

**Opinion 291 (2016)<sup>1</sup>**

## **Draft Protocol amending the European Landscape Convention**

Parliamentary Assembly

1. The Parliamentary Assembly acknowledges the importance of the European Landscape Convention (ETS No. 176), opened for signature in October 2000. It recognises the interplay between landscapes and other substantial issues related to the social model chosen by a given society, the development of economic activities and the protection of the environment. As such, landscapes are a fundamental component of sustainable development.
2. The European Landscape Convention underlines the paramount importance of providing protection not only to landscapes of outstanding beauty but also to ordinary areas, giving the general public the keys to take part in the decision-making processes that shape their surroundings.
3. The Assembly notes that, like many other Council of Europe treaties, the European Landscape Convention is not open exclusively to member States and that it already provides, in Article 14, for the opening of the convention to European non-member States and the European Union. The draft protocol<sup>2</sup> on the accession to the European Landscape Convention by non-European States thus merely extends the geographical application of the treaty.
4. The Assembly observes that the draft protocol does not provide for the modification of the title of the convention, while its provisions provide for a change of the initially strict “European” nature of the convention in order to underline the treaty’s new “international” scope. With a view to promoting the European Landscape Convention worldwide, the Assembly believes that a change in the title would encourage non-European States to join it and would give more visibility to the Council of Europe as the owner of this legal instrument. Therefore, it recommends that the Committee of Ministers consider amending the title to the “Council of Europe Landscape Convention”.
5. The Assembly proposes, for the sake of coherence in legal terms used and the procedure referred to in Articles 7 and 8 of the draft protocol, to replace, in Article 8.a, the words “acceptance, approval or accession” with the words “acceptance or approval” and to delete the sentence below which reads “In witness whereof, the undersigned, being duly authorised thereto, have signed this Protocol”.
6. The Assembly believes that the opening of the European Landscape Convention to signature by non-European States echoes the neighbourhood policy of the Council of Europe. Given that widening the geographical scope of such a convention could only benefit the values promoted by the Council of Europe and produce positive outcomes, the Assembly welcomes the changes brought by the draft amending protocol to the European Landscape Convention. It therefore supports this draft protocol, with some minor changes, and recommends its adoption by the Committee of Ministers, as well as its subsequent opening for ratification, acceptance or approval, as rapidly as possible.

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1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 4 March 2016 (see [Doc. 13989](#), report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Mr Stefan Schennach).

2. [Doc. 13916](#).

