

The Royal Ministry of the Environment, Norway

Parliamentary Report No.16 (2004-2005):

Living with our Cultural Heritage

Background and summary

25.february 2005

1. Background

Eighteen years have passed since the previous Parliamentary Report on Cultural Heritage policies was presented. Parliamentary Report Nr. 39 (1986-87) on "Protection of Buildings and Cultural Monuments" laid the basis for the present-day decentralised cultural heritage administration at the regional (county) level. In 1994 a separate Sami cultural heritage administration was established.

The reorganisation led to a stronger regional and local focus for cultural heritage policies, i.a. by being tied more closely to municipal land management and other cultural activities, including museums. This has been an important contribution to the development of this field.

Society changes at an ever faster rate. The role of public authorities is increasingly to define overall policies and facilitate private involvement. It is also a goal to strengthen the sphere of action of local authorities. This provides new challenges and new possibilities in the management of our cultural heritage.

There is increasing interest in the field of cultural heritage, both amongst the general public and amongst politicians. Several governments have set clear goals for protecting cultural heritage assets of high priority, and this has had the broad support of the Norwegian Parliament. In Parliamentary Report Nr. 58 (1996-97) "Environmental Policy for Sustainable Development – Joint Efforts for the Future" the cultural heritage field was presented in detail as part of an integrated environmental policy. The importance of cultural heritage for the development of sustainable local communities was strongly emphasized. In dealing with the Report in the spring of 1998 the Norwegian Parliament gave its support and at the same time a Parliamentary majority stated that present cultural heritage policies were not sufficient to protect our cultural heritage for coming generations. The Parliament subsequently requested a plan for speeding up efforts to reach national goals in the cultural heritage field, as well as proposals for improved grant arrangements and other incentives to ensure necessary protective measures. In 1999 the Government a broadly composed Commission with 17 members. Their task was to explore goals, strategies and instruments in cultural heritage policies. The Cultural Heritage Commission submitted its report: "NOU 2002: 1: The Past Forms the Future – Challenges for a New Cultural Heritage Policy" on 21 December 2001.

The report presents assessments and formulations of the value basis, of goals and of strategies for a renewed cultural heritage policy. It also contains a number of specific recommendations. On the basis of the vision: "Cultural monuments and cultural environments – sources of experience and development and for creating cultural, social and economic benefits" the basis for a new cultural heritage policy is to be formed by:

- emphasizing cultural variation and diversity
- allowing for differentiated protection and for regional variations
- allowing for open and flexible value assessments which take into account historical, social and cultural variations
- placing greater emphasis on communicating and making cultural monuments and cultural environments more accessible
- emphasizing broad participation and local involvement in processes concerning cultural heritage
- directing attention to cultural monuments and cultural environments as resources for knowledge and experience
- emphasizing environmental contexts, including the relation between nature and culture
- facilitating adjustment between the goal of protecting a cultural monument on the one hand, and the interests of the owner, the person or persons with rights to the monument and the user on the other
- providing significantly greater financial support and a fair distribution of costs of protection

- undertaking legislative and administrative changes to achieve this

Two members of the Commission did not wish to support the recommendations of the majority of the Commission members and explained their position in a separate comment.

The report of the Commission was sent out for comment on 28 February 2002. Comments were submitted by some 300 interested parties. Some of the most important comments were:

- Considerable support for the value basis of the report.
- Decisions must have a more solid basis and be better communicated.
- Cultural monuments and cultural environments have great importance as resources in society.
- It is important to make clear the knowledge inherent in cultural monuments.
- More emphasis must be laid on communicating the value of cultural monuments and cultural environments. It must be clear why and how they should be taken care of, and how to illustrate the history the individual monuments can tell.
- The goal of relating nature to culture, and the history this can tell us, must be specified.
- Greater attention must be given to cultural history of the coastal areas.
- Voluntary organisations and museums are resources in local cultural heritage work.
- More economic instruments are needed. It is also necessary to prioritize amongst the 141 recommendations of the Commission.
- There is a need to clarify the ranges of responsibility of public authorities in cultural heritage policy.
- There is a need for better coordination between the Ministry of Cultural and Church Affairs, the Ministry of the Environment and the Ministry of Education and Research, all of which have a major responsibility for the development of policies related to the physical cultural heritage.

2. The Main Features of the Parliamentary Report - Summary

The Government believes that the cultural heritage is an important resource, both as a source of knowledge and experience, and as a resource for local development and for creating cultural, social and economic benefits. Current goals and strategies do not adequately promote use and management of these resources. The Government therefore proposes measures for the next 15 years, until 2020 in this Parliamentary Report. These measures should ensure that the diversity of important cultural monuments and cultural environments is not lost, and that the potential represented by the cultural heritage is more actively utilized.

The Government will protect the cultural heritage on the basis of requirements set out in laws and conventions, and intends to increase the overall annual support for protected monuments in private ownership by, on an average, 175 million kroner over and beyond the present budget. This increased effort includes support for protecting, repairing and maintaining cultural heritage and cultural environments which are protected by law or deserving such protection, and for ensuring that the State to a greater degree than today covers the expenses of archaeological work in carrying out minor private activities. The Government will in addition establish a separate program for creating cultural, social and economic benefits on the basis of cultural monuments and cultural environments. This program will have an economic framework resulting in a measurable and noticeable effect on the creation of these benefits.

The best would be for the economic support to be gradually increased to the proposed level over a period of four years. The annual follow-up will depend on the budget situation.

Renewal of protection policies and improved conditions for private owners

Analyses and assessments show that many of the important cultural monuments and environments are decaying, are being destroyed or removed. The loss is accelerating. The Report describes the situation for important categories of cultural monuments and cultural environments and the challenges faced by public authorities, owners and other parties concerned in the task of protecting these assets as resources for society. The proposed measures are meant to answer to these challenges.

Private owners of protected cultural monuments and voluntary parties do priceless work in safeguarding this cultural heritage. It is a goal for the Government to provide them with better conditions. The State will cover a greater proportion of the extra expenses connected to safeguarding, maintaining and repairing protected cultural heritage in a proper antiquarian fashion. Protected houses and sites, stave churches, ruins, rock art, technical and industrial cultural heritage, vessels and world heritage sites, as well as care of archaeological heritage and fire protection measures for

wooden houses close together, will be given priority. In addition, measures will be carried out to strengthen cooperation between owners and public authorities and to create greater predictability.

The State will also, to a greater degree than today, provide compensation for expenses incurred by private owners for the investigation of archaeological sites, in relation to minor private activities.

Existing decisions for protection will be reviewed, with a view to clarifying the content and scope of the protection concerned. This is particularly important for the oldest decisions. An overall protection strategy for new protection measures up to the year 2020 will be drawn up, and will be followed up by national protection plans and programmes. The protection policy in the next years will particularly focus on safeguarding buildings and environments from periods closer to our own time. The period from 1850 until today, parts of the coastal culture, and cultural monuments linked to popular movements and voluntary organizations, are underrepresented on the lists of protected cultural heritage.

The State must set a good example in the management of its own properties

The State owns many important historical properties. The Government has taken steps to get a better overview, and to improve the management, of state owned historical properties. The Government wants to continue to prioritize this work. Public authorities will take care of and use the properties in a way which safeguards the cultural and historical assets and ensures that the continued use of these resources. Among other measures national protection plans will be prepared for all sectors and a selection of the most important historical properties will be protected by law.

Older churches and churchyards are important sources for understanding Norwegian cultural history. Church buildings and their adornment represent not only a source of knowledge of the Christian cultural heritage, of the Christian faith and rituals through the centuries, but also of the traditions of craftsmen, of building traditions, of use of materials and of architectural history.

Many churches are badly preserved. Poor maintenance over a long period has resulted in the churches' and the churches' adornment's in many places being in poor condition, with a need for major repairs. For the churches protected by law or worthy of protection the Directorate for Cultural Heritage has estimated that the backlog in terms of maintenance will cost over three thousand million kroner.

Present legislation places the financial responsibility for building, operation and maintenance of churches and churchyards on the municipalities. No changes in this allocation of responsibility are proposed, but the State will share the responsibility for repairing churches which have been protected pursuant to the Cultural Heritage Act. This can be done by partial financing through the Cultural Heritage Fund and will depend on the annual Government budget. The Government intends to gradually strengthen the basic capital of the cultural heritage fund. In the State Budget for 2005 an arrangement for interest compensation has been introduced to stimulate municipalities and church owners to ensure that the churches are in good condition. Churches of cultural and historical value will be given high priority in allocating investment funds and compensation for the various measures. The question of continuing the compensation arrangement with new investment funds for subsequent years will be assessed in the annual budgets.

The diversity of cultural monuments must have a central place in the development of living local societies

All local societies have cultural monuments and cultural environments which can provide the basis for experience, knowledge and cultural, social and economic benefits. The Government will establish a program for creating such benefits on the basis of the cultural monuments and cultural environments. The goal is to develop the potential inherent in the cultural monuments and the cultural environments and contribute to cultural, social and economic development in local societies. The owners, business, other private and public parties concerned, as well as voluntary organizations, will be invited to cooperate in this work. The Government will in particular direct attention to the coastal areas. The goal is to identify good examples, knowledge and experiences which can be useful in other areas.

Knowledge and experience related to cultural monuments should be available to everyone

The Government will provide owners, the government administration and building firms with practical knowledge on how to maintain buildings with cultural and historical value. A data network for historical properties will be established. Educational possibilities in the area of rehabilitation and traditional craftsmanship will be strengthened. This also applies to training of architects and building engineers.

Knowledge of cultural monuments and cultural environments is of fundamental importance both for good management and in order to be able to communicate history and give people cultural experiences. The Government will strengthen the knowledge of cultural heritage through increasing research. The schools will be offered improved possibilities for utilising cultural heritage in teaching, i.a. through The Cultural School Package. Good registers and monitoring systems will be developed. An important part of the Government's policy is to make knowledge easily accessible. This means among other things a good cooperation between cultural heritage authorities and the museums. The Government will in particular make special efforts directed towards children and young people and towards the cultural heritage of minority groups.

The cultural heritage year in 1997 was very successful. The Government will therefore introduce a second cultural heritage year in 2009 and thereafter every ten years.

Public authorities will play a leading role in the efforts to protect cultural monuments

The municipalities are without question the most important administrators of cultural-historical values, as they are delegated the authority for exercising the planning and regulation policies. The Government will facilitate the municipalities' use of cultural heritage in local society development, i.a. through the development of the Planning and Building Act and improved access to registers and knowledge. Clearly defined roles and areas of responsibility, proper distribution of authority and well-functioning cooperative routines are important premises for the local authorities to be able to take responsibility and fulfil their functions in a satisfactory way.

The county government has been given a new role as a regional actor and has because of this, received new and expanded possibilities as an authority on cultural heritage. The regional cultural heritage administration might be strengthened and more authority and other tasks might be transferred from the Directorate for Cultural Heritage.

Strengthened cooperation with voluntary organisations

It is desirable to assign a stronger role to voluntary organizations in the development and practice of cultural heritage policies. The Government will therefore lay the basis for a closer cooperation with these organizations in the implementation of cultural heritage policies.

Cultural heritage in the polar areas

On Svalbard the Government will continue a restrictive practice with regard to activities and encroachments which can damage or reduce the value of cultural monuments on the archipelago.

There is a need to prepare basic documentation on cultural heritage related to Norwegian polar history and economic activity in the Antarctic. On this basis relevant cooperative projects will be considered.

Strengthening international cooperation and development cooperation

Norway takes active part in the protection of the international cultural heritage. The goal for this international activity is to protect the cultural heritage against abuse and destruction, and to protect it and use it as a positive resource. The Government will place greater emphasis on cooperation with countries of the south in order to achieve best possible utilisation of the cultural heritage as a positive contribution to development processes. Norway's main channels for this work are UNESCO and development aid cooperation.

The Government wishes to strengthen the international work in the field of cultural heritage by following up international conventions, agreements and processes in accordance with the EU and EEA.

Cultural monuments protected by law

Some cultural-historical or architectural monuments are of such great value to the nation that they are given permanent protection through the use of government instruments. This means that they are protected pursuant to the Cultural Heritage Act, either automatically in accordance with established criteria, or through individual decisions following a detailed review. Protection pursuant to the Cultural Heritage Act will ensure that a representative selection of cultural monuments is protected on the basis of geographic, social, ethnic and contemporary considerations.

Cultural monuments which are automatically protected pursuant to the cultural Heritage Act are:

- all archaeological cultural monuments, buildings and ruins from before 1537
- confirmed standing constructions from the period 1537-1649
- Sami cultural monuments older than 100 years
- ship finds older than 100 years

With the exception of buildings from the period 1537-1649 the protection of these monuments is not based on individual reviews of the monuments. This is because on the basis of age alone one can assume that these monuments and sites are of great cultural and historical value. The Act therefore establishes that specified procedures must be followed before these monuments are removed or acted upon in any way.

Vessels, buildings, other types of cultural monuments or cultural environments from after the Reformation (1536) may be protected by individual decisions following a detailed review. Cultural heritage worthy of protection may also be protected through national plans for protecting state owned historical properties, in particular technical and industrial cultural monuments, and protection and maintenance agreements related to vessels. In the year 200 the Ministry of Church Affairs, the Ministry of Education and Research and the Ministry of the Environment issued a joint circular, containing rules for management of culturally and historically important churches.

Cultural monuments worthy of protection

Cultural monuments and cultural environments of regional or local value can be protected by decisions pursuant to the Building and Planning Act. Municipal and county lists of monuments worthy of protection are also available.

The majority of cultural heritage and cultural environments has no formal or official protection, but are maintained because the owners or other interested parties appreciate and take care of them.