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REPORT ON LANDSCAPE POLICIES OF THE MEMBER STATES OF THE COUNCIL OF EUROPE

*Secretariat document
Cultural Heritage, Landscape and Spatial Planning Division
Directorate of Culture and Cultural and Natural Heritage*

The Conference is invited to note that:

- the elements collected in this report on the landscape policies of the Member States of the Council of Europe, concern in particular the implementation of Article 5 of the Convention, and will be updated, completed and adapted according to the data presented by the Parties to the Convention in the Information System on the implementation of the European Landscape Convention presently being established [*Document CEP-CDPATEP (2011) 9*];
- the reports presented by the Parties to the European Landscape Convention and other member States of the Council of Europe on the occasion of the Council of Europe Celebration of the 10th Anniversary of the European Landscape Convention [*Document CEP-CDPATEP (2011) 10E, Part 2*] contribute to the development of the exchange of information foreseen in Article 8 d. of the Convention.

Table of content

1. Laws regarding landscape
 - 1.1. Legal definitions of the term landscape
 - 1.2. The place of landscape in the constitutions
 - 1.2. Specific laws relating to landscape
 - 1.3. General laws and codes relating to landscape
2. Landscape integration in the sectorial policies
 - 2.1. Spatial planning policies
 - 2.2. Town planning policies
 - 2.3. Cultural policies
 - 2.4. Environmental policies
 - 2.5. Agricultural policies
 - 2.6. Social and economical policies

1. Laws regarding landscape

1.1. Legal definitions of the term landscape

In **Austria**, the legal definition of landscape is a characteristic, individual part of earth's surface, being defined by interactive relations between instant geographical features, including those of human geography, even if impacts by humans, as e.g. buildings, represent only an subordinate part of landscape.

Croatia and Cyprus use the legal definition of landscape from the European Landscape Convention: landscape means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.

In **Greece**, the legal definition is: "It is a dynamic of all biological and non-biological forces and elements concerning the environment, which have separately or in interaction a precise place that forms visual experiences"

In **Malta**, there are several definitions and one is: "Landscape are the characteristics, patterns, forms and structures of the environment, including the traits, patterns, forms and structures of a specific geographic area, its biological composition, its physical environment, its geomorphology, its palaeontology, its lithostratigraphy and its anthropogenic and social patterns".

In **Portugal**, the legal definition is: "The landscape is a geographical, ecological and aesthetic unit, which is the result of human actions and natural processes, being primitive when the action is minimal and being natural when the human action is decisive, taken into account the biological equilibrium, the physical stability and the ecological dynamic".

In **Poland**, there is no legal definition of the landscape. Landscape is defined as part of an environment (Article 3 of Environmental Protection Law Act). According The Act of Nature Conservation, landscape protection is defined as maintaining the characteristic of a landscape (Article 5) and is part of nature conservation (Article 2).

In **San Marino**, the legal definition is: "Presence in a limited area of miscellaneous natural, historical and cultural elements which share an harmonious link".

In **Slovak Republic**, "nature and landscape protection is restriction of interventions that can endanger, damage or destroy conditions and forms of life, natural heritage, features of landscape, decrease its ecological stability as well as elimination of such operation" There was a proposal to use landscape definition from European Landscape Convention in the new version of the Act on Spatial Planning and Construction Order, which is currently under revision. We do not know the current situation.

In **Slovenia**, there are three definition of landscape. In the Spatial planning Act it is defined as "part of the physical space, characterized by a prevailing presence of natural components and is the result of the interaction and influence of natural and human activity."

The Cultural Heritage Protection Act defines term cultural landscapes as protected sites, which structure, development and function are defined by human intervention and activity. The Cultural Heritage Protection Act defines cultural heritage (including also cultural landscapes) as areas and complexes and surviving materialised works as the result of human creativity, social development and events, whose protection, owing to their historic, cultural and civilisational importance, is in the public interest. In the Nature Conservation Act the landscape is defined as: Landscape shall be a spatially explicit part of nature with specific distribution of landscape components resulting from the characteristics of living and non-living nature and human activity.

In **Spain**, there is no legal definition at a national level. Nonetheless, some regional laws have been drafted in the wake of the European Landscape Convention, which they adopt, and they introduce a definition of the term landscape in agreement with the European Landscape Convention.

In "**the Former Yugoslav Republic of Macedonia**", the legal definition of landscape is "a topographically defined territory consisting of a characteristic mosaic of interdependent types of ecosystems, which could be or had been subject to specific human activities. The development of the landscape is under influence of natural and/or anthropogenic factors or combination of both".

In **Turkey**, the legal definition of landscape is: an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.

In **Ukraine**, the legal definition of landscape is either an integral natural and territorial complex with genetically homogeneous and uniform natural conditions of localities, which have developed as a result of an interaction of components of the geological environment, relief, hydro geological regime, soils and biocenoses or is territorial system comprising interacting natural or natural and anthropogenic components and complexes of lower taxonomic rank.

Armenia, Belgium, Finland, France, Latvia, Norway, The Netherlands, Romania, Sweden, Switzerland and the United Kingdom have no own legal definition of the term landscape.

Denmark, Poland have neither an own legal definition for landscape, but they have other legal definitions (e.g. landscape values, landscape protection, natural environment, historical landscape, etc.) and concepts (e.g. landscape as scenery) concerning landscape.

Czech Republic, Hungary, Italy, Lithuania has an own legal definition of the term landscape, but it just refer to the laws where you can find the definition without giving a definition.

2.2. The place of landscape in the constitutions

In **Belgium**, the article 23 from the Constitution mentions the right to the protection of a safe environment. In the Flemish region, the articles concerning landscape in the constitution are the following ones: “The cultural affairs embodied in the Article 127 of the constitution are ... the cultural patrimony, the museums and the scientific cultural institutions with exception of the monuments and sites (law August 1980, Art.4) and “the embodied competences of Article 39 of the constitution in reference to spatial planning are: urbanism and spatial planning; co-ordination plan of the municipal road network; the acquisition, planning, equipment of grounds for industrial use, for craft use and for administrative use as well as for other infrastructures towards investors, which include investments in the equipment of industrial zones neighbouring harbours and to make them available to the users; urban renovation; renovation of sites which are economically out of use; land politics; monuments and sites” (Law 8 August 1980, Art.6 paragraph 1.I)

In **Croatia**, the term landscape is not specifically mentioned, but all its elements are contained in several provisions on natural and cultural heritage protection.

In **Cyprus**, the term landscape is not specifically mentioned but is construed from the usage of the term “spatial planning”, both within the constitution itself and the town and country planning law, where the term “amenity” is interpreted to encompass the “landscape” concept.

In **Czech Republic**, landscape is mentioned in the Act on nature and landscape protection. The landscape is not explicitly mentioned in the Constitution of the Czech Republic, nevertheless the Article 7 of the Constitution stipulates: “The State cares for economical use of natural resources and for the natural wealth preservation.”

In **Italy**, the Constitution’s Article 9 states: “The Republic safeguards the landscape and the historical and artistic heritage of the Nation.”

In **Latvia**, in the Environmental Protection Law the term “landscape” is considered as the “element of environmental information”. In the Law on Territory Planning as one of the prescribed tasks of the planning process is to preserve nature, culture heritage, landscape and biodiversity. Preservation of natural and cultural characteristics and development potentials of particular areas is defined as one of the goals settled by the Regional Development Law. In the Law on Preservation of Cultural Monuments cultural landscapes has been defined as cultural monuments, being a part of the overall cultural heritage. The term “landscape” is mentioned in other laws and regulations as well.

In **Malta**, the article concerning landscape in the constitution is a declaration of principles that relates to the obligation of the state to safeguard landscape as well as historic and artistic patrimony.

In **Poland**, the landscape is not directly the subject of any provision of Polish Constitution, but is included in the Constitution as part of the environment (The Republic of Poland shall ensure protection of the environment, guided by the principle of sustainable development – Article 5 and Article 74).

In **Portugal**, the articles concerning landscape in the constitution are: “to assure the environmental rights, in the field of sustainable development, there exists an obligation for the state, to organise and to promote spatial planning, with the aim of correct placements for activities, a socio-economically equilibrium and the enhancement of the landscape” and “to assure the environment rights, in the field of sustainable development, there exists an obligation for the state, to create and to

develop nature reserves and nature parks and recreation, as well as to classify and protect landscapes and sites, with the aim of conservation of the nature and the protection of cultural values whether they have a historical or an artistic importance”.

In the **Slovak Republic**, we can find in the Constitution in Chapter Six - The Right to Protect the Environment and Cultural Heritage: Article 44:

- Every person shall have the right to favourable environment.
- Every person shall have a duty to protect and improve the environment and foster cultural heritage.
- No person shall imperil or damage the environment, natural wealth and cultural heritage beyond the limits set by law.
- The State shall be responsible for the economically use of natural resources, an ecological balance and an effective environmental policy.

Article 45: Every person shall have the right to full and timely information on the environmental situation, and reasons and consequences thereof.

In **Spain**, there is no explicit mention of landscape done in the Constitution. It only emerges as a partially unintended consequence from environmental and zoning policy. The Spanish Constitution (section 45) states the right of every Spaniard to enjoy an environment suitable for the development of the person, as well as the duty to preserve it. According to Section 148, the autonomous communities are granted jurisdiction over spatial planning and environmental protection. However, the preliminary text of the Constitution included an explicit mention to *landscape*. The final version, dated 1978, did away with this mention for the sake of brevity.

Switzerland has got articles on landscape in their constitution.

In “**the Former Yugoslav Republic of Macedonia**”, the term “landscape” is not at all subject of defining in the Constitution (Official Gazette of RM No. 52/91, 91/01), but “the arrangement and humanisation of space and environment and nature protection” are among the basic values of the Republic of Macedonia established in Article 8 of the Constitution.

In the Law on Nature Protection (Official Gazette of RM No. 67/04) “landscape” defining, protection and management are subject to elaboration in a few chapters/articles. In chapter Definitions, Article 6 of the said Law, the terms “landscape diversity, landscape and landscape types” have been defined. In chapter Category of Protected Areas, Article 84, the term “protected landscape” is defined, and in Article 86, the manner of management of protected landscape is defined. In chapter Landscape Protection, Articles 118, 119, 120 and 121 define the landscape types, elaborate the monitoring of their status and their valorisation, as well as how to reduce harmful consequences to the landscape.

The issue of defining the “cultural landscape” and establishing its protective treatment is subject to elaboration in several chapters/articles of the Law on Cultural Heritage Protection (Official Gazette of RM, No. 20/04). Article 14 of the said Law defines the term “cultural landscape”. The “cultural landscape”, as specific type of immobile cultural heritage, is elaborated, by terminology and content, in the National classification of the cultural heritage of the Republic of Macedonia (Official Gazette of RM, No. 37/06) through two basic types: Cultivated areas and other cultural landscapes.

In **Turkey**, there are some landscape-related subjects involved in the constitution, like nature law, environmental law, national parks law, nonetheless the term ‘landscape’ is not referred explicitly. There is Landscape subject in the definitions of protected areas and measures for designation of protected areas.

In **Ukraine**, landscapes is subject of the basic Law of Ukraine “On Environmental Protection”, 1991 (Articles 1, 5 and others).

Greece has no specific articles concerning landscape in their constitution, but the protection of natural and cultural heritage is enshrined in their constitutions.

Armenia, Austria, Denmark, Finland, France, Hungary, Montenegro, Norway, Saint Marin, Slovenia, The Netherlands, Poland, Romania and Sweden have no articles concerning landscape in their constitution.

The **United Kingdom** has no written constitution.

2.3. Specific laws relating to landscape

In **Austria**, features of landscape are embodied in various other laws, e.g. nature protection laws, spatial planning laws, forest law, etc.

In **Belgium**, there is no law specifically dedicated to landscape, nevertheless many articles from of the Walloon Code on spatial, urbanism and landscape planning (CWATUP) explicitly referred to the term landscape. Moreover, landscape is referred in several regulations.

In **Croatia**, landscape is dealt with by Law on ratification of the European Landscape Convention, Law on Nature Protection, Law on Physical Planning, Law on Environmental Protection, Law on Protection of Cultural Assets.

In **Cyprus**, landscape is both the subject of Law n°4 (III)/2006, as well as explicitly embodied as a term within environmental assessment legislations and implicitly interpreted from terms such as “amenity” and “surroundings” in spatial planning legislation.

In **Czech Republic**, there is no specific law; landscape is embodied in the Act on nature and landscape protection (Act No. 114/19692 Coll., in the wording of later regulations).

In **France**, the specific law dealing with landscape is: “Law on protection and on the enhancement of landscape and modifying certain legal dispositions in regard to public inquiries.” (8 January 1993).

In “**the Former Yugoslav Republic of Macedonia**”, among the existing legal regulations there is no specific law on “landscape”. The landscape is treated in the Law on Nature Protection (Official Gazette of RM, No. 67/04), in the Law on Cultural Heritage Protection (Official Gazette of RM, No. 20/04) and partly in the Law on Spatial and Urban Planning (Official Gazette of RM, No. 51/05).

In **Italy**, landscape is dealt with by Cultural Heritage and Landscape Code (D. Lgs. 22-1-2004 n. 42) Part 3: Landscape heritage.

In **Latvia**, landscape is dealt with by the Environmental Protection Law, the Law on Territory Planning, Regional Development Law, Law on Preservation of Cultural Monuments cultural landscapes.

In **Lithuania** the specific laws dealing with landscape are: “Law on Protected areas” and “Law on coastal zone”.

In **Montenegro**, landscape is dealt with by the law on confirmation European Landscape Convention and also in the other laws as Law of Nature protection, Environment Law and Environment Impact Assessment Decree.

In **Norway**, landscape is dealt with by the Planning and Building Act.

In **San Marino**, landscape is dealt with by P.G.R (Plan Réglementaire Général) – law 7/92 ; (texte unique des lois Urbanistiques et du Bâtiment – law 87/95 ;) Law for the protection of environment and the safeguard of landscape, Flora and Fauna (Loi pour la protection de l’Environnement et la sauvegarde du Paysage, de la Flore et de la Faune) – law 126/95.

In the **Slovak Republic**, landscape is dealt with by : Act No.50/1976 on Spatial Planning and Construction Order, Act No. 543/2002 on Nature and Landscape Protection, Act No. 24/2006 on Environmental Impact Assessment, Act No. 49/2002 on the Protection of Monuments.

In **Slovenia**, landscape is not a subject of the specific law, but it is embodied in other laws. These are: Spatial Planning Act (2007), Nature Conservation Act (2004), Culture Heritage Act (2007), Agricultural Land Act (1996), Environmental Protection Act (2006).

Spatial Planning Act does not have special provisions on landscape, except for definition of terms. Landscape development is regulated through spatial planning documents at national (Spatial Development Strategy of Slovenia (2004), Spatial Planning Order of Slovenia (2004)) and local level. In the Cultural Heritage Protection Act “cultural landscapes” are recognised as: (1) designed landscape, which includes structures and areas of historic garden and park design, and (2) cultural landscape, which includes special (topographically) delimited parts of the landscape which have been created through the interaction of human and natural factors and which illustrate the development of human society in time and space.

The landscape can be designated as a landscape diversity or value according to Nature Conservation Act. The Nature Conservation Act further defines:

Landscape diversity and those landscape features which are important for biodiversity conservation shall be conserved, developed and restored. Landscape diversity shall be a spatial composition of natural and anthropogenic landscape elements. Activities affecting the physical space shall be planned and carried out in such a way that the conservation of landscape features referred to in the preceding paragraph and of landscape diversity are given priority. The Government shall specify the landscape

features and landscape diversity important for biodiversity conservation and the guidelines for conserving biodiversity in a landscape which have to be taken into account in the spatial planning and use of natural assets.

Valuable natural features shall include all natural heritage in the territory of the Republic of Slovenia. In addition to a rare, valuable or well-known natural phenomenon, a valuable natural feature shall be any other valuable phenomenon; component or part of the living or non-living nature; nature area or part thereof; an ecosystem; landscape; or designed landscape. Valuable natural features referred to in the preceding paragraph shall be in particular geological phenomena; minerals and fossils and mineral and fossil sites; surface and subsurface Karst features; caves; gorges and other geomorphologic phenomenon; glaciers and glacial forms; springs; waterfalls; rapids; lakes; bogs; brooks and rivers with banks; sea-shore; plant and animal species and exceptional specimens and habitats thereof; ecosystems; landscape; and designed landscape.

The Environmental Protection Act does not define the landscape as a term but it regulates the SEA and the EIA procedure. Within the SEA procedures the impacts of the planned activities upon landscape have to be presented as well as upon other environmental components.

One of the objectives of the Agricultural Land Act is to create conditions for rural population to sustain in the countryside. This encompasses also agricultural measures for stimulating the maintenance of the cultural landscapes.

In **Spain**, at national level, there is no specific landscape law. Various sectorial laws take landscape into consideration, above all in the fields of environment, spatial planning and cultural heritage. Most of the instruments of the sectorial legislation, both at a national and a regional level, take landscape into account.

In Andalusia, the most important legal text, the Statute of Autonomy, as detailed in the Act 2/2007 for the reform of the Statute of Autonomy of Andalusia, mentions specifically the landscape (preamble and articles 28, 33, 37 and 195).

In Aragon, There is only one legal text linked to landscape policy. It's a spatial planning instrument: the Pyrenees's Spatial Planning Guidelines (BOA no. 153, 28th December 2005). This Guidelines contain a title of Landscape Protection (Title IV: art. 79, 80, 81, 82, 83, 84, 85, 86, 87).

In Balearic Islands, The responsibilities in spatial planning and landscape matters are transferred to the Island Councils: Majorca's Island Council, Minorca's Island Council and Ibiza and Formentera's Island Council.

In Majorca, There is only one legal text linked to landscape policy: the Majorca's Territorial Plan passed in the Plenary Session of the Majorca's Council of 13th December 2004 (Balearic Islands Official Gazette- BOIB 31/12/2004). This Plan will be amended in order to introduce some changes, among which is to include a Landscape Observatory. The territorial plans are one of the spatial planning instruments established in the Act 14/2000, of 21st December, of Spatial Planning (BOIB 27/12/2000).

In Catalonia, Catalonia is the second Autonomous Community with specific rules for landscape: the text of the Act 8/2005, of 8th June, for the Protection, Planning and Management of the Landscape of Catalonia.

The Valencian Community is the first Autonomous Community with specific rules for landscape: Text of the Act 4/2004, of 30th June, of Spatial Planning and Landscape Protection (Valencian Community's Official Journal-DOCV 02/07/2004).

In Extremadura, The most important references to landscape matters belongs to the sectorial rules: spatial planning and environmental rules (natural protected areas): Act 15/2001, of 14th December, of Land and Spatial Planning of Extremadura (Extremadura's Official Journal - DOE No. 1 of 03/01/2002). It contains many general references to landscape protection in the urban and territorial planning framework (art. 17) and Decree 7/2007, of 23rd January, by which the Town Planning regulations of Extremadura are passed (DOE No. 12 of 30/01/2007) (Art. 75, 76 y 80).

In Rioja, there is only one legal text linked to landscape policy, and that's the Act 5/2006, of 2nd May, of Rioja's Spatial and Urban Planning (Rioja's Official Gazette – BOR No. 59 of 04/05/2006) (Art. 26, 45, 63, 68 y 78)

In **Sweden**, there is no specific law concerning landscape but it is the subject of provisions embodied in some laws. *Landscape* is explicitly mentioned in the Building and Planning Act (PBA) and in the Environmental Code (EC). For example in the PBA, it is stated that "Buildings shall be

placed and designed in a suitable manner with regard to the townscape or the landscape and the natural and cultural values at the site.” Due to the EC *landscape* is one of the aspects to be assessed in an Environmental assessment and environmental impact report for plans and program.

In **Switzerland**, the specific law dealing with landscape is “Federal Law on the Protection of Nature and Landscape” (LPN, RS 451, 1 July 1966).

In **Turkey**, there is no laws addressing directly landscape protection, management and planning or landscape. However, our outstanding landscapes have been protected by some conservation status in the laws listed below of various governmental institutions. The relevant laws are given below: Law on Municipality (No.5393), Metropolitan Municipality Law (No.5216), Law on Development (No.3194), Law on Administration of Metropolitan Municipalities (No.3030), Law on Protection of Cultural and Natural Assets, (459 Natural Sites, 6192 Cultural & Archaeological sites), Law on National Parks (No.2873, 37 National Parks, 102 Nature Monuments, 18 Nature Parks, 33 Nature Protection Areas), Law on Mass Housing (No. 2985), Law on Tourism Incentives (No. 2634), 12 Wetland areas (Ramsar sites), 135 International Important Wetland Areas, Law on Environment (No. 2872), Law on Forestry (No. 6831/4569), Terrestrial Hunting Law (81 Wild Life Protection areas-1.227.179 hectar), Law on Coastal (No. 3621), Law on Village (No. 442), Law on Waters (No. 831), Agricultural Reform Law on Land Management on Irrigation Areas (No. 4626), Law on the Establishment and Duties of the General Directorate of Agricultural reform (No. 3155), Law on the Improvement of Olives and Vaccinating the Wild Ones (no. 3573), Law on the Protection of Cemeteries (No. 3998).

In **Ukraine**, there is no specific law so far except of the Law of Ukraine “On Ratification of European Landscape Convention” (N 2831-IV of 7 September 2005), Law of Ukraine “On the State Program of Ukraine’s National Environmental Network Development for the Years 2000-2015” (N 1989-III of 21 September 2000), and the Black Sea Biodiversity and Landscape Conservation Protocol (ratified by the Law of Ukraine N 685-V of 22.02.2007). Different aspects of Landscapes regulation are embodied in the Land, Water, Forests, Biodiversity laws. In 2007, the Ministry of Environmental Protection of Ukraine has initiated the process of elaboration of the Law of Ukraine “On Landscapes” resulted in the design of the Draft Law. The Draft is under consideration by experts and officials of the Ministry.

In the **United Kingdom**, there is no specific law concerning landscape but it is the subject of several provisions embodied in laws of a general environmental nature, principally, the National Parks and Access to the Countryside Act 1949; the Environment Act 1995, the Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006.

In Scotland, the Countryside (Scotland) Act 1967 places a general duty on government and public bodies to have regard to the desirability of conserving the natural beauty and amenity of the countryside. Other legislation provides for the protection and/or management of particular parts of the landscape. For example, the National Parks (Scotland) Act 2000, the Land Reform (Scotland) Act 2003 (although this by means of reference to the use of the outdoors) and the Planning etc (Scotland) Act 2006.

Armenia, Denmark, Finland, Greece, Hungary, Malta, The Netherlands, Poland, Romania have no specific laws dealing with landscape.

2.4. General laws and codes relating to landscape

In **Andorre**, in July 2010, following a proposal of the Ministry of the Environment, the Government approved the implementation of a National Strategy on the Landscape which will be based on the landscape policies of the next ten years. A general law on conservation of nature is also in preparation and it will contain a subject about landscape. Other more general laws dealing with landscape are the laws on: “Agricultural and cattle breeding”, “Spatial planning and urbanism”, “Effects on the environment” and “Protection of water”.

In **Armenia**, landscape is subject of more provisions embodied in laws of a more general nature, but they gave no further information about it.

In **Austria**, law concerning landscape can be found in laws of the Federal States.

In **Czech Republic**, a Code of the Environment was prepared.

In **Denmark**, the general laws dealing with landscape are: “Protection of Nature Act” (Act no.9, 3 January 1992) and “Planning Act” (Act no.551, 28 June 1999).

In **Finland**, the general laws dealing with landscape are: “Land Use and Building Act” (2000) and “Nature Conservation Act” (1996).

In **France**, the general laws dealing with landscape are “Law on the Protection of natural monuments and sites” (1930), “Law on the reinforcement of the environmental protection” (2 February 1995), “Law on agricultural orientation” (9 July 1999) and “Law on solidarity and urban renovation” (13 December 2000).

In **Greece**, the general laws dealing with landscape are: “Law on Protection of Nature and Landscape” (1650/86, chapter 4), “Law on Spatial Planning and Sustainable Development” (2742/99) and “General Regulation on Building” (1577/85 and 4 modifications in 2381/2000).

In **Hungary**, landscape is embodied in the Act. No. LIII. of 1996 on protection of nature and Act. No. LXIV. of 2001 on cultural heritage.

In **Italy**, there is a code that consolidates the applicable texts relating to landscape: the Cultural Heritage and Landscape Code.

In **Malta**, the most relevant general laws dealing with landscape are “Development Planning Act” (1992, amended through Act XXI of 2001, chapter 356), “Environmental protection Act” (Act XX, 18 September 2000, chapter 435).

In **Norway**, landscape is embodied in the Planning and Building Act.

In **The Netherlands** the general laws dealing with landscape are: “Nature Conservation Act”, “Land Redevelopment Act” and “Spatial Planning Act”.

In **Poland**, the general laws dealing with landscape are: “Nature Conservation Act”, “Spatial Planning Act” and “Environmental Protection Act”.

In **Portugal**, the general laws dealing with landscape are: “Environmental Law” (n°11/87, 1987; article 4 aI.b, article 5 n°1 aI.d – n°2 aI.c, article 17 n°3, aI.d and articles 18, 19 and 20), “Law on Spatial Planning and Urbanism” (n°48/98, 11 August 1998; article 3 aI.d, article 6 n°1 aI.a – n°3 aI.a – n°3 aI.c), “Decree-Law on the instruments for spatial planning” (n°380/99, 22 September 1999; article 54 (n°2 aI.b)), “Cabinet of Ministers resolution on the National Programme for spatial planning and its elaboration principles” (n°76/2002, April 2002; articles n°9 aI.b, n°10 aI.b1- aI.b2, n°12 aI.d and n°13 aI.i), “Decree-Law on the juridical system of urbanization and construction” (n°555/99, 16 December 1999 and n°177/2001, 4 June 2001; articles 24 n°2 aI.a, 31 n°3 aI.a), “Decree-Law on regulations for geo-thermal resources” (n°87/90, 16 March; article 43 aI.a), “Decree-Law on regulations for mineral depots” (n°88/90, 16 March 1990; articles 27 n°2 aI.k, 55 aI.a), “Decree-Law on regulations for stones quarries” (n°89/90, 16 March 1990; articles 13 n°1 aI.h, 36, 40 n°2, 43, 45 aI.a), Decree-Law on general condition and exploitation of geological resources” (n°90/90, 16 March 1990; article 38 n°1), “Decree-Law on regulations concerning the network of National Protected Areas” (n°19/93, 23 January 1993; articles 1n°1 – n°2, 2 n°4, 3 aI.g, 5 n°1, 7, 9), “Decree-Law on the Protected Landscape of the fossilized cliffs of the Costa da Caparica (n°67/82, 3 March 1982), “Decree-Law on the Protected Landscape of the coast of Esposende” (n°357/87, 17 November 1987) and there also other regulation about spatial planning where you can find articles related to landscape.

In **Poland**, Landscape is the subject of several provision in the following acts:

- *The Act of Nature Conservation* (defined forms of landscape protection: national parks, nature reserves, landscape parks, protected landscape areas, natural-landscape complexes)
- *The Environmental Protection Act* (landscape approach: landscape is a part of environment, preservation of landscape as nature compensation)
- *The Act of Spatial Planning* (consideration the landscape feature in spatial planning policy, protection of the landscape at local level – studies of conditions and spatial development conditions, local zoning planes)
- *The Act about Environmental Impact Assessment* (assessment and analysis of the projects, which could affected the landscape)
- *Law on Protection of Monuments and the Guardianship of Monuments* (protection of cultural landscapes by the monument registration or establishing a cultural park).

In **San Marino**, there is no no code that consolidates the applicable texts relating to landscape. Nonetheless, landscape is embodied by P.G.R (Plan Réglementaire Général) – law 7/92 ; (texte unique des lois Urbanistiques et du Bâtiment – law 87/95 ;) Law for the protection of environment and the

safeguard of landscape, Flora an Fauna (Loi pour la protection de l'Environnement et la sauvegarde du Paysage, de la Flore et de la Faune) – law 126/95.

In the **Slovak Republic**, the intent of MoE is to enforce a new proposal of an independent act on landscape planning according to the government resolutions No.482 from 11th Jun 2003 and No. 831 from 25th August 2004.

In **Spain**, there is no specifically applicable texts relating to landscape. At a regional level, there are two regions with a Landscape law (Valencia, 2004, and Catalonia, 2005).

In **Switzerland**, the most relevant general laws dealing with landscape are: “Spatial planning Act” (22 June 1976) and other ones can be find in laws concerning the regions.

In “**the Former Yugoslav Republic of Macedonia**”, among the existing legal regulations there is no specific law on “landscape”. The landscape is treated in the Law on Nature Protection (Official Gazette of RM, No. 67/04), in the Law on Cultural Heritage Protection (Official Gazette of RM, No. 20/04) and partly in the Law on Spatial and Urban Planning (Official Gazette of RM, No. 51/05).

In **Turkey**, the Ministry of Labour and Social Security the code of 2141.01. is related to landscape.

In the **United Kingdom**, research carried out by Newcastle University on behalf of Defra has resulted in a digest being drawn up of all government documents that relate to landscape.

In **Romania**, landscape is not subject of one or more provisions embodies in laws of a general nature.

In **Belgium**, in **Croatia**, in **Cyprus**, in **Hungary**, in **Latvia**, in Montenegro, in **Norway**, in **Slovenia**, in **Sweden**, in **Ukraine** there is no code that consolidates the applicable texts relating to landscape.

2. Landscape integration in the sectorial policies

2.1 Spatial planning policies

In **Austria**, an instrument which allow integration of landscape into regional planning policies is the Laws on Spatial Planning of the Federal States ("*Raumordnungsgesetze der Länder*"), e.g. by spatial development concepts.

In **Belgium**, an instrument which allow integration of landscape into regional planning policies is the SDER (schéma de développement de l'espace régional).

In **Croatia**, an instrument which allow integration of landscape into regional planning policies is the Spatial planning Strategy of the Republic of Croatia, the Program of Physical Planning of the Republic of Croatia and the County Physical Plans.

In **Cyprus**, an instrument which allow integration of landscape into regional planning policies is the strategic development plan and various spatial development plans.

In the **Czech Republic**, an instrument which allow integration of landscape into regional planning policies is the Regional plans, the Regional plans for nature and landscape preservation, the Policy of regional development.

In "**the Former Yugoslav Republic of Macedonia**", an instrument which allow integration of landscape into regional planning policies is the implementation of the Spatial Plan through preparation, adoption and the implementation of spatial plans of the regions (geographical, economical and functional entirety established with the Spatial Plan of the Republic) and spatial plans of areas of special interest for the Republic (Spatial Plan of National Parks and other categories of protected areas) and the establishment of national environmental network.

In **Hungary**, laws being in force make it compulsory to deal with landscape matters in regional plans.

Italy has fully integrated the landscape into the policies indicated in article 5 letter d) and has indicated the methodologies of landscape planning, provided for the joint planning between State and Regions for landscape areas and heritages, in articles 135 and 143 of the Cultural heritage and Landscape Code.

- The landscape plan must apply to the entire regional territory and is approved by the Region.
- For landscape heritage present in the Region it is mandatory that the plan be elaborated jointly by the Region and the Ministry for Cultural Heritage and Activities, a protocol of cooperation is subscribed.
- The Regions and the Ministry may however choose to cooperate for the elaboration of the landscape plan of the entire regional territory as well: this is called shared landscape planning.

In **Latvia**, the territorial plans of the regions issues concerning evaluation of existing landscape quality and further management and planning of landscapes are included. Regional territorial plan is guidelines for planning of the local municipalities.

In **Malta**, landscape policy is the subject of a specific programme: "Structure Plan for the Maltese Islands review programme".

In The **Netherlands**, landscape policy is the subject of several specific programmes: "Landscape development plan", "National programme for land development plans".

In **Norway**, an instrument which allow integration of landscape into regional planning policies is the Comprehensive county plans, the thematic and territorial regional plans.

In **Romania**, landscape policy is the subject of a specific programme: "A guide on spatial planning" based on the European Landscape Convention.

In **San Marino**, an instrument which allow integration of landscape into regional planning policies is the P.G.R. (Plan Réglementaire Général) - law 7/92.

In the **Slovak Republic**, an instrument which allow integration of landscape into regional planning policies is the Master Plan of the Region and the Regional Conception of the Environmental Management.

In **Slovenia**, there is not administration at the regional level.

In **Spain**, regions are vested with full responsibility in matters concerning territorial policy. However, the Ministry is playing a role in providing assistance in global issues. Territorial planning improvements are e.g.: guidelines for shore land planning, public acquisition of land plots in high quality

landscape or environment areas, regeneration of public land. A new Master Plan for Coastal Sustainability is being designed by the Ministry of Environment.

In **Sweden**, an instrument which allow integration of landscape into regional planning policies is the Regional comprehensive plans (an instrument regulated by the Planning and Building Act but currently only exist in the region of Stockholm), the thematic plans, the regional development plans, the regional natural and cultural heritage plans, the regional landscape strategies.

In **Turkey**, an instrument which allow integration of landscape into regional planning policies is the Landscape Planning, the Environmental Impact Assessment (EIA), the Basin Management Planning, the Regional Subregional Spatial Planning, the Environmental Planning and the Management, State-Owned Development Plans, the Long Term Development Planning (Management Plan for protected areas), the Strategic Plan (plan on a scale 1/100.000) and the Environmental Plans (but landscape is not still included), studies oriented conservation of natural and cultural landscape values take place in local and regional plans that different scale.

In **Ukraine**, an instrument which allow integration of landscape into regional planning policies is the Legal and institutional framework. Elaboration of the programs of regional development. Landscape issues are incorporated into schemes of territorial planning at national and regional level, as well as in different state programs (partially).

In the **United Kingdom**, it depends of the country. In England, the Government has published a series of National Planning Statements and Guidance which set out national planning policies on a wide range of issues that have a relevance to landscape. Regional and Local Planning Authorities are required under planning law to have regard to these statements and guidance when preparing regional and local development plans, and they may also be material considerations when local planning authorities take decisions on whether planning permission should be granted for individual developments. There are specific statements and guidance relating to areas such as the countryside, the green belt and protected landscapes.

Planning guidance makes extensive reference to amenity, landscape, SEA/EIA, protection of historic/designed landscapes, and the enhancement of local distinctiveness.

Recently, landscape itself has been a subject of regional review and is thus integrated into the wider strategy. It requires that a number of matters are taken into account that have wide ranging impacts on the landscape – the scale and distribution of provision for new housing; priorities for the environment, such as the countryside and biodiversity protection; and transport, infrastructure, eco nameic development, agriculture, minerals extraction and waste treatment and disposal.

Regional Planning bodies have a specific duty to have regard to the statutory purposes of designated landscapes when preparing Regional Spatial Strategies. At the local scale, PPS12 notes the importance of spatial planning in safeguarding an area's environmental assets by: protection and enhancing designated sites, landscapes, habitats and protected species; and creating a positive framework for environmental enhancement more generally.

In Northern Ireland, land use planning powers are devolved to the Department of the Environment which issues planning policy in the form of Planning Policy Statements and also prepares local development plans for different parts of the Region. These consider and, as appropriate, integrate landscape issues into their policies and proposals. There are specific statements and guidance relating to areas such as the countryside (Draft PPS 21), natural heritage (PPS 2) and built heritage (PPS 6).

The Scottish Government has published planning policy guidance which sets out national policy on a wide range of issues including landscape. Local authorities have regard to this guidance in preparation of their development plans. A National Planning Framework provides a cross-cutting overview for spatial planning purposes and there is also the Planning (Scotland) Act 2006, which includes provisions in relation to National Scenic Areas, which are Scotland's national level landscape designation. The Scottish Government has recently commissioned the Macaulay Institute to develop a model ecosystem framework. The ecosystem approach provides a holistic approach to land use management considering species, habitats and human interaction with the environment. The output will be a useful tool for planners and developers at local authority and community planning level.

2.2. Town planning policies

In **Austria**, an instrument which allow integration of landscape into town planning policies is the Laws on Spatial Planning of the Federal States (“Raumordnungsgesetze der Länder”), e.g. by land-use plans (“Flächenwidmungspläne”)

In **Belgium**, an instrument which allow integration of landscape into town planning policies is the numerous articles of the Walloon Code on Spatial planning, urbanism and heritage (CWATUP).

In **Croatia**, an instrument which allow integration of landscape into town planning policies is various plans on sub regional, town and municipality level.

In **Cyprus**, an instrument which allow integration of landscape into town planning policies is the various spatial development plans at sub-regional and local levels.

In the **Czech Republic**, an instrument which allow integration of landscape into town planning policies is the Master plan, and the local plan.

In **Hungary**, laws being in force make it compulsory to deal with landscape matters in town plans.

In **Italy**, According to the Cultural Heritage and Landscape Code Art. 145 all decisions taken in the Landscape plan are mandatory on province and town Urban plans and all Sector plans (rural development plan, park plan etc.), for all National and Regional development plans and Urban regulations.

In **“the Former Yugoslav Republic of Macedonia”**, an instrument which allow integration of landscape into town planning policies is the preparation of Documentation basis for urban plans which contain inventory and screening of existing monumental entireties, building-structures of cultural-historical importance and “cultural landscapes” (Rulebook on detailed content, scale and manner of graphical elaboration of urban plans, Official Gazette of RM, No. 78/06).

With the adoption of the Law on Cultural Heritage Protection (Official Gazette of RM, No. 20/04), it is obligatory, during the preparation of urban plans, to incorporate approved and verified protection-conservation bases which, in terms of this Law, represent Documentation bases for treatment of cultural heritage in urban plans.

In **Latvia**, the historical centres of the Riga City and town Kuldiga are nameinated as European culture heritage sites. The Law on Preservation and Protection of the Historical Centre of Riga City regulates development it this part of the city and its surrounding.

In **Norway**, an instrument which allow integration of landscape into town planning policies is the Comprehensive municipal plans, land use plans and zoning.

In **San Marino**, an instrument which allow integration of landscape town planning policies is the .I.A (Evaluation of the environmental impact) under Article 87/95. Nonetheless there are currently debates on the efficiency of the procedures in force.

In **Slovak Republic**, an instrument which allow integration of landscape into town planning policies is the Master Plan of the Town.

In **Slovenia**, landscape matters are integrated through spatial planning acts of different types, prepared at national and local levels.

In **Spain**, Land Act 8/2007, May 28th. This just approved Land law, enforced since 1st July 2007, seeks to improve the operative rules and increment social control on future developments. It takes into account the principle of sustainable territorial and urban development (Art. 2), according to which “public policies concerning land regulation, planning, usage and transformation (...) must support the rational use of natural resources (...), in particular: a) both the effectiveness of the nature conservation measures and cultural heritage and landscape’s protection measures”. Furthermore, among the citizen’s rights (Art.4) it considers “the right to enjoy a decent home (...) in an adequate environment and landscape”; among the citizen’s responsibilities (Art.5) it considers “the duty to respect and contribute to preserve the environment, historic heritage and the natural and urban landscape...” Two basic land situations are recognized: rural land and developed land. In the situation of rural land (Art. 12) is “the land (...) preserved from its transformation through urbanization which must include (...) grounds that must be subjected to such protection according to the urban and territorial planning due to the values that they have (...) including forest and landscape values”. The landscape values are considered in the articles dedicated to the use and valorisation of the rural land.

Penal Code 10/1995, November 23rd. In Art. 319, landscape is mentioned in the context of land zoning offences.

Regional town planning laws generally include landscape protection as a part of their policy. A growing number of municipalities have adopted the local Agenda 21 plan of action.

In **Turkey**, an instrument which allow integration of landscape into town planning policies is the Regional Development Planning, the Landscape Planning, the Urban Planning and Design, the Urban Greenways Planning, the Urban Management Strategies, the Environmental Planning and Management, the Transportation Planning, the Urban Renewal and the Natural Heritage Conservation Planning.

In **Sweden**, an instrument which allow integration of landscape into town planning policies is the Comprehensive plans, the Detailed Development Plans and, Area Regulations, the local natural and cultural heritage plans.

In **Ukraine**, an instrument which allow integration of landscape into town planning policies is the Legal and institutional framework. Landscape issues are incorporated into 1) schemes of territorial planning at local level and 2) general plans of settlements.

In the **United kingdom**, see above.

2.3. Cultural policies

In **Andorra**, landscape is a feature in secondary education for students between 8 and 12 years in the natural sciences.

In **Armenia**, landscape is a feature in secondary education in geography and national sciences.

In **Austria**, an instrument which allow integration of landscape into cultural policies is the Federal law on Conservation of Cultural Heritage (“Denkmalschutzgesetz”), e.g. by listed buildings.

In **Belgium**, an instrument which allow integration of landscape into cultural policies is the Article 185 of the Walloon Code on Spatial planning, urbanism and heritage (CWATUP).

In **Croatia**, an instrument which allow integration of landscape into cultural policies is the Spatial planning Strategy of the Republic of Croatia, the Program of Physical Planning of the Republic of Croatia and the Physical Plans on all levels.

In **Cyprus**, an instrument which allow integration of landscape into cultural policies is the strategic development plan and various spatial development plans, including plans of the department of antiquities, a national landscape stakeholder.

In the **Czech Republic**, an instrument which allow integration of landscape into cultural policies is the Landscapes cultural zones – Act No. 20/1987 – Cultural conservation.

In **France**, landscape policy is the subject of specific programmes: “Landscape Atlas: identification and classification”, “Photographical lookout of landscape”, “Plans, charters, and contracts on landscape” and “Public authorities and landscape: analysis, comparison and evaluation”. And Landscape is a feature in secondary education geography.

In **Italy**, according to the Cultural Heritage and Landscape Code Italian cultural heritage is constituted by cultural heritage and landscape heritage. Since its creation in 2001 the General Directorate for the Quality and Protection of Landscape, Contemporary Art and Architecture is carrying a policy to promote the quality of contemporary architecture, to which recognizes particular social importance for the preservation of the landscape, the sustainable development and the improvement of the urban living conditions and quality of life. These objectives, in line with the principles of the European Convention of landscape, are part of the culture and architectural design of our country, as for the Italian school of architecture, the relationship and the connection with the place is a decisive and main item of the project which mainly competes with an ancient landscape whether urban, rural or “natural” landscape.

In **the Former Yugoslav Republic of Macedonia**, an instrument which allow integration of landscape into cultural policies is the implementation of the National Programme for Culture (2004-2008), the implementation of the Strategic Plan for development of Culture (2005-2008) and the implementation of the Programme for revalorization of cultural heritage (2006-2008).

In **Malta**, landscape is a feature in secondary education in geography, history and social studies.

In **The Netherlands**, landscape is a feature in secondary education in nature and environmental education programmes.

In **Norway**, at central government level, sector policy reports to the Parliament.

In **Poland** landscape is a feature in secondary education in specialised schools that deal with the following subjects: agriculture, forestry, environmental protection and landscape architecture.

In **San Marino**, they aim at promoting the awareness, that is to say the acknowledgement of environmental emergency, as well in schools as through publications, thematic carts, photographs collection, etc.

In **Slovak Republic**, an instrument which allow integration of landscape into cultural policies is the Monuments register: monuments, space arrangement in historical areas, historical reserves, and zones .

In **Slovenia**, an instrument which allow integration of landscape into cultural policies is the Cultural Heritage Protection Act (CHPA) and Resolution of the National Programme for culture 2004-2007 (ReNPK0407), and the recognized sites of heritage landscapes are registered in the Heritage Register. Under the Cultural Heritage Protection Act heritage shall be protected on the basis of its entry in the heritage register.

In **Spain**, Spanish Historical Heritage Act 16/1985, June 25th. This law does not favour the reference to *landscape*; more neutral terms are preferred, e.g. *area* or *surroundings*. Art. 15: various legal concepts are introduced, whose subsequent development entails considerable landscape implications: landmark, historical garden, historical ensemble, historical site, archaeological area. Art. 17: “In legal actions taken at the direction of declaring a historical unit as a cultural interest property, its links with the territorial area to which it belongs shall be considered, along with the protection of any geographical irregularity and natural landscapes forming its surroundings.” Art. 20: “Declaration of a historical ensemble or site or archaeological area as property of cultural interest shall entail the obligation for the municipality or municipalities in which they are located to draw up a special Plan to protect the area involved by the declaration or another of the types of plan included in town planning legislation providing that under all circumstances it meets the requirements of this Law”. See also the Royal Decree 111/1986, written in partial development of the above.

A particular mention can be made to the National Plan for Cultural Landscape (2004), sponsored by the former Ministry of Education, Culture and Sport, and the Institute for Spanish Historical Heritage; this Plan, however, has not been developed yet. Below the national level, there are indeed many sectorial, regional or municipal initiatives addressing landscape issues. Cultural landscape is a concept being used by several regional policies, among them in Navarra.

In **Sweden**, an instrument which allow integration of landscape into cultural policies is the Sector policy reports to the government, the environmental quality objectives (which also deals with the socio-cultural dimension of the environment).

In **Turkey**, an instrument which allow integration of landscape into cultural policies is the Urban Environmental Management, Landscape Planning, Urban and Landscape Design, Urban Development Planning, Landscape Conservation and Management. One of the conservation policy of The Ministry of Culture and Tourism is that protecting cultural areas with their landscapes. Studies oriented conservation of natural and cultural landscape values take place in local and regional plans that different scale.

In **Ukraine**, an instrument which allow integration of landscape into cultural policies is the legally established mechanisms of coordination of the drafts programs and policies in the cultural sector with other sectors (including environmental).

In the **United Kingdom** it depends of the country. English Heritage, Cadw (in Wales), Historic Scotland, and the Northern Ireland Environment Agency all implement the Convention as an aspect of cultural heritage policy.

In England, there is a forthcoming Planning Policy Statement (PPS) on the Historic Environment. This PPS will promote conservation, enhancement and enjoyment of the historic environment through the planning system – including landscape as well as other types of heritage assets (such as buildings and sites). In doing so it will make explicit reference to our obligations under the ELC.

As part of Scotland’s National Cultural Strategy, Historic Scotland have recently published a consolidated policy paper entitled “Scotland’s Historic Environment Policy October 2008”. This sets out Scottish Ministers’ policies, providing direction for Historic Scotland and a policy framework that informs the work of a wide range of public sector organisations. Cadw is preparing a Strategic Statement for the Historic Environment in Wales.

2.4. Environmental policies

In **Austria**, an instrument which allow integration of landscape into environmental policies is the Laws on Nature Conservation of the Federal States ("*Naturschutzgesetze der Länder*"). On federal level: e.g. by Strategy for Sustainable Development, National Biodiversity Strategy, National Forest Programme, Rural Development and agri-environment policies.

In **Belgium**, an instrument which allow integration of landscape into environmental policies is the carry out of impact study of and the granting of aids (for instance aids for the planting of hedge).

In **Croatia**, an instrument which allow integration of landscape into environmental policies is the National Environmental Strategy and the National Environmental Action Plan.

In **Cyprus**, an instrument which allow integration of landscape into environmental policies is the strategic development plan and the various spatial development plans, including plans of the environment service, a national landscape stakeholder.

In the **Czech Republic**, an instrument which allow integration of landscape into environmental policies is the State environmental policy.

In "**the Former Yugoslav Republic of Macedonia**", an instrument which allow integration of landscape into environmental policies is the implementation of the Strategy and Action Plan for protection of biodiversity of the Republic of Macedonia (2004), the implementation of the Second National Environmental Action Plan (2006), the preparation of Local Environmental Action Plans and the preparation of Local Environmental Development Plans.

In **Greece**, landscape policy is the subject of specific programmes published by the administration for spatial planning and the protection of environment.

In **Hungary**, landscape policy is part of the National Program for Environmental Protection (2003-2008).

In **Italy**, Strategic Environmental Assessment procedure is mandatory on every programme or plan which has an impact on the environment, cultural heritage and landscape heritage (according to the European Directive 2001/42/CE). SEA always applies for Urban and Landscape planning. Environmental Impact Assessment procedure, is mandatory on every project which has an impact on the environment, cultural heritage and landscape heritage (i.e. infrastructures, power plants, power lines, national railways, factories, waste management plants etc.) ref. law is D.L. n° 152 2006.

In **Latvia**, the landscape integration into environmental policy mainly takes place through Natura 2000 territories management. In Latvia, 9 territories of particular landscape protection are designated, they as Natura 2000 sites. One of the techniques for the implementation of the idea of European Landscape Convention is through development of nature management plans for protected nature areas.

In **Norway**, at central government level, sector policy reports to the Parliament.

In **Poland**, landscape policy is the subject of a specific programme: "Second national environmental policy".

In **San Marino**, much has been done for the sanitation of watercourse through the creation of a capillary plexus of sewer and a new programme dealing with the safeguard of landscape was launched, which use the biological engineering, taking into account the impact on landscape of interventions.

In **Slovak republic**, an instrument which allow integration of landscape into environmental policies is the Territorial System of Ecological Stability.

In **Slovenia**, an instrument which allow integration of landscape into environmental policies is first the Objectives and Directions of Biodiversity Conservation Strategy of Slovenia in the field of Landscapes: - To conserve the traditional low intensity and sustainable land use forms that maintain the high level of biodiversity, and the diversity and cultural identity of landscapes - To draw up directions for the development of sustainable land use models, the promotion of hand craft, the construction of tourist trails to avoid undesired burdening of the environment and to increase the income of the local population. - To reduce the harmful impacts of activities on the landscape and its valuable natural and cultural features through spatial planning and control over the unsuitable development. - To promote the traditional land use forms, if possible, in particular in relation to agri - environmental programmes. And also protected areas nature conservation (Nature Conservation

Act): Protected areas shall be natural areas possessing great abiotic, biotic and landscape diversity and numerous and diverse valuable natural features which may be intricately and functionally interconnected. The protected areas of Slovenia shall be: a natural monument, strict nature reserve, nature reserve and a national, regional and landscape park. A landscape park shall be an area with emphasised, high-quality and long-term interaction of people and nature and with a high ecological, biotic and landscape value. The management of the protected area shall be the performance of tasks concerning the protection of valuable natural features and the tasks which are necessary to achieve the purpose of the protection of the area and are laid down in the instrument of protection. A protected area management plan shall be a programme document by which the development orientations, the manner of protection, use and management of the protected area and the detailed orientations for the protection of valuable natural features in the protected area are laid down while taking into account the development needs of the local community. In the protected area it shall be prohibited to carry out activities affecting nature in a manner that might worsen the state of a valuable natural feature or change, damage or destroy it and to change the conditions or status so that the valuable natural feature is changed, damaged or destroyed or that its aesthetic value is reduced.

In **Spain**, an instrument which allow integration of landscape into environmental policies is first the Wildlife Conservation and Natural Protected Areas State Act 4/1989, March 27th. The landscape is an explicit inspiring principle behind this law. For its justification the law refers to “the need to provide a decent quality of life to all citizens”. Several sections include specific references to landscape. Art. 2: The law aims, among other things, at achieving “the preservation of the diversity, singularity and beauty of the natural ecosystems and the landscape”. Art. 17: “Protected landscapes are those specific areas in the natural environment which deserve special protection owing to their aesthetic and cultural values”. Consider also the following sections: Art. 4.4. (Natural Resources Development Plans, PORN), Art. 10.2 b, Art. 12, Art. 13 (aesthetic values), Art. 16.2 (natural monuments), art. 18.1, art. 38.5. The law was modified by Act 41/1997, November 5th.

The future Act of Natural Heritage and Biodiversity, which it's expected to be the substitute of the 4/1989 Act, considers among its principles the preservation of the variety, singularity and beauty of the natural ecosystems, the geologic and landscape diversity, and it takes into account the European Landscape Convention. However, it doesn't intend to be the generic instrument to apply in Spain the determinations established by the European Landscape Convention, although it incorporates some aspects: definition of the figure of Protected Landscape, definition of landscape, and natural landscape considered as natural resource. It regulates the Natural Resources Development Plans, which must have among its basic contents a definition of the state of conservation of the landscapes included in their territory. And the Royal Decree (Legislative) 1302/1986, June 28th, on Environmental Impact Assessment: it includes, according to art. 2, the “assessment of the predictable direct and indirect effects of a given project on the population, the fauna, the flora, the soil, the air, the waters, the climatic factors, the landscape and the material assets, including historical and artistic heritage, and archaeological heritage.” The specific procedures are set in Law 6/2001, May the 8th, which modifies the Royal Decree 1302/1986.

Strategic Environmental Evaluation Act 9/2006, April the 28th, environmental impact evaluation of specific plans and programmes; landscape is specifically mentioned (Art. 1b, 2c and Annexes).

In **Sweden**, an instrument which allow integration of landscape into environmental policies is the Strategy for sustainable development, the environmental quality objectives.

In **Turkey**, an instrument which allow integration of landscape into environmental policies is the Regional/ Subregional Spatial Planning, the Basin Management Planning, Environmental Impact Assessment, the Environmental/Landscape Planning and Management, the Urban Planning Ecological Risk Assessment and the Environmental policies include in Terrestrial Plan.

In **Ukraine**, an instrument which allow integration of landscape into environmental policies is the Landscape and environmental issues are under responsibility of the same state authority (Ministry of Environmental Protection) so that there are no restrictions in integrating landscapes into environmental policies.

In the **United Kingdom**, landscape is incorporated in specific protected areas legislation establishing National Parks and Areas of Outstanding Natural Beauty. For example, the National Parks & Access to the Countryside Act 1949; the Environment Act 1995; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and in the legislation

establishing the various statutory agencies as government advisors on landscape. Green Belt land remains strongly protected and includes some references to landscape – both in terms of visual quality and the wider setting of settlements.

In Northern Ireland, there is a ‘Shared Horizons’ policy for promoting and managing those areas designated under the Nature Conservation and Amenity Lands Order (NCALO). There are also policies developed from the Environment (NI) Order 2002 for specific areas of nature conservation interest (including landscape features).

In Scotland, there are Acts such as the National Parks (Scotland) Act 2000, the Land Reform (Scotland) Act 2003 and the Planning etc (Scotland) Act 2006, all of which encompass legislation relating to protected areas, and access to the outdoors.

Landscape aspects are included in the Welsh Assembly’s Environment Strategy and policy documents.

2.5. Agricultural policies

In **Austria**, an instrument which allow integration of landscape into agricultural policies is the Rural Development (e.g. less favoured areas) and agri environment policies.

In **Belgium**, an instrument which allow integration of landscape into agricultural policies is the implementation of several agri-environmental measures.

In **Croatia**, an instrument which allow integration of landscape into agricultural policies is the Agri-environmental Programme for Croatia.

In **Cyprus**, an instrument which allow integration of landscape into agricultural policies is the strategic development plan and various spatial development plans, including rural development and other plans of the department of agriculture, a national landscape stakeholder.

In **Cyprus**, an instrument which allow integration of landscape into agricultural policies is the Country’s Development Programme.

In “**the Former Yugoslav Republic of Macedonia**”, an instrument which allow integration of landscape into agricultural policies is the implementation of Strategy for Sustainable Development of Forestry in RM, the implementation of Strategy for harmonization of the Macedonian food sector with the Common Agricultural Policy (CAP) of EU. In January 2004, Sector for Promotion of Agriculture and Rural Development was established in the Ministry of Agriculture, Forestry and Water Management, which through defining and implementing the measures of rural policy started the process of overcoming the problems that the rural population is facing. In this Ministry the Strategy for agriculture and rural development is under preparation to be adopted by the Government of RM at the beginning of 2007.

In **Hungary**, landscape policy is part of the National Rural Development Plan (2004-2006), and it will be also part of the New Hungary Rural Development Plan (2007-2013).

In **Italy**, strategies and actions for preserving and developing landscape resources have been included in the National Plan for Rural Development 2007-2010, that is the National strategic plan required by EU in order to manage the use of EU funds of Common Agricultural Policy (CAP 2007-2013), by each Member State. The Italian Ministry of Agriculture and Forestry identified those strategies by a commission on landscape, which prepared a document indicating strategies and actions to preserve and develop landscape resources that are considered of strategic importance for the economic growth and quality of the rural territory.

In **Latvia**, the land owners have possibility to receive subsidies for up keeping land in a good quality.

In **Norway**, at central government level, sector policy reports to the Parliament.

In **San Marino**, policies which support the « typical » productions (oil, bread, wine, cheese, meat) are being prepared and would guarantee the development of agricultural techniques with a lesser impact on environment.

In **Slovak Republic**, an instrument which allow integration of landscape into agricultural policies is the National Strategic Rural Development Plan.

In **Slovenia**, Agriculture plays an important role in the habitat, biodiversity and landscape conservation. The most important policy document in this regard is: Rural Development Programme of the Republic of Slovenia 2007-2013 (RDP): Above all axis 2 measures of the RDP put emphasis on landscape conservation with the aim of preventing farming abandonment in marginal and in less favoured areas and curbing intensification of agricultural production. The measure compensatory

allowances for less favoured areas are thus meant to prevent the agricultural land abandonment and the corresponding negative consequences. Moreover compensatory allowances shall contribute to the maintenance of the cultural landscape. Preservation of cultural landscape is also one of the main goals of agri-environmental payments. Agri-environmental payments support agriculture in its environmental function and, by means of sustainable farming methods, contribute towards the reduction of environmental pollution, the conservation of biodiversity and specific values of Slovenian countryside, such as traditional farming methods and the conservation of cultural heritage and typical Slovenian landscapes related thereto. In this regard the following submeasures are of great importance: mountain pastures, steep slopes mowing, humpy meadows mowing, meadow orchards, rearing of autochthonous and traditional domestic breeds, production of autochthonous and traditional agricultural plant varieties, sustainable rearing of domestic animals and extensive grassland maintenance. Another contributor to the conservation of landscape features and areas intended for biotope development are those agri-environmental payments intended for submeasures supporting protection areas (water reserves, national and landscape parks, natural reserves, natural heritage sites and ecologically important areas), such as animal husbandry in central areas of appearance of large carnivores, preservation of special grassland habitats, preservation of grassland habitats of butterflies, preservation of litter meadows, bird conservation in humid extensive meadows in Natura 2000 sites and permanent green cover in water protection areas. Indirectly, through agri-environmental measures used for management of different types of habitats, steep meadows etc. Rural development programme indirectly, through agricultural measures, such as diversification of activities in the rural areas and support for micro firms. The instruments help to sustain better living in the rural areas, which has also indirectly positive implications for the landscape.

In **Spain**, an instrument which allow integration of landscape into agricultural policies is the Mountain Agriculture Act 25/1982, June 30th (Art. 8.1), Herding Tracks Act 3/1995, March 23rd (Art. 1.3), Forest Act 43/2003, November the 21st (Art. 4, 24, 31, 65...). Modified by Act 10/2006, April 28th (Art. 24 bis).

In **Sweden**, an instrument which allow integration of landscape into agricultural policies is the Rural development programmes, environmental subsidies.

In **Turkey**, an instrument which allow integration of landscape into agricultural policies is the Regional/Subregional Spatial Planning, Basin Management Planning, Rural (Landscape) Planning, Rural Development Planning, Agri-tourism Planning, Organic Agriculture.

In **Ukraine**, an instrument which allow integration of landscape into agricultural policies is the Legally established mechanisms of coordination of the drafts programs and policies in the agricultural sector with other sectors (including environmental).

In the **United Kingdom**, it depends on the country. In England, there are codes of good practice; cross-compliance requirements and agri-environment schemes. One of the aims of the Environmental Stewardship Higher Level Scheme in England is to 'maintain and enhance landscape quality and character'. Higher Level Stewardship applications are assessed against specific local targets, including 'visual' and 'ecological' aspects of the landscape within the Joint Character Areas. The Strategy for Sustainable Farming and Food: Facing the Future (Defra 2002) placed particular emphasis on 'whole food chain' management. Its specific recommendations in terms of landscape and countryside have largely been taken forward in the Rural Development Programme for England which include the Single Payment Scheme and Stewardship Schemes.

In England, the Rural White Paper Review 'Our Countryside: The Future – A Fair Deal for Rural England' (Defra 2004) reviewed progress on the 2000 White Paper which sought, amongst other things, to 'Preserve what makes rural England special'. This was seen to entail a commitment to look after, restore and conserve the landscape, wildlife, architecture and traditions that make the countryside special.

The report commits to basing planning decisions on the overall value of the land in deciding what countryside should have the greater protection. The quality of the landscapes, wildlife and habitats, recreational amenity and historic and cultural heritage are influencing factors. It promotes the practices of Local Character Assessments, and the pursuit of ways to enrich the countryside as a whole, not just in protected areas, and maintain its distinctive local features.

In Northern Ireland, agri-environment management policies have been developed by the Department of Agriculture and Rural Development (DARD).

In Scotland, cross compliance contributes to landscape management. The Scottish Rural Development Programme (SRDP) includes specific measures designed to benefit landscape management.

Welsh agri-environment schemes encourage management of historic landscape features. Tir Gofal, the Welsh Assembly Government's agri-environment scheme, makes specific provision for landscape and permissive access to farmland entering the scheme.

2.6. Social and economic policies

In **Austria** and **Belgium**, there is no instrument which allow integration of landscape into social and economic policies.

In **Croatia**, an instrument which allow integration of landscape into social and economic policies is the Spatial planning Strategy of the Republic of Croatia, the Program of Physical Planning of the Republic of Croatia, Physical Plans on all levels.

In **Cyprus**, an instrument which allow integration of landscape into social and economic policies is the strategic development plan and various spatial development plans

In **"the Former Yugoslav Republic of Macedonia"**, an instrument which allow integration of landscape into agricultural policies is the implementation of Strategy for economic development.

Italy has integrated its strategies and actions for the quality of landscape in its The 2007-2013 National Strategic Reference Framework, the comprehensive and single reference document for all the Italian cohesion and regional development policy, providing specific measures aiming at increasing the use and integration of methodologies, tools, experiences of integrated enhancement of cultural resources and landscape.

In **Norway**, at central government level, sector policy reports to the Parliament.

In **Slovak Republic**, an instrument which allow integration of landscape into social and economic policies is the Plan of the Economic and Social Development.

In **Spain**, an instrument which allow integration of landscape into social and economic policies is the introduction of Strategic Impact Assessment (SIA) implies that social and economic policies have to be assessed in terms of global environmental impact: landscape must be included in SIA procedures.

In **Sweden**, an instrument which allow integration of landscape into social and economic policies is the National strategy for regional competitiveness, entrepreneurship and employment, the environmental quality objectives (which also deals with the socio-cultural dimension of the environment).

In **Turkey**, an instrument which allow integration of landscape into social and economic policies is the Inventory of social, economic and cultural values predict in studies planning of protected areas. State-Owned Development Plans, Urban and Landscape Planning, Urban Renewal, Urban/Landscape Design

In **Ukraine**, an instrument which allow integration of landscape into social and economic policies is the mechanism of elaboration and implementation of the programs of social and economic development which envisages a coordination and agreement with environmental sector.

In the **United Kingdom**, there is no directly incorporated instrument which allow integration of landscape into social and economic policies.

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