

(English version)

**Question for written answer E-001010/26
to the Commission
Danilo Della Valle (The Left)
(11 March 2026)**

Subject: European cultural heritage and legal certainty under threat: the case of Campania's Vesuvian Villas

Littering the coastline between Naples and Torre del Greco, the 18th century Vesuvian Villas are sites of outstanding historical and artistic value for European heritage.

However, Council of State Judgment No 03835/2021 authorised the construction of a base transceiver station in the gardens of Monteleone's Villa Pignatelli, arguing that their dilapidated physical features had deprived them of their cultural value and, as a result, of their protected status. The Court used this Vesuvian site's neglected state to justify stripping it of its legal protections, thereby paving the way for its abandonment. In addition to running counter to the conservation obligations laid down by Article 3 TEU and Article 167 TFEU and the principles of the New European Bauhaus (NEB), the Council of State's interpretation could end up compromising the effectiveness of EU funding allocated to historical conservation projects under the ERDF and NRRP.

In the light of the above:

1. Does the Commission hold that stripping a cultural site of its protected status on the basis of its dilapidated state is an interpretation that is compatible with the standards set by the Treaties?
2. What steps will the Commission take to ensure that Member States fulfil their obligations to protect and restore cultural heritage?
3. Will the Commission check whether Villa Pignatelli is being administered in line with the conservation criteria that are applicable to projects in receipt of EU funds?

Submitted: 11.3.2026

**Answer given by Mr Micallef on behalf of the European Commission
(18 June 2026)**

The protection and restoration of cultural heritage remain a national responsibility. The Commission has no say on which sites are granted protected status by Member States, neither what sites are stripped from their protected status.

Article 167 of the Treaty on the Functioning of the European Union stipulates that EU action focuses on encouraging cooperation between Member States and supporting and supplementing their actions, with a view to conserving and safeguarding cultural heritage of European significance.

The Commission has implemented various policies and programmes to support the safeguarding and promotion of cultural heritage in Europe.

These include the designation of European Heritage Label sites, which are recognised for their symbolic value and role in European history; the European Heritage Days; and the annual European Heritage Awards. However, this does not in any way pre-empt the protection of cultural heritage at national level.

In the context of the European Regional Development Fund (ERDF), the Commission encourages Member States and regions to ensure that restoration and preservation of cultural heritage is done in accordance with best practice, including the International Council on Monuments and Sites (ICOMOS) European quality principles for EU-funded interventions with potential impact on cultural heritage ⁽¹⁾.

In line with the shared management approach, national and subnational authorities may decide to incorporate such guidance in the implementation of relevant ERDF support as outlined in the respective Cohesion Policy programmes. This cultural heritage project did not receive any ERDF financing.

⁽¹⁾ <https://publ.icomos.org/publicomos/jlbSai?html=Pag&page=Pml/Not&base=technica&ref=AB6E9D6130FB6ED4A9B386BA22DADF90>.