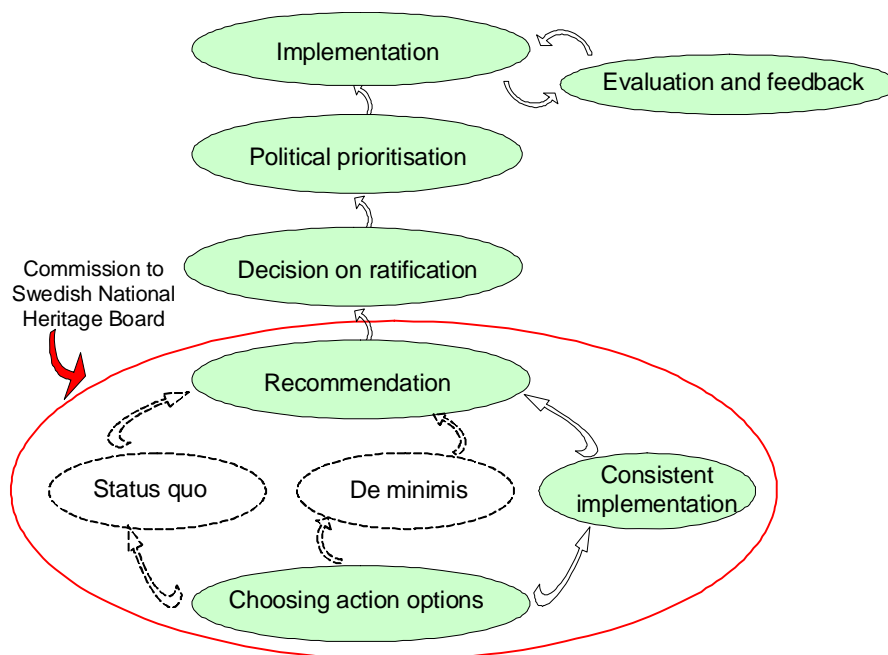


Figure 2. *The limits of the Swedish National Heritage Board's work to develop a proposal for national implementation of the European Landscape Convention.*

Action options

It is possible to identify three main action options in response to the European Landscape Convention. These options are based on a pilot study carried out by the UK in 2003⁸, prior to implementing the ELC, but the principles are applicable to all countries considering the possibility of ratification.

1. *Status quo*. This option is to refrain from ratifying the ELC. So far, no European countries have officially chosen this option. The Swedish National Heritage Board does not consider this to be an option for Sweden, partly based on the way the commission from the government was formulated. It is

⁷ Appropriation directions for budget year 2006, concerning the Swedish National Heritage Board.

⁸ IEEP 2003.



clearly stated that the task is to develop a proposal for *how* the ELC could be implemented in Sweden, not *whether* it should be implemented. The Swedish National Heritage Board has therefore chosen not to discuss this option in its proposal for national implementation of the ELC.

2. *De minimis*. This option means that the ELC is ratified, but with the lowest possible level of ambition. Little or no changes are made in legislation or in praxis. In general, the only action taken is to complete the formalities that are necessary in order to ratify. Several countries, for example in Eastern Europe, have chosen variants of this option. The advantage is a fast, cheap process, and the disadvantage is that the convention risks being perceived as meaningless and not as an opportunity. The Swedish National Heritage Board does not consider this to be an option for Sweden, since we would then have to refrain from taking the opportunity to reform and develop our management of landscape issues in Sweden. The Swedish National Heritage Board has therefore chosen not to discuss this option in its proposal for national implementation of the ELC.

3. *Consistent implementation of the ELC*. This means that the ELC is ratified and that measures are taken above and beyond the measures taken in option 2, in order to raise awareness of and support for landscape issues in the work for sustainable societal development.

In Sweden's case, this option would mean that the ELC would supplement the political and administrative changes discussed in recent years⁹ and that landscape issues would become a matter of concern for several policy areas. This demands resources, but also offers more opportunities and effects.

The Swedish National Heritage Board's proposals and recommendations

Ratify the European Landscape Convention as soon as possible

The Swedish National Heritage Board proposes that Sweden ratifies the European Landscape Convention as soon as possible and undertakes an implementation as outlined in option 3.

The Swedish National Heritage Board believes that an immediate ratification is possible, and that Sweden would, from a European perspective, be in a good position to achieve the intentions of the ELC. It is important that Sweden adopts the ELC as soon as possible, not least because that will strengthen

⁹ SOU 2007:10



the status of the convention in Europe. The Swedish National Heritage Board also believes Sweden should have a high level of ambition in the implementation of the ELC and as a result, along with other countries that have well-developed environmental work, set a good example on landscape issues.

Create a holistic landscape policy

The Swedish National Heritage Board proposes the creation of a commission charged with drawing up a national landscape policy. Its task should include developing a national landscape strategy with proposed measures to facilitate coordination of landscape-related work carried out by different government agencies and to monitor and evaluate landscape policy.

There is a need for a national landscape policy that can work as an umbrella structure for coordination of the many national, regional and municipal policy areas that affect the landscape. This kind of policy should take the form of a national landscape strategy¹⁰ that can function as a platform for developing national landscape-related objectives and visions as well as regional and municipal strategies and programmes. The strategy should also outline how the importance of the landscape could be made clear in other policy areas. It should develop ways of relating in order to balance conflicting objectives and propose principles for how participation in landscape-related issues could be developed at different levels.

Other strategies should also be affected by the new conditions that come about as a result of implementing the ELC. This includes the National Strategy for Sustainable Development and the action strategy on Sustainable Management of Land, Water and the Built Environment.

One important task for this commission would be to propose measures to improve coordination of landscape issues between government agencies, and to monitor landscape policy. One possible solution could be to introduce a council or other body with responsibility for coordination and monitoring.

All government agencies that manage objectives, resources, and landscape-related work should be charged with drawing up the role and responsibility of their own agency as part of a comprehensive, national landscape policy. This also includes reviewing and adapting economic control measures for different policy areas, to ensure that they work as a team from a landscape perspective. A particular effort should be made to develop control measures that stimulate management and development of the landscape.

¹⁰ In Norway there is an equivalent national landscape strategy, which links the comprehensive landscape policy to the Norwegian Environmental Objectives, known as the agricultural policy objectives (Norwegian Directorate for Culture Heritage 2007).



Recognise landscape in law

The Swedish National Heritage Board proposes the creation of an inter-departmental working group to review how the intentions of the European Landscape Convention could be introduced and clarified in relevant legislation.

The ELC demands that the landscape be recognised as a crucial element in the surroundings of mankind, as an expression of diversity in their shared natural and cultural heritage and as a foundation for their identity. The ELC both recognises the significance of the landscape for the wellbeing of mankind, and contributes to safeguarding the democratic process. In order to achieve the intentions of the ELC, actively applied laws and regulations are needed in order to prevent unacceptable changes in landscape. Proactive, effective control measures must stimulate the protection, management or development of all kinds of landscape, in rural areas and in cities and urban areas.

The Swedish National Heritage Board therefore proposes the creation of an interdepartmental working group to review how the intentions of the ELC could be introduced and clarified in relevant legislation. The Swedish National Heritage Board believes that particular emphasis should be placed on the portal paragraphs of the Environmental Code and the Planning and Building Act. Relevant sectoral laws should also be reviewed to investigate how to design detailed legislation and its application in a way that ensures that the value of the landscape can be safeguarded and developed.

Emphasise the landscape as an asset in local and regional development

The Swedish National Heritage Board proposes that all counties/regions develop regional landscape strategies.

Regional and local authorities have a key role in the ELC. They are expected to participate in the implementation of the convention, not least by developing regional and local objectives and visions for the landscape and its development.¹¹ One way to underline the significance of the landscape for regional and local development is to draw up regional landscape strategies. The Swedish National Heritage Board believes that in terms of the ELC intentions, there are several criteria that should serve as guiding principles in these regional landscape strategies.

The strategies should:

¹¹ ELC, article 5c: Subsidiarity should also be a guiding principle (ELC, article 4).



- have genuine legitimacy with objectives and visions that have strong political support,
- be able to serve the needs of regional and municipal planning work,
- have a strongly cross-sectoral perspective on landscape, covering the social, environmental and economic dimensions,
- cover the entire county/region,
- be connected to national objectives (national landscape strategy) and
- form the basis for development of landscape issues within Regional Development Programmes (swe. RUP).

This implies that these landscape strategies should be developed in close co-operation between regional bodies, county councils and municipalities, and that the strategies should be based on foundations that combine environmental and regional development policy.

Increased integration between regional development programmes, sectoral programmes and plans, cross-sectoral planning according to the Planning and Building Act, and infrastructure planning would be of major significance for the overall progress of landscape-related issues. For example, this could contribute to comprehensive assessments of environmental conditions, division of responsibility, allocation of funds, and physical structures. As such, regional development programmes would gain more substance and more direct links to municipal physical planning. This would also increase the chances of reaching more precise spatial definition of regional environmental objectives.¹²

Strengthen participation

The Swedish National Heritage Board proposes that requirements for participation and use of local knowledge should be strengthened as part of the work to protect, manage and develop the landscape.

According to the ELC, each party commits to introduce procedures for the participation of the general public, local and regional authorities, and other parties with an interest in the landscape. This is a way of clarifying elements such as politicians' and civil servants' responsibility for ensuring that people can participate and are regarded as actors in all processes, both in directly landscape-related processes and in processes that have indirect consequences for the landscape. Increased participation should be a horizontal goal for the authorities concerned with landscape issues, at central, regional and municipal levels. One possible measure would be to demand that experts in public sector administration (planners, advisors, rural developers, project managers etc) should be trained in, or offered training in methods for participation.

¹² SOU 2007:10.



The Leader Method¹³, which is a way of utilising local knowledge in rural development, should be applied and developed as part of the work to implement the ELC. Landscape interpreters as seen in the Danish model constitute another creative way of stimulating and raising awareness of landscape issues.¹⁴ Experience from pilot schemes with regional landscape strategies should form the basis of continuing to develop methods for participation and cooperation. Västerbotten County Administration, for example, has developed a collaboration model that could be successfully used in other consultation situations.¹⁵

Safeguard the provision of knowledge

The Swedish National Heritage Board proposes the creation of an appropriate system to provide information and data to form the basis for protection, management and development of the landscape at national, regional and municipal level.

One precondition for the implementation of the ELC is the existence of a functioning channel to provide the necessary information and data for the broad landscape perspective of the convention. In order to ensure that landscape-related knowledge and information is provided, there is a need for initiatives that will develop new perspectives and methods, as well as initiatives that guarantee that essential information on which to base planning decisions is available wherever and whenever needed.

There is a need for a renewed discussion surrounding the format, focus and content of such information, in which the academic community, authorities, municipalities, organisations and individuals participate. It is also important to clarify the aims of various types of analysis and link these to existing instruments in terms of protection, planning and development of the landscape in Sweden. The starting point should be oriented towards practical applications and should be based on existing contexts. Priority areas are landscape analysis in planning and infrastructure projection; in municipal planning; in ecological landscape planning, and in planning for regional growth and development.

In order to safeguard the provision of knowledge, the Swedish National Heritage Board proposes:

- clarification of the division of responsibility and labour between central authorities, county councils and municipalities, in terms of provi-

¹³ The Department of Agriculture 2007; The European Council 2005.

¹⁴ Olwig 2007a.

¹⁵ County Administrative Board in Västerbotten.



sion of the information needed for the sustainable management of the landscape's resources, and specifically, the content, quality and relevance of this information,

- that a study of needs and shortcomings be carried out in order to review what documentation and analysis initiatives are needed and on what scale, and
- that a study of needs and shortcomings be carried out in order to review the type of methodology, data and IT systems needed to support documentation and analysis of the landscape.

The Swedish National Heritage Board proposes that existing monitoring systems should be coordinated to ensure more comprehensive and appropriate landscape monitoring, based on the need for a holistic perspective on landscape.

Sweden is way ahead in terms of having the conditions to be able to achieve good monitoring and evaluation of landscape issues. The main problem is not a lack of data, but a lack of coordination and of a comprehensive overview. Most monitoring and evaluation programmes that relate to landscape have been designed for specific purposes and specific issues and are rarely based on the landscape as a whole. As such, there is a need for an overview of how the existing monitoring systems that have been developed in different sectors could be coordinated and used to give more comprehensive and appropriate monitoring of landscape issues, based on the need for a holistic perspective on landscape.

The Swedish National Heritage Board proposes that the relevant central authorities work together to develop shared structures for systematic, regular national analyses of the socioeconomic conditions that act as driving forces for change in the landscape.

In order to satisfy the growing need to monitor and understand the processes of change that are at work in the landscape, monitoring of the landscape should be combined with studies of the socioeconomic conditions that act as driving forces for change in a landscape context. There is a natural connection to Statistics Sweden (swe. SCB) in this regard, as its mission is to develop, interpret and communicate national statistics, and as such, close cooperation between SCB and the relevant authorities is essential.

Develop international involvement

The Swedish National Heritage Board proposes that Sweden take an active and driving role in terms of international involvement in landscape issues and the European Landscape Convention.



Sweden has the opportunity to take a leading role in international cooperation, to promote democracy and participation for inhabitants and socially sustainable development where there is the potential for major change. This means that Sweden's participation in cooperative bodies and networks relating to European landscape issues, primarily within the EU, the Council of Europe and the Nordic Council of Ministers, should be strengthened. Sweden should also take the initiative to create multilateral and bilateral research and cooperation projects on landscape in Europe. This also includes transfrontier cooperation with our neighbouring countries.

The relevant authorities have a responsibility to ensure that an international perspective on landscape issues is integrated into the skills development of their employees. Cooperation between authorities should also be developed in this area.

Highlight the landscape perspective in research and education

The Swedish National Heritage Board proposes more investment in applied research and education relating to landscape, and that the landscape perspective should be integrated into all planning and environmental courses, both at upper secondary school level and at university level.

Any country that ratifies the ELC commits to promoting education relating to protection, management and planning of the landscape. This applies to both university and college courses, as well as advanced training for professionals. The Swedish National Heritage Board believes that landscape as a discipline should be integrated more deeply into courses relating to planning and environmental science, at upper secondary and university levels.

In terms of the need for further training for professionals, the Swedish National Heritage Board is of the opinion that the relevant central authorities that have sectoral responsibility for landscape issues should implement measures to raise skills in this area, in order to promote a landscape perspective in their respective sectors.

In order to be able to promote courses on landscape, applied research in this area should also be strengthened. Solid and dynamic landscape research is necessary in order to be able to create relevant courses in this area.

As part of this work, authorities that offer research grants (sectoral research grants) should contribute actively to stimulating more cross-sectoral landscape-related research and development projects. Another possible measure would be to introduce a Nordic landscape research and education institute



tasked with increasing exchange of knowledge between researchers and representatives of the authorities, which would also function as a hub for further education of professionals in the landscape area.

Examples of important research areas include the links between landscape, economy and consumption patterns, and research relating to production methods and technology in the agricultural sciences in order to facilitate better integration between production and care for the environment.

Analysis of consequences

Social consequences

At a fundamental level, implementation of the ELC strengthens democracy. By demanding procedures for participation from the general public, local and regional authorities, and other parties interested in developing and implementing landscape policy, the conditions are created for increased participation in issues relating to landscape and the local environment.

The explicit focus of the ELC on the significance of the landscape for the wellbeing and economic development of mankind contributes to highlighting the social and economic dimensions of working towards sustainable development. The ELC supports the direction of current rural policy, which emphasises the importance of shared resources, such as the power of aesthetic attraction of the landscape, and the goal of increased participation in urban development policy.

Consequences for the environment

The ELC brings about positive impact for the environment. The convention increases our chances of achieving the national environmental objectives, and the development of a holistic landscape policy would broaden the work to achieve sustainable development in Sweden. The main focus is on developing a comprehensive spatial perspective and a new kind of social and environmental thinking in societal planning, in environmental and climate-related work, and in urban and rural development. One general consequence is that no single claim to use of the landscape will be able to take over in a one-sided way. Rather, different interests will have to be weighed up.

The ELC also places demands on what it calls the 'everyday landscape', and states that the individual's experiences should be considered and appreciated. Therefore, long-term consequences should include that the landscape as it is experienced will be taken into consideration, and that environmental issues will not fall between the areas of responsibility of different authorities.



The ELC puts Sweden in a position where it can become more pro-active in its international involvement in landscape issues and the work surrounding the ELC, which will benefit trans-frontier environmental cooperation.

Consequences for the work of the authorities

The relevant authorities will achieve strengthened and extended responsibility for landscape issues, to be divided over sectoral boundaries. The workload of central and regional authorities can therefore be expected to increase, to begin with during the implementation phase. The National Heritage Board does not propose the creation of a new authority, and the work to coordinate across sectoral boundaries must therefore take place within existing structures. In order to facilitate the coordination work, we propose a coordinating role be created, with an overall perspective and influence over the various sectors that have an impact on the environment.

Expanding landscape-related work will require the development and testing of new methods and perspectives, which may temporarily reduce the effectiveness levels of the authorities involved. For example, municipalities and relevant authorities need to increase participation and utilisation of local knowledge in terms of protection, management and development of the landscape. Changes in legislation lead to changes in its application and new praxis must develop as a result. In the long term this could increase effectiveness, since increased participation contributes to increasing the legitimacy of the decision-making process.

Economic consequences

Implementation of the ELC does not entail any significant additional expenditure for the state, municipalities or private bodies. To a major degree, the measures proposed relate to changing the existing structures and systems, not introducing new ones. The benefit of improved coordination between sectors and more proactive landscape-related work is expected to create space for essential investments in developing knowledge and new tools. Changes in legislation entail a revaluation of the landscape, but do not imply any compulsory costs. Viewed from a more long-term perspective, the economic benefits of introducing the ELC outweigh the investments.

At a national level, the increased demand for cross-sectoral work in landscape-related issues will cause an initial increase in costs, but it should be possible to spread these costs over several years and manage them within existing frameworks. It should be possible to prepare and introduce a coordination role for landscape issues and a secretariat for the ELC with a minor initial cost, which can then be managed within the framework for existing government budget.



There are some initial increased costs relating to the creation of an appropriate system for the provision of information, data and knowledge for the protection, management and development of the landscape. The current lack of such a system causes work to be duplicated, with a suboptimal division of responsibility between the municipal, regional and national levels. As such, in the long term, a system like this is expected to lead to more cost-effective work.

It should be possible to fund essential investments in research and education in accordance with the ELC within the existing framework for education and research grants.

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