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Role of Common Properties and Municipalities in forest management of Veneto Region (Italy): conflicting or synergic relationship?

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Socio-economic Analyses of Sustainable Forest Management
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Outline

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 - Legal disputes and institutional frictions
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- Conclusions

Slides can be downloaded from
www.tesaf.unipd.it/pettenella



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Common Properties (CPIs) & the Italian common domain

Customary rights allow a local community to benefit some *utilitates* provided by a natural common pool resource, e.g. collecting wood, picking mushrooms, gathering herbs, grazing, hunting, fishing, etc.

	Civic Uses Lands		Common Properties
Ownership	Government OR private entities	Formally, the community	Community with legal status of association
Administr. entity (accountable to)	Depending on the owner	a) Municipality b) Board (Municipality) c) Separate Administration (Community)	Board (Community)
Membership (Criteria)	Open (residence)		a) Open – registration (residence) b) Mostly close – registration (lineage)

Bassi, 2012 (modified)



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Italian CPIs: a brief history

The diagram illustrates the historical milestones of Italian Common Properties (CPIs). A horizontal timeline starts from the left and ends at 1994. Key events are marked with vertical lines and boxes:

- Pre-Unitarian States**: The starting point of the timeline.
- 1927**: Fascist regime, Law no. 1766/1927.
- 1948**: Decree no. 1104/1948.
- 1952**: Law No. 1979/1952.
- 1971**: Law no. 1102/1971.
- 1994**: law no. 97/1994.



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The peculiar case of the Veneto Region (1/2)

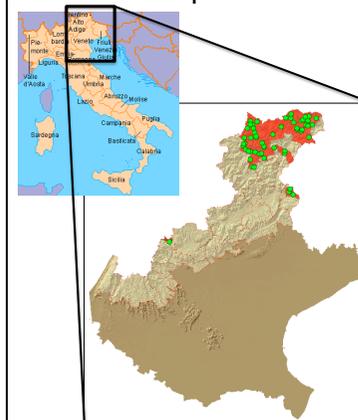


Regional Law 26/1996, art. 1

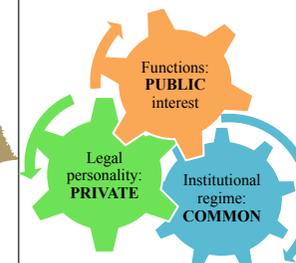
The Veneto Region recognizes *Regole* [...] as mountain organizations **concurring** to the **environmental protection** and to the **socio-economical development** of mountain territories.

According to the national law, the Veneto Region rearranges the legal discipline [concerning regional CPIs] and **promotes their reconstitution**, in order to foster policies aimed to stimulate investments in the agriculture and forestry sector.

The peculiar case of the Veneto Region (2/2)

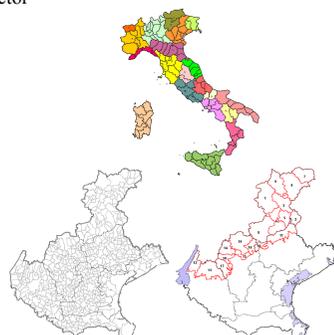
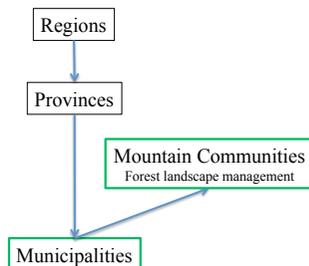


- 54 CPIs; 18 newly reconstituted
- Several reconstitutions still ongoing



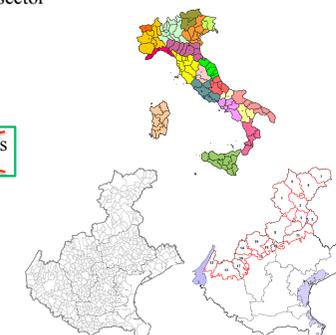
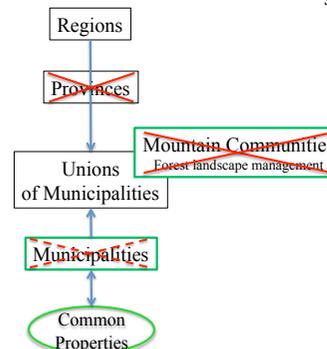
What future for Italian Common Properties? (1/2)

Institutional changes affecting mountain territories and the Italian forest sector



What future for Italian Common Properties? (2/2)

Institutional changes affecting mountain territories and the Italian forest sector



Lights...and shadows

exclusion of third party interests from decisions about the property object

number of potential interests involved in decisions about the property object

(Schurr, 2011)

Hypothesis 1: not always the outcomes of the transformation of municipal forests to Common Properties are positive in terms of enlarged **public participation** by local residents, **introduction of innovations** and improved forest management practices

Hypothesis 2: Coexistence of new Common Properties and Municipalities poses on a **weak equilibrium**, with the need of progressively reinforcing the coordination among local institutions.

Methodology

❖ Face-to-face interviews with Municipal representatives

Selection criterion: officer responsible for the institutional contacts with local CPIs. (10 Majors, 2 aldermen, 1 municipal secretary, 1 office manager.)

Why Municipalities?

- Represent the whole local communities;
- Variety of interests as wide as possible;
- Former forest owners;
- Compulsory mechanisms of institutional coordination.

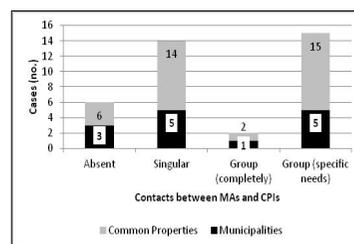
Coverage: 14 Municipalities (82%), dealing with 37 CPIs (~70%)

❖ Semi-structured questionnaire

- a) Communication channels;
- b) Administrative constraints
- c) Economic effects
- d) Legal disputes and institutional frictions
- e) Social issues
- f) Effectiveness of CPIs

Results - Communication channels (1/2)

I. Institutional contacts: patterns



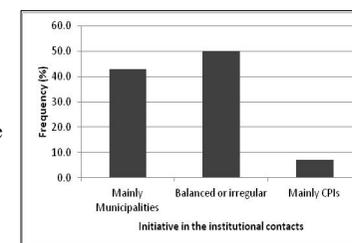
II. Reference persons – Municipal side

Often, almost single contacts. Collegial contacts only in 3 cases.

Results - Communication channels (2/2)

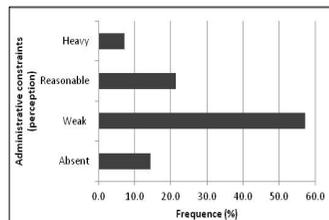
III. CPIs always represented within the Town Council

IV. Institutional contacts: initiative



Results - Administrative and economic effects

Administrative constraints



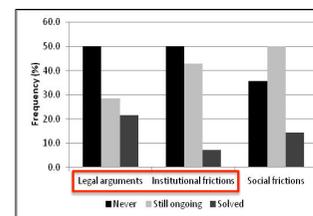
Economic effects

Timber selling, leasing of pastures, management of alpine huts, concessions for pit sites and ski areas, etc.

Capital disorders have been generally prevented

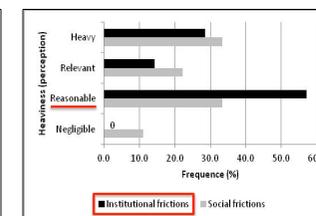


Results – Legal disputes and institutional frictions



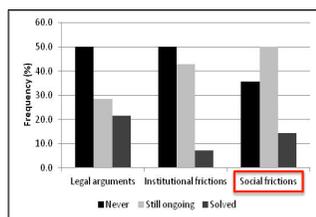
Recurrence

- Willingness to reach friendly agreements recently prevailed
- Progressive bettering of mutual institutional relationships

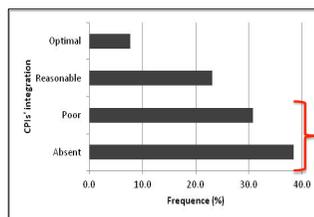


Heaviness

Results – Social frictions



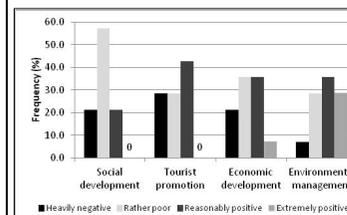
Recurrence



CPIs' integration within the local social environment (perception of non-commoners)

- Non commoners: difficulties in being accepted as commoners
- Non commoners: excluded from the exploitation of some *utilitates*
- Hostile attitude toward “foreign” people;
- Absence or weak gender balance
- Personal contrasts originating from trivial differences of opinions

Results – Effectiveness of CPIs (interviewees' perception)



- Social development**
Old mentality VS. Socio-political feedbacks
- Tourist promotion**
Some virtuous cases: economic/procedural agreements regulating mutual competences
- Economic development**
Dynamic situations VS “attendant attitude”
- Environmental management**
 - “Core business”: higher reinvestment rates
 - Protection of local landscapes
 - Ordinary management

Conclusions (1/2)

Hypothesis 1: not always effects of the transformation of municipal forests to Common Properties are positive in terms of enlarged public participation by local residents, introduction of innovations and improved forest management practices.

Contradictory and contrasting figures

- No speculative and environmentally detrimental actions
- Municipalities relieved from administrative burdens
- New forest-related interpretative keys struggle to prevail
- Dynamic and positive situations exist!
- Entrepreneurial attitude seems far from being fully realized
- Higher participation to the municipal administrative life
- From the "enclosure of Commons" to "common enclosures"?

Conclusions (2/2)

Hypothesis 2: the coexistence of new Common Properties and Municipalities poses on a weak equilibrium, with the need of progressively reinforcing the coordination among local institutions.

Substantially confirmed

- Presumption that CPIs have nothing to do with Municip. lead to institutional frictions
- CPIs always represented in Town Councils: not a discriminating feature
- Too much private and single contacts should be avoided
- Formal mechanisms aimed to reinforce mutual cooperation are worth to be established

