



**A guide proposing  
advocacy actions to**

# **CONSERVE ISLAND WETLANDS**

**PIM INITIATIVE**  
for the MedIsWet project  
supported by  
the **MAVA Foundation**

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## **ITALY**



# welcome

**This guide is dedicated to all associations and NGOs working for the preservation of island wetlands on Italian territory.**

**It answers to the difficulties you are likely to face, through an analysis of the strategies and concrete actions to be implemented in order to achieve your objectives.**

**These guidelines have been specially developed to help you enhance the implementation of Resolution XII.14 of the Ramsar Convention: the conservation of island wetlands.**





# GUIDE TO CONSERVE ISLAND WETLANDS ITALY

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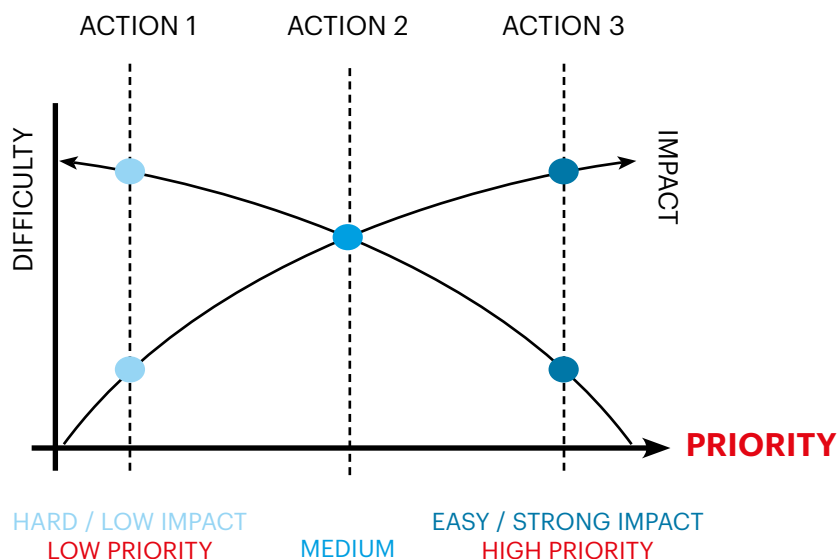
## **20 > SOME PARTICULARITIES OF SARDINIAN LAW**



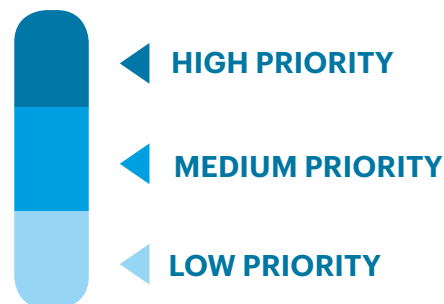
# HOW TO USE THIS GUIDE





PICK AN ACTION IN LINE  
WITH YOUR RESOURCES AND  
STRENGTHEN THE INFLUENCE  
OF YOUR NGO TO CONSERVE  
ISLAND WETLANDS

WE CHOSE TO HIGHLIGHT ACTIONS THAT HAVE  
STRONG IMPACT AND ARE EASY TO IMPLEMENT.



## ACTION PRIORITY



STRATEGIC AXES	ACTIONS	PAGE	ACTION PRIORITY	
 <b>#1</b> <b>Get national/regional authorities to approve the MedIsWet inventory</b>	<b>Actions to get the inventory approved</b> > Involve ISPRA and the Regions in inventories and communication events.	8		HIGH
	> Inform national authorities and important institutions on MedIsWet methodology.	8		HIGH
	> Propose to include MedIsWet inventory data to the national and regional database.	8		HIGH
 <b>#2</b> <b>Participate to the modification of the legal framework applied to wetlands</b>	<b>Participation Actions</b> > Watch out for public participation opportunities.	11		MEDIUM
	> Inform authorities on wetland functions.	11		MEDIUM
 <b>#3</b> <b>Use information collected while inventorying to contribute to the evolution of national public policies (science-to-policy approach)</b>	<b>Inventory based Actions</b> > While inventorying, evaluate the coverage and effectiveness of protected areas.	15		MEDIUM
	> Identify priority wetlands and inform the authorities.	15		MEDIUM
	> Suggest new Ramsar wetlands.	15		MEDIUM
	> Suggest adoption of local decrees of species protection.	16		HIGH
 <b>#4</b> <b>Involve local stakeholders in wetlands breach watch</b>	> Create a network of partners in the islands.	18		MEDIUM
	> Circulate a Guide for Action on how to : Inform the authorities on illegal activities on wetlands. Inform the EU in case of inertia of national authorities.	18		MEDIUM

GET ALL THE TOOLS  
TO ADVOCATE  
FOR ISLAND WETLAND  
CONSERVATION

START READING THE GUIDE



**On the domestic legal framework, Italy has not adopted a specific piece of legislation for wetlands.**

**The existing policies and laws derive mainly from the international commitments and the EU obligations of the country, enriched by local land-use plans.**

**This guide can help you see more clearly how to organize your advocacy actions for conservation of italian island wetlands.**





# DIFFICULTY 1

## ABSENCE OF A COMPLETE NATIONAL INVENTORY

Various inventories have been conducted over the last twenty years in Italy, that helped to obtain data for their protection, but did not result in a complete inventory. The first inventory was completed in 1992, soon after the foundation of MedWet. It identified and described 103 wetlands, mainly Ramsar sites. More recently, a national inventory of wetlands was completed in 2010, based on the methodology of “the Pan-Mediterranean Wetland Inventory”<sup>1</sup>.

This methodology, endorsed by the ISPRA, became the reference inventory for the Ministry of environment. 1520 wetlands in 14 out of 20 Regions of Italy have been listed, following a standardized methodology. The competent authorities for collecting the data are the Regions and their environmental agencies. The data are stored in the MedWet database<sup>2</sup>. However the criteria of selection of Wetlands can still be improved to be more understandable.

<sup>1</sup> On the evolution of the Italian inventory efforts s. D'Antoni S., Battisti C., Cenni M. e Rossi G.L. (a cura di), 2011, Contributi per la tutela della biodiversità delle zone umide. Rapporti ISPRA 153/11, p. 45-46

<sup>2</sup> For more information on the module, s. Tomàs-Vives, P., 2008. Inventory, assessment and monitoring of Mediterranean wetlands: The Pan-Mediterranean Wetland Inventory Module. TdV. MedWet publication. (Scientific reviewer Nick J Riddiford).



## WHAT STRATEGY TO ADOPT ?

### HAVE MEDISWET INVENTORY ENDORSED BY NATIONAL/REGIONAL AUTHORITIES

MedIsWet inventorying method delimits all wetlands larger than 0,1 hectares, thus it comprises a much larger number of wetlands than the current national inventory (that was outlining only 9000 wetlands in Sicily and 500 in Sardinia). However, in order to effectively use the data collected by the MedIsWet partners, the administration have to be informed about their existence, and even add them to the national and regional databases. In this way, wetlands inventoried can be known and protected by adding them as natural areas to regional land-use plans.

### TAKE CONCRETE ACTION

#### GET THE NATIONAL AUTHORITIES INVOLVED IN INVENTORYING

The authorities that should be included in the procedure of inventories are the **ISPRA** in the national level and the **Region** in the regional level. The **ISPRA** (*Istituto Superiore per la Protezione e la Ricerca Ambientale*) is the national institute for environmental protection and research. Its action is guided by the Ministry of Environment. **The Region and the Provinces** have competences in nature conservation, they should thus also be informed about MedIsWet.

#### How to act ?

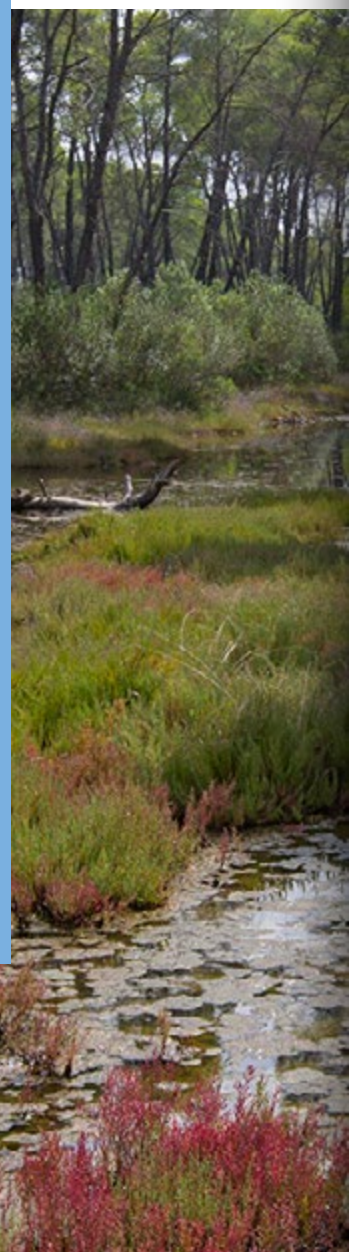
Inform the authorities about MedIsWet project, explain the methodology and the advantages of the inventory. Propose to the authorities the inclusion of MedIsWet data to the national-regional inventory (ISPRA has its own inventory). At Regional level, propose to include the results to the SIRA.

[www.portal.sardegna.sira.it/sistema-informativo-sira](http://www.portal.sardegna.sira.it/sistema-informativo-sira)



**ISPRA**

Istituto Superiore per la Protezione  
e la Ricerca Ambientale





# DIFFICULTY 2

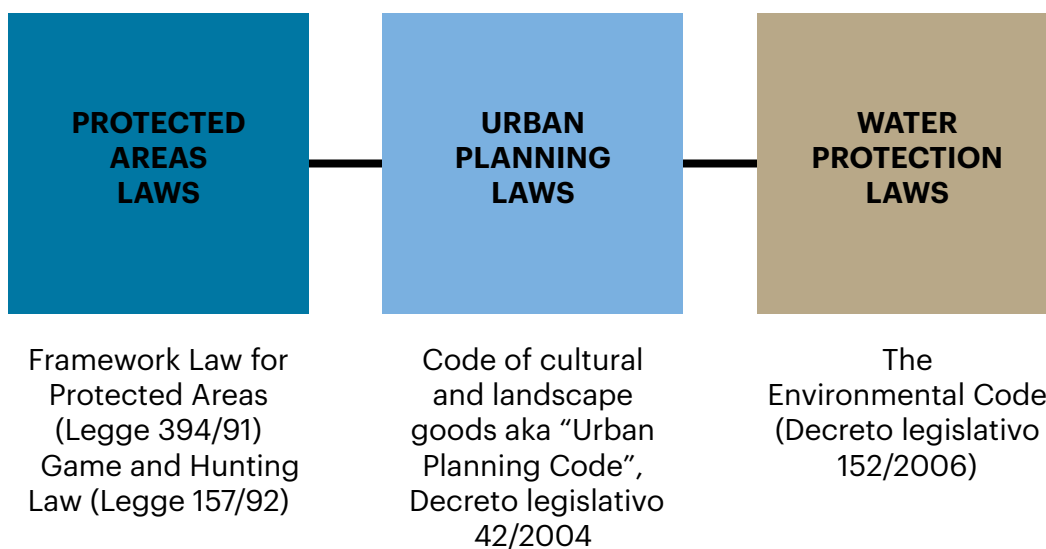
## INSUFFICIENT LEGAL FRAMEWORK AND PUBLIC POLICIES FOR WETLANDS

The first comment on the domestic legal framework is that Italy **has not adopted a specific piece of legislation for wetlands, nor a definition**. The existing policies and laws that apply to wetlands derive mainly from the international commitments and the EU obligations of the country, and are enriched by local land-use plans.

The national legal tools for the protection of wetlands in all regions of Italy are comprised in three laws. Some regional laws complement the legal protection. Concerning public policies, the National Strategy for Biodiversity adopted in 2010 set out goals for articulating a wetland protection framework.

In practice, wetlands can be protected only if they obtain a protected area status and/or are spatially recognized within a protected area. This particularity of Italian legislation creates a great gap, that is the **absence of specific rules applying to all wetlands**.

The two following Strategic Axes are suggested in order to respond to the weakness of the legal and policy framework applied to wetlands.



## WHAT STRATEGY TO ADOPT ?

### TAKE ACTION TO IMPROVE PUBLIC POLICIES AND NATIONAL/REGIONAL LEGISLATION

Italian NGOs can propose to the authorities the following changes for the improvement of national legislation and policies. Two main changes can be envisaged in order to improve wetlands' public policies and legislation.

#### AMELIORATE THE NATIONAL PROTECTED AREAS SYSTEM

The first one is to **improve the protected areas system**. This is important because the creation of protected areas is a very common method for wetland protection in Italy, whereas in other EU countries it is usually complementary with the method of articulating laws describing authorized activities in specific ecosystems. The main problem of the Italian protected areas system is the reluctance of the administration to adopt management plans. Thus, laws should ensure the elaboration of management plans for every site. An additional objective would be to lobby for the inclusion of a big number of wetlands in the protected areas system.

### THE ITALIAN PROTECTED AREAS SYSTEM

The main laws that provide legal basis for the creation of protected areas are laws 394/1991 and 979/1982.



According to art. 5-c. 2 of law 394/91, defined as Protected Areas are the registered areas in the **Official List of Protected Areas** (*Elenco Ufficiale Aree Protette, EUAP*).

The protected areas under law 394/1991, are:

- General category of protected nature areas (*aree naturali protette*)
- State parks (*parchi nazionali*)
- Regional nature parks (*parchi naturali regionali*)
- Nature reserves (*riserve naturali*)



State parks and nature reserves can have a maritime component. Marine areas are protected under law 979/82. Only the State parks and Marine protected areas are managed by the Ministry of the Environment, based in Rome, while the other types are managed by the Regions.



However, the protected areas method alone cannot guarantee the effective protection of wetlands because wetlands that are not part of protected areas are not monitored and can be destroyed/degraded. This is why another change in legislation is necessary.

### **ADOPT SPECIFIC RULES THAT APPLY TO ALL WETLANDS**

The second change to suggest is the creation of specific rules that apply to all wetlands. The creation of such a legal instrument can greatly contribute to the preservation of water resources and wetlands' habitat conservation. In fact, in the absence of such general rule, a wetlands can be destroyed or degraded without legal consequences.

These rules can be adopted in the framework of a "wetlands framework policy", adopting a general principle that guarantees the conservation of all wetlands, for example a no-wetland-loss policy. It can also be achieved at the regional scale, through adoption of regional laws.

The actions below suggest ways to adopt these changes.

## **TAKE CONCRETE ACTION**

### **#1 / CONTRIBUTE TO PUBLIC PARTICIPATION OPPORTUNITIES**

All EU countries have the obligation to consult with the public for decisions that influence environmental quality, and this is the appropriate space to lobby for better wetland protection. NGOs can participate in public debates and other consultations organized in regional/local or national level.

Effective participation lies on preparation of specific proposals (that can be inspired by the proposals in this paper or by the experience of each NGO), articulated in a simple language.

### **#2 / INFORM AUTHORITIES ON THE IMPORTANCE OF WETLANDS**

One of the reasons of the out-dated approach of protecting wetlands in Italy is the lack of knowledge on wetland functions by stakeholders. NGOs can inform the authorities on this issue, by communicating with competent authorities. One of them is the "State-Region Conference", an institutional body identified for political discussion on the national Strategy on Biodiversity. A special Joint Committee has been created within the Ministry of Environment to support the State-Region Conference, as well as a National Observatory for Biodiversity, whose mission is to review and follow up on the implementation of the Strategy.





## WHAT STRATEGY TO ADOPT ?

### USE INFORMATION COLLECTED DURING INVENTORYING TO CONTRIBUTE TO THE EVOLUTION OF NATIONAL PUBLIC POLICIES (SCIENCE-TO-POLICY APPROACH)

The inventory database is very rich in information on island wetlands and should be used to ameliorate the legislation and public policies in the islands. It has the particularity of being based on field work, with visits to all sites. This information collected is therefore reliable and can be used to assess protection measures and help define future protection strategies.

Firstly, MedIsWet partners can check if the inventoried wetlands are included in land use plans (that is one of the suggestions deriving from Resolution XII.14), identify the wetlands missing and notify the authorities accordingly.

#### INCLUDE ALL WETLANDS IN LAND USE PLANS AS NATURAL AREAS






The implementation of laws applying to wetlands rely on the adoption of local (regional) plans. Italian legislation for nature conservation is very closely linked with territorial and urban planning, because environmental legislation is implemented by the adoption of planning instruments. However, the practical implementation is slow and complex, with significant delays in between implementing legal provisions and applications, as well as overlaps of instruments in terms of content and competences.

- For a better conservation of wetlands, and the complete implementation of Resolution XII.14, all wetlands inventoried by MedIsWet, should be included in local plans as areas that no construction is permitted.
- The table below enumerates the existing plans and the competent authorities for their elaboration. Ideally, MedIsWet wetlands should be included in all of them.



## THE PLANNING INSTRUMENTS OF ITALIAN LEGISLATION IN HIERARCHICAL ORDER

The highest hierarchy (1) concern greater surface and is thus less detailed than lower hierarchical levels.

	LAWS	PLANNING TOOL	COMPETENT AUTHORITY	HIERARCHY LEVEL - 1 TO 7	READ IT
	<b>Leg.Decree 152/2006 (Environmental Code)</b>	District basin plan (art. 65)	River basin authority	1	
		River basin management plan (art. 117)	River basin authority	1	
		Water protection plan (art. 121)	Region	1	
		Plans of Hydrological assets (art. 67)	River basin authority	1	
	<b>Leg.Decree 42/2004 (Urban and Territorial Planning Code)</b>	Regional Landscape Plan (art. 143)	Region	2	
Protected areas laws at national level	<b>L. 394/91</b>	Park Management Plans (art. 12)	Park authority	3	
	<b>L. 394/91 and L. 979/82</b>	Marine Protected Areas	Ministry of Environment	3	
	<b>L. 1150/42</b>	Territorial Coordination Plans (TCP), General regulatory Plans (GRP), Implementation Plans (IP)	Regions-Communities	TCP: 4, GRP: 5, IP: 6	
	<b>HD, Pres. Decree 357/97</b>	Natura 2000 Management Plans	Management Authority	7 (but there are not obligatory)	

## AMELIORATE THE HABITATS AND BIRDS DIRECTIVE IMPLEMENTATION



The Habitats Directive is transposed to the national legal order by the Presidential Decree (D.P.R. 357/97) and the Birds Directive is transposed by the law for hunting, game refuges, controlled hunting areas and regulation of species hunting (law 968/77) and implemented by the *Legge 157/1992 "Norme per la protezione della fauna selvatica omeoterma e per il prelievo venatorio"*.

The implementation of Habitats and Birds Directive is considered as the only legal tool that can lead to effective protection, or at least conservation of Italian wetlands. Sardinia and Sicily are the two regions of Italy with the biggest concentration of marine and coastal habitats protected under the HD, most of which include wetlands (estuaries, coastal lagoons, salt marshes and salt meadows, posidonia meadows, salt steppes). Furthermore, both Sardinia and Sicily has a significant concentration of freshwater habitats (rivers, temporary ponds, lakes).

## GAPS IN THE HABITATS AND BIRDS DIRECTIVE IMPLEMENTATION

Some problems arising from the implementation of the two Directives:



### FALSE IDENTIFICATION OF HABITATS.

From the 1043 habitats included in the official national databank, only 177 are confirmed, while 57 are considered to be wrong. The "priority" status described in the Annexes of the HD does not always justify the distribution and conservation value of some species and habitats. Another problem in that direction is that more than 60% of all legally protected plant species in Italy are essentially the least threatened, or species that are not threatened at all. The scientific community has identified 15 new habitats of considerable importance in the national level, despite not being included in the HD.

### ABSENCE OF LIMITS DEFINING THE SIZE OF SMALL WETLANDS

That should fall under the protection of the Directives. Protection of small and/or artificial wetlands is more rare than the protection of big and/or natural ones. Small wetlands are not adequately protected by EU Directives, although their ecological importance as "stepping stones" is recognized by the HD and the WFD.

### PROTECTION OF ARTIFICIAL WETLANDS.

A 2011 judgement of the administrative Tribunal of Puglia stated that they should not be listed as Special Protection Areas (SPAs) under the HD, if they do not have the same functions as natural wetlands. This judgement overlooks the negative functions of artificial wetlands. The judge authorized the destruction of a wetland, because its existence depended on manual water refill.







## TAKE CONCRETE ACTION

### #1 / EVALUATE PROTECTED WETLANDS AND PROPOSE NEW PROTECTED MEASURES

When the inventory is complete, deduce the rate of protected wetlands. Perform an analysis to determine whether the assigned statuses are effective and propose appropriate amendments. Unprotected wetlands can be the subject of a strategic study to target their conservation by wetland type. Communicate the technical results to the authorities in a language accessible to non-scientists.

### #2 / IDENTIFY WETLANDS TO BE PROTECTED AS A PRIORITY AND SUGGEST THE IDEAL PROTECTION STATUS

During field visits and inventory analysis, identify the ideal protection status for wetlands that do not have special protection. The identified wetlands can then be prioritized following a criterion of regional responsibility. Propose its results to the authorities.

### #3 / SUGGEST TO THE AUTHORITIES THE ADOPTION OF REGIONAL DECREES FOR PROTECTION OF CERTAIN SPECIES

The gaps identified in the Annexes of Habitats and Birds Directives can be covered by the adoption of local decrees. For example, in Sardinia, several municipalities have recently adopted a *Delibera Comunale* for monitoring and protected flora and fauna species in their territory. These measures can be adopted more easily than in the regional or national scale and provide an important level of protection, maybe the only one for very small and scattered sites.





## #4 / PARTICIPATE IN THE RAMSAR CONVENTION SYSTEM AND SUGGEST LISTING MORE RAMSAR WETLANDS

Participate in the Ramsar Convention system is important for Italian NGOs because Italy has a high number of Ramsar listed wetlands and this status corresponds to protected areas in the Official national list of Protected Areas. At the same time, there are still some incoherencies in the national implementation system that NGOs can stress. The frame below explains the particularities of Ramsar implementation in Italy. The specific actions to put in place are enlisted in the international guide of this guides collection.

## THE ITALIAN IMPLEMENTATION OF RAMSAR CONVENTION



The Italian approach of nature conservation by the creation of protected areas has contributed to a **substantial meaning of the status of Ramsar wetlands**. Italy has **56 approved Ramsar wetlands** and another 9 pending for approval by the Secretariat of the Convention. In comparison, France has 48 and Greece 10.

**Contrary to other countries Ramsar listed wetlands where it amounts to a loose conservation status, in Italy:**

- All Ramsar wetlands are automatically protected as **landscape goods**, a status that prevents them from destruction.
- All Ramsar wetlands can be classified as **sensitive areas** under the EU Waste Water Treatment Directive, and benefit from further protection.
- Ramsar sites are in most cases also **Natura 2000** and, usually, they are also **Regional Natural Parks**.

**Review some out-dated approaches on Ramsar wetlands:**

- Wetlands that are **not listed** as Ramsar “**are not considered protected by law**”, with the exception of rivers and marine State waters (according to a 2009 judgement of the national Court of Appeal).
- List more **diverse types of wetlands** (most of them are listed for their importance for waterfowls or fishes, while designation based on their importance for other taxa (criterion 9) is used in 1,1% of the cases).



## DIFFICULTY 3

### FRAGMENTATION OF COMPETENCES BETWEEN STATE AND THE REGIONS

**In Italy, not only the State, but the Regions, as well have legislative powers. The sharing of competences between the State and the Regions changes over years, fact that complicates the implementation of a protective legal framework for wetlands.**

More precisely, according to the Constitution, the State has exclusive legislative powers in the protection of the environment, the ecosystem and cultural heritage. Regions and Provinces are bound to follow the national strategies and the EU regulations concerning environmental protection. However, the **Regions** do have the competence when it comes to many **sectoral environmental subjects**, like local and regional plans. Consequently, the Regions have in their disposition tools with which they can take legal initiatives.

**Most Italian islands are concentrated in three Regions: the autonomous Region of Sicily and Sardinia and the Region of Tuscany.**

The Tuscan Archipelago belongs to the Livorno province of Tuscany Region, an ordinary Region. **Environment is a competence of the State in this case.** Ordinary regions have competence when it comes to urban and land-use planning. The Tuscany Region's environmental agency (*Agenzia Regionale di protezione ambientale della Toscana*) is one of the research centers of MedWet. Since 2000, Tuscany Region became partner of the MedWet\_Regions project. The main result of the project in Tuscany was the inventory of regional wetlands and the adoption of management plans for the four most emblematic regional wetlands.

Sardinia and Sicily are two of the five Italian Autonomous Regions, along with Valle d'Aosta, Trentino-Alto Adige/Südtirol, and Friuli-Venezia-Giulia. The 1948 Constitution of the Italian Republic, gives to these regions the right to create their own laws in a wide number of domains, which includes the Environment in general, hunting and fishing activities, to carry out regional administrative functions and elaborate urban planning and land use plans.

The policies for island wetland conservation have to take into account this particularity and stream the strategic actions in the two levels of administration. On pages 19 to 21 of this guide, some of the particularities of Sardinian and Sicilian law for wetland conservation are detailed. One of the actions to take is to involve local stakeholders in wetlands breach watch.



## WHAT STRATEGY TO ADOPT ?

### INVOLVE LOCAL STAKEHOLDERS IN WETLANDS POLLUTION WATCH.

Most forms of wetland pollution can be easily identified by everyone, and citizens that live close to wetlands can undertake the role of “wetlands watchers”. In case of illegal activities (use of the wetland as landfills, illegal constructions, water pollution), the citizen can address a letter to the local authorities asking to take action in order to repair the environmental damage and prevent further pollution. In addition, environmental NGOs can put more pressure and make public the pollution and inertia of administration. In case of an imminent action of pollution, citizens can directly address their demand to the police.

#### TAKE CONCRETE ACTION

##### #1 / CREATE AND TRAIN A NETWORK OF PARTNERS LOCALLY

In order to have an effective action of wetlands pollution watch, we need to involve the maximum number of NGOs and citizens. This can be achieved by finding at least one NGOs who will organize workshops locally and train the citizens and other NGOs on identifying a wetland pollution quickly. The Provinces can also be informed about this initiative. MEDSEA Foundation, a Sardinian-based NGO, could be the network manager in Sardinia for this action. Sufficient funds are needed for these actions.

##### #2 / CIRCULATE A GUIDE ON HOW TO ACT IN CASE OF WETLAND POLLUTION

The guide can explain how to rapidly identify wetland pollution and motivate locals and NGOs to inform the authorities. The European Commission can also be informed in case of total inertia of regional and national authorities.

##### How to act

In case a citizen notices illegal activities in wetlands (constructions, water pollution, etc.), They can inform the authorities on the illegal activities, but can also inform the NGO “Gruppo di intervento giuridico”, who has litigation action in ecological issues.



## SOME PARTICULARITIES OF SICILIAN LAW

### A REGIONAL POLICY FOR WETLANDS

Sicily has taken some steps for the elaboration of a wetland conservation policy, but it is very limited as it only concerns 185 wetlands. These are the wetlands identified by the official national inventory, whereas MedIsWet has identified over 11 425 wetlands. The characteristics and threats faced by these 185 wetlands, have been analyzed by the regional environmental agency (ARPA). A list of effective and binding conservation measures for the whole Sicilian Ecological Network is currently a work in process.

### LAWS FOR WETLANDS

Wetlands with a protected area status (natural reserves, regional parks), are protected under the main regional laws that regulate the definition of regional protected areas, the *Legge Regionale 98/1981*, modified by *Legge Regionale 15/1991*. Wetlands that do not form protected areas fall under the provisions of **Regional Landscape Plans (PPR)**.

### IMPLEMENTATION OF REGIONAL LANDSCAPE PLANS

Sicily implements the obligation of a PPR differently than Sardinia. Each province is obliged to adopt its own *Piano Territoriale Paesistico*, based on the Guidelines for drafting of Landscape Plans. The Guidelines distinguish 18 areas that present different geomorphological and cultural characteristics and provide an analysis for each territorial area (art. 4).

In fact, the strategy promoted by the Guidelines stresses the need to “accept a division of the Sicilian territory in some valuable “islands”, subject to strict protection, and the vast remaining part, essentially deprived of any environmental and cultural protection”. Although the use of the word island is not literal, it also applies to the small islands of Sicily that are identified as one of the distinct territorial areas, the “Area of small islands” (*area delle isole minori*), that are vulnerable and should be thus be protected.

This approach of conserving some valuable “islands” is indeed reflected in the plans of the provinces with small islands, that provide important restrictions to human activities in order to conserve natural characteristics. For example, the PPR of the Egadi Archipelago, adopts restrictions to activities affecting bogs (*pozze umide*), like the prohibition of draining activities.





## SOME PARTICULARITIES OF SARDINIAN LAW

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The local government of Sardinia is active in environmental protection, a fact reflected in the protection of its wetlands. The government of Renato Soru (2004-2008) put in place a particularly protective system of the coast using laws and local plans. For instance, we note the approval of the Regional Landscape Plan Piano and the establishment of a luxury tax for coastal properties and boats. Although the following governments reduced these restrictions, environmental protection is still being promoted as a priority of the Region. This attitude provides favorable grounds for further conservation measures for wetlands.




- **The main regional law on Regional protected areas is the Legge Regionale n° 31 of 7/6/1989**, *«Norme per l'istituzione e la gestione dei parchi, delle riserve e dei monumenti naturali, nonché delle aree di particolare rilevanza naturalistica ed ambientale»*.



- **The elaboration of the Regional Landscape Plan (PPR)** is the main planning instrument through which the Regions can adopt restrictive measures for further development. The Regions have to follow the national directives, provided by the Urban and Territorial Planning Code, but they can specify the exact measures. Sardinia has adopted her first PPR in 2006, which is under revision since 2013.

The first PPR of Sardinia puts in place some protective measures for wetlands and for smaller islands. The plan has been elaborated following the technical directions of the regional law 8/2004.






The so-called “legge salvacosta” law 8/2004 adopts a broader notion of cultural and landscape goods than the one adopted at the national law, in order to **include all coastal wetlands** and not only Ramsar wetlands in the restrictions of the landscape plan. More precisely, the PPR:

- Adopts a principle of **conservation and restoration of all big wetlands** (article 2, r.l. 8/2004).
- Declares as **landscape assets all coastal wetlands, natural lakes, artificial ponds and their adjacent areas**, in a distance of 300 m from the shoreline (article 17§3,g. r.l. 8/2004).
- Declares as **landscape assets the small islands and the areas of naturalistic interest identified under the HD** (article 17§3,b and k, r.l. 8/2004).
- Creates the category of “**natural or sub-natural areas**”, defined as self-sufficient areas that depend exclusively on the sun for their survival. Natural or sub-natural areas include **temporary wetlands**, small islands and steppes. In these areas, new constructions or soil modification that could compromise the stability or ecosystem functionality are prohibited (articles 22 and 23, r.l. 8/2004).

The declaration of part of the territory as landscape assets regulates the issuance of construction permits in these areas. The legge salvacoste was followed by the legge scempia-stagni (wetlands-destruction law), that attempts to introduce an “authentic interpretation” of art. 17§3g. It states that the restrictions to the distance of 300 m. from the shoreline do not actually apply to wetlands, but only to natural lakes and artificial ponds. This law was annulled by the Court as unconstitutional, but, the Region has re-introduced the same provision with a more sophisticated law in 2015.

The most recent initiative of the Region Sardinia for wetland conservation is the approval of an important budget (20 millions euros) for the elaboration of plans for the protection and valuation of six large wetlands areas. The areas that will be covered by the future plans are: the Gulf of Oristano, the Gulf of Palmas and Internal Sea, the Gulf of Cagliari and the Coast of Capoterra and Teulada, Ogliastro and V-VII Sarrabus, Baronie and Gallura and the Gulf of Asinara.



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advocacy actions to  
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ISLAND  
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