

INTERACTION BETWEEN EUROPEAN POLICIES CONCERNING SPATIAL PLANNING AND ECOLOGICAL NETWORKS

Interactions at the European Level

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0. Summary

This chapter reviews the most important European instruments in the fields of spatial planning and nature conservation. The origins and development of the European Spatial Development Perspective and the Guiding Principles for Sustainable Spatial Development of the European Continent are described and their relationship with biodiversity conservation and ecological networks are discussed. Three European nature conservation instruments are then reviewed – the Bern Convention (including the Emerald Network), Natura 2000 and the European Landscape Convention – and the way in which they interact with spatial planning is highlighted. The chapter concludes with a discussion of the degree to which the two sectors interact, the implications for the implementation of European instruments at regional and local level, the issues involved in applying common models across Europe and the special position of Natura 2000 in relation to spatial planning.

1. Introduction

Within the EU, regional policy has been developed for several decades with the broad aim of promoting and balancing economic and social development across the Member States using the principles of solidarity and cohesion. However, despite the crucial importance of spatial planning in achieving these goals, the treaties establishing the EU have conferred no legal competence in this field to European institutions: the Member States continue to protect spatial planning as a national policy sector. That is not to say, however, that the EU has no influence over spatial planning. In fact, the European Commission can apply a wide range of instruments that can actively influence spatial development in the Member States. These include competition policy, Trans-European Networks, the Structural Funds, the Common Agricultural Policy, environmental policy (including instruments such as LIFE+) and the lending policies of the European Investment Bank. The European Commission has also initiated a series of initiatives since the 1990s that have led to non-binding agreements between Member States that have the aim of harmonising spatial planning policy across Europe.

A further factor that has influenced this process is the increasing policy emphasis on the regional scale. The progressive unification of European states has been accompanied by a range of initiatives to increase the role of regions in development processes and to tailor programmes to regional needs. These include the Committee of the Regions (which must be consulted by the European Commission and Council of Ministers whenever new proposals are made in areas that have repercussions at regional or local level), the Conference of European Regional Legislative Assemblies (which coordinates the work of regional parliaments), the Council of European Municipalities and Regions (which endeavours to shape the future of Europe by enhancing the local and regional contribution), the Council of Europe's Congress of Local and Regional Authorities (which aims to promote local and regional democracy

across Europe), the Assembly of European Regions (which promotes subsidiarity and regional democracy and aims to form a link between the EU and the citizens), the Conference of Peripheral Maritime Regions of Europe (which promotes territorial cohesion as one means to address the problems arising from the peripheral location of its member states) and regional funding programmes such as Interreg.

2.1 European Spatial Planning Frameworks and Ecological Networks

2.1.1 The European Spatial Development Perspective

The European Spatial Development Perspective (ESDP) was a product of the growing interest in European-scale spatial planning in the 1980s and 1990s. Spatial planning was seen in some quarters as a potential European policy arena and integrative tool in its own right (Nadin and Shaw, 1997). The first manifestation of this thinking was *Europe 2000: Outlook for the Development of the Community's Territory* (European Commission, 1991). The document had been requested by the first informal meeting of regional planning ministers in 1989 and was presented in November 1991, just prior to the Maastricht Summit. Significantly, the report took the form of a Communication to the Council and the European Parliament from the European Commission (Directorate-General for Regional Policy – DG XVI). The aim of the report was to provide a reference framework for spatial planning at the Community level. It therefore reviewed the spatial development of the European Community's territory, focusing on the distribution of economic activities, demography, infrastructure and spatial coherence, the future of urban areas, rural areas, border areas, coastal areas and islands, and cooperation between cities and regions. A chapter on the environment and natural resources discussed the main threats and issues, including those relating to biodiversity. Interestingly, the report opened with the statement that planning in isolation at a regional or national scale was no longer possible.

The strongly integrative character of the Maastricht Treaty encouraged the Directorate-General for Regional Policy to initiate a work programme to further develop the thinking in *Europe 2000*, which resulted in the report *Europe 2000+: Cooperation for European Territorial Development* (European Commission, 1994). This took the analysis a step further and also included eight regional case studies and a spatial planning assessment of the EU's neighbouring regions. Although *Europe 2000+* gave relatively little priority to environmental protection, it did include a short section on "the re-establishment of ecological corridors" under the theme Open Spaces and Spatial Planning. This emphasised the problems caused by the increasing fragmentation of ecosystems as a result of economic development and cited the ecological networks under development in the Netherlands and Denmark as examples of measures to restore connectivity. The potential role for spatial planning in developing corridors was also emphasised.

The political message of *Europe 2000+* was clearly a plea for a more integrated spatial development framework for the whole of the European territory. This argument was persuasive, and there proved to be sufficient consensus among the Member States that they should work together on an informal and voluntary basis to develop a goal-oriented spatial planning strategy – the ESDP. The preparation of the ESDP was undertaken by the Committee on Spatial Development, which was comprised of the ministers responsible for spatial planning in the EU Member States. Bearing in mind the fact that the EU had no formal

competence to develop and adopt spatial planning policies, the status of the ESDP was established as a non-binding and indicative document.

Published in 1999 (Committee on Spatial Development, 1999), the ESDP aimed to guide and shape territorial policies in support of economic growth, employment creation and sustainable development across the EU through voluntary cooperation at three levels of spatial cooperation – the Community level, the transnational/national level and the regional/local level. Specifically, the ESDP called for horizontal cooperation between the authorities responsible for sectoral and spatial policies at each administrative level as well as vertical cooperation between the different levels. With regard to planning goals, the document emphasised three key spatial development policy objectives as a means to achieve the balanced and sustainable development of the EU's territory, namely:

- the development of a balanced and polycentric urban pattern of development and also a new urban-rural relationship which recognises interdependence and fosters partnerships
- securing equal access to infrastructure and knowledge
- sustainable development and the prudent management and protection of nature and the cultural heritage.

Reflecting the high priority given to sustainable development, the ESDP included a range of proposals relating to spatial planning and biodiversity conservation. These were justified with reference to existing EU policies that inferred a role for spatial planning in conserving biodiversity, such as Natura 2000 and the EU Biodiversity Strategy. At the same time, however, the ESDP argued that environmental protection regulations and development restrictions should not be allowed to have a negative impact on living conditions. Instead, ecological resources should be costed in economic terms and the resulting earnings could fund new development opportunities while preserving the natural heritage.

Specific proposals relating to biodiversity conservation included:

- continued development of “European ecological networks”, as proposed by Natura 2000, including the necessary links between nature sites and protected areas of regional, national, transnational and EU-wide importance
- integration of biodiversity considerations into sectoral policies (agriculture, regional policies, transport, fisheries, etc)
- preparation of integrated spatial development strategies for protected areas, environmentally sensitive areas and areas of high biodiversity such as coastal areas, mountains and wetlands, balancing protection and development on the basis of territorial and environmental impact assessments and involving the partners concerned
- greater use of economic instruments to recognise the ecological significance of protected and environmentally sensitive areas
- protection of the soil as the basis of life for human beings, fauna and flora through the reduction of erosion, soil destruction and overuse of open spaces
- preservation and creative development of cultural landscapes with special historical, aesthetical and ecological importance.

It should be noted that the concepts of an ecological network and connectivity in the ESDP differ significantly from the ideas presented in *Europe 2000+* and also the first draft of the ESDP in 1997. In both these documents, ecological fragmentation had been explicitly recognised as a major threat to biodiversity, and connectivity/linkages/ecological networks

were seen as effective conservation and restoration instruments. However, the final version of the ESDP used the term “ecological network” specifically in relation to the requirements of Natura 2000 and limited its discussion on connectivity to noting the importance of Article 10 of the Habitats Directive (see below). The document did, however, stress that Natura 2000 has to be harmonised at an early stage with regional development policy and that concerted protection measures for Natura 2000 sites must be drawn up and fine-tuned in line with spatial development perspectives. In addition, a broader land-use policy can provide the context within which protected areas can thrive without being isolated, including, if necessary, the identification of buffer zones. Protection alone is not sufficient for conserving these areas and their less sensitive parts should be the subject of economic uses in keeping with their ecological function.

A few months after the ESDP was adopted, the ministers responsible for spatial planning in the EU Member States agreed on an action programme to promote its implementation. The programme identified 12 actions to be undertaken in order to achieve the key aims of the ESDP. However, none of these actions took biodiversity conservation as a priority objective.

Since 1999, implementation of the ESDP by the Member States has been uneven. In some countries the principles of the ESDP were regarded as being already implicit in national spatial planning policy and therefore required few additional actions. In other countries, the ESDP is being used as a reference point for policy development and in some cases as a source of debate about innovations in spatial planning policy instruments and systems. Apparently, only England has introduced a specific requirement to use the ESDP as a reference point to inform strategic spatial thinking. The recommendation to “take account” of the ESDP was embodied in a 1999 “Policy Planning Guidance note”, revised in 2004 (Department for Transport, Local Government and the Regions, 1999; Office of the Deputy Prime Minister, 2004; Shaw and Sykes, 2001). At European level, transboundary cooperation between neighbouring border regions has been financially supported by the EU Interreg programmes. Indeed, nearly all of the border regions have taken advantage of the support from Interreg to establish common organisations, structures and networks. A few Interreg projects have promoted ecological networks, such as the transnational TEN project to develop ecological networks in aquatic ecosystems in East Anglia (UK), the four northern provinces in the Netherlands, the three northern states of Germany and southern Denmark (which has also been supported by LIFE funding).

The most recent initiative in the field of EU territorial cohesion, which clearly draws on the ESDP, is the so-called Territorial Agenda that was adopted by the ministers responsible for spatial planning and development in May 2007 (Informal Ministerial Meeting on Urban Development and Territorial Cohesion, 2007). The four themes of the Territorial Agenda are strengthening territorial cohesion, strengthening regional identities and making better use of territorial diversity, territorial priorities for the development of the EU and implementing the agenda. One of the six priorities for the development of the EU is the strengthening of ecological structures and cultural resources as added value for development. Interestingly, this short section advocates the further development of “networks of valuable nature areas and cultural landscapes in order to create an integrated and sustainable trans-European green structure with adequate corridors and zones linking protected sites and other areas of European and national importance” – in other words a European ecological network. However, the way in which this green structure should be realised is not addressed in the section on implementing actions. (It should also be noted that the Territorial Agenda’s support for the strengthening and extension of Trans-European Networks and its promotion of

“European development corridors” will almost certainly exacerbate the ecological fragmentation that ecological networks are intended to redress.)

A final observation on the further development of the EU’s territorial cohesion policy concerns the recently agreed Reform Treaty (the Lisbon Treaty). Significantly, Article 2 of the amended Treaty states that the Union “shall promote economic, social and territorial cohesion, and solidarity among Member States.” This text re-affirms territorial cohesion as an objective of the EU and also as a competence that is shared between the EU and the Member States. Importantly, this means that the European Commission will have the right of initiative in introducing further proposals (see also Faludi, 2007).

2.1.2 Guiding Principles for Sustainable Spatial Development of the European Continent

The process initiated with the Torremolinos Charter (European Ministers Responsible for Regional Planning, 1983) and further developed through the European Regional Planning Strategy (European Ministers Responsible for Regional Planning, 1988), Europe 2000 and the ESDP was given further form in 2000. In that year the European Conference of Ministers Responsible for Regional Planning (CEMAT) – a ministerial process that has produced a range of cooperative initiatives in the field of spatial planning – adopted the Guiding Principles for Sustainable Spatial Development of the European Continent (hereafter referred to as the Guiding Principles). Through their adoption by the Committee of Ministers of the Council of Europe in 2002, the Guiding Principles became applicable in over 50 countries in the pan-European region as a reference document for their national spatial planning and development measures.

Although the ideas formalised in the Guiding Principles can be traced back to the 1983 Torremolinos Charter, its formulation and adoption is clearly linked to the process that led to the ESDP. However, the principles also take account of various Council of Europe cooperative agreements, including the Bern Convention (see below), the Pan-European Biological and Landscape Diversity Strategy (PEBLDS) and regional development strategies such as those for the Benelux, the Baltic, the Adriatic and the Danube.

The document itself sets out 10 principles of a planning policy for sustainable development in Europe, as follows:

1. Promoting territorial cohesion through a more balanced social and economic development of regions and improved competitiveness
2. Encouraging development generated by urban functions and improving the relationship between town and countryside
3. Promoting more balanced accessibility
4. Developing access to information and knowledge
5. Reducing environmental damage
6. Enhancing and protecting natural resources and the natural heritage
7. Enhancing the cultural heritage as a factor for development
8. Developing energy resources while maintaining safety
9. Encouraging high-quality, sustainable tourism
10. Limitation of the impacts of natural disasters.

Provision is also made for more closely targeted measures for nine “characteristic territories”. These are identified as landscapes, urban areas, rural areas, mountains, coastal and island

regions, “Eurocorridors” (that is, major transboundary transport corridors), flood plains and water meadows, redundant industrial and military sites, and border regions.

With regard to biodiversity conservation and ecological networks, the principle “enhancing and protecting natural resources and the natural heritage” was elaborated with the explanation that spatial planning policy is concerned with re-establishing and conserving ecosystems, including ecological networks and wetlands (which should form part of the ecological networks). Special attention should be paid to sensitive as well as high ecological-value surfaces and spaces (wetlands etc.). In order to achieve this objective, various ecological elements, such as semi-natural areas, water resources, healthy climates and derelict industrial sites needing restoration or buffer zones must be identified and appropriate measures taken to manage them. The establishment of Natura 2000 is one of the measures contributing to this goal. In conjunction with the decisions of the Environment for Europe Ministerial Conferences, these networks should be developed on a Europe-wide scale. However, the Pan-European Ecological Network itself is not explicitly mentioned in the Guiding Principles.

Under the characteristic territory “landscape”, the Guiding Principles specify seven appropriate protection measures, including:

- the integration of landscape development into spatial planning as well as into sectoral policies such as those related to the economy, agriculture, infrastructure and urban development, culture, environment, social development, which all have direct or indirect effects on the development of landscapes
- the examination and general assessment of landscapes, the analysis of their characteristics, of their ecosystems and of the forces and pressures transforming them, and the definition and use of landscape quality objectives
- the implementation of integrated policies aimed at simultaneously protecting, managing and planning landscapes.

Proposed measures for “rural areas” included encouraging farmers and foresters to contribute to preserving and restoring biological diversity and traditional landscapes, and recommending that compensation may be paid where the needs of agriculture or forestry differ from those of nature protection and the conservation of the landscape.

The implementation of the Guiding Principles is hindered by that fact that the Council of Europe can exercise only a very limited range of instruments. It cannot impose sanctions on Member States which take no action and it has few financial resources to fund implementing programmes. It therefore has to rely on the willingness of countries to take appropriate action and also on existing international programmes where funding is available for comparable actions. Chief among these as far as the Guiding Principles is concerned is the EU Interreg programme, and particularly where the projects comply with the objectives of the ESDP. In addition, sectoral projects in the fields of transport, agricultural and environmental policies have also proved effective, as have some projects funded through international financial institutions such as the World Bank, the Council of Europe Development Bank, the European Bank for Reconstruction and Development and the European Investment Bank.

Progress in implementing the Guiding Principles was reviewed at a CEMAT meeting in 2003. Thirty Member States produced national contributions that described how far their respective spatial planning policies were capable of implementing the principles (Council of Europe, 2004). A few countries, such as Lithuania and the Czech Republic, briefly discussed the relationship between spatial planning and their ecological network programmes. However,

several national reports for countries with government-driven ecological network schemes, such as the Netherlands and Slovakia, omitted to mention these programmes.

2.2 European Nature Conservation Instruments, Ecological Networks and Spatial Planning

2.2.1 *Natura 2000*

The 1979 Birds Directive and the 1992 Habitats Directive provide for the establishment of a representative system of legally protected areas throughout the EU known as Natura 2000 (which the Habitats Directive describes rather confusingly as “a coherent European ecological network”). The origins of the Birds Directive lay in the concern for the impact of hunting practices in southern Europe on migratory bird populations. However, when it was developed the Directive introduced a broad protection scheme for all bird species of European importance (for the EU-25, 194 species are listed in the annex to the Directive). Significantly, the Directive provided legal protection not only for the bird populations (including restrictions on hunting methods and trade) but also for their habitats.

This broad approach was followed for the subsequent Habitats Directive (which to an important extent was also based on the 1979 Bern Convention – see below). But the Habitats Directive marked a significant step forward in biodiversity conservation because it introduced a comprehensive and legal protection regime for all fauna and flora species of European importance (currently 865 species for the EU-25) and also valuable habitats. This regime requires the legal designation of protected areas (Special Areas of Conservation) that meet the criteria laid down in the Directive, a strict protection regime for designated species, the maintenance of habitats and species populations in “favourable conservation status”, the preparation of management plans, monitoring arrangements, and nature compensation where a project adversely affects a Natura 2000 site for reasons of “overriding public interest”. Moreover, the European Commission approves the various lists and management plans and takes enforcement action where necessary. Financial support is also available, mainly through the LIFE+ programme but also through other instruments, such as agri-environment measures.

In the EU Member States, designated Natura 2000 sites now number nearly 30,000 and their aggregate area covers more than 20% of the territory of the EU-25 (which is equivalent to the area of Germany). The number of sites and their total area is still increasing.

Although Natura 2000 was conceived as a representative system of protected areas, the value of ecological coherence and connectivity is explicitly recognised in the directives. These references include the Preamble and Articles 3 and 4 of the Birds Directive (and also some *Ornis* Committee decisions) and the Preamble, Articles 1, 3, 4, 6 and 10 and Annex III of the Habitats Directive. Article 10 in particular explicitly provides for measures to improve the ecological coherence of the Natura 2000 network (for a fuller review see German Federal Agency for Nature, 2005). These provisions clearly infer that securing the favourable conservation status of many habitats and species in the medium-to-long term will require measures to strengthen ecological coherence and connectivity. To date, however, the need to maintain or strengthen ecological coherence has been given a low priority by the Member States and the European Commission in implementing the directives: few, if any, Natura 2000 implementation measures have the specific objective of strengthening coherence. Further, no

comprehensive review has yet been undertaken of Natura 2000 implementing measures in relation to ecological coherence.

With specific reference to connectivity, Article 10 of the Habitats Directive provides that “Member States shall endeavour, where they consider it necessary ... with a view to improving the ecological coherence of the Natura 2000 network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.” As is clear from the text, however, the decision to take such measures lies at the discretion of each Member State. In practice, although the sites designated under the Birds and Habitats Directives form a sturdy basis for an EU-wide ecological network, few corridors have been established as a formal part of Natura 2000, the only known examples being river valleys.

Despite the limited prescriptive scope of the Habitats Directive, discussions on the implementation of Article 10 are, however, underway with a view to using corridors as a means of strengthening the conservation status of Natura 2000 sites. For example, the European Community Biodiversity Strategy (European Commission, 1998) refers to the role of spatial planning in contributing to the conservation and sustainable management of ecosystems, although the discussion is limited to describing the relevant recommendations from the ESDP, which was then in preparation. The subsequent Biodiversity Action Plans (European Commission, 2001) – covering the sectors economic and development cooperation, fisheries, agriculture and natural resources – do not specifically discuss the role of spatial planning in biodiversity conservation.

The problem of fragmentation and the need to strengthen coherence, connectivity and resilience are also explicitly recognised in the European Commission’s Communication *Halting the Loss of Biodiversity by 2010 – and Beyond* and the accompanying Action Plan (European Commission, 2006). The Communication is significant because it explicitly proposes that connectivity be strengthened both inside and outside Natura 2000 as an essential means of conserving biodiversity, and a distinction is made between Community-level action and action by the Member States. Actions that are identified as appropriate include the following:

- Objective 1: to safeguard the EU’s most important habitats and species
 - Action A1.2.3: assess and strengthen the coherence, connectivity and resilience of the protected areas network (including outside Natura 2000) through coordinating an assessment and developing guidelines
- Objective 4: to reinforce compatibility of regional and territorial development with biodiversity
 - Action A4.3.1: develop and implement spatial and programmatic plans that support the coherence of Natura 2000 and maintain and/or restore the ecological quality of the wider countryside through promoting best practice
- Objective 9: to support biodiversity adaptation to climate change
 - Action A9.4.2: assess and strengthen the coherence, connectivity and resilience of the protected areas network (including outside Natura 2000) in the face of climate change through coordinating an assessment and developing guidelines to strengthen coherence.

The role of connectivity was further reinforced in the European Commission's 2007 Green Paper on adapting to climate change (European Commission, 2007a). This included the recommendation that emphasis must be placed on ensuring the integrity, coherence and connectivity of Natura 2000 (see also European Commission, 2007b). A recent report funded by the Commission specifically focused on ways of promoting connectivity under the Birds and Habitats Directives and formulated guidance on how the provisions of the Directives can be implemented in order to maintain landscape connectivity features of major importance for wild flora and fauna (Kettunen et al., 2007).

2.2.2 The Bern Convention and the Emerald Network

The Bern Convention on the Conservation of European Wildlife and Natural Habitats was adopted by the Council of Europe in 1979. In many ways, the Convention was the precursor of the EU Habitats Directive. The political and legal framework which determines the operational scope and implementing conditions of the Convention are comparable to those applying to the Guiding Principles for Sustainable Spatial Development of the European Continent (see above).

The goal of the Convention is to conserve wild flora and fauna and their natural habitats, especially those species and habitats whose conservation requires the cooperation of several Member States, and to promote such cooperation. Particular emphasis is given to endangered and vulnerable species, including migratory species.

In order to achieve this goal, the Convention provides for the conservation of wildlife and wildlife habitats in general and for the special protection of species listed in Appendix I (strictly protected plants), Appendix II (strictly protected animals) and Appendix III (protected animals) of the Convention. In their planning and development policies Member States should have regard to the conservation requirements of the respective areas. (The Member States of the EU satisfy the habitat requirements of the Bern Convention through the implementation of the Habitats Directive.)

In Recommendation 16 on Areas of Special Conservation Interest (ASCIs), the Convention's Standing Committee recommended Parties "to take steps to designate Areas of Special Conservation Interest to ensure that the necessary and appropriate conservation measures are taken for each area situated within their territory or under their responsibility where that area fits one or several of the following conditions" (Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, 1989). As far as fauna species are concerned, special attention should be given to the protection of areas that are situated on migration routes, such as wintering, staging, feeding, breeding or moulting areas.

A Recommendation regarding the conservation of natural areas outside protected areas proper was adopted in 1991 by the Standing Committee (Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, 1991). This included an appendix in which examples of suitable conservation measures were presented. These measures included:

III. Ecological corridors

Encourage the conservation and, where necessary, the restoration of ecological corridors in particular by taking the following measures:

1. Rights of way of roads, railways and high-voltage lines

- Authorising agreements between nature conservation authorities and government or other public bodies owning or responsible for such areas with a view to maintaining natural plant cover and preserving the sites of rare or endangered plant species, prohibiting or limiting the use of phytosanitary products and of fire in those areas, as well as restricting the use of machinery to the strict minimum necessary for safety reasons.
 - Taking measures to restore or to compensate for the loss of ecological corridors caused by the building of new roads and other constructions that prevent animals from migrating or interchanging. In these cases, the responsible authority has to safeguard such crossing routes, for example, by building special tunnels for otters, badgers, by building so-called cerviducts for deer, by closing roads during the spring migrational period for amphibians, or by any other appropriate measures.
2. Watercourses
- Maintaining certain watercourses or parts thereof in their natural state, and where necessary restoring them, by prohibiting the building of dams, any straightening or canalisation work and the extraction of materials from their beds, and by maintaining or restoring vegetation along their banks. Ensuring that dredging operations, when they prove essential, do not harm the integrity of the aquatic ecosystem or of the banks.
 - On other watercourses, limiting canalisation and straightening work to whatever is absolutely essential, providing fish passes across dams, maintaining a minimum flow in low-water periods as far as possible, limiting extraction of materials from the bed and maintaining vegetation along the banks.

The guiding role of the Council of Europe in both the Bern Convention and PEBLDS facilitated a degree of coordination in implementing the two agreements. In January 1996 the Standing Committee adopted a resolution concerning the setting up of a Pan-European Ecological Network (Bonnin et al., 2007). The resolution resolved to:

- set up the “Emerald Network”, which would comprise the ASCIs designated under the Bern Convention
- set up a group of experts to carry out the necessary activities related to the building up of the network
- invite European states which have observer status in the Standing Committee to participate in the network
- encourage the Parties and observer states to designate ASCIs and notify them to the Secretariat.

The Emerald Network therefore became the Bern Convention’s contribution to establishing the Pan-European Ecological Network. Since 1999, a total of 29 pilot projects have been initiated with the objective of implementing the Emerald Network, principally aimed at mapping the ASCIs in non-EU Central and Eastern European countries (and also in Senegal and Burkina Faso).

2.2.3 European Landscape Convention

The European Landscape Convention (the Florence Convention) was an initiative of the Council of Europe’s Congress of Regional and Local Authorities. The Convention aims at the protection, management and planning of all landscapes, and the raising of awareness for the values of a living landscape. It was adopted by the Committee of Ministers in 2002 and came into force in 2004. To date it has been ratified by 27 of the 47 Council of Europe Member States.

The concept of landscape as elaborated in the Convention is that it should be:

- democratic and acknowledged as an important part of the quality of life of people
- participatory in the sense that people play an active part in its care and development

- inclusive, that is embracing all different kinds of landscapes (including urban landscapes)
- dynamic
- realistic, for example by bringing sustainable benefits
- the focus of international support for national efforts.

Significantly, the Convention explicitly recognises the role of spatial planning in achieving its objectives. For example, a specific objective is to help promote a higher profile for landscape in planning policy and practice. Further, Parties are required to integrate landscape into their regional and town planning policies and to promote multidisciplinary training programmes in landscape policy, protection, management and planning. However, the provisions relating to the implementation of the Convention do not explicitly require spatial planning measures, referring only to “instruments aimed at protecting, managing and/or planning the landscape”.

To date, six workshops have been held to discuss the implementation of the Convention. The themes of these workshops have been:

- landscape policies, landscape identification, qualification and quality objectives, awareness-raising, and training and education tools (Strasbourg, France, 2002)
- integration of landscapes in international policies and programmes and transfrontier landscapes (Strasbourg, France, 2003)
- landscapes for urban, suburban and peri-urban areas (Cork, Ireland, 2005)
- landscape and society (Ljubljana, Slovenia, 2006)
- landscape quality objectives (Girona, Spain, 2006)
- implementation and sharing of experience (Sibiu, Romania, 2007).

3. Conclusions

Given the obvious role of spatial planning in establishing ecological networks at all scales, it is striking that the interaction between the two fields of activity at the European level is so patchy and underdeveloped. This is not to say that the interrelationship is not acknowledged: indeed, *Europe 2000+*, the European Landscape Convention and to a lesser extent the Guiding Principles and the Bern Convention explicitly recognise fragmentation as a serious threat to biodiversity, the value of improving connectivity (particularly through establishing ecological networks) and the role of spatial planning as an effective instrument for this purpose. But it is notable that none of the agreements has elaborated in any detail appropriate ways through which effective planning measures can be taken at the various levels.

The fact that no European organisation has formal competence in the field of spatial planning clearly presents a legal obstacle to the adoption of binding measures. Thus, implementation of the ESDP and the Guiding Principles depends on voluntary cooperative actions – both vertical and horizontal – and support from financial instruments, primarily the EU’s Interreg and LIFE+ programmes. A further complication is that it is often regional and local authorities which have planning competence, not national authorities. Yet both the ESDP and the Guiding Principles are international agreements adopted by national governments. Their effective implementation therefore requires national policy instruments that encourage or require sub-national planning authorities to take the appropriate actions. In practice, these national authorities usually have substantial powers for planning their own territory and they also have considerable financial and administrative resources available.

In many Western European countries, it could be argued that their planning policies are generally in line with most of the strategic recommendations of the ESDP and the Guiding Principles. However, in Eastern Europe the situation is somewhat different. In Russia, for example, only a small proportion of the 89 constituent entities in the Federation base their policies on a vision of sustainable spatial development that corresponds to the concept formulated in the Guiding Principles.

However, limited competences need not as such prevent the preparation of specific and detailed guidelines which, even without the force of law, could be applied by many countries and regional and local authorities. For example, the UNECE has prepared a draft guidance document directed at countries in transition in Eastern Europe, the Caucasus and the Central Asian region that aims to promote spatial planning as an instrument to secure economic, social and environmental development (UNECE, 2007).

Nevertheless, the history of attempts over the past decades to develop a European spatial planning vision shows that, to date, there has been considerable reluctance at national-government level to adopt anything that goes beyond a general analysis and strategy. There is clearly no shared political perception of the need to apply a European supranational planning framework to spatial issues at the national or sub-national level. This is not simply a question of relinquishing political power to a higher authority; it is also a reflection of the differing spatial planning visions in different parts of Europe and the concerns over the far-reaching implications for EU regional policy.

Thus, the polycentric planning concept of the ESDP, which synthesised the French centre-periphery model with the German federal-regional approach, reflected the strong northwestern European orientation of the process. This in turn led to some resistance from the southern EU Member States who feared that an activist approach in the area of spatial planning could threaten their substantial share of the Structural Funds (see, for example, Faludi and Waterhout, 2002). These differences were the reason why the 1997 draft of the ESDP was substantially modified in the negotiations that produced the final document in 1999 (and which also omitted the explicit references to ecological fragmentation and the need for an interconnected European ecological network).

A second characteristic of the agreements is the lack of consistency in the approach to dealing with biodiversity conservation in general and ecological fragmentation in particular. Whereas on the one hand *Europe 2000+* and the draft ESDP explicitly proposed an active role for spatial planning in establishing corridors and ecological networks (including at the European level), *Europe 2000*, the final version of the ESDP and the European Landscape Convention do not discuss these issues. Significantly, the Guiding Principles – a Council of Europe agreement – while briefly acknowledging the role of spatial planning in establishing ecological networks, does not even mention the Pan-European Ecological Network which was the subject of a Council of Europe agreement just seven years previously.

The role of spatial planning in implementing Natura 2000 is also very limited, but that is a consequence of the special character of the Birds and Habitats Directives and the sectoral approach to policy-making that has long been reflected in EU environmental legislation. As biodiversity conservation instruments, the directives represent a radical development in that they confer legal primacy on the conservation of natural values of European importance over all other land uses. Thus, species populations or sites that meet the criteria of the directives must be protected through legislative measures that are separate from the spatial planning

process. Strictly speaking, this will also apply where a Member State elects to establish linkages under Article 10 (although no examples of such linkages that constitute a formal part of Natura 2000 are known).

This also has implications for the establishment of the Pan-European Ecological Network, since in the EU Member States Natura 2000 sites make up most of the core areas of the Pan-European Ecological Network (Group of Experts for the Setting up of the Emerald Network of Areas of Special Conservation Interest and the Committee of Experts for the Development of the Pan-European Ecological Network, 2006). Of course, as the ESDP noted, spatial planning policy must take Natura 2000 designations and conservation actions into account, even if it cannot actively influence zoning in this respect. But even here, spatial planning policy can contribute to establishing the external conditions necessary to ensure the favourable conservation status of Natura 2000 sites and also to defining uses that do not conflict with Natura 2000 objectives in the sites.

4. References

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