

The injured coast: the degradation of the Italian coastal landscape between unauthorized development, eco-mafia and regulations

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DANIELA PITTALUGA

FABIO FRATINI

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**CONSERVATION ET MISE EN VALEUR
DU PATRIMOINE ARCHITECTURAL ET PAYSAGÉ
DES SITES CÔTIERS MÉDITERRANÉENS**

CONSERVATION AND PROMOTION OF ARCHITECTURAL AND
LANDSCAPE HERITAGE OF THE MEDITERRANEAN COASTAL SITES

ripam

7

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Ce livre est un ouvrage collectif, dont les contributions ont été élaborées à partir de la conférence RIPAM 7, organisée à Gênes du 20 au 22 septembre 2017 par le DAD - Département d'architecture et de design (Université de Gênes) en partenariat avec le CNR-ICVBC Institut national de recherche, Institut pour la conservation et la mise en valeur du patrimoine culturel de Florence).

This book is a collective work, with contributions developed starting from RIPAM 7 conference, organized in Genoa, 20 to 22 September 2017 by the DAD - Department of Architecture and Design (University of Genoa) in collaboration with the CNR-ICVBC (National Research Council, Institute for Cultural Heritage Conservation and Valorization, Florence).

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Daniela Pittaluga et Fabio Fratini ont travaillé ensemble sur les textes initiaux (comprenant les sections “Qu’est-ce que le RIPAM?” et “Conférence RIPAM 7”, les remerciements et les index) et sur les descriptions des thèmes et sous-thèmes (sections A et B et sous-parties). Cependant, Daniela Pittaluga a écrit les parties en français et Fabio Fratini a écrit les parties en anglais, ils sont auteurs de certains articles et les éditeurs de la partie restante.

Daniela Pittaluga and Fabio Fratini worked together on the initial texts (including sections “What is RIPAM?” and “RIPAM 7 Conference”, acknowledgements and indexes) and on the descriptions of the themes et subthemes (section A and B and subparties). However, Daniela Pittaluga wrote the parts in French, and Fabio Fratini wrote the parts in English. They are authors of some articles and editors of the remaining part.

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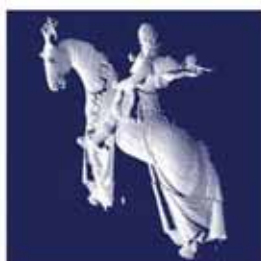
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The conference had also the patronage of ISCUM patronage, Istituto di Storia della Cultura Materiale di Genova, which has always been a reference point in architecture archeology methodologies.

We thank Stefania Pantarotto, Valentina Fatta, Francesca Musante and Luca Venzano for their collaboration in the preparation of abstracts book of the conference published by the editor Franco Angeli in 2017 and this book « Conservation and enhancement of architectural heritage and landscaped Mediterranean coastal sites » and the proceedings, and their special commitment to organize the event.

We thank the publishing house Franco Angeli for supporting this great "group work" of more than 300 people in two books, for adapting their procedures to such a varied reality. We deeply appreciated the great professionalism adopted by Franco Angeli in overcoming all the difficulties to guarantee the good result of the conference.

We wish the best for the RIPAM people, to continue over time this excellent exchange channel and opportunity for meeting, progress and friendship. With the new secretary Mounsi Ibnoussina (Caadi Ayyad

University Marrakech) another event already took place in Constantine (Algérie) on December 12th–13th 2018, the RIPAM 7 intermédiaire, and the new RIPAM 8 conference in Rabat (Morocco) is approaching, November 20th–22nd 2019, see you there.

Daniela Pittaluga and Fabio Fratini

The injured coast: the degradation of the Italian coastal landscape between unauthorized development, eco-mafia and regulations

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Summary. The coastal landscapes are an important part of the identity, history and collective memory of Italy, in addition to being a natural heritage of extraordinary value and an important tourist resource. Yet still, the substantial and uncontrolled transformations that occurred in the last decades in almost all coastal regions attest to an alarming reality that shows no sign of changing. The unauthorized development is in fact an extremely widespread phenomenon in Italy and in particular in coastal sites, and it is configured in a first time as a form of spontaneous urbanization to become soon a purely speculative phenomenon. The paper aims to illustrate the main causes of this process, outlining the main stages of historical development, but also the role of eco-mafia and the regulatory response of the Italian government, not always effective. Only in recent years the preservation, the requalification and the enhancement of the coastline have become priorities for the future of our country. The unauthorized development can't be suppressed by healing the illegal buildings and selling off our coastal landscape heritage, but by elevating the levels of control for enhanced protection of the territory, by starting the process of demolition to all buildings constructed without the necessary permits and especially by raising public awareness to the inestimable value of the landscape and to the social mobilization. Focusing on some examples of significant landscape impact, the paper aims also to offer a reflection on the implemented methods to eradicate the phenomenon of unauthorized development from the Italian coasts and on the most significant results.

Keywords: landscape heritage, Mediterranean coastal sites, unauthorized development.

Introduction

Like in many other countries that overlook the Mediterranean Sea, often overwhelmed by building speculation, also in Italy the unauthorized development is an extremely widespread phenomenon. It consists in an urbanistic violation, which is ascribed to the penal crime sphere. The illicit act presupposes the fulfilment of a construction intervention without the building authorization.

Generally we can observe two kind of infringement, a total violation or a partial violation. The total violation occurs when the new building is realized in the absence or in the complete dissimilarity from the authorization. The partial violation takes place when works, in addition to other existing buildings, are realized totally or partly in an inconsistent way from those authorized. Particular gravity takes on abusive interventions in protected areas. In this case, we are faced not only with an illegal construction activity in relation to the current regulatory framework for urban and territorial development but, in the case of violation of landscape, environmental, historic, archaeological, road and railway restrictions, a detriment of the values of the landscape in which the object of such action lies.

In Italy, the prevalent spread of illegal construction concerns the coastline, which has undergone, during the last 50 years, transformational activities of a significant type and size, with 56.2% of the total transformed coasts¹.

It is calculated that the occupation of the peninsular coastal front, within a kilometer from the coast line by edifices and urbanization, has in fact been at a speed of 10 km/year since the second postwar period².

In order not to completely lose our natural coastal heritage, a decisive reversal trend is needed, with effective control and active protection.

Origin, development and stabilization of the phenomenon

In Italy the phenomenon of the unauthorized development arises in the early decades of the XXth century, but it expanded mainly after the second postwar period, in a social and economic context of great poverty and strong unemployment³.

The phenomenon is configured in a first time as a form of spontaneous urbanization. The displacement of a large number of people in the city, looking for work, away from their residence, determines the construction of modest housing in peripheral urban areas, begun and completed at night. In this context entire neighborhoods were built, most of all in fragile areas, seemingly regular from an administrative point of view, in the complicit silence of public administrators.

¹ LEGAMBIENTE 2015, p.2.

² ROMANO, ZULLO 2014; TAGLIAPIETRA, MAGNI, BASSET, VIAROLI 2014; ZULLO, PAOLINELLI, FIORDIGIGLI, FIORINI, ROMANO 2015; WWF ITALIA 2016, p.56.

³ BERDINI 2010.

During the time, next to this kind of popular illegal development, we can observe the raise of an unauthorized development strictly linked to the real estate speculation, in which the organized crime is more and more involved (figg.01,02).

In the '70s, Italy went through a heavy economic crisis, which caused a strong inflation. The Italian middle class, who held the greatest economic resources, decided to invest its savings in the construction of the second house, often illegally overbuilding the coasts. Unauthorized construction became for many people the only safe investment.



Fig. 01 : Alimuri, Vico Equense (Napoli). Ph. Maria Teresa Furnari, "Ecomostro Tour", 2014 (www.mariateresafurnari.com)

Right in this period our agricultural and coastal landscape was outraged significantly. Because of the too high cost of building areas in the city, small investors considered cheaper to build in areas of particular environmental value, taking advantage of the total absence of controls. This phenomenon is characterized by its diffusion on the territory and by the consistency of the built volumes.

In order to control the phenomenon, in 1985, in 1994 and again in 2004, the Italian government issued specific rules on infringement of building regulation, which proposed the amnesty as the only useful way to bring legality to many buildings⁴. Illicit built houses can be legalized with the payment of a fine, except for those constructed in violation of essential

⁴ Law n. 47/1985; Law n. 724/1994; Law n. 326/2003.

public interests or in areas subject to historical, artistic or security restrictions.

These measures did not actually discourage illicit building activity, but on the contrary they consolidated the opinion that the crime will not be punished, but forgiven. Unfortunately, in common opinion, the practice of building abuse is considered to be a normal system of local government.

There are very few actual destruction orders, even when confirmed by final judgments of the judiciary. Demolition orders actually executed, even when provided for by the final judgments of the judiciary, amount to about 10-12% of those issued⁵. Although in Italy the judicial authority is independent from the other powers, in order to complete the demolition, financial resources are necessary, which can only be demanded by the mayor in whose territory where the demolition needs to be implemented. If the mayor does not activate, the demolition process cannot proceed.



*Fig. 02 : Pizzo Sella, Palermo. Ph. Maria Teresa Furnari, "Ecomostro Tour", 2014
(www.mariateresafurnari.com)*

There are still thousands of requests for amnesty, which are still waiting to be examined by the public administration. This is how the paradox of illegal houses undergoing act of indemnity is created, which are rented out and even sold or transmitted by inheritance, whether or not the petition is acceptable

⁵ LEGAMBIENTE 2012, p.2.

Another disturbing fact can be also noted. The construction crisis that hit Italy in the last decades has penalized much less illegal production than the legal one: an illegal house can cost even half of a legal building⁶. The supply chain has in fact a reduced price, as materials and manpower costs are illegally paid and there are no construction site safety costs. Moreover the so-called “illegal cycle of concrete”, from the exploitation of quarries, to the illegal housing and to the real estate speculation, is firmly in the hands of organized crime, which produces more than 20,000 houses every year, as new buildings or significant extensions (figg. 03). In 2008, 9.3% of new residential buildings were unauthorized, while in 2014 the figure had risen to 17.6%. In 2016 the national average data was 19.7%, with a spike of 47.3% in Southern Italy. The negative record goes to Molise with about 70 illegal houses on 100 built⁷.

Thanks to the media pressure of associations and journalists on the theme of environmental protection, some significant neologisms have begun to become part of the current language, as eco-crime, eco-mafia or eco-monster. Within environmental protection policies, environmental crime has been defined as a crime that has produced environmental and ecological deterioration. The main environmental perpetrators are linked to organized crime, mostly mafia, environmental crime that is called eco-mafia.



Fig. 03 : Torre Mileto, Lesina (Foggia). Ph. Maria Teresa Furnari, “Ecomostro Tour”, 2014 (www.mariateresafurnari.com)

⁶ Cresme data processing.

⁷ ISTAT 2016, p.136.

An eco-monster is a building or complex of buildings considered gravely incompatible with the surrounding natural environment. The eco-monster often acquires a negative symbol value of paradigmatic harm in the battle for environmental requalification of the Italian landscape.

Battling the coastal illegal building: strategies and tools

One of the main goals of Italy should be, in the near future, the requalification of its coasts. The coastal landscapes in fact are an important part of the identity, history and collective memory of Italy, in addition to being a natural heritage of extraordinary value and an important tourist resource.

Yet still, the substantial and uncontrolled transformations that occurred in the last decades in almost all coastal regions attest to an alarming reality that shows no sign of changing. It should be stressed that the unauthorized development represents the illegal aspect of a large process of progressive coast overbuilding, which motivated the degradation of the Italian coastal landscape.

The fight against unauthorized development along the Italian coasts is led through two categories of interventions, one bottom-up and one top down.

Bottom-up actions are promoted by independent ecological associations or individuals and generally aim to denounce and publicize submerged cases of coastal landscape transformation and to raise public awareness through mass media. Among the associations emerge the WWF, with its studies on the conditions of the coastal marine environment and Legambiente, which annually treats the “Mare Monstrum” dossier⁸, the state of health of the sea and the coasts of our peninsula, in collaboration with the Police forces and the Harbormasters. In 2012 Legambiente promoted the campaign “Abbatti l’abuso”⁹ with the concrete aim of supporting the demolition of illegally constructed buildings in our country through the drafting of an action handbook addressed to citizens. This handbook illustrates to citizens the procedures to report abusive buildings to authorities¹⁰. Legambiente has drawn up a list of leading Italian ecomonsters to focus public attention on the most

⁸ LEGAMBIENTE 2016. The name “Mare Monstrum” refers the Latin diction of the Mediterranean Sea *Mare Nostrum* with the concept of monster.

⁹ “Abbatti l’abuso” means “let’s demolish the infringement”.

¹⁰ BIFFI, FONTANA (by) 2012.

striking cases and organize local protest actions. Two of the main eco-monsters which belong to the top four of Legambiente ranking, are the village of Torre Mileto, near Lesina (Foggia) in Puglia (fig.03) and Pizzo Sella near Palermo (Sicily) (fig.02). The other two are the complex of 35 villas in the archaeological area of Capo Colonna near Crotona (Calabria) and the abusive houses of island of Ischia island. Legambiente has drawn up also a white list of the achievements, the historical eco-monsters that have been torn down in the last twenty years. The last prominent demolition has erased in 2016 the concrete skeleton of the Aloha Mare Hotel near Acireale, Sicily.

Among the bottom-up actions in the fight against coastal building infringement, particular interesting are the initiatives of some artists, who denounce the illegality of the construction sector through their works. In 2014 the photographer Maria Teresa Furnari made an "Ecomostro Tour", a photography trip from Milan to Palermo in 10 stops and 7 days. Each eco-monster is photographed reflected in a mirror, to create a contrasting relationship between the building itself and the natural landscape that surrounds it, which becomes the true protagonist of the image¹¹. The art project "Welcome to Palermo - Vamos a la playa", born from the collaboration between street artists, intends to tell the story of the Cristoforo Colombo Promenade of Carini (fig.04), a "monumental" gateway to Palermo, and to talk with the contradictory, disarming feature of this place, relegated since many years to being a jumble of mixed concrete skeleton, resting on what is left of a beach and its sea¹².

Instead, in relation to the coastal land, top-down actions are represented by the legislative activity of safeguard, conservation and enhancement of Italian natural and cultural landscape. The safeguard of the landscape and of the historical and artistic heritage is one of the fundamental principles of the Italian Constitution. Coastal areas protection is guaranteed by the 1984 *Declaration of significant public interest in coastal territories*¹³, which subjects to an environmental restriction the belt of 300 meters from the coast line, including those high above sea level, by the Galasso Law n. 431/1985, by the legislative Decree n. 490/1999 and finally by the Code of Cultural Heritage and Landscape, Legislative Decree 42/2004.

¹¹ www.mariateresafurnari.com.

¹² KURUVILLA 2017.

¹³ Ministry of Cultural and environmental Heritage, Decree 21 September 1984.



*Fig. 04 : Carini, Palermo. "Welcome to Palermo – Vamos a la playa" project, 2017
(ph. Roberto Romano/Fare Ala)*

It can be declared that the ineligibility for building development of the coastal belt corresponds to a fundamental principle in Italian legislation. Nevertheless, in the last decades there has been an indiscriminate use of the soil, and the need for massive re-qualification of the coasts is now under utmost priority. The latest top-down measures in Italy include two important legislative innovations which integrate all in all in a promising way the current national legislation on coastal protection. The awareness-raising project carried out with tenacity by Legambiente (fig.05) and other ecologist associations has contributed to the approval of Law 68/2015, which partly complies with the European Union Directive 2008/99 on "Environmental Protection". The new crimes against the environment included in the Italian Criminal Law are five: environmental pollution, environmental disaster, traffic and abandonment of high radioactivity, obstruction of control and omission of reclamation. If the singularity of illegal building activity cannot be considered a national pride, with the introduction of this law into its Criminal Code, Italy stands in a prominent position in the fight against eco-crimes. Thanks to this law, in 2017 sea-

related offenses were 15% less than the previous year¹⁴. The eco-crime law aims to prevent illicit, but on the other hand it also transforms many of the offenses covered by the 2006 Environmental Code into administrative sanctions: the extinction of the offense is once again foreseen only by the payment of a fine.



Fig. 05 : Legambiente's White List, 2014 (www.legambiente.it)

In these days the Falanga Draft Law, very controversial, is mooting at the Parliament, after numerous and substantive amendments. This law aims to establish the priority criteria for the fulfilment of demolition procedures of illegal artefacts, in the event of non-fulfillment of the Municipalities.

Priority shall be given to buildings with significant environmental impact or constructed on a demerged area or in a restricted area; then to buildings that pose a danger to public and private security; finally to the buildings seized to organized crime. In each of these categories, priority will be given to buildings under construction or not completed on the date of the sentence of first instance and which are non-habitual residence. The last ones will be the buildings inhabited by owners who do not have any other housing solution.

On closer inspection this draft law distinguishes between necessity and speculation in building infringement intent, establishing that illegal

¹⁴ FONTANA, CIAFANI, RUGGIERO 2016.

property by speculation will have the priority. It does not give spending autonomy to the judiciary: the request for supplementary funds remains the task of the major, who often does not submit it, in order not to further indebt the municipal funds or to embezzle part of the electorate.

Undoubtedly a legal discipline on demolition is a necessary step, but if the Falanga Draft Law will pass, the inadequate amount of funding and the dangerous introduction of the protection of the so-called “necessity infringement” unfortunately will not have a significant impact on the illegal overbuilding of the coasts, but it will put off once again the solution of this problem.

Conclusions

To be effective, intervention strategies for the recovery of the Italian coastal landscape need to be shared and integrated.

Firstly, unauthorized development should be recognized as a social problem. In order to hit this target, the building infringement must be considered an illicit action which can't be tolerated and not simply financially sanctioned. The only real deterrent is the demolition of buildings. This presupposes a profound change of mentality: it is necessary to create a shared culture of legality, which is a complex and long-term operation, in which new generations must be involved in concrete terms. To counteract degradation, the regulatory system at national and, above all, at local level must not favour personal interests, the institutions and the bodies of protection have to operate transparently and finally the economic commitment must be adequate to the effective demolitions costs. Besides it is essential the participation of citizens, who can become an active part of the process of regeneration, signalling illegal construction to the authorities.

Secondly, the coastal zone management activity must be based on the integration of aims and operational tools.

The fragmentation of competences in the management of coastal areas between State, Regions and Local Authorities has often resulted in inefficiencies and overlaps and sometimes unwittingly created opening for illegality. Even the general regulatory framework, inhomogeneous and fragmented, has contributed to complicating management activity. As suggested in the Integrated Coastal Zone Management Protocol of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, signed in 2008 in Madrid, the management

process must be based on the collaboration and participation of all actors in sharing of goals and tools.

Only with these assumptions the process of redevelopment of coastal areas will partially heal the wounds caused to the landscape by a deficit planning action.

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Les RIPAM (Rencontres Internationales du Patrimoine Architectural Méditerranéen) sont à la fois des rencontres et un réseau de personnes et d'institutions qui travaillent pour la connaissance et à la conservation du patrimoine architectural et urbain méditerranéen: Meknès (Maroc) en 2005, Marrakech (Maroc) en 2007, Lisbonne (Portugal) en 2009, M'sila (Algérie) en 2012, Marseille (France) en 2013, Monastir (Tunisie) en 2015. La septième conférence RIPAM «Conservation et valorisation du patrimoine architectural et paysagé des sites côtiers méditerranéens / Conservation and promotion of architectural and landscape heritage of the Mediterranean coastal sites» a été organisée à Gênes le 20-22 septembre 2017 par le DAD (Département d'Architecture et Design, Université de Gênes) et le CNR-ICVBC (Institut de Conservation et de mise en valeur du Patrimoine Culturel du Conseil National des Recherches de Florence, maintenant CNR-Institut des Sciences du Patrimoine Culturel).

Ce livre contient les travaux de recherche menés depuis Ripam7 sur la conservation et la mise en valeur du patrimoine architectural et paysager des sites côtiers de la Méditerranée. Il part ensuite de la définition du paysage côtier et des transformations que le paysage lui-même a souffert au fil du temps, dans la région méditerranéenne pour arriver ensuite aux spécificités du patrimoine architectural de ces mêmes régions. Différentes théories et approches méthodologiques sont comparées. La deuxième partie de l'ouvrage décrit les stratégies de conservation et de valorisation et présente des interventions dans différentes parties des côtes méditerranéennes (des côtes italiennes aux côtes françaises et portugaises, puis aux côtes marocaines, tunisiennes, algériennes, israéliennes, turques, grecques et syriennes).

The RIPAM (French acronym for International Meetings on Mediterranean Architectural Heritage) are both meetings and a network of people and institutions working to the knowledge and the conservation of the architectural and urban Mediterranean heritage: Meknes (Morocco) in 2005, Marrakech (Morocco) in 2007, Lisbon (Portugal) in 2009, M'sila (Algeria) in 2012, Marseille (France) in 2013, Monastir (Tunisia) in 2015. The seventh RIPAM conference "Conservation and enhancement of the architectural and landscaped heritage of coastal sites Mediterranean / Conservation and Promotion of Architectural and Landscape Heritage of the Mediterranean coastal sites" was organized in Genoa, 20-22 September 2017, by the DAD (Department of Architecture and Design, University of Genoa) and the CNR-ICVBC (Institute of Conservation and Promotion of Cultural Heritage of the National Research Council of Florence) now CNR-ISPC (Institute of Heritage Sciences) .

This book contains the research work done since Ripam7 on the conservation and promotion of the architectural and landscape heritage of Mediterranean coastal sites. It starts with the definition of coastal landscape and the transformations that the landscape itself has undergone, over time, in the Mediterranean area Then it addresses the specificities of the architectural heritage of these same areas. Different theories and methodological approaches are compared. In the second part of the book, conservation and promotion strategies are described with interventions carried out in different parts of the Mediterranean coasts (from the Italian coasts to the French and Portuguese coasts and then to the Moroccan, Tunisian, Algerian, Israeli, Turkish and Greek coasts till the Syrian territory).