



Our Treasure Cultural Landscapes

to future generations

Cultural Landscape Protection in Japan

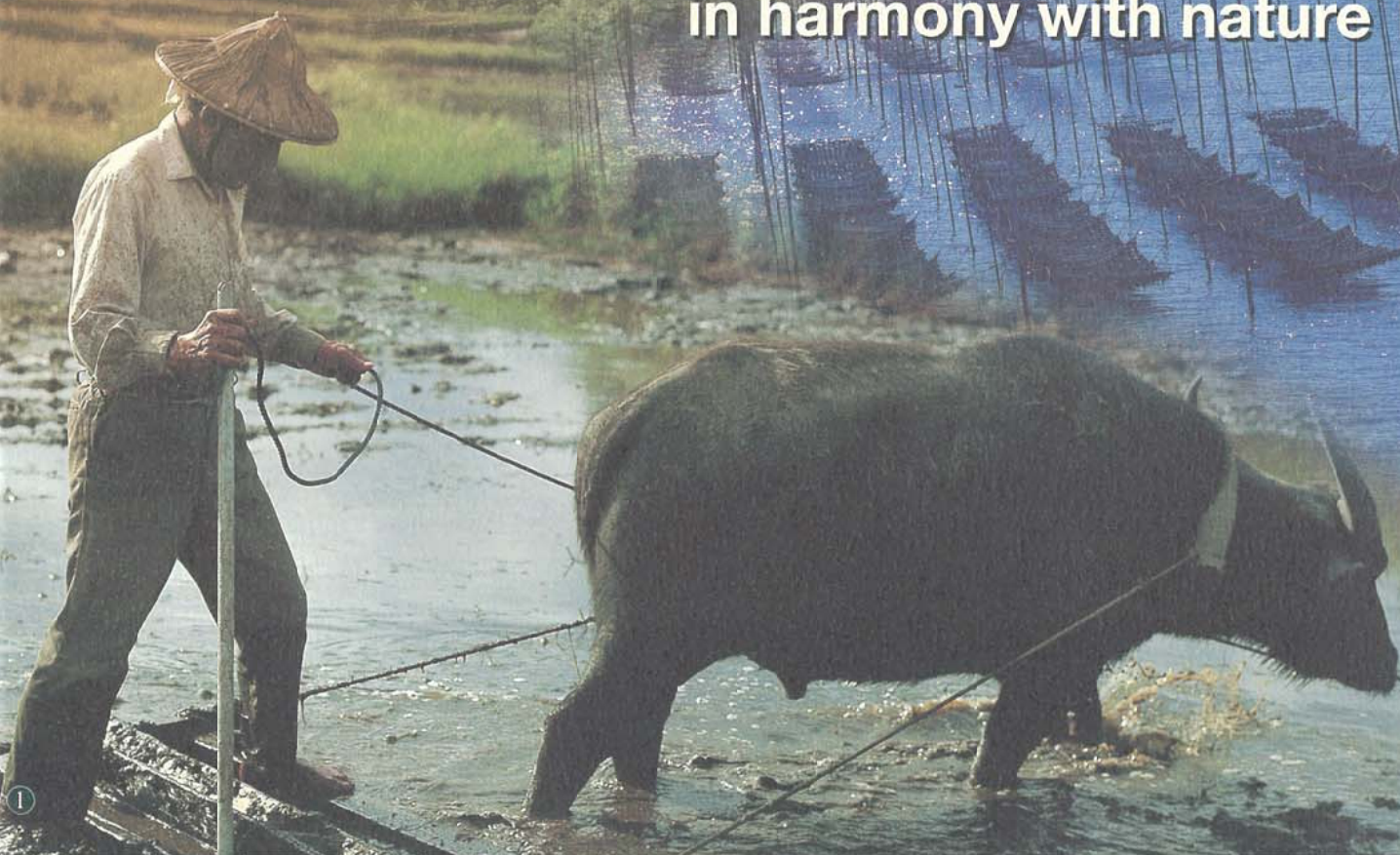
Agency for Cultural Affairs, Government of Japan



People have fostered

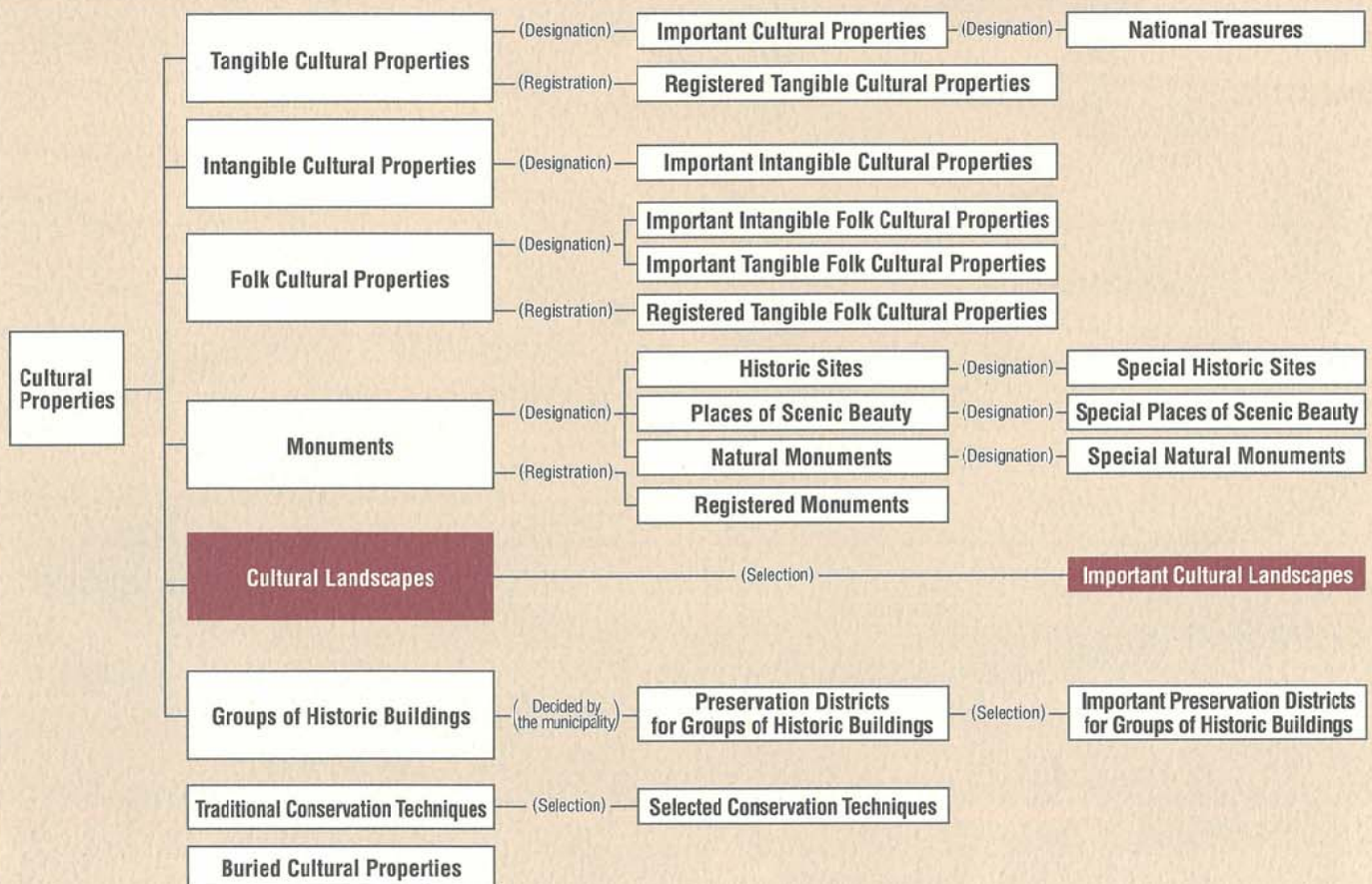
Cultural Landscapes

in harmony with nature



Nurtured in the local climate and rooted in the soil of Japan,
 "Cultural Landscapes" are the combined work of nature and man,
 representing the modes of life of our people.
 Japan strives to preserve and utilize these cultural landscapes
 by designating them as Cultural Properties
 under the Law for the Protection of Cultural Properties.

Schematic Diagram of Cultural Properties Protection in Japan



■ Definition of Cultural Landscapes

Cultural Landscapes are "landscape areas that have developed in association with the modes of life or livelihoods of the people and the natural features of the region, which are indispensable for the understanding of our people's modes of life and livelihoods" (Article 2, Paragraph 1, Item 5 of the Law for the Protection of Cultural Properties).

Safeguarding

of Cultural Landscapes in Japan



■ Effects of Cultural Landscape Protection

The protection of cultural landscapes has several positive impacts on the local community and economy by raising awareness of the values of cultural landscapes, enhancing the attractiveness of the community, and promoting community activities.



Enhancing Attractiveness of Community

Raising Awareness of the values of Cultural Landscapes



Positive Impact on Local Community



Promoting Community Activities

■ Protection by the National Government

The national government of Japan, at the request of local governments, selects and designates Cultural Landscapes of especially high value as Important Cultural Landscapes.

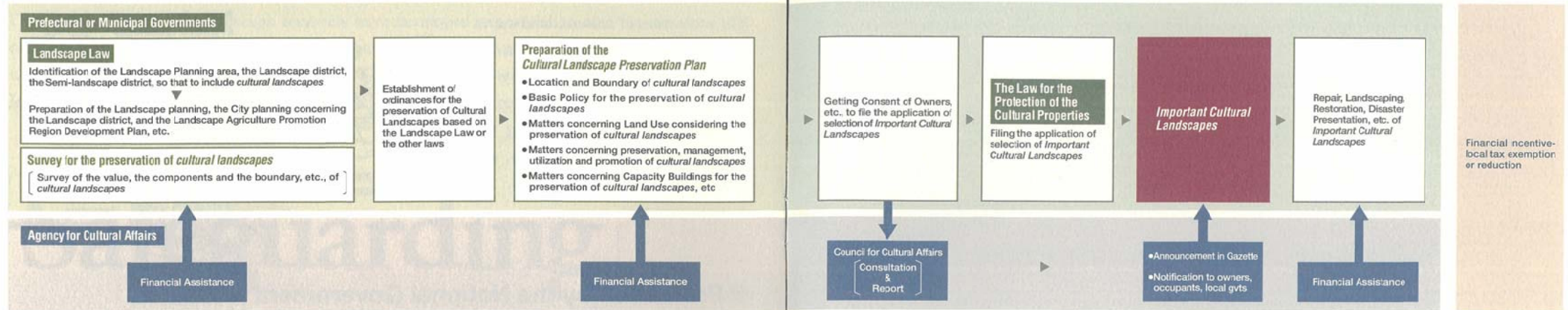
The Agency for Cultural Affairs provides financial assistance to local governments to cover part of the costs for their implementation of cultural landscape preservation surveys (on component features or for area delineation, etc.), the preparation of a cultural landscape preservation plan, and other work for the repair, landscaping, restoration, or disaster prevention of cultural landscapes.

Criteria for the Selection of Important Cultural Landscapes

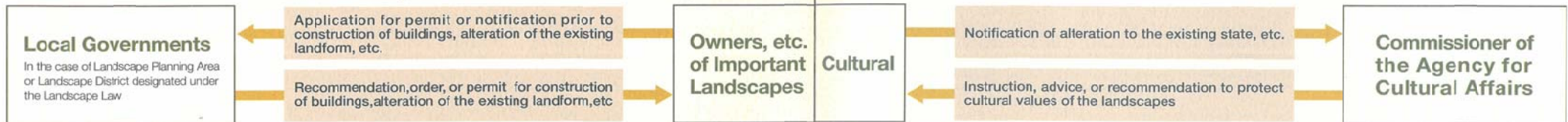
Important Cultural Landscapes consist of

1. One of the following cultural landscapes which have developed in association with the modes of life or livelihoods of the people and the natural features of the region, and as such represent the typical or unique elements of the basic modes of life or livelihoods of our people:
 - (1) Cultural landscapes associated with agriculture such as rice paddies, farmland, etc.
 - (2) Cultural landscapes associated with manmade grassland or livestock ranching such as hayfields, pastureland, etc.
 - (3) Cultural landscapes associated with forest uses such as timber forests, disaster prevention forests, etc.
 - (4) Cultural landscapes associated with fisheries such as fish cultivation rafts, Nori seaweed cultivation fields, etc.
 - (5) Cultural landscapes associated with water uses such as reservoirs, waterways, harbors, etc.
 - (6) Cultural landscapes associated with mining or industrial manufacture such as mines, quarries, groups of workshops, etc.
 - (7) Cultural landscapes associated with transportation and communication such as roads, plazas, etc.
 - (8) Cultural landscapes associated with residences and settlements such as stonewalls, hedges, coppices attached to premises, etc.
2. A combination of two or more cultural landscapes listed in the above, representing the typical or unique elements of the basic modes of life or livelihoods of our people.

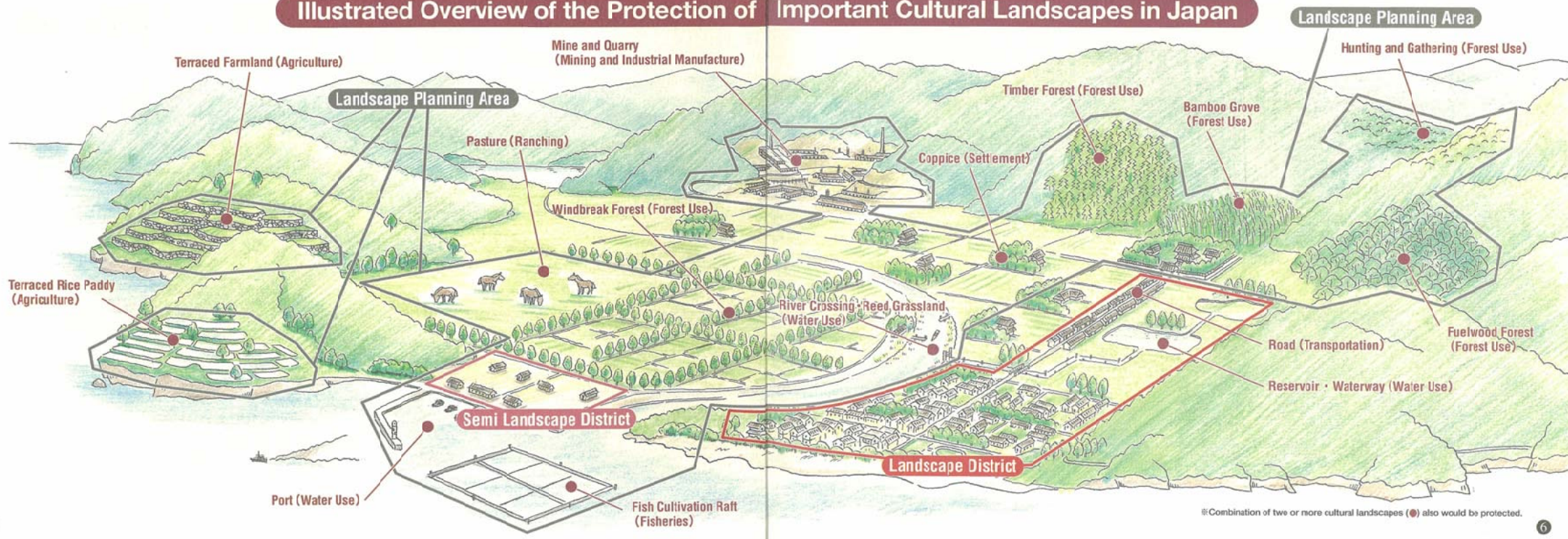
Procedure for Important Cultural Landscapes Protection



Scheme for the Protection of Important Cultural Landscapes under the Cultural Properties Protection Law and the Landscape Law



Illustrated Overview of the Protection of Important Cultural Landscapes in Japan



Law For the Protection of Cultural Properties (Law No. 214 of 1950) (Excerpt)

CHAPTER I General Provisions

(Purpose of this Law)

Article 1. The purpose of this Law is to preserve and utilize cultural properties, so that the culture of the Japanese people may be furthered and a contribution be made to the evolution of world culture.

(Definition of Cultural Properties)

Article 2. "Cultural Properties" in this Law shall be the following:

- (1) Buildings, pictures, sculptures, applied arts, calligraphic works, classical books, ancient documents, and other tangible cultural products, which possess a high historical and/or artistic value in and for this country (including lands and other objects which are combined with them altogether to embody such value), archaeological specimens and other historical materials of high scientific value (hereinafter referred to as "tangible cultural properties");
- (2) Art and skill employed in drama, music and applied arts, and other intangible cultural products, which possess a high historical and/or artistic value in and for this country (hereinafter referred to as "intangible cultural properties");
- (3) Manners and customs related to food, clothing and housing, to occupations, religious faiths, festivals, etc., to folk-entertainment and clothes, implements, houses and other objects used therefore, which are indispensable for the understanding of changes in our people's modes of life (hereinafter referred to as "folk-cultural properties");
- (4) Shell mounds, ancient tombs, sites of palaces, sites of forts or castles, monumental dwelling houses, and other sites, which possess a high historical and/or scientific value in and for this country; gardens, bridges, gorges, sea-shores, mountains, and other places of scenic beauty, which possess a high value from the point of view of art or visual appreciation in and for this country; and animals (including their habitats, breeding places and summer and winter resorts), plants (including their habitats), and geological features and minerals (including the grounds where peculiar natural phenomena are seen), which possess a high scientific value in and for this country (hereinafter referred to as "monuments");
- (5) Landscape areas that have developed in association with the modes of life or livelihoods of the people and the natural features of the region, which are indispensable for the understanding of our people's modes of life and livelihoods (hereinafter referred to as "cultural landscapes");
- (6) Groups of historic buildings of high value which form a certain antique beauty in combination with their environs (hereinafter referred to as "groups of historic buildings");

(Paragraphs 2 and 3 omitted)

(Duty of the Government and Local Public Bodies)

Article 3. The Government and the local public bodies shall, recognizing that the cultural properties of the country are indispensable to the correct understanding of its history, culture, etc., and that they form a foundation for its cultural development for the future, make efforts to ensure that the purport of this Law is thoroughly understood by the public, so that such properties may be duly preserved.

(Attitude of the People, Owners, etc.)

Article 4. The people in general shall faithfully cooperate in the measures taken by the Government and the local public bodies for the attainment of the purpose of this Law.

2. The owners of cultural properties and other persons concerned shall preserve such properties with good care and utilize them for cultural purposes by opening them to the public or by other means, in full consciousness that cultural properties are valuable national possessions.
3. In the execution of this Law, the Government and the local public bodies shall respect the ownership and other property rights of the persons concerned.

CHAPTER VIII Important Cultural Landscapes

(Selection of Important Cultural Landscapes)

Article 134. The Minister of Education, Culture, Sports, Science and Technology, upon request of a prefectural government or a municipal government, may select as important cultural properties those cultural landscapes that are specially important among those included in a landscape planning area or a landscape district which the prefectural government or the municipal government designates under item (1) of paragraph 2 of Article 8 and paragraph 1 of Article 61 of the Landscape Law (June 18 2004. Law No. 110 of 2004), respectively, and for which the prefectural government or the municipal government has taken necessary preservation measures in accordance with standards prescribed by the MEXT* Ordinance.

2. To the selection under the provision of paragraph 1, the provisions in paragraphs 3 to 5 inclusive of Article 109 shall apply *mutatis mutandis*. In this case, "possessor/occupant by title" in paragraph 3 of the same article shall read "possessor/occupant by title" or the prefectural or municipal government which has made the request prescribed in paragraph 1 of Article 134.

(Annulment of the Selection of Important Cultural Landscapes)

Article 135. In case an important cultural landscape has lost its value or in case there is any other special reason, the Minister of Education, Culture, Sports, Science and Technology may annul the selection.

2. To the cases under the preceding paragraph the provision of paragraph 2 of the preceding article shall apply *mutatis mutandis*.

(Loss and Damage)

Article 136. When whole or part of an important cultural landscape has been destroyed or damaged, the owner or the possessor/occupant by title (hereinafter in this chapter referred to as "owners, etc.") shall report it in writing to the Commissioner of the Agency for Cultural Affairs within ten (10) days of the knowledge of the fact, stating the matters prescribed by the MEXT Ordinance; however, this shall not apply to the cases prescribed by the MEXT Ordinance as cases of no possibility of affecting the preservation of important cultural landscapes.

(Recommendation or Order)

Article 137. In case the Commissioner of the Agency for Cultural Affairs concludes that an important cultural landscape is in danger of destruction or damage because of its inappropriate custody, he/she may issue recommendations to the owners, etc. thereof, with regard to the improvement of management practices or other necessary management measures.

2. In case the owners, etc. who were given recommendations prescribed in the preceding paragraph fail to take the recommended measures without justifiable reasons, the Commissioner of the Agency for Cultural Affairs may order the owners, etc. in question to take the recommended measures.
3. When the Commissioner of the Agency for Cultural Affairs is to make recommendations under paragraph 1 or to give orders under the provision of the preceding paragraph, he/she shall in advance hear the opinions of the prefectural government or the municipal government which made the request prescribed under Article 134 paragraph 1.
4. To the cases under paragraphs 1 and 2, the provisions of paragraphs 2 and 3 of Article 36 shall apply *mutatis mutandis*.

(Reimbursement in case of Assignment of Important Cultural Landscape for which a Subsidy was granted.)

Article 138. With respect to the important cultural landscape for which a subsidy has been granted by the National Government for destruction/damage prevention measures in accordance with the provision of Article 36 paragraph 2 applying *mutatis mutandis* under paragraph 4 of the preceding Article, the provision of Article 42 shall apply *mutatis mutandis*.

(Notifications, etc. for Alterations to the Existing State)

Article 139. In case any person intends to do any act to alter the existing state of an important cultural landscape or to affect its preservation, he/she shall, no later than thirty (30) days prior to the intended date of the said act, submit notification thereof, as determined by the MEXT Ordinance, to the Commissioner of the Agency for Cultural Affairs. However, this shall not apply to the alteration of the existing state in a maintenance measure, in an emergency measure in the event of an unforeseen disaster, or in measures to follow orders of alteration of the existing state by provisions of other laws and regulations; this shall not apply to acts to affect the preservation whose impact is negligible.

2. The extent of the maintenance measure referred to in the proviso to the preceding paragraph shall be established by the MEXT Ordinance.
3. The Commissioner of the Agency for Cultural Affairs, when he/she deems it necessary for the protection of important cultural landscapes, may give necessary instructions, advice, or recommendations to acts to alter the existing state of an important cultural landscape or to affect its preservation which are notified in accordance with paragraph 1.

(Reporting on the Existing State, etc.)

Article 140. When the Commissioner of the Agency for Cultural Affairs deems it necessary, he/she may ask the owners, etc. to report on the existing state of important cultural landscapes, or on the state of the management or repair.

(Coordination with Other Public Interests)

Article 141. In making the selection under the provision of Article 134 paragraph 1, the Minister of Education, Culture, Sports, Science and Technology shall respect in particular the ownership, the mining right and other property rights of the parties concerned, and at the same time pay attention to the coordination with land development and other kinds of public interests and to the harmony with agriculture, forestry, fisheries and other local industries.

2. When the Commissioner of the Agency for Cultural Affairs is to give instructions under the provision of Article 137 paragraph 1, or give orders under the provision of paragraph 2 of the same article, or make recommendations under the provision of Article 139 paragraph 3, he/she shall consult with the Heads of Ministries and Agencies concerned in advance from the perspective of ensuring the coordination with land development and other kinds of public interests and the harmony with agriculture, forestry, fisheries and other local industries in consideration of the characteristics of important cultural landscapes.
3. The National Government, in case it deems it especially necessary for the preservation of important cultural landscapes, may grant a subsidy to prefectural governments and municipal governments to cover part of the expenses of management, repair, landscaping and restoration.

Landscape Law (Law No. 110 of 2004) (Excerpt)

CHAPTER I General Provisions

(Purpose of this Law)

Article 1. The purpose of this Law is to promote the sound formation of landscapes in urban areas, countryside and other areas in our country by providing for comprehensive measures including the preparation of landscape plans with a view to forming a beautiful and splendid land, creating a graceful and wealthy living environment and realizing unique and active local communities, thereby making a contribution to the improvement of national life and economy and the sound development of local society.

* MEXT: The Ministry of Education, Culture, Sports, Science and Technology

