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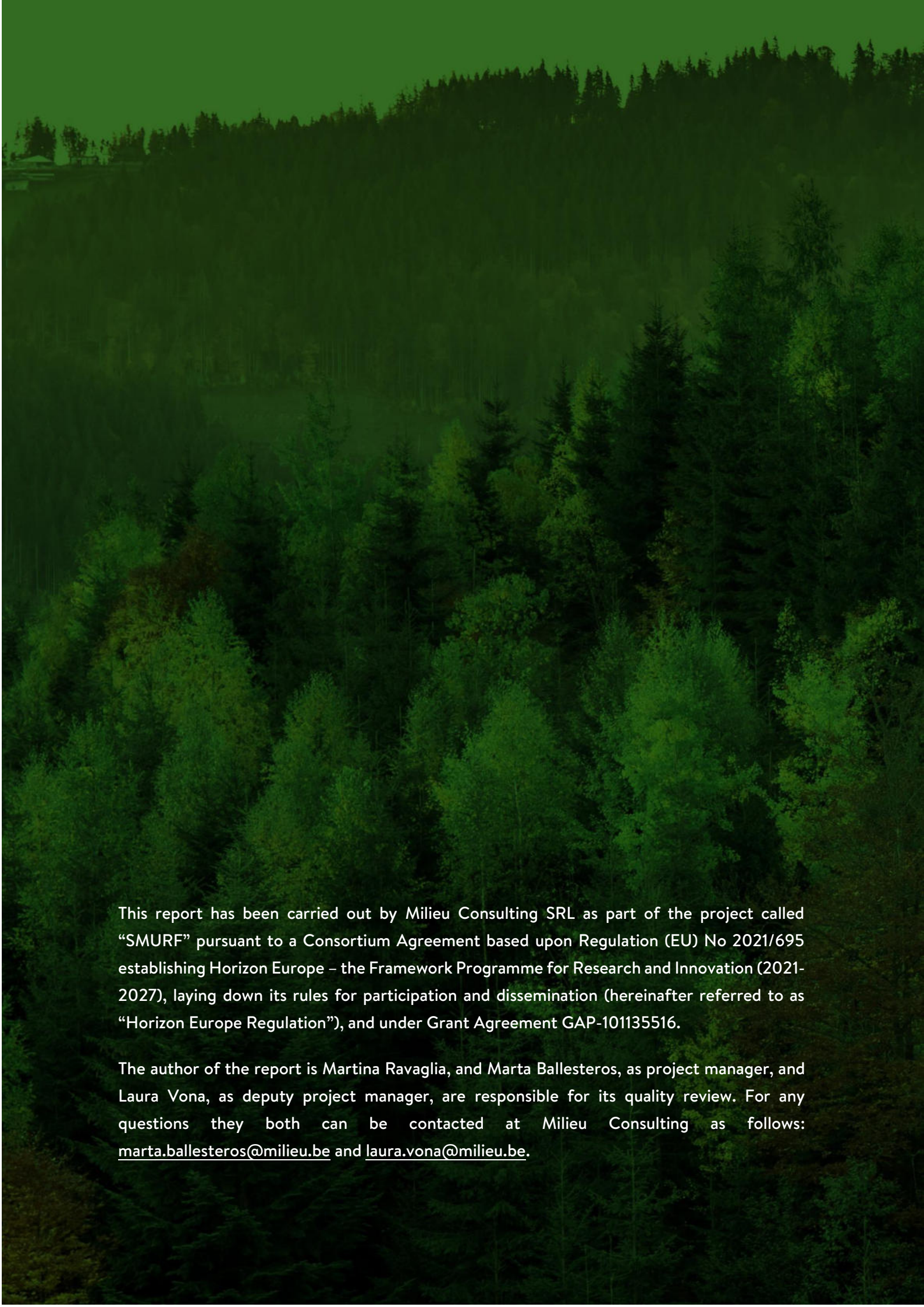
Legal and regulatory framework applicable to Small Forest Owners and Sustainable Forest Management

Country Fact Sheet
Italy

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THE FOREST OWNERS' PROJECT

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Legal and regulatory framework applicable to Small Forest Owners and Sustainable Forest Management (SMURF) - WP2

Executive Summary

Forest management in Italy is regulated at national level by the Forestry Law, which consolidates, updates and re-organise previous forestry legislations. However, since Regions have also competences in regulating forestry matters, each has its own sets of laws and regulations. The Forestry Law establishes the overarching principles and primary objectives of Italian forestry legislations, while the responsibility for practical implementation rests with the Regions. Local municipalities, provinces or mountain communities have also their set of competences over forestry regulation. This multi-tiered system creates duplication and fragmentation, as regional variations in rules and procedures result in a heterogeneous regulatory framework across the country.

Italian forests may be owned by public entities (e.g., the State, Regions, municipalities), by privates (e.g., private owners, enterprises) or can also be collectively owned or subject to civic uses. The majority of forests are privately owned. Ownership is proved by means of transcription in the property registers. Although a land cadaster exists, it is only for fiscal purposes. Regions also have their regional databases/inventories.

The concept of 'forest ownership' is not specifically defined in Italian legislation. Therefore, according to the Civil Code's rules on land ownership, forest owners can freely dispose of their property unless there are legal restrictions imposed by other set of rules. In Italy, forests are *de facto* classified as 'areas of landscape interest' and are protected by the Cultural Heritage and Landscape Code. As a result, there are a number of authorisation or communication obligations that apply to forest owners in case they wishing to carry out forestry interventions.

Sustainable forest management (SFM) is defined by Article 3(2) of the Forestry Law. It is also supported by principles and strategic objectives set out in the National Forestry Strategy. However, regional authorities are responsible for implementing these objectives and actions.

Financial incentives to support sustainable forest management exist and play an important role in the concrete implementation of sustainable practices. However, no indications are provided in the Forestry Law, as the matter is within regional powers. Thus, considerable differences in the financial support provided across regions exists.

The forest land market in Italy is governed by legal requirements, including the transcription of ownership transfers in property registers and agricultural pre-emption rights. The law discourages land fragmentation, imposing restrictions on subdivision through sales or inheritance. Key sources of market information include the Revenue Agency and regional websites, while land banks facilitate temporary land allocations. No specific regulations exist for forest land leasing, insurance, or financial credit, though regional incentives may support forestry activities.

Key recommendations to improve legislative coherence and support mechanisms include enhancing clarity in the distribution of competences between national, regional and local level and in the coordination of national and regional activities; introducing an obligation for forests to be equipped with management planning, with more unified criteria at national level, to ensure

coherent implementation of sustainable forest management practices. Further improvement in the communication of the importance of such practices may additionally be useful to enhance public knowledge and awareness on these topics and encourage citizens active participation.

Introduction

This is a Horizon project with a strong research approach. The name of the project is 'Sustainable Management models and value chains for small Forests' known as SMURF with the reference HORIZON-CL6-2023-CIRCBIO-01.

The general objective is to provide an analysis of the legal and regulatory framework in EU Member States applicable to small forest owners (SFO) in their practices aiming to Sustainable Forest Management.

The specific project objectives are:

1. Prepare a report on the legal framework on SFO for most EU Member State.
2. Identify the basic legislation regulating SFO and the specific articles setting rights and obligations and *provide the links* to those basic and articles.
3. Define the rights and obligations for SFO in EU Member States.
4. Define the legal framework for the economic activity of SFO in EU Member States.
5. **Identify the main legal limitations or barriers for SFO in EU Member States.**
6. **Identify needs for legal reforms and propose specific legal improvements, when considered necessary.**
7. Prepare a comparative analysis of the legal framework SFO in the EU Member States.

These guidelines provide the basic information for the elaboration of the report on legal framework applicable to Small Forest owners/holders. It is complemented by a pilot report showing as a model to show the level of depth of the analysis.

When using the term "legal framework" we consider:

- The organizational model of forestry and the forest value chain.
- The institutional framework, identifying the distribution of competences among the different administration levels (European, national, regional and local) and administration sectors (agriculture and rural development, environment, industry, interior, economics and others).
- The regulatory framework, identifying laws and regulations that affect forestry and the forest value chain. The key articles that set basic rules for forestry will be explicitly referred and translated into English.

The analysis will be focused on factors that affect the participation of forest holdings in the market. There is a particular interest in identifying barriers, obstacles and measures or instruments that have had a significant positive impact in the present functioning of the forest markets.

The analysis will describe the nowadays situation of the framework, although a contextual and short reference of the origin and evolution of the framework when needed for a good understanding will be included.

The analysis will consider the national legislation and will only refer to the regional legislation as a way of example to confirm the national legal framework or to show that in some regions the situation may be rather different.

The analysis will take into consideration the forest sector legislation, but not only, because the main barriers and legal limitations might be derived from the inadequacy of other sectoral laws

(societal, fiscal, real state and ownership, cadastral, insurances) or requirements in some pieces of national environmental legislation. It will refer to Nature or Biodiversity Conservation law and to the Environmental Impact Assessment legislation while it might also refer to relevant agriculture legislation.

1. Basic legal and regulatory framework applicable to small forest owners

1.1. Context to the legislation

According to 2015 data, Italy is covered for the 36,7% by forests, equivalent to 11 million hectares of total forest area. Since 1990, there has been an increase of around 7.5%. Of these, 3.5 million hectares are included in the protected areas (32%).[1] The 63.5% of the total forest area is privately owned, while the 32% is publicly owned and the remaining 4.5% is not classified.[2]

The Ministry of Agriculture, Food Sovereignty and Forests (**Masaf**) is the main responsible for the protection of national forestry interests. In particular, the Forestry General Direction (**DIFOR**) is in charge of policy development and coordination.

However, in the Italian legislation, the forestry sector is subject to the competence of different administrations. The Ministry of Environment and Protection of Land and See is responsible for the conservation of environment and biodiversity while the Ministry of Culture and Tourism for the landscape preservation. Additionally, Regions also have powers to legislate on topics related to forestry, such as the land use management.[3]

1.2. Basic legal instruments

The regulation of forests in Italy involves different legal instruments:

- Constitution
- National laws
- Regional laws and regulations
- Regulatory instruments (e.g., strategies, territorial plans)

At **constitutional** level, **Article 9** has recently been amended by Constitutional Law 11 February 2022 No 1, to include the protection of the environment, biodiversity and animals among the principles upheld by the Italian Republic. **Article 41** recognises that health and environment are paradigms to be protected by the economy, on a par with security, freedom and human dignity. Furthermore, **Article 117** establishes the State's exclusive competence with regard to the preservation of environment, ecosystem and cultural heritage. State and Regions have however shared competences for the enhancement of cultural and environmental heritage and promotion and organisation of cultural activities. In this sector, the State is responsible for determining the guiding principles, but Regions have legislative powers.

The reference legislation for the forestry sector in Italy is the Consolidated Law of 3 April 2018 on Forests and Forestry sector (**Forestry Law**). The Forestry Law operates a reorganisation and simplification of laws and regulations in the sector, introducing the necessary updates to adapt the Italian legal framework to the new environmental and socio-economic situation and

[1] Data from the national forest inventory: https://dashboard.inventarioforestale.org/public/dashboards/62E6D0pxDAXeTBM1eXANbg2PHiRA471wS5KPiqo3?org_slug=default&p_Seleziona%20%2F%20Select=ITALIA : https://sinfor.sian.it/#/normativa.

[2] Data from Federforeste: https://www.federforeste.it/news/presentazione-del-volume-foreste-ditalia/#:~:text=%E2%80%93%20per%20quanto%20riguarda%20la%20propriet%C3%A0,della%20superficie%20risulta%20non%20classificata And https://www.inventarioforestale.org/it/

[3] For more information on the division of competences, see Section 2.1 below.

incorporating the commitments contained in the EU Green Deal on sustainable forest management, environmental conservation and landscape protection. Adopted following a very long process of consultation between the relevant ministries, its objectives include the promotion of protection and sustainable forest management, the strengthening of the institutional coordination between State, Regions and local autonomies directly and indirectly competent on forestry matters and the formulation of national guidelines on programming and planning of national forestry heritage.

Article 1 of the Forestry Law recognises the **national forest heritage** as part of the national natural capital and as an asset of significant public interest. State and Regions have the responsibility, within their respective competencies, to promote sustainable forest management. Other provisions lay down rules and guiding principles for forest planning, certification of forestry activities and, most importantly, the creation of a National Forestry Strategy.

To ensure coherent implementation, several implementing decrees are envisaged in the Forestry Law:

- Ministerial Decree No. 9219119 of 7 October 2020 on criteria for exemption from compensatory measures for forest transformation;
- Ministerial Decree No 4470 of 29 April 2020 on national criteria for registration in regional registers of forestry companies;
- Ministerial Decree No 4472 of 29 April 2020 on national criteria for the professional training of forestry operators;
- Interministerial Decree No 563734 of 28 October 2021 on criteria for the recognition of the state of abandonment of agro-pastural activities;
- Interministerial Decree No 563765 of 28 October 2021 on national minimum criteria for the elaboration of forest policy plans and forest management plans;
- Ministerial Decree No 563734 of 28 October 2021 on criteria for forest roads, works related to forest management and hydraulic-forestry;
- Ministerial Decree No 608943 of 19 November 2021 on guidelines for the identification of areas that can be defined as old forests;
- Interministerial Decree No 677064 of 24 December 2021 approving the National Forestry Strategy;
- Departmental Decree No 64807 of 9 February 2023 on technical rules for technical-scientific cartographic drawings of forest planning instruments.

Each Region has also its own set of rules regulating forests as follow:

- Abruzzo: Regional Law No 3 of 4 January 2014
- Aosta Valley: Regional Law No 12 of 8 July 2002
- Basilicata: Regional Law No 42 of 10 November 1998, and recent amendments contained in the Regional Council Decree No 231 of 1 October 2019
- Calabria: Regional Regulation No 4 of 2022, and integration of 30 May 2014
- Campania: Regional Regulation No 4 of 20 June 2022
- Emilia-Romagna: Regional Law No 30 of 4 September 1981 and Regional Regulation No 3 of 1 August 2018
- Friuli-Venezia Giulia: Regional Regulation No 0274 of 28 December 2012
- Lazio: Regional Regulation No 12 of 30 April 2005

- Liguria: Regional Law No 4 of 22 January 1999 (as amended by Regional Law No 17 of 2 August 2023)
- Lombardy: Regional Law No 31 of 3 December 2008, Regional Regulation of 20 July 2008 No 31
- Marche: Regional Law No 6 of 23 February 2005
- Molise: Regional Law No 6 of 18 January 2000
- Piedmont: Regional Law No 4 of 10 February 2009
- Apulia: Regional Law No 1 of 23 March 2023
- Sardinia: Regional Law No 8 of 27 April 2016
- Sicily: Regional Law No 16 of 6 April 1996
- Tuscany: Regional Law No 39 of 21 March 2000
- **Trentino-Alto Adige:**
  - Trento Autonomous Province: Provincial Law No 11 of 23 May 2007
  - Bolzano Autonomous Province: Provincial Law No 21 of 21 October 1996
- Umbria: Regional Law No 28 of 19 November 2001
- Veneto: Regional Regulation No 2 of 7 February 2020

1.3. Basic Regulatory framework

Pursuant to **Article 6** of the Forestry Law, the Government enacts the **National Forestry Strategy (NFS)**. The NFS is the national strategic policy document setting out national guidelines, principles and objectives. It is aimed at promoting the sustainable management of Italian forest heritage and the development of the sector and its productive, environmental and socio-cultural resources. The NFS contributes effectively to the pursuit of the priorities and commitments undertaken by Italy at EU and international level on climate, environment and biodiversity, energy and sustainable socio-economic development. More specifically, the NFS identifies the following **3 main objectives**:

1. Sustainable forest management and multifunctional role of forests
2. Efficient use of forest resources for sustainable development of economies in rural, inland and urban areas
3. Global responsibility and knowledge of forests

For each of these objectives, **Operative Actions** are then identified, supplemented by **Specific Actions** and **Instrumental Actions,** declined in terms of competences and responsibilities from the national and ministerial level to the level of Regions and local authorities/entities. Specific Actions are there contextualised to the territorial and sectoral needs and to the specific regulatory framework of the particular place/Region, as well as available financial sources.

In line with the NFS principles and objectives, Regions identify their objectives and develop their policy actions through **Regional Forestry Programmes** (*Programmi forestali regionali*, Art 6(2) of the Forestry Law).

Within homogeneous territorial districts, Regions can also draw up **territorial forestry plans** (*piani forestali di indirizzo territoriale*, Art 6(3) of the Forestry Law). Such territorial forestry plans have the objective to identify, maintain and valorise forestry-pastoral resources and coordinate the activities necessary for their protection and active management. For example, for the Lombardy Region, territorial forestry plans of the different provinces and/or territorial units – e.g., Province of Lodi, Province of Pavia, Province of Mantua, etc. – are available on the website.

A list of all current existing territorial forestry plans of the Region is available. The following elements should be defined within the territorial forestry plans:

- The uses of forest and pasture areas and guidelines for their management, protection and enhancement;
- Priority areas necessary for protection, management and enhancement of forest and pasture areas;
- The coordination between the different forestry planning levels, according to the regional system and the regional landscape plan, as well as the guidelines for the management of protected areas;
- Forest interventions and minimum actions for the management, governance and treatment of forests and the development of local forestry chains;
- Silvo-pastoral management guidelines for the drafting of more local planning instruments, such as forest management plan.

The Forestry Law further indicates that regions can also develop cross-regional plans, in agreement with local entities, in line with regional landscape plans[4].

For the implementation of their Regional Forestry Programmes, Regions promote the development of **forest management plans** *(piani di gestione forestale*, Art 6(6) of the Forestry Law). Forest management plans are drafted at local level within a company or group of companies and are promoted by Regions for private and public properties, including collective properties. They implement and integrate prescriptions, constraints programmatic and territorial planning indications deriving from the programming and territorial and environmental planning instruments in force.

Minimum national criteria for the elaboration of territory forestry plans and forest management plans are set out in the **Ministerial Decree No 563765 of 28 October 2021.** Regions must comply with the provisions herein contained within 180 days from the date of entry into force of the Decree. As these planning instruments are to be build up at local level, the Decree also contains relevant rules for simplified instruments equivalent to forest management plans (Art 5)[5].

Other relevant regulatory instruments include the **White Book on Forests**, which supported the definition of the NFS by providing an overview of the current status of the regulation of forests in Italy and grouping together all relevant stakeholders. The White Book stresses the crucial importance of further enhance regulation in the sectors and recognises that in Italy, the boundaries between institutional tasks and roles in forestry matters are indefinite and easily overstepped.

[4] It may be noted that examples of cross-regional plans have not been identified.

[5] See section 5 for more information on forest management plans.

2. Governance and institutional framework

2.1. Distribution of competences between the State and Regional authorities.

- **According to the legal framework, what are the relevant competences and responsibilities regarding decisions on forest management and forest management practices at the different State level (national, regional, municipal) in your country?** Please describe the situation stating the legislation and relevant provisions.

Legal background

Italy is composed of twenty **Regions.** Five Regions have a 'special status' (i.e., Aosta Valley, Trentino-Alto Adige, Friuli-Venezia Giulia, Sardinia, Sicily) and one among them (i.e., Trentino-Alto Adige) is actually formally divided into two Autonomous Provinces: Trento and Bolzano.[6]

National and Regional competences

The **division of competences** between State and Regions is regulated by the Constitution. **Article 117**, as amended by the Constitutional reform of 2001 and the Constitutional Law No 3, sets out a list of matters of State's exclusive competence and of matters of shared competence, in which Regions have legislative power except for the determination of fundamental principles. All matters not expressly included in these categories are within Regions' competences.

With regards to **forestry and environment**, the division between national and regional competences has never been clearly defined. Although the protection of environment is listed among State's exclusive competence, Regions retain exclusively legislative powers on a series of collateral sectors which are linked to the environment and include forests, such as land management and forest productivity. Additionally, land management and enhancement of cultural and environmental heritage (e.g., forests) and promotion and organisation of cultural activities are included among shared competences. The evolution of constitutional jurisprudence led to the affirmation that from an environmental and landscape point of view, forests are a legal asset of primary and absolute value, whose protection must be guaranteed by the State. The State is thus responsible for delineating fundamental guiding principles, which must be respected in the whole national territory and set out boundaries for Regions' regulative powers.

Guiding principles, objectives and actions are therefore set out at national level in the **Forestry Law** and in the **NFS** and implemented by Regions in their **Regional Forestry Programmes**. Each Region set out its own regulations governing environmental and forestry matters in more details.

Local/municipal competences

The description above is not exhaustive as there are also **local/municipal competences.** The division of functions and competences with local authorities is specific to each Region as it depends on its organisation and characteristics. Municipalities, mountain communities, other local entities, national parks, if present in a specific Region, may also have some functions related to forestry planning. For example, Article 47 of Lombardy Regional Law 31/2008 indicates that the Province of Sondrio,[7] mountain communities, parks' managing bodies, as well as the Region

[6] Please note that for the purposes of this study, the distinction between 'Regions' and 'Autonomous Provinces' is not relevant. Therefore, 'Regions' will be used to cover both formal entities.

[7] The Province of Sondrio has a special status within the Lombardy Region, as it is entirely composed of mountain communities.

– for the territory within its property – prepare and adopt territorial forestry plans. It is therefore evident that forestry planning is strictly linked to the local and administrative division of each Region. The Lombardy Regional Law 31/2008 determines territorial forestry plans as the liaising tool between forest planning and spatial planning, have a validity of fifteen years and contribute to the development of the Regional Forestry Programme and the definition of priority areas of intervention.

The Lombardy Regional Law 31/2008 further specifies that forestry property can be managed on the basis of forest management plans of a corporate nature. These plans have to be approved by the local authority – e.g. the managing bodies of regional parks and reserves, the mountain communities or the province of Sondrio, for the relevant territory – or by the Regional Council. Regional Councils are also in charge of defining criteria and procedures for the development and approval of territorial forestry plans and forest management plans, as well as criteria for their periodic review (Article 47(7) of the Lombardy Regional Law 31/2008).

Forest coordination

The Permanent Conference for Relations between State and Regions is the entity in charge of fostering coordination between the activities of the State and of Regions and Autonomous Provinces. It is a permanent forum for political negotiations between the central government and the system of regional autonomy. Its competences are not sector-specific (and, whenever politically needed, it could cover also forestry).

With specific regard to forest coordination, supervision and enforcement, the previous competences of the **State Forestry Corps** – a special police body specialised in the protection of forests – have been absorbed into the Carabinieri Corps[8]. The Legislative Decree No 177 of 19 August 2016 replaced the State Forestry Corps with the establishment of the Forest, environmental and agri-foods Unit. Within the Unit, a more specific Command for Forest Protection brings together all the forestry departments of the Carabinieri Corps with supervisory powers relating to the functions of forestry and hydraulic police, protection of landscape, nature and wildlife heritage. This Command is in charge of monitoring and control the territory for prevention of instability, detection of offences committed in violation of current laws on the protection of environment. The organisation of the Command implies grouping all the regional and territorial forestry police bodies, including the Carabinieri Forestry Stations (peripheral units of reference in the Carabinieri Corps for forestry) and the Carabinieri Corps operating in national parks.

In addition, most Italian regions have other bodies with control or enforcement responsibilities, although these are not formally organised. National Parks are overseen by **National park authorities**, which are public law entities subject to the supervision of the Minister of the Environment. Park rangers serve as the primary control and enforcement officers. **Voluntary ecological guards** also operate across Italy, albeit unevenly. They are composed of citizens who devote part of their free time to environmental protection, including within forests. They need to attend specific trainings and pass an exam. Their remit is however not limited to control or

[8] The Carabinieri Corps is an Italian autonomous armed force with general police powers. Formally it is within the Ministry of Defence, but it also functionally depends on the Ministry of the Interior, the Ministry of Agriculture, Food Sovereignty and Forestry and also the Ministry of the Environment and Energy Security and the Ministry of Culture.

enforcement, as they also provide information and deliver education and awareness-raising activities.

Advisory bodies

The Council for Agricultural Research and Analysis of Agricultural Economics (CREA) is the Italian research organisation dedicated to agri-food chains. It is a body with legal personality under public law and supervised by the Masaf, but with full scientific, statutory, organisational, administrative and financial authority.

For strengthening the coordination and sharing of all data, information and statistics of national forestry heritage, the Masaf and the CREA has developed the **National Forestry Information System** (SINFor), a national database foreseen in the NFS as well as under Article 15 of the Forestry Law. Although it is not a body, SINFor is a useful tool to know the state of Italian forest and define effective forestry policies, as well as to monitor the implementation of the NFS and support forest management and planning.

2.2. Key representation organisations of the forest sector

This chapter presents key associations present at national level. It is noted however, that there are also different regional organisations/associations.[9]

1. **Forest owners:**
   a. Federforeste – Italian Federation of Forest consortia and local communities.
   b. FFI, Fondo Forestale Italiano – a national network of forest lands owned by the FFI or by affiliated land, i.e., land managed by private citizens, with the objective of resources conservation and respect of the natural environment.
   c. Associazione Forestale di Pianura (AFP –regional level) – the first association of forest owners, established in the Veneto Regin for the promotion of sustainable management of forestry resources.

2. **Forest municipalities:**
   a. ANARF – National Association of Regional Forestry activities.

3. **Forest industry:**
   a. Filiera Legno – Italian Federation of Wood Industries.
   b. Assolegno – National Association of Woodworking and Construction Industries, representing around 500 companies operating in forestry processing, swan timber production, wood production etc.
   c. Coldiretti – the biggest organisation representing agricultural entrepreneurs at national level, which includes forestry-pastural territories.
   d. Confagricoltura – the oldest organisation for the protection and representation of agricultural enterprises, which includes forestry-pastural territories.
   e. CIA – Agricoltori Italiani – trade association, working to safeguard and promote the primary sector and to protect businesses and farmers.

[9] Due to the high number of Regions and associations, these have not been considered for the purpose of this research.

4. **Forest clusters:**
    a. Cluster Italia Foresta Legno – nonprofit association representing national wood supply chain. Its aim is to promote the development of the national forestry system with a view to dialogue and synergy with the various national supply chains and territorial clusters.

5. **Forest contractors:**

Such associations could not be identified at national level - some are available at regional level. An example is provided:

a. Associazione Consorzi Forestali della Lombardia (regional level) – the association representing and coordinating the forestry consorti of the Lombardy Region.

6. **Forest Professionals:**
    a. EFESC Italia – for the recognition of professional certifications, especially the European Chainsaw Certificate (ECC).
b. AIFOR – Association for forestry instructors.
c. National Council of Agronomists and Foresters (CONAF): it represents the general interest related to the practice of the profession of agronomist and forestry expert – i.e., professionals registered in an Association of Agronomists and Foresters at provincial/regional level.

7. **Forest Agents or rangers:**
    a. A.N.FOR., the national association of foresters – divided into sections throughout the national territory.
b. Rangers d'Italia.
c. Voluntary Ecological Guards – groups of citizens, at regional level, that provide support with the supervision and control of forests.

8. **Forest Sciences:**
    a. SISEF – the Italian Society of Silviculture and Forest Ecology, which promotes and support research in the forestry sector.
    b. ISMEA – Institute of Agricultural Services.

9. **Forest certification:**
    a. PEFC Italia.
    b. FSC Italia.

10. **Public enterprises:**
    a. Associazione Forestale dei Due Laghi (regional level) – formed by both public and private entities, interested in the protection, research, development and valorisation of the forestry area between the Orta Lake and the Lake Maggiore (Piedmont).
11. **Forest cooperatives:**
        a. Confcooperative, Confederazione Cooperative Italiane – is the main organisation representing, assisting and supervising Italian cooperatives and

social enterprises. It is divided in 8 sectorial federation, including a federation on agriculture and fishery, which covers also cooperatives active in forestry services.

12. **Other Forest organisations**
    a. Legambiente – nonprofit organisation composed by citizens with the objective of protecting environment, in all its forms.
    b. Forest sharing – private initiative consisting in a platform for the exchange between forest owners, enterprises and forest technicians, aiming at improving sustainable forest management in Italian forests.

3. Forest land ownership structure

- **According to State statistics, what is the ownership structure of the forest in your country (at State level)?** Please include relative and absolute data of forest ownership types, including average size of public and private forests and the number of area of forests in each size category)

3.1. Data on national forests ownership structure

According to the most recent data available in the newly established National Forestry Information System (SINFor), Italy has approximately 11 million of hectares of forest and other wooded land, equivalent to the 36.7% of the national territory.[10] In some Regions, such as Liguria and Trentino, forests occupy around 50% of the regional territory.

Data from the national forest inventory (INFC2015) shows that Italian forest ownership is structured as follows:

- 66.4% of the forest land is privately owned,
- 33.2% of the forest land is publicly owned,
- 0.45% is not classified.

Within the portion of privately owned forest land:

- 79% is owned by individuals,
- 6.3% is owned by private companies or industries,
- 4.5% is owned by other private entities,
- 10.4% is not classified.

Within the portion of publicly owned forest land:

- 65.4% is within the property of the province or municipality,
- 23.5% is of the State or Region,
- 8.3% is owned by other public entities,
- 2.8% is not classified.

At regional level, the greatest diffusion of private property is found in Liguria (86.3%), Tuscany (85.1%) and Emilia-Romagna (84.7%).

There is no official information on the average size of public and private forests and the number of area of forests in each size category.

3.2. Definitions of forest ownership in your country

Please provide the definitions identified in the legislation applicable in your country following the guidelines shared with you.

- **Forest owner**

No definition of 'forest owner' could be identified in Italian national legislation. To be noted, however, that forest owners are mentioned in some provisions of the Forestry Law[11].

[10] This places Italy close to the forestry average of EU countries (38.6%).

[11] As an example, Article 3(2)(h) defines 'silent land' as agricultural and forestry land for which the owners cannot be identified or found as a result of appropriate enquiries.

The Italian Civil Code regulates the concept of 'owner' connected with the right to enjoy and dispose of things fully and exclusively, within the limits and in compliance with the obligations established by the Italian legal system (**Art 832**).

The Code also regulates **land ownership (Art 840)**: 'ownership of the land extends to the subsoil, with everything contained therein, and the owner may do any excavation or work that does not cause harm to their neighbour.' The provision does not apply to what is covered by the laws on mines, quarries and peat bogs. Hence, it can be argued that the concept of land ownership can include forests.

- **Forest holder**

No definition of 'forest holder' could be identified in Italian national legislation. Forest holders are not even mentioned in the Forestry Law.

- **Forest manager**

No specific definition of 'forest manager' could be identified in Italian national legislation[12]. However, Article 3(2) point q) of the Forestry Law defines the concept of '**forestry company**' (*imprese forestali),* i.e., companies registered in the register referred to in Law No 580 of 29 December 1993, which mainly carry out forest management activities and provide forestry and environmental services. In the context of the Italian legislation, this can be considered as an equivalent to the concept of forest manager.

In the context of forest management, agricultural and forestry doctors – those registered in one of the relevant provincial/regional Associations – are responsible for land-use and planning in rural areas. They are also involved in protecting and restoring the landscape and the environment.

- **Forest contractor**

No definition of 'forest contractor' could be identified in Italian national legislation. However, the Forestry Law includes the concept of 'operator' (Article 10(1) of the Forestry Law). Forest operators' requirements and criteria for their professional training and the execution of forest management operators are laid down in the implementing Ministerial Decree No 4472 of 29 April 2020. Regions have competences to further regulate training programmes and requirements for forest operators.

While the Forestry Law does not provide a definition of 'forest operator', this definition may be available in regional law. For example, according to Article 2(1)(g) of the Emilia-Romagna Regional Regulation 1/2018, a forest operator is the professional figure capable of safely using the chainsaw and forestry tools in silvicultural work, with particular reference to the preparation of the work area and the use of related safety equipment in compliance with environmental protection, as recognised by the Regional Qualifications System, and carrying our forestry activities.

Furthermore, Article 10(6) of the Forestry Law indicates that forestry cooperatives and their consortia providing forestry services, including hydraulic-forestry systems, and working in the forestry sector, are assimilated to agricultural entrepreneurs. Agricultural entrepreneurs (*imprenditori agricoli*) are defined and regulated by the Civil Code, at Article 2135, as those who

[12] Managers are mentioned only once in Article 7(8) of the Forestry Law. No definition is provided.

exercise one of the following activities: cultivation of the land, forestry, animal husbandry and related activities.

- **Forest**

Article 3(3) of the Forestry Law includes a definition of **forests** (*boschi*) applicable at national level[13]. Forests are defined as 'areas covered by tree forest vegetation, whether or not associated with shrubs, of natural or artificial origin at any stage of development and evolution, with an area of not less than 2,000 square meters, an average width of not less than 20 meters and with a forest tree cover of more than 20 percent'. The following areas are also considered **forests** (Art 4(1)):

- Plant formations of tree or shrub species;
- Reforestation areas;
- New forests created either directly or through monetisation;
- Forest areas temporarily lacking tree or shrub;
- Clearings and all other areas of less than 2,000 square meters interrupting the continuity of a forest and not recognised as meadows or pastures;
- Linear infrastructures of public utility that interrupt the continuity of the forest.

The following areas are expressly excluded from the definition of forest (Art 5):

- Artificial formations created on agricultural land;
- Arboriculture for wood production or other cultivation (e.g., fruit trees);
- Urban green spaces;
- Areas subject to eradication measures and plans.

Pursuant to Article 3(4) of the Forestry Law, Regions, to the extent of their competences and in relation to their own territorial needs and characteristics, may adopt additional definitions of forest respecting the national definition of Article 3(3), as well as additional definitions of areas assimilated to forest and of areas excluded from the definition of forest as set forth in Articles 4 and 5, respectively, and provided that the level of forest protection is not diminished.

Generally, in their national laws, Regions have followed the main elements of the national definition as provided for in the Forestry Law, but added some details.

For example, according to Article 3(1) of the Piedmont Regional Law 4/2009, forests are 'lands covered by tree forest vegetation, whether or not associated with shrubs, of natural or artificial origin, at any stage of development and evolution, with an extension of no less than 2,000 square metres and an average width of no less than 20 metres and coverage of no less than 20 per cent, with measurement taken from the external base of the stems'. The definition adds that 'controlled truffle grounds that meet the same definition are also considered as forest'. As a way of further example, Article 2(2) of the Emilia-Romagna Regulation No 3 of 1 August 2018 makes an explicit reference to the terms used in Article 3 of the Forestry Law.

In **Lombardy**, according to Article 42 of the Regional Law 2008/31, the definition 'forest' covers:

- 'vegetation formations, at any stage of development, of natural or artificial origin, as well as the land on which they grow, characterised simultaneously by the presence of tree or shrub vegetation, by ground cover provided by the canopy of the **tree or shrub**

[13] Article 3(3) specifies that such a definition is applicable 'for matters falling within the exclusive competence of the State'.

component **equal to or greater than 20 per cent,** as well as by an area equal to or greater than 2,000 square metres and a width of not less than 25 metres;

- reforestation and afforestation;
- areas that were previously wooded but are now devoid of tree or shrub cover due to unauthorised forest transformations.'

Furthermore, the following are considered as 'equivalent to forest':

- 'land subject to reforestation requirements for the purposes of hydrogeological protection of the territory, air quality, water conservation, biodiversity conservation, and protection of the landscape and the environment in general;
- forest areas temporarily lacking tree and shrub cover due to forestry use, biotic or abiotic adversities, accidental events and fires;
- clearings and all other areas smaller than 2,000 square metres that interrupt the continuity of the forest.'

It may be noted that the 20 per cent coverage is for either trees or shrub, while the national legislation specifies 'forest tree cover of more than 20 percent'. The definition of forest under Lombardy's Regional Law has given rise to some interpretative disputes[14]. The Administrative Court of Lombardy has held that "forest" includes not only land completely covered by woods or tall trees, but also to all partially wooded areas, provided that they are located in a context where vegetation – and especially shrubs – predominates. Accordingly, an area covered only by shrubs may still constitute a forest, regardless of the presence of tall trees.

3.3. Forest ownership types in your country

- Please provide a **description of the types of forest ownership** (e.g. public forest, private forest) identified in the legislation applicable in your country. **Are there specific laws** for certain types of collective, communal, vicinal or neighbourhood forests?

According to the Forestry law, forest ownership can be public, private, collective properties and civic use properties.

Public forests belong to the public entities, i.e., the State, Regions, provinces or municipalities, or other public entities, such as Universities or local health authorities.

Some regional laws provide a description of the public properties of the Regions. For example, the Tuscany Regional Law 39/2000 indicates that the agricultural-forestry assets of the Region are made up of (i) the agricultural and forestry assets transferred by the State; (ii) other agricultural and forestry assets belonging to the Region, acquired, expropriated or otherwise received by it.[15]

Public forests can also be owned by mountain communities. As specified in Law No 97 of 31 January 1994, mountain communities are unions of mountain municipalities. These forms of entities are valued at national level for the multitude of functions that mountains have on Italian

[14] This was raised by a consulted forestry consortium. To keep in mind that consultations with forestry associations/consortia from Italy took place in September 2025. Their input has been addressed and included within this report.
[15] Regional Law No. 39 of 21 March 2000, Article 22.

environment and landscape. Their regulation is delegated to Regions pursuant to Article 1(5) of Law 97/1994.

Private forests are owned by individuals, companies or industries.

Collective property and **civic use property** (*propietà collettive e usi civici*) are alternative forms of private property that are generally attributable to a community or to a determined number of people, but it does not constitute public property as defined above. Both have feudal origin and have been formally recognised in the Italian legal framework only in 2017, with the Law No 168 of 20 November 2017. Article 1 of Law 168/2017 law determines that **collective properties**, however called, are recognised as autonomous entities, endowed with the capacity to manage the natural, economic and cultural heritage of the territorial basis of the collective property, and characterised by the existence of a community whose members own land and together exercise more or less extensive rights of enjoyment, individually or collectively. **Civic uses** are particular rights belonging to a territorial delimited community (e.g., municipalities) that are exercised in the use of agro-sylvo-pastoral land for the satisfaction of essential needs of the members of the community (Law No 1766 of 16 June 1927). The most common civic use rights are pasture, seeding, but also the harvest of mushrooms or fruits that spontaneously grow in the forests.

Forest or landowners or forestry or agricultural enterprises can join together in **forestry consortia** or other forms of association between owners, also public and private owners together. Forestry consortia are regulated by the provisions of the Civil Code (Art 2602 and following). While they are not a form of collective property, they constitute private legal entities that carry out common activities concerning forest management. Further rules on their organisation and functioning defined and more in details by regional laws. For example, the Lombardy Regional Law 31/2008 indicates that forestry consortia are established in order to carry out mainly land improvement, silvicultural activities and alpine farming activities. The Emilia-Romagna Regional Law 30/1981 also indicates that forestry consortia can be voluntarily established or promoted by regional/municipal authorities, with the view to create convenient forestry and pastoral management units. Forestry consortia manage lands, including forests, according to the relevant forest management plans. The Regional Council establishes via a specific the standard statutes for forestry consortia.

Natural parks management bodies are relevant actors in the Italian forest management landscape. In fact, a considerable portion of Italian forests, whether public or private, are contained in natural parks or protected areas. These forests are subject to specific management and protection rules which are proper of the parks. It can also be that private owners possess portions of lands within parks' territories. In situations like this, private owners have to abide by the park's rules.

- Are there well-established programs for forest land consolidation? Are there public bodies promoting or responsible for these programs?

Specific programs available at national level for forest land consolidation could not be identified in the Italian framework. However, the Forestry Law encourages the creation of land associationism for the purpose of ensuring better protection and sustainable management of forestry resources, the improvement of abandoned land and the reconstruction of economically viable production units (Art 10(5)). It also mandates Regions the promotion of participation or establishment of forestry consortia, cooperatives and other forms of association between

forestry owners, public and private, and forestry holders, enhancing the associated management of small properties.

3.4. Proof of ownership: Land registry and Cadastre

- How is ownership proved?

Ownership of a real estate/immovable property (e.g., forest) implies the existence of a 'legal title' on the property. This must be derived from one of the following means: (i) a noterised deed, (ii) a transcription in the property registers, (iii) a judicial sentence. All these means can constitute a legal title of the ownership (Art 2657 of the Civil Code), and thus have a probatory function of the ownership right.

The transcription of the legal title over a property in the **property register** must be done in the district where the property is located (Art 2643, 2644, 2663). Property registers are also managed by the Revenue Agency.

Data and statistics on types of ownership of Italian forests are available in the National Inventory of Forest and Forest Carbon sinks. The National Inventory is a database collecting a series of data and information on Italian forests including on private or public property divided by Region. However, data goes back to 2015.

Additionally, there are regional forestry databases as well as **Regional Forest Inventories**, managed by Regions and collecting data an information on forests within Regions' territories. For example, the Emilia-Romagna Region has a system of databases (Regional Forest Inventory, Forest Maps, Management Plans, Forest Fire Cadastre, Forest Intervention Cadastre) which allows with integration with territorial and administrative themes (such as, the division of provincial and municipal forests).

To be considered also that a **land cadastre** exists in Italy. It was established by Royal Decree-Law No 652 of 13 April 1939, subsequently amended several times, and now is managed by the Revenue Agency. The cadastre is the inventory of all immovable property, whether land or buildings, existing on the territory of the State, belonging to private and public entities. Land is divided into portions, called parcels. The following documents are provided by the cadastre:

- Map sheets, on which the territory of each municipality is drawn,
- Map extracts,
- Land registry searches, documents that analytically set out the data of the registered real estate,
- Planimetric drawings, indicating the distribution within the single parcel (e.g., if there are dwellings, courtyards, commercial premises etc.),

Since February 2025, the Italian cadastral map is consultable free of charge. Owners can have access to cadastral deeds trough specific services of the Revenue Agency, provided that they register on the portal. Notaries, surveyors and other technicians may also have access upon payment of a tax. Municipalities can freely access only for institutional purposes.

The land cadastre does not have a probatory function, so it cannot constitute proof of ownership of the land. Its function is only descriptive and for fiscal purposes.

In relation to **collective properties or civic use properties**, which may include collectively owned forests, their inscription in a register is regulated at regional level (Art 3(7) of Law 168/2017).

Each Region is therefore responsible for the establishment of a regional register. In Piedmont, for example, a Regional Register of Collective and Civic Use Properties was created by the Piedmont Regional Law No 29 of 2 December 2009, Article 15. Article 42 of the implementing Regulation of 27 June 2016 No 8 indicates that such Register includes all lands either owned by a community or on which there is a civic use, i.e., on which members of a community can derive special benefits, including the right to use the land. The Registry has only publicity function (ownership would still be proved through the property registers). Due to the ancient origin of these types of properties, Article 44 of the Regulation 8/2016 specifies that the documentary basis of the Register is the Regional Historical Archives of Civic Uses. For each parcel of land, the Registry shall indicate the cadastral identifiers, the content of the civic use and the references to administrative acts and measures that have affected the parcel, including, for example, commissioners' orders, approval of state assessments confirming the collective nature of the land or the existence of civic use (Article 42).

- **Is there a legal obligation to register ownership/property?**

In order to enforce ownership over real estate, including land or forest, transcription of the legal title in the **property registers** is mandatory (Art 2643 of the Civil Code). Without transcription, the right cannot be enforced against third parties (Art 2644 of the Civil Code).

- Is there a registration fee?

Those who wish to transcript their property must present the following documentation to the relevant property register:

- Certified copy of the title of ownership – if it is public deed or judgments – or original copy – if it is private deed. If the title is deposited in a public archive or in the records of a notary, a copy certified by the archivist or the notary.
- The transcription note with the following information: contact details of the parties, the legal title, contact details of the public officer that prepared the deed or the judicial authority that rendered the judgment, the nature and situation of the property (surface area and share).

There are various types of taxes to be paid in order to make the transcription, including a registration tax at a proportional rate of 9% (thus the fee depends on the size of the property).

- **Is there an official register of forest owners and of forest holdings? Is it shared with agricultural registers? Is it harmonized with the general property/ownership register?**

There are no 'registers' for forests other than the property register mentioned above, which includes land (hence, also forests). Thus, there are no official registers of forest owners and/or of forest holdings.

- **Is the Cadaster/register well updated and reflecting real forest owners/holders?**

The property registers are managed by state public bodies but are not publicly accessible. In order to have access, you need to be registered as a property owner. Hence, it is not possible to determinate whether they are up-to-date. A consulted forest consortium noted that, although property registration is mandatory in Italy, it is often not carried out – particularly for small-scale forest holdings – due to the high-cost relative to the low value of the land itself. This situation

contributes to the difficulty of tracing ownership of properties that have remained unregistered for several decades, in some cases up to fifty years.

The National Inventory of Forest and Forest Carbon sink contains data and statistics which have lastly been updated in 2015. Therefore, they do not fully reflect the current situation.

4. Rights and obligations: forest owner/holder and forest contractor

4.1. Overview

- **According to the legal and regulatory framework what are the rights and obligations of forest owners/holders and forest managers in your country?**

As the concept of 'forest ownership' is not determined in Italian legislation, rules on land ownership apply. In principle, owners can freely dispose of their property, unless where there are limits imposed by other rules. However, in Italy, land ownership rules (Civil Code) are intertwined with rules on the protection of cultural and landscape heritage (Cultural Heritage and Landscape Code). In fact, forests are included among the areas of landscape interest and are protected by law. This implies that a forest owner has never full disposal of their property as any forestry interventions – including, for example, trees cutting – is subject to a specific authorisation or communication to regional/municipal authorities.

Due to the absence of a definition or specific regulation of 'forest ownership', **nor national or regional legislations set out a list of rights/obligations of forest owners.** Taking the Region of Emilia-Romagna as an example, the Regional Law 30/1981 and the Regulation 244/2018 regulates the type of interventions, and the authorisations requested instead of the rights and obligations of the relevant actors. It can therefore be concluded that forest owners are allowed to carry out forestry interventions and practices only complying with the requirements established and provided that relevant authorisations are obtained.

4.2. Legal rights of the forest owner/holder

- **Right to financial support/tax exemptions/subsidies? What are the requirements?**

No right to financial support/tax exemptions/subsidies for forest owners specifically could be identified in national legislation. These are regulated at regional level, thus vary from one Region to the other.

For example, the Lombardy Regional Law 31/2008 provides that the Region provides directly for funds to finance the services carried out by forestry consortia recognised by regional measure, as well as a maximum period of 3 years to cover the start-up costs of the forestry consortia themselves (Art 56). Further criteria for funding modalities are established by a Regional Council order.

Other types of funding/subsidies are also provided for in the Lombardy Regional Law 31/2008. Art 26 stipulates that contributions are granted for the development of forestry interventions related to the conservation and protection of forestry (e.g., protection of slopes, biodiversity, preservation of landscape) and widespread maintenance of the territory. All the details and requirements of beneficiaries and covered activities are determined by Regional Council order.

It is therefore evident that the amount and the type of financial support granted to forest owners vary across Regions. Moreover, beyond the rights outlined above, additional funding opportunities may be available, although these do not constitute a legal right to financial support. As an example among many, in the Lombardy Region, foundations funds are also available, such as the one by the CARIPLO Foundation. The call for proposal 'Mountains in transition' is a funding

programme available for the Alps of the Lombardy region addressed specifically to partnerships consisting of at last one private non-profit organisation and one local public body.

- **Is there a right to decide about the forest management practices in their forest land?**

The **Forestry Law** promotes the use of sustainable forest management practices through the objectives and actions set out in the NFS, the Regional Forestry Programme, as well as the other territorial/local plans. As long as practices are in line with the planning objectives and with the concept of sustainable forest management, forest owners are entitled to decide which practices to undertake. They have also the right to receive technical assistance in this regard.

Regional laws may provide for further rules related to silvicultural activities and forest management operations, such as setting out prohibited interventions or practices. For example, Art 50 of Lombardy Regional Law 31/2008 recognises as a valuable factor for the development of regional economy those practices aimed at the preservation and renewable and sustainable use of forest resources. Forestry owners are therefore encouraged to implement them. It may also be recalled – as also underlined by the Lombardy Regional Law 31/2008 – that forestry interventions (i.e., construction and extraordinary maintenance of forestry roads and hydraulic forestry works) are subject to specific authorisations, including on the protection of landscape pursuant to the Cultural Heritage and Landscape Code. Moreover, Art 43 of Lombardy Regional Law 31/2008 lists the forest transformation operations which are prohibited unless authorised by the Region, the Province of Sondrio, mountain communities or unions of municipalities.

- **Is there a right to harvest?**

The **Forestry Law** recognises the **right to harvest**, but it delegates its regulation to the Regions. Regions can impose limitations on this right (see Section 4.3) below.

4.3. Limitations to the rights of forest owner/holder

- **Is there a limitation to change the land use of the land (from forestry to agriculture and/or urbanization)?**

Article 8 of the Forestry Law regulates **forest transformation**, i.e., those interventions involving the removal of existing trees and vegetation and the change of land use from forestry to other uses. It establishes the **prohibition to carry out any change to the land use** from forestry to agricultural activities or for the construction of works of relevant public interest **that has not been authorised.**

If forest transformation is carried out, it must be compensated at the expenses of the recipient of the transformation authorisation. Compensatory measures can be, for example, the following: improvement and restoration of existing woods, reforestation and creation of new woods, hydraulic-forestry construction, prevention of forest fires and natural and anthropogenic risks. Any forest transformation resulting in an environmental damage or harm must be subject to restoration.

Regions are required to establish rules to implement this provision and criteria for defining the compensation works and services in case of forest transformation interventions, as well as the cases of exemption from the compensatory interventions.

Article 8 also indicates that those forests that protect populations, goods and strategic infrastructures, as identified by the Regions, cannot be transformed and their land use cannot be changed, except in cases of imperative reasons of overriding public interest.

- **Is there a legal limitation to the right to harvest? Is there a ban on clear cutting?**

The Forestry Law indicates that the **protection of the forest's productive capacity and its harvesting** are regulated by Regions, in compliance with rules on civic uses. Chapter II of the Tuscany Regional Forestry Regulation 8/2003, for example, regulates the harvesting. The plans for harvesting are contained in management plans, while for all other types of harvesting, for any purposes, an authorisation is necessary (Article 10). The Forestry Regulation also provides for technical specifications and methods on how to carry out harvesting. Furthermore, Article 63 of Tuscany Regional Law 39/2000, recognises the owners' right over secondary forest products. Such provision indicates that while further restrictions on the collection of forest products are regulated by other set of rules (see more information on this in the question on wild products below), the only limitation applicable to forest owners relate to the prohibition of the use of tools, such as rakes and combs, and of cutting and uprooting of the entire plant.

With regard to **clear cutting**, this practice is regulated by Article 7 of the Forestry Law, which deals with forestry management activities. It provides that the clear cutting of forests is always forbidden. The only exceptions foreseen are urgent interventions ordered by the Regions for the following reasons: phytosanitary defence purposes, post-fire restoration or for other reasons of significant and recognised public interest. Natural or artificial regeneration of forests must be anyway ensured.

The provision furtherly specifies that also the clear cutting of high-trunk woods and of coppice not matriculated, unless there is a regional authorisation, in compliance with the law and with forest management plans.

- **Are there limitations to carry out non-forest activities in forest land (like mining, energy plants, etc.)?**

The Forestry Law does not regulate specifically 'non-forest activities'. However, as indicated above, all activities involving a removal of the vegetation for activities other than forest management – which can arguably also include mining or energy plants – are prohibited, pursuant to Article 8, if they cause environmental damage. Limitations are therefore in place, but they can be uplift in the presence of specific authorisation to carry out the interventions.
More specific rules can be set out by Regions. As a way of example, the Lombardy Regional Regulation 31/2008, Article 58, sets out rules for forestry areas with power lines. In these areas, there are specific rules for the position of cables and for tree cutting.

- **Are there specific limitations to carry out agricultural activities, like extensive grazing or temporary cultivation, on forest land?**

The Forestry Law does not regulate specifically agricultural activities, hence, it does not provide indications on extensive gazing or temporary cultivation. However, as indicated above, all activities involving a removal of the vegetation for activities other than forest management – which can arguably also include extensive gazing or temporary cultivation – are prohibited, pursuant to Article 8, if they cause environmental damage. Limitations are therefore in place, but they can be uplift in the presence of specific authorisation to carry out the interventions.

More specific rules can be set out by Regions. As a way of example, the Lombardy Regional Regulation 31/2008, Article 69, regulates the so-called 'excessive grazing'. Regional forest entities can limit or prohibit grazing in case of erosion, landslides or damage to the turf, or in case of soil consolidation.

- **Is hunting right linked to ownership right? Is it considered a forest activity or does it have specific regulations?**

Hunting is not considered a forest activity pursuant to the Forestry Law, hence, it is not regulated by forestry legislation.

Hunting is regulated by **specific legislation**, i.e., Law No 157 of 11 February 1992**.** Hunting does not qualify as a 'right' in the Italian legal system (there is no absolute right to hunt as such). It is considered as a limited faculty, which can be exercised only in accordance with the law. The protection of wildlife is recognised as a priority by Law 157/1992, which makes hunting subject to conditions and limitations.

Regions are in charge of regulating modalities to carry out hunting activities in their territories.

- **Are there citizens' rights to collect wild products in forest land? Are they linked to the ownership right or not?**

As indicated above, Regions regulate the harvest and collection of forest wild products in compliance rules on civic uses. This right is not strictly linked to ownership, but while owners enjoy the full right (i.e., without limitation), citizens or members of the community have more specific constraints.

For instance, pursuant to Tuscany Regional Council Resolution of 19 March 2001 No 260, the following limits are set per day and per person:

- strawberries: kg 2.0
- raspberries: kg 2,0
- blueberries: kg 2,0
- blackberries: kg 3,0
- juniper berries: gr 500
- mosses: gr 500

The collection of these products is forbidden in reforested areas within five years from planting, as well as in those lands for which the owner has reserved the right to harvest or precludes access by third parties.

Furthermore, Tuscany Regulation of 8 August 2023 No 48, implementing the Regional Law 39/2000 prohibits the collection and/or removal of any organic material constituting the ground cover (leaves, humus) with the exception of modest removals authorised in fertile areas. Also, the removal or soil or rock is forbidden, except in cases of transformation authorised by the Forestry Law or by the Region. Moss harvesting can be carried out, but within the limits imposed by specific Regional Council Resolutions.

- **Are there rights to access (walking) on forest land? Are there specific regulations for public use of forest land, hiking, riding, biking, etc.?**

The national forest heritage is recognised as part of the national natural capital and as an asset of significant 'public interest' (Article 1 of the Forest Law). Although a specific right to access on forest land is not set out as such in the Italian framework, the recognition of public interest implies the possibility to enjoy it by the public.

With regard to private property, the owner of a portion of land – which may also include forest – is allowed to close its property from the public (Article 841 of the Civil Code). The same owner must however grant access to those possessing right of way (Article 1027 and following of the Civil Code), to anyone who wants to take back their property or in case of any work carried out by the neighbour (Article 841 of the Civil Code).

Moreover, the Forestry Law establishes that Regions must define and implement the forest activities and practices which are most suitable for their forests taking into consideration environmental needs, as well as the need of public use and enjoyment of the forest heritage (Article 7(3)).

4.4. Forest owner/holder obligations and requirements.

- **Which requirements or obligations regarding forest management are imposed on owners?**

The Forestry Law does not regulate requirements or obligations specifically for forest owners. These must be inferred from the different layers of regulation which are proper to the forestry sector (e.g., national, regional and local).

What the **Forestry Law** establishes is the need to put in place **forest management practices** which are sustainable and ensure the respect of the environment and landscape. This is therefore the first main obligation for forest owners. Another obligation indirectly regulated by the Forestry Law is related to the promotion of the rehabilitation and restoration of fragmented land holdings and abandoned land. Owners are required to carry out the measures necessary for the restoration and valorisation of these lands, in cooperation with the relevant competent bodies.

Landowners are also obliged to follow the regulation of their Regions with regard to the allowed or prohibited forest practices and the administrative procedures to request authorisations. Additionally, they must adhere to relevant forest management plans or territorial forestry plans, when established. The Regional Regulation 244/2018 of Emilia-Romagna, for example, indicates that forest owners can request regional authorities to amend or provide for 'variations of the management plans' (Art 7).

- **Is there a tax imposed on forest ownership?**

The tax on land ownership is regulated in Italy by Legislative Decree No 504 of 30 December 1992**.** This is a municipal property tax, payable by whoever possesses lands or real estate. The legislation focuses on regulating taxes on agricultural land, however, also forestry land is subject to taxation.

- **What type of permits the forest owner needs to manage their land?**

Forest management activities are subject to a series of different permits/authorisation, which are normally regulated at regional level.

A very useful illustrative example of what authorisation is needed to conduct which type of activity is provided by the **Emilia-Romagna Region** through their website**.** The Region developed a **leaflet** which indicates in a simplified way how to properly carry out forest management interventions according to regional legislations. For example, it indicates who can cut trees – i.e., agricultural entrepreneurs, companies registered in the regional register, owners, holders of rights of civic uses – and what is needed:

- Be in possession of an authorisation issued by the Forestry Authority of the Unions of Municipalities
- Have submitted for at least 30 days, a communication which has not been followed by interruptions by the Forestry Authority
- Have submitted a communication accompanied by declarations by forestry technicians
- Qualify as an exemption listed in the Regional Regulation.

The above is only an example of the activities included in the leaflet. Specifications on who can submit a request for cutting trees or how to submit to the relevant body the request for cutting trees are also included. This provides for a clear illustration of how detailed the administrative procedures for carrying out forest activities/interventions are, and how they are inevitably connected to regional structure and organisation.

There is one set of authorisations regulated at national level, i.e., the authorisation needed to carry out interventions of forests subject to the 'landscape constraint' pursuant to Article 146 of the Cultural Heritage and Landscape Code. Owners of forests considered as protected landscape are therefore not free to introduce modifications that harm the protected landscape values. The request for authorisation shall be submitted to the competent administration authority (e.g., normally, regional authorities, those that also develop landscape planning).

Other authorisations include the permits required for forests subject to hydrogeological constraint – which is regulated by regional laws, e.g., Article 37 of the Lombardy Regional Regulation 5/2007.

The above-mentioned authorisations are however not required when forest interventions and/or activities are carried out in compliance with regional rules and/or Regional Forestry Programmes. This is provided for, for example, in Article 2 of the Lombardy Regional Regulation 5/2007.

- **How is the control of forest harvest determined? Is there an obligation to mark every tree to be cut or retained?**

Forest harvest is regulated by regional legislation. Each Region has its own method and rules.

Before carrying out forest harvest, owners or holders of forests need to submit an authorisation request or a communication. This is a way to control and regulate forest cutting. The authorities in charge of controlling the respect of the rules and to monitor over illegal harvest are the Forestry Carabinieri.

Taking the Region of Emilia-Romagna as an example, the Regional Regulation 244/2018 provides for rules on the time of the year for forest harvest, for the modalities; it sets out rules for specific types of trees, for limitations on the extension of the harvest. With regards to the modalities, there is no obligation to mark every tree to be cut. Article 17 indicates that the forestry authority, before granting the authorisation to cut, may require the prior identification of the plants to be

cut or those to be maintained. There may therefore be an obligation to indicate the extent of the cut.

- **Are there technical, administrative or economic specifications on the forest products market? Are forest harvest contracts legally defined for public or private forests or for some specific types?**

Forest products market is regulated by **regional legislation.** Each Region has its own method and rules. No specific rules nor indications in this regard have been identified at national level nor in the analysed regional laws establishing the general regional frameworks.

- **Is there an obligation to prevent forest fires or other risks?**

The objectives of the Forestry Law, pursuant to Article 2, includes the protection of the forests for the prevention of the following:

- natural and anthropogenic hazards,
- hydrogeological risks,
- fire
- biotic and abiotic adversities
- climate change

Additionally, forest management activities shall include interventions for the prevention of fires.

Fire prevention is therefore an obligation established at national level, which is furtherly reinforced by regional legislations. For example, the Emilia-Romagna Regional Law 30/1981 requires the establishment of a 5-year plan for the prevention and fight against fires (Art 12).

As a way of further example, the Lombardy Regional Regulation 5/2007 sets out a list of rules for the prevention of dangers and risks in forests. Article 31 bis indicates that all techniques and instruments shall be adopted to avoid the occurrence of dangerous situations; areas subject to intervention must be delimited and marked and people and animals must be kept at a proper distance. All possible techniques and instruments shall also be employed to avoid damage to protected wildlife, shrub vegetation along watercourses, shrub producing fruits (Article 32); damage to roots, stems and crowns of trees, damage to any structures present (e.g., drystone walls or terracing) and hydrogeological damage (Article 33).

- **Is fencing or the use of forest roads regulated?**

The use of forest roads and rules on fencing are regulated by regional legislation. Each Region has its own set of rules.

The Forestry Law only indicates that the construction of forestry roads can constitute a derogation from the prohibition to carry out interventions that transform the forests (Article 8(2)). Thus, in order to build forests roads, forests can be subject to interventions, provided that the transformation of the forest does not lead to risk or damage to the soil stability, water regimes, conversation of biodiversity and public safety.

A regional example is the Lombardy Regional Regulation 5/2007. Article 36 indicates that fencing or other delimitation systems cannot be constructed with barbed wire or in such a way as to cause harm to people or wildlife. The passage of wildlife must always be allowed. Furthermore, the Regional Regulates specifies that maintenance of agro-sylvo-pastoral roads shall be preserved. Article 72 protects the safeguard of roads and hiking network paths when

carrying out silvicultural activities. Roads shall be kept clean and, at the end of the activity in question, the viability of the road must be restored.

- **Is there an obligation for forest owners and/or forest managers to be associated?**

No such obligation exists in the Italian legal system. However, the Forestry Law promotes, and encourage Regions to promote, land association between owners of public or private lands.

A consulted forest consortium added that the country exhibits significant cultural diversity. While joint forest management is generally promoted, its acceptance and implementation vary regionally. In some areas, there are notable cultural challenges related to the perception of cooperation and the value placed on collective action.

4.5. Forest manager/contractor obligations

- **Which requirements or obligations on forest management are legally imposed on forest managers/contractors?**

The concept of 'forest manager' is not defined by the Forestry Law, and thus there are not specific requirement or obligations imposed on them.

However, as indicated above under Section 3.2, the Italian legal framework regulates the figures of forest companies and forest operators.

According to Article 3(2)(q) of the Forestry Law, forest companies have a twofold registration obligation:

- Firstly, as companies, they are required to be registered in the companies' registry established, pursuant to Article 8 of Law No 580of 29 December 1993, at the Chamber of Commerce and regulated by Article 2188 of the Civil Code;
- Secondly, as companies mainly engaged in forest management activities and providing services in forestry, they must be registered in the lists of regional forestry companies established within each Region.

As economic operators carrying out forest activities, forest companies are also required, pursuant to Article 2 of the Forestry Law, to implement sustainable forest management practices, as well as respect forestry management plans in line with Article 6.

Regions are competent to more specifically regulate the requirements and activities of forest companies and operators. As both are professional entities carrying out forestry activities, they are firstly required to follow planned forestry interventions, as specified in the Regional Forestry Programmes, territorial forestry plans and forest management plans (Article 6 of the Forestry Law).

Regional registries are managed and supervised by the Regional competent authorities, who also regulate the registration requirements, its modalities, the methods for updating the register, as well as any conditions for registration suspension, cancellation or reintegration. For example, in the Region of Emilia-Romagna, rules on the register of forestry companies are contained in a Regional Council deliberation of 2022.

There are different categories of forestry companies that can be registered:

- Companies, also individual companies, that carry out forestry activities,
- Companies, individual or cooperative, with at least 3 employees/partners that carry out forestry activities on a continuous or predominant basis in compliance with the national collective agreements,
- Agricultural companies.

According to the regional legislation, forest companies have also specific training obligations, covering both theoretical and practical courses aimed at obtaining a certificate of competences.

Forest operators have also professional training obligations to obtain the professional qualification. According to the Regional Qualifications System of the Emilia-Romagna Region, a forest operator shall be able to safely use the chainsaw and forestry tools in felling, rigging and clearing deciduous and coniferous trees of small to large size, under simple and difficult conditions, with special attention to the preparation of the work area and the use of related safety equipment in respect of environmental protection.

- **What legal rights does the forest manager/contractor have in your country?**

The discipline of forest companies and forest operators is regulated at regional level. Each Region has therefore its own set of rules and its own registry of forestry companies.

For example, in the Regional Council deliberation of 2022 of the Emilia-Romagna Region, forestry companies that registered in the regional registers are allowed to the commercial use of forests and have the right to request authorisation for forest cutting or any other authorisation to carry out a forest intervention. The registration also grants companies the right to have access to professional training in forestry matters financed by the Regions.

- **Is there a requirement of a forest management plan? Are there detailed prescriptions on that?**

While there is no national obligation for owners to have a forest management plan, Article 6(6) of the Forestry Law requires Regions to promote the development of such plans. Regions, while implementing their Regional Forest Programmes and in coordination with the territorial forest plans, shall promote the establishment by public and private properties of forest management plans – or equivalent instruments. These are to be established at a local level, i.e., at company or supra-company level, and are defined as the indispensable tool to guarantee the protection, the valorisation and sustainable management of forests. Regional laws regulate further the matter. While Regions encourage the use of forest management plans for private forests, these plans are not made strictly mandatory. For example, the Regional Regulation 3/2018 of Emilia Romagna at Art 10(4), makes forest management plans mandatory for public forest owned by the Regions. Conversely, the legislation of the Lombardy Region (Art 47 of Regional Regulation 31/2008) mandates the establishment of territorial forestry plans for the Sondrio Province, the mountains communities and the management bodies of national parks but does not require specifically forest management plans.

- **Is there an obligation to register the responsibility of forest manager/contractor?**

i. Is registration based on product income?

ii. Is there a registration fee?

Pursuant to 3(2)(q) of the Forestry Law, in order for forestry companies to obtain the title to act and carry out forestry interventions they need to be registered in the regional register of forestry companies.

Registration is not based on product income, but there are certain requirements that companies must meet to be registered. These are regulated by specific administrative provisions at regional level. For example, in the Emilia-Romagna Region, the requirements are the following:

- Forest companies need to be registered in the companies' registry pursuant to Article 8 of Law No 580 of 29 December 1993,
- They need to have technical equipment and materials, complying with work safety regulations and with dimensions and characteristics consistent with the company structure and work performed.

There are registration fees, which are also regulated by each Region differently. For example, in the Emilia-Romagna Region, the request for registration must be accompanied by the proof of payment of the stamp duty of EUR 16.

- **Is there a tax imposed on the forest manager? Is it based on income or hectares?**

No indications in this regard have been identified. However, as forestry companies are real 'companies', which makes use and profit also from forestry products, the taxation regimes for companies applies.

5. Forest Management plans

- Are forest management plans required in the legislation of your country?

☐ Yes
☒ No

Specify where and the conditions as well as the amount of forest land with plans

Article 6(6) of the Forestry Law sets out the obligation for Regions to encourage the development of **forest management plans** – or **equivalent instruments**, in line with their Regional Forest Programmes.

The Decree of 28 October 2021 provides for minimum criteria, applicable at national level, for the drafting of forest management plans. Regions can supplement the minimum criteria on the basis of their ecological and socio-economic needs, provided that the level of protection and conservation of forests is not diminished. Across all Regions, forest management plans must be drawn up exclusively by qualified professionals and registered in the Register of Agronomists and Foresters (as per the forest management plans' technical criteria in Lombardy). Moreover, if the plan affects Natura2000 network sites, an impact assessment is mandatory before the development of the plan.

Elements that must be included in the forest management plans are the following:

- a report describing the forestry and silvo-pastoral resources subject to planning, including the objectives, methodology and criteria of the planned interventions;
- identification information of the single parcel/unit/section of forests. This includes information such as the identification code of the land, the total area and the forest area, the prevailing functions of the land (e.g., nature conservation, productive, social and cultural, etc.); the characteristics of the stand; the year of the last silvicultural intervention;
- the schedule of silvicultural interventions and cutting plan;
- the overview of the grazing management measures;
- the schedule of infrastructure and improvement works;
- the planned biodiversity protection measures for areas falling within Natura 2000 areas;
- measures for landscape conservation;
- measures for the protection of sensitive areas and for the management of natural hazards and for adaptation to climate change.

Forest management plans must be accompanied cartography documents in digital format.

It may however be noted that according to 2024 data, only the 18% of Italian forests has a management plan in force and only 10% of them are certified through PEFC or FSC systems.

- **Are there other type of plans required such as:**

  ☒ Technical Plan

  ☒ Financial Plan

  ☐ Exploitation Plan

  ☒ Fire prevention Plan

  ☒ Hunting Plan

The Forestry Law does not regulate the content of forestry planning, but delegates this to the Regions. It only specifies that regional forest management programmes must be established in coordination with the **regional landscape plans.**

According to the 2021 Decree, forest management plans must be accompanied by **technical documentation** describing the forest land and the objectives, methodology and criteria of the interventions.

Financial plans may be required by regional legislations. The Regional Law 30/1981 of Emilia-Romagna regulates the concept of 'economic plan', to be developed by regional bodies with the view to organising financial resources of the Region for forest interventions. The Tuscany Region, instead, does not include such plan in its forestry law, but has further specific regulations dealing with economic and financial resources.

Regional bodies must set up **fire prevention plans.** As already mentioned above, a 5-years fire prevention plan is mandated by Article 12 Emilia-Romagna Regional Law 30/1981. The Tuscany Regional Law 39/2000 indicates that the general regional fire prevention plan is approved by the Regional Council and has a multi-year validity (Art 73), but there are also more specific fire prevention plans for protected areas, which are to be renovated every ten years (Art 74bis).

Furthermore, Regional legislations provide for **cultivation plans** (e.g., Art 10 of the Emilia-Romagna Regional Law 30/1981 or Art 67 of the Tuscany Regional Law 39/2000) as well as **tree cutting plans,** which, according to Article 48 of the Tuscany Regional Law 39/2000, might also be included into forest management plans or constitute a separate ad-hoc plan.

Hunting is regulated by separate sets of legislations at regional level (i.e., is not included into regional forest laws/regulations). However, Regions do have rules for the organisation of hunting activities and the preservation of wildlife and for the protection of the environmental balance. As to provide an example, the Lombardy Region regulates its hunting plan through Regional Law of 16 August 1993 No 26. Article 12 indicates that the plan is drawn up by the Regional Council on the basis of criteria and indications from the National Institute for Wild Fauna and can be updated at least every 5 years.

- **Please indicate the minimum size of forest requiring a forest management plan?**

National legislation does not indicate a minimum size of forest requiring a forest management plan.

Such indications in this regard may be found in regional legislation. For example, the Regional Regulation 244/2018 of Emilia-Romagna, mandates that forest management plan may be drawn up for a territory of more than 50 hectares, but no such indication is included into the legislation of Tuscany.

- **On which legal basis are they required? Are they legally binding or only guidelines?**

Forest management plans are one of the instruments of forest planning and programming at territorial level. Regions have different ways to organise land planning within their territories, therefore forest management plans can take many forms.

The Forestry Law indicates that Regions are required to promote the drafting of these plans (Art 6(6)), but no strict obligations for private owners to draw up such plans have been identified into regional regulations (i.e., there are no sanctions if plans are not drawn up nor enforcement mechanisms). Therefore, these plans are not legally binding per se, and there is no national, comprehensive obligation to have one. Nevertheless, if a regional law were to impose such an obligation, it would be legally binding for owners under that regional provision.

When plans are set up, national legislation does not provide requirements other than those contained in the Decree of 28 October 2021 as mentioned above, leaving Regions with a broad range of liberty in defining criteria or technical requirements more appropriate for their territories. For instance, in Campania, there is an obligation to renew every 10 years but for various reasons, primarily economic, the plans are often extended for many years[16].

- **Who has the responsibility for the implementation of forest management plans**? Please include national, regional, and local levels as appropriate. Please distinguish between state and private ownership. Please distinguish between different protection status.

Forest management plans have to be implemented by forest owners, being them private individuals, collective properties, companies or the public bodies that manages the specific portion of land subject to the plan.

In case of public forests, forest management plans are implemented by managing bodies such as forestry consortia, associations or national parks.

- **Are forest management plans being enforced?**

Yes, forest management plans are enforced and supervised by competent authorities at regional level. Regions have established databases with all the forest management plans currently in place in their regional territory, which are kept updated. For example, the forest management plans of the Emilia-Romagna Region are available at the following: https://ambiente.regione.emilia-romagna.it/it/parchi-natura2000/foreste/pianificazione-forestale/assestamento-forestale/piani.

It may however be noted that only the 18% of Italian forests has a forest management plan in force.

- Is there an obligation to maintain a **Forest Book** (linked or related to the Farm Book of the Common Agricultural Policy (CAP)?

No information in this regard have been identified.

[16] Consultation with forest consortium.

- **How often do forest management plans need to be updated? Who is responsible for the update?**

National legislation does not provide for indications in this regard.

Regional laws normally provide for a validity timeline. For example, the Piedmont Regional Law 4/2009 indicates the forest management plans have a validity of 10 to maximum 20 years, on the basis of the technical content and the time required to carry out the planned interventions. Normally, the act approving the plan (by the Regional Council) also indicates its deadline.

Forest owners, forest companies or the entities who manage the forest in question are responsible for the update, on the basis of the technical criteria laid down by the Regional Council and in line with the territorial forestry plans (see, for example, Article 11 of the Piedmont Regional Law 4/2009).

- Are specific mechanisms put in place to guarantee that national legislation is in line with European guidelines and **criteria on forest management plans** (i.e. Natura 2000 Forest Management Plans?

No information in this regard has been identified.

The Forestry Law, the NFS, as well as regional legislations refer to international and European environment commitments and goals, as well as to the EU Forestry Strategy. However, no mechanism to ensure that national legislation is concretely in line with EU rules is found.

- Are there any specific requirements for the **forest management plans** in terms of content, structure or criteria? If yes, please elaborate.

Requirements for forest management plans at national level have not been identified.

Each Region regulates this matter through administrative provisions. For example, in the Emilia-Romagna Region, the development of forest management plans has been carried out since 1989 according to specific rules prepared by an ad-hoc entity (now suppressed) in cooperation with the Italian Academy of Forestry Sciences. These rules have been adopted by the Regional Council with a resolution in 1989 and have been updated on the basis of the most recent advances in forestry research.

The Regional Council resolution of 20 October 2015 is the most recent version. It sets out highly detailed and technical rules, covering matters such as: the administrative procedures for the development of the forest management plan, its validity period, its minimum requirements and criteria for the approval, as well as a list of technical specificities for its development.[17] Forest management plans shall include the following:

- A report, with a description of the landscape and territory, any classification or surveying, settlement of crop class;
- Summary sheets (of e.g., lands particles)
- Management programmes, i.e., the planning of all forestry interventions
- Cartographic drawings in vector format (cadastral mosaic, roads map, thematic maps)
- Annexes

[17] For more information, please see the website of the Region: https://ambiente.regione.emilia-romagna.it/it/parchi-natura2000/foreste/pianificazione-forestale/assestamento-forestale/assestamento-forestale

- **Are there any supporting mechanism for the management plans? If yes, please elaborate.**

Specific rules for forest management plans are not available at national level but only at regional level. Hence, they vary from one Region to the other.

The Regional Council resolution of 20 October 2015 of Emilia-Romagna sets out the possibility for the Region to provide for more specific financing rules for encouraging forest management plans. The Resolution also identifies the requirements and the procedure for the request of financing, as well as the maximum limits eligible for funding, as follow:

- Up to EUR 50 per wooded hectare for the first 200 hectares to be planned,
- Up to EUR 40 per wooded hectare for the bracket of hectares from 201 to 1000 hectares,
- Up to Euro 30 per wooded hectare for the bracket of hectares included from 1001 to 2000 hectares,
- Up to Euro 20 per wooded hectare for the bracket of hectares exceeding 2000 hectares.

- Are **there impact assessment required** in your country in relation to the adoption of the forest management plans? What mechanisms are in place in your country to ensure that forest management plans are developed to ensure sustainable forest management practices? If yes, please elaborate.

Specific rules for forest management plans are not available at national level but only at regional level. Hence, they vary from one Region to the other.

For example, in the Regional Council resolution of 20 October 2015 of Emilia-Romagna, impact assessments are specifically required for forest management plans of territory within Natura 2000- sites. Furthermore, in order for forest management plans to be approved, they have to be evaluated against a series of criteria, which also include the conformity with the principles of sustainable forest management, with specific reference to the guidelines provided by the EU.

- Are the **Natura 2000 sites plans already implemented and well-coordinated or integrated** with forest management plans? Are traditional forest activities recognized in those plans? Are there guidelines for small forest owners and managers on what they can and can't do?

Yes, there is a good coordination between different level of forestry planning. This is also established at national level by the Forestry Law. Specifically, Article 6 indicates that Regions, while implementing and ensuring proper development of forest management plans, must take care of the coordination of the different spheres and levels of territorial and forestry planning in force, in accordance with the regional landscape plans and with the rules on national and regional protected natural areas, which include Natura 2000 sites.

6. Sustainable forest management.

6.1. Sustainable forest management definition and forestry practices

- **Is sustainable forest management (SFM) defined in your country?**
  - ☒ Yes
  - ☐ No

Sustainable forest management (named also 'active forest management') is defined under **Article 3(2)** of the **Forestry Law** as "the set of silvicultural actions aimed at enhancing the multiplicity of forest functions, ensuring the sustainable production of ecosystem goods and services, and the management and use of forests and forest land in ways and at a rate that maintains their biodiversity, productivity, regeneration, vitality and potential to fulfil, now and in the future, relevant ecological, economic and social functions at local, national and global levels, without harming other ecosystems".

- **Does the definition of SFM include specific objectives?**
  - ☐ Yes
  - ☒ No

The definition of the Forestry Law does not include specific objectives.

Regional legislations do not include a specific definition of sustainable forest management, but they recognise its value. For example, Article 1 of the Piedmont Regional Law 4/2009 provides that the Region promotes forest activities conducted according to sustainable forest management principles, in view of the maintaining and preservation of the diverse functions of forests.

- Does your country have specific guidelines **on Sustainable Forest Management**? If yes, are those mentioned in the legislation?
  - ☐ Yes
  - ☐ No
  - ☒ Other sources defining or implementing Sustainable Forest Management, they can be found here: in the NFS (p. 32) and in its Annex II (p. 23 and following)

The NFS and its Annex II – which contains preparatory and explanatory documents – provides indications and guidelines on what is considered as sustainable forest management, and which are the actions to achieve it.

- Does your country have a **Forest Strategy and/or Forest Management Policy** setting policy priorities that implement a SFM approach?
  - ☒ Yes, they can be found here: the NFS (officially published in the Official Gazette in December 2021 and is valid for 20 years – p. 6 of the SFN)
  - ☐ No
  - ☐ Other sources setting the Forest strategy/policy

The NFS translates the **3 guiding principles** of the EU Forestry Strategy into 3 general objectives of the National Strategy, which include sustainable forest management.

For each of the general objectives, the NFS identifies operative, specific and instrumental actions, delegated, on the basis of the respective competences and responsibilities, from the national level to the level of Regions, local authorities, or social and economic operators.

The general objectives are primarily implemented through Regional Forestry Programmes, applicable at regional level. Regions select and implement actions for each of the objectives according to their characteristics, needs and priorities.

- **Which requirements/obligations result from the legally binding requirement for SFM?**
  - For forest owners
  - For forest managers

The promotion of sustainable forest management is set as one of the priorities of the Forestry Law. Forest owners and managers are therefore required to put in place measures of sustainable forest management.

It should be noted that the Forestry Law mostly includes high-level principles, setting out guidance for further regional legislation. For example, it has some general provisions on the organisation of forest planning and programming, which is nevertheless up to Regions to further regulate, according to their territory needs and local administration rules.

- Are **specific criteria and/or indicators** to determine whether SFM is being achieved? Where are they described (see table below)?

The NFS indicates that the implementation of sustainable forest management practices is based on the Pan-European Criteria and Indicators and Operational Guidelines for Sustainable Forest Management, adopted at the Ministerial Conference on the Protection of Forests in Europe held in Lisbon in 1998. It identifies six guiding **criteria** for sustainable forest management, as follows:

- Maintenance and development of forests and their contribution to the global carbon cycle,
- Maintenance of forest ecosystem's health and vitality,
- Maintenance and promotion of the productive functions of forests,
- Maintenance, preservation and development of biological diversity in forest ecosystems,
- Maintenance and adequate development of protective functions in forest management,
- Maintenance of other functions and socio-economic conditions.

Indicators are also included in the NFS. Each of the 3 general objectives, which include sustainable forest management, is accompanied by a set of indicators. Indicators are important not only for checking the implementation of the specific objective, but also for the collection of information with the view to improve the effectiveness of the NFS and to better orient forestry policy actions at national and local level.

- Are some **forest managers implementing sustainable forest management practices voluntarily**? If yes, how are these voluntary management practices taking place? Through citizen initiatives, local initiatives, or other ways? Please explain how forest managers ensure that forest management practices are sustainable.

The different actions described in the NFS are not legally binding. They are to be adopted and implemented by Regions through their Regional Forestry Programmes, where they will be aimed at achieving concrete results with interventions contextualised to the specific territorial needs. Therefore, practical implementation depends on Regions.

To ensure that forest management practices are sustainable, forest owners can make use of forestry certification systems. Article 10(10) of the Forestry Law encourages Regions to promote the use of sustainable forest management certification. These systems enable forest owners to ensure that they manage their forest in line with environmental, social and economic requirements.

PEFC Italia covers more than 300 million of hectares of forest.

FSC Italia covers around 85.214 hectares of forest.

- Which mechanisms are put in place to support the implementation of SFM? Which measures are in place to monitor implementation of the SFM?

A system for monitoring and evaluate the NFS is described in the Strategy itself (Section 6). As one of the objectives of the NFS, the implementation of sustainable forest management is also covered. The monitoring and evaluation process foresees regular checks every 5 years (the validity of the NFS is of 20 years) and shall be based on the collection of timely, detailed and reliable information. For this reason, a revision of the whole system of national statistics is currently taking place. Interventions aiming at improving the coordination of public bodies, universities and research institutions are also in the pipeline.

A **general monitoring obligation** is also required under **Article 15(3)** of the Forestry Law. The Masaf must prepare a periodic public report on the state of the national forest heritage, in accordance with monitoring and evaluation standards defined also at EU level. This covers the monitoring of sustainable forest management practices.

- Which forest management practices are required or prohibited by law in your forest/country? Please check below the proposed forest management practices and add supplementary ones if missing (Please include explanation of the legal requirements of the relevant techniques).
    - o Closer to nature silviculture practices
    - ☒ Clear-cutting
    - o Shelterwood system
    - o Selective logging
    - o Afforestation and reforestation to enlarge forest areas
    - o Controlled burn
    - o Mandatory salvage logging
    - o Other .....

Article 7 of the Forestry Law regulates forest practices generally and indicates that it is up to Regions to implement the most appropriate practices, taking into consideration the characteristics of their forests. Article 7 also mandates that the following practices are forbidden:

- clear-cutting, unless in case of urgent interventions – ordered by Regions – for the purpose of plant protection, post-fire restoration or for other reasons of major and recognised public interest, provided that the natural regeneration of forest is ensured;
- clear-cutting in high-trunk and non-matured coppice forests, unless authorised by Regions in forest management plans in compliance with the law;
- conversion of high forest woods to coppice woods, unless authorised by Regions in the presence of adequate capacity for vegetative regeneration.

Furthermore, the NFS does not list specific practices, but it lists actions and sub-actions. It prescribes, for example, 'prevention actions against natural and anthropogenic hazards, plant diseases, fires, pollution and biotic and abiotic adversities' or 'the reconstruction of damaged forestry potential'. These are broad and general group of actions which can include different practices.

- Are there limitations on the management models to be applied, like clearcuttings or their sizes? **Is there a ban on clear cutting linked to SFM?**

Article 7 of the Forestry law bans clear-cutting (see right above), but the ban is not specifically linked to SFM.

- I**s there a defined/legal target for forest land to be managed for conservation and species protection objectives in your country or region?**

Currently, 35% of the forest area is under naturalistic constraints as it is located within national and regional protected areas or Natura 2000 sites. About 10,500 hectares constitute natural reserves. In Abruzzo, Campania, Puglia and Sicilia, more than half of the forest areas are under naturalistic constraints.[18] Even in the remaining forests located outside the protected areas, a very stringent protection regime is set by national and regional environmental and landscape regulations. Italy has a landscape protection constraint of 100% of the forest area and, in addition, about 87% of Italian forests have a hydrogeological constraint.[19]

- **Are there forest owner obligations related to forest restoration after harvest?**

No, there are no obligations in this regard.

[18] Data from a recent Legambiente Report, https://www.legambiente.it/wp-content/uploads/2021/11/Bioeconomia-delle-foreste_2024.pdf.
[19] *Ibid*.

6.2. "Closer-to-nature" guidelines and practices

(This section relates to the Commission Guidelines on Closer to nature forest management but also Commission guidance on payment schemes for forest ecosystem services both aiming to provide information and guidance for sustainable forest management)

- Has your country incorporated the **newly published Commission guidelines** in their legal or regulatory framework?

There is no reference to these Guidelines in the NFS nor in the law. It may be noted that both Guidelines are dated 2022 while the NFS is from 2022 and the Forestry Law from 2018 and has not been updated since.

- Has your country **recognized under law/regulatory measure a closer-to-nature approach** in forest management? If yes please provide the source where this is explained and elaborate below.

  ☒ Yes: in the NFS and (partially) in the Forestry Law

  ☐ No

Indications of some closer-to-nature approaches are included in the Forestry Law. Among its principles (Article 2), the Law recognises the importance of:

- Ensuring the preservation of forests in their extension, distribution and ecological and bio-cultural diversity;
- Promoting the active and rational management of the national forest heritage in order to ensure environmental, economic and socio-cultural functions;
- Promoting actions for the prevention of hazards, adaptation to climate change, restoration of degraded or damaged areas.

The NFS also contains specific actions that incorporate closer-to-nature principles. For example, under Action A.4 'Biological diversity of forest ecosystems', measures include, among others:

- the promotion of conservation of biodiversity in forestry planning,
- the recovery of natural dynamics in forest areas damaged by natural or anthropogenic events;
- the restoration of fragmented forest formations of particular bio-ecological value;
- the promotion of forest restoration and naturalisation actions, with specific silvicultural interventions and facilitating the replacement with native species and the eradication of invasive alien species.

- Does your country have legislation/measures setting specific biodiversity targets/management objectives for sustainable forest management at a national or regional level?

☒ Yes, at national level – they can be found here: in the NFS and in the National Strategy for Biodiversity 2030

☐ Yes, at regional level – they can be found here: some Regions have set out measures and target related to biodiversity and sustainable management.

☐ No

Please describe them and elaborate:

The objective to preserve biodiversity is included within the definition of sustainable forest management pursuant to Article 3(2) of the Forestry Law.

The **NFS** sets out a specific Operative Action focused on biological diversity of forestry ecosystems. Within such Operative Action, the following sub-objectives are listed:

- Definition of a national monitoring programme of biodiversity and forest soil ecosystems functionality with a 5-year reporting period. The results of the monitoring should contribute to the definition of the new protection and conservation plans envisaged at the various scales and to the adaptation of the existing ones, with a view to adaptive management, also integrating and updating the Nature Charter for the protection of habitats and biodiversity.
- Promotion of the conservation of biodiversity at all levels of forest planning, adoption of actions for the active protection of the species and habitats, enhancement of naturalistic peculiarities of the respective territories (to be achieved within a 5-year period).
- Maintenance of forest-grassland and forest-crop field that are heritage of biodiversity and historical component of the national landscape (to be achieved within a 5-year period).
- Promotion of management choices and silvicultural practices aimed at the protection of habitats and conservation and improvement of overall biodiversity (to be achieved within a 5-year period).

The National Strategy for Biodiversity 2030 is the national implementation of the EU Biodiversity Strategy 2030. It put forward 2 main objectives – (1) the creation of a network of protected terrestrial and marine ecosystems and (2) restoring terrestrial and marine ecosystems – delineating them across 8 sectors.

At regional level, there are examples of strategies, measures, targets on biodiversity. For example, the Emilia-Romagna Region put forward its proper Regional Strategy Agenda 2030 for the sustainable development. Such Strategy identifies targets and objectives following the UN SDGs, which focus on sustainable development, covering also the preservation and enhancement of biodiversity.

The Lombardy Region approved its Regional Strategy for biodiversity. It sets out 14 objectives related to life under water and 15 for life on land. It is coordinated with the National Strategy for Biodiversity 2030 and the EU Strategy.

6.3. Climate change and Forest carbon absorption

- Does your country have legislation/measures setting specific climate change targets or objectives for sustainable forest management at a national or regional level?

The active promotion of measures for adaptation and mitigation against climate changes is part of the NFS. However, only general guidance and no specific targets have been identified.

7. Forest land market

NOTE: The key objective is to identify and present information on the basic legal framework regulating market of forest land and inheritance processes.

- Are there specific legal requirements or limitations when selling and buying forest land?

Contracts that transfer ownership over a real estate/land must be subject to **transcription** in the **property register** of the district where the property is located (Article 2643 of the Civil Code).

In addition, in Italy the right of agricultural pre-emption exists. It consists in the right to be preferred over others for the purchase of an agricultural property, at the same price, when the owner decides to sell the land. The right of pre-emption is recognised provided that certain subjective and objective conditions are met. Two different agricultural pre-emption rights are recognised:

  - The pre-emption right of the tenant of the property offered for sale (Law No 590 of 26 May 1965, Art 8)
  - The pre-emption right of the owner of the property bordering the property offered for sale (Law 817 of 14 August 1971, Art 7).
- **Are there limitations to divide the land by selling or inheritances?**

The Forestry Law encourages Region to establish rules to promote **recovery of fragmentated land holdings.** There is therefore a preference towards the reduction of the division of lands.

Furthermore, Law 817 of 14 August 1971 establishes a 15-year indivisibility restriction on agricultural land purchased with the benefits provided by the law itself. The aim was to prevent the fragmentation of property through subsequent divisions. It is possible to remove the restriction, provided that certain conditions are met. However, there is a clear intent from the legislator to try to avoid as much as possible the division of land and the creation of fragmented properties.

- **Are there institutions/bodies providing information related to the forest land market?**

Information on forest land market is provided by the Revenue Agency.

Regions' websites are also sources of information of the division and ownership of the forests within their territories[20].

- Are there institutions/**bodies contributing to dynamize that market,** like forest land banks or advisory bodies (similar to the CAP advisory bodies) and others? Is there regular information on the amount of forest land transferred and the prices of transmissions? (Information on this market is usually missing)

Information on land properties and sales are available in the Revenue Agency's website, specifically in the section of the Real Estate Market Observatory**.** The Observatory collects and processes technical and economic information on property values, rental market and annuity rates, publishing studies and research, as well as statistics. It constitutes a source of information

[20] For example, see the website of the Email-Romagna region: https://ambiente.regione.emilia-romagna.it/it/parchi-natura2000/foreste

on the national real estate market, covering also agricultural lands (which may cover forests). The Observatory also provides a list of average values for agricultural lands of each Region (here).

Additionally, although not specifically focused on forests, at national level there is a **Bank of Agricultural Land**. Established by Law No 154 of 28 July 2016, within the Institute of Agricultural Services (ISMEA), the Bank constitutes an inventory of the demand and supply of agricultural land that becomes available also as a result of the abandonment of productive activity and early retirement. It also provides the necessary information on the lands and on terms and conditions of their transfer and purchase. The list of available land is available only after user registration. Rules and criteria for the sale are available on the Bank's website.

Moreover, in each Region, a Bank of the Land (*Banca della terra*) is established. It consists of a public and complete inventory of public and private land, including forests and agricultural lands, which owners have declared available for temporary allocation to those who request it. In the Lombardy Region, for example, the Bank of Lombardy Land was established in 2014. Municipalities publish on their website the list of available lands, as well as the modalities to request their allocation in private properties for their return to cultivation.

- Are there **regulations of forest land leasing**? Are they common with agricultural land or independent and with specific requirements?

There are no specific regulations on forest land leasing.

As mentioned above, in each Regions, Banks of the Land enable landowners to have access to abandoned land for re-cultivation. This can qualify as concession or as lease, depending on the Region's rules. In the Region of Tuscany, for example, the criteria and procedures for requesting the concession/lease are regulated in the notice which is published when the land becomes available.

- **Are there obligations and or access to insurances for forest land or forest activities?**

No specific regulations on insurances for forest land or forest activities could be identified.

- Are there specific regulations providing, **facilitating or limiting access to financial credits** for forest activities or mortgages on forest land?

According to Article 6(9) of the Forestry Law, Regions may provide for priority access to public funding for the forestry sector in favour of public and private properties or use of properties, having forest management plans or equivalent tool. It is therefore up to the Regions to determine the type and amount of financial incentives for forest activities.

8. Forest companies, Forest incentives and taxation.

Forest Companies

- **Is there a register of forest industries? Is there a register of forest contractors?**

Yes[21]. In each Region, a special register of forestry companies is established. Forestry companies are defined by the Forestry Law as companies which predominantly carry out forest management activities and which provide forestry and environmental services. According to Law No 580 of 29 December 1993, these companies shall be registered.

The regional registries are managed and supervised by the Regional competent authorities, who also regulate the registration requirements, its modalities, the methods for updating the register, as well as any conditions for registration suspension, cancellation or reintegration. For example, in the Region of Emilia-Romagna, rules on the register of forestry companies are contained in a Regional Council deliberation of 2022. There are different categories of forestry companies that can be registered:

- Companies, also individual companies, that carry out forestry activities (this definition can encompass both industries and contractors),
- Companies, individual or cooperative, with at least 3 employees/partners that carry out forestry activities on a continuous or predominant basis in compliance with the national collective agreements,
- Agricultural companies.

In addition to the need to be registered, forest managers are also subject to all rules and obligations for ensuring sustainable forest management, including, for example, developing or adhere to forest management plans.

- **Is there any specific regulation on forest ownership, forest cooperatives or other types of forest companies or are they all regulated under the Company Law?**

They are all regulated under company law.

Regional regulations can also provide some rules/requirements for forest companies. For example, in the Lombardy Region, forest companies registered in the official register benefit from specific measures under the Rural Development Plan and, in some instances, are the only companies authorized to carry out forest improvement works funded by the Region and/or the EU[22].

- **Do small forest owners have access to the status of forest companies?**

Yes, as mentioned above, either individual company or 'companies with at least 3 employees/partners' can be registered and qualify as forest companies.

Forest incentives and taxation

No provisions on **incentives** to implement sustainable forest management could be identified at national level. At regional level, Article 18 of the Emilia-Romagna Regional Law, for example, indicates that the Region encourages the constitution of forestry consortia carrying out

[21] Please see Section 4.5 above.

[22] Consultation with forest consortium.

sustainable forest management practices, also through incentives. To have access to these incentives, sustainable forest management practices must be consistent and in line with the purposes of this law.

- Are there **effective subsidies** for forest owners and managers to implement SFM? And/or to carry out biodiversity conservation measures? If it does exist, please compare the total amount paid at national level in the last 3 years with available information with the amount defined as necessary at the Prioritised Actions Framework.

No provisions on subsidies to implement sustainable forest management could be identified at national level. It is up to Regions to provide for incentive mechanisms. For example, in the website of the Region of Emilia-Romagna, financing of sustainable forest management practices is linked to the Rural Development Programme (here). However, it is not clear the type nor the amount of subsidies granted.

- What taxes are applicable to Forest companies and forest owners?

No further information in this regard could be identified in addition to what included in the above sections of the present report (such as the tax on land ownership analysed in Section 4.4 above).

9. Enforcement: Forest control and penalties.

- Are there specific measures in place to enforce compliance with the legal requirements on forest management?

  Please list only the legislative measures including the responsible body that are specific to forest management requirements.

The set of different authorisations, procedures, requirements needed in the Italian legal framework to carry out any forestry interventions is a way to maintain control and supervise the work of forestry operators.

The main authority who is in charge of carrying out controls and enforce rules in the forestry sector are the Forestry Carabinieri. The Legislative Decree No 177 of 19 August 2016 regulates the competence of the Carabinieri in the area. Their functions related to forestry protection are, among others, the following:

- Prevention and repression of frauds to the detriment of the quality of agri-food production,
- Surveillance, prevention and repression of violations committed to the detriment of the environment, with specific regard to the protection of natural wildlife and heritage,
- Surveillance and detection of offences committed in violation of the rules on the protection of waters,
- Repression of illegal trafficking and illegal wate disposal,
- Prevention and suppression of violations committed in the area of forest fires,
- Surveillance and control of the implementation of international convention on the environment,
- Surveillance of protected natural areas,
- Monitoring and control of the territory for the prevention of hydrogeological instability.

In addition, park rangers operate in the National Parks, and the Voluntary Ecological Guards can support enforcement as well although their presence in the territory is not evenly organised.

10. Conclusions

10.1. Legal or regulatory barriers for SFM

- What are the main legal and regulatory barriers and enablers affecting the implementation of SFM in your country?

Barriers

The main barrier in the Italian legal system is the **fragmented division of competences** in the forestry sector, leading to a multitude of regulatory and administrative provisions as well as **a multitude of forestry plans**. There is a lack of national coordination of regional activities and within Regions themselves. As several aspects are within regional competences, there are profound differences in the implementation and application of programming and planning across Regions, as few of them have equipped themselves with the relevant tools.

The fragmentation of the land is also a considerable challenge, which is mainly due to the fact that forest owners are very often unknown.

The Forestry Law provides for a forest planning structure on three levels – regional, territorial and company level. However, at present, this structure is not fully established in all administrative realities. Not all Regions have drafted or updated their Regional Forestry Programmes – e.g. the Region of Tuscany has recently started the process for the adoption of the new Regional Forest Plan for 2025-2029 – or have in place the necessary mechanisms to ensure proper and sustainable management of their forest heritage. Additionally, Article 6(6) of the Forestry Law refers to 'forest management plans or equivalent instruments', which leads to a very heterogeneous situation with regard to nomenclature, purpose, methodology but also duration and type of area concerned. For example, the Piedmont Regional Law 4/2009 regulates 'Company Forest Plans' and not 'forest management plans'.

Notwithstanding such multi-level regulation and the recognition of forest planning as an indispensable tool for protecting and enhancing forestry ecosystems, Italian forests are still largely not covered by forest planning. Firstly, there are no strict obligations for forest owners to draw up forest management plans. Moreover, factors such as costs, the fragmentation of forest properties and/or the number of authorisations required also contribute to poor planning.[23] This inevitably creates barriers to the development of practices and activities of any types, including sustainable forest management.

Enablers

The Forestry Law indicates that Regions must encourage the development of enterprises operating in the forestry sector and sustainable forest management practices. Initiatives at regional level exist, e.g., forms of funding are made available by the Tuscany Region for sustainable management measures, but also for the development of sustainable management plans for forest properties.

There are also private initiatives that support the improvement of forest sustainable management. Just to cite one: ReteClima is an association supporting private enterprises in the development of concrete projects on, among the others, sustainable forest management. The

[23] Legambiente Report, https://www.legambiente.it/wp-content/uploads/2021/11/Bioeconomia-delle-foreste_2024.pdf.

diffusion of forestry certification (e.g. PEFC) is also an important enabling factor for sustainable forest management implementation. According to the 2023 PFEC Report, in 2022 there has been an increase of 57.555 hectares of certified land compared to 2021, leading to a total of certified forest area of around 925.609 hectares. Important support in the period 2020-2023 has been received from European development programmes, but also from more defined objectives and principles derived from the implementation of the National Forestry Strategy.

- Are there specific legal and regulatory barriers or challenges to implement a closer-to-nature approach in forest management in your country?

Closer-to-nature approach is not mentioned in the NFS nor in the Forestry Law, hence a first obstacle is the lack of such concept in the Italian policy and legal framework. However, some indications of closer-to-nature approaches are included in the Forestry Law (see above Section 6.2). The implementation of these approaches is, as indicated just above, hindered by the low percentage of forest equipped with forestry management plan – which is due to the absence of an obligation to draw up such plan. Forest management plans are an indispensable tool for defining objectives including for biodiversity conservation and for applying adaptive management.

Another obstacle in Italy is that closer-to nature approaches require infrastructure and adequate road network, as well as specialised and trained personnel and adequate technical support, all of which is not commonly widespread in Italy (also due to insufficient financial support).[24]

- What are the main legal drivers for implementing a closer-to-nature approach in forest management for relevant actors?

Closer-to-nature approach is not mentioned in the NFS nor in the Forestry Law, although some indications of closer-to-nature approaches are included in the Forestry Law (see above Section 6.2). The Forestry Law encourages the development of practices focused on preserving the natural multifunctionality of forests and delegates to Regions the definition and the implementation of the most suitable practices, which are more in line with the needs of environmental, landscape and soil protection and in continuity with traditional silvo-pastoral practices (Art 7). The same provision also states that Regions should encourage the re-naturalisation of artificial afforestation and the protection of rare and sporadic native species, as well as the release of indefinitely ageing plants and standing or ground necro masses, without compromising the stability of forest formations and in particular their resistance to forest fires. The NSF identifies the presence of a 'consolidated national and local silvicultural tradition, founded on naturalistic bases and sustainability' as a strength of Italian forests. An approach to forest management which also consider more nature-focused approach is also set out in the Strategy.

It can therefore be concluded that at strategy level, Italy provides a coherent and relevant framework for the development of close-to nature approaches, which leaves it open for further improvement at the practical level.

[24] Renzo Motta, Jørgen Bo Larsen, *Forest@*, Journal of Silviculture and Forest Ecology, Volume 19, Pages 52-62 (2022), https://foresta.sisef.org/contents/?id=efor4124-019.

10.2. Legal or regulatory gaps in national forest legislation

Please provide key conclusions based on the information referred to in previous sections.

Italy's legal framework in the forestry sector has a number of potential areas for improvement. While the Forestry Law has had positive effects in reorganising and simply legislations on the topic, it does not provide for a sufficient and comprehensive regulation. The delegation to the Regions of a number of competences in forest planning and management makes the system extremely variegated and uneven, and it is difficult to find common rules and trends. The regulation of forestry land and ownership can differ considerably from one Region to the other.

Furthermore, not all Regions have properly implemented Regional Forestry Programmes or enacted important legislations which would enable the proper implementation of the national objectives in this regard. The NFS, in fact, sets out only general objectives and identifies the areas of actions, which are however destined to remain only theoretical prescriptions if not concretely implemented into regional provisions. Additionally, forest planning is not a mandatory obligation for all forest owners, which leads to a low percentage of Italian forests actually equipped with forest management plans.

A consulted forest consortium raised that the fragmentation of responsibilities, even within the regions themselves (for instance, Lombardy has more than 40 local forestry authorities), impedes the development of true technical expertise, consistent data collection, and proper monitoring of planning and expected results.

The following challenges have therefore been identified:

- Variety of regulations, very often at very decentralised/local level, which are not regularly updated,
- Lack of coordination between national and regional level,
- Absence of obligation to draw up forest management plans,
- Lack of concrete promotion of sustainable forest management activities,
- No reference to closer-to-nature approach, nor at national or regional level,
- Lack of specific climate change targeted measures, both at national and regional level.

National experts on forest legislation and references

- **Please provide the names and contacts of 3 to 5 experts in forest legislation in your country,**

From authorities/research councils:

- **Raoul Romano:** Forest Researcher within CREA – co-author of the White Book on Forestry and member of the working group of the NFS, raoul.romo@gmail.com
- **Manuela Plutino:** Forest Researcher within CREA – co-author of the White Book on Forestry, manuela.plutino@crea.gov.it

From national associations:

- Alessandra Stefani: President of the Association Cluster Italia Foresta Legno, presidenza@italiaforestalegno.it

From academia:

- **Prof Nicoletta Ferrucci:** Professor of Forest and Environmental Law at the University of Florence, nicoletta.ferrucci@unifi.it
- **Prof Susanna Nocentini:** Professor of Forest Management and silviculture at the University of Florence, susanna.nocentini@unigi.it
- **Prof Silvia Mirate:** Professor of Forestry and Environmental Law at the University of Turin, silvia.mirate@unito.it

- Provide **key books or articles analysing the national and/or regional forest legislation** in your country, particularly if they compare it with other countries, if they analyse the effect in actual management of SFM.

- A useful read to get an overview of the situation of forestry in Italy from a general and comprehensive perspective: Bioeconomia delle foreste, Legambiente, https://www.legambiente.it/wp-content/uploads/2021/11/Bioeconomia-delle-foreste_2024.pdf.
- L'Italia Forestale e Montana / Italian Journal of Forest and Mountain Environments, Italian Academy of Forest Science, Vol 79 No 4, 2024, https://www.italiaforestalemontana.it/index.php/ifm
- Orazio Ciancio, Susanna Nocentini, Storia della scienza forestale, 2024, https://www.aisf.it/wp-content/uploads/2024/12/silvomuseoonline.pdf
- Renzo Motta, Jørgen Bo Larsen, Forest@, Journal of Silviculture and Forest Ecology, Volume 19, Pages 52-62 (2022), https://foresta.sisef.org/contents/?id=efor4124-019

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