



Press Office of the Constitutional Court

Press Release of 22 July 2021

ENVIRONMENTAL PROTECTION ALLOWS REGIONS TO EXTEND THE RANGE OF LANDSCAPE ASSETS BUT NOT TO REDUCE IT

The Regions may not plan the development of their territory through town planning-type measures unless the latter comply with the constraints imposed by the State in order to protect the landscape. Moreover, the State may declare that an asset is worthy of landscape protection even when the Region is against it. Indeed, the safeguarding of such property responds to an “incremental logic”, which allows the Regions to widen the scope of the protection in question but not to reduce it, not even by means of the landscape plans falling within their remit but to be drawn up in agreement with the State.

The Constitutional Court so held in [Judgment No. 164](#) filed today (author: Judge Augusto Barbera), resolving a conflict arising out of an application brought by the Veneto Region against the State's decision to declare a vast area of Comelico, a valley that includes *inter alia* several Alto Cadore municipalities, of interest for landscape protection purposes.

The Court ruled that not even the fact that the Region's landscape plan was in the process of being approved could deprive the State of its power to specify the assets to be protected, which therefore have to be included without amendment in the regional plan.

The Court thus concluded that the declaration that the Comelico area was of notable public interest fell within the constitutional powers that the State enjoys vis-à-vis the Region. Accordingly, the application brought by the Veneto Region was dismissed.

Rome, 22 July 2021