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Item 3.4 of the agenda

## **STEERING COMMITTEE FOR CULTURE, HERITAGE AND LANDSCAPE (CDCPP)**

### **WORKING METHODS OF THE COMMITTEE**

This document is made available to the CDCPP plenary session for information only.  
It has been discussed and approved by the Bureau of the CDCPP  
on 4 April 2019. The Bureau took the following decision:

The Bureau of the CDCPP discussed the suggestions to review working methods in order to further enhance the CDCPP's work, in view of its role as a pan-European intergovernmental structure with responsibility for unique culture/heritage/landscape Conventions. The Bureau members agreed to participate actively in the preparation and running of a thematic session for the 2019 plenary session of the CDCPP dealing with a topical societal issue, in line with the debates held on working methods. It amended the list of topics suggested and agreed to dedicate the 2019 plenary session to issues of climate change and sustainable development as related to human rights and democracy, and specifically, culture / heritage/ landscape resources in this context.

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

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## Introduction

At the CDCPP Bureau meeting on 6-7 November 2018, delegates exchanged on the role and relevance of the Committee's work in the framework of the Council of Europe's vocation, underlining the impact and direct usefulness of this work at national level. The Bureau held an in-depth exchange on the strengths, opportunities, weaknesses and threats (SWOT analysis) of the CDCPP work and agreed to continue the reflection process at the next Bureau meeting and in the context of the findings of the current evaluation of Steering Committees that might be available by then.

## Progress

In agreement with the Chair of the CDCPP and in line with the discussions held in November, the Secretariat suggests dedicating the morning of the Bureau session on 4 November and as needs be, the morning of 5 April to further reflection on the Committee's working methods and activities. In this regard, two background documents presented in the appendices may be useful:

- Report on the meeting of Chairs of Intergovernmental Committees held in September 2018 (Appendix 1);
- The SWOT Analysis prepared by the CDCPP Bureau/Secretariat in November 2018 (Appendix 2).

Following the debates in November, the Secretariat stepped up communication on activities overseen by the Committee and in related areas by means of an information bulletin that was distributed to CDCPP delegates, observers, and Permanent Representations. Delegates will be asked in mid-April to provide information or news items (such as information on progress with the ratification of conventions) which they would like to see disseminated via the next CDCPP bulletin (planned for June 2019, with a deadline of 3 May for contributions).

The Secretariat commits to producing succinct progress reports for the CDCPP plenary sessions, inviting any delegates who might require more detailed information on specific activities to contact Secretariat members directly. At the same time, efforts are being made to regularly present information on activities of interest that are not under the direct responsibility of the CDCPP, such as the Enlarged Partial Agreement on Cultural Routes or the Intercultural Cities Project. In addition, mutual invitations with other CoE Committees shall be pursued in view of possible transversal action.

Lastly, the SWOT analysis and exchanges with the Chair of the CDCPP have inspired the following proposals for a possible rethink of the structure of future CDCPP plenary sessions, with a view to making these more topical.

## Next Steps

The CDCPP Bureau members are invited to prepare the debates in April and bring concrete suggestions to the table, taking into consideration the appended information. Discussions would, *inter alia*, ideally lead to an agreement on the following<sup>1</sup>:

- **themes of transversal interest** that could focus the CDCPP's future work on topical societal concerns and be addressed in an innovative and up-front way, including proposals for end user-oriented action; or projects that would showcase the Committee's strengths, unique selling points (particularly its Conventions) and optimally exploit all opportunities. Such topics could include:

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<sup>1</sup> This is a preliminary draft list of suggestions inspired by the SWOT analysis.

- cultural and heritage resources enabling Europeans to learn about and take pride in their national cultures as means to uphold democratic values and European unity in the face of populism, nationalism and racism;
  - culture, creativity and freedom of expression;
  - culture/heritage/landscape and the challenges of climate change;
  - culture/heritage/landscape challenges relating to sustainable development;
  - artificial Intelligence and its repercussions for culture/heritage;
  - migration, urbanisation and pressure on areas;
  - but perhaps also issues of a more sectoral nature that may still interest the other sectors (offences to cultural property as an example or the culture of a high-quality built environment -Baukultur/ Davos Declaration);
- the **best working methods** to implement such an approach:
    - dedicate one third of CDCPP meetings to *sessions* on one (or two?) themes of transversal interest, with less extensive progress reporting on ongoing projects;
    - try to involve CDCPP delegates in preparing such *thematic sessions* (proposing themes or speakers, offering a background document or relevant research findings);
    - associate inspiring speakers, including from relevant civil society bodies, professional associations, academia and partner international or European organisations to offer keynotes;
  - **concrete support and action offered by CDCPP delegates** to implement the new approach, engage more actively with the Committee's work and enhance communication on it:
    - taking part in the preparation of a thematic session at a CDCPP plenary and sharing ideas and initiatives;
    - lobbying for signature/ratification of CoE conventions at national level;
    - advising on/helping with fundraising; voluntary contributions; secondments; visibility actions;
    - providing regularly news items for the CDCPP information bulletin;
    - stepping up communication with Permanent Representations, Foreign Ministries and within other relevant national and international organisations about the importance of the CDCPP's work.

### Action required

The CDCPP is invited to:

- endorse present and/or offer further suggestions for action<sup>2</sup> and engage with the enhancement of the CDCPP's work, in view of its role as a pan-European intergovernmental structure with responsibility for unique culture/heritage/landscape Conventions<sup>3</sup>;
- take part in, or lead the preparation of, a thematic session for the 2019 plenary session of the CDCPP, in line with its debates held on working methods.

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<sup>2</sup> Subject to any decisions by the Committee of Ministers of the Council of Europe affecting the work of its Steering Committees.

<sup>3</sup> The European Cultural Convention; Convention for the Protection of the Architectural Heritage of Europe; European Convention on the Protection of the Archaeological Heritage (revised); European Landscape Convention; Council of Europe Framework Convention on the Value of Cultural Heritage for Society; Council of Europe Convention on Offences relating to Cultural Property.

## APPENDIX I

### Report of the 1<sup>st</sup> meeting of the Chairpersons of Intergovernmental Committees Strasbourg, 20 September 2018 – Room 14

#### **Adoption of the Agenda and Introduction of the Participants**

The meeting was opened by Christos Giakoumopoulos, Director General of Human Rights and Rule of Law, and Snezana Samardžić-Marković, Director General of Democracy. In their opening statements, they underlined that the purpose of the meeting was to have an open discussion on the relevance and importance of intergovernmental committees, today, in the architecture of the Council of Europe and in member States.

The opening was followed by a tour de table in which the participants introduced themselves, the committees they represented, and their first views about the expectations from the meeting. The list of chairpersons and vice-chairpersons attending the meeting appears in appendix.

#### **The role and the Governance of Intergovernmental Committees in the CoE and its member states**

*Has the work of Intergovernmental Committees lost its importance?*

The Chairpersons stressed the importance of intergovernmental co-operation under several aspects, underlining the fact that intergovernmental work and the standards it produces are vital for the organisation and for its activities and bodies, including the European Court of Human Rights and the monitoring bodies. Even if it is work that is not always visible, it is the necessary substrate to keep the organisation together and to provide the Court and the monitoring bodies the grounds on which their decisions and recommendations are based. The unique role of intergovernmental committees in discussing new standards and exchanging good practices and experiences amongst peers was recognised as essential to maintain the pan-European dimension of the organisation's work. In a similar vein, the impact and outreach of Council of Europe standards beyond the geographical borders of the 47 member states were also mentioned as a demonstration of the relevance of intergovernmental work.

They also discussed the question of the reactivity of intergovernmental committees to emerging challenges, recalling the capacity that Council of Europe committees always had to reflect on new topics ahead of time. While recognizing that work aiming at setting binding standards can be slow, it was noted that if there is the necessary political support behind this may not be necessarily the case (various examples of recent Conventions and Protocols drafted in very short time were mentioned). However, many Chairpersons noted that "soft" guidance can often be equally effective, and that non-binding standards, once agreed, are anyway very difficult to disregard in member States and often become the basis for national legislation.

The participants also underlined that standards need to be revised and updated to adapt to evolving societies, and that for this reasons new protocols, guides of good practices and recommendations, agreed amongst all member states in CoE intergovernmental committees, are always necessary.

*How to ensure more reactivity to emerging challenges and continuity in the work carried out, and how to better involve civil society and other actors (notably companies)?*

On the connected question of how to ensure more reactivity to existing challenges, several participants underlined the importance of identifying the right angle of action, i.e. the one on which the Council of Europe can, given its specificities, have an added value. One of the participants mentioned the example of Artificial Intelligence, on which many international organisations are currently active (and also many Council of Europe services), but only those who will produce rapidly useful solutions/standards will remain relevant, while the others will disappear from this scene and the resources used will be wasted.

The capacity, in this respect, of bringing expertise coming also from the non-governmental sector (including not only civil society organisations but also companies, the “technical community” and academia) is seen as essential in order to produce valid and effective guidance. Examples mentioned of ways to involve other participants in the work of intergovernmental committees included the use of hearings, public consultations, more focused communication on the relevance and on the results of CoE intergovernmental work in the member states. Participants agreed that more reflection, in order to identify better practices to obtain this involvement, would be necessary within each committee, and also collectively.

Coming back to the question of combining reactivity and continuity, some chairpersons mentioned the experience of working on the basis of multi-annual thematic strategies (ex. children’s rights, gender equality) which set a backbone for general priorities lasting also beyond the duration of the biennial terms of reference, and to maintain in the terms of reference a sufficient margin of flexibility to adapt to urgent needs, thus ensuring at the same time a continuity of work over time and a capacity of adaptation. A certain degree of continuity of experts’ membership was also mentioned as an important advantage for the effectiveness of committees.

The question of reactivity was also, inevitably, connected with the need to ensure the Committees the necessary resources to meet more often (the practice of having one meeting per year was mentioned as not being conducive to quality and timely work), or to benefit of more specific scientific expertise when needed. It was agreed that a specific discussion on working methods would be necessary.

*Should the practice of Ministerial conferences be “revitalised” as a political impulse for intergovernmental action?*

On the question of the need for more political impulse for the work of Committees, and in particular of the role of ministerial Conferences, many participants noted that this political impulsion had been diminishing, even in cases where ministerial conferences are still regularly organised, and agreed that these events can add value if they are well prepared and on topics of real political relevance, otherwise the level of participation will remain low and the conference ineffective. One participant referred to the practice of regularly inviting specialised ministers at the meeting of the Committee, which has brought an increase in the level of participants and in the political quality of debates. A more active contribution of intergovernmental Committees to a clearer positioning of the Council of Europe with regard to the agendas of other international organisations (for instance in the context of the SDGs) was also evoked.

### *How to facilitate interaction between different committees working on common themes?*

All participants agreed that there is a need to facilitate interaction between different committees in order to ensure complementarity, but also to have access to expertise which otherwise would not be available. One of the practices mentioned was to make more use of thematic rapporteurs for transversal themes (like gender equality, but also Roma issues, disability etc.). A proposal raised, which was met with interest, was to put in place an IT platform collecting all relevant information on intergovernmental committees (ToRs, reports, on-going work, membership etc. ) accessible to all committee members, to facilitate information sharing.

The participants noted that holding periodic meetings of the Chairpersons could also be a way to facilitate exchanges and coordination, but also stressed the essential role that the Secretariat should play in facilitating such coordination and exchanges of information on a constant basis, and encouraged regular meetings between Committees' secretaries and bilateral contacts whenever necessary. The need to develop further the practice of exchanges with monitoring bodies was also mentioned.

### **Coordination at national level and visibility in the Committee of Ministers**

On the question of how to better ensure, at national level, liaison with Ministries of Foreign Affairs and between line ministries, many participants noted that this was indeed a challenge from two different aspects. First of all, in ensuring internal coordination whenever more than one administration is involved in the work of a committee; secondly, in finding ways to better communicate with the Ministries of Foreign Affairs (and also with the permanent missions in Strasbourg), to present and promote the relevance of the committees' work. The importance of finding ways to maintain contacts with national parliaments, local authorities and civil society organisations was also stressed. Some participants also underlined the importance of the quality of Committee members and of their commitment for internal visibility purposes.

### **Relation with monitoring bodies and co-operation activities / Working methods**

Lack of time prevented a thorough discussion on the relation with monitoring bodies and co-operation activities, and on working methods which could make the work of committees more rapid and effective, including between plenary meetings (for instance, through more regular use of electronic means etc.).

### **Conclusions and follow-up**

The two Director Generals summed up the discussions. The participants agreed to hold another meeting in future to explore those issues that there was not enough time to discuss at this first meeting. They also agreed on the idea of drafting a joint statement summing up the main ideas and proposals emerging from this meeting, to be addressed to the Secretary General.

## List of Representatives of Intergovernmental Committees

### **CAHENF - Ad hoc Committee for the Rights of the Child**

Ms Maria-Andriani Kostopoulou, Chair

### **CAHROM - the Ad Hoc Committee of Experts on Roma and Traveller Issues (CAHROM)**

Ms Tatjana Anđelić, Chair

### **CCJ - Advisory Council on Youth**

Ms Anja Olin-Pape, Chair of the CCJ and CMJ Co-chair

### **CDCJ - European Committee on Legal Co-operation**

Mr João Arsénio De Oliveira, Vice-Chair

### **CDCPP - Steering Committee for Culture, Heritage and Landscape**

Ms Giuliana de Francesco, Chair

### **CDCT - Council of Europe Counter-Terrorism Committee**

Mr Mario Janeček, Chair

### **CDDG - European Committee on Democracy and Governance**

Mr Peter Andre, Chair

### **CDDH - Steering Committee for Human Rights**

Mr Hans-Jörg Behrens, Chair

### **CDEJ - European Steering Committee for Youth / CMJ – Joint Council on Youth**

Ms Miriam Teuma, Chair of the CDEJ and CMJ Co-chair

### **CDMSI - Steering Committee on Media and Information Society**

Ambassador Thomas Schneider, Chair

### **CDPC - European Committee on crime Problems**

Dr Sławomir Buczma, Chair

### **CDPPE - Steering Committee for Educational Policy and Practice**

Mr Etienne Gilliard, Chair

### **CD-P-TO - European Committee on Organ Transplantation**

Ms Beatriz Domínguez-Gil, Chair

### **DH-BIO - Committee on Bioethics**

Dr Beatrice Ioan, Chair

### **GEC - Gender Equality Commission**

Mr Charles Ramsden, Vice-Chair

### **PECS - European Social Cohesion Platform**

Ms Rita Skrebiškienė, Chair

## APPENDIX 2 - Draft SWOT analysis

<b>Strengths: S</b>	<b>Weaknesses: W</b>	<b>Opportunities: O</b>	<b>Threats: T</b>
<ul style="list-style-type: none"> <li>• Committees: the backbone of CoE action!</li> <li>• Culture= basis of Europe-building after WWII, for integration of CEE after the fall of the wall and role for current integration challenges</li> <li>• All-European mandate – no borders (Peter)</li> <li>• 5 Conventions = regulatory power= unique selling point of the CDCPP/ CoE; “Conventions are genius”</li> <li>• New Convention on Offences Related to Cultural Property offers visibility and co-operation potential: EU, UNESCO, ICCROM</li> <li>• Additional soft standards available to orient policy making in member States</li> <li>• Unique successful projects such European Heritage Days and Cultural Routes (EPA) accessible to all Europeans</li> <li>• Addressing societal challenges with innovative, up-front projects (thinking ahead) – examples: Faro work; ELC work; work on culture and digitisation (“Internet of Citizens”; culture/ creativity and AI); IFCD</li> <li>• Topicality: many current societal concerns are linked to the mandate of the CDCPP (climate, diversity management/inclusion, digitisation, heritage/ sustainable development)</li> <li>• Unique online information tools in 3 sectors (Compendium, HEREIN, ELCIS)</li> <li>• The revamped Compendium as a model for converting a long-standing intergovernmental flagship project into an independent association</li> </ul>	<ul style="list-style-type: none"> <li>• Weak perception of the contribution of the CDCPP’s work to the three pillars externally and internally (although explicit efforts were made: example IFCD)</li> <li>• Lack of visibility and political support by member states at CM level (partly reflecting weak internal communication as well as weak links between Foreign- and Specialised Ministries in member States)</li> <li>• Absence of standard CoE monitoring and reporting mechanisms in the CDCPP’s area</li> <li>• Nicosia Convention not yet in force</li> <li>• Insufficient finance and human resources in the CDCPP’s realm, incl. for action in member States</li> <li>• Limited fundraising capacity/ skills in the CDCPP’s realm</li> <li>• Partly weak involvement of CDCPP members in the Committee’s work</li> <li>• CDCPP representatives frequently changing and “weak communication at regional and national level”</li> <li>• CDCPP representatives not necessarily representing the senior policy making level in member States</li> <li>• Too much focus on progress reporting on individual projects, too little strategic debate and action during Committee sessions</li> <li>• CoE leaders (Directors) not systematically attending meetings.</li> </ul>	<ul style="list-style-type: none"> <li>• Crisis and new leadership = chance to position the sector anew, develop medium term vision and new action, create a new narrative and brand “free to create – create to be free”, “what if there was no culture”; “social wellbeing”, “from artificial to social intelligence” and message “What is our message to Europe”?</li> <li>• “Build on most convincing/ relevant part of CDCPP work and promote it”</li> <li>• Exploit the fact that current societal challenges all require cultural responses in addition to legal ones (new technologies, artificial intelligence, environment / ecology / energy / climate and heritage, migration / inclusion, ..)</li> <li>• Integrated approach to working on climate change is possible via the CDCPP’s mandate for culture/heritage/landscape</li> <li>• “Showcase how CDCPP projects contribute to a larger agenda and empower individuals, show CDCPP’s progressive vision – if not culture, nothing else matters”</li> <li>• Link challenges and CoE standards and ethics = good moment to position the CoE as an ethical leader (“Conscience of Europe”)</li> <li>• Re-consider work on Cultural Rights?</li> <li>• Better balance medium-term and short term action</li> <li>• Move towards more end-users oriented activities and step up tailor-made offers to member States such as TA, Legal Advice, Peer Review</li> </ul>	<ul style="list-style-type: none"> <li>• Disregard by the CM of the relevance of the CDCPP’s work for HR and Democracy</li> <li>• Global crisis of multilateralism and short-term predominant vision</li> <li>• Decision making solely by the CM, weakened overall role of the Steering Committees</li> <li>• Partly unclear relations with the EU: competition or co-operation?</li> <li>• EU increasingly engaging in the CDCPP’s realm (without legal basis, but resources for action)</li> <li>• Attraction of EU for member States: “is growing engagement at the EU leading to disengagement of member States at the CoE level?” (Giuliana)</li> <li>• Continuous cuts to the CoE’s Ordinary Budget and Human Resources</li> <li>• Absence of significant VCs by member States or other donors</li> <li>• Decrease / loss of staff motivation</li> <li>• Downward spiral.</li> </ul>
<b>Strengths:</b>	<b>Weaknesses:</b>	<b>Opportunities:</b>	<b>Threats:</b>



<ul style="list-style-type: none"> <li>• Ad-hoc Cultural Policy Reviews and technical assistance (legal advice) are directly useful with impact at national level; open to all member States, also as multilateral review</li> <li>• CDCPP structure allows “longer-term, strategic action possible beyond project-based action”</li> <li>• CDCPP action “reaches ordinary people beyond giving labels/awards and working with lists”</li> <li>• Motivated CDCPP delegates, good relations among stakeholders (national authorities, professional associations, NGOs) and openness towards other Committees.</li> </ul>		<ul style="list-style-type: none"> <li>• Step up communication at all levels and invest in advocacy, incl. on the importance of the CoE for non-EU countries and by: <ul style="list-style-type: none"> <li>- building communication from the outset into every project</li> <li>- using stories to explain why culture matters</li> <li>- inviting RPs to CDCPP meetings</li> <li>- bringing more decision makers to meetings</li> <li>- involving Presidencies in meetings</li> </ul> </li> <li>• Step up explorative and pioneering action however: “We were sometimes even too fast in doing the right thing (Faro)”</li> <li>• Step up co-operation with the EU (draw benefit from the EYCH) and the UN (SDG 11/4)</li> <li>• Step up CDCPP presence at the CM, PACE, Congress</li> <li>• Invest in fund-raising (VCs, Foundations,..)</li> <li>• Involve business as players e.g. in a possible new activity on ethical tourism</li> <li>• Strengthen transversal activities <ul style="list-style-type: none"> <li>- within the Department (EUR-OPA, European Landscape Convention, Cultural Routes)</li> <li>- with CoE-Task Forces (Internet Governance/AI-TF)</li> <li>- with other Committees</li> </ul> </li> <li>• Innovation-friendly Secretariat team</li> <li>• Carry on brainstorming with CDCPP Bureau in spring 2019 when evaluation results on the CDCPP are available to further optimise the Committee’s work.</li> </ul>	
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