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**EUROPEAN LANDSCAPE CONVENTION
– Florence Convention –**

***FIRST CONFERENCE OF THE CONTRACTING AND
SIGNATORY STATES TO THE EUROPEAN LANDSCAPE CONVENTION***

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**THE CONCEPTION AND PHILOSOPHY OF
THE EUROPEAN LANDSCAPE CONVENTION**

by

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Mr Chairman, ladies and gentlemen,

I firstly wish to convey my sincere thanks to the organising authorities for inviting me to this event.

For the European Landscape Convention, this Conference represents its first public airing on the international scene after being opened for signature.

Its philosophy and conception, but also its texture and structure, will thus begin to be put to the test, to be brought face to face with a reality that is complex because of the differences present in Europe as regards landscape and its perception, protection and enhancement.

The Convention provisions concerning definitions, scope, official functions, public participation, identification techniques and means of action may already be under close examination by the national administrations represented here.

This examination is likely to help stimulate research and exchange of information, adaptation of certain rules, enactment of new legislation, evolution of existing practice, and framing and implementation of strikingly innovative national policies and measures.

On the other hand, the Convention provisions may be interpreted in the light of the needs raised by the different situations. This is the basis on which activities for promoting and monitoring the implementation of the Convention can and must evolve, in order never to lose sight of the problems which they set out to solve.

Having said that, the European Landscape Convention can already be regarded as a living thing composed of organs capable of continually vitalising it so that it does not come to nought like a series of good intentions without effect.

So that this living being may grow in strength and vigour, the responsible entities at the national and European levels are required from the outset to display open-mindedness and flexibility in a resolutely cross-disciplinary manner. To ensure fundamental compliance with the spirit of the Convention, a deeply inspired political resolve based on a change in perspective will also be necessary.

This change must find its conceptual basis in the actual text of the Convention. With the adoption of this new European treaty, landscape in fact ceases to be regarded as the poor relation of the family formed by environmental interests.

A new legal interest is at last created, one which is now recognised and protected by international law, and protected irrespective of the values inherent in the various component parts of landscape. The representatives of the European States have formally acknowledged that it was no longer conceivable to recognise and protect landscape strictly according to its special values. For this purpose, the Convention does not refer to specific landscapes but to a new conceptual category which is transformed into a definite right.

The philosophy sustained by the Convention thus prompts national legislators to recognise and protect landscape in the same way as any other environmental asset necessary to life, such as water and air.

The law recognises and protects these elements even when polluted or considered ordinary, and not only when they are of exceptional value and quality. Nobody has ever proposed to protect water and air only when they are completely pure.

And yet, where landscape is concerned, just this has actually been proposed and extensively applied, often on the strength of arbitrary judgments by a few circles of knowledgeable people secure in the conviction that they represent the will of the entire population.

Acceptance of this new conception of landscape on the legal plane has had very significant consequences.

The first consequence is evident in the scope of the Convention, which applies to the whole of the territory of the Council of Europe Member States. The second relates to the need to *democratise* landscape.

The amplification of the Convention's scope has in fact extended to the entire population the right to benefit from good-quality landscapes. This right is no longer confined to those possessing the means to inhabit or be in regular contact with landscapes of outstanding beauty.

Individuals are secured the right to establish a spiritual relationship with the territory, to benefit physically and mentally from this relationship, and to participate in public decision-making on the product of this relationship, which is the landscape itself.

In adopting this conception of landscape, the Committee of Ministers of the Council of Europe has grasped the strategic importance of landscape as a new key to urban and spatial planning policies and to the sustainable development of a Europe which is still looking for genuine values with which to resist the disastrous levelling and the worsening loss of identity caused by mismanaged globalisation processes.

By virtue of its markedly subjective and identity-building character, landscape constitutes a profoundly sensitive and attractive component of the environment, capable of galvanising the interest of a large part of the population, raising a strong social demand, and spurring politicians to react appropriately.

Thus, the European Landscape Convention, without interfering in the traditions and practices of States, seeks to set this dynamism in motion where not already present or to accentuate it where already in evidence. It can become a frame of reference for public authorities which, each at its own level, immediately aspire to devise and implement a new territorial pact founded on landscape.

At a practical level, the activities carried on in accordance with the new conception of landscape can vary with the types of landscape under consideration.

In that respect, the Convention proposes a typology of differentiated operations falling into the categories of *protection, management and planning*. This typology, precisely defined by the Convention, will need to be applied separately or in combination depending on the features of the landscape units dealt with.

Likewise, institutional functions will invariably be adapted to the value assigned to landscape within the national territory.

The central authorities of States will in fact be able to identify landscapes of national interest. Failing such identification, the subsidiarity principle is to be invoked in making local authorities responsible for protecting their own landscapes in line with national, or if required regional, landscape policies.

For these everyday landscapes, local authorities should engage in a series of concomitant operations, the first of which is educating the public to appreciate the values, advantages and problems of their landscapes.

Once suitably educated, they will be able to express themselves publicly on the outcome of the *identification* and *evaluation* of the municipal territory's landscape units, this outcome being achieved thanks to the assistance of experts from the various scientific disciplines concerned.

Having regard to the aspirations voiced by the public, local authorities should set *landscape quality goals* and introduce *protection, management and/or planning* activities by means of suitable *policy instruments*.

It is clear that public involvement, first of all through assertive and constant stimulation of people's awareness then through their active involvement in official decisions relating to landscape, constitutes the central feature of the European Landscape Convention. Without this involvement, landscape would probably lose its principal function and become either the expression of decay and ugliness for the many, or an artificial paradise for a privileged few.