

Report on current Civil Protection emergency management legislation

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Foreword

This report is part of the E-CITIJENS project, funded by Italy –Croatia Inter-Reg program. The main aim of the project is to increase the safety of the Italian and Croatian Adriatic basin in relation to natural and man-made disasters by developing a cross-border model of an emergency management system integrating risk scenarios data from sensor networks and regulatory frameworks and the information voluntarily provided via social media by the public (citizen journalism). Three areas of risk are primarily considered: floods, forest fires, and seismic.

Four main activities are planned to achieve this goal. The first, *Survey of current risks scenarios, management legislation and social media and crowdsourcing* (activity 3.1), consists of the survey and assessment, besides best practices, of knowledge and experience from previous projects in both countries concerning current risks scenarios, current civil protection management legislation and social media and crowdsourcing. A thematic task force (TTF) has been set up for each of these three topics. In particular, TTF1 concerns risk scenarios, TTF2 concerns risk management legislation and TTF3 concerns social media and crowdsourcing.

This report presents and discusses the results of the second thematic task force (TTF2) regarding the Civil Protection emergency management legislation in Italy and Croatia. The main scope of this document is to provide a summary of the existing legislative frameworks articulated on the selected target risks (floods, forest fires, and earthquakes) considering both the transnational/national, regional and local levels.

The document was elaborated on the basis of the information collected in a survey that took place in July and August 2019, where all the recipients and the partners involved in TTF2 (Adriatic Ionian Euroregion, Molise Region, Pescara Municipality) were asked to answer specific questions (that will be described later in this paper) about the topic investigated.

Introduction

Strengthening disaster risk governance is one of the priorities defined by the *Sendai Framework for Disaster Risk Reduction 2015-2030* [1], adopted at the Third United Nations World Conference in Sendai (Japan) in 2015. More in detail, as reported in the framework, it is crucial to assign clear roles and tasks to community representatives within disaster risk management institutions and support decision-making through relevant legal frameworks. All risk management stages need to be strictly regulated at the transnational, national, regional and local level, ensuring the coordination of all the civil protection actors, that range from community-based organisations to national governmental agencies and regional and international bodies.

This document will propose an overview of the current Civil Protection emergency management legislation in Italy and Croatia, considering both the transnational/national and the regional/local levels. In particular, attention will be paid to the civil protection legislative frameworks concerning the selected natural disasters: floods, forest fires and earthquakes. It is to remember that one of the aims of the E-CITIJENS project is to harmonise Croatian and Italian risk management current legislations, enhancing their level of uniformity and similarity, in order to make available to national and regional authorities a cross-border uniform emergency legislative basis according to the EU principle of cooperation and subsidiarity.

Civil Protection is generally defined as the package of measures that aim to prevent natural and technological disasters and minimize their impacts to ensure the protection of citizens and their environment. As there is no "one size fits all" approach to Civil Protection in the EU Member States, it is interesting to remark that the European concept of Civil Protection, which emerged in the early Eighties, following the establishment of a pioneering cooperation between Italy and France [2], is very solid. The Treaty of Lisbon [3], in force since 2009, states in fact that "the Union shall have the competence to carry out supporting, coordinating or complementary action" in the area of civil protection and that "the Union have to encourage cooperation between the Member States in order to improve the effectiveness of systems for preventing and protecting against natural or man-made disasters".

The two main pieces of legislation that cover European civil protection are the *Council Decision of 8 November 2007 establishing a Community Civil Protection Mechanism, recast (2007/779/EC)* the *Council Decision of 5 March 2007 establishing a Civil Protection Financial Instrument (2007/162/EC)*. The Community Civil Protection Mechanism and the Civil Protection Financial Instrument cover three of the four main stages of the disaster management cycle: prevention, preparedness and response [4].

As the main scope of the second thematic task force (TTF2) is to build an overview of the current Civil Protection emergency management legislation in Italy and Croatia for the selected target risks (floods, forest fires, seismic), all the partners engaged in TTF2 (Adriatic Ionian Euroregion, Molise Region, Pescara Municipality) were asked to report in relation to the topic investigated.

The structure of the survey submitted to all the partners involved will now be presented. For each of the three areas of risk considered and for each legislation or regulation reported, the participants were asked to give the following information:

- 1) country/region,
- 2) type of legislation or regulation,
- 3) topic addressed or regulated,
- 4) references,
- 5) data sources.

More in detail, the participants were asked to list the primary laws and regulations related to each risk area at the national and regional level summarizing shortly their intent (e.g. emergency management, land-use planning, etc.). The partners were also asked to give references and data sources such as websites, institutions or agencies responsible for implementation.

1. The national Civil Protection emergency management legislative frameworks in Italy and Croatia

The civil protection matter in the Italian state is a competing subject, according to the provisions of art—117 of the Italian Constitution.

In Italy, the Civil Protection System was established in 1992 (L. 225/1992, *Istituzione del Servizio Nazionale di protezione civile*). This law distinguishes, for the purposes of civil protection activities, three types of events:

- natural events or events connected with human activity that can be faced through actions that can be implemented by the individual bodies and administrations competent in an ordinary way (local level),
- natural events or events connected with human activity that, by their nature and extension, involve the coordinated intervention of several competent bodies or administrations in an ordinary way (provincial and regional level),
- natural disasters or connected with human activity that, due to their intensity and extension, must be faced with extraordinary powers to be used during limited and predefined periods of time (national and international levels).

The national reference standard is Legislative Decree 1/2018, Civil Protection Code (*Codice di Protezione Civile*) which is divided into seven parts. The first part describes the aims, activities and composition of the National Civil Protection Service, which sees citizens, institutions and public and private structures at all levels committed and involved in the pursuit of the objectives of safeguarding the integrity of the life, assets, settlements and the environment. The second part describes the organization of the National Civil Protection Service, starting from the type of civil protection events. The third part describes the risk prevention and prevention activities, where a strategic role is played by the alert system organized at regional and national levels through the network of Functional Centres. The fourth part deals with emergencies of national importance and the activation of the National Civil Protection Service following the declaration of the "state of emergency". The fifth deals with the participation of citizens and volunteers organized for civil protection activities, and the sixth collects measures and organizational and

financial tools aimed at the realization of civil protection activities and the seventh contains transitional and final provisions.

In Croatia, the Protection and Rescue Act (NN 174/04, 79/07, 38/09, 127/10, *Zakon o zaštiti i spašavanju*) is the first systematic law in the country addressing protection and rescue activities. It introduced three levels in the Croatian Civil Protection organization:

- central level,
- county level (*županija*, plus the city district of Zagreb),
- town or municipality level (*općina* and *grad*).

The first is represented by the National Protection and Rescue Directorate, the second by the county prefects and the latter by the mayors.

This act was substituted by the Law on Civil Protection System (NN 82/2015 and 118/18, *Zakon o Sustavu Civilne Zaštite*), the national reference standard.

2. Current Civil Protection management legislation concerning floods

Among natural hazards, flooding is the one that affects more people around the globe. Due to the intensification of flood phenomena and the increase in their severity, ascribable to the continuous demographic and economic development and climate change, their impacts on people, infrastructure and the environment can be highly significant. Therefore, there is a considerable civil protection interest in reducing flood risk and establishing appropriate feedback mechanisms to minimize their frequency of occurrence and impacts as much as possible. All risk management actions concerning floods need to be strictly coordinated and organized, defining clear responsibilities at all levels (national, regional, local) through a solid legal framework.

In EU, Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (Flood Directive) [5] establishes a framework for the assessment and management of flood risks, aiming at the reduction of the adverse consequences for human health, the environment, cultural heritage and economic activity associated with floods in the Union. The Directive requires the Member States to produce:

- Preliminary Flood Risk Assessments (article 4) to identify the areas, more in particular river basin districts or other units of management, with significant flood risk;
- flood hazard maps and flood risk maps (article 6) at river basin level (or more generally at unit of management level);
- Flood risk management plans (article 7) at the river basin level (or more generally at the unit of management level) focusing primarily on prevention, protection and preparedness; these plans include the setting up of flood forecasts and early warning systems and the promotion of sustainable land use practices;
- updates every six years to take into account the climate change impacts.

2.1 National level

This section aims to give an overview of the current Civil Protection management legislation concerning floods at the national level in Italy and Croatia.

In Italy, the implementation of the Flood Directive in national legislation took place through the enactment of Legislative Decree 49/ 2010 (*Attuazione della direttiva 2007/60/CE relative alla valutazione e alla gestione dei rischi di alluvione*). According to this decree, District Basin Authorities prepare coordinated flood management plans at the water district level, and it is the competence of the regions, in collaboration with the National Department of Civil Protection, the predisposition and the realization of state and regional alert systems for hydraulic risk for the purpose of civil protection.

In Croatia, the reference laws concerning flood risk are the Law on Meteorological and Hydrological Activity (NN 66/2019, *Zakon o meteorološkoj i hidrološkoj djelatnosti*) and the Water Act (NN 66/19 *Zakon o vodama*).

List of pertinent National laws:

a) Italy

- Direttiva del Presidente del Consiglio dei Ministri del 27/02/2004 *“Indirizzi operativi per la gestione organizzativa e funzionale del sistema di allertamento nazionale e regionale per il rischio idrogeologico e idraulico ai fini di protezione civile”* e s.m.i.;
- Indicazioni operative del Dipartimento di Protezione Civile Nazionale del 10 febbraio 2016 recanti *“Metodi e criteri per l’omogeneizzazione dei messaggi del Sistema di allertamento nazionale per il rischio meteo-idrogeologico e idraulico e della risposta del sistema di protezione civile”*;
- D.Lgs 49/2010, *“Attuazione della direttiva 2007/60/CE relativa alla valutazione e alla gestione dei rischi di alluvioni”*

b) Croatia

- NN 66/2019, *Zakon o meteorološkoj i hidrološkoj djelatnosti*
- NN 66/19, *Zakon o vodama*

2.2 Regional /local level

This section aims to give an overview of the current Civil Protection management legislation concerning floods at regional and local levels in Italy and Croatia, focusing on the partner regions.

All Italian regions have their own laws governing civil protection activities and they are responsible for the definition of prevision and prevention programmes on the basis of national guidelines. The local authorities (municipalities) are responsible for approving local and inter-municipal emergency plans based on the regional guidelines [6]. Concerning the Italian partners of the project, Molise Region, in coordination with the Department of Civil Protection, has prepared the part of the management plans related to the national, state and regional alert system for hydraulic risk for the purpose of civil protection. In 2018, it issued the Regional Council Decree n. 78/2018 regulating the warning system and the regional flood risk intervention model, based on the guidance provided by the National Department of Civil Protection.

Relevant, in Abruzzo Region, is the approval of Regional Law 34/2002, "Urgent interventions for the prevention of hydrogeological risk in the territory of the Abruzzo Region and highly urgent interventions related to the various risk hypotheses".

In Croatia, according to the official page of the European Committee of the Regions [7], regional authorities (*županije*) are responsible for the organization of activities concerning planning, development, efficient functioning and financing of civil protection systems and for the adoption of a civil protection system plan of for the three-year period. Local authorities (*općine* and *gradovi*) are responsible for adopting civil protection action plans and civil protection exercise plans.

List of pertinent regional laws:

- a) Molise Region
 - L.R. 10/2000 "*Servizio nazionale di protezione civile: disciplina del sistema regionale di protezione civile*";
 - D.G.R. 78/2018, "*Sistema di allertamento multi-rischio della Regione Molise (vers. 2.1), riferimento per il sistema di allertamento della Regione Molise (D.P.C.M. 27/02/2004 e ss.mm.ii.). Approvazione*"
- b) Abruzzo Region

- L.R. 34/2002, *Interventi urgenti per la prevenzione del rischio idrogeologico sul territorio della Regione Abruzzo e interventi di somma urgenza relativi alle varie ipotesi di rischio*

3. Current Civil Protection management legislation concerning forest fires

Forest fires are recurrent phenomena in the EU, and they can impact tremendously human health, the environment, infrastructure and the economy causing large damages also due to cascading effects. Because of this, national emergency authorities consider them a substantial disaster risk, even for non-Mediterranean countries. Therefore, the civil protection interest in reducing forest fire risk and in establishing appropriate feedback mechanisms to minimize as much as possible their frequency of occurrence and their impacts is unquestionable. All risk management actions concerning forest fires need, logically, to be strictly coordinated and organized, defining clear responsibilities at all levels (national, regional, local) through a solid legal framework.

At the European Union level, it is interesting to remark that the *Forest Strategy 2014-2020* [8] provides a framework for national forestry and forest-related policies promoting sustainable forest management and identifying the protection of forests from different threats, including fires, as a priority. Moreover, Eurocode 1 (*EN 1991: Actions and structures* [9]) defines protective design measures against fires for buildings made of different materials.

3.1 National level

This section aims to give an overview of the current Civil Protection management legislation concerning forest fires at national level in Italy and Croatia.

In Italy, the Framework Law on forest fires is L.353/2000 which is divided into 3 parts. The first part develops the themes of forest fire forecasting, prevention and active struggle (i.e. the actions to be taken to extinguish them). The second part deals with the requirements and penalties related to forest fires. In particular, it develops the theme of prohibitions, protections and economic and legal sanctions for those who do not respect the rules. The last part, the third, deals with the financial aspects of the development

of the main themes of the forest fire law. In parallel with the rules of the Italian State, the Regions have regulated the subject with regional rules and resolutions.

In Croatia, the reference law concerning forest fire risk is the Law on fire protection (NN 92/10, *Zakon o zaštiti od požara*). Concerning wildfire surveillance, the reference document is Regulations on the protection of forests against fire (NN BR. 26/2003, *Ravilnik o zaštiti šuma od požara – važeci tekst*)

List of pertinent National laws:

- a) Italy
 - L. 353/2000 “*Legge-quadro in materia di incendi boschivi*”
- b) Croatia
 - NN 92/10, *Zakon o zaštiti od požara*
 - NN BR. 26/2003, *Ravilnik o zaštiti šuma od požara – važeci tekst*

3.2 Regional/local level

This section aims to give an overview of the current Civil Protection management legislation concerning forest fires at regional and local levels in Italy and Croatia, focusing on the partner regions.

All Italian regions have their own laws governing civil protection activities and they are responsible for the definition of prevision and prevention programmes on the basis of national guidelines. The local authorities (municipalities) are responsible for approving local and inter-municipal emergency plans on the basis of the regional guidelines [6].

Concerning the Italian partners of the project, in Molise the theme of forest fires is governed by resolutions approving the Regional Plan for Forecasting, Prevention and Active Fighting of Forest Fires (AIB Plan) as well as in the L.R. 10/2000. The last resolution updating the AIB plan is the Decision of the Regional Government 151/2018 (“*Delibera di Giunta Regionale*”), which approved the 2018/2020 Multi-year Plan of forecasting, prevention and active fight against forest fires, defining the organizational structure of prevention services and active struggle against forest fires.

In Abruzzo, the resolutions updating the 2010-2012 Regional Forest Fire Prevention Plan are the Decisions of the Regional Government 447/2013, 518/2014, 617/2015, 381/2017 (“*Delibere di Giunta Regionale*”).

In Croatia, according to the official page of the European Committee of the Regions [6], regional authorities (*županije*) are responsible for the planning, development, efficient functioning and financing of civil protection systems and for the adoption of an annual plan of civil protection system for the three years and develop the system that is adopted every four years. Local authorities (*općine* and *gradovi*) are responsible for adopting civil protection action plans and civil protection exercise plans.

List of pertinent regional laws:

- a) Molise Region
 - L.R. 10/2000 *“Servizio nazionale di protezione civile: disciplina del sistema regionale di protezione civile”*
 - D.G.R. 151/2018
- b) Abruzzo Region
 - D.G.R. 447/2013
 - D.G.R. 518/2014
 - D.G.R. 617/2015
 - D.G.R. 381/2017

4. Current Civil Protection management legislation concerning seismic risk

Earthquakes are geological phenomena that occur without warning, with consequences that can be highly dramatic. Seismic risk is particularly significant in Southern Europe countries and, in general, at plate boundaries where more than 90% of earthquakes take place. The civil protection interest in reducing seismic risk and in establishing appropriate feedback mechanisms to minimize as much as possible their frequency of occurrence and their impacts is very strong. All risk management actions concerning earthquakes need, logically, to be strictly coordinated and organized, defining clear responsibilities at all levels (national, regional, local) through a solid legal framework.

The reference document for seismic prevention concerning the vulnerability of buildings in the EU is Eurocode 8 (*EN 1998: "Design of structures for earthquake resistance"* [10]). Its provisions apply, as stated in the same document, to the design and the construction of buildings and civil engineering works in seismic regions, and its purpose is to ensure in the event of earthquakes that human lives are protected, that damage is limited and that structures important for civil protection remain operational. Eurocode 8 is composed of 6 parts dealing with different types of constructions or subjects:

- o EN1998-1: General rules, seismic actions and rules for buildings
- o EN1998-2: Bridges
- o EN1998-3: Assessment and retrofitting of buildings
- o EN1998-4: Silos, tanks and pipelines
- o EN1998-5: Foundations, retaining structures and geotechnical aspects
- o EN1998-6: Towers, masts and chimneys.

4.1 National level

This section aims to give an overview of the current Civil Protection management legislation concerning seismic risk at national level in Italy.

In Italy, the matter of seismic risk is particularly complex as regards the methods for identifying areas of greatest danger. For what concerns the management of the emergency in case of a seismic event (and not only), the main operating document is the Directive of the President of the Council of Ministers of 3 December 2008 "Operational guidelines for emergency management". The Directive is divided into three

parts: the first deals with the issue of event communication (seismic) and the flow of information, the second part develops the organizational model for emergency management defining the network and the relationships between the Emergency Coordination Center (CCS, *Centro Coordinamento dei Soccorsi*), the Mixed Operative Centre (COM, *Centro Operativo Misto*), the Municipality Operative Centre (COC, *Centro Operativo Comunale*) and operating rooms. The third and last part describes the activations of the national and local structures to be done in the event of an earthquake.

For Croatia, no relevant information was found.

List of pertinent National laws:

a) Italy

- O.P.C.M. 3274 / 2003, Primi elementi in materia di criteri generali per la classificazione sismica del territorio nazionale e di normative tecniche per le costruzioni in zona sismica;
- D.Lgs. 112/1998, *“Conferimento di funzioni e compiti amministrativi dello Stato alle Regioni ed agli Enti Locali”, con esclusione dell’art. n. 107, comma 1, lettere a), b), c), d), f) numeri 1), 2) e 4), g) e h) e comma 2, nonché dell’art. n. 108, abrogati dal D. Lgs. n. 1/2018, “Codice della Protezione Civile”;*
- L. 265/1999, *“Disposizioni in materia di autonomia e ordinamento degli Enti Locali, nonché modifiche alla L. n. 142/1990”;*
- D. Lgs. 267/2000, *“Testo unico delle leggi sull’ordinamento degli Enti Locali”;*
- L.C. 3/2001, *“Modifiche al titolo V della parte seconda della Costituzione”;*
- D.L. 343/2001, *“Disposizioni urgenti per assicurare il coordinamento operativo delle strutture preposte alle attività di Protezione Civile”, convertito, con modificazioni, dalla L. n. 401/2001, con esclusione dell’art. n. 5, abrogato dal D. Lgs. n. 1/2018, “Codice della Protezione Civile”;*
- D.P.R. 380/2001, *“Testo unico delle disposizioni legislative e regolamentari in materia edilizia”;*
- D.Lgs. 245/2002, *“Interventi urgenti a favore delle popolazioni colpite dalle calamità naturali nelle regioni Molise e Sicilia, nonché ulteriori disposizioni in materia di Protezione Civile”, convertito, con modificazioni, dalla L. n. 286//2002, con esclusione dell’art. n. 3, abrogato dal D. Lgs. n. 1/2018, “Codice della Protezione Civile”;*
- D.P.C.M. 21 ottobre 2003, *“Primi elementi in materia di criteri generali per la classificazione sismica del territorio nazionale e di normative tecniche per le costruzioni in zona sismica”;*

- O.P.C.M. . 3274/2003, *“Primi elementi in materia di criteri generali per la classificazione sismica del territorio nazionale e di normative tecniche per la costruzione in zona sismica”*;
- O.P.C.M. 3279/2003, *“Ulteriori disposizioni di Protezione Civile dirette a fronteggiare i danni conseguenti ai gravi eventi sismici verificatisi nel territorio”*;
- O.P.C.M. 3316/2003, *“Modifiche ed integrazioni all’Ordinanza del Presidente del Consiglio dei Ministri n. 3274 del 20 marzo 2003, recante “Primi elementi in materia di criteri generali per la classificazione sismica del territorio nazionale e di normative tecniche per le costruzioni in zona sismica””*;
- D.L. 90/2005, *“Disposizioni urgenti in materia di Protezione Civile”*, convertito con modificazioni, dalla L. n. 152/2005, con esclusione degli artt. nn. 4 e 8, abrogati dal D. Lgs. n. 1/2018, *“Codice della Protezione Civile”*;
- D.P.C.M. 2 febbraio 2005, *“Linee guida per l’individuazione di aree di ricovero di emergenza per strutture prefabbricate di Protezione Civile”*;
- D.P.C.M. 6 aprile 2006 *“Direttiva del Capo del Dipartimento della Protezione Civile del 02 maggio 2006”*;
- O.P.C.M. . 3519/2006, *“Pericolosità sismica di riferimento per il territorio nazionale”*;
- D.P.C.M. 3 dicembre 2008, *“Indirizzi per l’attivazione e l’intervento in emergenza, in forma coordinata, del Servizio nazionale di Protezione Civile e definizione del modello organizzativo d’intervento per la gestione dell’emergenza ai differenti livelli di competenza territoriale”*;
- Circolare Ministero Infrastrutture n. 617/2009, *“Nuove norme tecniche per le costruzioni” di cui al D. M. 14 gennaio 2008*;
- D.L. 39/2009, *“Interventi urgenti in favore delle popolazioni colpite dagli eventi sismici nella Regione Abruzzo nel mese di aprile 2009 e ulteriori interventi urgenti di Protezione Civile”*, convertito, con modificazioni, dalla L. n. 77/2009, con esclusione dell’art. n. 4, comma 9 - bis, e dell’art. n. 15, commi 2 e 3, abrogati dal D. Lgs. n. 1/2018, *“Codice della Protezione Civile”*;
- D.L. 195/2009, *“Disposizioni urgenti per la cessazione dello stato di emergenza in materia di rifiuti nella regione Campania, per l’avvio della fase post - emergenziale nel territorio della Regione Abruzzo ed altre disposizioni urgenti relative alla Presidenza del Consiglio dei Ministri ed alla Protezione Civile”*, convertito, con modificazioni, dalla L. n. 26/2010;
- O.P.C.M. 3907/2010, *“Contributi per gli interventi di prevenzione del rischio sismico”*;

- Circolare DPC/SISM/31471 del 21 aprile 2010, “Circolare sullo stato delle verifiche sismiche previste dall’OPCM. n. 3274/2003 e programmi futuri”;
- D.P.C.M. 09 febbraio 2011, “Valutazione e riduzione del rischio sismico del patrimonio culturale”;
- D.P.C.M. 21 aprile 2011, “Costituzione della Commissione Tecnica di supporto e monitoraggio degli studi di Microzonazione Sismica”;
- D.L. 59/2012, “Disposizioni urgenti per il riordino della Protezione Civile”, convertito, con modificazioni, dalla L. n. 100/2012, con esclusione dell’art. n. 1, commi 1 e 3, e dell’art. n. 1 - bis, abrogati dal D. Lgs. n. 1/2018, “Codice della Protezione Civile”;
- O.P.C.M. 4007/2012, “Contributi per gli interventi di prevenzione del rischio sismico per l’anno 2011”;
- O.P.C.M. 5220/2013, “Contributi per gli interventi di prevenzione del rischio sismico per l’anno 2012”;
- D.P.C.M. 14 gennaio 2014, “Programma nazionale di Soccorso per il rischio sismico”;
- L. 56/2014, “Criteri di massima per la Pianificazione Comunale di Emergenza - Rischio sismico”;
- Indicazioni operative del Presidente del Consiglio dei Ministri del 31 marzo 2015 inerenti “La determinazione dei criteri generali per l’individuazione dei Centri operativi di Coordinamento e delle Aree di Emergenza”;
- O.C.D.P.C. 171/2014, “Contributi per gli interventi di prevenzione del rischio sismico per l’anno 2013”;
- O.C.D.P.C. 293/2015, “Contributi per gli interventi di prevenzione del rischio sismico per l’anno 2014”;
- L. 115/2015, “Disposizioni per l’adempimento degli obblighi derivanti dall’appartenenza dell’Italia all’Unione Europea - Legge europea 2014”, con esclusione dell’art. n. 7, abrogato dal D. Lgs. n. 1/2018, “Codice della Protezione Civile”;
- Circolare Ministeriale n. 15/2015, “Disposizioni in materia di tutela del patrimonio architettonico e mitigazione del rischio sismico”;
- D. M. 17 gennaio 2018, “Norme Tecniche per le Costruzioni”

4.2 Regional/local level

This section aims to give an overview of the current Civil Protection management legislation concerning seismic risk at regional and level in Italy and Croatia, focusing on the partner regions.

In Italy, each region within its organization has approved operating procedures to manage emergencies, including the case of seismic events. For Molise, it is reported the approval and of the Regional Law

38/2002, "Urgent interventions to face the state of emergency resulting from the seismic events of October 31, 2002 and other provisions of Civil Protection" and of the Regional Law 13/2004, "*Seismic reclassification of the regional territory and new seismic legislation*" while for Abruzzo Region the main reference is the Regional Law 28/2011, "Rules for the reduction of seismic risk and methods of supervision and control of works and constructions in seismic areas":

In Croatia, according to the official page of the European Committee of the Regions [6], regional authorities (*županije*) are responsible for the organization of activities from their own self-governing areas related to the planning, development, efficient functioning and financing of civil protection systems and for the adoption of an annual plan of civil protection system for the three-year period and develop the system that is adopted every four years. Local authorities (*općine* and *gradovi*) are responsible for adopting civil protection action plans and civil protection exercise plans.

List of pertinent regional laws:

- a) Molise Region
- L.R. 10/2000 "*Servizio nazionale di protezione civile: disciplina del sistema regionale di protezione civile*".
 - L.R. 38/2002, "*Interventi urgenti per fronteggiare lo stato di emergenza conseguente agli eventi sismici del 31 ottobre 2002 ed altre disposizioni di Protezione Civile*";
 - L.R. 13/2004, "*Riclassificazione sismica del territorio regionale e nuova normativa sismica*";
 - L.R. 17/2004, "*Modifiche alla L. R. n. 13/2004, "Riclassificazione sismica del territorio regionale e nuova normativa sismica"*";
 - L.R. 21/2004, "*Ulteriori modifiche ed integrazioni alla L. R. n. 13/2004, "Riclassificazione sismica del territorio regionale e nuova normativa sismica"*";
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- L.R. 13/2017, *“Disposizioni in materia di soccorso alpino e speleologico”*;
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b) Abruzzo Region
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- L.R. 12/ 1996 *Norme per la previsione e prevenzione dal rischio sismico. Collaborazione con il gruppo nazionale per la difesa dai terremoti del consiglio nazionale delle ricerche.*

Conclusions

In this report, the information collected from the partners engaged in TTF2 (Adriatic Ionian Euroregion, Molise Region, Pescara Municipality) regarding the current Civil Protection emergency management legislation in Italy and Croatia for the selected target risks (floods, forest fires, seismic) was evaluated and summarized. Some parts of the TTF1 report concerning risk scenarios, considered useful for the aims of this paper, were integrated into the text.

This document provides an overview of the main laws and regulations related to each risk area at the transnational/national and regional/local levels and wants to be a starting point to pursue the goals of the project E-CITIJENS.

It is to remember that one of the aims of the project is to harmonize Croatian and Italian risk management current legislations, enhancing their level of uniformity and similarity, in order to make available to national and regional authorities a cross-border uniform emergency legislative basis according to the EU principle of cooperation and subsidiarity and in order to improve the capacity of Civil Protection systems.

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[4] https://ec.europa.eu/echo/files/civil_protection/civil/prote/legal_texts.htm#state_play

[5] Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (<http://data.europa.eu/eli/dir/2007/60/oj>)

[6] <https://portal.cor.europa.eu/divisionpowers/Pages/Comparer.aspx?pol=Civil%20Protection&c1=Croatia&c2=Italy>

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[9] EN 1991: "Actions and structures"

[10] EN 1998: "Design of structures for earthquake resistance"

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b) Forest fires

www.protezionecivile.molise.it (Molise Region)

www.regione.molise.it (Molise Region)

c) Seismic risk

www.protezionecivile.molise.it (Molise Region)

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Appendix' A1'– Unedited results of the TTF2 survey on current Civil Protection management legislation – FLOODS

LP- Molise Region
<p>1. Country/Region</p> <p>Italy, Molise Region</p>
<p>2. Type of regulation/legislation</p> <p>National: Decreto Legislativo n. 1, 2.1.2018 “Codice della Protezione Civile”</p> <p>National: Decreto Legislativo n. 49, 23.2.2010 "Attuazione della Direttiva 2007/60/CE concerning the assessment and management of flood risks.</p> <p>Regional: Legge regionale n. 10, 17.2.2000 “Servizio nazionale di protezione civile: disciplina del sistema regionale di protezione civile”</p>
<p>3. Topics addressed/regulated</p> <p>The Molise Region, in coordination with the Department of Civil Protection, has prepared the part of the management plans related to the national, state and regional alert system, for hydraulic risk for the purpose of civil protection.</p> <p>In 2018 it issued the document regulating the warning system and the regional flood risk intervention model, based on the guidance provided by the National Department of Civil Protection.</p>

The agency that is responsible for monitoring and alerting activity is the Functional Center of the Molise Region, which is part of the Regional Civil Protection Service located in Campochiaro (CB).

4. References

Regional: D.G.R. n. 78/2018, “Sistema di allertamento multi-rischio della Regione Molise (vers. 2.1), riferimento per il sistema di allertamento della Regione Molise (DPCM 27.02.2004 e ss.mm.ii). Approvazione”.

5. Data Sources

www.protezionecivile.it
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www.regione.molise.it

Appendix' A2' – Unedited results of the TTF2 survey on current Civil Protection management legislation – FOREST FIRES

LP- Molise Region

1. Country/Region

Italy, Molise Region

2. Type of legislation/regulation

National: Decreto Legislativo n. 1, 2.1.2018 “Codice della Protezione Civile”

National: Legge n. 353, 21.11.2000 “Legge-quadro in materia di incendi boschivi”.

Regional: Legge regionale n. 10, 17.2.2000 “Servizio nazionale di protezione civile: disciplina del sistema regionale di protezione civile”

3. Topics addressed/regulated

The main law on forest fires (Law 353/2000) is divided into 3 parts.

The first part develops the themes of forest fire forecasting, prevention and active struggle, i.e. the actions to be taken to extinguish them.

The second part deals with the requirements and penalties related to forest fires. In particular it develops the theme of prohibitions, protections and economic and legal sanctions for those who do not respect the rules.

The last part, the third, deals with the financial aspects for the development of the main themes of the forest fire law.

In parallel with the rules of the Italian State, the Regions have regulated the subject with regional rules and resolutions.

In Molise the theme of forest fires, as well as in the L.R. 10/2000 is governed by resolutions approving the Regional Plan for Forecasting, Prevention and Active Fighting of Forest Fires (AIB Plan).

The last resolution updating the AIB plan is the DGR 151/2018, which approved the 2018/2020 Multi-year Plan of forecasting, prevention and active fight against forest fires, defining the organizational structure of prevention services and active struggle against forest fires.

4. Reference

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Appendix' A3' – Unedited results of the TTF2 survey on current Civil Protection management legislation – SEISMIC RISK

LP- Molise Region

1. Country/Region

Italy, Molise Region

2. Type of legislation

National:

- Decreto Legislativo n. 1, 2.1.2018 “Codice della Protezione Civile”
- D. Lgs. n. 112/1998, “Conferimento di funzioni e compiti amministrativi dello Stato alle Regioni ed agli Enti Locali”, con esclusione dell’art. n. 107, comma 1, lettere a), b), c), d), f) numeri 1), 2) e 4), g) e h) e comma 2, nonché dell’art. n. 108, abrogati dal D. Lgs. n. 1/2018, “Codice della Protezione Civile”;
- L. n. 265/1999, “Disposizioni in materia di autonomia e ordinamento degli Enti Locali, nonché modifiche alla L. n. 142/1990”;
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- L. C. n. 3/2001, “Modifiche al titolo V della parte seconda della Costituzione”;
- D. L. n. 343/2001, “Disposizioni urgenti per assicurare il coordinamento operativo delle strutture preposte alle attività di Protezione Civile”, convertito, con modificazioni, dalla L. n. 401/2001, con esclusione dell’art. n. 5, abrogato dal D. Lgs. n. 1/2018, “Codice della Protezione Civile”;
- D.P.R. n. 380/2001, “Testo unico delle disposizioni legislative e regolamentari in materia edilizia”;

- D. Lgs. n. 245/2002, “Interventi urgenti a favore delle popolazioni colpite dalle calamità naturali nelle regioni Molise e Sicilia, nonché ulteriori disposizioni in materia di Protezione Civile”, convertito, con modificazioni, dalla L. n. 286//2002, con esclusione dell’art. n. 3, abrogato dal D. Lgs. n. 1/2018, “Codice della Protezione Civile”;
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- OPCM n. 3316/2003, “Modifiche ed integrazioni all'Ordinanza del Presidente del Consiglio dei Ministri n. 3274 del 20 marzo 2003, recante “Primi elementi in materia di criteri generali per la classificazione sismica del territorio nazionale e di normative tecniche per le costruzioni in zona sismica””;
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- Direttiva del Presidente del Consiglio dei Ministri 6 aprile 2006 “Direttiva del Capo del Dipartimento della Protezione Civile del 02 maggio 2006”;
- OPCM n. 3519/2006, “Pericolosità sismica di riferimento per il territorio nazionale”;
- Direttiva del Presidente del Consiglio dei Ministri 3 dicembre 2008, “Indirizzi per l’attivazione e l’intervento in emergenza, in forma coordinata, del Servizio nazionale di Protezione Civile e definizione del modello organizzativo d’intervento per la gestione dell’emergenza ai differenti livelli di competenza territoriale”;
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