

LANDSCAPE IN THE SPANISH POLICIES FOR THE PROTECTION OF NATURAL AREAS

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We are witnesses nowadays of an uncommon scientific and technical interest on landscape analysis, as well as its protection and enhancement. The birth of studies and political initiatives in that matter came together with a certain conceptual misunderstanding due to the different «languages» that are used in the different disciplines which focus their attention on this topic and, secondly, because of the little coordination between the different administrative authorities with jurisdiction over the landscape's organization and management. In this context, the current study tries to focus the attention in a basic aspect: the relation between landscape and the policies on natural areas protection in Spain; a relationship which is present from the distant beginnings of the later but which has been always characterized by a certain ambiguity.

The first part of the essay summarizes the consecutive basic regulation norms of these policies in order to evaluate the meaning and treatment given to landscape in an explicit way. So at the beginning of Spanish policy of protected areas (*Ley de Creación de Parques Nacionales*¹, 1916), the link between landscape and natural spaces declared afterwards was limited to the recognition of the importance of the former, in a more or less generic way, and to the necessity of safeguarding it. Several decades after that, the second important law of reference (*Ley de Espacios Naturales Protegidos*², 1975) almost fully neglected the references to the value of landscape and the need to protect and manage it. It is important to remark that until the end of the 70s there was certain confusion between the concepts of *landscape* and *natural protected areas*, and even the forest administration considered them equivalent realities when it promoted the preparation of the so called *Inventario Nacional de Paisajes Sobresalientes*³ (1977).

In short it can be asserted that it is not until the promulgation of the *Ley de Conservación de Espacios Naturales y de la Flora y Fauna Silvestres*⁴ (1989) –in the context of the

1 Law for the Creation of National Parks.

2 Protected Natural Spaces Act.

3 National Catalogue of Remarkable Landscapes.

4 Law for the Conservation of Natural Spaces and Wild Flora and Fauna.

regional Government– when a close relation between environment protection and landscape safeguard starts in Spain, since the new text adds several direct and indirect norms towards the protection, management and administration of certain landscapes.

Finally, the recent *Ley del Patrimonio Natural y la Biodiversidad*⁵ (2007) reinforces the commitment with landscape protection, clearly assuming the general guidings included in the *European Landscape Convention* (Florence, 2000).

In the second part of the article the process of introduction of the figure of *Protected Landscape* is analysed, a figure which was included in Spanish laws in 1989. The first four declarations were made in Murcia in 1990 (*Cuatro Calas; Espacios Abiertos e Islas del Mar Menor; Humedal de Ajaunque y Rambla Salada; Sierra de las Moreras*) and, two decades later, ten autonomous communities have made use of this protective category. So the total amount of Protected Landscapes in Spain in 2010 is 53, with a global expanse of 150.691ha (equivalent to a 2,3% of the global protected land). However in order to correctly read the current territorial meaning of this protective figure, it is important to keep in mind, on the one hand, the conceptual difficulties related to the Protected Landscape in Spain which explain, at least partially, the scarce amount of declarations made in comparison with the rest of national scope figures. On the other hand, it is important to notice the absolute leading role of some autonomous regions such as Canary Islands and Valencian Community, as without their contribution the Spanish catalogue of protected landscapes would be really poor. Another factor which reduces credibility to this protective figure is the evident difference of *criteria and arguments* used by autonomous governments when selecting the 53 items declared until today. In that sense it can be distinguished three different orientations:

- First, the Protected Landscape is understood as a meaningful place for the historical relationship between man and nature –synthesis of natural, aesthetic and cultural values–. This is the conception best adapted to the definitions given in the framework laws of 1989 and 2007, in which the value of aesthetic, cultural and natural components of a territory is equated.
- Secondly, in some autonomous communities it has been understood that Protected Landscape has to be a figure mainly oriented to safeguard remarkable values of the environment.
- A third option has been specified in the declaration of singular fluvial sections as Protected Landscapes, highlighting their function as *ecological corridors* between distant environments with a high environmental appraisal.

It is important to remind that, with regard to this, the conceptual differences over this figure are also shown in the notable variety of handling tools established by the autonomous regions for its management.

Finally, among the most relevant conclusions of the article the following ones can be highlighted:

1°.- In the framework of Spanish policies on natural areas protection, the worry for preserving some landscapes considered particularly representative –due to their identity character, the singularity of their natural and/or cultural values, their aesthetic components, etc. – has been present from the very moment of the creation of these policies. However it is

5 Natural Patrimony and Biodiversity Act.

true that until the late 80s, it has been normally in form of isolated manifestations, under little developed formulations and without a clear normative framework.

2º.- At a theoretical and programmatic level, the preservation of landscape has reached the degree of *inspiring principle* of the framework laws for environment conservation passed from the late 80s onward; it has been an structural achievement which has come with far-reaching specific steps, among them: the creation of a protective particular category –*Protected Landscape*–, the obligatory nature of including in the *Planes de Ordenación de los Recursos Naturales*⁶ an inventory/diagnosis of the existing representative landscapes in their sphere of influence, or the recognition of triggering steps for any kind of activity resulting in landscape protection, performed both inside the protected natural spaces as in the fields in which land custody agreements are implemented.

3º.- It is also true that, in spite of the achievements reached in basic legislation, the development of specific interventions in that matter has been insufficient and has been characterized by a certain degree of confusion. According to us, the root of problems is in the uncertainty created due to a lax definition of the figure of Protected Landscape, and also because the little reflection and debate generated around the meaning *landscape* should have in the policies on *protected natural spaces*.

4º.- As regarding particular protective works, the truth is that the figure of Protected Landscape has had little development in Spain more than two decades after its creation. On the one side, the amount of declarations has been gradually increased, but without the contribution of the Canary Islands and, to a lesser degree, Valencian Community, the Spanish catalogue of protected landscapes would be really poor. Nowadays it is the less used national protective category –with the exception of Protected Marine Area, which has been recently created–, in spite of its obvious appeals and possibilities. It must not be forgotten that seven autonomical communities have not used this figure yet, and the rest of them have applied it following very heterogeneous criteria, evident in the selection as well as in the management of the designated spaces.

5º.- From our point of view, a key question that must arise is if the existence of the figure of Protected Landscape is coherent and, if so, if it should be regulated through specific environment conservation laws –current *Ley del Patrimonio Natural y de la Biodiversidad*⁷–; it must be considered that, among other things, the guiding given by the European Landscape Convention establishes varied and complex criteria for the definition and selection of representative landscapes, which are clearly beyond the competences and goals of the environmental institutions.

6 Natural Resources Management Schemes.

7 Natural Patrimony and Biodiversity Act.

