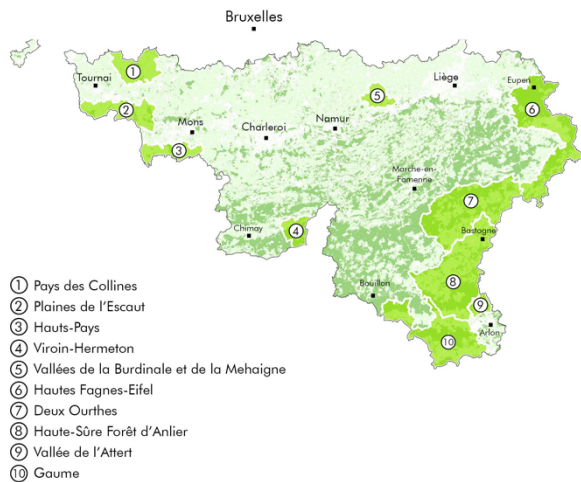


Les Parcs naturels de Wallonie



Source : Fédération des Nature parks de Wallonia

Since 1985, the Walloon Region has promulgated a decree concerning nature parks, which are considered to be inhabited rural areas with outstanding landscapes and heritage where numerous, diversified and often fragile flora and fauna are to be found.

A nature park is the outcome of the joint plan of two or more 'communes' to implement sustainable development projects aimed at protecting and enhancing their natural and cultural heritage and striking a balance between environmental, economic and social interests.

TERRITORIAL ORGANISATION

Belgium is a federal state with 4 levels of government:

- Since the constitutional reform of 1970, there are three so-called "cultural" communities (the French Community, the Flemish Community and the German-speaking Community), depending on the language spoken.
- Belgium has three Regions divided into Provinces and communes. The Walloon Region is made up of 5 provinces, the Flemish Region of 5 provinces and the Brussels-Capital Region of 19 communes. The Provinces are in turn divided into communes, of which there are a total of 589. The provinces and the communes are subject to supervision by the regional and federal authorities.

ORIGIN

The 1973 framework law on the conservation of nature recognised two types of nature parks: national nature parks and regional nature parks. However, from 1975 onwards, the authority to establish Parks was vested in the Regions, before the latter were even put in place. In 1980, the Regions officially became responsible for nature conservation. The **first Walloon ministerial decree** fixing the aims of nature parks and their functioning was promulgated in **1985**; this decree brought an end to the national park/regional park division, although the definition of nature parks has not significantly changed. The decree also provided the opportunity to bring the existing situation into line with the law.

The first nature park, the Hautes Fagnes-Eifel cross-border park between Belgium and Germany, was established in 1971, well before the publication of the decree. The park is based on the French regional nature parks model introduced by General de Gaulle in 1967. The Hautes-Fagnes-Eifel Nature park was not, however, officially recognised by ministerial decree until 1978.

Following the recognition of nature parks in the 1985 decree, 8 further parks came into being in Wallonia between 1991 and 2001 and a ninth was subsequently established in 2014, following the revision of the decree on nature parks in 2008.

In 2008 the 1985 decree was revised and amended to ease procedures for establishing parks. Another change was made concerning the decision to create a Nature Park. Until 2008, it was the Region, the Province or the inter-communal association which decided to create a Park. The decision was then submitted to the Walloon Government for approval. **Nowadays it is only the communes which take the initiative of establishing a Park** but it must still be approved by the Walloon Government.

LESSON TO BE LEARNED

The transposition of the French PNR model to Wallonia was facilitated by the fact that the context is similar in the two countries: the transfer of responsibilities from the federal level to the regions no doubt fostered the emergence of local projects initiated by the communes.

France and Belgium have also both experienced major population movements from countryside to towns and the desire to protect the natural heritage while facilitating development.

ESTABLISHMENT PROCESS

In Wallonia, **the communes must take the initiative of establishing** a Nature Park. The **Walloon Government** must subsequently approve the establishment of the Nature Park.

- A territory which wishes to become a Nature Park in Wallonia must be a **rural territory of considerable biological and geographical interest**. The project must concern a minimum of two communes and cover a surface area of at least 10,000 hectares. **Communes** which wish to create a Nature Park set up a **project association**: this is the **organising authority**. It is this body which proposes that a Nature Park be established. It is made up of the council (the political authority) of the communes on which the Nature Park is situated and may be extended to include representatives of the **Province**.
- The organising authority sets up a **study committee**, which draws up a report on the establishment of the Nature Park. The **report comprises** in particular the **boundaries of the Park**, the **management plan**, the content of which is fixed by decree, a **study of the social, economic or environmental consequences** for the communes concerned and for local inhabitants and the **proposal for the application of the general regulations concerning building in rural areas** on all or part of the territory of the communes concerned. This process of consultation, diagnosis, and the drafting of the management plan takes from 2 to 3 years.
- On the basis of this report, the organising authority draws up a **project for the creation of the Nature Park** which is **submitted to the communes and to the Walloon Government**. Once the councils of the communes have approved the project, it is submitted, pursuant to the Environmental Code, to a system for assessing its impact on the environment. The organising authority also consults other bodies such as the Walloon Higher Council for the Conservation of Nature, the Regional Committee for the Spatial Planning of the Territory, and the local Rural Development Committee for each commune concerned.
- After examining the project, the **Walloon Government** issues a decree **establishing the park**.
- If the Park project is accepted, a **Management Committee** is set up. It has a non-profit making status (**ASBL**) and any profit made must be reinvested in the association. The Management Committee is the **decision-making** body and takes all decisions with regard to projects concerning the Nature Park and the monitoring of such projects. It is made up of an equal number of members of the organising authority and representatives of local stakeholders. The Governing Board provides the technical teams with guidelines for their work.

LESSON TO BE LEARNED

*The communes play a major role in establishing a Nature Park, since it is they who must take the initiative of creating a Park, **preparing the Park project**, and issuing an opinion on the project.*

The plan to establish a park must be approved by the Government of the Walloon Region. The body responsible for managing the Nature Park is made up of political representatives of the communes and local stakeholders.

CHARTER

The **Management Plan** is the **policy document**. It is the equivalent of the Charter in France. This document sets out the plans for the projects to be developed by the park over a **10-year period**. The **Management Plan** must be approved by the Park bodies. There are no official provisions concerning **renewal of the Management Plan** in the decree concerning nature Parks; the plan is **renewed by the nature parks** in a non-binding manner **every 10 years**.

The Parks are also subject to an **interim evaluation after 5 years**, and to a **final evaluation after 10 years** by a **Monitoring Committee** (made up of representatives of the different official bodies working in various fields: Nature and Forestry, Agriculture, Spatial Planning, Natural Resources and the Environment...). The objectives that are evaluated correspond to the implementation of the management plan. On the basis of the Monitoring Committee's opinion, the Minister with responsibility for nature parks may propose to the Government that the aims of a nature park be changed **or that the park be abolished**. The parks must also submit an annual activities report to the Monitoring Committee.

Within 3 years of the establishment of the Park, the organising authority must adopt a **Landscape Charter**, whose content and practical arrangements are fixed by the Government and whose objective is to maintain and improve landscape quality in the Nature Park. The Landscape Charter will become an integral part of the Management Plan.

On the territory occupied by the Park, the Management Committees' opinion must be secured, among other things, with regard to the granting of environmental licences, subdivision or town planning permits by the Walloon Government and in cases which are determined by the Walloon Government, the granting of permits with regard to wastewater discharge into surface waters.

ACCEPTANCE BY THE LOCAL AUTHORITIES AND POPULATIONS

The difference between Nature Park and National Park is often not properly understood. Certain groups of the population (in particular farmers) may therefore have some reservations with regard to the establishment of a Nature Park. It is therefore necessary to ensure that the public is correctly informed about the RNP approach. Once the project is understood, populations and socio-professional groups are enthusiastic about this type of project which gives their territory a **seal of quality**.

Many territories wish to become Nature Parks because that gives them the opportunity to develop projects that are overseen by a single body.

LESSON TO BE LEARNED

Ensuring that the public are correctly informed is a key factor in successfully establishing a Nature Park. It is important to emphasise the fact that the aim of the Park is to strike a balance between protection of the environment and sustainable territorial development and that projects are implemented on a voluntary basis and in a non-binding manner.

INSTITUTIONAL FRAMEWORK

The body in charge of overseeing the establishment of a Nature Park is the **association of communes** which decide to join forces by setting up an **organising authority** and a **Management Committee** to implement sustainable development projects based on the protection and enhancement of their natural and cultural heritage and striking a balance between environmental, economic and social concerns.

The legal forms of these bodies (project association, ASBL) are recognised by law. Articles 2 and 11 of the **decree of 16 July 1985** relating to nature parks recognises that it is lawful for these bodies to oversee the project:

Art. 2. (...) *The authorities which take the initiative of establishing a nature park shall come together in the form of a project association, within the meaning of Article L1512-2 of the Code of Local Democracy and Decentralisation or in a “nature park” sector within an inter-communal association whose aim is the spatial planning of the territory and/or economic development.*

Art. 11. *Once the decision to establish a nature park has been adopted pursuant to Article 6, a nature park management committee shall be set up a the initiative of the organising authority.*

It shall take the form of a non-profit-making association, whose purpose is to implement the management plan referred to in Article 8¹.

MAIN INCENTIVES AND OBSTACLES

One of the main difficulties encountered by Nature Parks is in securing the necessary funding for their development. Annual regional subsidies cover maximum of 80% of the Management Committee’s operating costs and movable investments.

Article 3 of the Decree of the Walloon Government of 25 November 2010 fixing the conditions for the granting of subsidies to Nature Park Management Committees provides as follows:

Art. 3. *The rate of annual subsidies shall be 80% of the operating costs and Management Committee’s operating costs and movable investments, but may not exceed [117,277.42 euros].*

The cut in regional budgets is therefore one of the main difficulties encountered by the Parks. Political leaders’ (Ministers) awareness and interest in such projects can therefore have an influence on the establishment of new nature Parks.

OUTCOME OF THE PROCESS

Following the establishment of the Hautes-Fagnes-Eifel Nature Park in 1971 and its official recognition by Ministerial Decree in 1978. The first decree establishing the aims of Nature Parks and their functioning was adopted in 1985. This decree was revised in 2008.

Eight Parks were established between 1991 and 2001 and a ninth in 2008.

¹ Excerpt from the Decree of 16 July 1985 on nature parks

CONCLUSIONS

The model adopted in Wallonia is clearly based on the French model. The reasons for this are the similarities between the two countries (socio-economic context, level of development, decentralisation).

The first nature park was created before a legal framework even existed. Subsequently a decree was issued, in the context of the transfer of responsibility for nature conservation to the Regions, making it possible to institutionalise the model and subsequently to replicate it. Since the 1985 decree was issued, ten Nature Parks have been established in Wallonia.

In Wallonia, as in France, the project to establish a nature park is an initiative taken by the communes concerned. The actual decision is subsequently taken by the Walloon Region. The Parks have their own management bodies.

Funding is provided mainly by the Region, which contributes up to 80% of the funding required by the park. In practice regional funding covers only 50 to 70% of the general budget of the Nature Parks and the remainder is often covered by European funding. In France the regions contribute between 40 and 50%, depending on what is written in the statute of a joint syndicate for management and spatial planning, by agreement between the signatories of the Charter. The remainder is covered mainly by the départements and the communes, by the State via the MEDDE or by other parties such as the EU.

*In Belgium this cetter « **sanctuarisation** » of the funding provided by the region is positive but does not allow for the flexibility required to foster support from other local stakeholders if the region were to withdraw its contribution.*

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This document was drafted at the request of the Council of Europe in the context of the Local Development Pilot Projects Programme with the financial assistance of the CoE, MAEDI and the AFD. The content reflects only the views of the author and not necessarily those of the partners who are not responsible for the use to which the information set out in this publication might be put.

