

Tips for backcountry camping –

Why the Scots enjoy what would be unthinkable in Italy



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Introduction

Sleeping outside after a hike, bicycle tour, climbing or canoeing: For outdoor lovers, this is the culmination of a day in the great outdoors. Camping under the starry sky, cooking or grilling dinner over the campfire, enjoying breakfast in the fresh morning air... many people prefer backcountry camping over a night at the campground. However, campers must observe certain rules so that the stay among the flora and fauna does not have any unpleasant consequences or even becomes dangerous.

In particular, nature lovers should check the laws that apply to the respective camping location in advance in order to dodge trouble with the police or with the authorities in general. This white paper clarifies which provisions apply in Germany and in neighboring European countries. In addition, there are also tips for selecting a safe location and other important information for camping in nature.

Camping or bivouacking?

In general, a distinction must be made between outdoor camping with a tent, camper or RV and outdoor bivouacking, for example under a tarp (awning). Those who want to be on the safe side set up camp at official campgrounds. These campgrounds usually offer sanitary facilities, and sometimes also grocery stores, playgrounds, etc. An overnight stay of this kind is frequently no longer close to nature, however, especially because the campgrounds are sometimes crowded and require a fee. Those who want to watch their budget on vacation and who value on a certain sense of adventure are happy when they can save some money thanks to backcountry camping.

Legal situation in Germany

It is generally forbidden to camp in national parks, nature reserves, protected biotopes, wildlife and water protection areas in Germany. Camping in the open countryside (except in the forest) is not expressly prohibited in any German state. In addition, the legal principle of prohibitory right applies, i.e.: Everything that is not expressly forbidden is initially allowed. It may sound trite, but you must determine one things before pitching your tent to spend the night: Can you enter the area where you would like to sleep without trespassing? This is not standardized in Germany, because the respective nature conservation laws of the state apply in this case. Thus in Bavaria, Baden-Württemberg, Saarland and Saxony, anyone can go into the open countryside and even onto private property without obtaining the

consent of the property owner. However, this does not apply to areas used for agricultural and forestry purposes or other uses. The majority of the northern German states apply the so-called pathway order. It limits the permission to enter mostly to paths, trails and unused areas. But be careful: The laws of the federal states can be limited by the local governments through special regulations.

When camping in the forest, different rules again apply, because although forests are considered open countryside, the forestry and forest laws of the countries take effect. Hot tip: Spending the night without a tent is not regulated in the forest laws. The nature lover is in a gray area of the law here. It often left up to the discretion of the forester whether he approves the overnight stay.

Those who choose private property to spend the night absolutely require the consent of the property owner. After all, those who pitch their tent on private property without the owner's consent are trespassing. Tenants or owners may expel the offender from the property. Damages may be added, such as damage to meadows or fields. Those who camp without permission in public areas, such as (hiking) parking lots are not trespassing, but rather are committing a regulatory offense and can be asked fined accordingly.¹

Legal situation in neighboring European countries

In the north: a great deal of freedom thanks to the right of public access

In Scandinavia in particular, adventuresome people enjoy more relaxed regulations in relation to backcountry camping. For in Sweden, Norway and Finland, the "every man's right" (right of public access to wilderness lands) has applied since the Middle Ages and has developed over the centuries ("*allemansrätten*" in Swedish, "*allemannsretten*" in Norwegian and "*jokamiehenoikeus*" in Finnish). It states that any person in these countries may move freely in the woods and fields, waters, seas and mountains. The every man's right can be briefly summarized with "freedom and responsibility" or "enjoy, do not destroy." It is legal to camp for a few days out in nature. Longer stays should be clarified with the landowner. Those who are traveling by car or motorcycle may also park their vehicle in a parking lot and then camp in a

¹ Source of the entire section: <http://www.outdoor-magazin.com/service/touren-planung/wild-zelten.84199.3.htm>

meadow. Staying overnight in a camper, on public streets, or in parking lots is likewise permitted.²

Scandinavian overview:

- Camping on public land is permitted for a maximum of two days. For private property, the owner of the property must grant permission.
- Exception: National parks or nature preserves. In most cases, setting up tents is prohibited. If no signs are posted, special rules usually still apply. If in doubt, check the local tourism information for example.
- In any case, you may not camp in the backcountry where signs specifically prohibit this.³

In turn, backcountry camping is generally prohibited in Denmark. Camping is only permitted on private property with the consent of the owner. Those who would nevertheless still like to stay overnight outside can settle on one of the 40 designated nature camps - either free or charge or for a small fee. It is only possible to spend one night and there may not be more than two tents or six people.⁴

In the east: more lax or very strict depending on the country

Backcountry camping is also allowed in the Baltics (including Estonia, Latvia and Lithuania).⁵ Outdoor lovers can put up their tent here in the great outdoors for several days. National parks and nature reserves are exceptions to this.

In Poland, backcountry camping is prohibited, but is generally tolerated. If in doubt, you should ask the property owner.⁶

The regulations are stricter in the rest of Eastern Europe, i.e. Romania, Russia, Bulgaria, Slovakia, Slovenia, Hungary and the Czech Republic. Spending the night in parking lots or service areas, or to setting up a tent on private property is not permitted.⁷

² <http://skandinavien.eu/reportagen/schweden/das-jedermannsrecht.html>

³ <http://www.visitskandinavien.de/index.php?az=Jedermannsrecht>

⁴ <http://wild-campen.de/wild-campen-in-danemark/>

⁵ <http://www.merkur-online.de/outdoor/trekking-wandern/wild-campen-europa-urlaub-zelt-reise-zr-752120.html>

⁶ http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_8/index

⁷ http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_10/index

In the south: prohibited in public, but possible in private

Those who are drawn to the Mediterranean should exercise caution, because backcountry camping is generally prohibited in Italy. The authorities near the coast and tourist areas are particularly strict. You risk fines of about 100 Euro to nearly 500 Euro, regardless of whether you are in a car or are just traveling with a tent. You can backcountry camp on private property with the owner's consent. You can spend the night in a camper or car in designated parking lots.⁸

In Greece, the legal situation is the same, but in practice, backcountry camping is tolerated in many places. If in doubt, you should inquire about the local customs and if necessary, resort to a legal campsite.⁹

In Spain, backcountry camping is also generally prohibited. There is a risk of severe penalties in the event of violations, especially in tourist areas. On private property, on the other hand, it is legal to spend the night if you obtain the owner's consent, and it is often permitted.¹⁰

The French also prohibit backcountry camping. The authorities rigorously implement the ban, especially in tourist areas. In coastal areas, the coast guard even controls the ban from the sea.¹¹ The population in rural areas, however, largely tolerates open camping.¹² Some communities have specially regulated backcountry camping and put up signs, which read: "Camping réglementé – s'adresser à la mairie." This means: "Camping is regulated, please contact the mayor's office." If you take advantage of this offer, you will be assigned a place to sleep, which often even has sanitary facilities.¹³ Tent lovers may spend the night on private property if they obtain the owner's consent.

Strict regulations also apply in German's neighboring countries of Austria and Switzerland. In Austria, backcountry camping is prohibited except for overnight stays on private property. However, you require the owner's consent. The penalties for backcountry campers are more or less drastic depending on the state. Tyrol tops the

⁸ <http://wild-campen.de/wild-campen-in-italien/>

⁹ http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_15/index

¹⁰ <http://wild-campen.de/wild-campen-in-spanien/> and http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_13/index

¹¹ <http://wild-campen.de/wild-campen-in-frankreich/>

¹² http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_11/index

¹³ <http://wild-campen.de/wild-campen-in-frankreich/>

list in terms of fines. For backcountry camping in national parks and landscape conservation areas, offenders have to reach very deep into their pockets. However, it is not a problem if it is necessary to set up bivouacs in alpine terrain in emergency situations. Camper and RV drivers may spend one night at highway rest areas to restore their fitness to drive.¹⁴ The legal situation for backcountry camping is rather complicated in Switzerland. Every canton regulates this differently. It is also advisable here to make local inquiries. There is a clear camping ban in no-hunting areas and many nature reserves. According to the guidelines of the Swiss Alpine Club, considerate camping or bivouacking in the mountains above the tree line is "usually not a problem" in small groups.¹⁵

In the west: Scots have a heart for nature lovers

In the United Kingdom, Scotland in particular receives backcountry campers with open arms. Backcountry camping is officially expressly permitted.¹⁶ This is ensured by the "Land Reform (Scotland) Act 2003," which grants all people access and use rights in most of the country by day and by night.¹⁷ Individual rules for behavior in nature are compiled by the "Scottish Outdoor Access Code" code of behavior.¹⁸ Backcountry camping is only not allowed where, for example, signs indicate that it is prohibited. Out of consideration for the residents, you should also avoid proximity to residential buildings. In Scotland as well, camping on private property requires that you obtain the expressed consent of the owner.¹⁹

Also on the neighboring island of Ireland, backcountry camping is officially banned, but is largely tolerated as long as there is compliance with certain safety rules. Unless expressly prohibited by appropriate signs, camping is not possible in many areas due to the frequent agricultural use. Nevertheless, the Irish are considered hospitable and well-disposed towards backcountry campers. Those who wish to set

¹⁴ http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_7/index

¹⁵ http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_6/index

¹⁶ <http://international.visitscotland.com/de/unterkunft-schottland/budget-camping-ferienhaus/>

¹⁷ http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_1/index

¹⁸ <http://wild-campen.de/wild-campen-in-schottland/> and <http://www.outdooraccess-scotland.com/outdoors-responsibly/your-access-rights/>

¹⁹ <http://wild-campen.de/wild-campen-in-schottland/>

up their bivouacs on private property are welcome to ask the owner. If he consents, then overnight camping is permitted.²⁰

Generally applicable rules of conduct when (backcountry) camping

Outdoor lovers should generally comply with the motto of the Boy Scouts, especially when camping in the great outdoors: "Take nothing with you except for memories, leave nothing behind except for footprints." Specifically this means:

- Do not leave any trash behind, but rather take it with you and dispose of it properly.
- Bury "residues" from visit to the toilets.
- Be quiet so as not to disturb animals. This means: no raucous bawling, loud music, etc.
- Avoid dangerous areas. These include, for example, hunting areas and locations within sight of a tree stand, agricultural areas, areas close to streets or single standing houses or villages.²¹
- Open fires are usually prohibited, except for in specially designated areas – the flame of the gas stove is even prohibited under this regulation. The following applies in Germany: Fire (campfire / grill flame, stove, etc.) as well as open light (gas lanterns, torches, etc.) are prohibited from a distance of 100 meters to the forest. In addition, smoking is prohibited from March 1 to October 31, and is even prohibited year-round in some German states.²² Caution: risk of forest fires!
- Do not stay in one place too long. We recommend just one night.²³
- Do not inflict any lasting damage to nature, e.g. breaking off branches, etc.
- Attract as little attention as possible. We recommend setting up the tent at dusk and taking it down again the next day at dawn.²⁴

Summary

With respect to backcountry camping, it can be said with a wink: "Where there is no complainant, there is no judge." Outdoor enthusiasts who behave responsibly and prudently can look forward to a more relaxed encounter with foresters, farmers, etc.

²⁰ http://www.trax.de/wild-campen-die-rechtliche-lage-in-europa/id_51945970/tid_embedded/sid_51945970/si_3/index

²¹ <http://www.tatonka.com/Aktuell/Service-Themen/Wild-zelten-Spielregeln-fuer-ungestoerte-Outdoor-Naechte/6000?us=1>

²² <http://www.outdoor-magazin.com/service/touren-planung/wild-zelten.84199.3.htm?skip=1>

²³ <http://wild-campen.de/verhaltensregeln/>

²⁴ <http://www.outdoor-magazin.com/service/touren-planung/wild-zelten.84199.3.htm?skip=1>



If you are discovered: absolutely respond in a friendly and polite manner. It is possible that the person in charge will turn a blind eye. Snotty replies tend to worsen the situation and resistance, for example against a request to leave the location, can even increase penalties.

OUTDOOR-KNOWLEDGE