



ICCAs and local civic uses in Italy : Legal Environments and Success Stories of Community Conservation

Presentation at the workshop

Understanding Community Conservation in Europe

Gerace (Calabria, Italy) – September 10-16, 2011

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Landscape

Previous workshops on ICCAs in Italy

2004, Aspromonte National Park, organized by IUCN/CEESP/CMWG in collaboration with Legambiente:

"Governance e Partecipazione nel Sistema delle Aree Protette in Italia - Seminario del Gruppo di Lavoro su Governance e Gestione Partecipativa delle Risorse Naturali in Italia"

The international concept of ICCAs was firsts publically discussed in Italy. The group adopted the terminology 'Patrimonio di Comunità' (Literally 'Community Heritage/Patrimony'), considered appropriate for the Italian context and inclusive of the diverse Italian experiences.

"I Patrimoni di Comunità in Italia: Fra Storia e Cultura, Natura e Territorio"

<http://www.ecomusei.net/atti>

Presentation of several case studies with discussion of the general themes.

16-17-18 Dec 2005, Trino (Vercelli)



Organized by Laboratorio Ecomusei, in collaboration with Consorzio delle Ong Piemontesi; IUCN/CEESP/TGER, Parco Naturale del Bosco delle Sorti della Partecipanza di Trino and Parco Naturale delle Lame del Sesia

Common properties of land (*Proprietà Collettive*)

Land that is under the corporate ownership of a legally defined community

Regole, Comunanze, Comunalie, Comunelle,
Università Agrarie, Vicinie, Partecipanze, Corporazioni,
Consorterie

Università Agraria di Allumiere
(Photo: Marco Bassi)

Legally binding
statutes
Laudo, Book of
Customary Law...

Juridical
personality of
the collective
entity

Management
board

Closed (ascriptive) membership :
restricted to the descendants of the
original community

Open membership:
open to all the residents in
the administrative location

Common property of land



Regole di Vodo di cadore (Foto: Maro Bassi)

Main associations and networks:

- Consulta Nazionale della Proprietà Collettiva

Website c/o University of Trento,
<http://usicivici.unitn.it/consulta/home.html>

- Associazione Nazionale Usi Civici e Proprietà Collettive (*its activity is currently temporarily suspended*)

<http://www.usicivici.it/>

- Consorzio Comunelle del Carso

- Consorzio Comunalie Parmensi

<http://www.comunalie.com/index.jsp>

- A.pro.d.u.c., Associazione per la Tutela delle Proprietà Collettive e dei Diritti di Uso Civico

<http://www.demaniocivico.it/>

Main research centres:

- Centro Studi di Documentazione sui Demani Civici e sulle proprietà Collettive dell'Università di Trento

<http://www.usicivici.unitn.it/home.html>

- TeSAF, Dipartimento Territorio e Sistemi Agro-forestali, Università degli Studi di Padova

<http://www.tesaf.unipd.it/itn/>

Common rights and common property of land:

Main Legislation under the early unitary Italian State

- Law n. 5489/1888, on the abolition of the community rights to access pastures, collect wood and grasses and cultivate in lands (civic uses) in land owned by others in the *ex-Pontifical Province*
- Law n. 397/1894 (Boselli) on collective domains in the ex-Pontifical province and Emilia
- Law n. 1766 /1927 on liquidation of civic uses, and the implementing regulation by Royal Decree 332 /1928

A. Rangelands (woods and pastures): to be progressively assigned to the State Forest Agency as regulated by the law n. 3267 of 1923 (Legge Serpieri).

B. Land potentially productive for intensive agriculture: to be divided and allocated among those claiming rights

Photo: website Università Agraria di Allumiere

Università Agraria di Allumiere:
6,812 ha (5,000 ha rangelands)

Università Agraria di Tolfa:
6,500 ha

Università agrarie

(99 registered 'universities',
managing 50,000 ha. in
Northern Lazio)

Origin: rights of civic uses by a local
community on fiefs of the pontifical nobility

Membership: open to all residents (after
5 years)

Economic services:

- Traditional free-range livestock production by local family based enterprises
- Limited agricultural activity mainly in support of the livestock sector

Market integration:
Niche market (local)

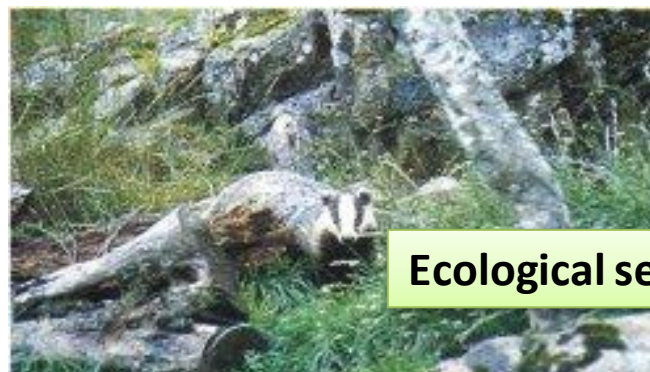
Social and cultural value:

- Aesthetic conservation of the landscape
- community identity and solidarity

Photos: Marco Bassi

- Leisure activities close to the capital town

Photos: website Università Agraria di Allumiere



Wild biodiversity in the rangeland

**Agro-biodiversity
(local breeds)**



Ecological services:

Developments of legislation in the *agro-silvo-pastorale*, (rangelands, woods, scrublands and grasslands) sector

- Legislative Decree n. 1104/1948, *ad hoc* for the Regole della Magnifica Comunita' Cadorina (Cortina)
- Law n. 991/1952 on Mountain Territories, and implementing regulation DPR n. 1979/1952, recognising the 'family communions' regulated by customary statutes
- Law n. 1102/1971 on new norms for the development of Mountain Areas, devolving to the regions the competence to emanate regulations for the 'family communions'.
- Law n. 97/1994 on New Directives for Mountain Zones, explicitly recognizing the juridical personality of the communities in the Alps and central Italy in terms of private law, and assigning the competence to the regions.

Membership: closed

Origin: governance of a natural resource pool by a relatively isolated mountain community

Market integration:

International certification of wood

Main cultural and social value:

- Aesthetic conservation of the landscape and leisure activities
- Promotion of cultural events/management of Museums
- Social initiatives

Mountain type

- **Regole di Cortina:** 16,000 ha. of rangeland directly owned (woods and pastures), plus management of a natural park and of the higher elevation mountains rented from the State.
- **Magnifica Comunità di Fiemme Cavalese:** 20.000 ha. of rangeland (11,000 woods).
- **Comunelle del Carso:** 34 registered communities in Friuli Venezia Giulia. Mainly rangeland

- **wild biodiversity in the woods and rangeland**
- **Management of natural park (Cortina)**

Economic services:

- community members directly employed
- Promotion of tourism industry
- management of tourism infrastructure for family scale enterprises
- Wood industry
- Leases of land for skiing industry
- Free-range livestock production by family based enterprises



Legislation on landscape and protected areas

- Law 431/1985 ('Legge Galasso'), and Legislative Degree n. 157/2006 (Code on Landscape and Heritage), binding all land under common property or civic use to the landscape control planning regime.
- Framework Law n. 394/1991 on Protected Areas
- Regional laws. Examples from Veneto:
 - Regional Law n. 21/1990, establishing a new natural park and assigning the major management role to the Regole di Cortina
 - Regional Law n. 26/1996, with provisions for the reconstitution of the *Regole* that have lost their management capacity, and binding their activity to environmental protection

Origin: grants to a community by the Church or a medieval landlord, long term lease to a community changed into permanent ownership

Membership: closed

Market integration:

- Niche market
- International certification (i.e. Parmigiano Reggiano)

Economic services:

- Small farming, often based on traditional practices
- Jobs, mainly in relation to protected areas

Main cultural and social value:

- Aesthetic conservation of the pocket-landscapes
- Community solidarity

Plains type



- **Partecipanza dei Boschi di Trino:** wood, natural park instituted by regional Law 38/1991, Piemonte
- **Partecipanza Agraria di Nonantola:** 760 ha. (90% cultivated, 10% wetland)
- **Comuna di Grignano Polesine:** farming

Main ecological services:

- Agro-biodiversity
- Wetland biodiversity
- Management of protected area
- Reconstitution of specific ecosystems

Main organisations relevant to non-territorial ICCAs



Photos: Canto Tenore, Gennargentu, Sardegna

- Ecomusei
<http://www.ecomusei.net/index.php>
- AGER, Agenzia Internazionale per la Protezione
dei Paesaggi Bioculturali e per la Nuova Ruralità
<http://www.ager-landscape.org/IT/ager/cosa-e-ager.html>





Non-territorial ICCAs

- **Ecomusei**, Regional Law n. 31/1995, Piemonte
- **Gennargentu (Sardegna), Canto Tenore**: UNESCO Intangible Heritage List, connected to the livelihoods practice of the pastoralists

Recognition:

ad hoc regional law or international law

Origin: cultural heritage recognized as valuable

Membership:

Broadly defined community, not legally registered

Economic services:

- Enhancement of tourism
- Family scale enterprise in pastoralism ,farming and handcrafting
- Some employment directly related to the finalities

Market integration:

- Niche market
- International certification of agricultural and pastoral products

Main cultural and social value:

- Community solidarity and identity
- Conservation and re-constitution of valuable human modified landscapes
- Thematic museums

Main ecological services:

- Promotion of environmental-friendly human practices
- Agro-biodiversity