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STEERING COMMITTEE
FOR CULTURE, HERITAGE AND LANDSCAPE
(CDCPP)

DRAFT RECOMMENDATION
ON THE EUROPEAN LANDSCAPE CONVENTION'S CONTRIBUTION
TO THE EXERCISE OF HUMAN RIGHTS AND
DEMOCRACY WITH A VIEW
TO SUSTAINABLE DEVELOPMENT

For action

Secretariat Memorandum
prepared by the
Directorate of Democratic Governance
Culture, Nature and Heritage Department

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Summary

The draft recommendation draws upon considerations developed in the report on "Landscape and the European Landscape Convention's contribution to democracy, human rights and sustainable development" ([CEP-CDCPP \(2017\) 5E rev.](#)), particularly Appendix 2 thereof entitled "Principles for the participation of the public in the definition and implementation of landscape policies, as defined in the European Landscape Convention", and in the report "Landscape and public participation" published in "[Landscape and sustainable development: challenges of the European Landscape Convention](#)" by Council of Europe Publishing (2006).

The recommendation seeks to promote the implementation of the European Landscape Convention by highlighting the Council of Europe's intangible values in the fields of democracy, human rights and public participation.

The forthcoming opening of the European Landscape Convention to non-European states, through the Protocol amending the Convention, is a unique opportunity to build on the universal character of human rights and to show that the Convention provides a practical and living illustration of several human rights applicable in relation to the landscape: health, well-being, dignity, the environment, education, non-regression and public participation.

The "territorial" dimension of human rights and democracy, as implemented through policies aimed at protecting, managing and planning landscapes, thereby contributes to a strengthening of intercultural integration, social cohesion, living together, education for democratic citizenship and environmental education.

Participatory democracy for all during the process of adoption and implementation of landscape policies necessitates more precise procedures integrated into the urban and spatial/regional planning documents taking account of landscape issues.

Information and awareness-raising, which are essential preconditions for public participation, constitute vehicles for education in human rights and in democratic citizenship. They must be developed, so as to bring to the fore the role of the European Landscape Convention as a dynamic and practical instrument for strengthening human rights, democracy and public participation.

To be effective, landscape policy requires processes for evaluating its application. The Council of Europe has developed special indicators relating to social cohesion, culture and democracy; a study should be made regarding the advisability of enriching these indicators with data on monitoring the implementation of the European Landscape Convention.

The Committee is invited to:

- examine the draft recommendation of the Committee of Ministers to States Parties to the European Landscape Convention concerning the Convention's contribution to the exercise of human rights and democracy with a view to sustainable development, for submission to the Committee of Ministers.

Draft recommendation CM/Rec (2017) ... of the Committee of Ministers to States Parties to the European Landscape Convention on the Convention's contribution to the exercise of human rights and democracy with a view to sustainable development

(Adopted by the Committee of Ministers on ... at the ... 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 between its members, for the purpose of safeguarding and realising the ideals and principles which are their common heritage;

Regard being had to the European Landscape Convention (ETS No. 176) adopted by the Committee of Ministers on 19 July 2000, opened for signature by member States of the Council of Europe on 20 October 2000 in Florence and entered into force on 1 March 2004;

Taking into consideration the Universal Declaration of Human Rights adopted in 1948, reflecting concepts at the heart of the European Landscape Convention, such as "dignity", "culture", "education", "health", and "well-being";

Recalling that the signatory states to the Convention expressed their concern to achieve sustainable development founded on a harmonious balance between social needs, economic activity and the environment, and their desire to respond to the public's wish to enjoy high quality landscapes and to play an active part in their development;

Recalling that, according to the preamble to the Convention, the landscape contributes to human beings' personal development, representing a key element of individual and social well-being, and that the protection, management and planning of the landscape entail rights and responsibilities for everyone;

Reaffirming the principles laid down in Recommendation CM/Rec(2008)3 of the Committee of Ministers to member States on guidelines for the implementation of the European Landscape Convention, particularly those concerning public participation;

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, as well as European States not members of the Council of Europe, pursuant to this protocol the European Landscape Convention will be opened to the accession of non-European states;

Considering the importance of including landscape issues in regional and urban planning policies, and recalling the Nafplio Declaration "Promoting territorial democracy in spatial planning" (Resolution No. 1, 16th session of the Council of Europe Conference of Ministers Responsible for Spatial/Regional Planning, Nafplio, 17 June 2014);

Recognising that active public participation in the definition, implementation and monitoring of landscape policy is conducive to ensuring respect for human rights and democracy with a view to sustainable development;

Wishing to facilitate the introduction of the procedures for public participation laid down by the Convention, in order to allow the public to play an active role in landscape policy;

Referring to the report entitled *"Landscape and the European Landscape Convention's contribution to democracy, human rights and sustainable development"* of which the 9th Conference of the Council of Europe on the European Landscape Convention took note ([CEP-CDCPP \(2017\) 5E rev.](#));

Recommends that the governments of States Parties to the European Landscape Convention:

- a.* ensure the implementation of the dimensions of human rights linked to the landscape, 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;
- b.* respect and enforce the principles of human rights and democracy in procedures and activities relating to landscape protection, management and planning;
- c.* guarantee a right to participation by the public, local and regional authorities, non-governmental organisations and other players concerned by the definition, implementation and monitoring of landscape policies;
- d.* ensure that the public can enjoy a high-quality landscape and benefit from it in dignity and without discrimination;
- e.* implement the principle of non-regression whereby the protection, management and planning of the landscape, as ensured through legislation and regulations, can only secure constant improvements;
- f.* encourage public authorities at the national, regional and local levels, other players concerned and the media to take into consideration the landscape dimension in efforts to raise awareness of democratic citizenship within civil society;
- g.* foster landscape education to promote democratic citizenship, concerning not only outstanding landscapes but also everyday ones, particularly sensitive urban areas and degraded areas;
- h.* consider that landscape policies favour a culture of quality of life and living together, particularly in culturally diverse societies;
- i.* take into consideration the landscape dimension in instruments such as the Council of Europe's methodological guide for the development of social cohesion indicators or the Indicator Framework on Culture and Democracy.