

Report on Government Assignment

Framework for Implementation of the European Landscape Convention

A proposal



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Background

The Swedish National Heritage Board serves as Sweden's central administrative agency in the field of heritage and the historic environment. It works under the auspices of the Ministry of Culture.

Since 2006 The Heritage Board has been advising the Swedish Government on the implementation of the European Landscape Convention. During 2006-2008 a major Government assignment was accomplished in order to outline the scope of a Swedish implementation of the Convention. In 2008 an additional assignment was undertaken to assess the legislative preconditions at the prospect of ratification. Under the supervision of the Ministry of Culture, both these proposals were subject to consultation in 2009.

In November 2010 the Heritage Board was tasked with a new assignment to initiate the implementation of the European Landscape Convention in Sweden. The expected outcome of this assignment was a draft proposal for a framework for implementation of the European Landscape Convention. The result is briefly presented in this report.

Summary

As a point of departure, the authorities concerned should be independently responsible for implementing the provisions of the European Landscape Convention (ELC) within their respective competences, as well as for follow-up and evaluation of the Convention.

A group consisting of the Swedish National Board of Housing, Building and Planning, the Swedish Environmental Protection Agency, the County Administrative Boards, the Swedish Board of Agriculture, the Swedish Board of Forestry, the Swedish Transport Administration, the Swedish Agency for Economic and Regional Growth as well as the Swedish National Heritage Board are to be given joint, comprehensive coordination responsibilities for the implementation of the Convention in Sweden.

The Swedish National Heritage Board is proposed to be the chair of the group. The National Heritage Board is also given a coordinating role for periodic reporting to the Government

and to the Council of Europe. The responsibility and roles according to the proposals above should be enforced through statutory instructions or specific assignments to each authority.

Besides being a national, coordinating body, the responsibilities of the coordination group should include the following specific tasks:

- To prepare a national platform for the implementation of the ELC. The aim of this document is to interpret the provisions of the ELC with respect to Swedish conditions. The platform should address main challenges and stakeholders concerned, as well as provide a base for communicating the ELC
- To organise recurrent meetings devoted to matters concerning the ELC – a national landscape forum. The forum should function as an inspiring and inclusive meeting place for a wide range of stakeholders, such as authorities, municipalities, NGO:s, universities and other relevant parties for information, development and discussions regarding the application of the Convention.
- To develop a common model for the follow-up of the convention, to be applied within different policy areas

The Swedish National Heritage Board also proposes the County Administrative Boards to be responsible for coordinating the implementation of the ELC at a regional level.

The assignment

In November 2010 the Swedish National Heritage Board was commissioned by the Government to initiate the implementation of the European Landscape Convention (ELC) in Sweden. The Swedish National Heritage Board was instructed to undertake the assignment in collaboration with the County Administrative Boards, the Swedish Environmental Protection Agency, the Sami Parliament, the Swedish National Board of Housing, Building and Planning, the National Land Survey of Sweden, the Swedish National Board of Agriculture, the Swedish Board of Forestry, the Swedish Transport Administration as well as other relevant agencies and stakeholders.

The expected outcome of the assignment was a proposal regarding which authority or authorities should assume the coordinating responsibility for the Convention's implementation within different policy areas. Furthermore, the Government wanted the Swedish National Heritage Board to elaborate on the organisation and the models for collaboration regarding the application of the Convention. The coordination responsibility was provisionally indicated to include the following tasks:

- to monitor and follow up the convention in Sweden,
- to develop collaboration as well as communication and guidance with regards to the Convention,
- to encourage participation of the civil society and the public in the implementation process,
- to follow up and, if necessary, take new initiatives regarding protection, management and planning of landscapes according to the Convention, and
- to take into account the current work on regional landscape strategies.

The assignment was presented to the Government on 1 March 2011.

Work process

The assignment has been carried out in collaboration with the authorities and organisations indicated by the government as well as with other agencies and organisations which have previously participated in the Swedish National Heritage Board's work on the Landscape Convention.¹ A questionnaire with specific inquiries regarding coordination responsibility and organisation for the implementation of the ELC has been completed by the authorities and the result was compiled and discussed in a meeting on 2 February 2011. The questionnaire's responses and discussions have formed the basis for the Swedish National Heritage Board's proposal.

The proposal

The proposal is aiming at setting up a formal framework for the implementation of the ELC in Sweden. The proposal deals with coordination, responsibility and organisation with regards to the implementation in various relevant policy areas. The proposals also concern follow-up and evaluation of the Convention as well as important issues to be addressed in order to initiate a comprehensive implementation process in Sweden.

¹ Besides the organisations indicated by the Government, the Swedish National Heritage Board decided to invite the following collaborators: The Swedish Energy Agency, the region of Västra Götaland, the Swedish Agency for Economic and Regional Growth, the municipality of Lund, the municipalities and county councils of Sweden and Region Skåne (the municipalities of Gotland and Helsingborg declined to participate).

Coordination, responsibility and organisation

Concerned authorities should be given an independent responsibility for the implementation of the provisions of the Convention within their respective competences.

The Swedish National Heritage Board believes that a shared responsibility between authorities is the key to obtain successful mainstreaming of the Convention into a broad range of policy areas. Only authorities operative within a certain sector have the ability to fully assess the appropriate measures to be taken in order to make the Convention vital within that policy context. The major part of the responding authorities has put forth the point of view that each authority should be responsible for the application of the Convention within its field of competence. However, shared responsibility sets high demands for a joint vision for the interpretation of the provisions of the Convention and for a uniform application.

A group of authorities should be given a joint, comprehensive responsibility for coordinating the implementation of the ELC. The group is proposed to initially comprise *the Swedish National Board of Housing, Building and Planning, the Swedish Environmental Protection Agency, the Swedish National Heritage Board, the County Administrative Boards, the Swedish Board of Agriculture, the Swedish Forestry Agency, the Swedish Transport Administration and the Swedish Agency for Economic and Regional Growth.*

The establishment of such a cross-sectorial group is expected to strengthen a mainstream mode of implementation of the Convention into a broad range of policy areas. With regards to the current work, the constellation is also expected to be suitable for solving the tasks associated with the early stage of the implementation process. However, the size of the group and the authorities included must reflect current needs and challenges. Hence, the coordination group may be reduced or extended to relevant parties from a wider circle if found to be necessary.

The inclusion of the County Administrative Boards into the group makes an important link between the national and the regional level. The need for such a link has been stressed during the consultation discussions.

Society changes over time and so does the needs regarding protection, management and planning of landscapes. New challenges will currently arise. Hence, an important task for the coordination group will be to discuss and initiate new measures in order to continuously

improve the framework for the application of the ELC in Sweden. The coordination group will be a natural assembly for issues regarding monitoring, development and improvement of the application of the ELC in Sweden.

The Swedish National Heritage Board suggests that the coordination group may initiate working groups in order to deal with specific tasks and to be able to respond to up-coming needs with regards to the implementation.

The Swedish National Heritage Board should take on the role of chairing the coordination group.

The Swedish National Heritage Board suggests that the group should be permanently chaired by one of its constituting members. Considering its long record with the ELC, its experiences and overview in the field, the Swedish National Heritage Board should be well qualified for such a task. The proposal is supported by the responding authorities.

The County Administrative Boards should be responsible for coordinating the implementation of the ELC on a regional level.

The County Administrative Boards are the government's representatives in the counties. Their role is to ensure that the objectives set by Parliament and Government held in a range of policies, is achieved while taking into account the regional conditions. They are also responsible for coordinating various state interests in a regional context. The County Administrative Boards are government agencies as opposed to the elected, regional political bodies also present in the regions.

The County Administrative Boards represent both an important link between the national level and the municipal level and between different stakeholders and parties on the regional level. Hence, the County Administrative Boards have a key role to play regarding the Convention's aspirations on involvement of local and regional authorities and parties.

At present, it is not clear how to share responsibility between county and region regarding the different provisions of the ELC on a regional, administrative level. The Swedish National Heritage Board suggests that this issue needs to be further assessed. Thus, the regional coordination responsibility held by the County Administrative Boards' should include setting up a dialogue with the regions in order to reach an agreement on appropriate principles for sharing the responsibility for putting the Convention in to practise.

Furthermore it is proposed that the County Administrative Boards should provide active support to the municipalities and regions regarding the application of the Convention. The municipalities play an important role in order to develop the participatory approach of the Convention. The Municipalities themselves as well as their joint advocate association, the Swedish Association of Local Authorities and Regions (SALAR), are thus considered to be important parties to the Convention.

Responsibilities and roles according to the proposals above should be enforced through statutory instructions or specific assignments to each authority.

As stated above, the Swedish National Heritage Board believes that a shared responsibility between authorities is the key to obtain successful mainstreaming of the Convention into a broad range of policy areas. Statutory instructions or specific assignments are important because they motivate concerned authorities to take on a widened responsibility but they also officially underline the importance of such commitments.

Models for collaboration

The authorities within the coordination group are urged to make use of existing arenas, networks and communities within their respective field of competences, to raise awareness of the Convention. They are also urged to assess needs and opinions present within their respective field of competences and bring them to the attention of the coordination group.

To raise awareness of the ELC and to gain acceptance and legitimacy for its aspirations, a broad range of networks and communities needs to be involved, especially in order to establish relations between public bodies and civil society.

Through the consultation process several parties have addressed the need for a collaboration forum for strategic and intersectoral issues. However, there are different claims regarding how formalised any of these forums should be. It has been suggested that existing arenas, venues and councils should be utilised as far as possible. On the other hand, some existing instances are already heavily burdened with other issues. Adding ELC as an extra task to these cases may not be a sustainable solution.

Considering its broad composition, the Swedish National Heritage Board suggests that the coordination group is a body well suited for dealing with strategic and intersectoral issues.

Amongst issues particularly urgent to deal with in the coordination group, can be mentioned, needs for research and the roles of the universities as resources for the implementation of the Convention, methodological aspects and issues regarding a better integration of landscape in spatial planning. The latter also includes needs for legislative changes. Other important issues concern the provision of knowledge, communication and information activities.

The national coordination group should be jointly responsible for organising a recurrent meeting place devoted to issues concerning the implementation of the ELC – a national landscape forum.

The Swedish National Heritage Board believes that a national landscape forum is of vital importance for spreading information and for an exchange of experiences with relevance to the ELC. The forum should function as an inspiring and inclusive meeting place for reaching a wide circle of stakeholders, such as authorities, municipalities, NGO:s, universities and other relevant parties.

The landscape forum should help establish interfaces between the national, regional and local administrative levels as well as between authorities and the scientific community and civil society. The target group, contents and form of the forum may vary over time depending on current needs. The details and procedures for such a landscape forum should be developed further by the coordinating group.

Follow-up and evaluation of the Convention

The Swedish National Heritage Board proposes that

- **as a starting point the authorities concerned should be responsible for follow-up and evaluation of the implementation of the Convention within their competences,**
- **the coordination group should be responsible for designing a joint model for follow-up of the convention to be applied within different policy areas in order to give a structured basis for reviews, and**
- **The Swedish National Heritage Board should be responsible for coordinating the periodic reporting to the Government and to the Council of Europe and it should uphold its current role as a national contact towards the Council of Europe in matters concerning the ELC.**

The primary motive for the proposed procedures is to avoid national authorities to evaluate each other. The Swedish National Heritage Board believes that a shared responsibility between authorities is the key to obtain successful mainstreaming of the Convention into a broad range of policy areas. In accordance with this view, authorities operative within a certain sector are best suited to make a comprehensive review of the progress within that specific context.

Furthermore, it is considered more effective to appoint one authority to coordinate periodic reporting to the Government as well as to the Council of Europe. Considering its previous work on the ELC and its present relations to the Council of Europe it is reasonable to assume that this responsibility should stay with the Swedish National Heritage Board.

The responsibility for designing a model for a structured and uniform follow-up of the progress of implementation, within different policy areas, should rest with the coordination group.

Initial tasks

In the instruction of the assignment, the government has addressed a number of tasks regarding monitoring, development efforts and initiatives to be included in the coordination responsibility of the ELC. The Swedish National Heritage Board assumes that these future tasks will become matters for the coordination group to deal with. Besides the tasks indicated by the government the National Heritage Board outlines the following:

A primary task for the coordination group is to prepare a national platform for Sweden's work on the implementation of the ELC.

The main objective of such a platform or document is to provide an interpretation of the provisions of the ELC with regard to the specific geographical, political and administrative settings of Sweden.

Such a platform will become particularly important in order to provide a basis for a common and widely accepted understanding of the ELC in a context where many authorities share the responsibility for its implementation. It should also address key issues and stakeholders concerned as well as outline the formal structure of the implementation of the Convention. A platform should also form an important basis for coordinated communication and information efforts concerning the ELC, directed to various target groups and with different purposes. A

model for setting up such a platform could well be derived from Ireland, where a landscape strategy with the equivalent function has been developed by the Heritage Council².

The National Heritage Board proposes that the authorities concerned should express their intentions and ambitions to satisfy the provisions of the Convention in an action plan.

The National Heritage Board suggests that action plans should be drafted for all authorities concerned in order to review the progress of the implementation in all relevant policy areas. The action plans should be valid for a limited period of time and aim to give the coordination group a basis for assessing how the Convention is progressing and to analysing the need for additional measures. These action plans could also be a starting point also for the follow-up and evaluation by the authorities. In England several organisations have developed their own action plans with similar purposes. These action plans now provide a key element in the implementation process in England³.

The Swedish National Heritage Board proposes a joint initiative by the coordination group targeting the regional and municipal application of the convention.

Pursuant to the ELC, the regional and local administrative levels are crucial to make the provisions of the Convention operative. These administrative levels are important because they hold the potential for a participatory approach, which is a keystone according to the provisions of the Convention. Another important issue concerns the interplay between different regional actors, i.e. regional political bodies and County Administrative Boards (representatives of the state) as well as between the regional and the municipal levels with regards to the application of the Convention.

Hence, the Swedish National Heritage Board urges the coordination group to launch an initiative aiming to find suitable ways to share responsibility between the governmental and regional bodies at the regional level as well as to strengthen the participatory approach. How to implement the ELC in the municipal comprehensive planning as well urban- and regional development programs are other urgent issues for the coordination group to consider.

² www.heritagecouncil.ie/fileadmin/user_upload/Publications/Landscape/Proposals_for_Irelands_Landscape_summary.pdf

³ www.naturalengland.org.uk/ourwork/landscape/englands/character/lcn/resources/elresources/nationalplans.aspx

Future tasks

The recurrent follow-up of the ELC should provide a good basis for the coordination group to review further needs and develop initiatives leading to a comprehensive implementation of the Convention.

Comments for the report

The authorities and organisations invited to take part in the preparation of this report have been given the opportunity to briefly comment on the draft. The responses show a great unanimity among the parties regarding the broad outline of the proposal. The main part of the comments has been taken into account in the final version of the report.