AVVOCATO EGIDIO LIZZA

Patrocinante in Cassazione

00193 Roma - Via Valadier, 43
T. +39 06 3224207
F. +39 06 32628371

82100 Benevento - Viale Mellusi, 53
T. +39 0824 314197-98
F. +39 0824 334498

67000 Strasbourg - Rue Gutenberg, 1
T. +33 (0)3 88224896
F. +33 (0)3 88224896

Ordine Avvocati Roma A41315
egidiolizza@ordineavvocatiroma.org
info@egidiolizza.com

Council of Europe
DGI – Directorate General of Human Rights and Rule of Law
Department for the Execution of Judgments of the ECHR
F-67075 Strasbourg Cedex
France

to: DGI-Execution@coe.int

cc: cm@coe.int

Subject: *Alfonsi and Others v. Italy – Appl. no. 63624/19 et al. – Communication by Fe.R.F.A. concerning the continuing consequences of the violations acknowledged by the Italian Government*

The present communication is submitted by the Federazione Rinascita Forestale e Ambientale (Fe.R.F.A.) through its legal counsel, Avv. Egidio Lizza, who assists and represents the Federation for the purposes of the present submission. The Federation fully endorses the contents of this communication, which is jointly signed by its authorised representative and by its legal counsel.

The **Federazione Rinascita Forestale e Ambientale (Fe.R.F.A.)**, an Italian non-profit association representing and giving voice to former members of the *Corpo forestale dello Stato* ("State Forestry Corps" or "CFS"), respectfully submits the following information to the Committee of Ministers and to the competent services of the Council of Europe.

1. The submitting organisation

Fe.R.F.A. was established in 2017, immediately following the abolition of the State Forestry Corps, and currently brings together several hundred supporters and represents the concerns shared by a significantly larger number of former CFS officers and sympathisers.

The Federation was established with the aim of drawing institutional attention to the consequences resulting from the abolition of the State Forestry Corps, both as regards the legal and professional position of its former personnel and the protection of the environment throughout the Italian territory.

One of its principal institutional objectives is to promote the establishment of a modern **civilian environmental police service**, capable of addressing the increasingly important challenges faced by Italy in the fields of hydrogeological instability, soil protection, forest fires, environmental crime and pollution.

2. Abolition of the State Forestry Corps and acquisition of military status

The State Forestry Corps was a police force organised under **civilian status**.

Following Legislative Decree no. 177 of 19 August 2016, the Corps was abolished and the overwhelming majority of its personnel were transferred, principally, to the *Arma dei Carabinieri*, with the consequent acquisition by operation of law of **military status**.

Former CFS officers who had entered and served for many years within a civilian State police force were therefore made subject to military status, military hierarchy and military discipline without, in practice, having been afforded a genuinely free and effective choice enabling them to retain civilian status.

The change profoundly affected not merely the administrative organisation to which they belonged, but also their individual legal status and the exercise of fundamental rights which they had previously enjoyed as civilian public servants.

3. Proceedings before the European Court of Human Rights

A substantial number of former members of the State Forestry Corps consequently brought applications before the European Court of Human Rights.

In February 2024, the Court communicated to the Italian Government the applications subsequently dealt with jointly under the case **Alfonsi and Others v. Italy and seven other applications**, application no. 63624/19 and related applications.

The complaints concerned, in particular, the restrictions imposed on the applicants' freedom of association as a consequence of their acquisition of military status, within the meaning of **Article 11 of the European Convention on Human Rights**, as well as, in several of the applications, alleged discriminatory treatment contrary to **Article 14 of the Convention**.

Following unsuccessful friendly-settlement negotiations, the Italian Government submitted a **unilateral declaration** expressly acknowledging the violations of the Convention provisions invoked by the applicants.

By its decision adopted on **3 October 2024 and notified in writing on 24 October 2024**, the European Court of Human Rights took note of that acknowledgement and of the undertakings contained in the Government's unilateral declaration and decided to strike the applications out of its list pursuant to **Article 37 § 1 (c) of the Convention**.

The Federation emphasises the particular importance of the fact that the respondent Government expressly acknowledged before the European Court of Human Rights that the

Convention rights invoked by the former members of the State Forestry Corps had been violated.

4. Continuing effects of the acknowledged violations

Nearly two years after the notification of the Court's decision, the factual and legal position of the former CFS officers transferred to military police forces has not undergone any change capable of removing the consequences which gave rise to the complaints acknowledged by the Italian Government.

In particular, the personnel concerned remain subject to:

- military status and military insignia;
- military hierarchy;
- military disciplinary law;
- military regulations;
- the jurisdiction and powers of the military prosecuting authorities in the cases provided for by law; and
- organisational dependence upon a military Armed Force.

Accordingly, the acquisition of military status which gave rise to the restrictions complained of before the European Court of Human Rights continues to produce its effects in respect of thousands of former members of the State Forestry Corps.

The Federation considers that this continuing situation deserves particular institutional attention, especially in view of the Italian Government's express acknowledgement before the Court that the Convention rights invoked in the applications had been violated.

5. Request to the competent bodies of the Council of Europe

Fe.R.F.A. is aware that the applications in **Alfonsi and Others v. Italy** were struck out following unilateral declarations under Article 37 § 1 (c) of the Convention rather than disposed of by a judgment on the merits under Article 46 of the Convention.

Nevertheless, given the continuing nature of the legal and practical consequences described above, the Federation respectfully requests that the present communication be brought to the attention of the Committee of Ministers and of the competent services of the Council of Europe.

In particular, Fe.R.F.A. respectfully invites the competent bodies, **insofar as this falls within their respective powers**, to draw the attention of the Italian authorities to the fact that the circumstances underlying the violations expressly acknowledged before the European Court of Human Rights continue to affect the former members of the State Forestry Corps.

The Federation further respectfully requests that the Italian authorities be invited to provide information concerning any legislative, administrative or organisational measures adopted or envisaged with a view to addressing the continuing consequences of the violations acknowledged before the Court and preventing their persistence or recurrence.

In the Federation's view, an effective solution should restore to the personnel concerned a legal framework compatible with their original status as civilian public servants and with the Convention rights whose violation was expressly acknowledged by the respondent Government.

The Federation therefore calls upon the competent national and European institutions to promote a solution capable of enabling the former members of the State Forestry Corps, after almost a decade since the abolition of the Corps, to return to service within an organisation governed by **civilian status**, while continuing to perform the environmental protection and law-enforcement functions to which their professional expertise has traditionally been devoted.

Fe.R.F.A. remains available to provide any further information or documentation which may be considered useful.

Respectfully submitted.

Rome, 7 September 2026

For the **Federazione Rinascita Forestale e Ambientale – Fe.R.F.A.**
National Secretariat

Avv. Egidio Lizza
Legal Counsel to Fe.R.F.A.
Via Valdier, 43 – 00193 Rome - Italy
egidiolizza@hotmail.com