



BSPC
BALTIC SEA PARLIAMENTARY CONFERENCE

The Rapporteur on Cultural Affairs

Report 2017



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The Baltic Sea Parliamentary Conference (BSPC) was established in 1991 as a forum for political dialogue between parliamentarians from the Baltic Sea Region. BSPC aims at raising awareness and opinion on issues of current political interest and relevance for the Baltic Sea Region. It promotes and drives various initiatives and efforts to support a sustainable environmental, social and economic development of the Baltic Sea Region. It strives at enhancing the visibility of the Baltic Sea Region and its issues in a wider European context.

BSPC gathers parliamentarians from 11 national parliaments, 11 regional parliaments and 5 parliamentary organisations around the Baltic Sea. The BSPC thus constitutes a unique parliamentary bridge between all the EU- and non-EU countries of the Baltic Sea Region.

BSPC external interfaces include parliamentary, governmental, sub-regional and other organizations in the Baltic Sea Region and the Northern Dimension area, among them CBSS, HELCOM, the Northern Dimension Partnership in Health and Social Well-Being (NDPHS), the Baltic Sea Labour Forum (BSLF), the Baltic Sea States Sub-regional Co-operation (BSSSC) and the Baltic Development Forum.

BSPC shall initiate and guide political activities in the region; support and strengthen democratic institutions in the participating states; improve dialogue between governments, parliaments and civil society; strengthen the common identity of the Baltic Sea Region by means of close co-operation between national and regional parliaments on the basis of equality; and initiate and guide political activities in the Baltic Sea Region, endowing them with additional democratic legitimacy and parliamentary authority.

The political recommendations of the annual Parliamentary Conferences are expressed in a Conference Resolution adopted by consensus by the Conference. The adopted Resolution shall be submitted to the governments of the Baltic Sea Region, the CBSS and the EU, and disseminated to other relevant national, regional and local stakeholders in the Baltic Sea Region and its neighbourhood.

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1. Introduction



Sonja Mandt,

Cultural heritage is important because it is our reference point to our past. Our heritage helps us to understand our history and links us together. But our heritage is more than evidence of our past; Cultural heritage is the link between past and future: By knowing our past we can better shape our future.

An understanding of our common heritage, based on the intercultural meetings that have taken place over centuries offers an insight into today's diverse societies and shows us what can be achieved when cultures meet and inspire each other.

Heritage is important for another reason; culture and heritage have an important role to play when it comes to building a more economically sustainable and cohesive Baltic Sea region. Our region should see our cultural heritage as an increasingly important factor of economic and sustainable growth. It is indeed encouraging to see that cultural heritage is being more and more considered in local and regional development.

2. Cultural heritage as a valuable asset

Naturally we expect that investments in cultural heritage are part of an integrated approach to the sustainable development of our regions and cities. We must effectively share best practices in the funding of heritage and take account of the role this sector plays when it comes to making the places we live in more attractive and inclusive.

In the Baltic Sea region we can find examples of how the modern can meet the past without disturbing the environment, how to accomplish the right fusion between historical heritage and contemporary architecture.

Cultural heritage is of cultural, social, environmental and economic value. It should be no doubt that heritage matters. But we all know too well that many people are indifferent to cultural heritage, or simply not aware of its value. The lack of engagement could be a real problem. Are we so used to what surrounds us – the historic environment, the archaeological sites – that we may forget that heritage needs a lot of care to survive?

Articulating the value of our heritage will indeed give more strength to the voice of awareness of cultural heritage in Europe.

We seem to appreciate its value most when it is under threat. This is the case today when we see the terrible destruction of heritage in countries like Iraq and Syria. These crimes are attacks on our shared values as human beings, wherever we happen to live.

But there are other, less violent threats to heritage. Wherever investment in cultural and heritage policies is reduced, heritage is in danger. Unfortunately, because of the economic crisis, we see this happen a lot.

Many studies highlight the significant contribution of the heritage sector to economic and social development. We know that cultural heritage can boost other economic sectors, tourism, for instance. Both taxes and other revenues and a great number of jobs are linked to heritage, directly or indirectly.

Today, cultural heritage should be perceived particularly as an important vehicle for development, since “cultural tourism

contributes to economic development,” “cultural heritage builds social cohesion,” “mobilizes communities around its care and management,” etc. (UNESCO, 2010).

The project *Cultural Heritage Counts for Europe* gives a good understanding, knowledge and awareness of the full potential of the cultural heritage as a key resource for sustainable development.

For the BSPC countries the key findings of this project could be useful tool to feed into local, regional and national decision making processes and thus provide a sound basis for effective policies for heritage.

A few findings from the projects:

- Cultural heritage is a key component and contributor to the attractiveness of Europe's regions, cities, towns and rural areas in terms of private sector inward investment — thereby enhancing regional competitiveness.
- Cultural heritage provides European countries and regions with a unique identity, providing the basis for effective marketing strategies aimed at developing cultural tourism and attracting investment
- Cultural heritage is a significant creator of jobs across Europe, covering a wide range of types of job and skill levels: from conservation-related construction, repair and maintenance through cultural tourism, to small and medium-sized enterprises (SMEs) and start-ups, often in the creative industries. Example: Cultural heritage sector is estimated to produce up to 26.7 indirect jobs for each direct job, much more than, for example, the car industry with a quotient of only 6.3.
- Cultural heritage has a track record on providing a good return on investment and is a significant generator of tax revenue for public authorities both from the economic activities of heritage-related sectors and indirectly through spill over from heritage-oriented projects leading to further investment.
- Cultural heritage contributes to the quality of life, providing character and ambience to neighbourhoods, towns and regions across Europe and making them popular places to live, work in and visit.

Example: Research conducted by the Institute for the Urban Development in Krakow (Poland) shows that the successful restoration of Polish historic town centres has shaped the quality of life of local inhabitants, boosted the towns' attractiveness for tourism, as well as improved the general image of the town.



Krakow: Main Square with Cloth Hall and St Mary's Church.
© Paweł Kobek / NID

It is proven that the regeneration of urban sites attracts investment and creates jobs. And the high returns of investing in heritage are certified by a study by the World Bank.

Actions like the European Capitals of Culture, the European Heritage Label, the European Heritage Days – and of course the European Heritage Awards – stimulate the whole cycle of cultural production and preservation. These actions are promoting high standards and high-quality skills in conservation practice.

The main challenge now is to take advantage of these opportunities. It is time to develop a truly integrated approach to heritage, maximising the impact of heritage policies on the local economy and society. **This should be one of the priorities of the Baltic Sea cooperation.**

3. Different Heritage Protection Systems – Examples based on national reports.

To establish a clear picture of the protection system through the entire Baltic Sea area, we need to exchange information on existing protection systems, legal and register-building principles, planning documents and the methods of work among the Baltic countries. Some have developed highly detailed inventories and elaborated forms of legal protection, whereas others need to improve their legal tools. Still others are establishing their own methods of protection by resorting to a combination of territorial planning restrictions and nature conservation.

Some Baltic Sea region countries list their historic gardens alongside related buildings, while in others historic parks and gardens are listed in their own right as separate monuments. There are countries that divide this task among different organizations. In some of the countries it belongs to the competence of ministries of culture, while in others it is the responsibility of the ministries of the environment. This implies different attitudes towards the problem and the use of different methods.

3.1 Estonia

Estonian legislation does not include automatic protection of heritage. Each cultural monument or site is designated by an individual decision of the Minister of Culture. Objects or sites may be placed under temporary protection from two weeks up to six months in order to determine whether they qualify as a monument.

According to the Heritage Conservation Act, a monument is a body of things or an integral group of structures under state protection, which is of historical, archaeological, ethnographic, urban developmental, architectural, artistic or scientific value, or of value in terms of religious history or of other cultural value and due to which it is designated as a monument in accordance with the procedure provided for in the Act. Monuments may be classified as archaeological, architectural, artistic, technical, industrial or historical monuments.

All archaeological remains are protected by law from the moment of their registration in the state register. It is also possible to halt the work and protect sites where archaeological finds may appear during development projects. The penalty for damaging archaeological remains ranges from a fine of five daily wages to a two-year sentence in prison, with the addition of the obligation to pay the costs of the rescue excavation.

3.2 Germany

In Germany the legislation on cultural affairs is done at the federal states level. Each state sets the rules when it comes to questions like modifications of protected cultural heritage monuments and sites or rules that deal with “prohibition on activities that may damage, destroy, dig up, move, change, conceal, or otherwise inappropriate-ly change the appearance of such heritage or create a danger that this could happen”. Permission for any such activity must be obtained from the right authority within the federal state.

The laws in the federal states do also set the rules how to indicate funds one might discover. In case one does not indicate there are legal consequences for the illegal excavations – also different ones in each federal state.

On June 23, 2016, the German Bundestag (parliament) adopted a revised Act to Protect Cultural Property which protects certain national cultural property from being exported, restricts illegal trade in cultural goods, and facilitates the retrieval of cultural goods that were exported unlawfully.

The new legislation is a comprehensive reform of German national law regarding the protection of cultural property, combining existing legislation into a uniform act. It also implements the EU Directive 2014/60/EU, as well as the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

3.3 The Federal State of Schleswig-Holstein

As indicated above the legislation on cultural affairs is done at the federal states level, and the federal state of Schleswig-Holstein has adopted its own cultural heritage protection act.

Upon the question if legislation also protects archaeological sites from hobbyist using metal detectors, the situation is basically this:

The search for cultural heritage in archaeological reserve zones, at historic monuments, or in areas in which new archaeological finds can be anticipated, are subject to authorisation. This falls within the remit of the State Archaeological Department of Schleswig-Holstein as high federal authority. The most basic licensing level is the so-called “Strandsuchgenehmigung” (beach search license). This entails an informal application for the permission to search for lost objects (rings, coins and other metal objects) on predefined beaches within the state’s jurisdiction.

In order to attain a more general search license on land, however, the applicant has to undergo a certification scheme. Once the certification is completed, a search permit is issued and the applicant is entrusted with a search area. Beginners are accompanied and instructed further by mentors in the practical fieldwork. The members can discuss their findings on internet platforms, through which trivial finds could be sorted out at an early stage, while important finds can be reported and – if necessary – undergo scientific examination and conservation treatment. Mundane finds are returned to the finder after they are registered.

The involvement of volunteers and independent archaeological research are important pillars of archaeological monuments protection. They fulfil an important role in safeguarding monuments, but also in finding or monitoring archaeological sites.

In case illegal detectorists are observed, the police are notified.

3.4 Latvia

In Latvia the law On Protection of Cultural Monuments ensures preservation of the cultural and historical heritage and encompasses the registration, research, practical preservation and utilisation of cultural monuments and popularisation thereof.

It is prohibited to destroy cultural monuments. Immovable cultural monuments may be moved or modified only in exceptional cases with the permission of the State Inspection for Heritage Protection.

The State, local governments, public persons, as well as private individuals may own cultural monuments.

Antiquities found in archaeological sites in the ground, above the ground or in water (dated until 17th century included) shall belong to the State, and they shall be stored by public museums. This



Norwegian and Latvian vocational college students participated in the restoration of The Green Synagogue in Rezekne, Latvia. The synagogue now houses a wooden architecture heritage centre and a Jewish cultural heritage exhibition, while it continues to serve as a place of worship. Photo: Ingierd Aas

provision shall not apply to antiquities, regarding which a person has notified the State Inspection for Heritage Protection by 30 March 2013.

Economic activity and any other type of activity in cultural monuments (the territories, zones, museum reserves, national parks, etc. thereof), as well as use of pictures and symbols of the cultural monument for commercial purposes, shall be permitted only with the consent of the owner of the cultural monument.

Newly-discovered objects, having historical, scientific, artistic or other cultural value, shall be under State protection until a decision is taken on the inclusion of such objects in the list of State protected cultural monuments. The finder shall, without delay, but not later than within five days, notify the State Inspection for Heritage Protection in writing of the objects found.

Use of metal detectors

It is prohibited to use devices for the detection of metal objects and material density (for example, metal detectors) in search of cultural monuments, except cases when it has been permitted by the State Inspection for Heritage Protection.

It is also prohibited to carry out activities modifying the cultural monument and to use metal detectors at a cultural monument – including the protection zone around this monument- without the permission of the owner (possessor).

Law on Preservation and Protection of the Historic Centre of Riga

Latvia has a special law on Preservation and Protection of the Historic Centre of Riga. The purpose of this law is to ensure the preservation, protection and qualitative development of the historic centre of Riga and the protection zone thereof. The task of this law is to prescribe the status of the historic centre of Riga and the protection zone thereof, the territory thereof, the procedures for the preservation, protection, utilisation, as well as implementation of development projects and the requirements for the development of spatial planning of the historic centre of Riga and the protection zone thereof.

The historic centre of Riga is cultural monument of State significance. The historic centre of Riga is included in the World Heritage List of UNESCO. Preservation and protection of the historic centre of Riga is also regulated by UNESCOs Convention (1972) Concerning the Protection of the World Cultural and Natural Heritage and other regulatory enactments.

3.5 Lithuania

Several numbers of acts – i.e. from the Constitution of the Republic of Lithuania to the Law on Territory Planning and the Code on Administrative Offenses protect heritage sites and cultural environments. There is no automatic protection awarded, all objects become protected under individual decisions only.

The Law on Protection of Immoveable Cultural Heritage protects archaeological sites from hobbyists using metal detectors whose activities may disrupt archaeological sites.

In case a hobbyist finds objects of cultural value, such findings may be appropriated by state to protect public interest, subject to fair compensation.

Lithuania has ratified the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, and came into force on 27 10 1998.

3.6 Norway

In Norway under the terms of the Cultural Heritage Act, the Directorate for Cultural Heritage may impose a protection order on buildings, groups of buildings and cultural landscapes. There are two types of protection given to monuments and sites, depending on whether they date back to before 1537. (Coins dated before 1650.) Monuments and sites prior to 1537 are **automatically protected**, while those dating from 1537 onwards require a protection order, which is granted on a case-to-case basis.

The Cultural Heritage Act also regulates the relations between the authorities and the owners of protected monuments and sites. However, only a fraction of our cultural heritage is protected in this way. There are a large number of buildings and other monuments and sites that we consider worthy of protection because of their qualities and their importance for the surrounding environment.

There are other acts of legislation that can be invoked to protect these monuments and sites, notably the Building and Planning Act which ensures that cultural heritage considerations are taken into



Røros Mining Town, inscribed on UNESCO's World Heritage List in 1980. Photo: Trond Taugbøl / Directorate for Cultural Heritage

account in all planning processes (municipal level). But the best method of conservation is to make the owners of monuments and sites aware of their importance, and to encourage them to maintain these irreplaceable properties whether or not they are legally protected.

4. Use of Metal Detectors in the Nordic Countries.

In **Sweden** it is illegal to use metal detectors without special permission. If memorial findings are encountered at or around monuments and sites, the findings will belong to the state. If the discovery occurs under other circumstances, it will, subject to particular factors, belong to the person in question.

In **Finland** one may use metal detectors without permission. However, permission is required close to monument sites and in its zone of protection. If a memorial finding is encountered, the National Museum is to be contacted and / or the finding will be delivered to the National Museum.

In **Denmark**, it is permitted to use metal detectors with the exception of use in the state's territories and on landowners' ground (permission needed). On monument sites it is forbidden.

In Iceland's law on the protection of cultural monuments there are no references concerning the use of metal detectors. However, all archaeological research will be registered with the Islands Heritage Agency. If this research requires digging, an application for permission is required.

In **Norway** the use of metal detectors are generally allowed, but not on protected cultural heritage monuments and sites. In the light of increased use of metal detectors – especially on cultivated areas - the Directorate for Cultural Heritage issued in June 2017 new national guiding lines for private use of metal detectors, clarifying what to do/not to do, in compliance with relevant legislation.

5. Protecting Cultural Landscape and Environments

A cultural landscape, as defined by the World Heritage Committee, is the “cultural properties that represent the combined works of nature and of man.”

Cultural landscapes can range from big rural areas of land to a small homestead with a front yard. Like historic buildings and districts, they reveal aspects of our countries’ origins and development through their form, features, and the ways they were used. Cultural landscapes also reveal much about our evolving relationship with the natural world.

There is always a risk that development could transform landscapes and public spaces into more or less uniform areas, with more or less identical shopping centres, office blocks, restaurants and large scale multiplex cinemas and theatres.

Urban development in historic cities is too often a threat to existing culture-historic values.

Unfortunately, this pressure on historic cities and their landscape seems to continue, making urban and landscape conservation one of the most dynamic and important tasks of our time.

In **Denmark**, the notion of „cultural landscape“ is not used, but instead the term “valuable landscapes” is used. However, there are landscapes that, due to their natural heritage and cultural history, can be regarded as cultural environments i.e. buildings, ancient monuments and churches and their surroundings. Cultural environment thus consists of a whole in the form of an area of something physical (eg buildings, installations, infrastructure, physical remains or tracks) and some cultural history. These are generally protected through the provisions set out in the Nature Conservation Act and the Planning Act.

In **Finland**, each and everyone has a responsibility for the cultural heritage according to the Constitution. In addition there are a number of laws that specifically protect the cultural environment. The Land Use and Building Act and the Land Use and Building Regulation play an important role in the protection of cultural landscapes and cultural environments.

The Nature Conservation Act gives the possibility to nurture and preserve the cultural landscape. One of the goals of the National Cultural Environment Strategy (2014-2020) is to create a better understanding and appreciation of the cultural landscape.

The term “cultural environment” was introduced into the Cultural Heritage Act of Norway when it was revised in 1992. A new provision provided the legal authority to protect a cultural environment because of the value of an area as a whole, even if protection of the individual elements would not be justified.

Examples of what may be designated as a cultural environment include a cluster of historically valuable farm buildings round a courtyard, situated in an agricultural landscape that still shows characteristic features of traditional farming methods, or a fishing village with houses, boathouses, quays and other buildings and installations related to fishing activities. An industrial area with factories and workers’ houses is also a cultural environment.



Cultural landscape in Valdres, Norway. Photo: Directorate for Cultural Heritage

The purpose of cultural heritage management is described in the Cultural Heritage Act, which lays down that it is a national responsibility to safeguard archaeological and architectural monuments and sites and cultural environments “as part of our cultural heritage and as an element in the overall environment and resource management”.

In Sweden, the Cultural Environment Act (1988: 950) contains provisions on the protection of building memorials, church cultural monuments, ancient memorials, antiquities as well as the export of older cultural objects. In addition, other parts of the legislations give the possibility to establish and protect valuable landscapes of a specific nature.

6. The Viking heritage – a biased picture

The Viking heritage offers a potential for the development of cultural tourism in the BS area and should be a topic of common interest for all the BCPC participating countries. While many of the Viking settlements in Northern Europe already exist as heritage sites, less is known about the Viking Route heritage sites located in eastern part of the Baltics and Russia

The Northern Dimension Partnership on Culture (NDPC) has identified Viking heritage as a topic of common interest and decided that a study on the Viking heritage sites in Russia was needed; to have a survey of the sites and information on their state and



From their home countries, Denmark, Norway and Sweden, the Vikings penetrated the known world; from the Caspian Sea in the East to the American continent in the West, from Northern to Africa in the south, to the Arctic Ocean in the north. Dates indicate known voyages by Vikings.



The runic inscription (U209), mentioning Þorsteinn getting rich in Russia. Photo Swedish National Heritage Board.

development needs. Eventually the heritage sites located in Russia could be connected with those located in other countries to complete the Viking Route.

In the North-West many sites are direct focal points for tourism, and part of international visits. Not at least the ship museums in Denmark and Norway are visited by huge number of tourists from all over the world. It has to be concluded that the tourist side of the Viking heritage is to a very high degree a Western European phenomenon.

It can clearly be seen as a biased picture, because the Eastern side of the Baltic Sea to a very high degree also was a part of the Viking history; not at least the rivers leading down to Black Sea and Caspian Sea.

The main objectives of the NDPC project was to map and give an account of the Viking Route heritage sites located in Russia, to reveal the most important of them and to analyse their status today when it comes to maintenance, marketing and open up for tourism,

as well as conclude what would be needed in order to develop the Viking Route's potential for international cultural tourism and to combine it into existing Viking Routes. It was also important to indicate the readiness of local stockholders to develop these sites as sites of Viking heritage.

The report from the project (Homepage of NDPC: <https://www.ndpculture.org/home>) indicates quite clearly that the Scandinavian–Baltic-Russian common history seems to be mostly unfamiliar for many people outside the academic world.

The NDPC assignment was concluded in November 2011, and the report delivered is the base for a short guidebook into Viking history in the eastern part of the Baltic Sea area. The idea behind this guidebook is to open up to the public the deep interactions that were at hand between the Scandinavian countries and the states on the eastern side of the Baltic Sea in the Viking Age, and point out our common history.

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