

# Cultural heritage and land uses of sustainable development under the Green Deal and sustainable development goals\*

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*Transhumance is at the centre of the lives of many pastoral communities (...). For centuries, it has formed the way of life of herders and their families, contributing to the social life and festivities of local communities associated with the tradition. The element is integral to the cultural identities of its practitioners and bearers, forming a strong link with their ancestors and the universe. It enhances ties between families and communities, shapes landscapes and promotes cooperation towards social inclusion and food safety. Transhumance also contributes to the maintenance of biodiversity and the sustainable use of natural resources.*

**Decision 14.COM 10.B.2 of the UNESCO  
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## I. Introduction

The European Union has developed the Green Deal has a plan to make the EU's economy sustainable, turning climate and environmental challenges into opportunities, and making one transition just and inclusive for all, from the actual model into a modern, resource-efficient and competitive.

On the one hand, the United Nations adopted the Sustainable Development Goals (SDGs) in 2015. This resulted in a comprehensive set of 17 goals and 169 targets aimed at reducing poverty and advancing wellbeing for all persons in the world by 2030. In this paper carries out a general approach to the SDGs to later relate them to cultural heritage, pointing out what are the aspects of this sector that are - either directly or indirectly - related to them. The Agenda 2030 includes explicit reference to heritage in SDG 11.4 and indirect reference to other Goals. This paper looks also for a real example: the transhumance because it's very interesting find the SDGs most relevant to the pastoral context and think how the pastoralism can contribute to achieving the SDGs.

On the other hand, it should be noted that this issue is directly related to the environment and its protection. The Spanish Constitution (from now on, SC), inside it's Title I, says in it's Chapter III (Of governing principles of the social and economic politics) the article 45:

"1. Everybody entitled to enjoy an appropriate environment for the person's development, as well as the duty of conserving it. 2. The public powers will look after the rational use of all the natural

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resources, with the purpose of protecting and improving the quality of life and to defend and to restore the environment, leaning on the indispensable collective solidarity. 3. for those who violate what is established in the previous section, in the terms that the law fixes will establish penal sanctions or, in its case, administrative, as well as the obligation of repairing the damage caused".

Most of the doctrine considers that the environment is not configured constitutionally as a fundamental right (the Constitutional Court has even established more than once that not all the constitutional precepts are susceptible of constitutional help), but as a guidance principle of social and economic politics, as a asset or collective interest informant of the juridical order. Therefore, if we reach the conclusion that the environment is a collective interest, it is clear that the prevision of the article 128 of the SC ("*all the wealth of the country in its different forms and whoever were its ownership is subordinated to the general interest*") must also be related to the environment, in such a way that the conclusion to which it would be necessary to arrive is that all the wealth of the country (and certainly, the property of the land is), independently of its owner it is subordinated, among others, to the general interest of the preservation of the environment. In this way, the right of private property of land finds an abstract and uncertain, but determinable limit in each concrete case that bears limitations for the Sunday holders. On the other hand, the article 148. 1. 9 establish that the Autonomous Communities will be able to assume competitions on "*the administration as regards protection of the environment*", being specified in the article 149. 1. 23 that the State has exclusive competence on the "*basic legislation on protection of the environment, without damage to the faculties of the Autonomous Communities of establishing additional norms of protection.*"

In this way, we can observe how our Supreme Law contemplates the environment in two very different parts, in the article 45 under the heading of the guidance principles of social and economic politics and that she given origin to an extensive and rich debate about if the environment is a right, a subjective right or, simply, a guidance principle, and in the articles 148 and 149 located in the territorial organization of the State, and that discrepancies don't exist as for its consideration as a matter object of distribution of competitions.

This article analyses the attempt to incorporate cultural heritage strategies and land uses into sustainability for human development in the way to achieving the Sustainable Development Goals and the objective of making the EU's economy sustainable, under the plan of the Green Deal. In this context, the above mentioned example of transhumance is an opportunity to demonstrate how an element protected by Cultural Heritage Law can be use in the way of the objectives of an economy more equal and inclusive, where no person and no place will be left behind.

## II. Material and immaterial heritage

The importance and value of cultural, historical and artistic heritage is widely recognized under international, national and regional laws.<sup>1</sup> Cultural heritage is perceived as one of the core elements of social, economic and cultural developments and ever more often is guised as a global common good, to which humanity is both the custodian and beneficiary [Decision (EU) 2017/864 of the European Parliament and the Council of 17 May 2017 on a European Year of Cultural Heritage (2018), OJ EU L

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<sup>1</sup> BLAKE, Janet, *International Cultural Heritage Law*, Oxford, 2015; ROODT, Christa, *Private International Law, Art and Cultural Heritage*, Cheltenham, 2015.

131/1, 20.5.2017]. Art and cultural objects form separate classes of goods, which speak about the human condition and mirror the living conditions of individuals and communities. They provide knowledge about the creative process and the identity of those groups responsible for their production. Cultural heritage expresses continuity between the past and the present, introduces the idea of cultural identity and explains our fascination with antiquities.

In Spanish law, the concept and history of cultural heritage, as well as its deciding characters, have been defined by doctrine but, legally, we can find a definition in the 1985 Spanish Historical Heritage Act (*Ley 16/1985, de 25 de junio, del Patrimonio Histórico Español*,– LPHE) [BOE-A-1985-12534, 29.6.1985]. According to these sources, cultural or historic-artistic heritage is a group of movable and immovable goods with artistic, historical, paleontological, archaeological, ethnographical, scientific or technical interest or value. This definition includes documentary and bibliographical heritage, archaeological sites, natural sites, gardens and parks with artistic, historic or anthropologic value. All these goods are defined by a character of historicity, because the aforementioned Act establishes a special status, in accordance with the notions of time and space.<sup>2</sup>

The notion of time under the 1985 Act includes different possibilities of application. On the one hand, there is a general idea of time as an expression of historical value. On the other hand, there are special rules for goods where the time factor is defined by several years of existence, for instance documentary and bibliographical heritage goods. According to Article 49 LPHE, documentary heritage goods are integrated documents from public and private entities older than a specific number of years. Under Article 50 LPHE, bibliographical heritage goods are composed of manuscripts and printed works with three or less existent copies. Ultimately, cultural value is the determinative element in defining historical-artistic heritage. One should bear in mind that there is always culture in every human activity. The presence of one person implies the existence of culture. Yet the actual “heritagization” requires an assessment of the value of a given cultural manifestation in a determined historical or artistic context. There are some theoretical constructions designed to establish a common concept or denominator for all categories of cultural heritage. One of them refers to the notion of cultural goods, where the adjective “cultural” is used to establish its belonging to the history of civilization. The historical dimension concretizes the ambiguous definition of culture; a cultural good is a testimony of the past. Thus, the concept of heritage is defined by two aspects: culture and history.

Every historical-artistic good is defined by its value in a spatial-temporal perspective and in its cultural dimension. Heritage is a concept to which most people assign a positive value, and the preservation of material and intangible culture is generally regarded as a shared common good by which everyone benefits. These conditions constitute the basis for special regulations under the general expression of cultural heritage law, because of their objective to conserve, divulge and spread culture. Beyond individual rights there is a general interest: there could not be liberty, equality or real democracy

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<sup>2</sup> BARRERO RODRÍGUEZ, Carmen, *La ordenación jurídica del patrimonio histórico*, Madrid, 1990; MARTÍNEZ SANMARTÍN, Luis Pablo, “La tutela legal del patrimonio cultural inmaterial en España: valoración y perspectivas”, *Revista de la Facultad de Ciencias Sociales y Jurídicas de Elche*, vol. I, nº 7, 2011, pp. 123-150; LABACA ZABALA, M<sup>a</sup> Lourdes, “La protección del patrimonio etnográfico en España y en las Comunidades Autónomas: Especial referencia al País Vasco y Andalucía”, *Revista sobre Patrimonio Cultural: Regulación, propiedad intelectual e industrial*, nº 2, 2013, pp. 105-148; HERNÁNDEZ TORRES, Estefanía, *Patrimonio histórico y Registro de la Propiedad*, Reus, 2018; CAPOTE PÉREZ, Luis Javier, “Tangible and Intangible Heritage in Spanish Law”, Krakow, 2020 (in press).

without a culture solidly established in society. In Spanish law, Article 46 of the Spanish Constitution (*Constitución Española – CE*) [BOE-A-1978-31229, 29.12.1978] requires public powers to assume and promote the protection of Spanish cultural heritage, giving them great powers to undertake that mission: “The public authorities shall guarantee the preservation and promote the enrichment of the historical, cultural and artistic heritage of the peoples of Spain and of the property of which it consists, regardless of their legal status and their ownership. The criminal law shall punish any offences against this heritage.”

The constitutional requirement to public powers has to be complemented with the reference to Spanish territorial organization of the State. According with Article 137 CE, “The State is organised territorially into municipalities, provinces and Autonomous Communities that may be constituted. All these bodies shall enjoy self-government for the management of their respective interests.” Respecting to the matter of cultural heritage, there is a distribution of competences between the State and the Autonomous Regions - Articles 148 and 149 CE - so both bodies are required to fulfil the mandate established in Article 46. Consequently, there are autonomous cultural acts, focused on the protection of their regional historic-artistic heritage. However, for the purpose of this paper, only the national act will be considered.

The historical value of a good implies granting it a special status to enable its protection. Accordingly, the formal classification of a good as a cultural one includes an array of obligations and charges. That imposition is a direct consequence of the axiological and policy objective, enshrined in the Spanish Constitution and the 1985 Act to enable more and more people to be able to benefit from the cultural value of the good. Cultural heritage includes goods in private hands, in which case the cultural stewardship should be managed together with ownership rights. Thus, private property rights in cultural goods are demarcated by the general limits of the social function. In this context, that limit is the defence of culture as a collective interest of everyone and particularly affects the freedoms of disposal. In this context, “everyone” includes present and future generations, and not only Spaniards, because *voluntas legis* conceives culture as a universal good (a “universal universality”).

The discussion about the universal, national or local nature of cultural heritage is very interesting and transcends national laws and rules. The constitutional duty to protect and encourage culture introduces a limit defined by the “pro-monument” principle: the cultural value of every good declared as part of historical-artistic heritage takes precedence over private rights to it; or the “pro-culture” principle: the preservation of cultural heritage goods is more important than private interests. In private property rights over these kinds of goods, the ancient *ius abutendi* or “right to abuse” is forbidden and marks a boundary between the possibilities for use and the prohibitions placed on a private owner of a cultural good. The social function of ownership acts here as a concrete form of the objective of preservation of historical-artistic goods, in the name of their cultural value. Collective benefits derived from their conservation justifies the imposition of limitations on ownership.

In Spanish law, the concept of historical-artistic heritage includes different categories of goods. First, there are properties of cultural interest (*bienes de interés cultural*; Articles 9 to 39 LPHE), comprising both immovable properties and movable objects. In reference to immovable properties (*bienes inmuebles de interés cultural*; Articles 14 to 25 LPHE) there are five specific categories of protected sites and buildings:

- Historical monuments (*monumentos históricos*; Article 15(1) LPHE): immovable properties comprising of architectural or engineering work or works of colossal sculpture shall be monuments provided they are of historical, artistic, scientific or social interest.
- Historical gardens (*jardines históricos*; Article 15 (2) LPHE): delimited areas resulting from the organization by mankind of natural elements, sometimes complemented with constructions and considered of interest because of their origins or historical past or their aesthetic, sensory or botanical value.
- Historical units (*conjuntos históricos*; Article 15(3) LPHE): groups of immovable properties forming one continuous or dispersed unit of settlement, distinguished by a physical structure representing the development of a human community, in that it testifies to their culture or constitutes a value for public use and enjoyment.
- Historical sites (*sitios históricos*; Article 15(4) LPHE): places or natural landscapes linked to events or memories of the past or to popular tradition, cultural or natural creations and works of mankind having historical, ethnological, paleontological or anthropological value.
- Archaeological areas (*zonas arqueológicas*; Article 15(5) LPHE): places or natural landscapes where there are movable or immovable objects that can be studied using archaeological methodology, whether or not they have been extracted and whether they are to be found on the surface, underground or below Spanish territorial waters.

With respect to movable properties (*bienes de interés cultural*; Articles 26 to 34 LPHE), they are movable goods defined by their cultural interest and should be recorded in a special inventory. Owners or possessors of these kinds of goods shall notify the public administration of the existence of such objects before proceeding to sell or transfer them to third parties. The same obligations are established for individuals or entities that habitually carry out trade in movable property forming a part of the Spanish historical heritage, who are also required to formalize with the administration a register of any transfer made of such objects. This is a concrete example of a limitation on the traditional freedom of owners due to the protection of cultural heritage.

The second large category is archaeological heritage (*bienes del patrimonio arqueológico*; Articles 40 to 45 LPHE). This category includes movable or immovable properties of a historical nature that can be studied using archaeological methodology, whether or not they have been extracted or whether they are to be found on the surface or underground, in territorial seas or on the continent itself. The category also encompasses geological and paleontological elements, relating to the history of mankind and its origins and background, including caves, shelters and places containing expressions of cave art.

The third large category is ethnographic heritage (*bienes del patrimonio etnográfico*; Articles 46 and 47 LPHE). This category includes movable or immovable properties and knowledge and activities that are or have been a relevant expression of a traditional culture of the Spanish nation in its material, social or spiritual aspects. Under this category, the legal regulation distinguishes:

- a. Immovable properties (*bienes inmuebles*; Article 47(1) LPHE): any buildings and installations whose method of construction is an expression of knowledge acquired, established and transmitted by custom and whose creation belongs totally or partially to a type or form of architecture traditionally used by communities or human groups.

- b. Movable properties (*bienes muebles*; Article 47(2) LPHE): all objects that constitute the expression or the product of labour, aesthetic and pleasure activities of any human group that are established and transmitted by custom.
- c. Knowledge and activities (*conocimientos y actividades*; Article 47(3) LPHE): this includes knowledge and activities derived from traditional models or techniques used by a specific community.

Finally, there is another category: documentary and bibliographical heritage (*bienes del patrimonio documental y bibliográfico*; Articles 48 to 58 LPHE): this category includes a great number of elements which have in common cultural testimony through all types of data formats, concretized in concepts like “document” and “library”.

There are many differences between these categories. However, the LPHE establishes a system or rules whereby any object possessing the character of historic heritage is subject to defined limitations on the rights inherent in all private property rights over these special goods. These restrictions have consequences in the domain of private law.

The above-mentioned categories encompass a variety of cultural manifestations: tangible properties and intangible heritage, but the legal regulation is specially focused in the former. The latter is mentioned in the category of ethnographic heritage but is only a sub-division in a regulation where the material nature of the great majority of goods protected in the 1985 Act determines the protective regulation contained in it. In the distinction between tangible and intangible heritage, Spanish law is primarily centred on the protection of material goods.

The introduction of the category of ethnographic heritage was considered a pioneering regulation. In a way, the 1985 Act was reflecting some changes in the concept of cultural heritage initiated in the 1970s when the previous pre-eminence of tangible goods was being compensated with some crescent interest about immaterial categories. In another way, it establishes a connection with some historical legal precedents from the Second Spanish Republic. Nevertheless, the regulation of the intangible part of ethnographic heritage was criticized as folklorist and archaic. Ethnographic heritage must be considered as something living since, as a reflection of tradition, it is a link between the past and present, having one unchangeable part and another susceptible of evolving. Despite all this, the 1985 Act did not consider this “living nature” of ethnographic heritage and its effectiveness in the protection of this category was limited.

Alongside, there was a development of the concept of intangible heritage in the areas of Ethnology and Anthropology, finally reflected in the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage [MISC/2003/CLT/CH/14]. This agreement, ratified by the Spanish State in 2006, determined the need of adapting the internal law to its content. This has been done through a new legislation, the 2015 Spanish Safeguard Intangible Cultural Heritage Act (*Ley 10/2014, de 26 de mayo, para la salvaguardia del Patrimonio Cultural Inmaterial*) [BOE-A-2015-5794, 27.5.2015].

The 2015 Act recognizes in its preamble the ampliation of the concept of cultural heritage, introducing the category of activity-goods, together with the previous one of thing-goods. It also mentions the interweaving between tangible and intangible heritage, but points to different ways to protect each one, counter-posing concepts of conservation and safeguarding. Next, in Article 2, it introduces a definition of immaterial heritage as uses, representations, expressions, knowledge and techniques that

communities, groups, and, in some cases individuals, could recognize as an integral part of their cultural heritage, and mentions examples of that categories like:

- a. Traditions, oral expressions and linguistic modalities and particularities;
- b. Traditional toponymy;
- c. Social practice, rituals and festive events;
- d. Knowledge and uses related with nature and the universe;
- e. Gastronomy, cooking recipes and food;
- f. Some specific utilizations of natural landscapes;
- g. Some forms of collective socialization and organization;
- h. Traditional music, dance and sonorous manifestations.

Nevertheless, the existence of the two national acts and, also, of a new generation of regional cultural acts has not finalised the discussion about the regulation of tangible and intangible heritage in Spanish law. It is true that each category shall be regulated and protected according to its respective nature, but they are not strange to the other. The possibility of one, only and inclusive concept for both categories – for example, cultural goods – has been exposed but there is a difference of thirty years between the 1985 Act and the 2015 Act. The evolution and interaction between their rules must be analysed to determine if the way chosen by the Spanish legislators is useful to fulfil the constitutional mandate of protecting and promoting our cultural heritage, but, for the purpose of this paper, we have to focus on the point that cultural heritage protection rules, which are similar in strategies to natural heritage protection ones, could be useful instruments in the way to win objectives of SDG and the Green Deal.

### **III. The European Green Deal and the plan to make the EU's economy sustainable**

Climate change and environmental degradation are an existential threat to Europe and the world. To overcome these challenges, Europe needs a new growth strategy that will transform the Union into a modern, resource-efficient and competitive economy, where there are no net emissions of greenhouse gases by 2050, economic growth is decoupled from resource use and no person and no place is left behind.

The European Green Deal is the plan to make the EU's economy sustainable. The premise is turning climate and environmental challenges into opportunities and making the transition just and inclusive for all.

The European Green Deal provides an action plan to

- Boost the efficient use of resources by moving to a clean, circular economy
- Restore biodiversity and cut pollution

The plan outlines investments needed and financing tools available. It explains how to ensure a just and inclusive transition.

The EU aims to be climate neutral in 2050. An European Climate Law is proposed to turn this political commitment into a legal obligation.

Reaching this target will require action by all sectors of the European economy, including Investing in environmentally-friendly technologies; supporting industry to innovate; rolling out cleaner; cheaper and healthier forms of private and public transport; decarbonising the energy sector; ensuring buildings are more energy efficient, and working with international partners to improve global environmental standards.

The EU will also provide financial support and technical assistance to help those that are most affected by the move towards the green economy. This is called the Just Transition Mechanism. It will help mobilise at least €100 billion over the period 2021-2027 in the most affected regions.

## IV. Sustainable development goals and cultural heritage

In the year 2000, the Millennium Development Goals (MDGs) were agreed upon, which were intended to achieve in a period of fifteen years - that is, by 2015 - a series of goals classified by many as very ambitious, such as the reduction of poverty and hunger, as well as improvements in the field of health, living conditions, environmental sustainability, education and gender equality. Through the MDGs, a lot of progress was actually achieved, so that by no means can a catastrophic vision of them be taken. Thus, the fact of not having achieved them in their fullness should not cloud the visibility of the great and very important achievements obtained.

In September 2015, the UN General Assembly, in an extraordinary summit held in New York, approved the so-called Sustainable Development Agenda, setting the year 2030 as the deadline to achieve a total of 17 SDGs<sup>3</sup> that have their corresponding goals, in total, 169. Unlike what happened with the MDGs, which were aimed at developing countries, the SDGs<sup>4</sup> are open to all countries on earth without exception and, therefore, their economic and legal position is indifferent to global level.

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<sup>3</sup> Goal 1. End poverty in all its forms everywhere

Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture

Goal 3. Ensure healthy lives and promote well-being for all at all ages

Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

Goal 5. Achieve gender equality and empower all women and girls

Goal 6. Ensure availability and sustainable management of water and sanitation for all

Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all

Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation

Goal 10. Reduce inequality within and among countries

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable

Goal 12. Ensure sustainable consumption and production patterns

Goal 13. Take urgent action to combat climate change and its impacts

Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development

Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Goal 17. Strengthen the means of implementation and revitalize the global partnership for sustainable development.

<sup>4</sup> Detailed information about all of them can be found on the UN website. Available at:

<https://www.un.org/sustainabledevelopment/es/sustainable-development-goals/> (date of last consultation: December 1, 2020).



In addition, they are posed not only to countries as such but also and in parallel to all institutions, entities, administrations, organizations, etc. of the same as well as to each person individually considered: all human beings, no matter where we live and have the characteristics that are, we must get involved in contributing and working towards the achievement of the SDGs through the goals of each one of them.



Picture 1. <https://www.un.org/development/desa/dspd/2030agenda-sdgs.html>

Like Jyoti HOSAGRAHARIF<sup>5</sup> says, “the SDGs are grouped around the economic, social, and environmental objectives as the three pillars of sustainable development, then culture and creativity contribute to each of these pillars transversally. The economic, social, and environmental dimensions of sustainable development, in turn, contribute to the safeguarding of cultural heritage and nurturing creativity. Cultural heritage — both tangible and intangible — and creativity are resources that need to be protected and carefully managed. They can serve both as drivers for achieving the SDGs as well as enablers, when culture-forward solutions can ensure the success of interventions to achieve the SDGs”.

The Agenda 2030 includes explicit reference to heritage in SDG 11.4 and indirect reference to other Goals. The SDG 11 (“Make cities and human settlements inclusive, safe, resilient and sustainable”) point 4 says: “Strengthen efforts to protect and safeguard the world’s cultural and natural heritage”.<sup>6</sup>

<sup>5</sup> HOSAGRAHARIF, Jyoti, “Culture: at the heart of SDGs”, *The UNESCO Courier*, april-june, 2017. Available at: <https://en.unesco.org/courier/april-june-2017/culture-heart-sdgs> (date of last consultation: November 2, 2020).

<sup>6</sup> Indicator 11.4.1: Total expenditure (public and private) per capita spent on the preservation, protection and conservation of all cultural and natural heritage, by type of heritage (cultural, natural, mixed and World Heritage Centre designation), level of government (national, regional and local/municipal), type of expenditure (operating expenditure/investment) and type of private funding (donations in kind, private non-profit sector and

Given the importance of the 2030 Agenda, it could be thought that the reference to cultural heritage, which is included in Goal 11, is minor. However, nothing could be further from the truth. On the one hand, culture and, therefore, cultural heritage, have proven to be a very powerful tool to face important challenges because a person has had access to culture is a person with training, and it is essential to have sensitized people to achieve the SDGs. On the other hand, the intangible cultural heritage itself can be a generator of benefits, as will be shown in the next section.

## V. A real case: transhumance, the seasonal droving of livestock along migratory routes in the Mediterranean and in the alps

The transhumance constitutes a living heritage.<sup>7</sup> The main advantages of its practice, in addition to the fact that it currently constitutes a not inconsiderable tourist incentive for the areas where it's carried out, can be synthesized in the following: it allows optimal fertilization of the soil through which the animals pass, prevents forest fires by reducing the presence of weeds, helps to conserve natural spaces, contributes decisively to the proliferation of different species in addition to opening ways for other animals to pass more easily. It's also important to note that with transhumance, the social relations of different rural populations are promoted, the contact between different populations, which contributes to the wellness of people.<sup>8</sup>

We can cite a concrete example: the transhumance, the seasonal droving of livestock along migratory routes in the Mediterranean and in the Alps (Austria, Greece and Italy). It was inscribed in 2019 on the *Representative List of the Intangible Cultural Heritage of Humanity*.

Like the nomination for inscription in 2019 on the list pointed<sup>9</sup>, the transhumance has several functions related to cultural identity, shaping landscapes, cooperation for social inclusion and food safety and sustainability.

- a) Cultural identity. Transhumance contributes to shape the identities of practitioners and bearers, forming a strong link with their ancestors and the universe. It inspires a way of life

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sponsorship). Available at: <https://www.informe.org/en/goal/target-114> (date of last consultation: November 18, 2020).

But like PETTI *et al.* says, the current SDG11.4 indicator is inadequate in representing the challenges and opportunities of cultural heritage within the context of sustainable development. To enhance the comparability of heritage data across cities and countries, there is a crucial requirement for standardised methods for perceiving, valuing, measuring and monitoring heritage. Therefore, national and local capacity development is needed to ensure the sustainability of national and local processes. PETTI, Luigi, TRILLO, Claudia and MAKORE, Busisiwe Ncube, "Cultural Heritage and Sustainable Development Targets: A Possible Harmonisation? Insights from the European Perspective", *Sustainability*, 12, 926, 2020, p. 22.

<sup>7</sup> V. on traditions and heritage, MARCOS ARÉVALO, Javier, "La tradición, el patrimonio y la identidad", *Revista de estudios extremeños*, vol. 60, nº 3, 2004, pp. 925-956. Also, BARRÈRE, Christian, "Cultural Heritages: From Official to Informal", *City, Culture and Society*, vol. 7, 2016, pp. 87-94.

<sup>8</sup> VVAA, *Un marco jurídico para un desarrollo rural sostenible*, Coord. Esther Muñiz Espada, Ministerio MARM, 2011.

Available at: [https://www.mapa.gob.es/es/ministerio/servicios/informacion/IV\\_Foro\\_Observ\\_Leg\\_tcm30-102957.pdf](https://www.mapa.gob.es/es/ministerio/servicios/informacion/IV_Foro_Observ_Leg_tcm30-102957.pdf); VVAA, *Tratado de derecho agrario*, Esther Muñiz Espada (dir.), Pablo Amat Llobart (dir.), Wolters Kluwer, 2017.

<sup>9</sup> Available at: <https://ich.unesco.org/en/decisions/14.COM/10.B.2> (date of last consultation: November 20, 2020).

that lends itself to spiritual enquiry. When herders are asked why they maintain such a challenging way of life, the answer is often simply because they love it, because it makes them feel 'free'. Thus, transhumance is more than just a profession for its practitioners but a way of life where time is measured in the passing of the seasons and home is moving with the livestock. Freedom of movement has always represented a pillar of this practice, affecting livestock, as well as transhumant herders and their families, at different levels.

Enhancing ties between families and communities. Over generations, familial, social, and cultural bonds have been formed by communities, shown i.a. by the high incidence of identical family names. Even abroad, some emigrant communities still feel this sense of identity, and keep the element alive abroad through social practices, such as festivals, rituals and the wearing of traditional dresses.

- b) Shaping landscapes. Transhumance has an impact on the spatial heterogeneity of vegetation, affecting ecosystem processes and landscapes. Communities have used local resources to build new reed huts every year or to repair the old ones. Transhumance has also influenced the development of historical settlements along routes or the rise of monuments and places of worship.
- c) Cooperation for social inclusion. Transhumance has played a key role in supporting peripheral economies in the rural contexts of villages and inland areas, which have been facing massive depopulation. Hence, the element not only contributes to the continued practice of traditional knowledge and skills of practitioners, but also ensures their ecological and economic sustainability. Indeed, transhumant caravans have also facilitated contacts and commerce between distant communities (for example, for the selling of transhumance-related products), the development of settlements and complementary farming activities, thereby creating sustainable and resilient networks.
- d) Food safety and sustainability. Transhumance plays a vital role in environmental protection, as explained in paragraph v of this section. In fact, thanks to the sustainable use of land and water resources and admitting livestock to live in the wild, food prepared using milk and meat of transhumant livestock and clothing made from wool, fiber and leather, have lower environmental impacts than similar products from intensive farming. It additionally reduces the incidence of pollution, the reliance on veterinary products (among them antibiotics) and thus produces healthier food, from livestock reared in the open air, which are fit and more resistant to diseases. Besides, the cheese-making products of transhumant livestock farming are considered of high quality. It is attributed to the traditional cheese-making know-how and the specialized knowledge of livestock farmers about vegetation and the features of the flora of pastures.

Therefore, we can conclude that cultural heritage, including intangible, can contribute to sustainable environmental development and improve the quality of life of the people who inhabit it. We have no doubt that the cultural heritage as an important resource for sustainable urban development. The magnitude of the objectives that we have to achieve is very important, so that all the tools and means available must be used.

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