

Wilderness Protection in Europe: The Role of International, European and National Law

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Wilderness Protection in Europe: The Role of International, European and National Law

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Despite its subtitle, this book covers a much broader span of issues related to wilderness than just the legal side of the matter. The main questions addressed are the meaning of wilderness in a European context, given the long history of human settlement, and what the role of international, European, and domestic law is, or could be, in the protection of wilderness areas. Based on this overview, the book develops recommendations on the further development of legislation to strengthen the protection of wilderness areas in Europe. The occurrence of wilderness areas, according to the book, is strongly influenced by high altitude and high latitude. Consequently, many wilderness areas are found in mountainous regions, including the Alps, the Pyrenees, the Highlands of Scotland, and the Carpathians.

The book has two particular strengths. First, it is very consistent, as it develops a general reference framework for all chapters, based on a working definition of wilderness. This means that the final chapter reaches integrated conclusions, building on the work presented in the preceding chapters. This distinguishes the book from many others that consist merely of a compilation of (inter)national cases. Second, although the working definition primarily identifies wilderness as a physical “real” place

based on three characteristics (naturalness, undevelopedness, and relatively large size), it also pays due attention to the consideration of wilderness as a subjective concept that is tightly interwoven with history, culture, and people’s social values.

The book starts with an introductory section that includes a review of the history of the wilderness concept; the currently available definitions of wilderness; the location of wilderness areas in Europe; and the ecological, social, and economic values attributed to wilderness. The next section focuses on international legislation, describing the contributions of five legislative frameworks toward the protection of Europe’s wilderness. These include the two Conventions dealing specifically with European mountain ranges—the Alps and the Carpathians—as well as the World Heritage Convention, the Bern Convention, and the European Commission’s Birds and Habitats Directives. The third section comprises 12 country descriptions, from Austria, the Czech Republic, Estonia, Finland, Hungary, Iceland, Norway, Poland, Russia, Spain, Sweden, and the United Kingdom. These offer deeper insights into how the concept of wilderness has developed in different countries and the extent to which current legislative frameworks include the notion of wilderness or provide protection for “wilderness” areas. Several of the country chapters address the issue of implementation and enforcement of legislation for wilderness areas by providing case law examples dealing with the approval of projects and plans that influence the wilderness quality of specific areas.

The book concludes that, overall, wilderness has received little attention in most legislation, as the leading objectives of existing legislation are sustainable

development and biodiversity conservation. The term “wilderness” is absent from the majority of the reviewed international, regional, and national legislative frameworks. However, natural areas with the three characteristics that define them as wilderness areas may nonetheless receive substantial protection under existing legislation. In particular, the designation of national parks, natural reserves, and *zapovedniks* may provide substantial protection by ensuring the prohibition of activities that might reduce these areas’ “wildness,” such as road construction, wind farms, settlements, and mining. Although the existing policies do provide some protection of wilderness areas, the book recommends the development of specific policies and legislation for wilderness protection and that the implementation of existing legislation should be strengthened.

In short, the book provides a very comprehensive overview of the issue of wilderness protection in Europe, both at the European level as well as for 12 individual European countries. It excels in the number of references to published literature, legislative texts, speeches, and songs praising wilderness. The only downside of the book is its length: although it is easy to read, at more than 600 pages, reading it from cover to cover is a challenge.

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