

**ITALIA**



**MINISTERO DEGLI AFFARI ESTERI E DELLA COOPERAZIONE INTERNAZIONALE**

**COMITATO INTERMINISTERIALE PER I DIRITTI UMANI**

***CONTRIBUTO DELL'ITALIA***

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## ITALY'S CONTRIBUTION

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We are in a position to provide the following contribution, **for your information only.**

(2,963 words)

### **Q.1.**

Overexploitation may lead to:

- Salt intrusion. It is one of the parameters considered in the classification of water bodies into poor quantitative status for salt intrusion and in the assessment of the impact of withdrawals as a parameter of indirect effect of withdrawal.
- Lower flow rates in rivers and consequent reduced dilution and self-purification powers. That's why, European Commission defined the rules to allow or deny irrigation investment within Rural Development Policy 2014-2020 in case of "less than good status ... for reasons related to water quantity".

Pollution may lead to:

- Eutrophication due to excess nutrients. Nitrates Directive (91/676/CEE) sets the concentration above which groundwater is considered polluted by nitrates at 50 mg/l, defining the areas of territory that discharge directly or indirectly onto such waters as vulnerable (Nitrate Vulnerable Zone - NVZ). The Regions, based on surface and groundwater monitoring data, may define and extend the designation of NVZs (Nitrate Vulnerable Zone) through regional measures.
- Reduction in water availability.

### **Q. 2.**

- The main European regulatory reference on water protection is the [Water Framework Directive](#) (implemented into our legal system by [legislative decree 3 April 2006, n.152](#) Objective: to achieve "good status" for all of Europe's water bodies, which includes achieving a good quality of both surface and groundwater through basic and supplementary measures<sup>1</sup> that must be planned at the River Basin District level. For the agricultural sector, one of the most relevant basic measures is the application of Nitrate Directive.
- [Nitrates directive 91/676/CEE](#) was implemented into our legal system by [legislative decree 3 April 2006, n.152](#), by the ministerial decree of 19 April 1999 (code of good agricultural practice) and by the [ministerial decree of 7 April 2006](#) (technical standards for the regulation of the agronomic use of livestock effluents) now replaced by the [ministerial decree of 25 February 2016](#).

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<sup>1</sup> Basic measures are defined as "the minimum requirements to be complied with and shall consist of" the following: "measures required to implement Community legislation for the protection of water"; supplementary measures are defined as "those measures designed and implemented in addition to the basic measures, with the aim to achieve the environmental objectives of the WFD".

- Nitrate Directive aims to protect surface and groundwater from pollution by nitrates from agricultural sources (mainly fertilisers and manure). It sets the concentration above which groundwater is considered polluted by nitrates (50 mg/l), defines the areas of territory that discharge directly or indirectly into such waters as vulnerable; sets the limit for surface fresh waters which can rise to 50mg/l in the event of exceptional climatic or geographical circumstances.
- The limits set by the Nitrates Directive is 170 kg of nitrogen\hectare\year in areas vulnerable to nitrates and 340 kg of nitrogen\hectare\year in areas not vulnerable to nitrates.
- Article 10 of the Nitrates Directive provides that, starting from its notification, Member States present, every 4 years, a report to the European Commission on the state of implementation of the Directive on their national territory.
  - New European Regulation on Fertilizers, EU Regulation 2019/1009
  - Application: July 16, 2022. Current consolidated version: 16/03/2023. It amends the Regulations (EC) No 1069/2009 and (EC) No 1107/2009. It repeals the Regulation (EC) No 2003/2003.
  - This Regulation lays down rules on the making available on the market of EU fertilizing products.
  - It applies to EU fertilising products, excluding animal by-products, referring to substances, mixture, micro- organism or any other material with the purpose of providing the plants or mushrooms with nutrients, which are CE marked when made available on the market.

In addition, in order to achieve WFD objectives, under Directive 2006/118/EC and [Ministerial Decree 6 July 2016](#), Regions and Autonomous Provinces monitor in groundwater bodies the substances discharged and/or released and/or introduced and/or already detected in the river basin or sub-basin. If the monitoring activities show that the quality standards or threshold values established for groundwater are not respected it is necessary to implement the restoration measures. As regards surface waters, the EQS of Directive 2008/105/EU set out limits for the concentration of priority substances and eight other pollutants in water (or *biota*), i.e. threshold values that must not be exceeded to achieve good chemical status.

Article 94 of [legislative decree 3 April 2006, n.152](#) regulates the areas for the protection of surface and groundwater for human consumption.

Protection of water in concerning to quantitative pressures. Main regulatory references:

[Link 1](#)

[Link 2](#)

Both Decrees have been implemented by the [River Basin District Authorities](#).

### Q. 3.

- From quantitative point of view, problems for drinking water supply are linked to drought and consequent reduction of water availability in groundwater and surface water. According to national law, drinking water is a priority use and other uses are permitted (paragraph 4, art. 144 of [Legislative Decree 152/2006](#)) only if they don't impair water quality.

- According to the same decree, for catchment and aquifer recharge areas of water intended for human consumption, safeguard areas are identified, divided into absolute protection zones and buffer zones, as well as protection zones. In these areas, limits to agricultural or livestock activities are defined to preserve the quality of water.

#### Q.4.

- [Legislative Decree 3 April 2006, n. 152](#) promotes the quality levels to be achieved through the safeguarding and improvement of general environmental conditions and prudent and rational use of natural resources. [Art. 167](#) (*Agricultural uses of water*) confirms that “During periods of drought and in cases of water scarcity, during which active derivations are regulated, priority of agricultural use, including aquaculture activities, must be ensured after human consumption”.
- In 2016, [Permanent Observatory on Water Uses \(OWUs\)](#) were established by Ministry of the Environment for each River Basin District to strengthen a coordination among relevant government institutions, research bodies, irrigation consortia, water utilities and associations of utilities in managing common surface water resources. OWUs were born as a voluntary and subsidiary operating body to support integrated water governance and is now becoming an official body of River Basin District Authority.
- In 2023, a special law was published to afford drought, containing specific measures aimed to increase the resilience of water systems to climate change and to reduce water losses. A Water Crisis Steering Committee was established at the Office of the President of the Ministers’ Council, with the aim to adopt urgent interventions related to the phenomenon of water scarcity.

[Link](#)

#### Q. 5.

- According to EUROSTAT data, in 2022, 7.5% of the Italian population unable to afford a meal containing meat, fish or a vegetarian equivalent every other day. Moreover, considering people at risk of poverty in 2022, the percentage of the population that cannot afford an appropriate meal stands at 15.5%, lower than in 2021 (17.1%).
- As for Agenda 2030 – [Goal 2](#) “Fight Hunger”, in Italy the positive trend noted between 2011 and 2015 was driven by a reduction in the share of overweight people and an increase in organic farming. From 2015 onward, the composite indicator remains essentially stable, given the offset between the increase in the share of agricultural land used for organic crops and the decrease in the number of people who have an adequate diet (Figure 1).

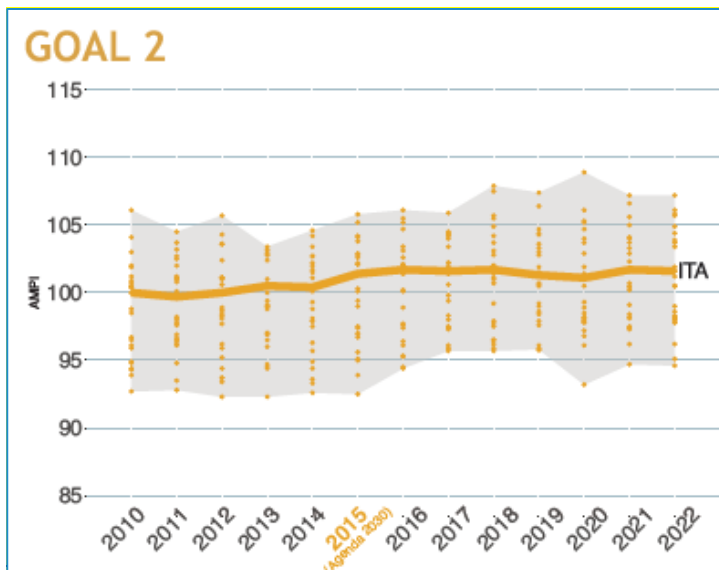


Figure 1

[Link.](#)

In the [Yearbook of Italian Agriculture of CREA](#), (2022) and The [Italian agriculture matters](#) of the Research Centre for Agriculture and economy (CREA) are summarized the main Italian agricultural productions. See answer 5.1.3 for the linkage with water.

The impact of food in terms of water resources in Italy is particularly significant insofar as food consumption (agricultural/animal products) contributes 89% of the total daily water footprint in Italy. The water footprint (WF), a multidimensional indicator expressed in terms of volumes of freshwater consumption, includes both direct and indirect water use by a consumer or producer. It is useful to frame the issue of the food WF in a global context, characterised by a constant increase in the use of fresh water, which increased sixfold from 1901 to 2014, from 671 billion cubic metres (cm) to 4 trillion cm. Italy has dropped from 42.7 billion cm in 1972 to 34 billion in 2017. If, on the other hand, we focus our analysis on the use of water for agricultural purposes, Italy fell from 25.6 billion cm in 1970 to 12.9 billion in 2005.

[Link 1](#)

[Link 2](#)

[Link 3](#)

- See as mentioned in answer n. 3. In case of extreme events ([droughts](#)), as those occurred in the last years in some Italian Region, farms have had to stop the irrigation practice, with important economic effects ([Coldiretti](#), [CREA](#)).
- The Ministry of Agricultural Policy has established the AgriCat Fund, a National Mutual Fund for covering catastrophic weather and climate damage to agricultural production, established by Law No. 234 of Dec. 30, 2021 and provided in the CAP National Strategic Plan 2023-2027 (intervention SRF04). It aimed at providing compensation to farmers participating in the Fund who have suffered damage to their crops as a result of a catastrophic event from flood, frost or hoarfrost, drought.

## Q. 6.

- Food security is a multifaceted issue that intersects with various sectors, agriculture included. Investments in addressing food security may be spread across different budget categories rather than being allocated to a single line item.
- [Operational Program FEAD](#). Main instrument for funding of food distribution in Italy. Recently, the number of beneficiaries has increased significantly in Italy (Source: Ministry of Social Policy and Labor) from 2.1 million users in 2019 to nearly 3 million in 2021, registering a slight decline in 2022, totalling more than 2.8 million people.
- The program, approved by the European Commission to the Ministry of Labor and Social Policy, has allocated about 789 Mio euros for the period 2014-2020 (in 2022, 988 Mio euros).
- The [European Social Fund+](#) established that 25% of the funds be allocated to the promotion of social inclusion and that at least 3% of the social inclusion budget be spent on food aid and basic material assistance to needy people. In addition, within the framework of the new programming, additional interventions will be provided under the Child Guarantee (in Italy, the Plan of National Action Plan of the Child Guarantee-PANGI).
- The Food Income Fund was included in Budget Law 2023 to support people in poverty and to try to reduce wasted food (free distribution, including through Third Sector entities in the territories, of food parcels made from unsold food distribution, donated by businesses that voluntarily join the experiment).
- In the [CAP](#), food security objectives, because of its cross-cutting scope, are spread across multiple types of interventions. For the [Specific Objective 1](#) 25.1 bn euros has been allocated in Italian CAP Strategic Plan 2023-2027.
- In 2020, the Italian government faced the emergency economic and social caused by the pandemic from Covid-19 by allocating resources to adopt measures of food solidarity aimed at citizens (shopping vouchers, instruments of food solidarity distributed among Italian municipalities). The national ordinance allocated additional funds totalling 400 Mio euros for simplified procedures to address urgent food needs.

[Link 1](#)

[Link 2](#)

- In Italy, collective irrigation is recognized as a governance instrument able to ensure a sustainable and efficient use of water for irrigation (as it is implemented through the planning of water distribution in relation to the needs of the territory and its availability), as well as promoting environmental and landscape protection, through the maintenance and vivification of irrigation and drainage channels.
- So, off-farm investments represent a strategic field of intervention of Ministry of Agriculture (MASAF) to improve each element of the irrigation distribution chain for: increasing water availability; modernizing irrigation networks to reduce water losses; improving water service through metering and remote-control systems.
- These actions were funded within several different investment Programs funded by national and European Union funds, starting from the National Rural Development Program (NRDP 2014-2020) funded by the EAFRD, which was complemented by a similar Program funded by national Development and Cohesion Fund (DCF 2014-2020), particularly dedicated to the Regions of Southern Italy. Off-farm and collective irrigation investments were also financed with national funds made available by budget laws for five subsequent years from 2016 until

2020. More recently, a dedicated measure to improve the efficiency of existing irrigation infrastructure has also been implemented within the National Recovery and Resilience Plan - NRRP (Investment 4.3) funded by Next Generation EU.

- In addition to these interventions on the collective network, the efficiency of on-farm irrigation systems and the development of farming practices that help the maintenance of organic substance in the soil (and, therefore, its ability to retain water) are pursued and funded at regional level within Rural Development under Common Agricultural Policy.
- The [AKIS strategy](#), implemented within the CAP, contributes to the modernization, through innovation and digitalisation of agriculture, encouraging the exchange of knowledge and strengthening the innovative capacities of actors in rural areas.

#### **Q.7.**

Competition among drinking use and agricultural use exist in case of water scarcity. However, this does not affect right to water because priority is given to drinking use (See answer n. 3 and 9). At the same time, right to food is ensured.

#### **Q.8.**

- During drought period, competition exists between the demands for water to produce food and for supply.
- According to national environmental law, irrigation use has the priority after drinking use.
- To manage this conflict, Permanent Observatory on water uses were established to monitor water availability and use and recommend appropriate actions to reduce drought impact.

[Link 1](#) (see box 6.3)

#### **Q.9.**

In Italy all surface water, including that collected in reservoirs or tanks, and all groundwater is public property, is a public good. There aren't water rights on the market. Water is abstracted according to a permit, issued by a public authority.

#### **Q.10.**

Water is abstracted according to a permit, issued by a public authority. If necessary, the permit is granted after an environmental assessment at river basin level.

The primary source used depend on local availability (Surfaces water, groundwater mainly, but also reservoirs). Seen also answer 10.1.

- [Ministerial decree of 25 February 2016](#). The Ministerial Decree contains provisions concerning the production and use of digestate that have the purpose of simplifying the treatment of certain specific types of organic matrices of agricultural subjected to anaerobic digestion.
- Limitations are foreseen for the contribution of digestate and effluents to the soil based on the designation of the area.
- The agronomic use of manure and digestate shall be prohibited for a certain number of days depending on the type of effluent and digestate and the type of crop. There remains a spreading ban period of at least 60 days (1 December to 31 January) in periods with heavy rainfall.

- Furthermore, within the scope of conditionality, a series of measures have been envisaged to strengthen actions to protect surface water bodies, to protect surface and underground waters from pollution and run-off resulting from agricultural activities.
- The measures also concern compliance with Directive 91/676/EEC relating to the protection of waters from nitrates and Directive 2009/128/EC relating to the sustainable use of plant protection products, the correct use of plant protection products and compliance with WFD to reduce widespread sources of phosphate pollution.

**Q.11.**

- In general, water used for drinking or cooking is provided by a water authority that guarantee water quality standards. Self-supply by groundwater for domestic use is for free but it is subject to a permit and control.
- Given this, a national law defines technical standards for the reuse of wastewater to respect for reusing wastewater for different purposes (irrigation, industrial, etc.) ([Decree 185/2003](#))
- From June 2023, [Regulation \(EU\) 2020/741 on minimum requirements for water reuse](#) is in force defining (for the first time at European level) minimum requirement for the reuse of urban treated wastewater for irrigation purpose.
- The European Regulation introduces the approach to risk assessment and management. Italian Ministry of environment is currently preparing a new regulation to update the 2003 Decree and to extend this risk-based approach also to the reuse of industrial waters.

[Link 1](#)

[Link 2](#)

**Q.12.**

Italy recognizes the right to water and right to food through international treaties and conventions ratified (eg [ICESCR](#)). The Italian Constitution of 1948 does not make any express reference to the right to food. However, it is possible to affirm that such right has constitutional value in the Italian context and that any law and regulation must respect it and be informed by it. According to the Constitutional distribution of legislative and administrative powers, it appears therefore that the implementation of the right to food in Italy is closely linked to the actions of all levels of authority, from the State to the city councils.

At a regional level, one of the most interesting examples is represented by the decision of the Lombardia Regional Council (Milan) to issue a law that makes explicit reference to the right to food and to its implementation, recognising the multifaceted nature of the right to food and its interaction with several regulatory areas (health, education, public procurement, etc). Also, cities can play a pivotal role in defining mechanisms to bolster right to food. See interesting case studies [Link](#).

**Q.13.**

No (see answer n.9)

**Q. 14.**



At a national level, among other things, a long-term policy to harvest water for both agriculture and drinking water to cope drought has been started.

- In 2017, Investment in multipurpose reservoirs were *identified as priority actions to be funded* to respond to drought and to guarantee access to drinking water and food production.
- A “National Plan of interventions in the Water Sector” was finalized to modernize and complete the national water distribution network (including the irrigation network) and to build new reservoirs, with a focus on multipurpose reservoirs.
- At the River Basin scale, reservoirs are considered as effective climate change adaptation measures, especially where natural water availability is highly variable throughout the year (retaining water to be released during periods of scarcity, thus sustaining irrigated agriculture and increasing the availability of water for irrigation).
- Recently, National Plan of interventions in the Water Sector was reformed within [National Recovery and Resilience Plan](#), to improve his effectiveness in planning strategical water related investment able to ensure water security and safety.
- In addition, an investment programme to build small and widespread reservoirs are requested by stakeholders.

[Link 1](#)

[Link 2](#)

[Link 3](#)

[Link 4](#)

## **Conclusion**

We take this opportunity to reaffirm our full commitment to effectively cooperating with UNSPMHs.

Once additional information is made available, we will promptly share it.