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EUROPEAN LANDSCAPE CONVENTION

CEP-CDCPP

9th COUNCIL OF EUROPE CONFERENCE ON

THE EUROPEAN LANDSCAPE CONVENTION

*Conference organised under the auspices of the Cypriot Chairmanship of
the Committee of Ministers of the Council of Europe*

DRAFT RECOMMENDATION

**of the Committee of Ministers to member States on the contribution of
the landscape approach, as defined in the European Landscape Convention,
to the exercise of democracy and human rights,
within a perspective of sustainable development**

Council of Europe
Palais de l'Europe, Strasbourg
23-24 March 2017

*Document of the Secretariat General of the Council of Europe
Directorate of Democratic Governance*

The Conference is invited to:

- consider the draft Recommendation of the Committee of Ministers to member States on the contribution of the landscape approach, as defined in the European Landscape Convention, to the exercise of democracy and human rights, within a perspective of sustainable development prepared by the Working Group “Landscape and Democracy”, in order to transmit it to the Steering Committee for Culture, Heritage and Landscape (CDCPP) for submission to the Committee of Ministers.

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Presentation of the draft Recommendation

The draft recommendation builds on the report on “*The Contribution of Landscape and the European Landscape Convention to Democracy, Human Rights and Sustainable Development*” (CEP-CDCPP (2017) 5E). Its purpose is to promote the implementation of the European Landscape Convention by highlighting the intangible values of the Council of Europe in the field of democracy and human rights.

Drawing on the universal character of human rights, the forthcoming opening of the European Landscape Convention to non-European States through the Protocol amending the Convention offers a unique opportunity to demonstrate that the Convention provides a practical and living illustration of several human rights – health, well-being, dignity, the environment, culture, cultural heritage, education, participation and non-regression – that are applicable in relation to the landscape.

The “territorial” dimension of human rights, which is implemented through policies aiming at protecting, managing and planning landscapes, thereby contributes to strengthening intercultural integration, social cohesion, living together, education for democratic citizenship and environmental education.

From the standpoint of participatory democracy and the adoption and implementation of landscape policies, more precise procedures should be incorporated into urban and spatial/regional planning documents, to take account of landscape issues.

Democracy also entails universal access to the landscape, as part of our common natural and cultural good, without discrimination and in accordance with human dignity.

The media and non-governmental organisations should also develop information and awareness-raising activities, key elements of human rights education and education for democratic citizenship, concerning the role of landscape and the European Landscape Convention as dynamic and practical means of strengthening human rights and democracy.

The Council of Europe having developed special indicators relating to social cohesion and to culture and democracy, it should enrich these indicators by including data on the European Landscape Convention and its implementation.

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**Draft Recommendation CM/Rec(2017)...
of the Committee of Ministers to member States
on the contribution of the landscape approach, as defined in the European Landscape
Convention, to the exercise of democracy and human rights, in the context of sustainable
development**

(Adopted by the Committee of Ministers on ... at the ...th meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe (ETS No. 1);

Considering that the aim of the Council of Europe is to achieve a greater unity among its members, for the purpose of safeguarding and realising the ideals and principles which are their common heritage;

Having regard to the European Landscape Convention (ETS No. 176), adopted by the Committee of Ministers on 19 July 2000, which opened for signature by member States of the Council of Europe in Florence on 20 October 2000 and entered into force on 1 March 2004, comprising 38 States Parties and two signatory States;

Taking into consideration the Protocol amending the European Landscape Convention (ETS No. 219), adopted by the Committee of Ministers on 15 June 2016 at the 1260th meeting of the Ministers' Deputies and opened for ratification, acceptance or approval on 1 August 2016;

Considering that the European Landscape Convention, which was already open to European States not members of the Council of Europe, will, pursuant to this protocol, provide for the accession of non-European States and thus concern landscapes throughout the world;

Convinced that landscape can contribute to the sharing among peoples of an unshakeable commitment to the spiritual and moral values that underlie the principles of freedom and the rule of law, on which all genuine democracy is based, in accordance with the preamble to the Statute of the Council of Europe;

Considering that protecting, managing and planning the landscape are fully consistent with the Council of Europe's aims of facilitating economic and social progress and respecting human rights and fundamental freedoms, in accordance with Articles 1.a and 1.b of the Statute of the Council of Europe;

Wishing to draw attention to the contribution of the European Landscape Convention to securing democracy and human rights, within the context of sustainable development;

Referring to the principles set out in Recommendation CM/Rec(2008)3 of the Committee of Ministers to member States on the guidelines for implementation of the European Landscape Convention;

Emphasising in particular four observations to be found in the preamble to the convention:

- the landscape contributes to human well-being,
- the landscape is a key element of individual and social well-being,
- the member States wish to respond to the public's wish to enjoy high-quality landscapes and to play an active part in the development of landscapes,
- protecting, managing and planning the landscape entails rights and responsibilities for everyone;

Recalling that signatory States to the convention wish to achieve sustainable development based on a balanced and harmonious relationship between social needs, economic activity and the environment, and considering that the landscape plays an important public-interest role in the cultural, ecological, environmental and social fields and that it constitutes a resource beneficial to economic activity, whose appropriate protection, management and planning can contribute to job creation and a balanced territorial development;

Noting that the convention refers directly and expressly, in a number of contexts, to the territorial dimension of human rights and that attention should be drawn to these interactions;

Having regard to the threats, pressures and obstacles sometimes faced by individuals or groups acting in favour of human rights and the protection, maintenance and enhancement of significant or characteristic features of landscapes whose heritage value derives from their natural configuration and/or human activity;

Considering that both the wording and the spirit of the convention require the States Parties not only to promote landscape protection, management and planning by means of appropriate legal instruments, but also to establish universal rights and obligations, making the convention a key tool for implementing human rights and democracy;

Bearing in mind the recommendations and guidelines adopted by the Committee of Ministers of the Council of Europe on: landscape education in accordance with the European Landscape Convention; on education in democratic citizenship, in application of the right to education and teaching laid down in Article 2 of Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 9); on intercultural integration to promote living together and social cohesion in shared public spaces, in accordance with the principles of dignity and non-discrimination embodied in the Universal Declaration of Human Rights, and on human rights in culturally diverse societies:

- Recommendation CM/Rec(2002)12 on education for democratic citizenship,
- Recommendation CM/Rec(2010)7 on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education,
- Recommendation CM/Rec(2014)8 on promoting landscape awareness through education,
- Recommendation CM/Rec(2015)7 on pedagogical material for landscape education in primary school,
- Recommendation CM/Rec(2015)1 on intercultural integration;

[Referring to the Recommendation CM/Rec(2017)... of the Committee of Ministers to member States on principles for the participation of the public in the definition and implementation of landscape policies, as defined in the European Landscape Convention, and to the report entitled “The Contribution of Landscape and the European Landscape Convention to Democracy, Human Rights and Sustainable Development” (CEP-CDCPP (2017) 5E);]

Wishing to pursue the work on the interactions between landscape, spatial planning, human rights and democracy, taking into consideration the documents of the 7th and 8th Council of Europe Conference on the European Landscape Convention (Appendix of the Conclusions of the 7th Conference, entitled “The Council of Europe activities within landscape and spatial planning”; and the report from the 8th Conference entitled “Landscape and democracy: prospects”);

Taking into account the work achieved by the “Landscape and Democracy” Working Group established according to the 2015-2017 work programme for the implementation of the European Landscape Convention, as approved by the Steering Committee for Culture, Heritage and Landscape,

Recommends that governments of member States:

- a.* use the European Landscape Convention as a universal instrument for the effective implementation of human rights, in particular the rights pertaining to health, individual and social well-being, the environment, natural and cultural heritage, education and non-discrimination;
- b.* respect, protect and secure human rights in activities relating to landscape protection, management and planning;
- c.* use the convention to ensure that policies with a possible direct or indirect impact on the landscape strengthen ethical principles and democratic citizenship, through the rights to full access to information and direct participation, by local inhabitants and the public, by local and regional authorities and by other stakeholders concerned by the formulation, implementation and follow-up of landscape policies;
- d.* ensure that the public have effective access to, and enjoyment of, a high-quality landscape;
- e.* secure constant improvements to the landscape, according to the environmental principle of non-regression;
- f.* make education in democratic citizenship, in close conjunction with human rights education, a priority objective of landscape policies, particularly in deprived urban areas, degraded areas and everyday landscapes;
- g.* encourage the media and non-governmental organisations to draw on the convention to promote education for citizenship;
- h.* use the convention and its implementing mechanisms as instruments of social cohesion, better living together, and cultural development and democracy, particularly in culturally diverse societies;
- i.* incorporate the landscape into the Council of Europe methodological guide on social cohesion indicators and in its Indicator Framework on Culture and Democracy (IFCD).

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