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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

37th meeting
Strasbourg, 5-8 December 2017

File open

**Akamas Peninsula
(Cyprus)**

- REPORT BY THE GOVERNMENT -

*Document prepared by
the Ministry of Agriculture, Rural Development and Environment, Cyprus*

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- NOVEMBER 2017 -



REPUBLIC OF CYPRUS



MINISTRY OF AGRICULTURE,
RURAL DEVELOPMENT AND ENVIRONMENT

COMPLAINT NO. 1995/6: CASE-FILE OPEN ON “CYPRUS: AKAMAS PENINSULA” GOVERNMENT REPORT

Referring to your letter dated 27.9.2017 regarding the aforementioned subject we would like to express our surprise as to its context and to lay down the following:

- Recommendation No. 191(2016) was just formulated at the last SC meeting in November 2016, less than a year ago.
- The progress achieved in the matters of the Akamas peninsula and its protection during this time was quite significant, especially considering the long history and the difficulties the authorities had to face over the years.
- Our goal is to reach the best possible solution in the area of Akamas, to allow for the protection of nature and its co-existence with human activity.

2. Specifically, regarding the Recommendation, we would like to point out the following:

- As far as declaring the whole of the peninsula as a National Park, please note that this is not feasible at this point. However, the National Forest Park (enclosing 80% of the Natura 2000 site), is considered as a first step in reaching specific goals, aiming at both the protection of the area but mostly for raising awareness and highlighting the benefits of nature to the local communities. The management plan for the National Forest Park is expected to tackle protection issues, as well as management regimes (i.e. if a separate management entity is required) and it is at its final stages of completion. Also, the Local Development Plan for the wider area is underway.
- Regarding the closing down of illegal restaurants it is admitted that there is no progress so far, but it is expected to be tackled best via the provisions of the Local Development Plan.
- As far as the appropriate assessment of the Limni golf project, please note that the authorities are reviewing newly submitted data regarding the light pollution and visitation of the nesting beach, as per the recommendations of the Commission to ensure that the project will not have adverse effects on the nesting beach. When this procedure is complete, the SC will be informed, accordingly.
- Lastly, with regards to the local development plan for Chrysochou Bay, please note that no final decision has been reached for this issue yet. The competent authorities are reviewing the options and the SC will be kept informed.

We take this opportunity to assure you of the efforts undertaken by the Government of Cyprus to protect the Akamas area and its habitats and species.

Sincerely,

Elena Stylianopoulou
for Director

cc: Permanent Secretary Ministry of Agriculture, Rural Development and Environment

- AUGUST 2017 -



REPUBLIC OF CYPRUS



MINISTRY OF AGRICULTURE,
RURAL DEVELOPMENT AND ENVIRONMENT

COMPLAINT NO. 1995/6: CASE-FILE OPEN ON CYPRUS: AKAMAS PENINSULA GOVERNMENT REPORT

SCOPE

The purpose of this Report is to give as much information as possible to the Standing Committee on the progress made in implementing Recommendation No.191 (2016), as well as update the information included in the November 2016 Government Report.

INTRODUCTION

This file was opened in 1996 and the issues that arise, primarily concern the need for the management, protection and conservation of the marine turtles, *Caretta caretta* and *Chelonia mydas*, and their nesting sites in the Akamas peninsula and “Limni” area.

Since the opening of the file, Cyprus has joined the European Union, thus being obligated to fully implement EU legislation, including the Habitats and Birds Directives, two pieces of legislation that comprise the cornerstone for the effort of the EU to protect and conserve nature and wildlife.

A significant part of the Akamas peninsula, as well as the full 10km shoreline (incl. marine areas) from Polis Chrisochous to Gialia (including “Limni” beach) have been designated as Sites of Community Interest (SCI) [Chersonisos Akama-CY4000010 & Periochi Polis-Gialia-CY4000001]. A significant part of the Akamas peninsula has also been designated as a Special Protection Area (Zoni Eidikis Prostasias Chersonisos Akama-CY4000023), for the protection of avian fauna. On the 7th of July, 2017 “Periochi Polis-Gialia-CY4000001” has been declared as a **Special Area of Conservation (SAC)** according to the provisions of national law and the relevant EU Directive 92/43/EC.

RECOMMENDATION No. 191 (2016)

With regards to Recommendation No.63 (1997), as it has been stated in the previous report, it was clear to the Republic that the status of the case-file had been directly related to the progress made in its implementation and progress achieved. However, the content of this recommendation was re-evaluated and the new Recommendation No.191 (2016) was agreed upon during the 36th Standing Committee meeting.

That said, the 14 points included in the Recommendation are quoted and the actions taken towards their implementation is stated in this section.

Point 1: «*Declare the whole of the Akamas peninsula a national park, a biosphere reserve or a protected area with comparable international protected status, including in the protected area the Natura 2000 area. “Periochi Polis-Gialia” (CY 4000001), aiming to facilitate a coordinated management of sea-turtle nesting beaches in NW Cyprus, and to ensure that the Akamas Peninsula, as a whole, including a terrestrial and a marine part, be managed in a sustainable, integrated way;*»:

The state forest area of the Akamas peninsula (consisting of almost 80% of the Natura 2000 area), along with most of the state land, has been declared as a National Forest Park. Additionally, an action plan with measures for the protection of the whole Natura 2000 site is currently being implemented.

The same consistent and coordinated conservation measures are being implemented in all nesting beaches of Akamas Peninsula and Polis-Gialia. Through the activities of the yearly Marine Turtle Conservation Program, it is ensured that there is a coordinated management and protection of the sea-turtle nesting beaches around Cyprus. See also comments made for points 5 & 8 of the Recommendation below.

Point 2: *«Achieve the objective above by protecting adequately the area without undermining the existing good conservation status of the habitats and species of the designated Natura 2000 area “Chersonisos Akamas” and by ensuring a harmonious coexistence with the neighbouring communities;»*

A Local Development Plan covering the whole of the peninsula is under formulation, to establish distinct development zones and ensure the harmonious coexistence of nature and communities.

Point 3: *«Establish an entity, with scientific staff and wardens, which would be responsible for the sustainable management of the protected area and the neighbouring communities, facilitating an effective implementation of protection measures;»*

At this point no such entity will be established, since the management and protection of Akamas is under the consistent and coordinated efforts of the Department of Environment, Department of Forests, Department of Fisheries and Marine Research and the Game and Fauna Service.

Point 4: *«Ensure that the protected area, through appropriate management measures, remains one of the most significant marine turtles nesting sites in Cyprus and continues to show positive trends;»*

&

Point 8: *«Continue and strengthen the integrated and coordinated management of the nesting sites, though the Turtle Conservation Project which is implemented in the areas of the Republic of Cyprus under the effective control of the Government of the Republic of Cyprus, and especially in the areas of Akamas Peninsula and “Periochi Polis-Gialia”, so as to maintain positive trends;»*

Cyprus acknowledges the importance of the conservation and management activities for the marine turtles in the protected areas and of course the Marine Turtle Conservation Project, which has been ongoing since 1978, will continue to be implemented. It is noted that project aims at: (i) protecting and managing turtle nesting beaches, (ii) protecting eggs and hatchlings from predation - and human activities, (iii) protecting adult turtles, (iv) monitoring the turtle population and nesting activity in Cyprus and (v) raising public awareness in turtle conservation. It is noted that the Marine Turtle Conservation Program in Cyprus is recognized as one of the best programs in the Mediterranean. In fact, it was chosen amongst the best protection programs in the European Union and was on the Natura 2015 Award Finalists list.

The above monitoring/conservation program and the management of the protected area are funded by the national budget of the Department of Fisheries and Marine Research (DFMR). In addition to the yearly budget, for the 2017 – 2018 nesting periods an additional funding is being used through the European structural and investment funds. During this period, additional parameters will be monitored (i.e. beach temperature profiles, sex ratio, predation, hatching success etc) in order to increase our knowledge and better understand the nesting trends.

Additionally, as part of its research and conservation activities the DFMR, has been engaged as a beneficiary in the LIFE project titled “Collective actions for improving the conservation status of the EU sea turtle population” (LIFE15 NAT/HR/000997 – LIFE EUROTURTLES). It is a collaborative project that involves nine partners from six EU countries aimed at improving the conservation status of loggerhead and green turtles in the Mediterranean and Adriatic Sea.

In Cyprus, the project focuses on the Polis-Gialia Natura 2000 site (CY4000001), since it is a very important nesting habitat for *Caretta caretta* and its marine area provides an important feeding

ground for *Chelonia mydas* and to a lesser degree to *C. caretta*. Some actions of the project will also be carried out at Lara - Toxeftra, within the Chersonisos Akama Natura 2000 site (CY4000010), since it is the most important nesting site and it is included in the catalogue of Specially Protected Areas of Mediterranean Importance (SPAMI).

Legal Framework for the Protection of Marine Turtles in Cyprus:

Sea turtles in Cyprus are protected since 1971 by the Fisheries Law (CAP. 135) and Regulations 1990 (Reg. No. 273/90). In addition, they are included in Annex II of the Protocol on Specially Protected Areas and the Mediterranean Biological Diversity of the Barcelona Convention, which Cyprus has ratified by Law No. 20 (III) / 2001. Furthermore, marine turtles are protected through the European Habitats Directive (92/43/EEC). In fact, marine turtles are priority species and in order to preserve them, it is necessary to designate Special Areas of Conservation. This Directive has been transposed into national law in 2003 by the Law on the Protection and Management of Nature and Wildlife (153(I)/2003). It is noted that under this legislation, the Natura 2000 Network has been established in Cyprus.

In addition to the above national, regional and E.U. legislation, there are a number of other provisions within the Fisheries legislation that are indirectly related to the protection of the marine turtles, such as prohibitions on the use of explosives, measures for the management of fishery resources, limitations on fishing effort, seasonal restrictions on nets with depth adjustment of more than 5 meters, closed periods for trawling, etc.

Point 5: «*Maintain and, where appropriate, improve the nature protection-oriented provisions of the existing and future development plans, especially in the areas adjacent to Lara and Toxeftra beaches where building is to be avoided, so as to prevent negative impacts on nesting sites from tourist and/or housing developments;*»

As was previously reported, relevant EU legislation, as well as national legislation ensures that all projects and/or plans proposed in these areas are duly assessed and accordingly permitted (or not). Authorization of roads, buildings and other facilities has been closely monitored and has been restricted in the areas of Lara and Toxeftra.

The map attached as Annex I, shows the two beaches in red, and in blue the areas with tourist and housing zones in the area of Akamas. As can be deduced, most of the coastline is characterized by protection zones with minimum or no development allowed and development is encouraged in and around the villages of Akamas.

Ensuring protection of nesting beaches is an on-going priority for the Republic.

Point 6: «*Promptly commence the implementation of the protection measures of the newly formulated management plan through appropriate and adequate funding, as to preserve the good conservation status of the habitats and species of the Natura 2000 area, as well as to maintain the strict protection provided, so far, in the areas of Lara and Toxeftra;*»

The Cyprus Council of Ministers approved on 11.1.2016 (decision no: 80.041) a set of measures for the protection and promotion of the Akamas peninsula, which were derived from the newly formulated management plan. The EU Operational Programme Competitiveness and Sustainable Development 2014-2020 for Cyprus includes as priority areas the protection and promotion of Natura 2000 areas, eligible for co-funding from the European Regional Development Fund. Towards this direction, an action plan for the Akamas Peninsula has been developed as a Project by the Department of Environment as the beneficiary, to be implemented along with other competent authorities (Department of Forests, Department of Fisheries and Marine Research, Game and Fauna Service). The estimated budget of the Akamas Project is 2 million euros and actions are already being implemented. The Project includes actions for monitoring the good conservation status of the habitats and species of the site (e.g. monitoring populations of important species of plants, amphibians, reptiles, chiropterans, mammals, sea turtles, fish, seals, birds and arthropods), for management (e.g. visitation monitoring and for proposals for the development of the Akamas National Park) for maintaining protection of the area (e.g. restricting illegal access to the sea and forest, establishment of water storage tanks for fire protection, waste management, trails maintenance) and for the promotion

of the Natura 2000 site (organization of events, website development, documentary for the area, photo contests, establishment of a visitation centre etc).

Specifically for Lara and Toxeftra and nesting beaches:

As mentioned above, the DFMR's national budget ensures the continuation of the marine turtle conservation program every year. In addition to this, funding from the European structural and investment funds is being used for the periods 2017-2018. Furthermore, through the LIFE EUROTURTLES project the DFMR has gained an additional funding mechanism for implementing actions towards the protection and conservation of the marine turtles up until August 2021.

The area of "Lara – Toxeftra" is protected through Regulations of the Fisheries Law which were amended in 1989 (Fisheries Law, Cap 135, 1989 Regulations), specifically to ensure the protection of marine turtle nesting. The regulations prohibit, from the 1st of June up to the 30th of September, camping, the use of umbrellas and sunbeds, the presence of people in the area at night, the use of vehicles on the beaches, entering and anchoring of boats and fishing (except with rod and line). The Foreshore Protection Law was also amended at the same time, to stop local authorities from granting leases (permits) for the use of the foreshore for umbrellas, sunbeds etc. on a commercial scale, declaring the area as Ecologically Important. The DFMR through intensive patrolling during the nesting season is trying to effectively ensure the implementation of the law and regulations.

Point 7: «Continue to manage access of people and vehicles to the beaches of Lara and Toxeftra, avoiding in particular the disturbance caused by tourism;»

Monitoring of the area is consistent and continuous.

Point 9: «Close down illegal restaurants in the neighborhood of the beaches of Lara and Toxeftra (including Aspros river restaurant);»

Although, there are still some illegal establishments within the designated Natura 2000 area of Akamas, the issue is expected to be resolved within the new management regime as well as through the new local plan which is under formulation.

Point 10: «Continue to offer protection to the seagrass communities in the Akamas and Limni areas on which *Chelonia mydas* feeds;»

The marine areas of Akamas and "Polis-Gialia" are included in the Natura 2000 network up to the 50 m isobaths. The priority habitat 1120* (*Posidonia* beds) and habitat 1110 (Sandbanks which are slightly covered by sea water all the time – including the presence of the marine Angiosperm *Cymodocea nodosa*) are present in those areas and measures for their protection apply under the European Habitats Directive (92/43/EEC).

Seagrasses and more specifically the *Posidonia* meadows are protected around the island from trawling (it is prohibited to trawl in depths less than 50 m), while, in general, protected measures are undertaken through Environmental Impact Assessment studies for any activity that might have an impact on *Posidonia*.

Towards achievement of good knowledge of *Posidonia oceanica* distribution along Cyprus waters, a mapping has been accomplished in all 6 marine N2000 sites, as well as in the wider area of Limassol Bay. In the upcoming years, mapping of *Posidonia* is expected to continue to cover the remaining coastal areas of Cyprus. Mapping of *Posidonia* is considered as an excellent management tool for the overall protection of the habitat.

In addition, based on the monitoring program implemented under the Water Framework Directive (2000/60/EC) for the 4 Biological Quality Elements (BQEs), including the BQE - Angiosperms (*Posidonia oceanica*), the ecological status of Akamas is classified as high.

Point 11: «Ensure, by an appropriate assessment that the golf project will not affect the Natura 2000 site "Periochi Polis-Gialia" and especially the exceptional nesting beach of Limni; in this context, avoid housing and establish a zero-lighting zone in an area of at least 200 meters south of the boundaries of the Natura 2000 site;»

Regarding the golf project on SCI «Periochi Polis-Gialia-CY4000001», and particularly on Limni beach, the Republic re-assessed the project, under the scope of the appropriate assessment (AA) provisions of the Habitats Directive (92/43/EEC), by evaluating detailed data and information provided by the project's consultants, local experts brought in by the Environmental Authority (EA), experts from NGOs and last, but not least, the expertise of the Department of Fisheries and Marine Research.

During the Environmental Impact Assessment (EIA) and AA procedures, all elements, factors and parameters have been examined thoroughly, including all cumulative effects of the various elements of the project, taking into consideration simultaneously all developments in the area east and west of the project, as well as the zoning provisions of the area. The cumulative effects examined included direct lighting, sky-glow, noise, the existing conditions on and around the nesting beach (Limni), visitation factors, etc.

The above mentioned independent assessment produced the Environmental Opinion (EO), which contains strict conditions and prerequisites as to the proper implementation of the project and the enforceability of these conditions to ensure protection of the Natura 2000 site.

Although the nearest housing units are at a distance of approx. 200 meters from the nesting beach, a green zone of 20 meters width is required to be created at the edge of each plot, to ensure that there will be no effects from direct lighting. Also, the hotel will be low-height, built at a distance of approx. 280 meters from the nesting beach, with again no direct lighting to the beach.

The EO is an integral part of the authorization of the project issued by the Development Authority and as such will be legally binding for the project's beneficiary.

Point 12: *«Take appropriate measures to avoid light pollution impacts on the beach from the planned road that will be connecting the golf development with the existing coastal road and protect the beaches from light pollution in the entire coastal length of the Natura 2000 site;»*

A thick barrier, in the form of a planted fence will ensure that no direct lighting will reach the nesting beach from the road connecting the golf development with the existing coastal road. This condition has been included in the EO.

With regards to the protection of the nesting beaches of the entire coastal length of the Natura 2000 site «Periochi Polis-Gialia-CY4000001» from light pollution, this will be regulated via the Ministerial Decree for the Protection and Management of the area, in which specific restrictions will be set regarding this matter. The Decree is expected to enter into force by the end of this year.

Point 13: *«Revisit the local development plan of the Polis Gialia so as to ensure, through Strategic Environmental Assessment, that it will not affect the integrity of the nesting habitats of marine turtles;»*

The last local development plan for Chrysochou Bay (including the area of Polis-Gialia) has been in place since 2015. Any future amendments will be assessed according to national and EU legislation.

The SC will be kept informed about the progress in the implementation of Recommendation No. 191(2016).

**DEPARTMENT OF ENVIRONMENT
DEPARTMENT OF FISHERIES AND MARINE RESEARCH
MINISTRY OF AGRICULTURE, RURAL DEVELOPMENT AND ENVIRONMENT**

July 2017