

Cittaducale (RI), li 22/01/2023

Commission européenne/Europese Commissie

General-Directorate of the Environment

1049 Bruxelles/Brussel, BELGIQUE/BELGIË

Object: Modification of the hunting law in violation of directive 92/43/EEC

On 22 December, Budget Commission of the Chamber of Deputies of the Italian Republic approved an amendment to the Economic Maneuver which allows hunting in protected areas and even in cities regardless of bans or the closure of the hunting season.

The amendment proposal published in the Bulletin of the Boards and Commissions of 12/14/2022 implements substantial amendments to article 19 of the law of 11 February 1992, n. 157 "Regulations for the protection of warm-blooded wildlife and for hunting".

The control, exercised selectively through the use of ecological methods on the opinion of the National Institute for Wildlife (now ISPRA, Italian Institute for Environmental Protection and Research) present in the previous version of the law, is eliminated.

The amending of the art. 19 of Law 157/1992, eliminates the principle of priority of the so-called "ecological methods" according to which only after having tried this option without success it is possible to resort to culling. Furthermore, the modification explicitly indicates the possibility of shooting "in areas prohibited for hunting, including protected areas and urban areas".

The provision actually entrusts the management of an activity of public interest (the control of wildlife) to private individuals (hunters) removing any real control from the public authorities, reducing it to mere coordination, leaving the concrete ways of defining these undefined plans.

According to the text of the law, control will depend only on the regions. The Ministry of the Environment will not have jurisdiction. The need to acquire a binding opinion from ISPRA is eliminated. Even the training courses will not be carried out by ISPRA, but by undefined regional bodies and nothing is indicated regarding their characteristics or quality. The opinions will not come from technicians or politicians because they are simply not foreseen.

The amendment provides for the allocation of 500,000 euros per year to increase the fund referred to in art. 24 of Law 157/1992. This sum, according to what we read, would be intended to deal with the emergency caused by the damage caused by wildlife and in particular by ungulates.

Reading the art. 24 of Law 157/1992 it appears that 95% of these public resources are intended for hunting associations and divided according to the number of members, without any indication of the use they must make of them or any reporting obligation.

The increased fund is related to the allocation of government concessions from hunting taxes, paid by hunters, which by law must be reinvested for environmental protection and for the protection of the same category (contributions to hunting associations).

The law will make it possible to hunt protected species in total violation of the 92/43/EC "Habitats" directive.

Furthermore, the law does not provide for any environmental impact study relating to the effects of this practice in Sites of Community Interest/Zones for species protection/Special Conservation Areas pursuant to Directive 92/43/EEC.

Reference

LEGGE 29 dicembre 2022, n. 197 Bilancio di previsione dello Stato per l'anno finanziario 2023 e bilancio pluriennale per il triennio 2023-2025. (22G00211) (GU Serie Generale n.303 del 29-12-2022 - Suppl. Ordinario n. 43) (see commi 401-500)

https://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2022-12-29&atto.codiceRedazionale=22G00211&elenco30giorni=true

Looking forward to your kind reply.

Best regards

Agr. Dr. Marco Tiberti

(European Consumers APS legal representative)

