



Ministry of the Environment and Protection of Land and Sea Ecological Transition ¹

FIFTH UPDATE OF THE NATIONAL REPORT OF ITALY ON THE IMPLEMENTATION OF THE AARHUS CONVENTION

December 2016

2021

**The following report is ~~presented~~ submitted on behalf of Italy in accordance with the
decisions Decisions I/8, II/10, and IV/4.**

Name of the responsible person: Francesco La Camera
person in charge: General Director of the Directorate-General for Innovation, Personnel and Participation (IPP) pending the reorganisation of the Ministry and the consequent changes to the responsibilities of the GDs referred to in the decree being approved

Date: 13 January 2017 20 March 2021

Implementation of the Report implementation

National Focal Point: Massimo Cozzone

Name of the Institution: Ministry of the Environment and Protection of Land and Sea (*Ministero dell'Ambiente e della Tutela del Territorio e del Mare* – MATTM), General Direction Director of the Directorate-General for Sustainable Development, Environmental Damage and for Relations with Innovation, Personnel and Participation (IPP) pending the European Union and International

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¹ Italian Decree Law no. 22 of 1 March 2021, "Urgent provisions on the reorganisation of the powers of the Ministries", renamed the Ministry of the Environment and the Protection of Land and Sea into the Ministry of Ecological Transition (see art. 2, paragraphs 1 and 3).

~~Organisations:~~reorganisation of the Ministry and the consequent changes to the responsibilities of the GDs referred to in the decree being approved.

~~Officer's~~**Institution name:** Ministry of Ecological Transition (MiTE)

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² officials who have been involved in this report, following the reorganisation of the Ministry under way, the references may change

I. Process by which the report has been prepared

I. Report preparation process: provide a brief description of the process followed to prepare the report, including information on the public authorities consulted or that contributed to its preparation, on the public consultation and on the results of these consultations, in addition to providing information on the material that was used for the preparation of the report

The 20162021 National Report was draftedprepared by the Ministry of Ecological Transition and completed by the Ministry of the Environment and Protection of Land and Sea (MoE) and finalised by ISPRA (National Higher Institute for Environmental Protection and Research).

(ISPRA). In order to receive comments byfrom the public, the provisional version of the fourthfifth update of the report was made available for consultation in October 2016: the text was published on linereleased for consultation on 11 June 2021, on the website of the Ministry of the Environment (<http://www.minambiente.it/pagina/convenzione-di-aarhus-informazione-e-partecipazione>), on the website of ISPRA (<http://www.isprambiente.gov.it/it/news/aperta-la-consultazione-pubblica-sul-quarto-rapporto-di-aggiornamento-sull2019attuazione-della-convenzione-di-aarhus-in-italia>) and on the website of the Public Function Department dedicated to public consultations (<http://www.partecipa.gov.it/>). Furthermore, the draft programme has been(<http://www.mite.gov.it/pagina/convenzione-di-aarhus-informazione-e-partecipazione>). The report submitted therefore takes into account the comments of the public and the additions of the various institutions that sent by email to all the Regions, the Regional Agencies for the Protection of the Environment (ARPA) and to the major environmental NGOs. The news of the consultation has been reported on other internet websites among which the website of "Rete Ambiente" (<http://www.reteambiente.it/news/27195/attuazione-convenzione-di-aarhus-minambiente-lanc/>) and "Tutto Ambiente" (<https://www.tuttoambiente.it/news/convenzione-di-aarhus/>) contributions. A weak point of the report remains the insufficient analysis of the activities undertaken by regional and local authorities for the implementation of the Aarhus Convention.

II. Particular circumstances relevant for understanding the report

Regions and autonomous Provincesprovinces have the legislative capacity conferred throughby national legislationlaws. For the sake of brevity, the reportReport focuses mainly more on measures at a national measures.level.

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ARTICLE 3

III. Legislative, regulatory and other measures implementing the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8)

(a)

With respect to paragraph 2, measures taken to ensure that officials and authorities assist and provide the required guidance

In Italy, the Digital Administration Code (CAD) is a single text that officials and authorities assist brings together and provide the required guidance;

Since 2013, organises the Ministry of the Environment rules regarding the computerisation of the Public Administration in relations with citizens and businesses. Established by Italian Legislative Decree no. 82 of 7 March 2005, it was subsequently amended and supplemented first with Italian Legislative Decree no. 179 of 22 August 2016 and then with Italian Legislative Decree no. 217 of 13 December 2017 to promote digital citizenship rights and render them effective.

With the latest regulatory action, the CAD has been improved both by simplifying the language and by replacing the previous technical rules with guidelines, under the guidance of AgID (Agenzia per l'Italia Digitale [Agency for a Digital Italy]).

To date, the MiTE has updated and increased the amount of content made available on its portal and has foreseen the, and for this purpose with Directorial Decree prot. no. 668 of 23 July 2020 the inter-directional drafting committee was appointed and provided for the activation of facilitated access modes navigation for the partially sighted. A visually impaired. The section dedicated section for to transparent administration was created has been implemented and the amount of contents information made available on-line online has increased.

The opportunities for interaction possibility of interacting with citizens have the public has been promoted with through the launch of on-line online consultations, newsletters, mailing lists and, in some sections of the portal, with the publication of the contacts contact details for those in charge of the persons responsible for the different individual activities of carried out by the Ministry. Additionally, There is a specific section dedicated section for to the Aarhus Convention, available from the home page, has been created, as well as on the website of ISPRA and other regional administrations.

According to Legislative Decree 29/1993 on rationalization of the Public Administration each public administration must establish an Office for the Relationships with the Public (URP) to:

- guarantee the public's exercise of their rights to information, access to documents and to public participation;
- facilitate the public's use of the services offered, including by
- Another essential tool for providing information on legislation, competences and the structure of the Administration concerned;
- and to ensure the quality of these services.

Furthermore, Law 150/2000 regulates communication activities to be undertaken by each Public Administration, and includes the obligation for the national Administration to adopt a communication plan.

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~~Additional and more stringent provisions on assistance and guidance to the public in the URPs~~ (Public Relations Offices), established by Italian Legislative Decree no. 29/1993 and governed by Italian Law 150/2000 (more details in the following chapters).
~~environmental matters are foreseen by Legislative Decree 195/2005 (see response to art. 4)~~
~~In any case the “access right” should be compatible with general rules on privacy (Legislative Decree 196/2003).~~

~~(b)-~~

With respect to paragraph 3, measures taken to promote education and environmental awareness.

~~In Italy, an homogeneous and structured approach to environmental issues in school programmes is lacking. However, at national level, significant progress was recently made with Law 107/2015, known as the “*Riforma della Buona Scuola*” (Reform of the Good School) which identifies, among the priorities for education (art. 7, letter e), the development of responsible behavior inspired by environmental sustainability. Another positive element is provided by the **Guidelines on Environmental Education**, drafted in 2015, thanks to the cooperation between the Ministry of the Environment and the Ministry of Education, with the contribution of Foromez. The Guidelines are an important tool for teachers as they include environmental issues in well defined educational paths, according to the different levels of education.~~

~~Environmental education in schools is promoted through specific projects as well: among them, the **SEARCH initiative** (School Environment and Respiratory Health of Children), promoted by the Italian Ministry of the Environment and coordinated by REC Hungary (Regional Environmental Center for Central and Eastern Europe). The project, launched in 2006, ended in February 2016 with the definition of **AirPack**: an innovative multimedia and multilingual educational tool, available online and free of charge, which includes didactic, educational, and recreational material about the quality of air within schools and actions which can be undertaken to improve it.~~

~~Another interesting example is the **National award** promoted by the REACH Authority, in the framework of an agreement between the Ministry of Health, the Ministry of the Environment, the Ministry of Education and the Ministry of Economic Development. The award is addressed to **teachers and students in high school level institutes and aims at disseminating knowledge about two EU regulations**: (EC) 1907/2006, called **REACH**, on the registration, evaluation, authorisation and restrictions on chemicals and (EC) 1272/2008 called **CLP**, on the classification, labelling and packaging of substances and mixtures.~~

~~Of no less importance is the **university education in the environmental field**, that the Ministry of the Environment contributes to sponsor and/or to promote, through a dedicated section of its portal (<http://www.minambiente.it/pagina/formazione-universitaria>).~~

~~Environmental education and public awareness raising on sustainability found an important opportunity for re-launching in the framework of **Expo 2015**: the universal exhibition held in Milan from 1 May to 31 October 2015 on the theme “Feeding the planet, energy for life”. On the occasion of Expo Milan 2015, the Ministry of the Environment promoted initiatives for environmental education in the Biodiversity Park Pavilion, through an innovative multimedia and sensorial path, which enabled the numerous visitors to discover the extraordinary natural and cultural heritage of Italy.~~

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Vital contribution to environmental training is offered by the National Institute for Environmental Protection and Research (ISPRA) and by the Regional and Provincial Agencies for Environmental Protection (*Agenzie Regionali e Provinciali per la Protezione dell'Ambiente*—ARPA/APPA) which promote the collection, processing and monitoring of technical and scientific data related to air, water and soil and carry out initiatives of environmental training and education, among other things. *Training activities* target a public of experts, in order to update their skills and harmonise instruments and methodologies, while *educational activities* are conceived for a wider public, to raise awareness and promote sustainable behaviour.

In the framework of its *educational activities*, over the period 2010–2015, ISPRA prepared the **didactic kit** for high school students “*Vallo a dire ai dinosauri*” (Go tell the dinosaurs), on the impact of human activities on climate change. Worth of notice is also the project “**Ecolabel in schools, growing up in the respect of the environment**”, a project implemented by ISPRA, in cooperation with the Ministry of Education. The project aims at promoting the EU Ecolabel trademark in schools. ISPRA is also involved in environmental education in cooperation with “**Biblioteche di Roma**” (Rome's Libraries): books on environmental and scientific issues are presented through the intervention of authors or researchers who interact with students.

At a specialised level, the continuous evolution of the measures for environmental protection and the need for a constant update of the experts working at ARPA, APPA and ISPRA led to the establishment, in 2015, of the “**Working Group for the Permanent Training of the Agency system**”, coordinated by ISPRA. The Working group, placed within the 3-year plan of the National System for Environmental Protection³ (*Piano Triennale del Sistema Nazionale per la Protezione Ambientale*—SNPA) 2014–2016, aims at promoting homogeneous and shared methodologies among ARPA, APPA and ISPRA officers.

At the national level since 2002, **a network of local environmental education centres** has been established within the framework of the National System for Environmental Information, Training and Education (INFEA), coordinated by the MoE and the Regions. The centers, some of which are located in natural protected areas, are coordinated at regional level and managed by local government in cooperation with various stakeholders, such as environmental NGOs, private enterprises, universities, research centers. They mainly focus on promoting public awareness, address various categories of learners of different ages. Some projects are carried out within or in collaboration with schools.

The vitality of the Italian territories was also shown by the large participation in the campaign for the **UN Decade of Education for Sustainable Development 2005–2014**—DESS promoted by the Italian National UNESCO Committee and supported by the Italian Ministry of Environment.

Concerning environmental awareness-raising, every year the Ministry of the Environment supports or promotes **awareness campaigns** targeting young people and adults (for example, the “National Tree Day”, the “National Bicycle Day”, the “National Day against Food Waste” or the national campaign “Environmental Natives”); additionally, the Ministry of the Environment has joined and supports international campaigns, such as the “European Week of Sustainable Mobility”, the “Earth Day initiative”, “Water Rooms” and the European Week of Waste Reduction (EWWR).

At international level, the Italian Ministry of the Environment promotes—in cooperation with the World Bank Group and the German Federal Ministry for Economic Cooperation and Development—the **Connect4Climate Community**: a large global partnership aiming at mobilising the public,

³ For more information on SNPA, see chapter XI.

especially young people, on the theme of climate change. Connect4climate reaches more than 1 million people and gathers more than 400 partners around the world: civil society, mass media, international organisations, groups of young people and the private sector.

An important step forward was taken with Italian Law no. 92 of 20 August 2019, which made the transversal teaching of civic education – including environmental education – compulsory from the 2020/2021 school year in schools of all levels in the national system. Moreover, the adoption of the National Strategy for Sustainable Development has allowed the inclusion of education in the system of so-called sustainability vectors. Furthermore, as part of the process of implementing the National Sustainable Development Strategy at a local level, environmental education centres have been strengthened and local policies for sustainability education have been relaunched.

The Sustainable Development Forum, which has the function of ensuring the active involvement of civil society in the implementation of the Strategy, also has a specific working group on education for sustainable development.

In implementation of the national environmental education plan resulting from the agreement between the Ministry of Education and the MiTE stipulated on 6 December 2018, environmental education initiatives were financed consistent with the principles and commitments expressed in the **Environmental Education Charter** and with the **Plastic Free Strategy**.

Moreover, Article 1 ter of Italian Legislative Decree no. 111 of 14 October 2019, converted into Italian Law no. 141 of 2019, provided for a specific environmental education and information programme for students, setting up the Fund called *"#io sono Ambiente Programma"* (*#I am the Environment Programme*) at the MiTE with a budget of €2 million for each of the years 2020, 2021 and 2022 for the financing of projects.

Through programme agreements stipulated with the Forestry Carabinieri, the Harbourmasters and the Coast Guard Environmental Communication Campaigns have been organised in order to spread "participatory" environmental safety.

A Cooperation Agreement on Environmental Education and Sustainability was stipulated with ISPRA in order to support the process of relaunching the national **INFEA** system (information, training and environmental education) through an agreed plan of integrated actions, also through the involvement of the Agencies (ARPA-APPA) of the National System for the Protection of the Environment.

With the Cooperation Agreement on Environmental Education and Sustainability, which ISPRA stipulated with MiTE (2018-2020), an important project has been developed for the training of environmental and sustainability educators, aimed at regional structures dedicated to environmental education and education for sustainable development, such as the Environmental Education Centres or Laboratories (CEA/LEA) and the SNPA Environmental Agencies themselves. The training course "Environmental education and sustainability: skills learned, skills used", held using a blended learning method, involved more than 100 environmental educators, referents, coordinators of structures and projects and officials of administrations and regional bodies. The main learning was dedicated to the study and experimentation of a model of specific skills for environmental educators and sustainability, developed according to the UNECE document "Learning for the future" (2012) by the Italian Association for Sustainability Science (IASS) within the Erasmus+ project "A rounder sense of purpose".

The SNPA, together with the MiTE and the MIUR, the Regions and the Associations, contributes to the national strategy for environmental education. In fact, it promotes environmental education and sustainability based on the mandate contained in Article 3 g) in Italian Law 132/2016, which established the SNPA itself. Regional and Provincial Agencies for the Protection of the Environment

that among other things promote the collection, processing and monitoring of technical-scientific data relating to air, water and soil and manage training and environmental education initiatives, also with the involvement of citizens. In 2019, with the involvement of 15 Regional Agencies for the Protection of the Environment of the SNPA, with the sponsorship of the MiTE and the collaboration of ANCI, ISPRA launched the European initiative of the EPA Network (the network of European environmental agencies) CleanAir@School in Italy, coordinated by the European Environment Agency. CleanAir@School is a Citizen Science and environmental education project for monitoring air quality in schools. The CleanAir@School initiative, focused mainly on air quality, sustainable cities and sustainable mobility, has involved students from primary and secondary schools and was also included among MIUR's Pathways for Transversal Skills and Orientation.

As part of the Pathways for Transversal Skills and Orientation, in January 2020 ISPRA participated in environmental education activities on CIVIC EDUCATION and EUROPEAN OPPORTUNITIES whose main topics were the concept of the environment and its protection in history and from a legal point of view, the various definitions of the environment in the different approaches and subjects and the international context with data and information on the 2015 Paris Agreements, the 2020 SOER Report and the Green Deal.

ISPRA is also engaged in environmental education in partnership with "Libraries of Rome".
- and techniques for the protection of the environment, also promoting new knowledge. In addition to institutional training initiatives, the training programmes are also developed within the framework of European projects, agreements between bodies and national networks. ISPRA, which includes among its priority institutional tasks the promotion, growth and sharing of knowledge and specialised skills on environmental issues, has been planning and providing training courses since 2017 using a work-study learning model. This didactic model, organised for students of the last three years of high school, introduced by Italian Law 107/2015 (so-called "Good School") was then changed to Pathways for Transversal Skills and Orientation (PCTO) with Article 57, paragraph 18 of the 2019 Budget Law. Organised as part of a work-study programme, the training courses promote direct knowledge of the professional world by dealing with the most varied and current environmental issues, increasing awareness and stimulating the adoption of increasingly environmentally friendly lifestyles.

Based on the activities carried out in the previous years, in December 2020 the new Budget Law (Italian Law no. 178 of 2020) identified resources – €8 million for the two-year period 2021-2022 – to support pilot environmental education projects for primary and secondary schools located in the municipalities of the Biosphere Reserves and in the UNESCO World Natural Heritage sites, as well as in the national terrestrial and marine protected areas (in whose territory the so-called environmental economic zones - ZEAs are located).

- In 2018, on the final deadline of 31 May 2018 for the registration of substances pursuant to Regulation (EC) no. 1907/2006 (REACH regulation), the Ministry of Ecological Transition launched the communication campaign "ID of chemical substances: 2018 final deadline". The objective of the campaign was to raise awareness among businesses (especially SMEs) and citizens/consumers about the obligations related to the application of the REACH regulation. The campaign included television and radio spots as well as information disseminated on the platforms of Facebook and Twitter (<https://www.mite.gov.it/pagina/campagna-di-informazione-reach-2018>).

MiTE and MIUR promoted the "Village for environmental education" event in May 2019, which took place in Piazza del Campidoglio with the participation of hundreds of students.

As part of the Action for Climate Empowerment (ACE) envisaged by the United Nations Framework Convention on Climate Change (UNFCCC), in October 2018, in cooperation with the

UNFCCC Secretariat, Italy organised a training workshop that was held in La Spezia and aimed at national ACE focal points from EU countries and those in the Mediterranean area.

In parallel (3 October 2018), the Ministry also organised a public event open to civil society and the private sector at La Spezia entitled "Achieving the objectives of the Paris Agreement: a global challenge that passes through a local commitment", open to delegates participating in the workshop and to Italian civil society, involving representatives of both the private sector and subnational governments, with the aim of reasoning about what the country is doing in terms of climate action with particular reference to the voluntary actions of non-state actors and their essential contribution to achieving the objectives of the Paris Agreement. The event was an occasion for the presentation of a report made for the Italian context by the CDP (Carbon Disclosure Project), an international organisation with which the Ministry has signed a protocol to increase the number of companies that actively monitor and manage their climate-related risks and their impact, inviting 100 of the largest companies and major cities in Italy to respond to the CDP questionnaires.

Also to promote awareness of climate change in view of PreCop26, MiTE promoted the communication campaign "All4Climate-Italy2021", in partnership with the World Bank's Connect4Climate communication programme on climate change, together with the Lombardy Region and the Municipality of Milan, in order to establish a discussion and dialogue on challenges and good practices related to the issue of climate change and the objectives of the Paris Agreement. Public and private subjects, non-governmental organisations, foundations and associations, companies, public administrations, international organisations were therefore invited to submit applications for events and initiatives on the subject of climate change to be held both in person and virtually, which will be included in a calendar of activities throughout 2021 and which will culminate in Milan for PreCop 26 and the Youth 4 Climate event: DrivingAmbition, an event dedicated to young people.

With regard to education and awareness-raising, MiTE continues to work with national and international NGOs, for example with the European Environmental Bureau (EEB), the umbrella organisation of European NGOs, allocating funds and cooperating on various issues.

c) With respect to paragraph 4, measures taken to ensure that there is appropriate recognition of and support to associations, organizations or groups promoting environmental protection.

ConcerningWith regard to the recognition and support toof groups/associations, it is the Italian Constitution recognizesof the Italian Republic itself that recognises the value of citizens'citizens' associations. According to the principleThe protection of "legitimate interests", affirmed in general law on administrative process - (Italian Law 241/1990), opportunities) establishes that the same possibilities to participate in decisionmakingthe decision-making process shall be given not only are provided both to the individuals having an interest in the decision, but alsoconcerned and to associations -presenting commonrepresenting collective interests, whenwhere such interests are likely to be influenced by the decision.

According to general environmental law 349/1986, environmental organizations can apply for recognition by the MoE (following the assent of the National Council for the Environment) and be inserted in a list of recognized entities which have legal standing to challenge public authorities' decisions (or omissions) both at the national and at the local level, and to request compensation for environmental damage. In order to be recognized, such organizations need to fulfil the following requirements:

- act across the whole Country or in at least five Regions;
- have democratic internal rules;
- pursue objectives of environmental protection; and
- have continuity of action.

At the regional level there are further forms of recognitions for local associations or groups, such

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the Non-Profit Regional Register of Liguria Region (including a category for environmental NGOs). In accordance with the principle of “legitimate interests”, legal standing can be conferred by judges not only to recognized NGOs, but to all organizations/groups (also local ones) representing an interest that could may be prejudiced by the decision, once a concrete and stable connection with the territory is established (i.e. all relevant environmental organizations). in question. Environmental associations in Italy can rely on different channels for funding, for example they can ask to be inserted in the list of non-profit entities to which citizens can devolve 5x1000 of tax due to the State. They can also accede to EU, State, regional and local special funds. The MoE collaborates and provide financial support also to international environmental associations to work on issues such sustainable development, climate change and local development, and funds participation of NGOs to international meetings.

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An interesting example of cooperation between institutions and associations is provided by the “**Information and Consultation Forum about REACH Regulations**”, run by the Ministry of the Environment since 2012. The Forum aims at strengthening the dialogue with **consumers’ associations** and at promoting awareness raising activities on the safe use of chemicals. The participants include: consumers’ associations indicated by the National Users and Consumers Council (*Consiglio Nazionale Consumatori Utenti*—CNCU), representatives of the administrations involved in the implementation of REACH regulations, the Ministry of Health, the Ministry for Economic Development, the National Health Institute (*Istituto Superiore di Sanità*—ISS), the National Centre for Chemicals (*Centro Nazionale Sostanze Chimiche*—CSC), ISPRA and the Ministry of the Environment (forum coordinator).

4) Specifically, the Italian legal system promotes the environmental protection efforts of associations and provides for their recognition pursuant to Article 13 of Italian Law no. 349 of 8 July 1986. Therefore, associations established for at least three years that operate in the field of environmental protection can submit an application to MiTE to obtain recognition as an “environmental protection association” if they meet the requirements. In addition to being included in the list published on MiTE’s institutional website (<https://www.mite.gov.it/pagina/elenco-delle-associazioni-di-protezione-ambientale-conecconciliate>), recognition gives the Association the right to act in court both as a civil party in criminal proceedings and through the filing of appeals before administrative courts in relation to unlawful acts or measures that have relevance from the point of view of the protection of the environment and the ecosystem (pursuant to Article 18, paragraph 5 of Italian Law 349/86). Moreover, note that the Ministry has prepared a specific institutional website dedicated to such Associations (<https://associazioni.mite.gov.it/>) in order to streamline the submission and acquisition of requests, introducing greater transparency and efficiency in the administrative procedure.

d) With respect to paragraph 7, measures taken to promote the principles of the Convention internationally

(+)

Italy regularly promotes intra- and inter-ministerial coordination to align its position ~~in~~**within** the framework of the international forums; **it participates in. On such these occasions,** the principles of the Aarhus Convention and of the Almaty ~~guidelines~~**Guidelines** are considered.

For example, in Periodically conferences called “General Assemblies” are organised with the framework of the preparatory negotiations of **Agenda 2030** on sustainable development (2012-2015), a working group, co chaired by the Ministry of the Environment and of Foreign Affairs was created. The group was composed of institutions and members of ~~aim of listening~~

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to civil society and was consulted before every negotiation meeting and issued shared negotiation positions on a few specific issues.

(i) (ii) on hot topics such as climate change. **Information regarding about international forums is increasingly disseminated on media** circulated through electronic channels: namely, on, specifically social media (mostly especially, Twitter and Facebook) and on portals managed by public administrations, civil society and organisations in the private sector: organisations.

(iii) **Different activities** Particularly noteworthy is the activation of a Twitter account in view of the Pre-COP and the youth event. (see below).

(ii) There have also been **implemented several initiatives to promote public participation with reference to in international forums**. As part of the UNFCCC climate negotiations, Italy continues its practice of accrediting at least one NGO representative in the official delegation. Moreover, in order to facilitate broad participation in COPs, where possible Italy also accredits representatives of the press and other governmental and non-governmental actors who have requested it as “overflow”.

For the Conference of the Parties to the United Nations Convention on Climate Change (COP25) that took place in Madrid on 2-13 December 2019, MiTE made available a room of the Italian pavilion within the COP space for the organisation of an intense calendar of meetings, seminars and presentations. Universities, public administrations, international organisations, civil society and the private sector responded to the invitation, offering two full weeks of widely and heterogeneously attended events. Many of these events were proposed by young people, NGOs and universities. Of particular note is a public discussion on "The de-carbonisation of the Italian system: challenges and opportunities". Finally, the Minister of Ecological Transition and the Minister of Education met bilaterally with delegations of NGOs and youth associations.

Italy is also a member of the **Initiative for Climate Action Transparency (ICAT)**, whose donors are both governments and non-governmental institutions/philanthropic associations. At the request of the Italian delegation, the representative of an environmental NGO sits on the ICAT Advisory Committee.

★ In 2016, the Ministry for the Environment provided a contribution of almost 70.000 euros to the European Environmental Bureau (EEB) in order to strengthen transparency, public participation and democratic accountability in the environmental sphere throughout Europe and beyond, through: 1) ensuring active and effective participation of civil society and specifically environmental NGOs in the official processes under the Aarhus Convention and its Protocol with a view to securing progressive outcomes; 2) promoting efficient and effective use of the Convention's compliance mechanism in order to strengthen implementation of the Convention; and 3) enabling the environmental NGO community to review and refine its engagement strategy and interact with key decision makers ahead of the sixth session of the Meeting of the Parties to the Convention and the third session of the Meeting of the Parties to the Protocol through a dedicated strategy meeting. May 2018, for the 20th anniversary of the Aarhus Convention, Italy – MiTE in collaboration with the Secretariat of the Convention and with the European Environmental Bureau (EEB) – organised a celebratory event involving representatives of all 47 Parties to the Convention, some key actors in the history of the Convention from the negotiation phase to today, representatives of Convention bodies, government representatives, international organisations, non-governmental organisations and academic institutions.

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In 2015, in view of the XXI UNFCCC Conference of the Parties (Paris, December 2015), the Italian Government organised the "States General on Climate Change and Territorial Protection" (June 2015), in order to strengthen the dialogue with civil society, especially companies and environmental associations, consider their opinions and requests on the issue of global warming and present its initiatives on adaptation and mitigation.

(iv) In 2015, in accordance with the recommendations of the Work plan of the Aarhus convention 2015-2017, the MoE allocated 80,000 Euros in order to promote the dissemination of the Aarhus Convention in non-ECE States.

(v) The Ministry of the Environment promotes Organised with three topical round tables – i) evolution of the Aarhus Convention and definition of a vision for the future; ii) future challenges: critical issues and proposals; iii) snapshot of the experiences of the region – the event provided a forum for discussion of the main results achieved over the last 20 years as well as a reflection on the current critical issues and objectives to be pursued, helping to raise awareness of the main issues related to the implementation of the Aarhus Convention.

For this event, MiTE, in partnership with the Secretariat of the Convention and the European Environmental Bureau (EEB), together with the World Bank's Connect4Climate communication programme on climate change, produced the video *Environmental Democracy* on the right to information, the right to public participation and the right to justice in environmental matters. The video was presented at the celebration and made available on the ministry's website.

(iii) The Ministry of Ecological Transition has promoted the principles of the Convention in the framework of other international forums and international contexts. In July 2016, the MoE and the REC (Regional Environmental Centre) promoted a settings. MiTE funded the project for "Building bridges between regions - Interregional cooperation on the implementation of principle Principle 10 of the Rio Declaration and article Article 6 of UNFCCC the United Nations Framework Convention on Climate Change in the Caribbean Region". The project aims at developing, 2016-2018" (Building Bridges III), aimed at facilitating interregional cooperation on Principle 10 between UNECE and UN ECLAC regions, and the Caribbean subregion in particular, to support the development of a regional tool for strengthening instrument on access to information, public participation in decision-making and access to justice in environmental matters issues in some states of the Caribbean region-countries.

e) With respect to paragraph 8, measures taken to ensure that persons exercising their rights under the Convention are not penalized, persecuted or harassed.

The protection of legitimate rights and interests is guaranteed through access to judicial remedies that provide for two degrees of judgement. Inspections, sanctions, and other restrictive measures are allowed only to the extent envisaged by law and in compliance with constitutionally guaranteed rights of freedom and fairness.

The exercise of rights and legitimate interests foreseen by law is guaranteed through access to Courts. Inspections, sanctions, and similar measures are only admitted to the extent that they are foreseen by law, and in the framework of constitutional rights of freedom and equity.

Other specific requirements are contained in sectoral law and at the local level.

IV. Obstacles encountered in the implementation of article 3.

Concerning With regard to assistance to the public, notwithstanding considerable there has been significant progress, and mainly due to lack of resources, not all on the part of the public authorities

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have established the Office for the Relationship with the setting up Public (URP) Relations Offices (URPs) or equivalent other services and offices responsible for providing dealing with information to and contact with the citizens. There were some delays due to staff shortages or lack of sufficient financial resources, but action is also being taken to increase the digitisation of public. The repeated cuts in the Public Administrations' offices. Repeated budget cuts (due to the economic crises) challenge the maintenance of crisis) have made it potentially difficult to maintain constant financial support for environmental NGOs at the same level.

Regarding art. With regard to Article 3 per. paragraph 7, the international promotion of the Convention's principles is not always easy and straightforward because of the Convention in international forums sometimes remains hampered by the fact that each international forum/institution/process has its own rules and characteristics, and often which are difficult to modify, and the result is often influenced by partners (Organizations and States) that are not committed to the Aarhus process. The application of the Almaty Guidelines is expected to substantially improve the situation both at the national and international level in the next year. Other relevant partners (States and organisations) not bound by the Convention. With the adoption of regional conventions mirroring that of Aarhus, such as the Escazu Convention for Latin America, this problem is being mitigated.

V. Further information on the practical application of the general provisions of article 3

Italy presents the Expo experience at the Bonn Climate Change Conference

In May 2016, in the context of the Bonn Climate Change Conference, Italy presented the case of Expo Milan 2015 as a good practice of citizen and public opinion's involvement, access to information, environmental education and exchange of experiences. Furthermore, the Ministry of the Environment invited Fiona May, two-time winner of the world's long jump championship, as a testimonial. Mrs. May highlighted how sports can play a catalyst role in raising public awareness on the importance of environmental protection and sustainability.



MILAN "YOUTH4CLIMATE: DRIVING AMBITION"

In the partnership agreement signed with the United Kingdom, for the 26th Conference of the Parties (COP26) to the United Nations Framework Convention on Climate Change (UNFCCC) Italy has not only undertaken to organise the preparatory event for the PreCOP, but has also decided to organise an original event entirely dedicated to young people entitled "Youth4Climate: Driving Ambition". Almost 400 young people mainly between the ages of 15 and 29 from 197 countries (maximum two per country) will meet in Milan on 28-30 September 2021 to develop concrete proposals to be included in the negotiation process of Pre-COP26 in Milan (30 September-2 October 2021) and COP26 in Glasgow (1-12 November 2021).

The first two days will be dedicated to working groups, while on the last day there will be a discussion between the young delegates and the ministers participating in Pre-COP26. In preparation for the event, in cooperation with the Office of the United Nations Secretary-General's Youth Envoy and the World Bank's Connect4Climate programme, MiTE organised a programme of nine virtual events entitled **Youth4Climate Live Series**.

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The topics of the meetings are: green and sustainable recovery, climate ambition, adaptation and resilience, innovation and local action. The programme recorded an average participation of 400 people per episode, without considering the repeats; connections from 117 different countries; an audience consisting of 80% of people under the age of 35; average number of interactions on social channels (managed by the three partners of the series) totalling over 166 M.

An Educational Toolkit based on the programme was also developed: an interactive summary document providing useful references to further study and understand the issues related to climate change that were addressed in the Youth4Climate Live Series Programme.

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Participation in the OECD project for Belarus in the context of "Implementation of the Aarhus Convention - Experience of the National Portal for Environmental Assessments"

In 2018, MiTE contributed financially to the project promoted by the OECD for the preparation of a roadmap for the development of an Environmental Information Portal (EIP) for the public based on the national experience of the Environmental Assessment Portal and ensured the necessary technical assistance by Italian experts. Objective of the project: creation of a web-based environmental information portal to make information available in a clear and direct format to the public and to promote and facilitate effective public participation in environmental decision-making.

"Get Informed and Participate" Communication Campaign

In 2018, MiTE implemented the "Get Informed and Participate" awareness campaign aimed at disseminating citizens' rights to information and participation in decision-making processes on environmental matters, deriving from the principles of the Aarhus Convention and the tools made available by the Ministry that allow them to exercise such rights, with particular attention to the Environmental Assessments portal (www.va.mite.gov.it).

Thanks to the portal, citizens can easily learn about the characteristics and location of projects/plans/programmes and their environmental effects through the consultation of documents and interactive maps.

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VI. Website addresses relevant to the implementation of article 3

- AirPaac Educational Kit: <http://www.isprambiente.gov.it/it/progetti/ambiente-e-salute-1/search>
- Guidelines for environmental education: <http://www.minambiente.it/pagina/linee-guida-educazione-ambientale>
- List of recognised environmental associations: http://www.minambiente.it/home_it/menu.html?mp=/menu/menu_attivita/&m=Associazioni-di-Protezione-Ambientale_Ri.html&lang=it

ISPRA's Relevant websites

- ISPRA pages on environmental information and dedicated to training:
 - Environmental information section on ISPRA transparent Administration: <http://www.isprambiente.it/it/amministrazione-trasparente/informazioni-ambientali>
 - Forms to request ISPRA environmental and information and environmental information related to the cartographic and editorial products of the Italian Geological Service on the environment: <http://www.isprambiente.it/it/servizi-del-sito/urp/modulistica>

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- ~~ISPRA database: <http://www.isprambiente.it/it/banche-dati>~~
- ~~ISPRA cartography: <http://www.isprambiente.it/it/cartografia>~~
- ~~Public relations page of the ISPRA website for the right of access to environmental information: <http://www.isprambiente.gov.it/it/servizi-del-sito/urp/accesso-inf-amb>~~
- ✓ ○ ~~Page of the ISPRA website for 2020 urban waste report~~
~~<https://www.isprambiente.gov.it/it/pubblicazioni/rapporti/rapporto-rifiuti-urbani-edizione-2020>~~
- ✓ ~~2020 special waste report~~
 - ~~<https://www.isprambiente.gov.it/it/pubblicazioni/rapporti/rapporto-rifiuti-speciali-edizione-2020>~~
- ✓ ~~Environmental Education inspection activities~~
 - ~~<https://www.isprambiente.gov.it/it/attivita/controlli-e-ispezioni-ambientali/relazioni-controlli-ambientali-ispezioni-e-sostanze-pericolose>~~
 - ~~ISPRA data and training indicators <https://www.isprambiente.gov.it/it/banche-dati>~~
- ✓ ~~National Biodiversity Network~~
 - ~~<http://www.nnb.isprambiente.it/it/il-network>~~
- ✓ ~~The Youth Climate Summit:~~
 - ~~<https://www.mite.gov.it/pagina/il-summit-dei-giovani> and preparatory event website: <https://youth4climate.live/>~~
- ✓ ~~Educational Toolkit:~~
 - ~~https://www.connect4climate.org/sites/default/files/files/publications/Y4C%20Educational%20Toolkit%20-%20FINAL_revised-2_compressed.pdf~~

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- ~~<http://www.isprambiente.gov.it/it/formeducambiente>~~
- ~~ISPRA educational kit 'Go tell the dinosaurs': <http://www.isprambiente.gov.it/it/formeducambiente/educazione-ambientale/progetti-ed-iniziativa-1/kit-va.d.di-1>~~
- ~~Portals disseminating information and analysis on environmental issues:~~
- ~~MATTM transparent administration section:~~
~~<http://www.minambiente.it/pagina/amministrazione-trasparente>~~
- ~~Section for the Aarhus convention on the MATTM portal~~
~~<http://www.minambiente.it/pagina/convenzione-di-aarhus-informazione-e-partecipazione>~~
 - ~~<http://www.regionieambiente.it>~~
 - ~~<http://www.greennews.info>~~
 - ~~www.ecodallecitta.it~~
 - ~~<http://www.greenreport.it>~~
 - ~~www.rinnovabili.it~~
 - ~~<http://lanuovaecologia.it/>~~
 - ~~<http://ambienteinforma.snpa.it/?p=2089>~~

o <http://www.educazionesostenibile.it/>

ARTICLE 4⁴

VII. Legislative, regulatory and other measures implementing the provisions on access to environmental information in article 4

~~In the Italian law provides for legal system there are three forms of access to documents and information held by public authorities: PAs:~~

- ~~Access to administrative documents, regulated by Italian Law 241/1990:90, which gives the right to see view and copy such extract copies of administrative documents recognised only to those persons who can prove are able to demonstrate the existence of a real concrete, direct and current interest corresponding to a legally protected situation: and connected to the document being displayed.~~
- ~~Civic access under envisaged by Italian Legislative Decree no. 33/2013: understood as the right of anyone to demand for request the publication of documents, information and data on the institutional website of documents, data and information subject to mandatory publication, but not yet that are required to be published: but instead have not been.~~
- ~~FOIA-type civic access (Freedom of Information Act) civic access introduced by Italian Legislative Decree no. 97/2016: that provides for the right of anyone to request access to data and documents held by public authorities that are not PAs, in addition to those subject to mandatory publication, while respecting the limitations related to limited solely by the protection of legally relevant public and private interests. The protection of public interests includes: with resulting deferral or refusal of access to documents – coincides with public security issues, national security, defence and military issues matters, international relations, data on financial stability, conduct of investigations on crimes, regular development performance of inspections. The protection of private interests refers is linked to the protection of personal data, the need to ensure the secrecy of the correspondence, and security the guarantee of economic and commercial interests. In such cases access to records can be denied, as well as in Access is also prevented in the case of State secret secrets and in the other cases foreseen by article envisaged in Article 24 of Italian Law 241/1990-90.~~

~~Civic access differ from access under Law 241/1990 since it aims to ensure spread citizen control on public bodies about their institutional functions and the use of public resources. Thus, the requests of access are not subject to subjective limitations: it is not necessary to justify the access request nor to have a real legal, direct and current interest, corresponding to a legally protected situation. FOIA access is different from the access provided for by Legislative Decree 33/2013 since it cannot be exercised solely with regards to documents, information and data subject to the obligation of publication, but it refers to further documents and data.~~

~~Concerning the public access to environmental information, Law 349/1986 already had established an important distinction compared to Law 241/90, since it stated (art 14): “Any citizen have the right to access to available information on the state of the environment, according to the law in force”. Similarly, Legislative Decree 195/2005, implementing the EU regulation 2003/4/EC enshrined that (art 3): “public authorities ensure that any natural and legal person has the right of access to environmental information without having to state an interest”~~

⁴ Special acknowledgement is due to Dr. Barbara Neri, Communication Information, anti-corruption and transparency lecturer on contact at the Human Science department of Lumsa University of Rome for a critical interpretation in chapter VII.

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~~In all the three above mentioned cases of request of access to information, the inquiry procedure must be concluded at the latest 30 days after the request is submitted.~~ In case of access in accordance with Law 241/1990 and in the case of FOIA, when the administration identifies adverse parties, it informs them about the access inquiry. The adverse party has 10 days to present its motivated opposition to access. In the case of FOIA civic access, denial, referral or restriction of access must be expressly motivated with reference to the relevant public and private interest which restrained access. If any portion of the record falls under a case of protection of public or private interests, access to the remaining part must be granted. Access cannot be denied if appeal to the deferral power would suffice.

~~In case access is expressly or tacitly denied or referred, or in case of lack of a timely response, the applicant may, within 30 days, the applicant requiring.~~

Regarding the **determination of the costs envisaged for civic access**, it is noted that Article 5, paragraph 4, of Italian Legislative Decree no. 33 of 2013 provides that *"The release of data or documents in electronic or paper form is free, except for the reimbursement of the cost actually incurred and documented by the administration for reproduction on physical media"*. With circular no. 1 of 2019, the Minister of Civil Service intervened by detailing the costs related to civic access, and in particular regulating what is to be understood by *"reproduction on physical media"*. With regard to access to administrative documents can appeal to: a) the Regional Administrative Courts (*Tribunale Amministrativo Regionale* - TAR); b) the Commission for access to, pursuant to Italian Law no. 241 of 1990, Article 25, paragraph 1 provides that *"The right of access is exercised by examining and extracting copies of administrative documents, at the Presidency of Ministries (in case of documents held by central and peripheral state administrations); c) to the Ombudsman (in case of acts held by Regions or Local Authorities). Instead, the applicant requiring civic access may file a request for review to the Anti Corruption Authority which will... The examination of documents is free. The issue a decision within the following 20 days. Against the decision of the Anti-Corruption Authority, or alternatively, appeal can be filed to the administrative judge (TAR) within 30 days, provided the payment of the standard court fee amounting to 300 Euros.*

Cases for **denial of access** to information are carefully listed (L. 241/90, art. 24; Legislative Decree 195/05, art. 5; Legislative Decree 33/2013, art. 5-bis).

~~Access to environmental information is generally free. Fees may apply of a copy is subject only to cover the costs incurred in issuing information itself. Such costs should be known and communicated to the public in advance: reimbursement of the cost of reproduction, without prejudice to current provisions on stamp duty, as well as research and viewing rights".~~ To this end, with Italian Ministerial Decree no. 121 of 28/06/2012, the Ministry of the Environment ~~regulates~~ regulated the costs for exercising relating to the exercise of the right to of access information via ~~copies~~ extraction of a copy.

~~VIII.~~ Finally, access to environmental information is generally free of charge, as envisaged in Article 6 of Italian Legislative Decree no. 195 of 2005. The public administration can *"charge a fee to make environmental information available, determined by it on the basis of the actual cost of the service. In such cases, the public shall be adequately informed of the amount of the fee and the circumstances in which it may be charged"*.

Therefore, all costs should be known in advance and shown to the public.

Obstacles encountered in the implementation of article 4

~~To date, detailed there is no comprehensive information available at a national level on the state of the implementation of the regulations~~ legislation on access to environmental information. One

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~~issue is not available. Difficulties include the large number of public authorities present in the country and the non-homogenous modes inconsistent methods and procedures implemented put in place at a local level. The drive towards the digitisation of the public administration confirmed by the recent establishment of a specific Ministry, i.e. the Ministry for Technological Innovation and Digital Transition, for this purpose should certainly help improve the situation.~~

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~~IX.~~

Further information on the practical application of the provisions of article 4

URP (Public Relations Office) data on ISPRA

~~The ISPRA Public Relations Office was set up in 2003 in order to facilitate citizens' access to environmental information. Over 2015, ISPRA's URP treated 998 requests (both formal and informal), 186 of which concerned access to acts and administrative documents (176 of which were formal and 10 informal). The 75% of the requests addressed to ISPRA and followed by URP are "tracked". Generally, these requests concern data not published on the Internet and specific or technical information and are sent mostly by email to the address: urp@isprambiente.it.~~

~~In 2007, the ISPRA Public Relations Office launched the SI URP: a project aiming at providing a single access point that integrate all the environmental information available at national level. Namely Si URP is conceived as a network among the ISPRA Public Relations Office and the Public Relations Offices of the Environmental Agencies (ARPA, APPA). It responds to the need to operate within a context of integration and cooperation between the agencies. Under the SI URP project, the portal www.snpa-urpambiente.it has been open to the public as a single point for citizens to contact the offices of the National System for Environmental Protection (*Sistema Nazionale della Protezione dell'Ambiente* - SNPA). The portal is currently operational for the part concerning the internal communication within the URP network.~~

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X. Website addresses relevant to the implementation of article 4

- ~~Commission for access to administrative documents:-
http://presidenza.governo.it/DICA/4_ACCESSO/~~
- ~~Department of public function, citizen relations area: <http://qualitapa.gov.it/relazioni-con-i-cittadini/comunicare-e-informare/comunicazione-esterna/accesso-agli-atti-legge-24190/>~~
- ~~Manifesto for environmental communication: <http://qualitapa.gov.it/www.urp.it/sito-storico/www.urp.it/allegati/manifesto-comunicazione-ambientale-97741.pdf>~~
- ~~ISPRA's URP:~~
 - ~~URP Page:-
<http://www.isprambiente.gov.it/it/servizi-del-sito/urp>~~
 - ~~Report on data analysis of the exchanges between ISPRA and its users on request of administrative documents and environmental information filed in 2015:
http://www.isprambiente.gov.it/files/modulistica/copy2_of_ISPRA_report_URP_12016.pdf~~
 - ~~Contribution to ISPRA performance plan:-
http://www.isprambiente.gov.it/files/trasparenza/performance/Disposizione_1183_D_G_Piano_della_performance_20162018_2.pdf~~
 - ~~Regulations: <http://www.isprambiente.gov.it/it/servizi-del-sito/urp/regolamenti>~~
 - ~~Frequently asked questions: <http://www.isprambiente.gov.it/it/servizi-del-sito/urp/faq-domande-piu-frequenti>~~

ARTICLE 5

XI. Legislative, regulatory and other measures implementing the provisions on the collection and dissemination of environmental information in article 5

a) With respect to paragraph 1, measures taken to ensure that: 1) Public authorities possess and update environmental information; 2) There is an adequate flow of information to public authorities; 3) In emergencies, appropriate information is disseminated immediately and without delay;

As provided by Law 349/1986, the MoE is in charge of disseminating information on the state of the environment and raising public awareness on environmental issues. This task is fulfilled, *inter alia*, through: the website (www.minambiente.it), the report on the State of the Environment, the Environment National Library, established by Law 426/1998.

The Legislative Decree 33/2013 (art. 40) marked a step forward in terms of transparency in environmental matters, establishing that all the administrations described in article 2, clause 2, letter b of the Legislative Decree 195/2005 (the State, the regional and local administrations, the autonomous and special companies, the public authorities and the public services providers, as well as every physical and juridical person holding a public role related to environmental themes) must publish environmental information acquired to the purposes of their institutional activities on their institutional websites. Such information needs to be given specific visibility in a dedicated section called "Environmental information".

The National Environmental Information System — SINA (*Sistema Informativo Nazionale Ambientale*) is the main national system for the collection and monitoring of environmental information.

The programme has been, the main hub is the SINA (National Environmental Information System), established by the Ministry MiTE at the end of the Environment in the 90s/1990s and since 2001 is coordinated and managed by ISPRA since 2001. SINA can count on uses territorial poles through a hubs consisting of regional focal points (PFRs), which are supported by the regional environmental information systems (SIRA) whose management, pursuant to Italian Law no. 132 of 28 June 2016, is entrusted to the local Agencies for the protection of the environment (ARPA/APPA). SINA, the PFRs and SIRA constitute the national environmental information network called SINAnet.

The territorial poles are composed by:

- Regional Focal Points (*Punti Focali regionali* — PFR), where regional data and information are collected;
- the Environmental Agency System (ARPA/APPA), providing technical and scientific support with reference to specific environmental issues, namely concerning environmental monitoring;
- Main Reference Institutions (*Istituzioni principali di riferimento* — IPR), excellence centres which may contribute to drafting regulations and fuel the environmental knowledge basis at national level.

Access to the SINAnet network data is granted/guaranteed to all citizens regardless of the existence of a legally relevant juridical interest

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(<http://www.sinanet.isprambiente.it/it>)-(https://www.isprambiente.gov.it/it/banche-dati and <https://www.snpambiente.it/dati/>)

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With the promulgation of Legislative Decree 32/2010, Italy implemented the Directive 2007/2/EC, which established the Infrastructure for Spatial Information in Europe (INSPIRE). The INSPIRE Directive resulted from the need to create harmonised spatial data sets that can be used seamlessly in cross border applications at European level. INSPIRE is also considered a core pillar to achieve SEIS, the Shared Environmental Information System envisioned for Europe. The MoE is the competent authority for the implementation of the INSPIRE directive on the Italian territory, as established by Legislative Decree 32/2010.

On the base of the Legislative Decree 32/2010, the **National infrastructure for Territorial Information and Environmental Monitoring** (*Infrastruttura Nazionale per l'Informazione Territoriale e del Monitoraggio Ambientale* - **INITMA**) was created, with the aim of integrating territorial information and environmental monitoring data according to the principles and objectives of the Shared Environmental Information Systems - SEIS. ISPRA has the task to coordinate and implement the INITMA infrastructure, by collecting and integrating, through SINAnet, the information made available by public authorities. The Ministry of the Environment uses ISPRA as a link with the European Environment Information and Observation Network (**EIONet**) of the European Environment Agency.

A recent Ministerial Decree (DPCM 26/03/2016) established the National Council for Territorial and Environmental Information (**Consulta Nazionale per l'Informazione Territoriale ed Ambientale**). In accordance with article 11, clause 2 of the Legislative Decree 32/2010, this body networks the public administrations, at any level, that produce sets of spatial data and provides the technical orientation for the implementation of INITMA.

The National Geoportal (**Geoportale Nazionale** - **GN**) is the national access point for the scopes of the INSPIRE Directive. The GN database is made up of information collected over time in the framework of different projects and today is composed of Lidar, Interferometric and Mivis data. The majority of the available data, at national level, can be displayed and used through OGC standard web services recognised by INSPIRE to ensure the interoperability principle, as the WMS Web Map Services, WFS Web Feature Services and WCS Web Coverage Services. The GN is also equipped with a research service that uses metadata published via the CSW (Catalogue Service for the Web).

Lastly, it is worth remembering the recent Law 132/2016, establishing the **National System for Environmental Protection** (*Sistema Nazionale per la Protezione dell'Ambiente* - **SNPA**). The Specifically, information relating to water, in the standard formats established by pertinent regulations, is contained in the Information System for the Protection of Water in Italy (SINTAI). The information and official data concerning water are submitted to ISPRA by the competent local authorities in compliance with the obligations of the European Union and international agreements on reporting (<http://www.sintai.isprambiente.it/>)

Finally, note that Italian Law 132/2016, which establishes the National System for the Protection of the Environment (SNPA), which includes ISPRA and the Regional and Provincial Agencies for environmental the protection are part of the System and ISPRA holds a steering and coordination role. As enshrined environment, in Article 1 defines the Law 132/2016 purpose of the SNPA has which is to perform “ensure uniformity and effectiveness in the exercise of the assessment and public control of the quality of the environment in support of environmental sustainability and health prevention policies to protect public health”. To this end, SNPA performs important roles, including functions

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such as: monitoring the environmental situation, state of the pollution environment, controlling the sources and factors, the of pollution of environmental pressure areas and the pressures on the environment deriving from human phenomena of anthropogenic or natural phenomena; origin, the public dissemination of technical and scientific data and official knowledge on the environmental situation state of the environment and its evolution; cooperation, partnerships with schools and universities for the launch preparation of programmes for environmental dissemination and environmental education; programmes, the evaluation of structures, functions and services. The Law additionally law also establishes the threshold essential levels for technical of environmental technical performance (*Livelli essenziali delle prestazioni tecniche ambientali* — Lepta) and the national network of accredited laboratories (art. 42). 12). ISPRA is assigned a role of direction and coordination.

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ConcerningAs far as **emergencies** are concerned, the National Service for Civil Protection, as re-organised by Service, as reorganised in accordance with Italian Law 225/1992, is in charge of protecting and subsequent amendments, up to the citizens regulatory reorganisation measure, which took place organically with the enactment of the *Civil Protection Code* in 2018 (Italian Legislative Decree no. 1 of 2 January 2018), aims to protect the population and the environment in case of the event of emergencies and other disasters, both natural and manmade disasters. All-man-made. Civil protection legislation provides for the obligation to take all possible preventive and repairing measures shall be adopted, mainly, especially in the framework context of local emergencies the provincial emergency plans, to prevent and deal with such events, including public the dissemination of any useful information made by all Public Authorities (public authorities (Italian Legislative Decree 195/2005). Moreover, the MoE MiTE and ISPRA websites work are used as tools to spread official information to dissemination tools for the scientific community, the media and the public. The regional centres cover an important role in alerting and raising awareness of the local population, giving priority to addressing contingent situations of risk (for example the Liguria Region Center's activities are focused on flood prevention and management).

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(b) With respect regard to paragraph 2, describe the measures taken to ensure that the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible to the public

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Currently, institutional Institutional websites are recurrently represent the major instrument main tool for the dissemination of environmental data and legislation and data (publications, reports, databases).

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For the implementation of correct and transparent information to the public, MiTE drew up the **2021 Communication Plan**, whose operational objectives are:

- Provide complete, fully accessible information on environmental priorities and key issues.
- Make people aware of the importance of environmental policies as tools for improvement not only for the environment but also for society and the economy, and of the fact that failure to implement them and the worsening of environmental threats pose a serious risk to well-being, health and economic development.
- Involve a diverse public, highlighting the role of individual citizens, in order to make them more responsible and engaged in a process that aims to spread the culture of sustainability throughout the country.

It has also reworked **the institutional website** <https://www.mite.gov.it>, and considering its centrality in the communication and information processes with respect to the general public, stakeholders and other Administrations, a technological and content review is under way in order to make it more usable, accessible and consistent with the Guidelines on accessibility and the design of IT tools disseminated by AGID.

To properly promote the content relating to projects and topics of particular importance, specific web initiatives (platforms, portals, newsletters, etc.) linked to the institutional website have been launched, offering important information tools managed by the individual organisations.

Below are the **main web platforms related to the institutional website that allow greater transparency and access to information by the public.**

CReIAMO PA Project website - <https://creiamopa.mite.gov.it/>: this is the tool used to inform the public about the project with a collection of documents, development of training content, and information.

Mettiamoci in RIGA Project website - <https://mettiamociinriga.mite.gov.it/>: The website is organised into sections and subsections dedicated to the collection of documents, the development of information content, and the further study of the training and informative materials produced within each project line.

Knowledge Platform (PDC) - Good practices for the environment and the climate - <http://www.pdc.mite.gov.it/>: a knowledge management platform that collects, systematises and makes available to the public the technical knowledge achieved in the context of the projects financed in Italy by the direct management programmes of the European Commission such as LIFE and Horizon 2020. The platform is updated daily with news on national and Community calls for funding and new regulations (publications, reports and environmental policy and ensures integrated multimedia and multichannel communication and an immediacy and ease of use that allows direct access to the technical content of good practices (about 140 projects) related to eight environmental issues (waste, resource efficiency, soil, urban environment, water, nature and biodiversity, climate and energy).

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ETS Portal - <https://www.ets.mite.gov.it/>: portal for the implementation of the European Union Emissions Trading System (EU ETS). The Portal allows for an interactive connection between MiTE/ETS Committee and the parties interested in the issuing of authorisations to emit greenhouse gases pursuant to Italian Legislative Decree no. 216/2006

Monitorpiani Portal <https://www.monitorpiani.it/>: collects the documentation and data bases. ISPRA's website is a good example: in 2015, it exceeded 3.5 million visits (+38% compared to 2014) and recorded around 38 million visited pages (+122% compared to 2014) and 9,000 daily visits on average of the waste management planning of Regions and autonomous provinces, allowing these bodies to fulfil legal obligations automatically and digitally. This tool has the advantage of allowing the Regions and the Autonomous Provinces to adapt their Plans to the standard necessary for them to comply with the regulatory requirements and allows the Ministry to analyse and process the information provided by the local authorities.

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SEA - EIA – IEA environmental assessments and authorisations portal - <https://va.mite.gov.it/it-IT/>: represents the single point of access to all environmental assessment and authorisation procedures relating to plans, programmes, projects and installations of state competence governed by Part Two of Italian Legislative Decree 152/2006. The Portal guarantees transparency and total accessibility of the data and documents held by the Directorate in order to protect citizens' rights, promote the participation of interested parties in administrative activities and procedures relating to environmental assessment.

Sapori dei Parchi Portal - <http://www.saporideiparchi.mite.gov.it>: a collector of information on the production of high-quality agri-foods in the 24 national parks and offers a systemic vision of the tourism services offered.

Parks Tourism Portal - <http://turismoneiparchi.mite.gov.it/>: a mapping of the cultural capital available in national parks. Project developed with the support of the Foundation for Sustainable Development to provide support for the possible launch of initiatives to make the most of protected areas, able to offer new prospects for employment and sustainable development.

"Strategy for the marine environment" Portal - <http://www.strategiamarina.isprambiente.it/>: dedicated to the implementation in Italy of Framework Directive 2008/56/EC on the Strategy for the marine environment, transposed by Italian Legislative Decree 190/2010. This information tool has the function of providing details on national actions concerning the Marine Strategy, in accordance with the provisions of Art. 16 of the aforementioned decree, which requires that MiTE ensure suitable tools for informing the public. In fact, it is possible to access the Public Consultation through this website.

Open data sets on specific environmental issues, such as those listed below, are also accessible through the Ministry's website.

Nature Database 2000 - <https://www.mite.gov.it/pagina/schede-e-cartografie>: contains the maps and standard forms of the SIC/ZSC and the ZPS designated pursuant to Directives 92/43/EEC "Habitat" and 2009/147/EC "Birds".

National Biodiversity Network - <http://www.nnb.isprambiente.it/it/il-network>: a shared data management system aimed at ensuring consultation and the efficient integration of information and maps on biodiversity at a national level. It is a strategic tool for making informed political decisions that can guarantee a sustainable use of natural resources.

Database of banned (restricted or authorised) substances - <http://bancasostanze.mite.gov.it>: collects information on more than 1,400 substances subject to bans, restrictions and authorisation obligations under the REACH Regulation, Regulation (EC) no. 850/2004 on persistent organic pollutants (POPs) and Regulation (EC) no. 1005/2009 on substances that reduce the ozone layer and subsequent amendments and additions. The objective is to facilitate access to public information on chemicals of particular concern such as Carcinogenic, Mutagenic and toxic for Reproduction (CMR), Persistent, Bioaccumulative and Toxic (PBT), very Persistent and very Bioaccumulative (vPvB) substances, substances with endocrine disrupting properties, substances considered as persistent organic pollutants (POPs) and substances harmful to the ozone layer.

REACH portal - Chemicals: informing citizens - www.reach.gov.it: created with the aim of coordinating and making available to the public information on chemical substances in implementation of Regulation (EC) no. 1907/2006 on the registration, evaluation, authorisation and restriction of chemical substances (REACH regulation). The Administrations that are part of the drafting committee include, in addition to MiTE, the Ministry of Health (REACH competent authority), the Ministry of Economic Development, the Higher Institute for Environmental information is conveyed numerous thematic sections and through a series of editorial tools like ISPRA's newsletter, SNPA's weekly News *AmbienteInforma*, EMAS newsletter and on-line magazines such as *IdeaAmbiente*. Protection and Research – ISPRA, Higher Institute of Health - ISS and the Regions: a coordination between Administrations that constitutes a unique experience at a European level.

Centralised Information System (SIC) on MSFD monitoring data - <http://www.db-strategiamarina.isprambiente.it/app/#/>: has as its objective the collection, management and sharing at a national and Community level of data from the Monitoring Programmes under the Marine Strategy

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Framework Directive (2008/56/EC). SIC makes the information standards, methods and data uploading flows – including formal quality controls – available to ARPAs and monitoring actuators. The reports envisaged by the Marine Strategy Framework Directive and the associated monitoring data are also freely accessible from the SIC home page and are divided into the different sections of the platform.

Information portal called "Portal of contaminated sites under reclamation – Sites of national interest (SIN)": makes available the documentation relating to the individual reclamation procedures under way (maps, degree of contamination, etc.). With regard to the provision of environmental data pursuant to Article 6 of Decree-Law no. 111 of 14 October 2019 (converted into Italian Law no. 141 of 12 December 2019, so-called "Climate Law"), in October 2020 the General Directorate of Innovation, Personnel and Participation Policies signed the **"Informambiente" Convention** with ISPRA, active until December 2022 for the implementation of the following activities:

1. Acquisition and systematisation of the data referred to in Article 6, paragraphs 1 and 2 of Italian Law 141/2019, as well as any further environmental data.
2. Provision of services for the interoperability of the data referred to in point 1 with the National Geoportal (NG) in compliance with Italian Legislative Decree no. 32/2010;
3. Publication of the data in the "Informambiente" section available from the institutional website.

Over the years, the offer of multimedia content has grown considerably and includes: live streaming broadcast of institutional events, scientific documentaries on the YouTube channel Ispravideo and video interviews published on IspraTV. In addition, in 2016, a new section was created for broadcasting environmental data: the dissemination of open data on the environment (Linked Open Data). Information, available in Italian and in English (the English content recorded around 1.5 million visits in 2015), the information complies with the directives on guidelines for content accessibility.

It is worth remembering the **Naturaitalia Portal** (*Portale Naturaitalia*), a web window accessible from the MoE website, addressed

Also worth mentioning is the **MiTE Naturaitalia Portal** (<https://www.naturaitalia.it/>), a website, both to a specialised for specialists and non-specialised public, experts whose objective is the dissemination of contents about content relating to protected areas, the huge Italian natural enormous heritage of natural resources of our country, and, in general, more generally the policies and initiatives undertaken carried out at the institutional level for biodiversity the protection of biodiversity.

A direct connection between the public and the Administration is guaranteed by the **Public Relations Office (URP)**, a structure that is able to provide information to users on:

- Organisational structure, offices and access times, and on how services are provided.
- Administrative procedures falling within the competence of the Ministry, those responsible, the progress and timing of the conclusion of proceedings.
- Access to administrative documents under the administrative transparency law.

The office responds to citizens' requests received at the email address urp@mite.gov.it. If it is not possible to respond directly, the URP will forward the request for information to the competent office, notifying the interested party.

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In this context, the ISPRA initiative that has given new life to the SI-URP project with a structured involvement of all the URPs of the regional and provincial environmental agencies that are all part of the new National System for the Protection of the Environment (Italian Legislative Decree 132/2016) has developed and launched a section in the SNPA Portal (<https://www.snpambiente.it/si-urp/>) dedicated to access to environmental records, documents and information that, through a single national electronic gateway, facilitates users in the use of the services offered to them and operates as a one-stop information desk, offering the user (citizen/company/associations/institutions) systematic, coherent and authoritative dissemination of the environmental information held.

With regard to accessibility to international laws, decrees and regulations on environmental issues, both MiTE and ISPRA have given wide access to these documents on their websites (see for example the MiTE archive on environmental legislation at <http://www.mite.gov.it/archivio-normative>). Other sources of information for public authorities are the various institutes and bodies that perform studies and collect data, such as CNR (National Research Council), ENEA (National Agency for New Technologies, Energy and Economics for Sustainable Development), ISTAT (National Institute of Statistics), ISS (Higher Institute of Health) and universities.

(c) With respect to paragraph 3, measures taken to ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public through public telecommunications networks,

The digitalization of Among the Public Administration is functional to reach the aim of efficiency, transparency, simplification and reduction of time and costs, as indicated in a variety of legislative provisions issued from 1990 on.

The Legislative Decree 82/2005 “Code of Digital Administration” (*Codice dell’Amministrazione Digitale* – CAD) foresees actions for the integration of data available at different government levels in order to increase the efficiency of information fluxes. One of the achievements in this direction is the creation of the Territorial Informative Systems (*Sistemi Informativi Territoriali* – SIT), which enable to manage, process and disseminate geo-referenced information, and to create integrated databases, equipped with infrastructural services to exchange and share territorial information. The use of public information managed by privates (Directive 2003/98/EC implemented with Legislative Decree 36/2004) is regulated by and subject to an organic set of norms.

Concretely, there are numerous databases with environmental information. The National Institute of Statistics (*Istituto Nazionale di Statistica* – ISTAT), publishes several documents, including tables of data on the issue of energy and environment.

ISPRA also manages environmental databases and makes them available to the general public through its website. These include FILARETE, the Database of the Local Agenda 21 and local sustainable planning and, the GELSO, a database that on good local sustainable development practices is recognised as a case study among the IT tools for accessing environmental information because of its cross-sectoral approach (<https://unece.org/electronic-information-tools-case-studies>). The database contains many numerous good practices on public participation, with in climate-neutral transition processes as well as examples of participation in environmental planning instruments adopted by many Italian cities such as Sustainable Energy Action Plans. More in general, ISPRA, through the SINAnet system, provides the public with the link to the main databases on environmental matters the application of circular economy models at a local level.

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It is also ISPRA created the National Section electronically (www.catasto-rifiuti.isprambiente.it) for a constantly updated and accessible source of knowledge on waste for the public.

The website was developed to allow navigation both with traditional systems (desktop and laptop computers) and with the most modern devices (smartphones, tablets, etc.) – responsive website.

The website contains complete databases, freely available and downloadable, on Urban and Special Waste and the National List of companies authorised to manage waste in a simplified and ordinary procedure.

The registry also includes a section on "Questionnaires and data requests".

Between February 2020 and February 2021 the registry website recorded 668,311 accesses with a daily average of 1,816 visitors. In total, 1,609,275 pages were visited during that same period. The majority of accesses (45.4%) concerned data relating to the production and separate collection of municipalities.

Also worth mentioning the **"REACH portal - Prodotti Chimici: informiamo i cittadini"** (Chemicals: citizen information) that provides accurate, homogeneous information is the **"REACH.gov institutional portal - Chemicals: informing citizens"**, a tool shared by the organisations involved in the implementation of Regulation (EC) no. 1907/2006 on the registration, evaluation, authorisation and restriction of chemical substances - REACH regulation (Ministries of Health, Ecological Transition and Economic Development, ISS, ISPRA and Regions), also mentioned above, which has the purpose of providing timely, uniform and detailed information on the issue of chemical substances. The database of prohibited or To date, the Database of banned (restricted or authorised) substances, conceived designed to be addressed also to facilitate the consultation of information even by a non-specialised specialist public, includes contains data on about approximately 1,200,500 substances that may threaten of concern for the environment and human health. The database is constantly updated according to the more recent norms latest regulations (<http://bancasostanze.mite.gov.it/>).

The experience promoted by the Ministry of the Environment with the National Biodiversity Network (**Network Nazionale della Biodiversità - NNB**) is also of particular interest. The NNB is a shared data management system that consists of a central node, for research and data management, and peripheral nodes that contain database with primary biodiversity data. Database differ in structure (different fields) and architecture (different DBs, like Access, Oracle, MySQL, etc.), but they can communicate through the Protocol Biocase. This ensures, through a set of rules, a communication between the nodes and the international community that participates in the network of Biocase. The Network is able to interoperate with similar international infrastructure (LifeWatch, GBIF, etc.) consistent with the requirements of the INSPIRE Directive (Legislative Decree no. 32/2010).

Another interesting experience is the **"Geoportale in Comune"** (Municipal Geoportal) initiative, launched by the Italian Ministry of Environment, in cooperation with the network of the Italian Association of Municipalities (ANCITEL). The project aims at collecting environmental information, at local level, which are consistent with the INSPIRE standards. The project aims also at disseminating best practices and sharing open source technologies. Data are published via the National Geoportal.

Of particular interest is also the experience promoted by MiTE with the **National Biodiversity Network (NNB)**, already mentioned above. It is a shared data management system created as a tool to support the National Biodiversity Strategy. <http://www.nnb.isprambiente.it/it/il-network>

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(d, e) With respect to paragraph 4, measures taken to publish and disseminate national reports on the state of the environment and measures taken to disseminate the information referred to in paragraph 5

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Many reports are published every year on the state of the environment.

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On its website, ISPRA provides access to more than 50100 publications. One of the latest most relevant is the Yearbook of Environmental Data (2014-2015 edition), Yearbook, which includes, among other things, an analysis of the state of the environment based on 287 indicators, statistical charts, a database, an educationalis a comprehensive and in depth study and a multimedia section. The yearbook is used as a basis for other important publications such as OECD and SOER complete official publication of national environmental reports (The European Environment — State and Outlook 2015), the Reports of the European Environment Agency and the environmental action strategy for sustainable development in data and information. The publication outlines the conditions of the environment in Italy, in accordance with CIPE resolution 57/2012. Another institutional report, released annually since 2004, is the report on the quality of urban environment which, in 2016, covered the full sample of 116 provincial capitals analysing a largedescribing 20 topics using a consistent set of indicators at municipal level (indicators made available in a specific data base on urban areas). —, detailed information and rigorous statistical data of high scientific value. The Yearbook provides the official environmental data for Italy, which are also included in the reports prepared by the European Environment Agency. Furthermore, it is the information used by MiTE for the report on the state of the environment, which is presented to parliament every two years. It is the result of the synergistic cooperation of the environmental agencies. The latest edition, published in 2020 (<https://www.snpambiente.it/2020/06/03/rapporto-ambiente-snpa-edizione-2019/>)

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Other ISPRA reports include: the report on climate report, the report on the national repository inventory of greenhouse gases, the report on atmospheric polluting agents, the report on urban waste, the report on the quality the national inventory of air pollutants, the report on the quality of the urban environment, the report on the "Habitat" and "Birds" Directives.

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The ISPRA library, certified Library, UNI EN ISO 9001 certified, open to the public and aimed at supporting the study and research of internal and external study and research activities, is specialised users, specialises in environmental issues, with particular reference to earth science, fishing, aquaculture, water monitoring, sediments and coastal areas, conservative biology, genetics, eco-ethology of wild homoeothermic fauna and issues related to sustainable development and to the environmental quality of human environments, such as urban areas. Its rich offer includes the full heritage of the Biblioteca del Servizio Geologico (Library of the Geological Service), established in 1873. The services offered include an on-line. The material is queried through an online catalogue, reference services, document supply and inter-library loan, via the main library available at the following link: <http://opac.isprambiente.it/SebinaOpac/Opac>, also structured for the search of maps of various kinds held by the Library, some of which can be downloaded by users.

Services are available to the public during extensive opening hours, and qualified personnel can also help perform complex, customised bibliographic searches that include document delivery and interlibrary loan services for materials not available on site thanks both to its membership in the major interlibrary cooperation networks, which the Library of the Institute has been involved in since their inception (SBN, ACNP, NILDE; but also SNPA's Rete SI Documenta — a documented network and Biblioteche di interesse ambientale B.I.A. Libraries of Environmental Interest), and its participation in the recent National System for the Protection of the Environment (SNPA).

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Other reports include: the report on equal and sustainable welfare in Italy, annual report published by ISTAT and CNEL; ENEA report on "Energy and Environment," the report "*L'Italia del riciclo*" (Recycling Italy) published by *Fondazione per lo Sviluppo Sostenibile* (Foundation for Sustainable Development) and by FISE UNIRE and the reports "*Ambiente Italia*" (Environment Italy), "*Eco-Mafia*" and "*Comuni Rinnovabili*" (Renewable municipalities) by Legambiente and the numerous regional reports such as the report on the state of the environment of the Piedmont region.

The reports Among the reports edited directly edited by the MoE include the Report on by MiTE, worthy of mention are the State of the Environment (currently under preparation) Report, the last of which was published in 2020, and the biennial reports on the implementation of the National Strategy for Biodiversity (Strategy (2015-2016, 2017-2018 and 2019-2020). Note that the fifth report concludes the decade of implementation of the SNB, and thanks to the assessments of that experience not only during the last two years 2019-2020 but throughout the entire decade (2011-2012, 2013-2014), 2020, it contains food for thought with useful suggestions for the drafting of the new Strategy for 2030.

Concerning access to environmental Laws, decrees and international treaties, both MoE and ISPRA made such documents widely available on their websites (see, for example the archive of MoE on environmental legislation: <http://www.minambiente.it/archivio-normative>).

Other reports are produced by institutes and bodies in charge of carrying out studies and collecting data such as CNR (*Consiglio Nazionale delle Ricerche* – National Research Council), ENEA (*Agenzia Nazionale per le nuove tecnologie, l'energia e lo sviluppo economico sostenibile* – Italian National Agency for New Technologies, Energy and the Sustainable Economic Development), ISTAT (*Istituto Nazionale di Statistica* – National Institute for Statistics), ISS (*Istituto Superiore di Sanità* – National Health Institute) and Universities.

Also of interest is the "Normattiva" project in implementation of Article 107 of Italian Law no. 388 of 2000 which had provided for the establishment of a fund for the financing of "initiatives aimed at promoting the computerisation and classification of current legislation in order to facilitate its search and free consultation by the public, as well as to provide tools for the activity of regulatory reorganisation", and had entrusted this task to the Presidency of the Council of Ministers, the Senate of the Republic and the Chamber of Deputies. <https://www.normattiva.it>

Other ISPRA websites relevant for the implementation of Article 5:

Pesticide portal

(<https://sinacloud.isprambiente.it/portal/apps/sites/#/portalepesticidi>)

The Pesticide Portal provides information on the national monitoring of pesticides in surface and underground water. The portal includes maps with levels of contamination collected to be compared with the legal limits (Environmental Quality Standard, abbr. SQA). Each monitoring point includes geographical information, the level of contamination, the pesticides searched and found with statistical data on the monitoring of the Yearbook.

Environment in Italy - Trends and Regulations - provides an overview of the environmental situation in Italy over the last two decades through two views: indicators with time series and composite indexes. To assess the status and trend of the phenomena described, time series of the most significant environmental variables are chosen. <https://annuario.isprambiente.it/sites/default/files/pdf/2019/Ambiente-in-Italia.pdf> (Italian version) <https://annuario.isprambiente.it/sites/default/files/pdf/2019/Italian-Environment.pdf> (English version).

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Summarising the environment - Concisely describes some environmental issues considered of primary interest or topicality for the public and for political decision makers. Comparisons with European data are presented and highlighted. The document also includes: summary tables composed of a brief definition of the topic and pieces of information accompanied by images or illustrative drawings and infographics used to illustrate the subject matter and represent the data. The infographics help to understand the main environmental information derived from the data and to communicate the message quickly.

<https://annuario.isprambiente.it/sites/default/files/pdf/2019/Ricapitolando-ambiente.pdf>.

<https://annuario.isprambiente.it/sites/default/files/pdf/2019/Infografiche.pdf>

Yearbook in figures – Drafted for the public, technicians, scholars and political decision-makers, this is a statistical document that provides a brief and more informative selection of the most significant contents and indicators for the areas covered by the Yearbook. For each indicator chosen, the document presents the most representative time series accompanied by brief comments, information or particularly relevant data. It is available in both paper and digital (PDF) formats from the website <https://annuario.isprambiente.it/sites/default/files/pdf/2019/Annuario-in-cifre.pdf>.

Comic strip - This initiative aims to tell a story by disseminating important information relating to a single environmental topic or a particular aspect. For this edition the subject is "Waste". "The cleaning of the seagull and the unsustainable garbage of the human being" is the title of this story represented with images of high environmental communication. The captivating language of the comic strip is the strategic choice that allows reaching a younger target.

Multimedia - Using images, sounds and animations, the video presents the salient contents of the state of the environment and illustrates the priority issues of greatest interest to a non-specialised audience, stimulating the search for more in-depth information.
<https://www.youtube.com/watch?v=29iUlhedycQ&feature=youtu.be>

Urban waste report - The document provides a fairly exhaustive snapshot of the urban waste management cycle in Italy, from collection to disposal, now in its 22nd edition, (<https://www.isprambiente.gov.it/it/pubblicazioni/rapporti/rapporto-rifiuti-speciali-edizione-2020>).

Special waste report: The Special Waste Report has reached its 19th edition and is the result of a complex collection, analysis and processing of data by the National Waste Centre and the Circular Economy of ISPRA, with the contribution of the regional and provincial Agencies for the Protection of the Environment, in implementation of a specific institutional task envisaged by Article 189 of Italian Legislative Decree no. 152/2006.
<http://www.isprambiente.gov.it/it/pubblicazioni/rapporti/rapporto-rifiuti-urbani-edizione-2020>

Report on urban areas. Over the years, the "Quality of the urban environment" Report produced by the National System of Agencies (SNPA) has become a national reference for the public and administrators thanks to the great amount of data presented and its assessments relating to the most important environmental issues of contemporary cities. The 2019 edition updates a rich set of environmental quality indicators for 124 of the most populous cities in Italy and for the 14 metropolitan cities.
<https://www.snambiente.it/2020/09/10/xv-rapporto-sulla-qualita-dellambiente-urbano-edizione-2019/>

Climate report The 15th report of the "Climate indicators in Italy" series illustrates climate trends during 2019 and updates the estimate of climate variations in recent decades in Italy. The report is largely based on data, indices and climate indicators derived from the National System for the

collection, processing and dissemination of Climatological Data of Environmental Interest (SCIA), carried out by ISPRA in partnership with and with the data of the bodies that run the main observation networks in Italy. (<https://www.isprambiente.gov.it/resolveuid/d3c1cad493324d0ebff778d6fc12b237>)

The report on the national gas inventory. The document describes itself as the official Italian communication of the inventory of greenhouse gas emissions in accordance with the provisions of the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol and the European Union's Greenhouse Gas Monitoring Mechanism. (<https://www.isprambiente.gov.it/it/pubblicazioni/rapporti/inventario-nazionale-delle-emissioni-in-atmosfera-1990-2018.-informative-inventory-report-2020>).

Land use, territorial dynamics and ecosystem services report: The report is a product of the National System for the Protection of the Environment (SNPA). Taken together with the maps and databases of attached indicators, the report provides an updated framework of the transformation processes of the soil cover and allows evaluating the impact of land consumption on the landscape and ecosystem services. <https://www.snpambiente.it/2020/07/22/consumo-di-suolo-dinamiche-territoriali-e-servizi-ecosistemici-edizione-2020/>

(f, g) With respect to paragraph 6, measures taken to encourage operators whose activities have a significant impact on the environment to inform the public regularly of the environmental impact of their activities and products and measures taken to publish and provide information as required in paragraph 7:

The national programme for the evaluation of the environmental footprint, launched by the Ministry of the Environment in 2011, promotes the analysis of the environmental performance of the productive processes of companies and organisations, with a particular focus on carbon print. The programme developed through the signature of numerous voluntary agreements and the participation of numerous companies in two public invitations to tender for small and medium sized enterprises, launched in 2011 and 2013 respectively.

The three-year agreement (2013-2016) between the Ministry of the Environment and Expo 2015 Inc. contributes to the same objective and is aimed at **measuring the emissions generated in the preparation of the Universal Exhibition and at identifying measures for mitigation and neutralisation**. In the framework of the agreement, a strategy for the sustainability of major events was defined and promoted.

Many industrial sites have registered to the EC eco-management and audit scheme (EMAS), a management tool for companies and other organizations focusing on their environmental performance, which envisages that participating sites make public a report on their environmental performance in return for being certified with an EMAS logo. In order to facilitate the use of EMAS by small and medium-sized enterprises (SMEs), an agreement between the MoE and the main business association (Confindustria) was signed in 2002. Within this framework, a public fund is used to contribute to consulting fees that SMEs are faced with.

Furthermore, the possibility of applying to EMAS logo has been granted to industrial districts. An example of EMAS obtained by industrial districts is the one in Pordenone area (north-eastern Italy) specialised in furniture production, based on an agreement involving the Provincial Government, the Region, the MoE and a committee of local furniture producers. EMAS as well as integrated product policies have recently been applied with success to tourist sites. Similarly, environmental reporting is encouraged on the basis of the Corporate Social Responsibility of enterprises. An example of best practice is represented by the autonomous

Province of Trento that in 2009 has enabled the EMAS certification in 51 Municipalities, 2 Public Services Agencies and 2 Parks.

The Emilia Romagna region is a model of excellence with regard to the public information on the environmental impact of products and activities. The Emilia Romagna Green Observatory (<http://imprese.regione.emilia-romagna.it/green-economy/temi/osservatorio-greener/osservatorio-greener>) provides a picture of the green companies operating at regional level. The Micro enterprises Environmental Management System (http://www.microsga.org/Home.asp?Page=1&id_gruppo=4) contains operational tools for environmental certification, including a self-assessment section which allows entrepreneurs to assess their compliance with the regional environmental legislation. The website www.teenologiepulite.it contains information on suppliers that respect ecological standards. The website www.mappedeleconsumo.it contains geo-referred information on 'conscious consumption' initiatives in Emilia Romagna (address, phone numbers, type of products). Moreover, the Life project PREFER ("Product Environmental Footprint Enhanced by Regions"), currently in its final stage, has promoted the calculation of PEF (Product Environmental Footprint) on eight typologies of goods produced in Emilia Romagna (www.lifeprefer.it).

(h) With respect to paragraph 8, measures taken to develop mechanisms with a view to ensuring that sufficient product information is made available to the public

Concerning product information, the MoE and ISPRA are committed, at different levels, in promoting the use of green labels, including **EMAS, Ecolabel, and Green Public Procurement GPP**. With reference to the latter, it is worth recalling that Italy, thanks to the recent Law 221/2015 and to the New Code on Public Procurement (Legislative Decree 50/2016), has been the **first country in Europe that set as mandatory the use of the Minimum Environmental Criteria in public procurement**. At European level the use of these criteria is incentivated but not completely compulsory. Minimum Environmental Criteria are those criteria inspired to environmental principles, i.e. saving energy or decreasing the use of natural resources that the Public Administration should consider when purchasing a service or a product. Up to date, Italy has defined Minimum Environmental Criteria for 17 categories of products or services (i.e. public lighting or IT products). Furthermore, the current legislation includes, among the criteria for the evaluation of the more advantageous offer, a consideration on the life cycle of the product and thus a perspective linked to the circular economy approach.

In order to give wide visibility to the normative on Green Public Procurement (GPP), the Ministry of the Environment launched a web page on GPP where a **monthly newsletter and a quarterly in-depth magazine** are published. An **informative video on the Ecolabel trademark** has also been distributed via web.

The legislation on GPP must be implemented at regional level. In Emilia Romagna, the Action Plan for environmental sustainability of public consumption (2016-2018) targets to reach the 50% of sustainable procurement by 2018 (<http://ambiente.regione.emilia-romagna.it/sviluppo-sostenibile/temi/green-public-procurement>).

The national voluntary system for the assessment and evaluation of the environmental footprint of products called "**Made Green in Italy**" is a new tool introduced by the article 21, clause 1 of the Law 221/2015. This trade mark will become a new instrument to inform the public about the ecological footprint of products. In 2016, in order to receive feedback from the public, the MoE put under consultation the draft regulation of the mark.

Since 2010, MiTE has been promoting the **National Environmental Impact Assessment Programme** to measure and improve the environmental performance of the private and public sectors. The program is aimed at Italy's top companies as well as small and medium-sized companies

belonging to the main sectors of the Italian production sector and public bodies including municipalities. The programme, which certifies both products (goods and services) and organisations, during its experimental phase focused mostly on an analysis of the carbon footprint of all the various environmental indicators due to its dual nature as an environmental driver closely linked to climate change and added value to the competitiveness of Italian companies in international markets.

VIVA - The Sustainability of viticulture in Italy is the program of MiTE that since 2011 has promoted the sustainability of the Italian wine sector and represents the public standard for the measurement and improvement of the sustainability performance of viticulture in Italy. VIVA provides both a product and organisational analysis based on the use of four indicators: Air (climatic footprint), Water (water footprint), Territory (social and economic sustainability) and Vineyard (agronomic management of the vineyard), accompanied by the relevant technical specifications. The results obtained, certified by an independent third party, are accessible to the public thanks to the **VIVA label** issued by the Ministry that bears a QR code linking to a web page, ensuring communication with the consumer. More than 100 companies participate in the programme. In order to facilitate the sharing of knowledge and to promote the issue of sustainability throughout the wine chain, an intense information campaign has been organised complete with a website, newsletters, sustainability education initiatives for schools, etc.

EU Ecolabel is the ecological label of the European Union created with the aim of promoting products that have a lower impact on the environment during the entire life cycle and offering consumers accurate, non-deceptive and scientifically based information on the environmental impact of products. In 2016 MiTE launched an information campaign with the aim of promoting the dissemination of correct information to the public/consumers, institutions and companies regarding the EU Ecolabel.

The competent Italian national body entrusted with the task of applying the Community initiatives is the Ecolabel and Ecoaudit Committee, established at the MiTE and composed of representatives of MiTE and the ministries of Economic Development, Health and Economy and Finance. It consists of two sections, Ecolabel and EMAS Italy. In addition to issuing certifications and participating in working groups of the European Commission, the Committee is entrusted with the important task of organising working groups with trade associations and implementing initiatives for the information and promotion of the two systems.

To meet the needs of the business world, EMAS and Ecolabel schools have also been established in Italy dedicated to the training of professionals, especially to support SMEs that want to adhere to the EMAS Regulation and/or brand their products and services with the EU Ecolabel.

With Italian Law no. 132 of 28 June 2016, SNPA was assigned an oversight function, with sampling, analysis, measurements, site visits and inspections of the sources and factors of environmental pollution and the pressures thereon deriving from man-made or natural causes, and the related impacts.

In its checks of the compliance of an industrial plant under IEA, ISPRA verifies not only general compliance with the law, but also with specific requirements established in specific administrative records: the authorisations.

Since Italian Legislative Decree no. 33/2013 on the *"Reorganisation of the rules on disclosure, transparency and dissemination of information by public administrations"* has greatly increased transparency, guaranteeing public access to environmental information, ISPRA, also pursuant to Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information, constantly publishes environmental information in periodic

reports for the purpose of an active and systematic dissemination to the public of data obtained from its monitoring and the aforementioned oversight of IEA installations that have an impact on the environment, including the most critical plants.

In January 2021, ISPRA stipulated a Cooperation Agreement with MiTE and ANCI on the dissemination to the public of information on the safety of plants at risk of a major accident through the new Seveso Query digital portal.

Seveso Query contains the information on industrial plants submitted by the operators, together with the results of the evaluation of the safety reports and inspections. The data collected are already available by territory to all the administrations that need them through access to a reserved area. Those of a public nature are also now available, updated in real time. The Agreement also constitutes an important contribution to the principle of transparency of the PA, providing accessibility to data and documents managed by public administrations.

(h) With regard to paragraph 8, measures taken to promote mechanisms to ensure that sufficient product information is made available to the public

In order to increase sensitivity and collective propensity towards more ecological and sustainable consumption, the Ministry has also invested in **communications for the dissemination of the GPP** through the distribution of a monthly newsletter and a quarterly magazine and through the production and dissemination of an **informative video on the Ecolabel** (the links are noted in chapter 14).

(i) With respect to paragraph 9, measures taken to establish a nationwide system of pollution inventories or registers.

~~The national register on pollutant releases and transfers was established as the INES register under Legislative Decree 372/1999 (subsequently amended and substituted by Legislative Decree 59/2005) for the reporting years 2002 to 2006 and then it was replaced by the national PRTR in 2008. The INES register is an inventory containing qualitative and quantitative information on pollutants released into water and into air by specific facilities defined at the EU level. Those facilities listed in EU Directive 96/61/EC concerning integrated pollution prevention and control (IPPC) and fulfilling the criteria set out in Ministerial Decree of 23 November 2001 must report under INES. Every year the data for the INES Register are collected through an on line procedure. The competent authorities validate the data and send the results to ISPRA, which analyses the data, draws up statistics and fills in the INES register. These data are sent to the EU by the MoE every three years. To implement in Italy the EU Regulation 166/2006 regarding the establishment of a European Pollutant Emission Register (E-PRTR) INES data collection procedure needed to be redesigned. Although the PRTR related national legislation (Presidential Decree n. 157/2011) was adopted only in October 2011, the national PRTR data collection was operationally implemented by ISPRA already in 2008 and has been taking place on a yearly basis since then. ISPRA is in charge of providing and disseminating environmental information related to the INES register. E-mail addresses are available to facilitate the public request of information on the Register, its collection of data, and interpretation of the information contained in the Register and accessibility.~~

~~Italy has signed the PRTR Protocol in 2003 and the ratification procedure is still ongoing.~~

~~**XII-** Italy signed the PRTR (Pollutant Release and Transfer Register) protocol in 2003 and ratified it with Italian Law no. 91 of 17 July 2020. And before the signing of that protocol there was the INES national register (National Inventory of Emissions and their Sources) established by Italian Legislative Decree 372/1999 (subsequently amended and replaced by Italian Legislative Decree 59/2005). In order to implement European Regulation (EC) no. 166/2006 on the establishment of a European Emissions and Transfers Register (E-PRTR) in Italy, the INES data collection procedure was reformulated and the National PRTR Register replaced the INES register starting in 2008.~~

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Obstacles encountered in the implementation of article 5

The implementation of Law EU Regulation 166/2006 has implied that new concerning the establishment of a European Emissions and Transfers Register involved critical tasks have been added for the Environmental Authority, such issues as it extends the management of a larger number of data derived by the increased number of industrial activities requested subject to report, reporting and requires an assessment of the obligation to evaluate the data quality of the data submitted. These changes have raised led to the need to identify identification of new competent authorities and the establishment of creation of a procedure for the assessment of data quality evaluation procedures for the Competent Authorities at national and local levels. Moreover a new or improved website would be needed in order to collect and host this quantity of data, because the present website contains only INES data. Also for the implementation of Legislative Decree 128/2010 with regard to the creation and management of databases on EIA and SEA applications there have been some challenges, both for by the competent authorities and for the proponents because the required documentation has at national and local levels. been widened. The MoE and the Regions have developed guidelines and technical specifications to ease the task.

XIII.

Further information on the practical application of the provisions of article 5

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The Knowledge Platform

An interesting case of data collection and dissemination is the knowledge platform recently created by the Ministry of the Environment: a tool for the enhancement of virtuous experiences realised in Italy in the environmental field thanks to EU funding.

In Italy there are a significant number of projects, funded by the European Commission within different Programs (LIFE, CIP Eco-Innovation, CIP Intelligent Energy Europe – IEE, the Seventh Framework Program for Research and Technological Development – FP7), that have successfully experimented environmental solutions, techniques, methods and approaches. The Knowledge Platform was set up to systematize all the best environmental and climate practices and to enhance and capitalize the experiences at the national level.

The platform focuses on 8 thematic sectors: waste, nature and biodiversity, water, urban environment, climate, energy, soil, efficient use of resources.

At the end of 2016, about 200 good practices have been included in the database and they should increase to 450 by the end of the current program period (2014-2020). The access to a single portal makes it possible to overcome information fragmentation, create correlations between projects and transfer technical knowledge. The platform contains innovative methodologies, experimental approaches, handbooks and guidelines and it is an effective tool to encourage sustainable development, innovation in the environmental field and actions for environmental protection.

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XIV. Website addresses relevant to the implementation of article 5

- ISTAT Environment and Energy Archive: <http://www.istat.it/it/archivio/ambiente-ed-energia>

- *Protezione Civile* Department: www.protezionecivile.it
- National Geoportal: <http://www.pcn.minambiente.it> <http://www.pcn.mite.gov.it>
 - National Biodiversity Network: http://193.206.192.106/portalino/home_it/dati.php
 - GPP's National Biodiversity Network: http://193.206.192.106/portalino/home_it/dati.php
- GPP Newsletter and Magazine: <http://www.minambiente.it/pagina/newsletter-gpp> <http://www.mite.gov.it/pagina/newsletter-gpp>
- Knowledge Platform: <http://www.pdc.minambiente.it/>
- Naturaitalia Portal: www.naturaitalia.it
- Legambiente environmental report on Italy: <http://www.legambiente.it/contenuti/dossier/rapporto-ambiente-italia-2016>
- REACH: www.reach.gov.it; <http://www.reach.gov.it/banche-dati-sostanze>; www.minambiente.it/pagina/reach
- Report on the state of the environment in Piedmont: <http://relazione.ambiente.piemonte.gov.it/2016/it>
- Relevant Knowledge platform: <http://www.pdc.mite.gov.it/>
- Naturaitalia portal: www.naturaitalia.it
- Legambiente Italian environment report: <http://www.legambiente.it/contenuti/dossier/rapportoambiente-italia-2016>
- REACH: www.reach.gov.it; <http://www.reach.gov.it/banche-dati-sostanze>; <https://www.mite.gov.it/pagina/reach-e-sostanze-chimiche> □ Report on the state of the environment in Piedmont:

- **Some ISPRa pages websites relevant for the implementation of article 5:**
 - ISPRa yearbook on environmental data: <http://annuario.isprambiente.it/>
 - ISPRa data base: <http://www.isprambiente.gov.it/it/banche-dati>
 - ISPRa Library: <http://www.isprambiente.gov.it/it/biblioteca>
 - ISPRa: www.isprambiente.gov.it
- ISPRa environmental data yearbook: <http://annuario.isprambiente.it/>
- ISPRa database: <http://www.isprambiente.gov.it/it/banche-dati>
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- ISPRa: www.isprambiente.gov.it
 - ISPRa report on "Report "Quality of the urban environment?": <http://www.areeurbane.isprambiente.it>
- "": <http://www.areeurbane.isprambiente.it> Network of the ISPRa National Information System: <http://www.sinanet.isprambiente.it/it/sia-ispranational> environmental information system;
 - Information video on Ecolabel: <http://www.minambiente.it/content/ecolabel-ue-cogli-un-fiore-un-ambiente-migliore>
 - Emilia Romagna Region's state of the environment report: <https://www.arpae.it/report-ambientali.asp?tipo-elenco=rep-ambientale&idlivello=1563>
- <http://www.sinanet.isprambiente.it/it/sia-ispra>
- National Information System for the Protection of Italian Waters (SINTAI): <http://www.sintai.isprambiente.it/>

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- Inventory of establishments at risk of major accidents related to dangerous substances (Italian Legislative Decree no. 105 of 26 June 2015 – Transposition Directive 2012/18/EU "Seveso Ter") called Seveso Query (see 1).
- Pesticide portal
(<https://sinacloud.isprambiente.it/portal/apps/sites/#!/portalepesticidi>)
The Pesticide Portal provides information on the national monitoring of pesticides in surface and underground water.

ARTICLE 6

XV. Legislative, regulatory, and other measures implementing the provisions on public participation with reference to specific activities put in place for the implementation of article 6

a)-

With respect to paragraph 1, measures taken to ensure that

(i) The provisions of article 6 are applied with respect to decisions on whether to permit proposed activities listed in annex I to the Convention; (ii) The provisions of article 6 are applied to decisions on proposed activities not listed in annex I which may have a significant effect on the environment;

The provisions of article 6, ensuring which ensures public participation in decision on the authorisation procedure for certain specific activities, are mostly implemented by in Italian Legislative Decree no. 152/2006, "Norms on the Environment" as amended by Italian Legislative Decree Law no 91/2014 (transformed converted into Italian Law 116/2014) and the Italian Ministerial Decree 30/03/2015 (concerning regarding projects subject to Regional/local procedure). All under the environmental assessment procedures (Strategic Environmental Assessment, SEA, Environmental Impact Assessment EIA responsibility of the Regions and Environmental integrated authorization AIA, as regulated by Autonomous Provinces). In fact, in part II Italian Legislative Decree 152/2006, Part 2, foresee public participation. The public is entitled to participate also in the screening procedure.

Legislation on EIA and IPPC, like any other sectoral environmental legislation, is complemented by general provisions on public participation in administrative decisions (Law 241/90) that focus on aspects not specifically regulated by sectoral legislation. According to this law, persons likely to be directly affected by the decision as well as anybody having a public or a private interest in a future decision by a public authority, including associations representing common interests, can participate in the decision-making where such interests are likely to be affected. More specifically, the concerned public, so defined, is entitled to receive the relevant information, to have access to all documents and to give comments which have to be taken into consideration.

The REACH Regulations (1907/2006/EC), on Registration, Evaluation, regulates the procedures for the Strategic Environmental Assessment (SEA), the Environmental Impact Assessment (EIA) and the Integrated Environmental Authorisation and Restrictions on Chemicals, provide for the participation of EU citizens in decisional processes in the field of chemicals. In accordance with the provisions of Regulation, ECHA (European Chemicals Agency) carries out a high number of public consultations on substances under the specific REACH and CLP processes. Public consultation notices are published on the national portal www.reach.gov.it.

In case of plans or projects likely to have a significant effect on a Natura 2000, either individually or in combination with other plans or projects, an Appropriate Assessment, in accordance with the provisions of provisions of Article 6 of the Habitats Directive 92/43/EEC to determine its implications for the site has to be undergo. The report should be made available (IEA) providing for consultation with relevant nature conservation agencies and the public mechanisms with all social stakeholders.

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The **REACH regulation** (EC no. 1907/2006) concerning the registration, evaluation, authorisation and restriction of chemical substances also establishes that citizens of the European Union can participate in the decision-making processes on chemical substances. This participation is guaranteed through the public consultation procedure followed by the ECHA (European Chemicals Agency) with an invitation to interested parties to express observations, opinions, proposals and comments at certain stages of the required procedure. Notices on current consultations (translated into Italian) are available on the portal www.reach.gov.it.

Furthermore, in order to broaden the awareness and involvement of citizens and stakeholders, starting in 2019 MiTE launched public consultations on the final ECHA opinions on restrictions and recommendations for the inclusion of substances of very high concern (SVHC) in Annex XIV of the REACH Regulation (substances requiring authorisation). These consultations are aimed at acquiring further useful elements for the definition of a national position on measures concerning bans and limitations of chemical substances (<http://consultazionireach.mite.gov.it/>).

In the case of plans or projects that may have a significant impact on a Natura 2000 site, the **Impact Assessment** procedure introduced by Article 6 of Directive 92/43/EEC (Habitats Directive) applies. Impact assessment is a prevention tool that analyses the effects of interventions in a dynamic ecological setting such as that of Natura 2000 sites. With the adoption of the National Guidelines for Impact Assessments (OJ 303 of 28.12.2019), the methods of public participation and access to environmental information regarding the procedures referred to in art. 6, paragraphs 3 and 4 of the Habitats Directive were clarified.

(b) Measures taken to ensure that the public concerned is informed early in any environmental decision-making procedure, and in an adequate, timely and effective manner, of the matters referred to in paragraph 2

Article 3-sexies of Italian Legislative Decree no. 152/2006, Part I, ensures "access to environmental information" relating to the state of the elements of the nation's environment and landscape, even if countryside" regardless of the demonstration of a legally relevant substantive interest. Interest is not state and ensures public participation at different stages of the decisional process, before decisions concerning such of drawing up, modifying and reviewing proposals for plans or programmes are adopted related to the environment before decisions are taken on them.

The information and participation are guaranteed by:

Public awareness of Environmental Assessment procedures is ensured by the competent authority (MiTE or regional competent authorities), which for the duration of the public consultation phase envisaged by the regulation publishes on its website:

- For the SEA procedure: announcement of commencement of the procedure, the proposal of the plan or programme and the environmental report.
- For the EIA procedure: the main documents filed (preliminary project, preliminary environmental study), and the notice published in the press by the proposer in national/regional newspapers (EIA) or in a regional newspaper (for projects under state responsibility) or a regional or provincial newspaper for projects administered regionally).
- For both procedures: the possibility of submitting observations.

The authority is responsible for publishing a notice in the Official Journal of the Italian Republic ((EIA and SEA Screening)) of the starting procedure and of the locations where it is possible to view the administrative and technical documentation; in the notice it is possible to identify the main features of the plan/programme/project and the locations where refer to the

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documentation, the timing and the methodologies to submit any comments, contributions, opinions, memories, etc., or in the Official Journal of the region or autonomous province concerned.

- the publication on the website of the Ministry of the Environment dedicated to the Environmental Assessments of the starting procedure (in the State), the administrative and technical documentation (planning and environmental, in language appropriate to an audience not necessarily expert), the deadlines and the means by which send comments, contributions and opinions; through the website citizens can then continue to follow the progress of the on going procedure until the final outcome.

Public awareness of Strategic Environmental Assessment (SEA) procedures is ensured by the competent authority (MiTE or regional competent authorities), which for the duration of the public consultation phase envisaged by the regulation publishes on its website:

- Announcement of commencement of the procedure, the proposal of the plan or programme and the environmental report.
- The procedure for submitting observations.

The competent authority is responsible for publishing a notice in the Official Journal of the Italian Republic or in the Official Journal of the region or autonomous province concerned.

(c, d) Measures taken to ensure that the time frames of the public participation procedures respect the requirements of paragraph 3; With respect to paragraph 4, measures taken to ensure that there is early public participation;

Timeframes The timing for presenting/submitting observations vary according to changes based on the specific assessment/evaluation procedure, however, timeframes for consulting the public concerned but is not shorter/never less than 30 days:

- in the case of SEA procedures, observations and comments have to be submitted within 60 days from the publication of the notice by the proceeding authority on the Official Journal of the Italian Republic (Legislative Decree 152/2006, art. 14, clause 1);
- in the case of screening for EIA, observations and comments have to be submitted within 45 days from the publication of the notice on the website of the competent authority (art. 20 clause 2 of the Legislative Decree 152/2006);
- for EIA procedures, observations and comments have to be submitted within 60 days from the date of the notice published in the newspapers (art. 24, clauses 1, 2, 3 of the Legislative Decree 152/2006).

The Ministry of the Environment MiTE, or the competent regional authorities, may decide to consider possible acquire and evaluate any observations submitted/received after the deadline, according to the time framework/terms set by Legislative Decree 156/2006 the law, consistent with the timing envisaged by Italian Legislative Decree no. 152/2006 and subsequent amendments for the performance of technical and structural activities and for the expression of the final measure.

(e) With respect to paragraph 5, measures taken to encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit;

In Italy, the last evaluation processes for Community programmes in the 2014-2020 programming periods, 2014-20 Italy has developed a notable experience in the application period presented an opportunity to develop procedures, methods of public participation practices (survey and, above all, forms of inter-institutional cooperation (surveys, questionnaires, meetings) in the field of Strategic

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~~environmental assessment (SEA) that now constitute a solid foundation for administrations and that are also of cohesion-cooperation programmes, which actually represent a valuable knowledge to be used in different assessment procedures, great help for evaluation processes in other planning areas.~~

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(f, g) With respect to paragraph 6, measures taken to ensure that: (i) The competent public authorities give the public concerned all information relevant to the decision-making referred to in article 6 that is available at the time of the public participation procedure; (ii) In particular, the competent authorities give to the public concerned the information listed in this paragraph; With respect to paragraph 7, measures taken to ensure that procedures for public participation allow the public to submit comments, information, analyses or opinions that it considers relevant to the proposed activity.

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~~EIA legislation requires that the public be informed at an early stage of the procedure.~~

~~In order to ensure the effective participation of the public concerned in the decision-making procedures, the public is informed electronically and by public notices.~~

~~At national level, the Ministry of Environment established a central portal that allow the public to access that information easily and effectively (www.va.minambiente.it).~~

~~The comments can be submit as follows: writing to the Ministry of the Environment Land and Sea Direction General for Environmental Assessments Division II Environmental Assessment Systems in electronic form, using the Certified E-mail:~~

~~DG.Salvaguardia.Ambientale@PEC.minambiente.it~~

~~The Environmental Assessment portal of the Ministry of the Environment provides real time information about the progress of ongoing environmental assessments procedures~~

~~The availability of technical and administrative documentation relating to environmental assessment procedures by the relevant competent authorities ensures public participation in decision-making processes. The participation procedures allow the public to present any **observations** or requests for information, analysis or opinions deemed relevant not just "*in writing or, as the case may be, during hearings or public investigations in the presence of the applicant*" as envisaged by the current text of Article 6 of the Convention, but also "**electronically**", in the manner established by Italian Legislative Decree no. 82/2005 as amended.~~

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(h) With respect to paragraph 8, measures taken to ensure that in a decision due account is taken of the outcome of the public participation;

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~~Decisions take due account comments from the public justification of EIA decisions and SEA **the results of public participation are taken into due consideration in decision-making.**~~

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~~A list of all comments received from the public is published on the Environmental Assessment portal and a statement summarising how environmental considerations and comments from the public have been integrated into the plan or projects is included in the decision.~~

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~~**(i)** The results of the consultations must be duly taken into account and form an integral part of the plan, programme or project documentation. In fact, in accordance with the methods of the various procedures, the documentation must provide evidence of how such considerations have been taken into account. The comments presented by the public are made available online by MiTE and many Regions.~~

With respect to paragraph 9, measures taken to ensure that the public is promptly informed of a decision in accordance with the appropriate procedures;

~~The decisions resulting from provision of the Environmental Impact Assessment process by the EIA/SEA evaluation process are Commission and the Decree on environmental compatibility is published on in newspapers, on in the Official Gazette of the Italian RepublicJournal, or in the Official Journal of the Region and on the website of the competent authority.~~

~~In accordance with the specific procedures, the competent authority make available to the public the following information:~~

- ~~the content of the decision and any conditions attached thereto,~~
- ~~the main reasons and considerations on which the decision is based, including information about the public participation process,~~
- ~~a description of the main measures to avoid, reduce and, if possible, offset the major adverse effects.~~

(j) With respect to paragraph 10, measures taken to ensure that when a public authority reconsiders or updates the operating conditions for an activity referred to in paragraph 1, the provisions of paragraphs 2 to 9 are applied, making the necessary changes, and where appropriate;

~~Screening procedures for changesPublic participation is also envisaged in the screening procedure aimed at defining whether or not the project or plan presented – or modifications and extensions of existing activities includes public consultations:~~

~~Monitoring activities allow to identify thereto – may have a significant environmental effects of projects activities or resulting impact, and therefore should be subject to an additional EIA/SEA procedure. Monitoring ensures a control of significant impacts on the environment deriving from the implementation of the approved projects, the implementation of the approved plans and programmes and help in determine whether the verification of the achievement of the sustainability objectives established, and therefore makes it is appropriate to apply possible to identify any need for application of the provisions of article 6 para. 2-9.~~

~~Monitoring is performedcarried out by the proceeding authorityrelevant Authority in cooperation with the competent authoritiesAuthority, also working with the support of environmental Agenciesagencies and ISPRA as well.~~

(k) With respect to paragraph 11, measures taken to apply the provisions of article 6 to decisions on whether to permit the deliberate release of genetically modified organisms into the environment.

~~In 2005, the MATTM, in cooperation with the Bio safety Unity of the ICGEB (International Centre for Genetic Engineering and Biology) of Trieste, established the Italian node of theMiTE established the web platform called Italian Biosafety Clearing House (BCH) with the objective of following goals:~~

- ~~implementingImplement the obligations of The set out in the Cartagena Protocol on Biosafety, ratified by Italian Law no. 27 of 14 January 2004 on public awareness and participation (Article 20 of the Cartagena Protocol).~~
- ~~implementingImplement the Aarhus Convention and the Almaty amendment on GMOs;~~
- ~~complying with the EU Almaty Amendment on GMOs; comply with European Union legislation (Directive 2001/18/EC) and Italian legislation for (Legislative Decree no. 224 of 8 July 2003) on information and public hearingsconsultation on GMOs.~~

XVI.

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Describe any obstacles encountered in the implementation of any of the paragraphs of article 6.

While ~~Article 6 paragraph 10~~ public participation is envisaged and regulated at a legislative level, ~~there are still weaknesses relating to the actual participation of the Aarhus Convention is clearly addressed public in the National legislation, particularly legislation concerning EIA and SEA procedures, these decision-making processes. Above all there is still the need for:~~

- ~~• strengthening public attitude towards public consultation and appropriate awareness on legislation to ensure effective public participation in accordance with the Aarhus Convention;~~
 - ~~• national guidelines concerning participation, partnerships and consultations.~~
- An increased propensity to participate and cooperate.
 - National guidelines on participation, partnership and consultation.

- XVII.

Provide further information on the practical application of the provisions on public participation in decisions on specific activities in article 6, e.g. are there any statistics or other information available on public participation in decisions on specific activities or on decisions not to apply the provisions of this article to proposed activities serving national defence purposes

- Page on the MiTE website on EIAs and SEAs: www.va.mite.gov.it
- MiTE page dedicated to IEAs: www.aia.mite.gov.it

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ARTICLE 7

XIX. Practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment pursuant to article 7

The text of Article 7 calls for the application not only of paragraphs 3, 4 and 8 of Article 6, but also of paragraph 7 of Article 6 (thus ensuring that the participation procedure allows the public to present any observations on plans, programmes and policies of an environmental nature in the same forms as those already envisaged in the previous Article 6 with respect to participation in decisions relating to specific activities).

- **Italian Legislative Decree no. 152/2006** and subsequent amendments (see in particular Italian Legislative Decree no. 128/2010) "Environmental regulations" transposes EU Directive 2001/42 and reorganises the Italian legislation on the environment, updating it with the regulations deriving from the relevant European directives. Part Two, Title II regulates the **Strategic Environmental Assessment (SEA)**, which can be considered the primary instrument for public participation in decision-making processes.

- At the local level, public participation is also promoted through numerous **legislative and/or statutory provisions**. One example is the Regional Law of Emilia Romagna no. 3/2010, art. 6 which establishes various instruments for promoting participation, for example through "a special annual session on the participation of the Legislative Assembly" and a "report on participation in the territory of the region".

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XX. Opportunities for public participation in the preparation of policies relating to the environment provided pursuant to article 7

The term "policies" incorporates plans, programmes, strategic and regulatory documents that contribute to defining an orientation. Public participation in the preparation of environmental policies is promoted using the methods enumerated in the previous section and through **online public consultations**.

Between 2018 and 2021, MiTE launched numerous online consultations on **strategies, programmes and action plans**, such as the National Climate Change Adaptation Plan (PNACC), the Integrated National Energy and Climate Plan (PNIEC) (2019), the Long-term Strategy on Reducing Greenhouse Gas Emissions (2019) and the National Strategy on Sustainable Development.

Environmental Assessment Portal

The Environmental Assessment portal (www.va.minambiente.it) of the Ministry of the Environment provides real-time information about the progress of ongoing environmental assessments, administrative information and technical documents concerning projects, plans and programs under assessment, acts and judgment issued from 1989 to date, statistics, synthesis data of concluded assessments, as well as guidelines, technical indications and forms, and useful data and information to carry out environmental studies.

The Environmental Assessment Portal has recently been praised by the European Commission as *best practice* at EU level, since it anticipated the provisions of the new EIA directive (2014/25/UE) on environmental information which shall be implemented by 2017. **PNIEC, an example of extensive consultations**

At the end of 2019, Italy sent the European Commission the **Integrated National Plan for Energy and Climate (PNIEC)** for the period 2021-2030 aimed at identifying national policies and measures to comply with European objectives on climate change and renewable energies. Preparation of the PNIEC involved the following:

- Online public consultation: started on 20 March 2019 using a dedicated online portal and ended on 5 May 2019. Expert consultation: outside experts such as independent authorities, concessionaires like TSO (TERNA, SNAM), distributors, research bodies and universities, independent experts and trade and workers' associations were invited to participate with 49 questions.
- Discussions with regions and local authorities: the PNIEC proposal was the subject of talks with the Regions and local authorities during the conference of state-regions-cities and local governments.
- Recommendations from the European Commission: Italy took an active part in all meetings of the technical group held between 2018 and 2019.
- Strategic environmental assessment: the two phases of consultation were carried out.
- Discussions with other member states: in 2019 consultations were launched with the neighbouring/interested countries – Slovenia, Hungary, Croatia, Austria and Malta – and continued afterwards.

- MATTM page on EIA and SEA: www.va.minambiente.it
- MATTM page dealing with EIA : <http://www.aia.minambiente.it/>
- Emilia Romagna Region:
Web portal SEA and EIA:
<http://ambiente.regione.emilia-romagna.it/sviluppo-sostenibile/temi/via>
Web portal IPPC:

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~~<http://ambiente.regione.emilia-romagna.it/sviluppo-sostenibile/temi/autorizzazione-integrata-ambientale-aia>~~

ARTICLE 7

~~XX.— Practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment pursuant to article 7~~

Public participation to decision making in approving plans and programs has increased at all levels and is now widely spread. Public participation to decision making on plans and programs is guaranteed mainly through the application of the SEA procedure.

Legislative decree 152/2006, “Norms on the Environment”, Part 2, Title II, as modified by Legislative Decree 128/2010, dealing with ~~Strategic Environmental Assessment (SEA)~~, (implementing EC Directive 2001/42 on the assessment of the effects of certain plans and programs on the environment) addresses public consultation on the environmental impacts of a proposed plan or program which could have a significant impact on the environment or on cultural heritage at national, regional, local and transboundary level. The new procedure for public consultation is similar to the one for the EIA: the notice is published in the official Gazette or in the regional bulletins of interested regions, the documentations is at the disposal (including on line) of the public which is allowed 60 days for commenting, including though electronic tools. Comments from the public are taken into consideration while the competent authority takes the final decision, accompanied by a motivated opinion. To be an Italian citizen is not a requisite in order to participate to the consultations, so the principle of non discrimination is guaranteed. Furthermore, Legislative Decree 152/2006 as modified guarantees that the same standards for public participation are applied everywhere in the national territory.

As a follow up to discussions about implementation of art. 2.2 of EU directive 2003/35 on ~~public participation in certain plans and programs~~, Italy has inserted explicit norms to foresee public participation on plans and programs related to waste, protection of water by nitrate pollution and air quality (see art.12 of the so called “EU Law 2013bis”), even if in practice public participation was already occurring (one important recent trend by public authorities is to always apply SEA procedure, including its public participation requirements, even in cases where discretion is still available).

At local level, public participation is also promoted through various ~~regulatory and statutory~~ requirements. For example, Emilia Romagna regional Law n. 3/2010, art.6 envisages various instruments aimed at strengthening participatory processes (i.e. “a dedicated annual session on participation during Legislative Assembly” and “a report on the territorial participation the Region)

Public participation is implemented also in the ~~Local Agenda 21~~ process since local programs for sustainable development are discussed in a consultative forum, in which the public and stakeholders are represented. ~~The participatory Agenda 21 process follows~~ two main steps: a) the creation of a dedicated 'local forum for agenda 21' which foresees the involvement of local territorial stakeholders interested in pursuing a specific 'Agenda 21 local project'; b) the drawing up of an Agenda21 Action Plan: a strategic document targeting all parties involved (Local Authorities, enterprises, organizations, associations, schools, media). To date, an Italian coordination of Local Agenda 21 has been established and is made up of 240 local authorities.

~~XX. Opportunities for public participation in the preparation of policies relating to the environment provided pursuant to article 7~~

The term “policies” includes plans, programmes, strategic documents and legal acts setting out the general guidelines.

Public participation in policy making is being fostered, amongst others, through on line consultations. Between 2013 and 2016 the MoE launched numerous ~~on line consultations~~ on

strategies, programmes and action plans, for example on the National Strategy for Adaptation to climate change (2013), the National Action Plan on the sustainable use of plant health products (2014), the Marine Strategy (2014), the “Made Green in Italy” (2016) and on the **National Strategy on Sustainable Development (2016)**. With regard to the latter, the Ministry of Environment, as provided in art. 3 of Law 221/2015, proceeds with the update of the Strategy on Sustainable Development after consulting recognised environmental associations. The updating of this Strategy is a very important and complex work. It falls within the aims of the 2030 UN Sustainable Development Agenda and addresses diverse and cross-cutting aspects. Thus, the Ministry launched civil society consultations in the preliminary phase of the updating process which involved a first analysis and assessment of the Italian position vis-à-vis the 17 Sustainable Development Goals (SDGs). In June 2016, a public consultation was launched through a series of thematic meetings. About 200 civil society organizations were invited to participate in these meetings.

In the framework of the **2014 National Action Plan for Energy Efficiency** (*Piano di Azione Nazionale per l'Efficienza Energetica 2014* PAEE 2014) several consultations were carried out:

- in 2014 and 2015, public consultations were held with the objective of collecting comments and suggestions on the National Plan for Increasing the Nearly Zero Energy Buildings and on the Strategy for the Energy Requalification of Buildings;
- in February 2015, the Ministry for Economic Development and the MoE launched a public consultation on the strategies for promoting the improvement and simplification of the incentive mechanism for the production of thermal energy from renewable resources and at increasing small size energy efficiency (New Thermal Count);
- in August 2015, public consultations on the system of White Certificates for a more efficient and effective use of resources were launched.

The **National Programme for Waste Prevention** (Directorial Decree 7 October 2013), was also drafted on the basis of a prior public consultation carried out through an online questionnaire diffused on the website of the Ministry of Environment and through stakeholders hearings.

Different Fora were also opened National Strategy on Sustainable Development: in accordance with the provisions of Article 3 of Italian Law 221/2015, MiTE updates the Strategy after consulting with the recognised environmental associations. To update the National Strategy, the Ministry has already started consulting civil society during the preliminary phase of this work, consisting of an initial analysis and assessment of Italy's positioning with respect to the 17 objectives (SDGs) and the 169 targets of the 2030 Agenda.

The Italian Long-Term Strategy for decarbonisation (LTS), developed in cooperation with the Ministry of Economic Development, the Ministry of Infrastructure and Transport and the Ministry of Agriculture, Food and Forestry Policies, outlines the direction that Italy will have to follow for the next 30 years to ensure the decarbonisation of the economic and social system, seeking to arrive at "climate neutrality" by 2050. It was adopted in February 2021. The Strategy will have a profound and wide-ranging impact on the national socio-economic system, therefore several consultations have been organised:

- October 2019: online public consultation in the form of a multiple-choice questionnaire, concluded in November 2019. Section 2 is addressed to civil society in order to learn about respondents' propensity to change their lifestyle and how they think their habits may be influenced by the transition to a low-carbon economy. Section 3 is aimed at experts working in the fields of industry, transport, agriculture and land use, sectors that will play an important role in the decarbonisation process. 61 completed questionnaires were collected, of which 28 came from citizens and 33 from private associations/companies. The sector of greatest public interest was transportation.

- Sectoral technical meetings with trade associations, key players, environmental associations, trade unions, consumers and think tanks, in order to collect information, especially on technologies with greater potential for decarbonisation.

In 2016 the development of the **National Plan for Adaptation to Climate Change (PNACC)** was launched, and during 2017 and 2018 the contents of the draft PNACC were shared with state public administrations, regional and local institutions, research bodies and various stakeholders. Two electronic public consultations and a scientific review were carried out during the same period. After an examination by the Conference of Regions and Autonomous Provinces, a structured participatory process for the PNACC was initiated, like the one for the SEA procedure, and in June 2020 the request for the start of the verification of eligibility for the SEA of the PNACC was submitted to the competent Authority, thus resulting in a consultation with the Parties Competent in Environmental matters (PCE). The evaluation phase of the preliminary Report has now been launched and consultation on this phase is still open to PCEs. The public will be involved in the next phase of evaluating the Environmental Report.

Several **Round tables** are also planned to promote public debate a discussion on environmental issues, such as: the **Forum on coastal erosion**, round table coordinated by ISPRA with CNR and the university network; the information and consultation **Forum** round table with consumers consumer associations on **the REACH Regulations Regulation** (see **Chapterchapter III**); the consultation **Forum** round table on the **National Strategy on Biodiversity: Strategy**.

The **National Strategy for the Adaptation to Climate Change** was adopted by

Also worthy of note is **Directorial Decree Nono**, 86 of 16/06/2015. The Decree establishes (Art. 2, clause 2) that adopts the creation, within **National Strategy for adaptation to climate change** which in Art. 2, paragraph 2 calls for the MoE establishment at MiTE of a "**Permanent Forum to promote public for the promotion of information, participation to training and decision-making and training**" capacity of the public and of stakeholders" and a "**National Observatory made up of Representatives composed of the Regions and local authorities, to identify and regional representatives for the identification of territorial and sectoral priorities, as well as to monitor successive for the subsequent monitoring of the effectiveness of adaptation actions**".

Similarly, the **Governancegovernance** structure of the **National Strategy for Biodiversity** provided **Strategy** calls for the **creationestablishment** of a **joint Committee on Joint Biodiversity**, made up of representatives of central, regional and provincial administrations and supported, for technical and scientific aspects, by the **National Observatory on Biodiversity: Committee** composed of representatives of institutions, research authorities, central administrations and autonomous regions and provinces, supported for technical and scientific societies.

At regional level, the Emilia Romagna Region is developing the **Regional Strategy for mitigation and adaptation to climate change** through a public participatory process. This aspects by the **National Biodiversity Observatory** composed of representatives of institutions, research bodies, protected areas of national and regional importance and scientific companies. Finally, the last body of the governance structure is the **Consultation Round Table** comprised of representatives of the main economic, production and environmental associations, thus ensuring the full and constant involvement of stakeholders in the process of implementing and reviewing the strategy will allow to assess the implications of climate change in various concerned areas.

XXI. Obstacles encountered in the implementation of article 7

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It is noted that, in some cases, there was a delay in starting the assessment/evaluation process is delayed vis-à-vis with respect to the planning timeline.

Additionally, phase. Furthermore, information regarding on public consultations is not always adequately disseminated by the Administrations while administrations and there may not be clear feedback on the concrete impact of determined by public participation on the decisional decision-making process is not always reported.

~~XXI.~~ **XXII. Further information on the practical application of the provisions of article 7.**

Relevant websites National Forum on River Agreements

In several Italian Regions, the so-called "River Agreements" (Contratti di Fiume - CdF) have spread. The River Agreements are voluntary instruments for strategic and negotiated planning aiming at promoting the protection and correct management of water resources, the enhancement of the surrounding territories, the protection from hydraulic risk, and, more broadly, pursuing local development. River Agreements, which include lakes/coasts/outlets, are formal commitments to "put the shared decisions stemming from the participative process into a formal agreement". In 2007, a **National Forum on River Agreements** was created as a coordination group for Local Agendas 21, gathering the representatives of the institutions, Regions, environmental associations, professional associations and privates. During the State Regions Conference (Conferenza Stato Regioni), the work of the **National Forum of River Agreements** led to a shared National Charter of River Agreements (2010) which has already been signed by 14 Regions, while the others have already started accession procedures. Furthermore, numerous Regions have issued dedicated regulations on River Agreements. In 2015, the forum coordinated by the Ministry of Environment and by ISPRA, led to a document on the quality requirements for River Agreements. The category of River Agreements has recently been recognized by Law 221/2015.

XXII. Website addresses relevant to the implementation of article 7

- Local Agenda 21 coordination: www.A21italy.it
- MATTM page on EIA and SEA consultations: www.va.minambiente.it
- Strategy for Sustainable Development: <http://www.minambiente.it/pagina/la-strategia-nazionale>
- Aosta Valley Region - Water management and protection: http://www.regione.vda.it/territorio/pta2016/default_i.aspx

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XXH-XXIII. Relevant websites

- Long-term Italian strategy on the reduction of greenhouse gas emissions: <https://www.mite.gov.it/notizie/cambiamenti-climatici-trasmessa-bruxelles-la-strategia-nazionale-di-lungo-periodo> and consultations: <https://www.mite.gov.it/comunicati/clima-al-oggi-la-consultazione-pubblica-sulla-strategia-di-lungo-termine>
- Integrated energy and climate plan: <https://www.mite.gov.it/comunicati/pubblicato-il-testo-definitivo-del-piano-energia-e-clima-pniec#:~:text=Roma.%2021%20gennaio%202020%20-%20E%20stato%20pubblicato,Sviluppo%20Economico,%20dell'Ambiente%20e%20delle%20Infrastrutture%20e%20Trasporti> and MiTE page dedicated to PNACC SEA consultations: <https://www.mite.gov.it/pagina/valutazione-ambientale-strategica-del-piano-nazionale-di-adattamento-ai-cambiamenti-climatici>
- Coordination of 21 local agendas: www.A21italy.it
- Page on the MiTE website on EIAs and SEAs: www.va.mite.gov.it
- Sustainable Development Strategy: <http://www.mite.gov.it/pagina/la-strategia-nazionale>

ARTICLE 8

XXIV. Efforts made to promote public participation during the preparation of regulations and rules that may have a significant effect on the environment pursuant to article 8

An institutionalized Currently there is no institutional procedure for governing public participation in preparing national legislation (i.e. laws adopted by the Parliament or preparation of legislative decrees adopted by the Government within the framework established by acts at a parliamentary law) currently does not exist. However, there are some national level, but mechanisms for have been established that allow public involvement in legislative activities. For example, for (e.g. during "parliamentary hearings, members" representatives of the public (or their associations) are invited to comment on issues draft legislation under discussion by at the level of the parliamentary committee. The stakeholders may interested parties can also file submit their observations "on line", according to comments "electronically", in the manners provided for manner envisaged by Italian Legislative Decree 82/2005 as amended and subsequent amendments).

Another frequently tool used tool for public consultation, stipulated by consultations, according to Italian Law 352/70, are is that of "petitions (proposals for legislation or motion based on" (in the form of a bill or complaint of common interest) that needs). These can be put forwardsubmitted by a group representing at least 50,000 citizens and are considered analysed directly by the Parliamentary Committee or transmitted to Government. These are common relevant parliamentary committee or submitted to the government. Petitions can also be submitted at the local government level.

The referendum enjoys widespread use for repealing or abrogating legislative acts, either partially or entirely. A referendum takes place if proposed by at least 500,000 citizens, or by five Regions. The provisions subject to a referendum are automatically repealed if this is favoured by a simple majority of votes and at least half of all eligible citizens have participated in the vote.

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Mechanisms for public consultation and procedures for the presentation and early examination of citizens' petitions and requests, are regulated at Moreover, all legislative proposals and information on ongoing parliamentary activities are published on the parliament's website (www.parlamento.it). It is then possible to contact the members of parliament by email. The direct democracy tool of the local level.

"referendum" is also widely used, usually to repeal a law. At the regional level, the funding Statutes founding by-laws of Regions the regions and the autonomous Provinces state provinces affirm the principle of public participation (both individually by individuals and by associations) to in the legislative, administrative and governance functions governmental activities of the regional institutions (see for example the funding Statutes by-laws of the regions of Umbria and of Bolzano). Those Statutes provide for consultation of Employers, Trade Unions and Environmental Associations, even in the case of the preparation of legal acts.

XXV. Obstacles encountered in the implementation of article 8

Launching processes for public participation in a systematic way and following predictable and structured rules along the entire). Finally, note that in the preparation of legislative measures, especially draft laws based on government initiatives, the impact analysis of the measure (introduced by Italian Law no. 246 of 2005) must specify the categories and the parties – public and private – addressed by the regulatory procedure has intervention, and, most importantly, the proposals and considerations of such parties must be taken into account through appropriate consultation procedures. An estimate of the information costs and related administrative costs to citizens and businesses that are introduced or eliminated must also be presented.

It is sometimes been difficult for Administrations administrations to systematically activate direct participation processes that follow predictable and structured rules throughout the regulatory process. The fragmented nature of the associative world, which is fragmentation of associations – not always organised aggregated in higher second-level networks – multiplies the number of interlocutors while reducing and therefore reduces their representativeness.

XXVI. Further information on the practical application of the provisions of article 8

The "circular economy" Package

In January 2016, the Environmental Commission of the Senate of the Italian Republic promoted a public consultation on the package of measures on "circular economy" presented by the European Commission on 2 December 2015. The comments achieved through the consultation were sent to the European Commission. The consultation was open to citizens, Public Authorities, companies, universities, research centres and all the other governmental and non-governmental actors involved. The participation process was organised as follows:

- a cycle of hearings at the Commission, envisaging the opportunity for stakeholders to file written contributions;
- an on-line consultation via questionnaires, open to the public, on the five documents included in the "circular economy" package.

Consultation remained open from 1 February to 31 March 2016 and was promoted through the website of the Senate and of the Ministry of the Environment.

After the end of the consultation process, the Environmental Commission of the Senate organised a public conference to discuss the results of consultation.

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XXVIII.

ARTICLE 9

River Contracts (RCs) and the establishment of the National Observatory of River Contracts

River Contracts or contracts for lakes, water tables, coasts and so on are instruments for the definition and implementation of action programmes shared between public and private entities through the signing of an agreement – *the contract* – that establishes the decisions taken through a participatory process.

Italian RCs started in early 2000s in Lombardy and then spread to Piedmont. Since 2007 they have extended to the rest of the country thanks also to the National Round Table of RCs (TNCdF) launched as part of the activities of the Coordination of 21 Local Italian Agendas, with the aim of promoting the knowledge and dissemination of this tool. In 2015 a working group coordinated by MiTE with ISPRA produced a methodological reference document "Definition and basic qualitative requirements of the RC". Pursuant to Article 68 bis of Italian Legislative Decree no. 152 of 3 April 2006, RCs "contribute to the definition and implementation of district planning tools at the basin and sub-basin level, such as voluntary strategic and negotiated planning tools that pursue the protection, correct management of water resources and the promotion of river territories, together with the protection against water risks, contributing to the local development of these areas". Given the considerable spread of RCs throughout the country, MiTE established a National Observatory of RCs (ONCdF) (referred to in the Decree of the Minister of the Environment and Protection of Land and Sea no. 77 of 8 March 2018) in order to monitor their dissemination, helping to connect the various experiences and perform guiding and coordinating functions for the harmonisation of their application at a national level.

The ONCdF carries out training, support and communication on the subject and makes use of a National RC Platform (PNCdF) in order to ensure an ever-increasing monitoring of the processes, as well as a continuous exchange of good practices and information on the subject.

The RC is a good practice capable of contextualising public policies at the local level through a participatory and integrated management of water resources, with a "bottom-up" approach and the direct involvement of stakeholders who become active partners.

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As part of the transposition of the EU directives on the "Circular Economy Package", the Ministry ensured participation of the public (stakeholders) through the publication of the preparatory documents and the comments submitted in this regard. To this end, a special email address was created for the submission of contributions, and a deadline was also set for their receipt.

In 2018 the Ministry also organised a General Assembly of the Consortia, an initiative aimed at starting a process of strategic-programmatic development open to stakeholders in order to define an adequate model of waste/resource management with a view to a circular economy.

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ARTICLE 9

XXVIII List legislative, regulatory and other measures that implement the provisions on access to justice in article 9.

(a) — With respect to paragraph 1, measures taken to ensure that: (i) Any person who considers that his or her request for information under article 4 has not been dealt with in accordance with the provisions of that article has access to a review procedure before a court of law or another independent and impartial body established by law; (ii) Where there is

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provision for such a review by a court of law, such a person also has access to an expeditious procedure established by law that is free of charge or inexpensive for reconsideration by a Public Authority or review by an independent and impartial body other than a court of law;

(iii) Final decisions under this paragraph are binding on the Public Authority holding the information, and that reasons are stated in writing, at least where access to information is refused.

The National legislator intervened legislation has been introduced to regulate the matter with by means of the following legislative measures:

- **Italian Law 241/1990** (articles 22-28): dictates the general regulations for access to administrative documents, and particularly through in article 25 explicates establishing the modalities methods for exercising the right to of access information and to appeal lodging appeals. The above-mentioned aforementioned article establishes states that, in case of denied access, either expressed the event of express or tacit refusal of access, the applicant may lodge an appeal to with the competent Regional Administrative Court (*Tribunale Amministrativo Regionale* - TAR). It is also possible to demand, or request an administrative review of the decision to: a) Determination (review procedure), respectively by the Commission for Access to Administrative Documents access to administrative documents established at by the Presidency of the Council of Ministries (in case of documents held by Ministers for the acts of the central Administrations); b) the Ombudsman with territorial competence (in case of documents held by local and peripheral administrations as municipalities, provinces and regions). In of the State, and by the local Ombudsman for the acts of local administrations (municipal, provincial and regional). During the review process procedure, in case the event of inaction from by the person responsible for in charge of the proceeding procedure, the interested party may turn appeal to the "sub-delegated-substitute power" of attributed to the General Director General, or on, in his behalf/her place, to the Director in charge of the competent office (Italian Law 35/2012 - urgent provisions on simplification and development).

- **Legislative Decree Italian 104/2010 (art. 116)**: regulates appeal in court against decisions and against silence (lack of reply) on applications for access to administrative documents. It is a special procedure including halved terms for appeal (30 days), the right of the claimant to take legal actions without a defender and with the trial held in a jury room. TAR decisions may be appealed to the Council of State (second degree of justice) within the following 30 days. In case of a favourable rule, TAR or the Council of State directly calls for access to information, through binding decision.

- **Legislative Decree no. 104/2010 (art. 116)**: regulates judicial appeals against decisions and inaction related to requests for access to administrative documents. It is a special proceeding, with deadlines to appeal that are halved (30 days), the applicant may intervene in court without a lawyer, and the use of chamber proceedings. An appeal against the regional administrative court's decision may be lodged with the council of state (second instance) within the following 30 days. If the proceeding is concluded in a favourable manner, the regional administrative court or the council of state directly provides access to the information by means of a binding judgement.

- **Italian Legislative Decree no. 195/2005**: regulates the right to of access to environmental information held by Public Authorities public authorities, to ensure that such this information is made available to any applicant anyone who requests it and is disseminated in easily consultable forms and formats. At that can be easily consulted. Article 7 of the Decree decree regulates the protection of the right to of access information, by providing for the possibility for of the applicant to take actions act against the decisions of the Public Authority according to public authority within the terms and in the manner specified above-mentioned modalities (appeal in court and review of the decisions from by the Ombudsman and the Commission for Access access).

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- **Italian Legislative Decree no. 152/2006**; ~~The Single~~the Consolidated Environmental Text Law regulates the ~~“right to of access to environmental information and the right to participate in decision making process”~~, by participation for collaborative purposes”, establishing, in ~~art.~~Article 3 ~~sexies~~, that anyone, without ~~having being required to prove~~demonstrate the existence of a legally-binding interest, ~~may can~~ access information ~~on related to~~ the state of the environment and the ~~landscape on countryside in the national territory~~.
- **Italian Legislative Decree no. 33/2013**: Article 5 provides for the possibility for the applicant to take action against the decisions of the public authority within the terms and conditions governed by the law (review by the person responsible for transparency and preventing corruption, appeal to the Ombudsman, judicial appeal).

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(b) Measures taken to ensure that, within the framework of national legislation, members of the public concerned meeting the criteria set out in paragraph 2 have access to a review procedure before a court of law and/or another independent and impartial body established by law, to challenge the substantive and procedural legality of any decision, act or omission subject to the provisions of article 6.

The Italian legislative system ~~establishes that allows~~ the “concerned interested public”, including ~~Non Governmental Organisations promoting environmental non-governmental organisations that promote the protection, ean, of the environment, to participate in the decisional decision-making process to ensure, so that it adequately the decision taken takes into due account environmental of these interests. Indeed In fact, a decision is considered to be illegitimate also when unlawful if it violates the norms regulating rules governing the exercise of the discretionary power of the Public Administration, including the norms concerning those relating to the consultation of stakeholders. A decision deemed illegitimate can be subject to interested parties. An administrative appeal (may be lodged against a decision that is deemed to be unlawful (Italian Presidential Decree 1199/1971 “Simplification of the procedures for relating to administrative appeals”). Judicial appeal”). Jurisdictional appeal may is also be proposed, in compliance with law possible, pursuant to TAR Law 1034/71 e and the above mentioned aforementioned Italian Legislative Decree no. 104/2010.~~

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The Note that the principles of the Aarhus Convention are ~~included contained~~ in the general rules set by for participation in the administrative procedure enumerated in Italian Law 241/1990 and subsequent amendments, and implemented in the provisions ~~regulating the governing~~ participation in specific environmental procedures, ~~including such as the~~ EIA, SEA and IEA procedures.

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~~Italian Legislative Decree no. 152/2006 (Single Consolidated Environmental Text Law)~~ establishes that ~~appeal against the decisions, acts, or omissions in the field of EIA is always possible, according to the general norms. Against the rules on appeals against unlawful administrative acts it is always possible to challenge decisions, acts or omissions subject to the provisions on public participation with respect to EIAs.~~

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Important climate and energy policy acts were subjected to SEAs in the years 2018-2021, namely the National Climate Change Adaptation Plan (PNACC) and the Integrated National Plan for Energy and Climate (PNIEC) (see paragraph XX).

A decree of environmental compatibility decree of a project subject to EIA, ~~appeal may can be filed to appealed at the competent TAR local regional administrative court, or to the President of the Republic. Moreover, Article 3-sexies of Italian Legislative Decree no. 152/2006 establishes that in the case of plans or programmes to be drawn up pursuant to the provisions of Annex 1 of Directive 2003/35/EC, the Authority responsible for drawing up and approving the aforementioned plans or programmes must ensure public participation in the procedure through the submission of observations~~

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or opinions, which the relevant Authority must take adequately into account when adopting the plan or programme.

(c) With respect to paragraph 3, measures taken to ensure that where they meet the criteria, if any, laid down in national law, members of the public have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of national law relating to the environment.

Concerning article 9, para. 3, each person/group of persons, whose right or “legitimate interest” has been breached by a Public Authority’s decision or omission, has legal standing to act in court against that Public Authority’s decision or omission. Furthermore, according to Law 349/1986, all Environmental NGOs recognized by the MoE can challenge public decisions or omissions, both at the national and at the local level through a review procedure. Recognised Environmental Organizations can also challenge decisions taken by local Public Authorities (at the regional, provincial or municipal levels) that cause environmental damage (Law 127/1997). It is common legal practice that associations for environmental protection non-recognised under art. 13 of the referred Law are considered entitled to take legal actions if it is recognised that the institutional task of the association is pursuing actual and non-occasional actions in favour of environmental protection.

Any individual or group of individuals may take legal action against a decision or omission of the public authority that infringes their legitimate right or interest. Furthermore, Italian Law 349/1986 gives environmental protection associations, recognised by MiTE according to the criteria established by Article 13 of the same law, the right to file appeals with administrative courts for the annulment of administrative acts harmful to the environment, and to intervene in proceedings for environmental damages. Established case law also gives environmental protection associations that are not recognised pursuant to Article 13 of the aforementioned law standing to bring suit based on an actual and non-occasional commitment to environmental protection as an institutional task of the association.

Specific norms are in force rules apply for environmental damage the compensation. According to of environmental damages. Italian Legislative Decree no. 152/2006 and further subsequent amendments, the Ministry of the Environment is responsible for taking actions to compensate environmental damage. Local bodies, physical and legal persons, and associations attributes the right to act for compensation for environmental protection damages to MiTE. Local authorities, natural or legal persons and environmental protection associations are recognised as the owners of the interest who can report to the Ministry of the Environment having standing to submit complaints and observations to the Minister of Ecological Transition – through the Prefettura (Prefectures). They can take legal action and submit observations, supported by documentation – accompanied by documents and information about concerning cases of environmental damage damages in order to request the State’s State intervention to protect the environment (art. Article 309 of the Italian Legislative Decree 152/2006). The successive art following Art. 310 provides for such subjects gives these parties standing to appeal for the cancellation of annulment of acts and measures adopted acts and regulations which infringe the provisions in violation of the field of provisions on precaution, prevention or control containment of environmental damaged damages.

ISPRA, the Regional Agencies for Environmental the Protection and Public Safety Authorities (Police, State Forestry Corp, of the Environment and law enforcement (police, forestry corps, environment Carabinieri for the Environment, Financial Guard) have the duty to monitor, Italian finance and customs police) are assigned the task of carrying out checks through inspections possible in order to verify any violations of environmental norms standards or of the issued

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authorisations issued. In case the event of a violation/infractions, the penalty system is activated and the procedure is initiated with the imposition of sanctions of an administrative (fine, suspension of the authorisation) or penal sanction is issued criminal nature. Finally, safeguards and preventive measures such as the suspension of a business, plant closures and seizures can be implemented by order of a public authority, the mayor or the Minister of Ecological Transition.

(d) With respect to paragraph 4, measures taken to ensure that: (i) The procedures referred to in paragraphs 1, 2 and 3 provide adequate and effective remedies; (ii) Such procedures otherwise meet the requirements of this paragraph; (e) With respect to paragraph 5, measures taken to ensure that information is provided to the public on access to administrative and judicial review. With reference to paragraph 4, it is underlined that the nature of decisions is public, by deposition in the Chancellor's Office.

Italian Legislative Decree no. 195/2005 establishes provides that in case cases of a total or partial refusal to provide access to information, the Public Authority shall of the right of access, the public authority must inform the applicant about of the applicable procedures against to appeal the decision.

XXIX. Obstacles encountered in the implementation of article 9

In Access to justice in Italy, access to justice is granted/guaranteed according to the criteria indicated established by legislators/legislation and jurisprudence. As for actions case law. With regard to acts/omissions by private entities, violating of individuals that violate environmental legislation/laws, the inspection mechanism is complex since it requires quite expansive, providing for the involvement of different/several public Authorities/authorities in the process.

XXX. Further information on the practical application of the provisions of article 9

The case of the Sattelberg wind plan and support to energy production from renewable resources.

The most important developments concerning access to environmental justice are recorded at the level of practice and jurisprudence. Concerning jurisprudential developments referring to the application of art. 9, paragraph 2 of the Aarhus Convention, a case related to the right to access justice and to the ban on discrimination based on nationality is described hereafter. The above mentioned case refers to the Environmental Impact Assessment and approval of the Sattelberg wind energy plant. The WWF, the Austrian municipality of Gries am Brenner and the Austrian Alpine club (OAV) appealed the Regional Administrative Court (TAR) against the company implementing the project (WPP UNO Inc.) and against the autonomous Province of Bolzano. The TAR deemed the Austrian Alpine Club not entitled to take action as being an association not recognised under the Italian Law (L. 349/86). The Austrian Alpine Club appealed the decision to obtain legitimisation and entitlement to take legal actions. The Italian Council of State (decision 4775/2014) ruled in favour of the cross appeal of the Austrian Alpine Club. With reference to the implementation of art. 9 paragraph 3, it is underlined that Italy adopted a system in support of electricity production from renewable resources.

Several appeals have been lodged by professional associations (Assorinnovabili, Confagricoltura) and companies in the field against the Ministry for Economic Development (Ministero dello Sviluppo Economico - MISE) and Energy Services Manager (Gestore Servizi Energetici spa - GSE Inc.). The companies and entrepreneurs owning photovoltaic plants with a power production capacity above 200kW and in possession of 20-year-old agreements with GSE for the recognition of the incentive tariff established for electricity produced via photovoltaic conversion of the solar source, have requested the annulment of the Ministerial Decrees implementing art. 26 clauses 2 and 3 and of the Decree-Law 91/2014 which "re-modulated" the incentives. The appeals raised issues of unconstitutionality of the appealed provisions; the Regional Administrative Court (TAR) of Lazio referred the above issues of

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constitutional legitimacy to the Constitutional Court (Lazio TAR, Rome, Sect. III ter, order of 23 June 2015 n. 8689; Lazio TAR – Rome, Sect III ter 2 November 2015, n. 12336).

XXXI. Relevant websites

- National Association of Italian Ombudsmen: www.andei.it/andei/organismi
- Legambiente centres for legal action: <http://www.legambiente.it/legambiente/i-centri-di-azione-giuridica-di-legambiente>
- Codacons – Coordination of Associations for environmental and consumer's and user's rights: <http://www.codacons.it/servizi.php>
- Ministry of Justice: http://www.giustizia.it/giustizia/it/mg_3_7_2.wp
- Pages of Administrative justice: www.giustizia-amministrativa.it
- European Justice Portal: <https://e-justice.europa.eu/home.do>

XXXIII. Evaluation of financial barriers

Article 24 of the Italian Constitution establishes that anyone may apply to bring cases before a Court of Law in order to protect his/her rights under civil and administrative law. Defence is an inviolable right at every stage and instance of the legal proceeding. Moreover, article 24.3 of the Constitution states that people living in poverty proceedings. The poor are assured, entitled by appropriate measures, the law to proper means for legal action and/or defence in all levels of jurisdiction courts.

Free legal aid, which is usually applied already granted in criminal proceedings and labour proceedings, has been disputes, was extended to civil and administrative proceedings, by the Italian Presidential Decree 115/2002 “*Testo unico in materia di spese di giustizia*” (Single Text on Justice Expenses). The article Consolidated law on costs of justice”.

Article 119 of such the aforementioned Decree also extends the right to free legal aid to organisations and associations which have non-profit purposes and don't engage in economic activities entities or associations that are not engaged in business (both criteria need to subsist). The first cost for accessing to environmental justice is the tax for opening a legal proceeding: the Standard Court fee (*Contributo Unificato di iscrizione a ruolo*), whose amount is must be met) and in compliance with the conditions for admission to legal aid envisaged by Article 76 and the taxable income limits set in art. 13 of the by the aforementioned Decree.

Below are the main costs incurred when seeking justice in environmental matters, aside from fees for lawyers and experts (if required in court).

First, the fee to initiate the judicial proceeding – *Unified registration fee* – the amount of which is established by Article 13 of the aforementioned Italian Presidential Decree 115/2002. This fee shall must be paid again if additional reasons grounds are added filed and in ease the event of an appeal. Environmental protection associations are must also required to pay this fee, since they such bodies can ask for free resort to legal aid, at the expense of the State if they meet the necessary legal requirements are met. The Standard Court Fee is due for appeal to the Administrative.

Payment of the unified fee is also required for appeals filed with the administrative court and to the Council of State, under ex art 113, clause 6 bis, of the *Testo Unico per le Spese di Giustizia* (Single Text on Justice Expenses) the council of state, pursuant to Article 13, paragraph 6 bis of the Consolidated law on costs of justice. The regulatory system limits favourable tax treatments to a highly circumscribed area, also with a view to reducing litigation. Article 8 of Italian Presidential Decree 115/2002 establishes that the costs of justice shall be borne by the party that is called upon to pay them by law. If the party qualifies for free legal aid, the advance is paid by the tax authorities.

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In essence, the general rule provides for the payment of expenses by those who request access to justice, which can then be claimed against the losing party in the event of a victory. Art. 8 of the Presidential Decree 115/2002, establishes that expenses for justice shall be paid in advance by the party applying for access to justice; if the party is admissible for free legal aid, the advance payment is funded by the State Treasury. In case of victory, the sum is refundable by the losing party. At the conclusion of the process, Italian Legislative Decree no. 104/2010 – which extends, extending the rules of civil trial concerning proceedings relating to the losing party to the administrative trial process, establishes that the losing party has to settle trial expenses for in the proceedings must bear the costs of judgement of the other party, according to, in the sum set amount established by the judge. In case of lack of valid arguments, the judge The court may also, of his/her own motion, call order that the losing party to pay in the proceedings pay the successful party a sum not exceeding twice the amount of the trial expenses to the winning party costs of the proceedings in the event of a reckless lawsuit. The Italian judicial legal system provides for somean exemption from the payment of the unified fee for certain proceedings in the environmental matters to be exempted from paying the Standard Court fee field; for example, the appeals envisaged by Article 25 of Italian Law 241/90 against the denial of access to information (the information referred to in Italian Legislative Decree no. 195/2005 on public access to environmental information (Italian Presidential Decree no. 115/2002, art Art. 13, clause para. 6 bis, letter a) or the); civil actions, for compensation for environmental damages proposed in the penal criminal proceedings, to compensate environmental damage (under when only the specific conditions provided for insentencing of the responsible party is requested (Italian Presidential Decree 115/2002, art Art. 12).

XXIX. Relevant websites

- National Association of Italian Ombudsmen: www.andci.it/andci/organ
- Legambiente Legal Action Centres: www.legambiente.it/legambiente/i-centri-di-azionegiuridica-di-legambiente
- Codacons - Coordination of associations for the protection of the environment and the rights of users and consumers: www.codacons.it/servizi.php
- Ministry of Justice: www.giustizia.it/giustizia/it/mg_3_7_2.wp
- Administrative Justice pages: www.giustizia-amministrativa.it

ARTICLE 6 BIS AND APPENDIX ANNEX I BIS

XXXIII. Legislative, regulatory and other measures implementing the provisions on Genetically Modified Organisms (GMOs) according to art. 6 bis and to appendix I bis

The procedure for authorisation to deliberately release Genetically Modified Organisms into the environment with experimental and marketing purposes is regulated at EU level by the directive 2001/18/EC and by the Regulation (EC) 1829/2003 on genetically modified food and animal feed.

In Italy, the Directive 2001/18/EC was implemented by Legislative Decree 224/2003; the National Competent Authority (NCA) for the implementation of Legislative Decree 224/2003 is the Ministry of the Environment and Protection of Land and Sea.

Under Art. 12 of Legislative Decree 224/2003 the NCA carries out public consultations and ensures access to information on authorisation requests (notifications) for marketing and deliberately releasing GMOs into the environment through a dedicated website.

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The Ministry for the Environment, in collaboration with the Biosafety Unit, of the International Center for Genetic Engineering and Biotechnology (ICGEB), created a **web platform for the Italian Biosafety Clearing House (BCH)** to assist the promotion of public awareness and the exchange of information on biosafety. In this platform were implemented two sections on public information and public consultation that are constantly updated.

The **public information** section provides adequate information to the public on notifications concerning procedures for the deliberate release and placing on the market of genetically modified organisms (GMOs) into the environment for experimental purposes and for placement on the market are regulated at the level of the European Union by **Directive 2001/18/EC** on the deliberate release into the environment of genetically modified organisms and by **Regulation (EC) No 1829/2003** on genetically modified food and feed.

Directive 2001/18/EC was transposed into Italian law by **Legislative Decree no. 224 of 8 July 2003**.

The **Public competent national authority (CNA)** for the implementation of the provisions of Italian Legislative Decree no. 224/2003 is the Minister of Ecological Transition.

Article 12 of Italian Legislative Decree no. 224/2003 assigns the CNA the task of organising the **public consultation** section gives the opportunity for any physical or juridical person, institution, organisation or association, and ensuring access to put forward observations, or to provide information through a specially created website listing applications for authorisation (notifications) to place GMOs on any notification the market and for the deliberate release of GMOs into the environment for experimental purposes.

To comply with the obligations envisaged by current legislation on information and public participation in decision-making processes regarding GMOs, MiTE has created a **web platform called Biosafety Clearing House (BCH)**. The Italian BCH contains sections relating to public information and public consultation that are constantly being updated.

The **section on public information** describes the authorisation procedures at the European Union and national level for the deliberate release of GMOs into the environment for experimental purposes via the dedicated section of the Italian BCH and for placement on the market. Moreover, all authorisation measures that have been issued are made available.

The section dedicated to public consultation. The following documents and information are subjected to public consultation: for each notification:

- the synthesis A summary of the dossier supplying technical file containing the information necessary to carry out for the assessment of the environmental risk assessment of associated with the deliberate release of the GMO into the environment.
- the An environmental risk assessment.
- any Any new information available on risks for to human- animal and environmental health and the environment.

The BCH website provides the opportunity to become part of a group of subjects qualified to have access to documents and information on every new notification submitted. In order to

To facilitate the participation in the public consultation procedures, a **list consultation list** has been drawn up (Italian Legislative Decree no. 224/2003) that includes the competent institutional entities at the central and local institutional authorities levels, trade associations and non-governmental organizations for environmental and consumer protection has been prepared. Upon request, any organisations and the competent departments of Italian public universities. The subjects on the list are notified at the start of each public consultation. Any natural or legal person, institution, organization or association can be included in the consultation list. At the start of every public

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consultation and in the case of inclusion of any new information related to the same consultation, the members of organisation or association that so requests may be added to the list are advised by entering the required data in the appropriate registration form, thus becoming entitled to access the documents and information regarding each new notification received. Registered subjects have the opportunity to express opinions entities may submit comments on the notification during the 30-day public consultation period of 30 days phase.

Directive (EU) 2015/412, amending Directive 2001/18/EC as regards the possibility, provides for a two-step mechanism through which Member States to restrict may limit or prohibit the cultivation of GMOs in their territory after the EU authorization, came into force on 2 April 2015. Directive (EU) 2015/412 provides a two phase mechanism, during the authorisation procedure of a GMO, pursuant Directive 2001/18/CE or Regulation (EC) no.1829/2003, or during the renewal of the authorisation.

In the first phase stage, during the authorisation procedure of a GMO or during the renewal of the authorization, a Member State may demand to the notifier to adjust which intends to restrict or prohibit its cultivation may request the applicant to restrict the geographical scope of the authorization of the GMO. If the notifier adjust cultivation of the GMO. In the second stage, after the authorisation of the GMO at the level of the European Union, if the adaptation of the geographical scope of his initial demand, this adjustment shall be implemented in the authorization. Where a has not been agreed to or has not been requested, the Member State wishes all or part of its territory to be reintegrated into the geographical scope of the authorisation from which it was previously excluded, it may make a request to that effect and the geographical scope of the authorization will be amended accordingly. In the second phase, if no demand for adjustment of the geographical scope was made or where the notifier confirmed the geographical scope of its initial demand, a Member State may can still adopt measures restricting to limit or prohibiting prohibit the cultivation of a the GMO in all or part of its territory.

The Directive provides for extensive information to the public through the website on grounds that must not conflict with the risk assessment for the environment and human health performed during the authorisation procedure. Directive (EU) 2015/412 was transposed into Italian law by Legislative Decree no. 227 of 14 November 2016. Public information on the measures to limit or prohibit the cultivation of GMOs on the national territory is provided through the institutional websites of the Ministries (of the Environment, of Ecological Transition, Agricultural Policies and of Health) and by the Regions and Autonomous Provinces of Trento and Bolzano.

XXXVI. Relevant websites for the implementation of article 6 bis:

- Biosafety Clearing House:
<http://bch.minambiente.it/index.php> <http://bch.mite.gov.it/index.php/it/>
 - Page of the MATTM on GMOs and Biosafety: <http://www.minambiente.it/pagina/ogm-e-biosicurezza>
- MiTE page on GMOs and Biosafety: <http://www.mite.gov.it/pagina/ogm-ebiosicurezza>

XXXVII. Update on compliance cases

An environmental association has lodged a complaint with the Compliance Committee regarding the onerous costs that non-profit associations must bear in order to bring an action before the Italian Environmental Judicial Authority.

After considering the issue raised to be admissible and not irrelevant (ACCC/C/2015/130 of 3.7.2015), the Compliance Committee proceeded with a series of requests for clarification.

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documentation and direct discussion with the parties to reach the final findings and recommendations.

In our system the problems related to procedural costs can essentially be traced back to three points:

- The unified registration fee, which is a fee to be paid to start a trial.
- The legal costs that the Party that has initiated a legal dispute must reimburse to the other party, the winner in the proceedings.
- The recognition of free legal aid only to entities and individuals with an income not exceeding about €11,000.

The issue of reducing procedural costs is under consideration by this Ministry, which is seeking to coordinate with other competent administrations in the field (Ministry of Justice and Ministry of Economy and Finance). Note that this is a problem that is not easy to resolve in the short term due to the economic repercussions and the delicate legal issues involved.

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