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und die Europäische Landschaftskonvention

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DIE LANDSCHAFTSKONVENTION – DER RAHMEN, INHALT UND DIE UMSETZUNG THE EUROPEAN LANDSCAPE CONVENTION

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„The landscape ...

... has an important public interest role in the cultural, ecological, environmental and social fields, and constitutes a resource favourable to economic activity and whose protection, management and planning can contribute to job creation;

... contributes to the formation of local cultures and ... is a basic component of the European natural and cultural heritage, contributing to human well-being and consolidation of the European identity;

... is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas ;

... is a key element of individual and social well-being and ... its protection, management and planning entail rights and responsibilities for everyone. "

Preamble to the European Landscape Convention, Florence, 20 October 2000

The European Landscape Convention was adopted in Florence (Italy) on 20 October 2000 with the aim of promoting European landscape protection, management and planning and organising European co-operation in this area. The Convention is the first international treaty to be exclusively concerned with all aspects of European landscape. It applies to the entire territory of the Parties and covers natural, rural, urban and peri-urban areas. It concerns landscapes that might be considered outstanding as well as everyday or blighted landscapes.

The Convention entered into force on 1 March 2004. As of 1st June 2009, 30 out of 47 member states of the Council of Europe had ratified the Convention: Armenia, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovak Republic, Slovenia, Spain, “the former Yugoslav Republic of Macedonia”, Turkey, Ukraine, United Kingdom. Six states had signed but not ratified it: Azerbaijan, Greece, Malta, Serbia, Sweden and Switzerland.

1. Presentation of the European Landscape Convention

The member states of the Council of Europe signatory to the European Landscape Convention declared their concern to achieve sustainable development based on a balanced and harmonious relationship between social needs, economic activity and the environment. The Convention therefore represents the first international treaty devoted to sustainable development, the cultural dimension also being included.

Origins of the Convention

On the basis of an initial draft prepared by the Congress of Local and Regional Authorities of the Council of Europe, the Committee of Ministers decided in 1999 to set up a select group of experts responsible for drafting a European Landscape Convention, under the aegis of the Cultural Heritage Committee (CCPAT) and the Committee for the activities of the Council of Europe in the field of biological and landscape diversity (CO-DBP). Following the work of this group of experts, in which the principal governmental and non-governmental international organisations participated, the Committee of Ministers adopted the final text of the Convention on 19 July 2000. The Convention was opened for signature in Florence, Italy, on 20 October 2000 in the context of the Council of Europe Campaign “Europe, a common heritage”.

Why a convention on landscape?

As an essential factor of individual and communal well-being and an important part of people’s quality of life, landscape contributes to human fulfilment and consolidation of European identity. It also has an important public interest role in the cultural, ecological, environmental and social fields, and constitutes a resource favourable to economic activity, particularly to tourism.

The advances in production techniques in agriculture, forestry, industry and mining, together with the practices followed in town and country planning, transport, networks, tourism and recreation, and more generally the global economic changes, have in many cases led to degradation, debasement or transformation of landscapes.

While each citizen should of course contribute to preserving the quality of the landscape, it is the responsibility of the public authorities to define the general framework in which this quality can be secured. The Convention thus lays down the general legal principles, which should guide the adoption of national and community landscape policies and the establishment of international co-operation in this field.

The objectives and specificity of the Convention

The aim of the Convention is to respond to the public’s wish to enjoy high quality landscapes. Its purpose is therefore to further the protection, management and planning of European landscapes, and to organise European co-operation in this field.

The scope of the Convention is extensive: it applies to the entire territory of the Parties and relates to natural, urban and peri-urban areas, whether on land, water or sea. It therefore concerns not just remarkable landscapes, but also ordinary everyday landscapes and degraded areas. Landscape is recognised irrespective of its exceptional value, since all forms of landscape are crucial to the quality of the citizens’ environment and deserve to be considered

in landscape policies. Many rural and urban fringe areas in particular are undergoing far-reaching transformations and should receive closer attention from the authorities and the public.

Given the breadth of scope, the active role of the citizens regarding perception and evaluation of landscapes is an essential point in the Convention. Awareness-raising is thus a key issue, in order for citizens to participate in the decision-making process, which affects the landscape dimension of the territory where they reside.

Definitions

Terms used in the Convention are defined to ensure that they are interpreted in the same way:

- “Landscape” means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors;
- “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;
- “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;
- “Landscape protection” means action to conserve and maintain the significant or characteristic features of a landscape, justified by the landscape’s heritage value derived from its natural configuration and/or human activity;
- “Landscape management” means action, from a perspective of sustainable development, to ensure the regular upkeep of a landscape, to guide and harmonise changes, which are brought about by social, economic and environmental processes;
- “Landscape planning” means strong forward-looking action to enhance, restore or create landscapes.

Undertakings of the Contracting Parties

National measures

In accepting the principles and aims of the Convention, the Contracting Parties undertake to protect, manage and/or plan their landscapes by adopting a whole series of general and specific measures on a national level, in keeping with the subsidiary principle. In this context, they undertake to encourage the participation of the public and of local and regional authorities in the decision-making processes that affect the landscape dimension of their territory.

The Contracting Parties undertake to implement four general measures at national level:

- The legal recognition of landscape constituting an essential component of the setting for people’s lives, reflecting the diversity of their common cultural and natural heritage and as the foundation of their identity;
- The establishment and implementation of policies to protect, manage and plan landscapes;

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- Procedures for the participation by the general public, local and regional authorities and other parties interested in the formulation and implementation of landscape policies;
 - The integration of landscape into regional and town planning policies, cultural, environmental, agricultural, social and economic policies, and any other policies, which may have direct or indirect impact on the landscape.

The Contracting Parties further undertake to implement five specific measures at national level:

- Awareness-raising: improving appreciation by civil society, private organisations and public authorities of the value, function and transformation of landscapes;
- Training and education: providing training for specialists in landscape appraisal and landscape operations, multidisciplinary training programmes on landscape policy, protection, management and planning, aimed at professionals in the private and public sector, for interested associations, and school and university courses, which, in the relevant subject areas, cover landscape-related values and questions of landscape protection, management and planning;
- Identification and evaluation: mobilising those concerned in order to reach a better knowledge of landscape, guiding the work of landscape identification and evaluation through exchanges of experience and methods between the Parties at European level;
- Setting landscape quality objectives: defining quality objectives for the landscapes, which have been identified and evaluated, after consulting the public;
- Implementation of landscape policies: introducing policy instruments for the protection, management and/or planning of landscapes.

International measures: European co-operation

The Contracting Parties also undertake to co-operate at international level in catering for the landscape dimension in international policies and programmes, and to recommend where appropriate the inclusion of landscape considerations in them. They accordingly undertake to co-operate in respect of technical and scientific assistance and exchange of landscape specialists for training and information, and to exchange information on all questions covered by the Convention.

Transfrontier landscapes are covered by a specific provision: the Contracting Parties undertake to encourage transfrontier co-operation at local and regional levels and, wherever necessary, to prepare and implement joint landscape programmes.

Council of Europe Landscape Award

The Convention provides for a “Council of Europe Landscape Award”. It will recognise a policy implemented or measures to be taken by local and regional authorities or non-governmental organisations to protect, manage and/or plan their landscape which have proved effective in the long term and can thus serve as an example to other authorities in Europe. It should contribute to the stimulation of those working at local level and to the encouragement and recognition of exemplary landscape management.

2. Implementation of the European Landscape Convention

The Convention states that existing competent committees of experts set up under Article 17 of the Statute of the Council of Europe should be appointed by the Committee of Ministers of the Council of Europe to be responsible for monitoring its implementation. It also states that, following each meeting of the committees of experts, the Secretary General of the Council of Europe will transmit a report on the work carried out and on the operation of the Convention to the Committee of Ministers and that the said committees should propose to the Committee of Ministers the criteria for conferring, and the rules governing, the Landscape Award of the Council of Europe.

On 19 July 2000, when the European Landscape Convention was adopted, the Ministers' Deputies "[...] instructed the Committee for the activities of the Council of Europe in the field of biological and landscape diversity (CO-DBP) and the Cultural Heritage Committee (CDPAT) to monitor the implementation of the European Landscape Convention" (CM/Del/Dec(2000)718, 718th meeting).

The Declaration of the Second Conference of Contracting and Signatory States to the European Landscape Convention adopted in Strasbourg on 29 November 2002, of which the Committee of Ministers took note on 28 May 2003, also asked the Committee of Ministers to associate the Committee of Senior Officials of the European Conference of Ministers responsible for Regional Planning (CEMAT) in the work of the committees of experts responsible under Article 10 for monitoring implementation of the Convention.

On 30 January 2008, the Committee of Ministers adopted the terms of reference of a new Steering Committee for Cultural Heritage and Landscape (CDPATEP), which is now responsible for dealing with natural and cultural heritage issues. It has the task of monitoring the following Conventions on the cultural heritage and the landscape:

- The European Convention on the Protection of the Archaeological Heritage and the European Convention on the Protection of the Archaeological Heritage (revised);
- The Convention for the Protection of the Architectural Heritage of Europe;
- The European Landscape Convention.

With regard to the follow-up of the European Landscape Convention, the terms of reference state that the CDPATEP should also take into account the work of the periodic Council of Europe conferences on the European Landscape Convention and other work by appropriate experts.

The work carried out to implement the European Landscape Convention is aimed at:

- Monitoring implementation of the Convention;
- Fostering European co-operation;
- Raising awareness of the importance of landscape in relation to the Council of Europe's core objectives, landscape being considered as people's living environment from the angle of sustainable spatial development and an issue for democratic debate.

Measures taken since the Convention was drafted to implement and promote it

Recommendation CM/Rec(2008)3 of the Committee of Ministers to member states on the guidelines for the implementation of the European Landscape Convention

Recommendation CM/Rec(2008)3 of the Committee of Ministers to member states on the guidelines for the implementation of the European Landscape Convention was adopted by the Committee of Ministers on 6 February 2008 at the 1017th meeting of the Ministers' Deputies. The recommendation, which contains a series of theoretical, methodological and practical guidelines, is intended for parties to the Convention which wish to draw up and implement a national landscape policy based on the Convention. It also includes two appendices entitled:

- Examples of instruments used to implement the European Landscape Convention;
- Suggested text for the practical implementation of the European Landscape Convention at national level.

Appendix 1 to the recommendation may be reinforced by the experiences of parties to the Convention on their own territories, which will provide practical and methodological lessons. It is proposed that each party should contribute to the setting up of a database to appear on the website of the Council of Europe's European Landscape Convention, which would be a "toolbox" to help provide mutual technical and scientific assistance, as provided for in Article 8 of the Convention.

Summary descriptive notes on the landscape policies pursued in Council of Europe member states

A document entitled "Summary descriptive notes on the landscape policies pursued in Council of Europe member states", giving the key facts concerning the landscape of the various Council of Europe member states, has been produced and the information in the notes has been analysed.

An updated version of the notes was presented at the Council of Europe Conferences on the European Landscape Convention (Strasbourg, 22-23 March 2007 and 30-31 March 2009).

The descriptive notes are regularly updated and a Council of Europe Information System on the European Landscape Convention will be established in 2009-2010.

National seminars on the European Landscape Convention

Intended for states which have or have not yet ratified the Convention, the national seminars on the European Landscape Convention help generate discussion on the subject of landscape.

Five national seminars on the European Landscape Convention have been held to date, with declarations or conclusions adopted at the end of each:

- Seminar on “Spatial planning and landscape”, Yerevan, Armenia, 23-24 October 2003;
- Seminar on “Spatial planning and landscape”, Moscow, Russian Federation, 26-27 April 2004;
- Seminar on “Sustainable spatial development and the European Landscape Convention”, Tulcea, Romania, 6-7 May 2004;
- Seminar on “The contribution of Albania to the implementation of the European Landscape Convention”, Tirana, Albania, 15-16 December 2005;
- Seminar on landscape, Andorra la Vella, Principality of Andorra, 4-5 June 2007.

Promotion of European co-operation

The European Landscape Convention provides for the contracting parties to undertake to co-operate at European level in the consideration of the landscape dimension of international policies and programmes. The Council of Europe organises this co-operation through the Conferences on the European Landscape Convention and the meetings of the Workshops for the implementation of the European Landscape Convention.

The Council of Europe Conferences on the European Landscape Convention

Several Conferences on the European Landscape Convention have already been organised. They are attended by representatives of the parties and signatories and representatives of the three Council of Europe bodies – the Committee of Ministers, the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe. Representatives of Council of Europe member states which are not yet parties or signatories and various international governmental and non-governmental organisations can also attend as observers.

Two Conferences of the Contracting and Signatory States to the European Landscape Convention were held at the Council of Europe in Strasbourg, on 22-23 November 2001 and on 28-29 November 2002. In particular, they served to:

- Promote the signature and/or ratification of the Convention so that it could swiftly enter into force;
- Provide legal assistance for the signatory states and Council of Europe member states invited to sign the Convention;
- Pave the way for the implementation of the Convention following its entry into force.

Following the entry into force of the European Landscape Convention on 1 March 2004, a conference to mark the event and a joint meeting of the Steering Committee for Cultural Heritage (CDPAT) and the Committee for the activities of the Council of Europe in the field of Biological and Landscape Diversity (CO-DBP) were held in Strasbourg, 17-18 June 2004.

A further Council of Europe Conference on the European Landscape Convention was held in Strasbourg, on 22-23 March 2007. Conclusions concerning the “Guidelines for the implementation of the European Landscape Convention” and the “Rules governing the Landscape Award of the Council of Europe” were adopted. The fifth Conference took place on 30-31 March 2009.

Meetings of the Workshops for the implementation of the European Landscape Convention

The meetings of the Workshops for the implementation of the European Landscape Convention have been organised by the Council of Europe on a regular basis since 2002. They look in detail at the implementation of the Convention. Special emphasis is given to the experiences of the state hosting the meeting. The meetings are a genuine forum for sharing practice and ideas and are also an opportunity to present new concepts and achievements in connection with the Convention.

Seven meetings of the Council of Europe Workshops for the implementation of the European Landscape Convention have been held so far:

23-24 May 2002, Strasbourg: “Landscape policies: contribution to the well-being of European citizens and to sustainable development (social, economic, cultural and ecological approaches) (Preamble to the Convention); Landscape identification, evaluation and quality objectives, using cultural and natural resources (Article 6 of the Convention); Awareness-raising, training and education (Article 6 of the Convention); Innovative tools for the protection, management and planning of landscape (Article 5 of the Convention)”;

27-28 November 2003, Strasbourg: “Integration of landscapes in international policies and programmes (Article 7 of the Convention) and transfrontier landscapes (Article 9 of the Convention); Landscapes and individual and social well-being (Preamble to the Convention); Spatial planning and landscape (Article 5 of the Convention)”;

16-17 June 2005, Cork (Ireland): “Landscapes for urban, suburban and peri-urban areas” (Article 5(d) of the Convention);

11-12 May 2006, Ljubljana (Slovenia): “Landscape and society” (Preamble to the Convention);

28-29 September 2006, Gerona (Spain): “Landscape quality objectives: from theory to practice” (Article 6 C, D, E of the Convention);

20-21 September 2007, Sibiu (Romania): “Landscape and rural heritage”, in the context of the 2007 Year “Sibiu, European Capital of Culture” (Article 5(d) of the Convention);

24-25 April 2008, Piestany (Slovak Republic): “Landscape in development policies and governance: towards integrated spatial planning” (Articles 4 and 5(d) of the Convention).

The eighth meeting of the Council of Europe Workshops for the implementation of the European Landscape Convention on “Landscape and driving forces” will be held in Malmö/Alnarp, Sweden, on 8-9 October 2009.

The proceedings of the workshops are regularly published in the Council of Europe’s Spatial Planning and Landscape series.

Awareness-raising and information

Council of Europe Landscape Award

The Convention (Article 11) provides for a Council of Europe Landscape Award. In particular, it states that, on proposals from the committees of experts supervising the implementation of the Convention, the Committee of Ministers should define and publish the criteria for conferring the Landscape Award, adopt the relevant rules and confer the award. The Committee of Ministers adopted Resolution CM/Res(2008)3 on the rules governing the Landscape Award of the Council of Europe on 20 February 2008.

The Landscape Award of the Council of Europe may be conferred on local and regional authorities or groups among them which have instituted, as part of the landscape policy of a party to the Convention, a policy or measures to protect, manage and/or plan their landscape, which have proved lastingly effective and can thus serve as an example to other local and regional authorities in Europe. The distinction may also be conferred on non-governmental organisations which have made particularly remarkable contributions to landscape protection, management or planning.

The Award will be conferred for the first time in October 2009.

European Landscape Convention website

The Convention website (<http://www.coe.int/EuropeanLandscapeConvention> (English) and <http://www.coe.int/Conventioneuropennedupaysage> (French)) includes the following:

- Presentation of the European Landscape Convention;
- State of signatures and ratifications of the European Landscape Convention;
- Implementation of the European Landscape Convention (before and since its entry into force);
- Meetings of the Workshops for the implementation of the European Landscape Convention;
- National Seminars on the European Landscape Convention;
- Reference texts on landscape;
- National policies;
- Network of partners of the European Landscape Convention;
- Landscape calendar;
- Publications;
- Contacts.

The site will also offer access to the database provided for in Recommendation CM/Rec(2008)3 of the Committee of Ministers to member states on the guidelines for the implementation of the European Landscape Convention.

Reports and information documents

Reports by Council of Europe experts are submitted to the relevant committees of experts for the purpose of monitoring implementation of the provisions of the Convention

To date, reports have been produced on the following subjects:

Landscape policies: contribution to the well-being of European citizens and to sustainable development (social, economic, cultural and ecological approaches) (Preamble to the Convention);
Landscape identification, evaluation and quality objectives, using cultural and natural resources (Article 6 of the Convention);
Awareness-raising, training and education (Article 6 of the Convention);
Innovative tools for the protection, management and planning of landscape (Article 5 of the Convention);
Landscape, towns and suburban and peri-urban areas;
Landscape and transport infrastructures: roads;
Landscape and education;
– Landscape and ethics.

Several information documents and four issues of the Council of Europe's *Naturoipa* magazine have been devoted to landscape and the European Landscape Convention. In 2008, the magazine was renamed *Futuroipa*, for a new vision of landscape and territory so as to highlight the cross-sectoral nature of the themes more clearly:

“Landscapes: the setting for our future lives”, *Naturoipa*, No 86, 1998.

“The European Landscape Convention”, *Naturoipa*, No 98, 2002.

“Landscape through literature”, *Naturoipa/Culturoipa*, No 103, 2005 (special issue, European Landscape Convention). This issue brought together texts and pictures from the Council of Europe member states to show that landscape has always had a key spiritual part to play in the lives of individuals everywhere.

Futuroipa, “Vernacular rural housing: heritage in the landscape”, No 1, 2008.

The next issue will focus on landscape and transfrontier co-operation.

Conclusion

The Action Plan adopted by the Heads of state and government of the member states of the Council of Europe (Warsaw, 17 May 2005), at the Third Summit of the Council of Europe states includes a section on the promotion of sustainable development and states: “We are committed to improving the quality of life for citizens. The Council of Europe shall therefore, on the basis of the existing instruments, further develop and support integrated policies in the fields of environment, landscape, spatial planning and prevention and management of natural disasters, in a sustainable development perspective”.

The European Landscape Convention represents an important contribution to the implementation of the Council of Europe's objectives, namely to promote democracy, human rights and the rule of law and to seek common solutions to the main problems facing

European society today¹. By taking into account landscape qualities, the Council of Europe seeks to protect the quality of life and individual and collective well-being of Europeans.

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Reference texts:

1) European Landscape Convention

Full text in Word Format

http://www.coe.int/t/dg4/cultureheritage/conventions/landscape/florence_en.asp?

Convention européenne du paysage

Texte intégral au format Word

http://www.coe.int/t/dg4/cultureheritage/conventions/landscape/florence_fr.asp?

2) Recommendation CM/Rec(2008)3 of the Committee of Ministers to member states on the guidelines for the implementation of the European Landscape Convention (*Adopted by the Committee of Ministers on 6 February 2008 at the 1017th meeting of the Ministers' Deputies*)



Links to the document:

[http://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec\(2008\)3&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75](http://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec(2008)3&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75)

Recommandation CM/Rec(2008)3 du Comité des Ministres aux Etats membres sur les orientations pour la mise en œuvre de la Convention européenne du paysage (*adoptée par le Comité des Ministres le 6 février 2008, lors de la 1017e réunion des Délégués des Ministres*)



Lien vers le document :

[http://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec\(2008\)3&Language=lanFrench&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75](http://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec(2008)3&Language=lanFrench&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75)

3) Resolution on the Rules governing the Landscape Award of the Council of Europe (*Adopted by the Committee of Ministers on 20 February 2008 at the 1018th meeting of the Ministers' Deputies*)

Links to document:

[http://wcd.coe.int/ViewDoc.jsp?Ref=CM/Res\(2008\)3&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75](http://wcd.coe.int/ViewDoc.jsp?Ref=CM/Res(2008)3&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75)

Résolution sur le règlement relatif au Prix du paysage du Conseil de l'Europe (*adoptée par le Comité des Ministres le 20 février 2008, lors de la 1018e réunion des Délégués des Ministres*)

Lien vers le document:

[http://wcd.coe.int/ViewDoc.jsp?Ref=CM/Res\(2008\)3&Language=lanFrench&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75](http://wcd.coe.int/ViewDoc.jsp?Ref=CM/Res(2008)3&Language=lanFrench&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75)

¹ Humans Rights and the Environment, Council of Europe Publishing 2002, 341 p.; Council of Europe, Landscape and sustainable development: challenges of the European Landscape Convention, Council of Europe Publishing, 2006, 213 p.