

Background Report
Law and Regulation for the Reduction of Risk from Natural Disasters
in Italy
A National Law Desk Survey
September 2012

Acknowledgements

This background report was prepared by Federico Jachetti with support from Mary Picard, on behalf of the Disaster Law Programme, International Federation of Red Cross and Red Crescent Societies (IFRC), P.O. Box 372, Geneva 19, Switzerland, Tel: +41 22 730 4222, email disaster.law@ifrc.org.

This report is part of the research for a global project on Law & Disaster Risk Reduction being undertaken by the IFRC and the United Nations Development Programme (UNDP). It may not be reproduced without permission.

Law and Regulation for the Reduction of Risk from Natural Disasters in Italy: A Desk Survey

Executive Summary

The civil protection in Italy is organized in a "National Service", a complex system that includes all the structures and activities put in place by the state to protect the integrity of life, property, settlements and the environment from damage or the danger of damage resulting from natural disasters, catastrophes and other disasters, and it is regulated by the Law 225/92. The activities of the system are the forecast and prevention of various scenarios of risk, to rescue people and all activities aimed at overcoming the emergency. Over the years, the responsibility of civil protection has progressively moved from the state to local governments. The main stages in this process have been the Legislative Decree N. 112/98 and the reform of the Title V of the Constitution by the Constitutional Law 3 of 18 October 2001. Since then, the civil protection is subject of concurrent legislation, then, except for the determination of the fundamental principles, the legislative power lies with the regional governments.

The Civil Protection Department, which is anchored in the Presidency of the Council of Ministers, directs the activities of components and operational structures of the National Civil Protection Service and in case of declaration of a state of emergency, coordinates, in agreement with the regional governments. Moreover, always in accordance with the regional governments and local authorities, works in the drafting of legislation on the prevention of risks and regulatory measures needed to cope with disasters and to minimize damage to people and property. It promotes drills, national and international training projects and activities that contribute to spreading the culture of civil protection.

The system intervenes to provide relief to the population, to help overcome the emergency and aid a return to normality. The Mayor is the first person responsible for civil protection on the territory and has the job of coping with the initial moments of a calamity and of providing relief to the population, coordinating the local operative structures including the civil protection volunteers. If the Municipality cannot cope with the emergency alone, the Provincial Council and the Regional Council intervene by activating all the available resources for the areas affected by the calamity. In the most serious situations, central government intervenes: the President of the Council of Ministers (Prime Minister) assumes direct responsibility operating through the Civil Protection Department. Thus the operation of the system is actually based on the principle of subsidiarity, according to which the nearest administration to

the citizens intervenes first, while the superior administrative levels intervene if the administration is incapable of coping with the event with its own means.

In ordinary time, on the other hand, the administrations are involved at all levels in drawing up emergency plans for disaster response and in predicting and planning actions of prevention and mitigation of risks. The system is structured with a series of regional Functional Centres in charge of collecting and monitoring data, with a Central Functional Centre coordinating all procedures and responsible for emit alarm/alert notices. In this process, the scientific community, which is considered a member of the National Service, plays an essential role. The National Platform, indeed, serves as point of contact and coordination between the various levels – scientific, political, social, cultural – of risk management, where initiatives that require the contribution of different actors are necessary. It is a forum managed and organized by various components at national level with the tasks of:

- to facilitate collaboration and coordination for the sustainability of risk reduction activities through a participatory and consultative process;
- to foster an environment in which both the importance of culture of prevention and culture of awareness are stressed;
- to facilitate the integration of risk reduction activities into national development policies as well as in international development programmes.

The actions to be taken in order to overcome the weaknesses of the system that emerge from this study can be summarized as follows:

- strengthening the enforcement of land use restrictions in zones exposed to natural hazards and ensuring the application of seismic codes in buildings and public infrastructure;
- setting minimum standards for civil protection services throughout Italy. An efficient inspection system, supplemented by the power to implement sanctions, is needed so that minimum standards are adhered to in all provinces and municipalities;
- improving insurance cover for major risks. The take up of private insurance against natural disasters is still rather limited.

List of abbreviations

D.G.R.	Regional Council Resolution
D.I.	Law Decree
D.lgs	Legislative Decree
DM	Disaster Management
D.m.	Ministerial Decree
Dpcm	Prime Minister's Decree
D.P.R.	President of the Republic's Decree
DRR	Disaster Risk Reduction
EIA	Environmental Impact Assessment
EWS	Early Warning System
L.	Law
N.	Number
Opcm	Prime Minister's Ordinance
PM	Prime Minister
Q.	Question
VIA	Valutazione impatto ambientale

1) Introduction

The concept of Disaster Risk Reduction refers to the minimization of vulnerability in order to prevent or limit the impact of disasters through collaboration between government bodies, civil society, the media, the scientific components, the public and private sectors. On the occasion of the World Conference on Disaster Reduction – held in January 2005 in Kobe, Japan – 168 countries have adopted a ten-year plan to reduce the damage caused by natural hazards, called the Hyogo Framework for Action, which is part of the International Strategy for Disaster Reduction (ISDR). Italy has joined this initiative as provided for by Prime Minister's Decree n. 30792/2008, which establishes the National Platform for Disaster Risk Reduction.

This paper is a 'desk survey', answering the set of questions above, using only online and library sources, which aim to create a county profile of the law and regulation for DRR in Italy, with the purpose to monitor the progress already achieved and at the same time be a stimulus to further improve in the areas in which proved deficient.

The study focuses on a range of subjects directly or indirectly related to the prediction, prevention and response to natural disasters. In fact, as is clear, being the DRR a long-term process, in addition to being an integral part of the process of development of each country, is also a pre-requisite for sustainable socio-economic development. Moreover matters that regulate daily life, such as safety codes for buildings, registration of land title, telecommunication, wastewater drainage, the rights of the people (right to property, life, livelihood) too, get involved in DRR strategies. Thus it is not enough to provide an efficient Disaster Management, it is necessary instead set up a series of policies to educate, inform and involve the entire population.

Finally, this paper presents no findings in that aims to be impartial and neutral, providing only an instrument clear and detailed as possible for experts in the field.

2) Summary of Main Natural Hazards and Risks in Italy

Earthquakes: the Italian territory stretches over several tectonic plates, whose reciprocal movement periodically produces earthquakes. For this reason, Italy has a high seismic risk: it is estimated that about 20 million Italians are potentially exposed to earthquakes. This is a not foreseeable phenomenon, generally of very short duration, but with devastating consequences, as can be seen from recent history. In fact, it should be considered that earthquakes often hit buildings that belong to Italy's artistic heritage and which, for the most part, particularly in the historic centres of our numerous municipalities, date back to ancient times, when anti-seismic building techniques were still unknown.

Volcanoes: southern Italy has the highest concentration of active volcanoes in Europe: Vesuvius, Mount Etna, the islands of Stromboli and Vulcano, the Campi Flegrei. Volcanoes have been in the past the protagonists of disastrous eruptions, which destroyed entire cities and caused thousands of victims: suffice it to remember the Vesuvius's eruption that destroyed Pompei in 79 A.D.. Today, thanks to the study and the continuous monitoring of certain forewarning phenomena, it is possible in many cases to predict an eruption ahead of time and consequently take important preventive measures.

Floods and landslides: hydrogeological risk represents for Italy a danger which is second only to the seismic one, in terms of loss of human lives and of damages caused to structures. The causes of such risk can be of natural origin, as in the case of exceptionally heavy rainfall and stormy seas. However, man's negative influence, which can be seen in unauthorised housebuilding, neglect of watercourses's maintenance, indiscriminate deforestation is, in most cases, a determining factor in the gravity of the effects.

Forest fires: the Italian forest heritage, among the most important in Europe by extension and variety of species, represents an enormous wealth for the environment and economy, for the territory's equilibrium, for the conservation of biodiversity and landscape. However, every year thousands of hectares of forests are burnt by fires very often due to arson, connected to building speculation or human negligence and carelessness. The consequences on environmental equilibrium are extremely serious and the recovery time of the ecosystem is very long. Today, thanks to a strong sensitisation campaign and a more careful legislation, risks - albeit still very high - can be reduced, and fire-fighting interventions have undoubtedly become more efficient.

3) Governmental & Law-making structure

Italy has been a democratic republic since 2 June 1946, when the monarchy was abolished by popular referendum. The Constitution was promulgated on January 1, 1948.

Legislative power is vested in the two houses of Parliament (“Camera dei Deputati” and “Senato”) primarily, and secondarily in the regions. Parliament is competent to legislate for matters specifically mentioned in the second paragraph of Article 117, while the regions are competent to legislate for the remaining materials (residual jurisdiction). Then there is a second list of materials contained in the third paragraph of Article 117 calls matters of concurrent legislation, in which the Regions are the legislative power, except for the determination of the fundamental principles (framework laws), which is reserved to the State.

The power of legislative initiative is attributed to each member of the parliament, the people, through the institution of the bill of popular character, carried out through the collection of at least fifty thousand signatures, and the Government, which bills must, however, be countersigned by the President of the Republic. Each proposal is first analysed by a small group of members of parliament (parliamentary committees) and, once developed a bill technical and complete, is brought in Parliament for discussion. The vote follows the discussion and any proposed changes.

All laws must be promulgated by the President of the Republic who may refer a Bill in Parliament if it considers that this is contrary to the Constitution.

The Government may issue acts having the force of law: Law Decree, provision to be adopted only in exceptional cases of necessity and urgency, that must be anyway confirmed in the Parliament (within 60 days), under penalty of forfeiture of the decree; Legislative Decree, act to be enacted only if the Parliament decides to devolve his legislative power on a specific subject with a law, containing also well-specified limits for the Government's action.

Law hierarchy:

- Constitutional sources (Constitution and Constitutional Laws);

- Super-primary sources (International Laws if directly applicable);
- Primary sources (Laws, Consolidate Laws, Law Decree and Legislative Decree);
- Secondary sources (Regulations and Directives);
- Customary Laws and practices.

4) Detailed Table of DRR Legislation Based on the Research Questions

1. Background information.....12

2. Institutional frameworks, resourcing and community participation in DRR.....15

 Part One - Disaster Management Law & Institutions 15

 A. Disaster Management Institutions..... 15

 B. Hyogo Framework for Action & Climate Change Institutions 22

 C. DRR priority and resource allocation in government..... 24

 Part Two - Responsibility, accountability and liability for natural disaster risk reduction 25

 A. Constitutional Rights & Guarantees for the Population..... 25

 B. Liability & Insurance..... 27

3. Early warning and reduction of underlying risk factors through regulation.....30

 Part One - Rapid-onset disasters, sectoral and specific regulation based on identified risks and community participation 30

 A. Cyclones, tornadoes, or storms? 30

 B. Earthquake/Tsunami? 35

 C. Fire? 39

D. Floods?	44
E. Heat/cold waves?	47
F. Insect Infestations?	49
G. Landslides and avalanches?	52
H. Volcanoes?	54
Part Two - Slow-onset disasters, sectoral and specific regulation based on risks and community participation.....	57
I. Drought and related famine?	57
J. Other food security risks?	60
Part Three - Early Warning, Hazard Mapping and Risk Information	61
B. Risk identification, assessment and monitoring	65
Part Four - Regulation of the Built Environment.....	66
A. Building Codes.....	66
B. Land Use Planning Laws	72
C. Land tenure	77
D. Informal and precarious settlements.....	81
E. Urban Water and Flood Management	84

Part Five - Regulation of the Natural & Rural Environment	86
A. Human Risks in Environmental Change.....	86
B. Forests	88
C. Rivers and watercourses	89
D. Drought and food security	90

1. Background information

1. BACKGROUND INFORMATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
Identify laws that indicate the structure of government, including the number of levels of government and the extent of decentralisation of governmental functions, such as: constitutional framework for different levels of government (e.g. national/provincial/local), and specific laws on decentralisation.			
1 How many levels of government are there, and what are they called? How many administrative areas are there (e.g. provinces, local government areas)?	Constitution of the Italian Republic, promulgated on 27 December 1947.	Article 114, 1 st paragraph .	There are 4 levels of government: the national one; the regional one (consist in 20 region, of which five are constitutionally given a broader amount of autonomy granted by special statutes); the provincial one (consist in 10 Metropolitan areas and 97 provinces); the local one (consist in 8092 municipalities).
2 Is there a separate law on decentralisation of government functions? How does it decentralise? For example, does it establish new institutions or delegate powers to provincial/local government?	Constitution of the Italian Republic, promulgated on 27 December 1947.	Article 117; article 121. Article 118; article 119.	With reference to the regional level of government, regions were granted political autonomy by the Constitution that establishes also their own institutions (Article 121). Each region has an elected parliament (Consiglio Regionale), a government (Giunta Regionale) and a president. « <i>The regions have legislative powers in all subject matters that are not expressly covered by State legislation</i> » (Article 117). With regards to provinces and municipalities the Italian Constitution establishes only their financial autonomy (Article 119) and recognises « <i>[...]their own administrative functions and, in addition, those conferred to them by the law of the state or the region according to their respective fields of competence</i> » (Article 118). The provincial and local institutions and delegate powers are

1. BACKGROUND INFORMATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	D.lgs 18 August 2000, n. 267: "Consolidate law on local government system".	Articles 1-275.	regulated by the "Consolidate law on local government system". The provincial's institutions are: the Provincial Council (Consiglio Provinciale), the Provincial Executive (Giunta Provinciale) and the President; the three main functions devolved to them are: local planning and zoning, provision of local police and fire services and transportation regulation. The municipality's institutions are: the Municipality Council (Consiglio Comunale), the Municipality Executive (Giunta Comunale) and the Mayor. The municipalities provides many of the civil function (registry of births and deaths, registry of deeds, electoral services, etc.).
3 Looking at the Constitution and/or decentralisation law, is there any mention of allocation of responsibility at the different levels for reducing risks related to natural disasters?	Constitution of the Italian Republic, promulgated on 27 December 1947.	Article 117.	The only mention of allocation of responsibility for reducing risks related to natural disasters is contained in Article 117 of the Constitution, that includes functions of Civil Protection in the list of subject matters covered by concurring legislation. In these cases «[...]legislative powers are vested in the Regions, except for the determination of the fundamental principles, which are laid down in State legislation».
4 Is this country a member of any regional organisation(s) that make(s) regulations or agreements or issues guidelines for member states that could impact on disaster management or risk reduction? Is so, please name the organisation(s).			Yes. Italy is a member of: <ul style="list-style-type: none"> ✦ International Strategy for the Mitigation of Risks (UN res. n. 1999/63); ✦ IDRL guidelines of IFRC; ✦ Hyogo Framework for Action 2005; ✦ NATO Euro-Atlantic Disaster Response Coordination Centre;

1. BACKGROUND INFORMATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			⚡ EU Civil Protection Mechanism.

2. Institutional frameworks, resourcing and community participation in DRR (Hyogo 1):

The aim is to identify laws that establish the governmental institutions and structures relevant to DRR, and which set out their mandates, and resource allocation mechanisms, including the extent of involvement of communities and civil society. These may include specialist disaster management institutions, bodies established to implement the Hyogo Framework for Action, or authorities charged with planning for adaptation to climate change, as well as government bodies responsible for planning and oversight, public administration at all levels, land use planning, building controls, environmental management, and telecommunications. However, to avoid repetition, the sectoral institutions are not included in this question but are part of the data requested in the section on reducing underlying risks.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
Part One - Disaster Management Law & Institutions			
<p>The key question in relation to DM laws is whether they exist and, if so, the extent to which they incorporate longer term disaster risk reduction, as well as prevention. Issues for investigation include: progress in the development of comprehensive DM legislation (at national level, provincial and local levels), what, if any, elements of existing DM laws and regulations relate to risk reduction and prevention for natural disasters; and whether there is a specified DM role for communities, civil society and the National Red Cross or Red Crescent Society (especially in recognition of its auxiliary status in humanitarian response).</p>			
A. Disaster Management Institutions			
5	Is there a national disaster management (DM) or civil protection law or regulation? - or a group of regulations? Describe.	L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".	Articles 1-21. In Italy the civil protection is divided into a "National Service", a complex system which includes all the local and central resources necessary for managing a calamity. The system intervenes to provide relief to the population, to help overcome the emergency and aid a return to normality. The operation of the system is actually based on the principle of subsidiarity, according to which the nearest administration to the citizens intervenes first, while the superior administrative levels

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			<p>(Provincial council, Regional Council, Central Government) intervene if the administration is incapable of coping with the event with its own means.</p> <p>In ordinary time, on the other hand, the administrations are involved at all levels in predicting and planning actions of prevention and mitigation of risks.</p> <p>The Department of Civil Protection, a structure of the Prime Minister's Office, has the function of coordinating and directing the National Service of Civil Protection and his components, that are: the local and central administrations like Municipalities, Provinces, Regions and Ministries; public authorities; institutes and groups of scientific research; private institutions and organisations; associated citizens and groups of civil volunteers; professional rolls and boards.</p>
<p>6 Is there also a national disaster management policy? Is this established by a law? Provide details.</p>	<p>L. 9 November 2001, n. 401: "Conversion law of decree 7 September 2001 n. 343".</p> <p>L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".</p>	<p>Article 5.</p> <p>Article 18, 1st paragraph</p>	<p>In compliance with article 5 of the L. 401/01, the national disaster management policy is established by the Prime Minister (or by the Minister of the Interior if delegated) with ordinances and guidelines addressed to the Department of Civil Protection.</p> <p><i>«The National Service of Civil Protection ensures the widest possible participation of citizens, voluntary organizations of civil protection to activities of fore-casting, prevention and rescue, with a view to or during natural disasters, catastrophes or events referred to in this Act».</i></p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
7 Is the DM law a national law applicable throughout the territory of the subject country? If so, does it establish an integrated national system with elements at provincial, local and/or community level?	L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".		See Q. 5
8 Are there separate provincial or local DM laws? Are these connected with the national DM law in any way? e.g., is there a hierarchy of laws between them, or a common institutional structure?	D.lgs. 31 March 1998, n. 112: "Devolution of State's administrative functions to Regions and local governments"	Article 107; article 108.	<p>In Italy there is a complex common institutional structure, where each level of government holds legislative power related with their own competences.</p> <p>Initially, on the basis of "subsidiarity" and "integration" principles, the Legislative decree 112/98 redefined the Civil Protection Service, by transferring important functions to the local authorities:</p> <p>The Central Government remained responsible for: directing, promoting and coordinating the activities regarding Civil Protection; deliberating and revoking, in compliance with the interested regions, the state of emergency; issuing orders; drawing domestic up emergency plans and organising drills.</p> <p>The Regions were responsible for: preparing forecasting and risk prevention programmes, on the basis of national directives; actuating urgent interventions; organising and employing volunteers.</p> <p>The Provinces actuated, on a provincial level, the activities of forecasting and risk prevention; they prepared the provincial</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	L.cost. 18 October 2001, n. 3: "Reform of Title V of the Constitution".	Article 3.	<p>emergency plans and ensured that the provincial structures provided the urgent services to actuate in the event of emergency.</p> <p>The municipalities activated, on a municipal level, the forecasting and risk prevention activities; they prepared the municipal emergency plans,; they ensured the first relief operations and they organised the use of volunteers and municipal Civil Protection.</p> <p>The road to decentralisation was completed with the reform of Title V of the Constitution, L.cost. 3/2001. It inserts Civil Protection in the list of subject matters covered by concurring legislation, thus it has become of regional competence, except for the determination of the fundamental principles.</p>
9 Does the DM or other law establish one or more specialist DM institutions? What are they (i.e. what are their names and what type of body are they) and what are their mandates?	L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".	Article 10;	<p>The Operational Committee of the Civil Protection Department ensures the joint management and the coordination of the emergency activities. It meets in the Department of Civil Protection, it is presided over by the Head of the Department and it is made up of representatives of members and operative structures of the Civil Protection Service. The Committee remains in office for three years. It operates with the presence of at least half of the members plus one. In the event of urgent need or emergency, it may also operate in the presence of representatives of the Department, Fire Department, Armed forces, Police Forces, Forestry Commission, Red Cross, National volunteer organisations and the joint Conference. The Operational Committee was established with l. 225/92, under article 10.</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	Dpcm 7 October 2011, n. 57575: "Reorganisation of the National Commission for Forecasting and Preventing Major Risks".	article 9. Articles 1-4.	The National Commission for Forecasting and Preventing Major Risks is the connecting structure between the National Service of Civil Protection and the scientific Community. It carries out technical-scientific and consultancy as regards predicting and preventing various risk situations. Every two months, it meets in the Civil Protection Department and is made up of twenty-one qualified experts. The members are convened by the chairman with at least ten days' notice, except if urgent or in an emergency when the meeting can be convened even the day before. It can operate with at least ten members and deliberates on a majority of those present. The Commission was established with l. 225/92, under article 9 and the last Prime Minister's Decree which defines its operation and the organisation is dated 7 October 2011.
10 Does the DM policy use the same or different implementing institutions from the DM law? Describe.			DM policy is established with ordinances and guidelines addressed to the Department of Civil Protection, that are also the coordinating structure for all DM institutions.
11 Does the DM law or other law deal with: a. Disaster response ¹ ? b. Disaster prepared-ness ² ?	L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".	Article 1; article 2; article 3; article 9.	Disaster response, disaster preparedness and disaster mitigation and prevention are recognised as specific competences of the National Civil Protection Service, thus every DM institutions at each level have to deal with them.

¹ "The provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected."

² "The knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>c. Disaster mitigation³ and prevention⁴?</p> <p>d. Disaster risk reduction⁵ (DRR)?</p> <p>e. If it includes DRR, how is it defined? (include definition)</p>			About DRR see Q. 19.
<p>12 Does the DM law (or any other law) or policy allocate DRR responsibilities in one or more government ministries? If so, which ministries? Describe their allocated roles.</p>	L. 9 November 2001, n. 401: "Conversion law of decree 7 September 2001 n. 343".	Article 1.	Although the DM law does not allocate DRR responsibilities, the article 1 of the l. 401/01 designates a general competence of the Ministry of the Interior on subject matters related to Civil Protection, except Prime Minister's own faculties.
<p>13 Does the DM law or policy prescribe a role in DM institutions for civil society? If so, how defined and what is the role? At what levels?</p> <p>a. National?</p> <p>b. Provincial/state?</p> <p>c. Municipal/local?</p>	L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".	Article 6; article 17; article 18.	The DM law recognises as components of the National Civil Protection Service institutes and groups of scientific research, private institutions and organisations, associated citizens and groups of civil volunteers, professional rolls and boards. In particular, article 17 defines the role of research institutes and groups as a supporting role to forecasting risks activities; whereas article 18 encourages associated citizens and groups of civil volunteers to participate at forecasting activities, calamities prevention activities and disaster response. All these provisions are

recover from, the impacts of likely, imminent or current hazard events or conditions.”

³ “The lessening or limitation of the adverse impacts of hazards and related disasters.”

⁴ “The outright avoidance of adverse impacts of hazards and related disasters.”

⁵ “The concept and practice of reducing disaster risks through systematic efforts to analyse and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.”

Note: These definitions are taken from the 2009 UNISDR Terminology on Disaster Risk Reduction, obtained here: <http://www.unisdr.org/we/inform/terminology>.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			obviously enforceable at each level.
<p>14 Does the DM law or policy prescribe a role in DM institutions for the National Red Cross or Red Crescent Society? If so, how defined and what is the role? At what levels?</p> <p>a. National? b. Provincial/state? c. Municipal/local?</p>	<p>L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".</p>	<p>Article 8; article 10; article 11.</p>	<p>At national level, DM law identifies Italian Red Cross as one of the compulsory components of the Civil Protection National Council (article 8) and of the Operational Committee (article 10).</p> <p>Italian Red Cross is recognised by the article 11 as part of the operative structure of the National Civil Protection Service, therefore it holds a prominent role in performing Civil Protection purposes at each level.</p>
<p>15 Is there any provision in the DM law or policy to ensure that women have a role and a voice in the DM institutions? If so, how is this regulated or encouraged by law? At what levels does the law provide for women's participation in DM institutions?</p> <p>a. National? b. Provincial/state? c. Municipal/local?</p>			No.
<p>16 Does the DM law or policy prescribe a role in DM institutions for communities? If so, how defined and what is the role? Does it specify any mechanisms to ensure a voice for all</p>			No.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>elements of the community in DRR, e.g.</p> <p>a. Women?</p> <p>b. Different cultural or ethnic groups?</p> <p>c. Vulnerable groups, including children, older persons, persons with disabilities?</p> <p>d. Socially isolated groups and the very poorest people?</p>			
17 Describe the main differences in the scope of the DM law and the DM policy concerning prevention and disaster risk reduction.			The system established by the DM law is unitary and the DM policy has to according with the general purposes settled by the same law; thus there is no differences between law and policy concerning DM.
18 Does the DM law or policy, or other legislation, provide for oversight mechanisms on DRR implementation, including reporting and/ or parliamentary oversight?	L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".	Article 5.	As established by article 5, the Government has to yearly report to Parliament about Civil Protection activities, then also about DRR.
B. Hyogo Framework for Action & Climate Change Institutions			
19 Does legislation establish any institutions (including committees), or allocate to an existing body,	Dpcm 18 January 2008, n. 30792: "Establishment of the National Platform for Disaster	Article 1; article 2.	To implement the Hyogo Framework for Action, in 2008 the Italian Prime Minister set up the National Platform for Disaster Risk Reduction, and assigned to the Italian National Civil Protection

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>implementation of the Hyogo Framework for Action? What institutions? What are their designated roles in DRR?</p>	<p>Risk Reduction”.</p>		<p>Department the responsibility of its coordination.</p> <p>The structure of the Italian Platform is based on a strategic, operational and technical cooperation. At the strategic level, a Coordination Committee made of the top leaders of all public and private partners has been set up to ensure a strategic guidance to the Platform and a synergic cooperation among its political, scientific, technical and socio-cultural components. An Executive Committee operates at the intermediate level to guarantee a smooth daily management of the Platform’s activities, to represent the platform in Italy and abroad and to spread information to all its members.</p> <p>The National Platform tasks, established by article 1 are: to facilitate collaboration and coordination for the sustainability of risk reduction activities through a participatory and consultative process; to foster an environment in which both the importance of culture of prevention and culture of awareness are stressed; to facilitate the integration of risk reduction activities into national development policies as well as in international development programmes.</p>
<p>20 Does legislation establish any institutions (including committees), or allocate to an existing body, planning and implementation for adaptation to climate change? What institutions? What are their</p>			<p>No</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
designated roles in DRR?			
21 Do the implementation mechanisms for the Hyogo Frame-work, climate change adaptation and DM institutions intersect? If so, how? Are their mandates complementary or do they overlap? Describe.			See Q. 19
C. DRR priority and resource allocation in government			
22 Does the budgetary process provide for any dedicated budget line items for DRR and/or minimum percentages for DRR expenditure by government institutions? If so, is there a budget allocated to DRR at national level? How is this prescribed?			No.
23 Is there a budget allocated to DRR at provincial/state level (if relevant)? How is this prescribed?			No.
24 Is there a budget allocated to DRR at municipal or local level? How is this			No.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
prescribed?			
Part Two - Responsibility, accountability and liability for natural disaster risk reduction			
<p>The aim is to identify relevant constitutional or other guarantees that may underpin government responsibility, liability and affected persons' rights to compensation. These may include rights to: safety /life; not to be discriminated against; protection of livelihoods; health; compensation; and to information relevant to DRR. One specific issue on the question of liability, is whether governments are liable for failure to prevent natural disasters affecting the population, including for failure to warn, or for making an erroneous warning. A second, related, issue is whether private individuals are liable for damage caused to others from their property during natural disasters, or for faulty advice/warnings given. A third element is whether there is any system of compulsory insurance against the effects of natural disasters.</p>			
A. Constitutional Rights & Guarantees for the Population			
<p>25 Are there any guarantees in the constitution or another law relating to individual or collective rights that may underpin government responsibility or liability, and affected persons' rights to compensation for damage from natural disasters? If so, do these relate to:</p> <ul style="list-style-type: none"> a. DRR in general? b. Safety /Life? c. Right to Food? d. Right to adequate shelter or housing? 			<p>Italy is one of the few developed countries without a legal regulation on economic coverage for damage from natural disasters.</p> <p>The Government adopts legislative decrees whenever a natural disaster occurs, with consequent high costs and not adequate services to the citizens, to whom compensation is not always proportional to the damage actually suffered.</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<ul style="list-style-type: none"> e. Non-discrimination, (and other relevant civil and political rights)? f. Livelihoods, Health (and other economic, social and cultural rights)? g. Compensation for losses due to natural disasters? h. Information? 			
<p>26 Do the above constitutional or other guarantees give residents any personal right of action against the state if the government breaches these rights? E.g. access to a constitutional court, or a claim in a human rights court or tribunal? If so, explain how the law enables this to occur, and who has the right to make such claims. E.g.</p> <ul style="list-style-type: none"> a. Is it an individual or a collective right? b. Can claimants represent themselves? c. Are there costs that mean the poorest people cannot access the remedy? d. Are there financial limitations on any such claims (minimums or 			See Q. 25

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
maximums)?			
B. Liability & Insurance			
27 Does legislation (including case law, where applicable) make government agencies liable for failure to prevent natural disasters affecting the population?			No.
28 Are government agencies liable for failure to warn or for making an erroneous warning of natural disaster? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?			<p>There is no particular legislation applicable for failure warning, but, as in occasion of L'Aquila earthquake in 2009, the people taking part in government agencies could be individually prosecuted. In mentioned example the members of the National Commission for Forecasting and Preventing Major Risks have been accused of manslaughter for omitted warning.</p> <p>For erroneous warning Italian Penal Code establish at article 658 that «<i>Anyone announcing disasters, accidents or non-existent dangers, raises alarm at the Authority, or at institutions or persons exercising a public service, shall be punished with imprisonment of up to six months or a fine of from ten to five hundred and sixteen euro</i>».</p> <p>Since in both cases it is criminal responsibility, the only possibility for injured parties to seek redress is to bring a civil action in the criminal proceedings. This is an individual action.</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>29 Do government agencies that fail to warn or make an erroneous warning have legal immunity? If governments have immunity from liability, how extensive is this and/or how and where in law is it defined? Does it apply to all levels of government?</p>			No
<p>30 Are private persons (individual or corporate) liable for faulty disaster-related advice or warnings given? Does this apply to volunteers? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?</p>			See Q. 28
<p>31 Are private persons (individual or corporate) liable for damage caused to others from their property during natural disasters? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?</p>			No. Because natural disasters are recognised as acts of God, which is one cause of exclusion of liability.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR (HYOGO 1)

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
32 Is there any system of compulsory insurance against the effects of natural disasters? If so, how is this established by law and what are the main elements of the scheme?			No. To date the system of insurance against the effects of natural disasters is still voluntary, but Government is working to make it compulsory.

3. Early warning and reduction of underlying risk factors through regulation

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>Parts One and Two: Are there laws or regulations relating to preparedness, prevention and/ or risk reduction against the following specific natural hazards (if relevant)? Such regulations may include some specific laws on rapid-onset disasters – Part One – such as fire regulations and fire service, as well as building codes (e.g. earthquake, fire, hurricanes/cyclones), land zoning and land use planning regulations (e.g. flood plain exclusions, unstable land) , disaster management / civil protection laws, and environmental management laws concerning rivers and forests (flood mitigation, erosion prevention against landslides and floods). There may be similar or a different range of laws concerning slow-onset disasters such as drought and other food security issues – Part Two. There may therefore be some overlap with the subsequent sections, but the main aim of Parts One and Two of this section is to identify which risks have separate regulation in the subject country, and in which laws.</p>			
<p>Part One - Rapid-onset disasters, sectoral and specific regulation based on identified risks and community participation</p>			
<p>A. Cyclones, tornadoes, or storms?</p>			
<p>33 Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?</p>	<p>D.lgs. 31 march 1998, n. 112: “Devolution of State's administrative functions to Regions and local governments”</p> <p>L. 3 august 1998, n. 267: “Urgent measures to prevent hydro-geological risk”.</p>	<p>Article 107, article 108, article 111.</p> <p>Article 1,</p>	<p>In Italy there isn't a specific law about cyclones, tornadoes or storms, but there is a set of measures that regulates hydro-meteorological, hydraulic an geological risks in general.</p> <p>D.lgs 112/98 establishes the general State competence in providing guidelines and coordination for risks prevention activities (article 107), whereas binds Regions to realize and to manage the institutions for same activities (article 108). Furthermore this act institutes, with article 111, the national meteorological service.</p> <p>In virtue of article 1 National or regional authorities, it depends by size of interested area, provide for draw up a plan for all catchment areas with indication of every hydrogeological risk for each of</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	<p>Dpcm15 December 1998, n. 99100: "Approval of the program to strengthen the hydro-meteorological monitoring system".</p> <p>L. 11 December 2000, n. 365: "Urgent measures for areas with very high hydro-geological risk and for civil protection".</p>	<p>article 2.</p> <p>Articles 1-4.</p> <p>Article 1.</p>	<p>them. The Council of Ministers plans a list of urgent measures for reduce the impact of this risks, also with maintenance services for more dangerous catchment areas, while Civil Protection authorities provide emergency plans for disaster response, connected with EWS, with as principal aim to reduce the effects for afflicted communities. Regional authorities can also provide subsidies for privates citizens who realize maintenance works to reduce hydrogeological risks.</p> <p>Article 2 establishes a gathering national system of hydro-meteorological data, that has to cover all the national territory.</p> <p>The gathering national system of hydro-meteorological data becomes responsible also for monitoring data and data transmission. Furthermore the Decree establishes a new set up for the system with regional offices that have to collect data and to make previsions. Each office is connected with EWS and can activate Civil Protection System; in order to standardize and improve this service the Decree requires to fix alarm thresholds.</p> <p>L. 365/00, with article 1, introduces the use of meteorological radars.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	Dpcm 27 February 2004, n.13690: "operational guidelines for the management of the national warning system for hydro-meteorological risk".	Articles 1-6.	This act devolves upon the Department of Civil Protection the responsibility of the hydro-meteorological monitoring system. Following Directive's provisions, the system is now structured as follow: 21 (one for each region) Functional Centres responsible for collecting, processing and sharing all the hydro-meteorological data available which is interpreted on the basis of models and simulations of calamitous events; each region establishes its own hydro-meteorological risk plan, which fixes thresholds of normal, moderate and high risk and regulates the relationship with EWS; the Central Functional Centre, situated in Department's offices, coordinates all system's activities that cover the phases of prevision, of monitoring, of prevention and of response.
34 Does this law specify how management of this risk is financed? If so, describe.			No. Law doesn't specify any particular financing method; risk management is devolved upon Civil Protection System, thus is financed with its funds.
35 Does this law attribute liability for damage caused by: a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both?			See Q. 27 and Q. 28

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>36 Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?</p>	<p>L. 3 August 1998, n. 267: "Urgent measures to prevent hydro-geological risk".</p> <p>L. 11 December 2000, n. 365: "Urgent measures for areas with very high hydro-geological risk and for civil protection".</p> <p>Dpcm 27 February 2004, n.13690: "operational guidelines for the management of the national warning system for hydro-meteorological risk".</p>	<p>Article 1</p> <p>Article 2, article 3.</p> <p>Article 2,</p> <p>article 4.</p>	<p>See Q. 33</p> <p>L. 365/00 requires an extraordinary reconnaissance of catchment areas (article 2) and it also provides the creation of a national geological map (article 3).</p> <p><i>«For the purposes of forecasting and prevention, Regions, also cooperating with each other and in agreement with the Department of Civil Protection, split and / or aggregate the catchment areas of its jurisdiction, or parts thereof, in areas territorial significantly homogeneous for the expected onset of the type and severity of intense hydro-meteorological events and their effects».</i></p> <p>Following the provisions of article 4, every morning by 12.00 the technical group of the Department must send to the Head of Department the weather forecasts for the next 24, 48, 72 hours; after that the Department releases a "supervision bulletin" containing a synthesis of them and, if there is some worrying data, it issues also a "national/regional notice" that raises the level of criticality. The Functional Centres involved have to process data, compare it with their regional hydro-meteorological risk plan and</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			release a “criticality notice” where they show the expected future development of the situation. Every day by 16.00 the Department publishes the “national criticality notice on hydro-geological and hydraulic risks”, containing the “supervision bulletin” and the eventual “national/regional notice” and “criticality notice”.
<p>37 Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			No.
<p>38 Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>	<p>Dpcm 27 february 2004, n.13690: “operational guidelines for the management of the national warning system for hydro-</p>	<p>Article 4.</p>	<p>The Functional Centres have to transmit their “criticality notice” also to the regional governments that, if necessary, forward them to local authorities involved in order to declare the state of emergency and to adopt their own emergency plans.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	meteorological risk”.		
39 If communities are involved in Early Warning Systems (EWS), does this law provide that they: a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)?			No.
B. Earthquake/Tsunami?			
40 Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?	D.lgs. 31 March 1998, n. 112: “Devolution of State's administrative functions to Regions and local governments”	Article 93.	D.lgs. 112/98 entrusts to the central government the tasks of establishing general criteria for the identification of seismic zones and the technical standards for construction in those areas. Prime Minister approves by this act the legal standards to build in seismic areas. He requires also to verify that strategic edifices and fundamental infrastructures have been built in conformity with them.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	<p>Opcm 20 March 2003, n. 3274: "First elements on general criteria for seismic classification of the national territory and technical standards for construction in seismic areas".</p> <p>Opcm 28 April 2006, n. 3519: "General criteria to identify seismic zones and to update the lists of seismic areas".</p> <p>Opcm 13 November 2010, n. 3907: "Contributions to seismic risk prevention".</p>	<p>Article 1, article 2.</p> <p>Article 1.</p> <p>Article 2.</p>	<p>This ordinance identifies 4 category of risk in order to classify the national territory.</p> <p>Allocating financial sources, the article 2 identify as urgent measures the micro-zoning for regional authorities and structural consolidation for strategic buildings for local government.</p> <p>There is no a specific law about tsunamis risk, since in Mediterranean areas in nearly every case they stem from a seismic event.</p>
<p>41 Does this law specify how management of this risk is financed? If so, describe.</p>	<p>L. 24 June 2009, n. 77: "Urgent measures for people affected by L'Aquila earthquake and more urgent measures of civil protection".</p>	<p>Article 11.</p>	<p><i>«In the state budget of the Ministry of Economy and finances is established a fund for the prevention of seismic risk. For this purpose is authorized the expenditure of € 44 million for the year 2010, € 145, 1 million for the year 2011 of € 195.6 million for each of the years 2012, 2013 and 2014, € 145.1 million for the year 2015 and € 44 million for the year 2016.</i></p> <p><i>The Minister of Economy and Finance is authorized to make the necessary changes to the budget».</i></p>
<p>42 Does this law attribute liability for</p>			<p>See Q. 27 and Q. 28</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>damage caused by:</p> <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			
<p>43 Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?</p>	<p>D.lgs. 31 March 1998, n. 112: "Devolution of State's administrative functions to Regions and local governments"</p> <p>Opcm 20 March 2003, n. 3274: "First elements on general criteria for seismic classification of the national territory and technical standards for construction in seismic areas".</p> <p>Opcm 28 April 2006, n. 3519: "General criteria to identify seismic zones and to update the lists of seismic areas".</p>	<p>Article 94.</p> <p>Article 1, article 2.</p> <p>Article 1.</p>	<p>Regions and local authorities are indicated as responsible for individuate seismic areas by article 94.</p> <p>After general criteria approval, the regional authorities provide for draw up lists of seismic areas.</p> <p>This Ordinance approves the first seismological national map and, in virtue of it, establishes to update the lists of seismic areas.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>44 Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			No.
<p>45 Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>	<p>Dpcm 27 February 2004, n.13690: “operational guidelines for the management of the national warning system for hydro-meteorological risk”.</p>	Article 4.	<p>Also for the tsunami risk, the EWS currently working in Italy is the one established by the Directive 27 February 2004, indeed the Directive's contents have been later extended to natural and technological risks.</p> <p>As said before, most of the tsunamis that have occurred in Mediterranean area are of seismic origin. Thus, also for the tsunami risk, the Department refers to the INGV - National Institute of Geophysics and Volcanology- as competence centre, which deals with monitoring and communicating seismic events occurring on the Italian territory. Seismic signals are centralized in the</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			<p>monitoring room of the National Earthquake Center where a real-time analysis of acquired signals is carried out. Each seismic event of magnitude greater than 2,5 occurring on the national territory is communicated to the Department of Civil Protection, in order to activate EWS.</p> <p>It should be pointed out here that over the next few years should be activated the NEAMWTS – North Eastern Atlantic & Med Tsunami Warning System - project, in which Italy is one of the main protagonists.</p>
<p>46 If communities are involved in EWS, does this law provide that they:</p> <ol style="list-style-type: none"> Assist in the design of local and community EWS? Establish or maintain EWS? Provide information for the EWS? Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			No.
C. Fire?			
47 Is there a specific law about this hazard (i.e. not the main DM law)? If	L. 21 November 2000, n. 353: "Framework law on forest	Article 3, article 4,	In virtue of article 3, each Region has to draw up and approve its own "fires regional plan", containing regulations on prevision

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	<p>D.lgs. 17 august 1999, n. 334: "Risk prevention for fires caused by dangerous substances".</p> <p>D.P.R. 1 August 2011, n. 151: "Regulations on preventing fires procedures".</p>	<p>Article 8, article 11.</p> <p>Article 4, article 5, article 6.</p>	<p>Legislative Decree 334/99 obliges industrial operators that use hazardous substances to prepare a safety report indicating the highest risk, the preventive actions taken, the risk management system adopted and label requirements for all infrastructure potentially involved. It also made a requirement to draw up an internal emergency plan.</p> <p>D.P.R. 151/01 introduces, about the treatment of hazardous and highly flammable substances, tight controls on firefighting procedures and the periodic renewal of the certificate of conformity.</p>
<p>48 Does this law specify how management of this risk is financed? If so, describe.</p>			<p>No. Law doesn't specify any particular financing method; risk management is devolved upon Civil Protection System, thus is financed with its funds.</p>
<p>49 Does this law attribute liability for damage caused by:</p> <ol style="list-style-type: none"> failure to warn, or false or faulty warnings of this risk? failure to take preventive action including by reducing this risk? If so, who may be liable - or immune? Is it civil or criminal liability, or both? 			<p>See Q. 27 and Q. 28</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>50 Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?</p>	<p>L. 21 November 2000, n. 353: "Framework law on forest fires".</p> <p>D.m. 20 December 2001, n. 20347: "Guidelines for regional plans for prevision, prevention and fires fighting".</p> <p>Dpcm 1 July 2011, n. 55366: "About forest fires".</p>	<p>Article 4.</p> <p>Section I, section II.</p>	<p>The regions have to draw up specific maps for the areas at risk and, in the exercise of its powers in urban and regional planning, must take into account the degree of risk of forest fires in the area.</p> <p>Regions provide plans indicating: a general description of their territory to prepare databases with collection and processing data from the last five years, to carry out a detailed thematic mapping; the underlying causes and factors predisposing fires; the areas covered by the fire in the previous year, represented with special maps; the areas at risk of bushfire represented with a specific thematic map updated, with an indication of the types of vegetation prevailing; the periods at risk of bushfire, with an indication of the wind speed profile prevailing.</p> <p>The Directive provides for the publication of a provincial bulletin containing the estimated risks in the next 24 hours, that have to be made available to the Fire Department, the Forest Service and local authorities in order to ensure an adequate flow of information.</p>
<p>51 Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts</p>			<p>No.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
<p>52 Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>	<p>Dpcm 27 February 2004, n.13690: “operational guidelines for the management of the national warning system for hydro-meteorological risk”.</p> <p>D.m. 20 December 2001, n. 20347: “Guidelines for regional plans for prevision, prevention and fires fighting”.</p>	<p>Article 4.</p> <p>Section IV, paragraph 20.</p>	<p>Also for the fire risk, the EWS currently working in Italy is the one established by the Directive 27 February 2004, indeed the Directive's contents have been later extended to natural and technological risks.</p> <p>The section in question provides for the creation of teams for reconnaissance and surveillance, also equipped with aircraft if available, that during times of high criticality provide coverage 24 hours a day in permanently connection with the competent Functional Centres to ensure EWS.</p>
<p>53 If communities are involved in EWS, does this law provide that they:</p> <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? 			<p>No.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)?			
D. Floods?			
54 Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?	D.lgs. 23 February 2010, n. 49: "Assessment and management of flood risk".	Article 7.	<p>In compliance with the provisions of Directive 2007/60/EC of Italy had to draw up a special law about the risk of flooding. Remains valid and enforceable as written in Section A.</p> <p>In particular, the Decree provides for the introduction of management plans for flood risk for each catchment areas in particular with regard to prevention, protection, preparedness and connection to the national alert system, taking into account the territorial and morphological characteristics. Management plans may also include the promotion of sustainable practices of land use, improved water retention actions, as well as the controlled flooding of certain areas in case of a flood.</p> <p>Is established as aim of the act the reduction of potential adverse consequences for human health, land, property, the environment, cultural heritage and economic and social activities, by giving priority to non-structural measures and DRR actions.</p>
55 Does this law specify how			No. Law doesn't specify any particular financing method; risk

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
management of this risk is financed? If so, describe.			management is devolved upon Civil Protection System, thus is financed with its funds.
56 Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. Failure to warn, or false or faulty warnings of this risk? b. Failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			See Q. 27 and Q. 28
57 Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?	D.lgs. 23 February 2010, n. 49: "Assessment and management of flood risk".	Article 4, article 5, article 6.	D.lgs. 49/10 establish that, after a preliminary assessment of the flood risk and the identification of potential risk areas, river basin authorities draw up thematic maps highlighting, in particular, the zones where flooding may occur with a high content of transported sediments and debris flows, and dividing the potential risk areas into zones of low, medium and high criticality.
58 Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts	D.lgs. 23 February 2010, n. 49: "Assessment and management of flood risk".	Article 10.	This article is confined to stimulate river basin authorities to encourage the widest possible participation of the at-risk communities in the drafting and revision of the plans.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
<p>59 Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>			No.
<p>60 If communities are involved in EWS, does this law provide that they:</p> <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
E. Heat/cold waves?			
61 Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			See section A.
62 Does this law specify how management of this risk is financed? If so, describe.			
63 Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. Failure to warn, or false or faulty warnings of this risk? b. Failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			
64 Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in			

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>relation to this risk? If so, what authority is responsible and what is their mandate?</p>			
<p>65 Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
<p>66 Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>			
<p>67 If communities are involved in EWS, does this law provide that they:</p>			

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			
68 Describe form of regulation, and institutional responsibility.			
F. Insect Infestations?			
69 Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No.
70 Does this law specify how management of this risk is financed? If so, describe.			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>71 Does this law attribute liability for damage caused by:</p> <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			No.
<p>72 Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?</p>			No.
<p>73 Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? 			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<ul style="list-style-type: none"> b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
<p>74 Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>			No.
<p>75 If communities are involved in EWS, does this law provide that they:</p> <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
G. Landslides and avalanches?			
76 Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			See section A.
77 Does this law specify how management of this risk is financed? If so, describe.			See section A.
78 Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			See section A.
79 Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in			See section A.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>relation to this risk? If so, what authority is responsible and what is their mandate?</p>			
<p>80 Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			<p>See section A.</p>
<p>81 Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>			<p>See section A.</p>
<p>82 If communities are involved in Early Warning Systems (EWS), does this</p>			<p>See section A.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>law provide that they:</p> <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			
H. Volcanoes?			
<p>83 Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?</p>			<p>In Italy there isn't a specific law on volcanic risk, but is established in the Department's offices the National Functional Centre for Volcanic Risk, which is an internal technical-scientific support structure that carries out: acquisition, sharing, synthesis and elaboration of data from the Centres of Competence that monitor and supervise active Italian volcanoes; simulation of effects and assessment of those actually or potentially exposed; criticality assessment to assist decision-making; elaboration and diffusion of surveillance and criticality bulletins and, if necessary, event reports and criticality warnings. The National Functional Centre for Volcanic Risk ordinarily operates in a state of surveillance (12 hours/day) and depending on the various criticality levels moves to a state of alert and, if necessary, of alarm (24/7) adopting the set procedures.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
84 Does this law specify how management of this risk is financed? If so, describe.			No. Law doesn't specify any particular financing method; risk management is devolved upon Civil Protection System, thus is financed with its funds.
85 Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. Failure to warn, or false or faulty warnings of this risk? b. Failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			See Q. 27 and Q. 28
86 Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?			<p>Using information from the Centres of Competence and local structures, the Central Functional Centre for Volcanic Risk elaborates a weekly "Surveillance and criticality bulletin for Italian volcanoes", which gives available information regarding the state of activity of each of the active volcanoes, with critical assessment for each one. When activity by a volcano exceeds the ordinary critical level, the National Functional Centre for Volcanic Risk always draws up a "Criticality notice" which presents an overview of visual and instrumental observations of phenomena.</p> <p>In addition to the weekly bulletin, the Central Functional Centre for Volcanic Risk draws up a specific daily surveillance bulletin for Stromboli, which, due to its peculiar persistent activity and</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			<p>excursions made every day, requires special surveillance. The “Surveillance bulletin for the volcano Stromboli” summarises available information regarding the volcano’s state of activity over the past 24 hours and provides a consequent criticality assessment.</p> <p>The National Functional Centre for Volcanic Risk elaborates daily also the “Forecast maps of areas potentially at risk from the dispersion of ash into the atmosphere and on the ground in the event of an explosion by Etna” and publish it on the National alert system internet site, to support decision-making by authorities responsible for flight safety.</p>
<p>87 Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			<p>No.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
88 Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?	Dpcm 27 february 2004, n.13690: "operational guidelines for the management of the national warning system for hydro-meteorological risk".	Article 4.	Also for the volcanic risk, the EWS currently working in Italy is the one established by the Directive 27 February 2004, indeed the Directive's contents have been later extended to natural and technological risks.
89 If communities are involved in Early Warning Systems (EWS), does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			No.
Part Two - Slow-onset disasters, sectoral and specific regulation based on risks and community participation			
I. Drought and related famine?			
90 Is there a specific law or institutional mandate for drought preparedness and risk reduction, especially for			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>agriculture and related industries? In particular:</p> <ul style="list-style-type: none"> a. Rain and river water storage, distribution and conservation measures? b. Development and maintenance of ground water extraction, storage and distribution? c. If so, describe the forms of regulation. At what level(s) of government is this regulated? 			
<p>91 Is there a specific law or institutional mandate for early warning and response to drought, to mitigate the effects of drought and help prevent famine? In particular:</p> <ul style="list-style-type: none"> a. Is an institution legally mandated to issue drought early warnings? If so, how is this regulated? b. Is an institution legally mandated to impose water use restrictions? If so, at what level(s) of government? c. Is there legal provision for diversion, piping or transporting water to drought-affected areas? If so, at what level(s) of 			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
government?			
92 Do the above laws or mandates specify how management of drought and famine risk is financed? If so, describe.			No.
93 Do the above laws or mandates regulate the collection and distribution of information on drought and related famine risks? If so, what authority is responsible and what is their mandate?			No.
94 Do the above laws or mandates provide for consultation and/or participation about drought and famine risk, early warning or general DRR regarding drought and famine by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
with disabilities? d. Socially isolated groups and the very poorest people?			
J. Other food security risks?			
95 Is there a specific law or institutional mandate concerning threats to food security other than droughts? (e.g. predicted effects of climate change, such as inundation of agricultural land and/or mass migration). a. If so, describe the form of regulation to reduce the impact of these risks (if any), and institutional responsibility b. At what level(s) of government is this regulated?			No.
96 Does the above law or mandate specify how management of food security is financed? If so, describe.			No.
97 Does the above law or mandate regulate the collection and distribution of information on hazards and risks to food security, particularly those relating to agricultural production? If so, what			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
authority is responsible and what is their mandate?			
98 Does the above law or mandate provide for community consultation and/or participation about risk reduction from threats to food security? How? If so, does it provide for participation or a voice for all parts of those communities, including: a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people?			No.
Part Three - Early Warning, Hazard Mapping and Risk Information			
A. Early Warning			
99 In addition to the sectoral laws above, is there any general obligation to establish early warning systems (EWS) in the disaster	L. 24 February 1992, n. 225: "Institution of the National Civil Protection Service".	Article 3-bis.	«[...]The governance and management the national warning system shall be provided by the Department of Civil Protection and regions, through the network of Functional Centre established by the Prime Minister's Directive of 27 February 2004[...]».

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>management law?</p> <p>a. If so, does this include institutional mandates on EWS?</p> <p>b. Which institution(s) are involved and what are their mandates on EWS?</p> <p>c. Is there legal pro-vision for financing of EWS?</p>	<p>Dpcm 27 February 2004, n.13690: "operational guidelines for the management of the national warning system for hydro-meteorological risk".</p>	<p>Articles 1-6.</p>	<p>The Department of Civil Protection and the regions have prepared a highly sophisticated network of monitoring and alerting which provides information to support the decision making processes of risk management. The system is based on a series of regional Functional Centre responsible for collecting, processing and sharing all the meteorological, seismic, volcanic and hydrological data available which is interpreted on the basis of models and simulations of calamitous events. When a particular risk threshold is exceeded, for example in the event of precipitation, floods or forest fires, warnings are issued which start up the first phases of a sequence of alerts that may lead to actions of contrast or preparation to the emergency or to the evacuation order.</p> <p>Regional and local authorities have to draw up an emergency plan and they are all involved in EWS since they represent the addressees of Functional Centre's alarms and they are responsible for emergency plans' application and for alerting communities.</p> <p>The Central Functional Centre has the mandates of monitoring and analysing data concerning crisis situations in Italy and abroad, through a multi-risk approach, and of providing assistance to the regions that do not yet have a functional centre.</p> <p>For events requiring an intervention on a national level, an effective sequence of procedures is established which consists of formulating the event scenarios necessary for defining the suitable</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
	Dpcm 3 December 2008, n. 36500: "Organization and functioning of Sala Situazione Italia of the Department of Civil Protection"	Articles 1-4.	interventions of civil defence in real time. The Central Functional Centre is divided into categories of risk. "Sala Situazione Italia" of the Department of Civil Protection is an active national coordination centre responsible for monitoring and overseeing the country in order to identify the planned or actual emergency situations and to monitor changes and to alert and activate the various components and operational structures of the Civil Protection National Service involved in the management of emergencies.
100 Does EWS regulation include requirements for community consultation and participation in development of EWS? Describe.			No.
101 Does EWS regulation provide for community-based early warning data collection? Describe.			No.
102 Does EWS regulation provide for timely and reliable access for at-risk communities to EWS, meteorological or seismological data (as relevant)? Describe.	Dpcm 27 February 2004, n.13690: "operational guidelines for the management of the national warning system for hydro-meteorological risk".	Articles 1-6.	Following the evaluation of criticality issued by the network of Functional Centres, regional authorities have to provide for an adequate level of alert. The President of the Region or its delegated, is responsible for activating the National System of Civil Protection in accordance with procedures defined in autonomy in their own regional emergency plans and therefore different from region to region. The alert activates civil protection structures, both

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			before the event occurs, both during, and the countermeasures can range from a simple availability of staff to the implementation of an emergency plan. In the end the Mayor, alerted by the Region, based on the uniqueness of their area activates the measures provided for in its emergency plan and informs community about the situation and the actions it intends to take.
<p>103 Does the law regulating telecommunications infra-structure and delivery include any DRR criteria in general, or any specific measures such as:</p> <ul style="list-style-type: none"> a. Geographical coverage of telecommunications to include remote and/or at-risk areas? b. Priority access to communications technology for at-risk communities and responders to disaster? c. Access for vulnerable groups such as the elderly and persons with disabilities? d. Support for early warning systems? 			No.
<p>104 Does the above law impose, or allow for the imposition, of any restrictions on use of certain types of</p>			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>telecommunications equipment</p> <p>a. Generally throughout the territory?</p> <p>b. In specified areas?</p> <p>c. Under specified circumstances?</p>			
B. Risk identification, assessment and monitoring			
105 In addition to the sectoral laws above, does the disaster management law regulate the collection and distribution of information on hazards and risks (risk mapping)? If so, what authority is responsible and what is their mandate?			No. As seen before, Risk mapping and its management is established in the sectoral laws.
106 Does the disaster management law, or another law, regulate the collection and publication of seismological, meteorological and climatic data relevant to natural disasters? If so, what does it require and who is responsible for this, and under what law?	Dpcm 27 February 2004, n.13690: "operational guidelines for the management of the national warning system for hydro-meteorological risk".	Article 4.	See Q. 36 and Q. 99
107 Does the disaster management law, or another law, regulate the			No. Is the "Istituto Nazionale di Statistica" -ISTAT-, the Italian National Statistical Institute, responsible for this activities. Its

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
collection and publication of baseline population data, especially in high risk areas? If so, what does it require and who is responsible for this, and under what law?			mandate includes indeed the census of population.
Part Four - Regulation of the Built Environment			
<p>The aim is to outline the laws and regulations that set out building and construction standards, relevant approvals and enforcement processes, as well as planning and construction of roads & bridges, and land use planning and zoning, such as: urban and rural planning and zoning, including prohibitions on development of high risk sites, public open space for evacuation, access for rescue services such as fire and ambulance, and including regulation of informal settlements; regulation and responsibility for water storage, distribution and quality control for human consumption, flood mitigation construction and other water management against flooding; land tenure, including mapping and registration of tenure rights (especially participatory land mapping with communities) and any recognition of indigenous land rights and occupiers' rights; regulation of emergency and transitional shelter; and regulation or treatment of informal settlements.</p>			
A. Building Codes			
<p>Identify building and construction codes, including fire, flood and earthquake safety, as relevant to identified risks, including any differences in regulation, such as between large urban construction and small residences in rural villages; building regulations, including approvals, inspection and enforcement; and any regulation of emergency and transitional shelter, and informal settlements.</p>			
108 Is there a national building and construction law? If so, what authority is responsible for its implementation?	D.P.R. 6 June 2001, n. 380: "Consolidate law on construction".	Articles 1-138.	Since building and construction are inert in the list of subjects under concurrent legislation, all authorities are involved at various levels in the implementation of this Act. The Government establishes the general criteria and orientations, including technical standards, and Regions exercise concurrent legislative power on construction in compliance with them. The municipalities within its

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			<p>statutory and regulations, governing construction activity (article 2).</p> <p>The regulation that municipalities adopt pursuant to Article 2, paragraph 4, must contain the discipline of construction methods, particularly with regard to technical and aesthetic, sanitary and safety norms (article 4).</p>
109 If there is not a national building and construction law, is this issue regulated at provincial/state or local level? If sub-national regulation only, can you find an example of such a law?			
110 Does the building and construction law include detailed building codes, regulations or rules? Are these codes mandatory and binding? What areas do they cover (e.g. fire, earthquake, general building design and construction, health requirements, water & sanitation etc.)? List these categories of regulation.	D.P.R. 6 June 2001, n. 380: "Consolidate law on construction".	Articles 52-135.	<p>The entire Section 2, entitled "Technical standards for construction", establishes mandatory and detailed standards, in particular related to:</p> <ul style="list-style-type: none"> ⤴ works in reinforced concrete, normal and pressurised, and steel structure; ⤴ overcoming and removal of architectural barriers in buildings, public and private open to the public; ⤴ buildings with special requirements for seismic zones; ⤴ plant safety; ⤴ the containment of energy consumption in buildings. <p>Article 52: «In all municipalities of the Republic the buildings, both public and private, must be made in compliance with the technical standards for the various construction elements fixed by</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			<p><i>decree of the Minister for Infrastructure and Transport, after consulting the Board of Public Works which also makes use of the collaboration of National Research Council. If the technical standards relate to buildings in seismic zones they are taken in consultation with the Minister of the Interior. These standards define:</i></p> <p><i>a) the general criteria for the technical-construction design, construction and testing of masonry and for their consolidation;</i></p> <p><i>b) loads and overloads and combinations thereof, also depending on the type and mode of construction and the destination of the work, as well as the general criteria for the verification of the safety of constructions;</i></p> <p><i>c) the investigation of soils and rocks, the stability of natural slopes and escarpments, the general criteria and the technical details for the design, construction and testing of supporting land and foundation works, the general criteria and clarification techniques for the design, construction and testing of special works, such as bridges, dams, reservoirs, pipelines, towers, prefabricated buildings in general, aqueducts, sewers;</i></p> <p><i>d) the protection of buildings from fire.</i></p> <p><i>If it is used construction systems other than masonry or reinforced concrete with a steel frame and prestressed, steel or combined systems of such materials for buildings with four or more planes in and out of the ground, the suitability of these systems</i></p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			<p><i>must be proven by a statement issued by the Prime Minister of Public Works with the assent of the Board.</i></p> <p><i>3. The technical standards referred to in this article and its updates shall enter into force thirty days after the publication of their decrees in the Official Journal of the Italian Republic».</i></p>
111 Does this law include mechanisms for individual building approvals? If so, which institution(s) have responsibility for this?	D.P.R. 6 June 2001, n. 380: "Consolidate law on construction".	Article 10, article 13.	<p>In accordance with Article 10 all new constructions and renovations shall be subject to "building license".</p> <p><i>«The building license is issued by the competent officer of the local authority in accordance with the laws, regulations and planning instruments».</i></p>
112 Does this law include mechanisms for building inspections? If so, which institution(s) have responsibility for this? Does it apply to: <ul style="list-style-type: none"> a. New buildings? b. Renovations / extensions of existing buildings? c. Existing buildings where there is no building application, such as old buildings that may no longer be safe? 	D.P.R. 6 June 2001, n. 380: "Consolidate law on construction".	Article 27, article 28.	<p>The local officer supervises the planning and building activity in the municipality to ensure compliance with laws and regulations, the requirements of the planning instruments and the manner of execution set out in "building license". He fulfils his surveillance duties with the allowed method he deems more appropriate, including inspection.</p> <p>This mechanism is applicable towards every building, private or public.</p>
113 Does this law include mechanisms for enforcement of codes, including sanctions? What type of sanctions	D.P.R. 6 June 2001, n. 380: "Consolidate law on	Articles 30-48.	The articles in question provide a detailed list of possible violations of the law. The type of penalties is extremely diverse and ranges from a simple fine to the total demolition of the building. In severe

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
(e.g. fines, whole or partial demolition orders)? If so, which institution(s) have responsibility for this?	construction”.		cases, criminal liability is recognized to the subject, and it can lead to imprisonment of up to two years. Are in charge to impose the sanction the authorities responsible for the application of the single rule infringed.
114 Do the building regulations have special standards or requirements for: a. schools? b. Hospitals? c. fire stations? d. other public buildings that may also be required as collective centres in case of disaster (e.g. ministries, sports complexes, churches, mosques etc.)?			No. The provisions of the law in question are universally applicable to every building, without distinction of any kind.
115 Do the building regulations or land use planning laws (or other special laws) include regulation of large commercial buildings and developments (such as multi-storey shopping centres, office buildings and factories)? Identify & describe.			No. The provisions of the law in question are universally applicable to every building, without distinction of any kind.
116 Do the building laws/regulations include large, multi-storey			No. The provisions of the law in question are universally applicable to every building, without distinction of any kind.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
apartment buildings? Identify & describe.			
117 Do the building laws/regulations include small self-built constructions? Identify & describe.			No. The provisions of the law in question are universally applicable to every building, without distinction of any kind.
118 Do the building laws/regulations differ as between urban and rural settings? If building laws/regulations are different in rural settings, what are the main differences compared with urban settings? E.g. a. The extent of regulation? b. The level of government at which it is regulated? c. Other?			No. The provisions of the law in question are universally applicable to every building, without distinction of any kind.
119 Do the building/ planning laws/regulations include emergency and transitional shelter? If so, what form of regulation and which institution(s) have responsibility for this?			No.
120 Do the building laws/regulations include: a. Inspections?	D.P.R. 6 June 2001, n. 380: "Consolidate law on construction".		See Q. 112 There is no a specific regulation about incentives and allowances, but often the Government enacts singles acts of indemnity which

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>b. Programmes and/or incentives for making existing buildings safe (e.g. retro-fitting for earthquake resistance, addition of fire escapes, condemning un-safe buildings including demolition orders, tax or funding incentives for owners to fortify buildings)?</p> <p>c. If so, what form of regulation and which institution(s) have responsibility for this?</p>			allow to conform to law unsafe and irregular buildings without sanctions.
121 What if any provision is there for planning, approval and construction of public roads, bridges and related public works? – describe the authority(s) & mandate(s).			No. The provisions of the law in question are universally applicable to every building, without distinction of any kind.
122 Are there other matters relevant to DRR that are regulated in the building and construction laws of the subject country?			No.

B. Land Use Planning Laws

The aim is to identify whether there are national laws and statutory authorities with responsibility for land zoning and/or land use planning. If there is not a national law or authority, the issue may be regulated at provincial/state or local level and examples of these laws may not be available. However, although land use planning is frequently regulated at local government level, the underlying principles or institutional responsibilities may be included in national or provincial laws. Also, many major cities now have planning law overlays that cross local government boundaries, and may be determined under national or

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
provincial/state laws. In other cases, special regimes have been established to manage the course of a major river that crosses many local boundaries (and these laws may also refer to bilateral treaties about cross-boundary water management - for DRR as well as water use – which may bring them under national law through the treaty powers).			
123 Are there national laws and statutory authorities with responsibility for land zoning and/or land use planning?	L. 17 August 1942, n. 1150: "Zoning law".	Articles 1-45.	The city planning is carried out by means of territorial zoning, municipal planning regulations and rules of construction activity construction, laid down by this Act or prescribed by the regulations.
124 Is this issue regulated at provincial/state or local level? If so, can you find an example of such a law at each level?	L. 17 August 1942, n. 1150: "Zoning law". D.G.R. Lombardia 6 august 1998, n. 38028: "Approval of the Local Plan of Cologno Monzese".	Articles 1-45.	In Italy all municipalities must adopt a Local Plan, drawn up by the City Council and approved by the region, which also acquiring technical advice, verifies its compliance with national and regional regulations. This is an example of Local Plan, approved by a Regional Council Decree.
125 Does the land use planning and/or zoning law include processes for: a. Formal release of land for new developments? b. Approval of each new urban development? c. Approval of major commercial developments?	L. 17 August 1942, n. 1150: "Zoning law".	Articles 1-45.	The Local Plans provide to attach the intended use of the various areas of the municipality, identifying whether it is building zones and are subject to allocation constraints. The real opportunity to build on a given territory is given to its rightful owner, who must submit requests for authorization provided by DPR 380/01 and it is therefore the authority therein mentioned to provide approval for individual development projects, whether in accordance with the Local Plans and applicable laws.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
126 Does the land use planning and/or zoning law include prohibitions on development of high risk sites (e.g. unstable land prone to subsidence, flood plains, and contaminated sites)?	L. 17 August 1942, n. 1150: "Zoning law".	Article 5.	<p><i>«In the preparation of such plans, it must establish guidelines to be followed in the area in question, mainly in relation to:</i></p> <p><i>a) the areas to be reserved for special uses and those subject to special restrictions or limitations of the law;</i></p> <p><i>b) the location to be chosen as sites for new building units or installations with particular nature and importance;</i></p> <p><i>c) the network of main lines of communication road, rail, power, navigable existing and planned».</i></p> <p>The special restrictions and limitations set forth in subparagraph a) include those dictated by the combination of the laws relating to risks prevention, in particular of the risk mapping, and building code laws.</p>
127 Does the planning / zoning law include public open space for evacuation?			No.
128 Does the planning / zoning law allocate or require allocation of land for emergency or transitional shelter in preparation for potential disaster?			No.
129 Does the planning / zoning law include provisions for infrastructure installation (water and drainage,	L. 17 August 1942, n. 1150: "Zoning law".	Article 7.	<i>«The local plan must consider the totality of the municipality.</i>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
sewers, telecommunications, energy) in new developments?			<p><i>It must indicate essentially:</i></p> <ol style="list-style-type: none"> <i>1) the network of major roads road, rail and waterways and related facilities;</i> <i>2) the zoning of the municipality with the specification of areas for urban expansion of the aggregate and the determination of the constraints and of the characters to be observed in each zone;</i> <i>3) areas intended to form spaces for public use or subject to special servitude;</i> <i>4) areas to be reserved for public buildings or public use as well as for works and installations of public interest or social identity;</i> <i>5) the constraints to be observed in areas of historical, environmental, landscape;</i> <i>6) the rules for the implementation of the plan».</i>
130 Does the planning / zoning law include street width regulations for future traffic flow and to ensure access for emergency services such as fire and ambulance?	L. 17 August 1942, n. 1150: "Zoning law"	Article 13.	<p><i>«The general plan is implemented by means of detailed plans for execution in which shall be indicated in the road networks and the main elevation data of each area must also be determined:</i></p> <ul style="list-style-type: none"> <i>- The masses and heights of the buildings along the main streets and squares;</i> <i>- Spaces reserved for works or facilities of public interest;</i>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			<ul style="list-style-type: none"> - <i>The buildings for demolition or reconstruction or restoration subject to reclamation or building;</i> - <i>Subdivisions of the blocks into lots where build according to the type indicated in the plan;</i> - <i>Lists of land to be expropriated property or to constrain;</i> - <i>The depth of the sides around public works, whose occupation serves to integrate the objectives of the works themselves and to meet anticipated future needs».</i>
<p>131 Does the planning / zoning law differ as between urban and rural settings? If different in rural settings, what are the main differences compared with urban settings? E.g.</p> <ul style="list-style-type: none"> a. The extent of regulation? b. The level of government at which it is regulated? c. Other? 			No.
<p>132 Does the planning / zoning law include any other matters relevant to disaster risk reduction?</p>			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
C. Land tenure			
<p>133 Is there a national system of land title registration established under law?</p> <p>a. If sub-national regulation, at what level of government does this occur, if at all? If sub-national, can you find an example of such a law?</p> <p>b. Does the legal mandate for this system require computerisation and/central record at national level? If not, how and where does it require records to be kept?</p>	Italian Civil Code	Article 2643, article 2663, article 2664.	<p>All land title have to be registered in special register estate. The transcript must be made at each office of the land registry within whose jurisdiction the property is located. The registrar must keep in the archives estate the titles that are delivered and must insert in the collection of notes, constituting the register of transcripts, a specific note containing the date and registration number of documents stored.</p> <p>The titles are still preserved today in the paper records in special rooms called "conservatorie", incorporated into the Agencies of the Territory are located in each provincial capital and wherever it home court. Since 1999 it has been activated, however, a centralized computer database that performs the tasks of information and transparency, but does not replace the "conservatorie".</p> <p>The transcription of a title remains the only procedure to make the right enforceable against third parties.</p>
<p>134 Are there institutions mandated to survey land and/or register title? Does this mandate:</p> <p>a. Require or allow community participation in land mapping or surveying for the purpose of establishing titles and/or</p>	D.lgs. 30 July 1999, n. 300: "Reform of the Government's organisation".	Article 64.	<p><i>"The Agency of the Territory and competent to perform services relating to land, mapping services and those related to the precautionary property registers, with the task of establishing the register of real estate on national territory by developing existing, even for the purposes of simplification relationships with users, the integration of information systems relating to the tax function and the transcriptions and inscriptions on the rights on real estate. The</i></p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>occupancy and/or usage rights?</p> <p>b. Establish a timeframe for the conclusion of land mapping?</p> <p>c. Allocate resources for land mapping?</p>			<p><i>agency works closely with local authorities to encourage the development of an integrated system of knowledge in the area.</i></p> <p><i>The agency is the technical body referred to in Article 67 of Legislative Decree 31 March 1998 n. 112 and can 'manage on the basis of special agreements with the municipalities or provincial level with associations of local authorities, services relating to the keeping and updating of the cadastre'.</i></p>
<p>135 Does the land title system allow anyone to purchase or own land, or does it exclude anyone? E.g. can the following own and inherit land under this system:</p> <p>a. Women?</p> <p>b. All ethnic or religious groups?</p> <p>c. Non-nationals?</p>			<p>No. There is no distinctions of any type.</p>
<p>136 If there is no standardised land title, is there another way to legally recognise land tenure rights (e.g. indigenous title based on ancestral lands, or established occupation or use, or other traditional rights to use resources such as gathering or hunting or water rights)? Describe.</p>			<p>No.</p>
<p>137 Is there any legal recognition of</p>			<p>No.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>traditional or customary law and practice regarding land occupation or ownership, or community or collective management of land? If so, describe the relevant legislation or case law.</p>			
<p>138 Is there legislation or case law that recognises land tenure as a result of occupation, such as:</p> <ul style="list-style-type: none"> a. Adverse possession (use and occupation of land over a certain period of years in the absence of the legal owner, resulting in a change of ownership)? b. 'Squatters' rights' (including any rights to continue inhabiting land and/or vacant buildings or to be given notice of eviction if contested by the legal owner)? 	<p>Italian Civil Code</p>	<p>Article 922, articles 1158-1167.</p>	<p><i>Usucapio</i> is recognised as method of purchase of the property at original title through possession.</p> <p>There were five requirements for the acquisition of ownership by <i>usacapio</i>. Firstly, the claimant must have had uninterrupted possession for the required period of time, normally 20 years, but in other exceptional cases 10 years. The claimant must have gained the thing with <i>iusta causa</i> and in good faith <i>bona fides</i>. The thing claimed must be capable of ownership, and must have been at no time been stolen or taken by force.</p>
<p>139 If there are parallel systems for recognition of land tenure, such as customary law vs. registered freehold title, does one type of legal claim take precedence over the other?</p>			<p>All land tenures have to be registered to be binding on third parties, also a land tenure obtained by <i>usucapio</i>. When the claimant will have gained the requirements, indeed, he will have to register his title in the appropriate registers to give effect to its right.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>140 Is there any law or legal mechanism that allows government authorities to compulsorily purchase or requisition land for public purposes? If so, do these purposes include:</p> <p>a. Risk reduction from natural disasters?</p> <p>b. Land to be kept for evacuation or emergency or transitional shelter?</p>	<p>Constitution of the Italian Republic, promulgated on 27 December 1947.</p> <p>Italian Civil Code</p> <p>D.P.R. 8 June 2001, n. 327: "Consolidate law on expropriation for reasons of general interest".</p>	<p>Article 42, paragraph 3.</p> <p>Article 834.</p> <p>Articles 1-59.</p>	<p><i>«In the cases provided for by the law and with provisions for compensation, private property may be expropriated for reasons of general interest».</i></p> <p><i>«No one can be deprived of all or part of the assets of his possessions except for reasons of general interest, legally declared, and on payment of fair compensation.</i></p> <p><i>The rules on expropriation for reasons of general interest are determined by special laws».</i></p> <p>The DPR precise rules that govern the procedure for expropriation, providing details for all phases of the same and dictating the fundamental principles that underlie it: legality and compensation. First interpreted in terms dictated by the Constitution, then the authorities may expropriate the property of private persons only in cases provided for by law and only in accordance with the procedures determined by the laws. The second results in the obligation of the State to pay the owner a sum of money appropriated, also according to criteria determined by law, to compensate for the loss, and this sum should not be, for the Constitutional Court, purely symbolic, even if it is not required that is equivalent to the market price of the expropriated property.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>141 Is there a land tribunal or other dispute resolution mechanism that provides for resolution of land tenure disputes? If so, is this accessible to communities? – to individuals?</p> <p>a. Can people without financial means access this system? E.g. are there fees, or requirements to engage lawyers?</p> <p>b. Are such tribunals or mechanisms available throughout the territory, including in rural areas?</p>			<p>There is no specific mechanism or tribunal that provides for resolution of land tenure disputes. The defence of this right is guaranteed by the civil law system, which allows access to all, without distinction of any kind.</p>

D. Informal and precarious settlements

Informal settlements (also called slums or shanty towns) are areas of housing constructed on land to which the occupants had no prior legal claim. The housing is generally constructed by the occupants from available materials and does not comply with building and planning laws. These unplanned settlements are not served with public infrastructure such as water, sewers/drainage, roads or telecommunications, or public services such as schools and medical facilities. They are especially vulnerable to the effects of natural disaster, as they are often built on high-risk land (precarious settlements), with poor construction materials and methods, and the residents are not protected from the effects of, for example, water contamination during flooding. Informal settlements sometimes arise from mass migrations to the outskirts of large cities following disaster (including slow-onset disasters such as drought and famine). However, many of these settlements exist for many years and become established townships. Approaches taken by governments tend to follow one of three paths: (1) ignore informal settlements for the purpose of regulation, (2) relocate residents either through forced evictions and demolition, or planned resettlement schemes, or (3) regularize them. The latter approach has been taken in Brazil under its Statute of the City administered by the Ministry of Cities, which seeks to progressively regularize and integrate under local government, existing informal and precarious settlements.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>142 Is there a law that mandates clearing of slums / informal or precarious settlements?</p> <p>a. If so, what is the policy reason given (if any) for such clearance?</p> <p>b. Does it require or empower government authorities to evict or resettle residents? Or to demolish such settlements?</p> <p>c. If residents are to be moved, does this law require the provision of alternative housing? If so, how is this financed?</p> <p>d. If mandated, is there a process for eviction? E.g. notice periods, dispute resolution through land tribunals?</p> <p>e. Are there any other protections for the human rights and livelihoods of residents who are evicted or relocated?</p>	<p>D.P.R. 6 June 2001, n. 380: "Consolidate law on construction".</p>	<p>Article 41.</p>	<p>Article 41 sets out the procedures for the demolition of illegal buildings. The municipality is responsible for the procedure that is initiated by the manager or person in charge of the territorial office after the technical and economic assessment approved by the City Council.</p> <p>a. Not mentioned.</p> <p>b. No information provided</p> <p>c. No</p> <p>d. No</p> <p>e. No</p>
<p>143 Is there a law that mandates recognition and/ or regularization of slums / informal settlements?</p> <p>a. If so, describe the legal regime for regularization, including the responsible institutions.</p>			<p>No.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<ul style="list-style-type: none"> b. Does regularization include the introduction of building codes? Are these mandatory and binding? c. Does regularization include the construction of public infrastructure? If so, how is this financed? d. Does this law authorise or mandate the provision of social services to informal settlements? e. Does this law include any other regulatory measures to address the vulnerability of such settlements to risk from natural disasters? 			
<p>144 Does any law require that informal settlements are included in:</p> <ul style="list-style-type: none"> a. Early Warning Systems? b. Community based DRR education and training? 			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>145 Does any law provide a mechanism for recognition of tenure for residents of informal settlements?</p> <p>a. If so, what types of tenure (e.g. full title, right to occupy or use, right to purchase, tenancy)?</p> <p>b. If so, and such settlements are on privately owned land, is there provision for compensation of those with prior legal tenure?</p>			No.
E. Urban Water and Flood Management			
<p>146 Is there one or more national laws regulating and allocating institutional responsibility for water storage, distribution and quality control for human consumption? Is urban water management principally a national, or provincial/state or local responsibility?</p>	<p>D.lgs. 3 April 2006, n. 152: "Environmental Regulations".</p>	<p>Articles 141-169.</p>	<p>«<i>The Integrated Water Service is made up of public services of collection, transportation and distribution of water for civil use sewerage and wastewater treatment, and must be managed according to the principles of efficiency, effectiveness and economy, in accordance with national and Community laws[...]</i>».</p> <p>The State and the Regions exercise their legislative powers dictating guidelines, while local authorities carry out the functions of organization of Integrated Water Services, the form of management, determination and modulation of user fees, custody of management and control, in accordance with the provisions of Part III of the Decree.</p> <p>Supervision on compliance with the quality standards of the service is entrusted to a special authority called Supervisory</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
			Authority on water resources and waste.
147 If there is a national water authority, does its mandate include risk reduction or preparedness for safeguarding the water supply in the face of natural disasters?			No.
148 Does a national law allocate responsibility for flood mitigation construction and other water management against urban flooding (if relevant to the subject country)? If so, what authority is responsible?			See Q. 33
149 If flood mitigation and water management against urban flooding is regulated at the sub-national level, at what level of government does this occur? Can you find an example of such a law?			

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
Part Five - Regulation of the Natural & Rural Environment			
Outline the laws and regulations concerning environmental management from the perspective of human safety, preservation of livelihoods and food security, including the regulation of exploitation of natural resources, water management, and reducing risks from natural events such as floods, earthquake, drought, landslides, and wildfires, such as: forestry regulation concerning wildfires, deforestation and erosion relevant to prevention of landslides and floods; environmental impact assessments; river and water catchment management relevant to flood prevention and mitigation, and water storage and distribution for human and agricultural consumption; prevention measures relating to drought, especially protection of people, livestock and crops in the face of drought, including water reserves against the risk of drought; and other prevention and risk management mechanisms to maintain food security, including measures to prevent desertification.			
A. Human Risks in Environmental Change			
150 Is there legislation on environmental protection? If so, what institution has responsibility?	D.lgs. 3 April 2006, n. 152: "Environmental Regulations".	Articles 1-318.	The Ministry of the Environment and Protection of Land and Sea.
151 Does the above mandate include environmental management from the perspective of: a. Human safety? b. Preservation of livelihoods? c. Food security, especially concerning protection of crops and livestock?			No.
152 Does this law provide for environmental impact assessments (EIAs) of any pro-posed new private	D.lgs. 3 April 2006, n. 152: "Environmental Regulations".	Articles 4-29.	This law establishes a complex procedure for authorizing plans and programs likely to have significant impacts on the environment and cultural heritage. In particular, the Environmental Impact

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
and public industrial developments?			Assessment (VIA) provides a preliminary stage, it is for the applicant, an assessment phase that also includes a series of expert advice, a decision-making with the obligation to state reasons and advertising and a final phase that includes monitoring, resulting in investigations and sanctions.
<p>153 If there are EIAs, do the criteria include:</p> <ul style="list-style-type: none"> a. Human risk factors from changes to the environment, including life and health as well as livelihoods and food security? b. Assessment in light of the known natural hazards affecting the relevant locality, or downstream communities (where relevant)? 			No.
<p>154 Is there a law that makes any authority responsible for the regulation of exploitation of natural resources from the perspective of human safety during natural disasters? For example, preventing cross-contamination from industrial sites during flooding, or control of extraction methods to manage flooding and/or erosion?</p>			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
B. Forests			
155 Is there legislation on forest management (if relevant to the subject country)? If so, what institution has responsibility?	D.m. 16 June 2005, n. 19673: "Guidelines for forest management".		The Ministry of Agricultural, Food and Forestry Policies.
156 Does the above mandate include forest management from the perspective of natural disaster risk reduction, such as: a. Prevention of wildfires? b. Deforestation and erosion relevant to prevention of landslides and floods? c. Other hazards, (such as encroachment by wildlife into agricultural land or villages)? d. Describe the scope.	D.m. 16 June 2005, n. 19673: "Guidelines for forest management".	Section IV, paragraph 2, paragraph 5.	Forest management is devolved to regional government, but the Ministry of Agricultural, Food and Forestry Policies, dictating guidelines, has specifically provides for measures to increase disaster risk reduction. In particular: a. in the paragraph 2, relative to the maintenance of forest ecosystem health and vitality, it outlines in its guidelines for actions to be taken by the regions through the forest plans, prevention and fight against forest fires; b. likewise, paragraph 5 and emphasizes the importance of maintaining an appropriate enhancement of protective functions in forest management, underlining these functions in particular for soil and water. c. No.
157 Does the law recognize customary laws and practices as to the use and management of forests and their resources?			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
158 Does the law provide for use, conservation or management of forests and their resources by communities?			No.
C. Rivers and watercourses			
159 Is there legislation on river and water-course management (if relevant to the subject country)? If so, what institution has responsibility?	D.lgs. 3 April 2006, n. 152: "Environmental Regulations".	Articles 53-176.	Article 63: « <i>In each river basin district referred to in Article 64 is established the Basin Authority District, hereinafter Basin Authority, a body governed by public law which operates in accordance with the objectives of this section and bases its activities to the criteria of efficiency, effectiveness, economy and advertising.</i>
160 Does the above mandate include river management from the perspective of natural disaster risk reduction, such as: a. Riverbed management relevant to flood prevention and mitigation? b. Water storage and distribution for human, agricultural and industrial consumption in rural areas? c. Describe the scope.	D.lgs. 3 April 2006, n. 152: "Environmental Regulations".	Articles 53, article 166,	All the provisions contained in Part III of this Act, entitled: "Rules on soil conservation and combating desertification, protection of water pollution and management of water resources" are aimed at ensuring the protection and remediation of soil and subsoil, hydrological restoration of the territory through the prevention of the collapse, the safety of the risk situations and the fight against desertification, as established by article 53. a. See Q. 33 b. « <i>The "Consortia of land reclamation and irrigation", within their jurisdiction, have the right to build and manage networks mainly for irrigation purposes, the facilities for the use of wastewater in agriculture, the rural aqueducts and other functional facilities to irrigation systems and</i>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
		article 167.	<i>reclamation[...]</i> «In periods of drought and in the cases of water scarcity, during which we proceed to the adjustment of the leads in place, it must be ensured after human consumption, the priority of the agricultural use including aquaculture activities[...]
161 Does the law recognize customary laws and practices as to the use and management of rivers and their resources?			No.
162 Does the law provide for use, conservation or management of rivers and their resources by communities?			No.
D. Drought and food security			
163 Is there any legislation providing for risk reduction and prevention measures relating to drought (if relevant)? If so, does this include any institutional mandate or responsibility to protect people, livestock or crops in the face of drought?			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
164 Does the above mandate include the construction and maintenance of water reserves, including against the risk of drought?			No.
165 Is there any other legislation relevant to risk management to maintain food security in the face of natural disasters, including any special measures to prevent desertification (if relevant)?			No.

4. Information management and exchange, community level DRR education & awareness

Most elements of information, education and awareness will normally be done through policy rather than law, but the legal framework may require public institutions to make DRR information available to the public and/or to carry out public and school education and awareness on reducing risk from natural disasters. For example, there could be a Ministerial directive under the Education Act requiring the inclusion of DRR in the school curriculum. [If this requires repetition of information given above, please note 'see above' and refer to the relevant question number.]

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
<p>166 Is there a law that regulates the collection and publication of seismological, meteorological and climatic data relevant to natural disasters?</p> <p>a. If so, what does it require and who is responsible for this, and under what law?</p> <p>b. Does it provide for community level access to the data?</p>			See Q. 36 and Q. 39
<p>167 Is there a law that regulates the collection and publication of baseline population data, especially in high risk areas?</p> <p>a. If so, what does it require and who is responsible for this, and under what law?</p> <p>b. Does it provide for community level access to the data?</p>			See Q. 107.

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
168 Does the education law or regulations require inclusion of DRR awareness in the school curriculum? Does this law or another law such as the DM law also require community DRR education?			No.
169 If there is a national disaster management policy, does this require any public authorities to conduct public education and awareness on DRR? a. If so, which authorities and what are they required to do? b. In particular does it require DRR education in schools?			No.
170 If the above law or the national disaster management policy requires public education, does this provide for community level DRR awareness? If so, does this make any provision for community participation in the development and delivery of public education and awareness campaigns?			No information provided
171 Does legislation provide for any designated role for the Red Cross or			No.

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts
Red Crescent National Society as an auxiliary to government in DRR education and awareness at community level?			
172 Does legislation provide for any designated role for Civil Society in DRR education and awareness at community level?			No.
<p>173 Does any law provide for community-level results in DRR, such as:</p> <ul style="list-style-type: none"> a. Natural disaster warnings that extend to community level? b. Implementation of incentives to carry out community based DRR, or disincentives to ignore or increase risks from natural disasters? c. Community involvement in land-use and urban planning? d. Community involvement in and education concerning building codes? 			No.

Bibliography

Legislation

Constitution of the Italian Republic, promulgated on 27 December 1947.

Constitutional Law 18 October 2001, n. 3: "Reform of Title V of the Constitution". (Modifiche al titolo V della parte seconda della Costituzione).

Italian Civil Code.

Law 17 August 1942, n. 1150: "Zoning law". (Legge urbanistica).

Law 24 February 1992, n. 225: "Institution of the National Civil Protection Service". (Istituzione del Servizio nazionale della protezione civile).

Law 3 August 1998, n. 267: "Urgent measures to prevent hydro-geological risk". (Conversione in legge, con modificazioni, del decreto-legge 11 giugno 1998, n. 180, recante misure urgenti per la prevenzione del rischio idrogeologico ed a favore delle zone colpite da disastri franosi nella Regione Campania).

Law 21 November 2000, n. 353: "Framework law on forest fires". (Legge-quadro in materia di incendi boschivi)

Law 11 December 2000, n. 365: "Urgent measures for areas with very high hydro-geological risk and for civil protection". (Conversione in legge, con modificazioni, del decreto-legge 12 ottobre 2000, n. 279 recante interventi urgenti per le aree a rischio idrogeologico molto elevato ed in materia di protezione civile, nonché a favore delle zone della Regione Calabria danneggiate dalle calamità idrogeologiche di settembre ed ottobre 2000).

Law 9 November 2001, n. 401: "Conversion law of decree 7 September 2001 n. 343". (Conversione in legge, con modificazioni, del decreto-legge 7 settembre 2001, n. 343, recante disposizioni urgenti per assicurare il coordinamento operativo delle strutture preposte alle attività di protezione civile).

President of the Republic's Decree 6 June 2001, n. 380: "Consolidate law on construction". (Testo unico delle disposizioni legislative e regolamentari in materia edilizia).

President of the Republic's Decree 8 June 2001, n. 327: "Consolidate law on expropriation for reasons of general interest". (Testo unico delle disposizioni legislative e regolamentari in materia di espropriazione per pubblica utilità).

Legislative Decree. 31 March 1998, n. 112: "Devolution of State's administrative functions to Regions and local governments". (Conferimento di funzioni e compiti amministrativi dello Stato alle regioni ed agli enti locali, in attuazione del capo I della l. 15 marzo 1997, n. 59).

Legislative Decree 17 August 1999, n. 334: “Risk prevention for fires caused by dangerous substances”. (Attuazione della direttiva 96/82/CE relativa al controllo dei pericoli di incidenti rilevanti connessi con determinate sostanze pericolose).

Legislative Decree 18 August 2000, n. 267: “Consolidate law on local government system”. (Testo unico delle leggi sull'ordinamento degli enti locali).

Legislative Decree 3 April 2006, n. 152: “Environmental Regulations”. (Norme in materia ambientale – TESTO UNICO DELL'AMBIENTE).

Legislative Decree 23 February 2010, n. 49: “Assessment and management of flood risk”. (Attuazione della direttiva 2007/60/CE relativa alla valutazione e alla gestione dei rischi di alluvioni).

Regional Council's Resolution Lombardia 6 August 1998, n. 38028: “Approval of the Local Plan of Cologno Monzese”. (Approvazione piano regolatore Cologno Monzese).

Regulations

Prime Minister's Decree 15 December 1998, n. 99100: “Approval of the program to strengthen the hydro-meteorological monitoring system”. (Approvazione del programma di potenziamento delle reti di monitoraggio meteo-idropluviometrico).

Prime Minister's Decree 27 February 2004, n. 13690: “Operational guidelines for the management of the national warning system for hydro-meteorological risk”. (Indirizzi operativi per la gestione organizzativa e funzionale del sistema di allertamento nazionale, statale e regionale per il rischio idrogeologico ed idraulico ai fini di protezione civile).

Prime Minister's Decree 18 January 2008, n. 30792: “Establishment of the National Platform for Disaster Risk Reduction”. (Istituzione della Piattaforma nazionale per la riduzione del rischio da disastri).

Prime Minister's Decree 3 December 2008, n. 36500: “Organization and functioning of Sala Situazione Italia of the Department of Civil Protection”. (Organizzazione e funzionamento di Sistema presso la Sala Situazione Italia del Dipartimento della protezione civile).

Prime Minister's Decree 1 July 2011, n. 55366: “About forest fires”. (Direttiva in materia di lotta attiva agli incendi boschivi).

Prime Minister's Decree 7 October 2011, n. 57575: “Reorganisation of the National Commission for Forecasting and Preventing Major Risks”. (Riorganizzazione della Commissione Nazionale per la previsione e la prevenzione dei grandi rischi).

President of the Republic's Decree 1 August 2011, n. 151: “Regulations on preventing fires procedures”. (Regolamento recante semplificazione della

disciplina dei procedimenti relativi alla prevenzione degli incendi, a norma dell'articolo 49, comma 4-quater, del decreto-legge 31 maggio 2010, n. 78, convertito, con modificazioni, dalla legge 30 luglio 2010, n. 122).

Ministerial Decree 20 December 2001, n. 20347: "Guidelines for regional plans for prevision, prevention and fires fighting". (Linee guida relative ai piani regionali per la programmazione delle attività di previsione, prevenzione e lotta attiva contro gli incendi boschivi).

Ministerial Decree 16 June 2005, n. 19673: "Guidelines for forest management". (Linee guida di programmazione forestale).

Administrative Acts

Prime Minister's Ordinance 20 March 2003, n. 3274: "First elements on general criteria for seismic classification of the national territory and technical standards for construction in seismic areas". (Primi elementi in materia di criteri generali per la classificazione sismica del territorio nazionale e di normative tecniche per le costruzioni in zona sismica).

Prime Minister's Ordinance 28 April 2006, n. 3519: "General criteria to identify seismic zones and to update the lists of seismic areas". (Criteri generali per l'individuazione delle zone sismiche e per la formazione e l'aggiornamento degli elenchi delle medesime zone).

Internet Sources

www.protezionecivile.it/

www.minambiente.it/

www.politicheagricole.it/