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DRAFT GUIDELINES FOR IMPLEMENTATION OF THE EUROPEAN LANDSCAPE CONVENTION

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Cultural heritage, landscape and spatial planning Division
Directorate of Culture and Cultural and Natural Heritage*

Participants at the Council of Europe Conference on the European Landscape Convention are invited to:

1. take note of the outcome of the activities of the working group responsible for drawing up guidelines for the implementation of the European Landscape Convention¹ in accordance with the provisions of the 2005 Work Programme of the European Landscape Convention (document T-FLOR (2004) 15);
2. take into consideration, as appropriate and as a basis for implementation of the European Landscape Convention, the outcome of the activities undertaken, as described in the Guidelines for Implementation of the European Landscape Convention.

¹ The working group responsible for drawing up guidelines for the implementation of the European Landscape Convention has met on five occasions at the invitation of the Council of Europe Secretariat, on 14 January, 22 April and 19 September 2005 and on 11 January and 9 February 2007 (meeting reports, documents T-FLOR (2005) 1, 5 and 6 and T-FLOR (2007) 1, 2). Two written consultations took place on 13 April and 23 June 2006.

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GUIDELINES FOR IMPLEMENTATION OF THE EUROPEAN LANDSCAPE CONVENTION

Introduction

This document contains a series of theoretical, methodological and practical guidelines for the legal implementation of the European Landscape Convention. It is intended for Parties to the Convention wishing to draw up and implement a landscape policy based on the Convention.

It puts forward proposals taking account of advances and developments in the concept of landscape in Europe and of the various completed and ongoing experiments in applying the Convention.

The concept of landscape is passing through a period of rapid and profound change accompanied by significant advances. Together with the documents relating to its implementation, the Convention constitutes a genuine innovation compared with other international documents on the cultural and natural heritage. It has already led to developments in numerous European states, irrespective of whether or not they have officially acceded to it, not only in their national and regional legislation but also at the various administrative levels, as well as in methodological documents and experiments with active participatory landscape policies.

This situation has come about both in states which have long been active in this area and which have tried and tested landscape policies and instruments, and in states which are not yet at that stage. The Convention is used as a reference by various countries to initiate a process of profound change in their landscape policies; for others less well equipped it has constituted, and continues to do so, an opportunity to define their policy.

The guidelines and suggestions below are put forward with due regard for the freedom, and particularly the creativity, of the authorities of each state to draw up legal, operational, administrative and technical landscape-related instruments. They avoid narrow or restrictive interpretations of the text of the Convention or guidelines that have already been applied but found wanting. The courses of action chosen by each state for application of the Convention will form a common resource useful to all other states.

Some general principles and key measures are presented below:

- the general principles are designed to provide guidance on some of the fundamental articles of the European Landscape Convention;
- the key measures are intended to explain the foundations of the measures to be taken at technical and operational level in order to promote, on the one hand, spatial protection, management and planning according to landscape quality objectives (administrative and institutional questions) and, on the other, integration of the landscape dimension into all sectoral policies with landscape implications (criteria and instruments for implementing landscape policies).

The meetings of the Workshops on Implementation of the European Landscape Convention organised from time to time by the Council of Europe have already carried out, and will continue to do so, in-depth studies of useful themes as references for implementation of the Convention.

The Guidelines are designed to facilitate translation of the above principles and measures into national, regional and local regulations.

PART I. GENERAL PRINCIPLES

1. Issues covered by the general principles

1. Consideration of the territory as a whole

The Convention applies to the entire territory and covers natural, rural, urban and peri-urban areas. It includes land, inland water and marine areas. It concerns landscapes that may be considered outstanding as well as everyday and degraded landscapes.

2. Recognition of the founding role of knowledge

The identification, description and assessment of landscapes constitute the preliminary phase of any landscape policy. This involves an analysis of morphological, historical, cultural and natural characteristics and their interrelations, as well as an analysis of changes. The social perception of landscape by the public must also be analysed from the viewpoint of both its historical development and its recent significance.

3. Promoting awareness

Active public involvement means that specialised knowledge must be accessible to all, ie it must be easily available, structured and presented in a way understandable even by non-specialists.

4. Integration of the landscape dimension in territorial policies

The landscape dimension must be included in the preparation of all spatial management policies, both general and sectoral, in order to lead to higher-quality protection, management or planning proposals.

5. Landscape strategies

Each administrative level (national, regional and local) should draw up specific and/or sectoral landscape strategies within the limits of its competences. These are based on the resources and institutions which, when co-ordinated in terms of space and time, allow policy implementation to be programmed. The various strategies must be linked by landscape quality objectives.

6. Integration of policies

Landscape should be fully taken into account via appropriate procedures allowing systematic inclusion of the landscape dimension in all policies that influence the quality of sites. Integration concerns both the various administrative bodies and departments on the same level (horizontal integration) and the various administrative bodies belonging to different levels (vertical integration).

7. Public involvement

All action taken to define, implement and monitor landscape policies should be preceded and accompanied by procedures for participation by the public and parties concerned, with the aim of enabling them to play an active role in formulating, implementing and monitoring landscape quality objectives appropriate to their environment.

8. Conformity of action taken

Every planning action or project must comply with landscape quality objectives. It should in particular improve the landscape quality or at least not bring about a decline. The effects of projects, whatever their scale, on landscapes must therefore be evaluated and rules and instruments corresponding to those effects defined. Each intervention must not only match, but also be appropriate to the features of the locations.

9. *Mutual assistance and exchange of information*

Information exchange, the circulation of theoretical, methodological and empirical ideas, landscape specialists and students and the drawing of lessons from experience are of fundamental importance in encouraging the social and territorial relevance of the European Landscape Convention and achieving its objectives.

The Convention can give rise to creative experimentation on the basis of certain general innovative principles.

2. **Definition of landscape**

“For the purposes of the Convention: a “Landscape” means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors” (Article 1 of the European Landscape Convention – Definitions)

“Subject to the provisions contained in Article 15, this Convention applies to the entire territory of the Parties and covers natural, rural, urban and peri-urban areas. It includes land, inland water and marine areas. It concerns landscapes that might be considered outstanding as well as everyday or degraded landscapes.” (Article 2 of the European Landscape Convention – Scope)

The concept of landscape in the Convention differs from the one that may be found in certain documents, which sees in landscape an “asset” (heritage concept of landscape) and assesses it (as “cultural”, “natural” etc landscape) by considering it part of physical space. This new concept expresses, on the contrary, the desire to confront, head-on and in a comprehensive way, the theme of the quality of the surroundings where a population lives; this is recognised as a precondition for individual and social well-being (understood in the physical, physiological, psychological and intellectual sense) and for sustainable development, as well as a resource conducive to economic activity.

Attention is focused on the territory as a whole, without distinguishing between the urban, peri-urban, rural and natural parts, or between parts that may be regarded as outstanding, everyday or degraded; it is not limited to cultural, artificial and natural elements: the landscape forms a whole whose constituent parts are considered simultaneously in their interrelations.

The concept of sustainable development is understood as fully integrating the environmental, cultural, social and economic dimensions in an overall and integrated fashion, ie by applying them to the entire territory.

The sensory and emotional perception which a population has of its environment and recognition of the latter’s diversity and special historical and cultural features are essential for the respect and safeguarding of the identity of the population itself and for individual enrichment and that of society. It implies a recognition of the rights and duties of the population to play an active role in the processes of acquiring knowledge, taking decisions and managing the quality of the places where it lives. Public involvement in decisions to take action and in the implementation and management of such decisions over time is regarded not as a formal act but as an integral part of management, protection and planning procedures.

3. **Legal recognition of landscape**

“Each Party undertakes: a) to recognise landscapes in law as an essential component of people’s surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity” (Article 5 of the European Landscape Convention - General measures)

The legal recognition of landscape implies rights and responsibilities on the part of all institutions and citizens of Europe towards their physical surroundings. The landscape in which they live is the simultaneous

result of many change-producing actions resulting perhaps from the activity of various parties in territorial processes in highly varied ways and on differing scales of time and space. Such activities may be the outcome of action by public authorities in establishing a large-scale infrastructure or of individual action in a restricted space.

4. Landscape policies

“For the purposes of the Convention: b) “Landscape policy” means an expression by the competent public authorities of general principles, strategies and guidelines that permit the taking of specific measures aimed at the protection, management and planning of landscapes” (Article 1 of the European Landscape Convention – Definitions)

From the operational viewpoint, the Convention presupposes:

- the drawing up of specific landscape policies and concurrently the systematic inclusion of the landscape dimension in all sectoral policies that have a direct or indirect influence on changes to the territory. Landscape is therefore not a sectoral theme that can just be tacked on to other themes but is an integral part of them;
- a transition from a policy based only on protecting a territory’s features and parts recognised as outstanding to a policy based on the quality of all living surroundings, whether outstanding, degraded or everyday;
- the definition and experimentation of new forms of collaboration between the various bodies and the various levels of administration;
- a new approach to observing and interpreting landscape, which must henceforth:
 - view the territory as a whole (and no longer just identify places to be protected);
 - include and combine several approaches simultaneously, linking the ecological, historical, cultural, perceptive and economic approaches;
 - incorporate social and economic aspects.

5. Landscape operations

The Convention gives definitions of landscape activities such as protection, planning and management.

For the purposes of the Convention: ... d) “Landscape protection” means actions to conserve and maintain the significant or characteristic features of a landscape, justified by its heritage value derived from its natural configuration and/or from human activity; (Article 1 of the European Landscape Convention – Definitions)

The concept of *protection* includes the idea that landscape is subject to changes which, within certain limits, must be accepted. Protection actions, which are now the subject of numerous experiments, must not be designed to stop time nor to restore disappeared natural or human-influenced characteristics; however, they may guide changes in sites in order to pass on the majority of their specific, material and immaterial features for the future. A landscape’s characteristics depend on economic, social, ecological, cultural and historical factors, the origin of which often lies outside the sites concerned. Landscape protection must find the ways and means of acting, on the right scale, not only on the characteristics present at sites but also on external factors.

For the purposes of the Convention: e) “Landscape management” means action, from a perspective of sustainable development, to ensure the regular upkeep of a landscape, so as to guide and harmonise changes which are brought about by social, economic and environmental processes” (Article 1 of the European Landscape Convention – Definitions)

Management of landscape is a continuing action aimed at influencing any activity liable to change the landscape. It can be seen as a form of adaptive planning which itself evolves as societies transform their way of life, their development and surroundings. It can also be seen as a territorial project which takes account of new social aspirations, anticipated changes in biophysical and cultural characteristics and access to natural resources.

For the purposes of the Convention:... f) “Landscape planning” means strong forward-looking action to enhance, restore or create landscapes.” (Article 1 of the European Landscape Convention –Definitions)

Planning of landscape may be regarded in the same way as a territorial project and concerns forms of change that have a capacity to anticipate new social needs by taking account of ongoing developments. It must also be consistent with sustainable development and allow for the ecological and economic processes that may occur in the medium and long terms. Planning also covers the rehabilitation of degraded land (mines, quarries, landfills etc) so that they meet the stipulated landscape quality objectives.

Landscape action is a combination of protection, management and planning conducted over one and the same territory: certain parts and features can be protected, others must be managed and still others must be deliberately changed.

PART II. KEY MEASURES

1. Institutions and landscape

“Each Party shall implement this Convention, in particular Articles 5 and 6, according to its own division of powers, in conformity with its constitutional principles and administrative arrangements, and respecting the principle of subsidiarity, taking into account the European Charter of Local Self-government. Without derogating from the provisions of this Convention, each Party shall harmonise the implementation of this Convention with its own policies.” (Article 4 of the European Landscape Convention - Division of responsibilities)

Certain states in Europe have long implemented landscape policies, both co-ordinated and sectoral, based on legislation on the historic heritage or on nature dating from the first decades of the 20th century; policies are generally based on regulations relating to certain areas or features regarded as particularly worthwhile for different reasons (the dominant concept was generally natural or picturesque beauty, panoramic views etc) associated with the cultural models of the 16th and 18th centuries (paintings of nature etc). In some of those states, administrative authority has been assigned to bodies responsible, at different levels, for the historic heritage and culture.

Other states have, especially over the past few decades, developed policies focusing particular attention on matters connected with regulation of the environment (air, water, earth, flora and fauna) and the landscape theme has often been placed on the same level as the environment. In several countries, landscape responsibilities have been assigned to administrative bodies responsible for managing nature, the environment or ecology.

In yet other states, specific responsibilities are included among those attributed to spatial-planning bodies.

Because of the complexity of the whole landscape subject, other solutions have been found in the past few years at both national level and, particularly, at regional and local levels, and landscape-related

responsibilities have sometimes been conferred on sectors concerned with land-use and construction policies, sometimes on public-works sectors and sometimes on sectors concerned with agriculture etc.

Each state decides on its own institutional organisation in landscape matters according to its own overall institutional organisation (centralised, decentralised, federal) at the existing government levels (from national to local levels) and according to its own administrative and cultural traditions and existing structures.

However, it is advisable for landscape matters to receive specific recognition involving autonomy both in the allocation of administrative responsibilities and in knowledge-based and operational activities, irrespective of whether or not they are included in larger administrative sectors.

Competences should be allocated to the different administrative levels in line with the subsidiarity principle, under which the institutional level closest to the citizen is assigned responsibility. However, higher administrative levels must assume the tasks of guidance and co-ordination etc when these are not dealt with at local level (eg guidance, co-ordination, specialist data banks, national and regional planning policies and instruments etc) or when this would lead to greater efficiency. The experience of the different states and regions can be used as references when deciding on courses of action.

In order to make sure that the landscape dimension is incorporated into territorial policies, it is essential to engage in consultation, particularly prior consultation, between the different levels responsible for administering the area concerned (government and local-authority departments) and between the different bodies and sectors of the same level (horizontal and vertical consultation).

Consultation should cover both the formulation of general strategies and operational decisions. In this way it will be possible to transcend the unrelated and particularistic interests inherent in a view of quality based only on the protection of specific areas and avoid the risk of different or indeed contradictory policies on the part of the various public-service sectors.

At national level, it would therefore be useful to arrange for permanent consultation instruments and procedures and regular meetings between bodies with the most central administrative responsibility (ministries) in order to define and agree strategies and prepare consultation bodies (eg a standing interdepartmental conference). The same could apply vertically between ministries and lower administrative levels (eg state-region conferences) and also within the different administrative levels. In addition to these permanent bodies, procedures can be drawn up for collaboration between the different bodies and institutes (public and/or private) specialising in particular national and local problems, especially collaboration between departments responsible for different operational sectors in the regions, in supra-municipal bodies or in municipalities themselves.

Arrangements should also be made for national, regional and local bodies of an advisory and guidance nature to provide assistance to the above-mentioned technical and administrative services (landscape monitoring centres, landscape councils, landscape centres and institutes etc). These bodies could be composed of representatives of the administrative authorities, the scientific and professional communities concerned with landscape questions, and associations.

Within its landscape-administration structures and procedures each state must define the criteria for public participation and ways of organising it.

The public authorities should devote human and financial resources to landscape policy; such resources can either be specifically earmarked or come from other sectors (eg the environment, tourism, public works, culture etc), perhaps with the introduction of landscape considerations into the aforementioned sectoral policies.

2. Criteria and activities for landscape policies

2.1 The process leading to landscape action

Landscape knowledge constitutes the first fundamental stage in a process either of formulation of choices or of the involvement of the stakeholders whose activities influence the landscape; it leads to the establishment of landscape quality objectives and to landscape action.

The fundamental stages in the process leading to landscape action are:

- knowledge of the landscapes concerned; identification, description and assessment;
- drawing up of landscape quality objectives;
- attainment of these objectives by management over a period of time (exceptional actions and measures and ordinary actions and measures);
- monitoring of changes, evaluation of the effects of policies, possible redefinition of choices.

Consultation, pooling of ideas, approval and participation (between institutions and the population, horizontal and vertical) should be organised at all stages in this process.

Here, the legal framework should concentrate more on principles than specific operational methods, which should be left to more technical instruments that can be more easily modified over time (implementation rules, appendices etc); they should encourage creativity in the research and experimentation which are already in hand in different states or which form part of collaboration between several states.

Landscape knowledge: identification, description, assessment

“ ... C. Identification and assessment

1. With the active participation of the interested parties, as stipulated in Article 5.c, and with a view to improving knowledge of its landscapes, each Party undertakes:

- a. i) to identify its own landscapes throughout its territory;*
ii) to analyse their characteristics and the forces and pressures transforming them;
iii) to take note of changes;

b. to assess the landscapes thus identified, taking into account the particular values assigned to them by the interested parties and the population concerned.

2. These identification and assessment procedures shall be guided by the exchanges of experience and methodology, organised between the Parties at European level pursuant to Article 8.” (Article 8 of the European Landscape Convention - Specific measures)

The various texts relating to the Convention and the various experimental practices already being developed or operational in different European states show a diversity of approach to knowledge production that also reflects the diversity of cultural concepts. However, there is an acute awareness that the most frequently used theoretical and methodological instruments fail to meet operational requirements; too often they belong to compartmentalised disciplinary universes, while the landscape demands adequate responses within cross-disciplinary time and space constraints which can meet the need for a knowledge of the permanent changes at local level that require monitoring. Approaches include:

- *one that may be described as “description-interpretation”; this attempts to meet the requirement for knowledge imposed by instruments and measures for managing territorial changes (general plan, sector plan, landscape projects etc);*
- *approaches that are more analytical and descriptive, relatively independent and having operational purposes.*

The term “identification” should therefore be understood in its broad sense as the expression of this preliminary requirement; it is composed of a phase of comprehension and analysis of specific characteristics (description) and a phase of quality problem identification (assessment), which may vary according to the complexity of situations and objectives. The term identification should not be interpreted simplistically nor be limited to an inventory of landscapes but should be linked to the establishment of landscape quality objectives.

Landscape knowledge must be developed according to an identification, description and assessment process, which includes:

- an understanding and description of the specific physical characteristics of the sites in their existing state, revealing the traces left by natural and human processes and recognising that landscape characteristics result from the action of natural and/or human factors and their interrelations;
- examination of their developmental processes and highlighting (i) the past, present and foreseeable time-related forces due to either human or natural factors and (ii) the pressures and risks facing them;
- recognition of characteristics and value systems based on analysis by experts or knowledge of the social perceptions of landscape. This knowledge can be gained through various forms of public involvement in the process of landscape policy definition and through analysis of the geographical distribution of the population.

Guidelines for measures should not be too interventionist as regards the methods, stages and parties involved in the process of knowledge production: certain public authorities may provide *landscape catalogues* or *atlases* for use as a stand-alone instrument, with bodies having specific responsibility for producing them. Depending on the state, such documents have various titles: landscape atlas, landscape catalogue, landscape map, landscape character assessment map and so on. These supply a common reference framework and constitute a common language which makes communication easier between the parties; other documents may leave it to the experts to choose whether to use *descriptive analysis* or *interpretative description* as the first stage in obtaining the knowledge required by the instruments of landscape policy definition and implementation, depending on the administrative level, scale, objectives, tools (programmes, plans, charters etc).

Measures should be taken to:

- promote integration of the different knowledge-production approaches to observation of the territory (economic, social, environmental, historic/cultural, perceptive/visual etc);
- impose analyses concerning the entire territory (which take account of outstanding, everyday and degraded parts) and not only parts or features regarded as significant or exceptional;
- ensure ease of access, clarity and transparency in the organisation and presentation of knowledge, with the particular aim of securing public involvement in landscape policy choices;
- encourage the establishment and availability of landscape data banks; such data should concern the state of the landscapes, the past and present forces acting on them, pressures, risks and both natural and human aspects. Information should be updated regularly, and more frequently when changes are rapid. They should comply with nationally, and where possible internationally, recognised criteria so as to encourage exchanges of experience between states, regions and territorial communities at other levels.

Definition of landscape quality objectives

“ ... D. Landscape quality objectives

Each Party undertakes to define landscape quality objectives for the landscapes identified and assessed, after public consultation in accordance with Article 5.c.” (Article 6 of the European Landscape Convention – Specific measures)

Certain natural and/or historic elements of sites may be given particular attention in order to preserve their specific role, particular historical meaning, and environmental and other potential, for example, in parts of the territory devoted to agriculture, hedges, planted areas, dry-stone or earth walls, terraces, individual monumental trees, springs or historic canal networks. The instruments used may range from forms of legal protection to financing granted to owners and farmers for upkeep, replanting or integration and to forms of improvement accompanied perhaps by teaching material which provides guidance and passes on traditional methods of landscape upkeep.

Specific instructions and regulations may be introduced for certain types of operation and change that strongly influence the quality of sites, eg electricity lines, telephone networks and masts, wind farms, quarries, mines, commercial and political advertising, leisure facilities (eg campsites, caravans, recreational facilities) and so on.

Certain urban development themes and problems, which should be categorised according to the particular features of the different areas, may be the subject of specific instructions and regulations and may be mentioned as topics for special landscape studies: for example, town approaches, town-country boundaries, peri-urban approaches and areas, linear links between historically different centres (ribbon developments) and so on.

Conditions for public access to landscapes must be guaranteed with due respect for private property, but access roads, roads, lanes and paths should allow the landscape to be enjoyed; to this end, in agreement with the parties concerned, the authorities may arrange for the removal of visual obstacles or for the construction of viewing corridors on a landscape deserving such treatment. Such access roads must also provide facilities for the welfare of users, ie for their comfort and safety and comply with sustainable-development requirements.

The definition of quality objectives should be based on knowledge of the specific characteristics and qualities of the sites concerned, identification of the forces acting on them and of their potential and on how the landscape is perceived by the public. Certain landscape questions or aspects may receive special attention. Landscape quality objectives represent the end result of the process of devising landscape operations, which implies knowledge production, public consultation, policy formulation and action and monitoring strategies.

The objectives should constitute the preliminary guidelines for drawing up the measures to be taken to protect, manage and plan landscapes and manage them over time. They should be drawn up, linking the social requirements and values attached to the landscape by the public to the choice of policy decisions made concerning the substance of the landscape components. Particular importance should be devoted to the range of social perceptions, which reflect a population's diversity.

The concrete application of protection, management and planning choices must cover the whole landscape and refrain from dividing it into the number of elements composing it: landscape is characterised by the interrelations between several fields (physical, functional, symbolic, cultural and historic, formal etc) that constitute ancient and recent landscape systems; the latter may be interwoven and superimposed in the same section of territory. Landscape is not simply the sum of its constituent parts.

Landscape quality objectives should be defined by general landscape policy instruments for the different levels (national, regional, local etc) and formally implemented by town and country planning and

development documents, as well as by sectoral instruments; in return, these documents can make a specific contribution to the formulation of landscape quality objectives.

To make the process successful, it is necessary to consult the public and all parties concerned right from the outset and secure their approval and involvement.

2.2 Participation, awareness-raising, training

Participation

*“Each Party undertakes:
... c. to establish procedures for the participation of the general public, local and regional authorities, and other parties with an interest in the definition and implementation of the landscape policies mentioned in paragraph b. above;” (Article 5 of the European Landscape Convention – General measures)*

The certainty that strengthening the relationship between the population and its living surroundings underpins sustainable development affects the whole process of landscape policy definition. Moreover, participation is regarded as an instrument for strengthening the identities of populations, which recognise themselves in their surroundings.

Public involvement, which may entail contradictions resulting from the diversity of the value systems espoused by the various social groups, must be regarded as an enrichment and as an opportunity to validate knowledge and define objectives and action.

Participation implies two-way communication from experts and scientists to the population and vice versa. The population possesses empirical knowledge (local and naturalistic knowledge) that may be useful in supplementing scientific knowledge and giving it its due importance.

This also has an influence on “assessment” activity, understood as a dialectical comparison between analyses by experts and the values attached by the population to landscape, in the knowledge that different systems of “values” and “non-values” exist that are either well-entrenched or in the process of definition (universal, specific to national cultures, to local cultures, to each individual’s culture); these value systems belong to scholarly culture and to popular culture: they are qualitative and not quantifiable and some of them are sometimes mutually opposed. The concept of participation involves taking into account the social perception of landscape and popular aspirations in choices regarding landscape protection, management and planning. In this sense, the concept of landscape proposed by the Convention implies an exercise in democracy whereby differences are accepted, common characteristics found and operational compromises eventually reached; these represent an alternative to the drawing up by experts of hierarchical classifications of landscape qualities.

The means of participation must be chosen by each state from among methods appropriate to the different problems identified, taking account of current consultation and comparison customs, the different administrative organisations, the characteristics of the various territorial situations, the types of operational instruments used, the scales of operation, and experience both past and present at international level. In any case, participation should involve all the parties concerned: national, regional and local authorities, the population directly affected, the general public, non-governmental organisations, economic operators and landscape professionals and scientists.

Participation should be a feature of all the different phases in the processes of drawing up and implementing landscape policies, in particular, those of landscape appraisal, definition of landscape quality objectives, decision-making and implementation of actions over time. Participation must also be regarded as a system for the mutual information of the various parties involved.

In defining the procedures for approving choices, reference may be made to already tried and tested instruments such as consultation, public inquiries, information meetings and educational exhibitions. These instruments may also be used simultaneously.

Awareness-raising

“A. Awareness-raising

Each Party undertakes to increase awareness among the civil society, private organisations, and public authorities of the value of landscapes, their role and changes to them.” (Article 65 of the European Landscape Convention - Specific measures)

The need to make civil society, private organisations and public authorities aware of the value of landscapes, their role and changes in them does not mean that these bodies are not sensitive to the quality of their environment. It means instead that existing sensitivities are not always in working order and that the parties do not always recognise the link between landscape and their day-to-day surroundings. Awareness-raising is therefore a way of making clear the relations that exist between physical surroundings, the activities pursued by all parties in the course of their daily lives and the characteristics of the natural environment, housing and infrastructure; but awareness-raising based on personal contacts is made up of the experience gained from exchanges between local people affected by the planning decisions to be taken and persons possessing scientific and technical knowledge, ie scientists and experts.

Various forms of awareness-raising may be used on a permanent, periodic or occasional basis:

- publications, exhibitions, audiovisual means, simulations and shows by artists and photographers may be employed nationally, regionally or locally. Already widely used, written and audiovisual materials may take the form of illustrated booklets, slide shows with sound or exhibitions, all on various scales. These methods are often used at local level to talk about the landscape of a municipality or a number of municipal territories. They may also be the subject of presentations followed by a debate with the local population, which enables the views of local people to be ascertained. Landscape simulation or representation tools employing 3-D methods or block diagrams lead to better understanding and discussion between the parties;
- television broadcasts, which are still inadequate, should be developed for both general issues and local experiences;
- local awareness-raising experiences, such as guided visits to an area involving local people, elected representatives and experts or scientists. Such experiences may give rise to a debate and lead to collective thinking about the future of the landscape. Some of these experiences may take the form of a festive occasion.

Awareness-raising must include not only local people, elected representatives and representatives of the public authorities but also companies, non-governmental organisations, the scientific and technical community and artists. Awareness-raising should be understood as a knowledge-spreading process operating in all directions from policymakers to field personnel and local inhabitants and vice versa.

Training

“ ... B. Training and education

Each Party undertakes to promote:

- a. training for specialists in landscape appraisal and operations;*
- b. multidisciplinary training programmes in landscape policy, protection, management and planning, for professionals in the private and public sectors and for associations concerned;” (Article 6 of the European Landscape Convention – specific measures)*

Many countries now have training for specialists in landscape appraisal and operations. Such training should be encouraged and developed. Courses should be geared to a view of landscape based on sustainable development, ie they should train people in the relationship between landscape and economic development, between landscape and the renewal of natural resources and between landscape and social justice.

Courses of this nature are aimed at training designers, managers, engineers and technicians specialising in landscape protection, management and planning. They cover both the commissioning and management of projects. They lead to a state-recognised diploma and are now part of a European educational programme under which university exchanges between countries are possible.

Training meets the needs of the parties involved for specialist and refresher education:

- national and local institutions and bodies responsible for landscape and training should promote the setting up of specialist courses aimed at training, on a multi-disciplinary basis, landscape appraisal and operations specialists and at landscape research training;
- non-specialist university courses should allow for the introduction of landscape themes into the training of technicians whose activities influence a territory's landscape characteristics;
- special information and in-service training programmes should be provided for elected representatives, the technical staff of public authorities of all levels and sectors, professionals in the private and public sectors whose activities affect the landscape (agriculture, cultivation etc in such a way as to increase the inclusion of landscape in sectoral policies) and the associations concerned;
- theoretical and applied research programmes on landscape should be developed on a multi-disciplinary basis and promoted by states and the other administrative levels in a context of international co-operation. The anticipated contributions of landscape research concern theoretical knowledge, relations between landscape and sustainable development, public policies and their evaluation, links between landscape research and education, landscape economics, the history of landscape and its representations, the relationship between landscape appraisal approaches and public action, the integration of sectoral disciplinary viewpoints in order to appraise places from the landscape perspective, participation of the parties concerned in drawing up and implementing landscape policies and the definition of policy implementation instruments. On the whole, research should be directed more specifically at “action research” whereby there is a close relationship between fundamental research and public action. This linkage between the two can bring about valuable results for landscape protection, management and planning on the theoretical, methodological and operational levels.

Education

B. Training and education

Each Party undertakes to promote:

c. school and university courses which, in the relevant subject areas, address the values attaching to landscapes and the issues raised by their protection, management and planning.” (Article 6 of the European Landscape Convention – Specific measures)

While schools in certain countries already offer landscape training, such training must be strengthened so as to develop children’s sensitivity to questions which they are likely to experience when looking at their surroundings. Furthermore, this is a way of reaching a population through the family.

This can come about through education in several disciplines, whether geography, history, the natural sciences, economics, arts, literature or civics.

School curricula at the various levels should foster an awareness of landscape themes through learning to read landscapes and through sensitisation to relations between one’s surroundings and the landscape, to relations between ecology and landscape problems and to social and economic questions.

Landscape constitutes a teaching resource because, when reading it, pupils are brought face to face with visible signs of their surroundings that relate to spatial-planning issues. Landscape reading also makes it possible to understand current and historical approaches to landscape production as an expression of a community’s identity.

3. Implementation instruments

The means of implementing landscape policies or introducing the landscape dimension into sectoral policies may be either regulatory or contract-based. New methods of action may also be used. The choice of means to be used can depend on the local situation, which will vary even within the same country.

Implementation of landscape policies or of policies to introduce the landscape dimension into sectoral policies may combine these different means according to the ends in view, the specific characteristics of the territory, the population and administrative organisation concerned, and so on. This applies to all landscape situations and all activities that shape them. Implementation may be included in general and sectoral instruments at the different administrative, programming and spatial-planning levels; it may provide for land acquisition by the competent authorities.

Regulatory implementation

Regulatory implementation depends on the legislation that exists and the type of objective; ie it depends on what it is desired to achieve in terms of protection, management or planning; measures may be included in spatial-planning documents or provide for specific instruments.

- *Inclusion of objectives in a protection policy:* measures must ensure the conservation and upkeep of significant or characteristic aspects of a landscape; protection must be accompanied by a phased management plan. Specific legislation, where it exists, may be used or, where it does not, it should be drawn up.
- *Inclusion of objectives in a management policy:* measures may provide for the upkeep of existing landscape structures (some of these may be acquired by the competent authority).
- *Inclusion of objectives in a planning policy:* the measures may provide for planning schemes or for appropriate new facilities. Financial provisions for financing the proposed actions and/or technical and operational aids may be laid down.

Contractual implementation

Contractual implementation is based on agreements, charters, quality labels or contracts between the authorities and parties concerned. It may involve financial provisions for funding the proposed actions and/or technical and operational assistance. It may include the following:

- *in the case of a protection policy*: an agreement providing for the upkeep of a landscape. If necessary, compensation may be awarded to parties affected by the impact of a landscape-friendly measure;
- *in the case of a management policy*: contracts or agreements providing for the upkeep of existing landscape structures. If necessary, funding equivalent to the cost of upkeep may be granted (eg upkeep of hedges, canals, paths etc);
- *in the case of a planning policy*: contracts or agreements providing for the creation of new structures or facilities with appropriate financing. These new structures or facilities must blend in with the existing landscape, ie must comply with defined landscape quality objectives.

To implement landscape policies, a *general planning and development process* should be introduced: this should use specific instruments and provide for the landscape dimension to be included in sectoral instruments. It should be based both on general principles at national level, even if decentralisation is anticipated, and on the linkage of competences at several levels and several types of implementation instruments.

Instruments are already being put to use in several countries and each of them can be a model for either the creation of new instruments or the improvement of existing ones.

The main categories of instruments are:

- landscape planning: landscape study plans included in spatial planning;
- inclusion of landscape in sectoral policies and instruments;
- shared charters, contracts, strategic plans;
- impact and landscape studies;
- evaluations of the landscape effects of operations not subject to an impact study;
- protected sites and landscapes;
- relationship between landscape and regulations concerning the cultural and historic heritage;
- resources and financing;
- landscape awards ;
- landscape monitoring centres;
- reports on the state of the landscape and landscape policies;
- transfrontier landscapes.

APPENDIX I

SOME EXAMPLES OF INSTRUMENTS USED TO IMPLEMENT THE EUROPEAN LANDSCAPE CONVENTION

The purpose of this Appendix is to clarify certain points not fully covered in the guideline document for the European Landscape Convention. It can be supplemented by the experiences of states parties to the Convention in their own territories, which will provide useful lessons for improving the approach to landscape action.

[It is proposed that each state contribute to the setting up of a database to appear on the website of the Council of Europe's European Convention. The database would be a "toolbox" which would help provide mutual technical and scientific assistance through the collection and exchange of landscape experience and research, as provided for in Article 8 of the European Landscape Convention on mutual assistance and exchange of information.]

1. Landscape planning: landscape plans and studies as part of spatial planning

It is necessary to stress the need to deal with landscape matters through a systematic landscape planning process adapted to the different levels, from national to local, throughout the whole territory, including urban and extra-urban areas: the process could take the form of a proper landscape planning and development system endowed with specific instruments and interconnected at the different administrative levels (*landscape plan*) or the systematic introduction of the landscape dimension into ordinary planning supplemented by specific studies and instructions (*landscape study*). All spatial planning must have a landscape dimension.

Landscape plans and studies incorporated into the planning process may be mandatory or optional; they may be operationally autonomous or linked operationally to the instruments of normal spatial planning, of which they form an integral part. Such choices may present themselves simultaneously in a range of situations, even within one and the same state.

Irrespective of the question of regulatory and operational autonomy, it is important that there should always be specific studies on the appraisal of surroundings from the landscape perspective or that the direction of operations should be specifically defined: according to the definition in the European Landscape Convention, such studies and directions should concern protection of the characteristics of sites already recognised as being high-quality, the ordinary quality of sites or reassessment and rehabilitation problems.

It is also important to make maximum use in such a planning process of instruments for preliminary vertical and horizontal consultation between the different levels and sectors concerned with the administration of the territory. Encouragement should be given for this to be made an obligation or to promote its use for the implementation of plans by means of administrative procedures.

It would also be useful to specify periods of validity, updating or renewal of landscape plans and studies, taking account of the different factors, eg speed of change according to the areas concerned, the actual possibilities for involving public authorities in devising such instruments, public sensitivity to such issues and opportunities for sustainable development as revealed by consideration of the landscape quality of the sites concerned.

A landscape plan or study will take the form of mapping documents and reports stating the objectives and proposed measures. It will contain operational provisions concerning protection, management and planning, re-assessment and/or rehabilitation, educational provisions on informing and raising the awareness of the public and economic operators, and measures for as effective a level as possible of direct participation by local people.

Principal characteristics of landscape plans or studies

- 1) *In accordance with the results of the knowledge acquired through activities focusing specifically on the entire territory, it is necessary to identify clearly-defined and demarcated “landscape units”. The expression “landscape unit” is used to emphasise the importance of systematically studying the places concerned from the landscape perspective. It would be wrong to focus solely on just one form of analysis (eg ecological, geographical, visual or other). However, several terms based on different forms of landscape description and site interpretation may be used, as already happens in various states, eg unit, area, system etc.*
- 2) *The landscape plan or study sets “landscape quality objectives” for each landscape unit; these cover:*
 - *conservation and upkeep of quality features (morphology, constituent elements, colours etc, also taking account of construction methods and materials and symbolic characters and places etc);*
 - *provision for hubs of development in accordance with the various recognised landscape features, ensuring that development does not degrade landscape quality;*
 - *re-assessment and/or rehabilitation of degraded or problematic areas in order to restore their qualities or create new ones.*
- 3) *Definition of general and operational requirements and activities relating to the area’s landscape quality (protection, management, planning, re-assessment etc), devoting special attention to the measures needed for enhancing the landscape and for the public use and accessibility of the sites concerned.*
- 4) *The landscape plan or study may also include provisions on awareness-raising, training and information to the public and to the different stakeholders whose activities affect the landscape (economic operators, technicians, administrators etc).*
- 5) *Landscape plans or studies may also include agreements, grants and financing for the upkeep of landscape components, creation of structures and recreational and educational activities etc, either by using specifically earmarked funds or indicating and emphasising the possibility of using funds belonging to particular sectors such as agriculture, tourism, culture, public works etc.*
- 6) *A short-term or medium-term management plan or programme is necessary in all circumstances and places.*
- 7) *It is essential to have a means of monitoring landscape changes and the effectiveness of operations. This will help in the process of reviewing and reformulating landscape quality objectives and in periodically redefining all phases of landscape policy and its resources.*

2. Inclusion of the landscape in sectoral policies and instruments

It is particularly important in the present context for:

- all spatial planning and development instruments, whether sectoral or partial, to comply with the provisions contained in *landscape plans or studies*;
- all spatial planning, development and management programmes and instruments to include the landscape dimension in both the appraisal and operational phases;

- numerous forms of vertical and horizontal consultation between the competent bodies to be provided for and implemented;
- an integrated landscape approach to be present in the various sectoral instruments in the area concerned.

In particular, by way of example, landscape plans and studies should be part of energy management programmes, infrastructure (all types) and transport programmes and projects; plans for catchment areas; tourism programmes and plans; programmes, regulations, plans, actions and financial instruments for farming activities and existing legal nature-protection instruments (eg parks and reserves etc).

3. Shared strategic charters, contracts and plans

Consultation and negotiation instruments are spreading and have become more common over the past few decades: they can be used for landscape matters and there are already some positive experiences. In this case, they should involve the common validation of landscape identification and description, the drawing up and approval of quality objectives and medium-term and long-term control strategies by the different landscape players; they should include reciprocal commitments on better implementation of landscape policy through a programme of practical and sustainable action.

The various administrative bodies are responsible for defining the characteristics of such instruments in line with their own particular situation: developers, forms of involvement of the parties, forms of negotiation and contract, ways in which choices are made, responsibility for co-ordination, legal procedures for defining and implementing the necessary action.

On the basis of existing experience, stress should be placed on the importance of broader involvement by the various parties (public and private, individual and collective, national, regional and local levels, general or sectoral etc), the contribution of landscape technicians during the different phases, provision to the public of a clear and validated framework of preliminary knowledge. Prior consultation of all parties involved is essential in order to guarantee success and can take various forms.

4. Impact and landscape studies

The impact study procedures – evaluation of environmental effects and strategic environmental evaluation – required by the European Union in order to assess the consequences of planning projects for the environment are extremely useful instruments for studying the direct and indirect effects of projects on sites and identifying the measures needed to counter or reduce those effects, where necessary. These procedures may also be used in states that are not members of the European Union. However, current experience points to the frequent inadequacy of methods of analysing and evaluating the landscape dimension, which is often regarded as a sectoral theme representing just another environmental component (like air, water, earth), to be assessed in many cases through quantitative indicators. It is therefore imperative to have a proper qualitative evaluation of the effects of development projects on the landscape.

A change in the content of these procedures is essential for an overall integrated interpretation of sites according to the different viewpoints.

It is essential to introduce landscape quality objectives (landscape plans, area development plans with a landscape content etc) into impact studies in order to ensure that projects are as consistent as possible with those objectives.

In any case, it is essential to arrange for action to mitigate and offset any negative effects produced by development projects on the surroundings, from the viewpoint of the landscape and environment (integration of the two viewpoints).

It would be useful to apply the guiding principles of strategic environmental evaluation with a view to the estimation and verification of spatial-planning plans and programmes, since such evaluation involves a comprehensive and overall consideration of the whole landscape and particularly of its capacity to tolerate the planned developments.

5. Evaluation of the landscape effects of operations not subject to impact studies

All development projects, whatever their nature, generally on a local scale, must take account of landscape quality factors. Certain countries (France, Italy, Germany, United Kingdom etc) have adopted specific instruments in this field. Evaluation should contribute to decision-making by administrative bodies and educate and accustom technicians, administrators and private individuals to take account of the landscape dimension as soon as the process of project definition starts.

A specific procedure must therefore be established for the landscape evaluation of all projects for which official permission is required (and which are not yet subject to an environmental impact study (EIS) or to a strategic environmental evaluation (SEE)).

It must be stressed, however, that the documentation required and the procedure involved are not highly expensive or technically complicated. Furthermore, evaluation of landscape effects must be considered separately from the infrastructure or construction project and involve a specific procedure and documentation, whilst allowing an overall integrated analysis of the relationship between the sites concerned and the development project.

The documentation should:

- show how the project fits into the different contexts (the “close” context which it is proposed to develop (approaches), the “halfway” and “distant” contexts, which present problems of visibility and intervisibility of sites in the largest areas; the link with materials, colours and building techniques; impact on biotic and abiotic aspects;
- show the condition of the sites and contexts before work is carried out; demonstrate the consistency of the project characteristics with the contexts; simulate how the site will look afterwards;
- demonstrate that landscape planning and development instruments (plans, charters etc), where they exist, comply with landscape quality objectives;
- assess the effects of the proposed development on the sites concerned and introduce, where necessary, mitigatory measures which will ensure the maintenance of good landscape quality in those sites and compensation measures contributing to environmental quality.

6. Protected sites and landscapes

It is important to encourage a policy to ensure the quality of the territory as a whole by defining policies for appraising, planning, developing and managing everyday or degraded landscapes, rather than identifying and protecting exceptional sites. The latter category, which has long been the subject of experiment in many countries, including monuments and natural sites, has been showing signs of crisis for some time, particularly when it overrides other policies and constitutes passive defence of sites isolated from the territory as a whole; as a result, permits to carry out modifications are subject only to the opinion of specialists and professionals.

While it may be considered a good idea to introduce specific regulations for particular sites (or amend existing laws), it is necessary to reach broad agreement on positions capable of resisting unproven and unsupported conceptual processes. The particular features of each state must be taken into account. It seems preferable to avoid reasoning of the “picturesque feature”, “natural beauty” and “outstanding feature” type, which belong to cultural concepts specific to legislation on the protection of monuments and sites of the first

decades of the 20th century. Reasoning based on a site's specific characteristics may be supplemented or replaced by reasoning based on particular sensitivities or risks.

For such sites, each state should specify according to its own needs:

- general and specific protection measures and instruments: eg a classification or just a list; use of existing institutional instruments such as parks and reserves (cultural parks, regional parks, archaeological reserves etc); creation of new instruments; its own provisional protection measures;
- the characteristics of listing and protection instruments: eg description of the site and the main reasons for protecting it, with official notification to the public and private owners.

Specific, binding or simply guideline regulations should ideally be drawn up for each protected site according to its size and features etc, or specific landscape plans drawn up for each protected site or for certain particular types. In any case, the rules concerning them should be made part of general landscape planning and development.

7. Relationship between landscape and regulations on the cultural and historic heritage

Generally speaking, every state already possesses legislation, an administrative organisation and specific instruments for safeguarding its own cultural and historic heritage, which is now receiving increased public attention; having a policy in this area has been becoming increasingly common throughout Europe since the end of the 19th century. The landscape dimension must also be included in this sector. Specifically, the protection and upkeep of the individual, linear and surface elements making up a cultural and historic heritage (eg historic centres, villas, industrial archaeology, historic gardens etc) should take account of the way such heritage blends in with the landscape.

The approaches to historic monuments may be the subject of particular plans or of regulations designed to preserve the physical, historic, symbolic, visual and compositional relationship with close and distant contexts: in other words, it is essential to cease devoting attention (and therefore protection) limited solely to exceptional simple and individual elements and instead focus attention on the whole system of which those elements are often just a component.

It is suggested that identification of significant items in the historic heritage should be included, highlighting their role within a system of historical, material and immaterial relations, that instruments capable of safeguarding and enhancing such a system should be devised, and also that structures and sites should be covered by instruments for regulating development activities (regulations, specific programmes, inclusion in ordinary planning etc).

8. Resources and financing

The resources needed to draw up and implement a landscape policy may be both financial and human.

Specific resources can be earmarked, with a landscape fund being set up at different administrative levels, through public and private financing (bodies, associations, foundations etc). The inclusion of landscape aspects in sectoral policies (environment, tourism, agriculture, public works, culture etc) will allow use to be made of the resources earmarked for these sectors simultaneously for landscape protection, management and planning.

In order to encourage the landscape dimension to be taken into account in all public and private decisions, special measures involving tax rebates and grants may be adopted. These measures must be adapted to the different types of landscape, their constituent elements and implementation instruments and to the needs of the local communities concerned (direct incentives).

Other types of incentive may be added, for example technical assistance to private parties in drawing up plans and projects, exploitation of the sites concerned through tourism policies, support for high-quality agricultural products etc (indirect incentives).

Specific initiatives can be taken to encourage the involvement of associations (non-governmental organisations) in the definition and implementation of landscape policies at the different administrative levels in connection with the various types of implementation instruments (plans, charters etc) and the different operational phases (protection, management, planning etc).

Major public works, projects and facilities should devote a minimum percentage of their budget to landscape considerations. This course is already being followed in certain countries.

9. Landscape Award

Unlike other forms of recognition which focus mainly on the exceptional nature or significance of places, whether this is inherited or recently created, the Landscape Award referred to in the Convention is intended mainly to raise awareness, by awarding a prize for exemplary action carried out by public authorities and non-governmental bodies.

It would be possible to make an award at national, regional and local level for exemplary action involving the restoration or safeguarding of threatened or degraded landscapes, activities relating to good everyday and ordinary management, drawing-up and implementation of landscape plans and management plans, successful experience of public involvement, in-service education and training policies, experience of horizontal and vertical consultation in landscape planning and management, transfrontier experience, studies and research possibly involving a number of administrative operators, either national or supranational etc. Each state could institute a national landscape award which would serve as a means of pre-selection for participation in the Council of Europe Landscape Award.

Each state could adapt its national landscape award to its own requirements, necessities and opportunities. In this way it could specify the content of the award (cash, financial, technical and operational support for the parties' action etc), the forms in which the results are to be published (exhibitions, demonstrations, publications etc), administrative levels concerned, subject categories, frequency and composition of the judging panel.

However, it is advisable for choices concerning national and infra-national awards to be based on the guidelines and choices for the Council of Europe Landscape Award as part of a process of universally accepted participatory action.

10. Landscape monitoring body, centres or institutes

The strong forces surrounding contemporary landscapes and the many problems connected with landscape protection, management and planning necessitate continuous observation and a forum for exchanging information; the creation of landscape monitoring bodies, centres or institutes could prove useful for this purpose. Such bodies, centres or institutes would allow observation on the basis of appropriate study protocols employing a range of indicators; they would also allow for the collection and exchange of information on policies and experience. They could be independent or part of a broader observation system.

These landscape monitoring bodies, centres or institutes could be set up at various levels – regional, national or international – employing interlocking observation systems, and providing the opportunity for ongoing exchanges. Thanks to these bodies, it should be possible to:

- describe the condition of landscapes at a given time;
- exchange information on policies and experience concerning protection, management and planning, public involvement and implementation at different levels;

- use and, if necessary, compile historic documents on past landscapes which could be useful for knowing how the landscapes concerned have developed (archives, text, photographs etc);
- draw up quantitative and qualitative indicators to assess the effectiveness of landscape policies;
- furnish data leading to an understanding of trends and to forecasts or forward-looking scenarios.

Exchanges of information and experience between states, regions and territorial communities, which already take place, must be based on exemplarity but should always be set against the political, social, ecological and cultural context of the original landscape.

The choice of the composition of monitoring bodies is a matter for the administrative organs concerned but should allow for collaboration between scientists, professionals and technicians from the public authorities and the public.

11. Reports on the state of the landscape and of landscape policies

States and regions should draft a report on the state of landscapes in their territories at suitable intervals on the basis of work of the landscape monitoring bodies, centres or institutes. The report should include a policy review in order to check the effectiveness of legislation and action taken.

This type of document drawn up by administrative bodies, landscape monitoring bodies, centres or institutes or other bodies and/or in collaboration between those different entities could compare what is actually happening in the sites in question with the landscape guidelines and measures implemented, highlight the results, solutions and problems encountered and indicate new directions. The document should stand on its own or be part of a broader report in which a specific section is devoted to the landscape. However, it should not be a substitute for the regular meetings which states must hold for the purpose of implementing the European Landscape Convention and its effects.

12. Transfrontier landscapes

Transfrontier co-operation may result in joint landscape protection, management and planning programmes and take the form of instruments and measures agreed between the authorities (different administrative levels and general and sectoral competences) and parties concerned on both sides of the border.

Transfrontier co-operation is possible not only between neighbouring states but also between neighbouring regions and communities in the same country which have different landscape policies, on the basis either of territorial contiguity or common features.

Internet site and bibliographical references

See on the Council of Europe website² the various reports on themes developed since the signing of the European Landscape Convention in October 2000, particularly in the meetings of the Workshops for Implementation of the European Landscape Convention.

² http://www.coe.int/t/e/Cultural_Co-operation/Environment/Landscape/

APPENDIX II

PROPOSAL FOR A FRAMEWORK TEXT

ON THE IMPLEMENTATION OF THE EUROPEAN LANDSCAPE CONVENTION

*for use as a source of inspiration for public authorities when implementing the
European Landscape Convention*

*(This document will form Appendix 2 to the “Draft Guidelines for the implementation of the
European Landscape Convention”, to be presented at the Conference on 22 and 23 March 2007,
then transmitted to the Committee of Ministers for adoption)*

Foreword

In conformity with the European Landscape Convention and to provide better guidance for landscape policies, the framework text suggests certain legal and institutional measures that could be taken at the national level to assist in formulating, monitoring and evaluating landscape policies.

Article 1. Definitions

For the purposes of this framework text:

- a.* “Landscape” means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors;
- b.* “Landscape policy” means an expression by the competent public authorities of general principles, strategies and guidelines that permit the taking of specific measures aimed at the protection, management and planning of landscapes;
- c.* “Landscape quality objective” means, for a specific landscape, the formulation by the competent public authorities of the aspirations of the public with regard to the landscape features of their surroundings;
- d.* “Landscape protection” means actions to conserve and maintain the significant or characteristic features of a landscape, justified by its heritage value derived from its natural configuration and/or from human activity;
- e.* “Landscape management” means action, from a perspective of sustainable development, to ensure the regular upkeep of a landscape, so as to guide and harmonise changes which are brought about by social, economic and environmental processes;
- f.* “Landscape planning” means strong forward-looking action to enhance, restore or create landscapes.

Article 2. Scope

This framework text applies to all the national territory and to all landscapes:

- a.* it covers all natural, rural, urban and peri-urban areas and concerns inland areas, territorial waters and coastal areas, inland waters, wetlands, rivers and water courses, lakes and ponds;
- b.* it concerns not only remarkable or outstanding landscapes, but also everyday and degraded or deteriorated landscapes.

Article 3. General principles

The general principles concern all public authorities responsible for developing and implementing landscape policy.

1. Legal recognition of landscapes

Landscapes are an essential component of people's surroundings, as well as an expression of the diversity of their shared cultural and natural heritage and a foundation of their identity.

2. Rights and responsibilities

Landscape protection, management and development entail rights and responsibilities for everyone.

3. Integrating the landscape dimension

Public authorities at the national, regional and local levels must integrate the landscape dimension and allow for it in their policies in different sectors with possible direct or indirect impact on landscape. They must also introduce the landscape dimension into the various legal instruments for implementing these policies.

4. Public participation

Action taken in connection with the preparation, implementation and follow-up of landscape policies must be preceded and accompanied by appropriate procedures for participation by the public and the players concerned, enabling them to play an active part in setting landscape quality objectives and implementing protection, management and planning measures. Information documents in plain, non-technical language should be prepared for this purpose.

5. Knowledge, awareness, education and training

a. Landscapes all over the territory should be studied in detail.

b. Information and awareness activities should be organised at every level of the territory.

c. Primary and secondary education syllabuses should include landscape education in the appropriate subject areas.

d. Special higher education studies focusing on landscape protection, planning and management should be encouraged.

e. Landscape issues should be included in training for specialists in spatial planning, urban development, cultural, environmental, agricultural, social and economic policy, as well as other policy areas likely to affect the landscape directly or indirectly.

6. Landscape policy

a. Landscape policy involves dynamic action that reflects a concern for quality. This action may concern the protection, management or planning of landscapes, and result in concrete measures and processes, to be implemented separately or simultaneously.

b. Each national, regional and local authority, at its own level or responsibility, defines a landscape policy comprising action to protect, manage and plan the landscapes within its sphere of competence. This policy should be accompanied by measures to identify and classify landscapes, with a view to determining the particular place the public and the players concerned allocate to them, based on genuine familiarity with the characteristics of the places and the issues involved.

c. The various competent authorities, at their respective levels, prepare landscape quality objectives highlighting the particular characteristics and qualities of the landscapes concerned and specifying what steps

should be taken to protect, manage and plan them. These objectives should be included in spatial and urban planning documents and policy documents in other sectors.

d. The material and legal steps taken to protect, manage or plan landscapes must contribute to sustainable development and, in particular, be compatible with the concern to protect the environment and to make the most of the natural and cultural heritage.

Article 4. Division of responsibilities

a. Landscape policy is a responsibility shared between the national authorities and regional and local authorities, in keeping with the principle of subsidiarity.

b. The Ministry of ... :

- i.* is responsible for implementing landscape policy and for interministerial co-ordination in that field;
- ii.* organises consultation with civil society and the assessment of landscape policies by an ad hoc body;
- iii.* in collaboration with the other ministries and with public participation, regularly develops and reviews a national landscape strategy laying down the guiding principles of landscape policy and describing the paths taken and the goals pursued in order to protect, manage or plan landscapes. This landscape strategy must be made public.

c. The ministries whose activities influence landscapes must equip themselves with departments responsible for implementing landscape policy in the course of their activities, in keeping with the principles embodied in Article 3, and regularly report on their landscape policy.

d. Regional and local authorities must have staff familiar with landscape issues who are capable of implementing landscape policy in their spheres of competence, taking landscapes into account at their respective territorial levels.