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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

35th meeting
Strasbourg, 1-4 December 2015

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**Akamas Peninsula
(Cyprus)**

REPORT BY THE NGO

*Document prepared by
Terra Cypria, Cyprus*

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OCTOBER 2015

Report on Akamas and Limni

FOLLOW-UP REPORT TO THE 35TH MEETING OF THE STANDING COMMITTEE OF THE CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE AND NATURAL HABITATS.

by Dr Artemis Yiordamli, Executive Director, **Terra Cypria**,

supported by **BirdLife Cyprus, Cyprus Federation of Ecological and Environmental Organisations, Cyprus Wildlife Society, Ecological Movement of Cyprus, Enalia Physis, Friends of Akamas and Friends of the Earth (Cyprus).**

CONSERVATION OF THE AKAMAS AND LIMNI AREAS IN WESTERN CYPRUS: THREATS POSED TO WILDLIFE BY DEVELOPMENT NEAR OR WITHIN THESE AREAS.

This report is presented as an update to the reports presented over the past years and as an exposition of recent developments since the proposed SCI/SPA for the area.

INTRODUCTION & CASE SUMMARY

This case involves primarily the lack of protection of the Mediterranean sea turtles (*Caretta caretta* and *Chelonia mydas*) that nest on the shores of both Akamas and Limni in western Cyprus, but also the other rare biodiversity of Akamas. Both areas have been designated as SCIs within the Natura 2000 Network (CY4000010 CHERSONISOS AKAMA and CY4000001 PERIOCHI POLIS-GIALIA respectively). Akamas has also been designated as a Special Protection Area (CY4000023 ZONI EIDIKIS PROSTASIAS CHERSONISOS AKAMA), due to its importance for birds

Proposals for management plans have been drafted, but not implemented. Recent correspondence between the Environment Department and the Convention Secretariat refers to progress made, but the fact remains that no effective measures are in place; on the contrary, conservation of the turtles continues to be more threatened than ever.

A previous letter of the Environment Department to the Convention Secretariat, dated July 2014, states that the designated Natura 2000 site for Akamas is sufficient, whereas in fact, a very large area of important habitats and species originally proposed for inclusion, has been excluded for reasons which are not based on ecological criteria. Terra Cypria has supplied full details to the Government in 2012 and 2014 and also participated in joint field observation with Government experts in May-June 2015. During these sessions it became clear, according to our expertise, that the designated area is not sufficient for the adequate protection of habitats and species of the area.

Regarding Polis–Gialia area, the Republic of Cyprus received in April 2015 a “reasoned opinion letter” from the EU Commission, because it has authorized two golf courses and major residential

infrastructure inside and adjacent to the Natura 2000 area established to protect the nesting ground of the *Caretta caretta*, without having carried out a proper assessment of its impacts on the Natura 2000 site.

The relevant case file should remain open as insufficient measures have been taken to adequately protect and/or manage the important wildlife of the Akamas Peninsula and Limni. The current Natura 2000 designations and protection measures taken for both sites are inadequate and are the subject of investigation by the European Commission for increasingly worrying reasons.

The threats to Akamas and Limni are evidenced by the following recent facts:

Akamas (CY4000010 CHERSONISOS AKAMA)

1. According to a report by the Auditor General of Cyprus (Sept. 2014, p.2) ‘‘Management Plans for Natura 2000 marine and coastal sites, have been prepared for all but three sites, with Akamas not being one of them. In no case has a Management Order been issued according to the law’’. This means, there is no applied management in place under the provisions of the Cyprus law transposing the Habitats Directive. What is in place today regarding sea turtle protection is the establishment, since 1989, of the Lara/Toxeftra Reserve (Akamas Coastal Area) since 1989 on the basis of the old Fisheries Legislation. It should also be noted however, that other species of fauna and flora remain unprotected, due to lack of management and/or insufficient designation. Terra Cypria has provided fully documented evidence to this effect with maps and photos in 2012-2014.
2. A first draft Management Plan was publicized and presented on January 2015 and time was given for stakeholders to submit their comments regarding its content. Even though the deadline for submitting comments expired on March 2015, the final document has not yet been approved. The finalization and adoption of the Akamas Management Plan is essential so as to effectively manage the area and also to better enforce the existing Lara/Toxeftra regulation mentioned above. Although this regulation is currently in place, its implementation is not fully applied and as a result, sun beds, quad bikes and other four-wheel drive cars are often present in the nesting areas.
3. The content of the draft management plan which was presented in January 2015, is quite satisfactory even though several points require improvement. However, developers and some local communities have increased their lobbying pressure towards the Ministry, in order to alter the original content and allow for developments to take place inside the already limited protected area. Some of the known proposals for development include a luxury hotel and in another case a restaurant with reception facilities next to one of the most important sea turtle nesting sites at Lara. Therefore, the current period is extremely critical for sea turtle protection in Akamas but also, for the other species and habitats within the area, since economic pressures may open a ‘‘Pandora’s Box’’ within Akamas.
4. In addition continuing and varying violations of the law within Akamas pose a serious threat to the natural environment of the area. In a letter dated 14.2.14, from the Cyprus Ombudsman to Terra Cypria, the Ombudsman concludes that the tolerant policy of various Departments towards violations of the law has nurtured the belief that no serious consequences could occur from damaging the environment. The Ombudsman shares our worries that potential building and noise pollution developments in Akamas may impact negatively on protected species and habitats, and that government efforts should focus on prevention measures. The Ombudsman calls on the government to take appropriate measures in line with its EU obligations.
5. Regarding the insufficient designation we have supplied strong evidence to the Environment Department that the areas not included in the Natura 2000 area host EU important habitats and species, strongly indicating that the exclusion of these areas was not based on ecological criteria. Following our joint field observations with Government officials in May 2015, we have so far, not yet received feedback regarding the report to be presented to the EU Commission. However we are confident that on the grounds presented, the Commission will not be convinced of the ecological adequacy of the designated area. On this basis, we anticipate that finally a formal notice letter of insufficient designation will be sent to the Republic of Cyprus from the EU Commission.

Limni CY4000001 PERIOCHI POLIS-GIALIA

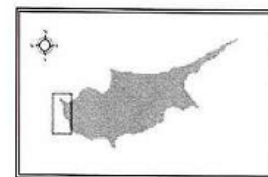
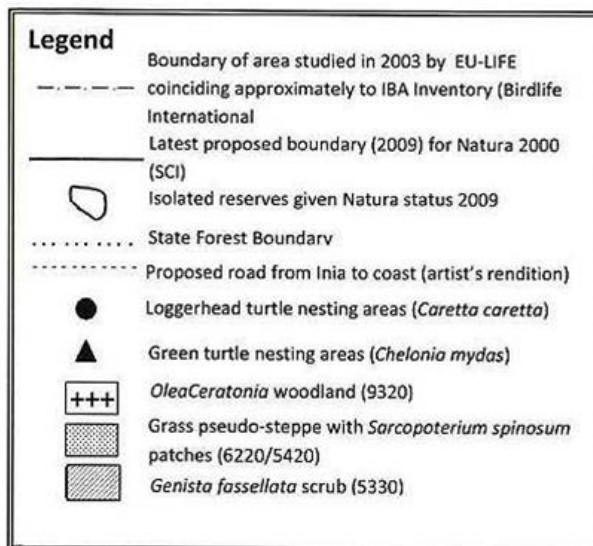
6. The management plan for the (Polis - Gialia) Limni area has been prepared, but to date, has no legal status. Regarding the development of two 18-hole golf courses with a hotel and several hundred villas, the Government did not follow the original suggestion of the Appropriate Assessment process (as foreseen by Art. 6 of the Habitats Directive) to secure a distance of 475m from the sea free of buildings. Many villas are sited to look directly on to the turtle nesting ground at a very close distance; the sole condition imposed on the developer after cancelling the original 475 meters buffer zone, is to create a barrier of trees,. Such a barrier will not address the effects of sky glow or human disturbance, or, in many cases direct lighting.
7. A letter by the Department of Environment to the Planning Department dated 8.11.2013 acknowledges the insufficiency of the proposed tree barrier as a means of protecting the conservation status of turtles and considers that the precautionary and protection principles are not being met. It should be noted that the beach which is going to be affected provides 25% of the *Caretta caretta* nesting in Cyprus, viz. around 200-250 nests p.a.
8. In his aforementioned report the Auditor General of the Republic (p.3) outlines the failure of both government and local authorities to protect the country's coastal and marine ecosystems, and makes specific reference to the inappropriate decision taken by the Planning Authority regarding the golf complex at Limni.
9. The European Commission has started infringement proceedings against the Cyprus Government about this matter by sending a Formal Notice letter (11.7 2014) followed by a reasoned opinion letter (29.4.2015). It is obvious that if the Republic of Cyprus will not adopt a minimum area of 475m free of buildings zone, the conservation status of the sea turtles will be seriously degraded.

ACTION RECOMMENDED

We, the NGOs mentioned in the title (p.1 of this report), therefore urge this meeting not only to keep the Akamas-Limni file open, but moreover, to call upon the Cyprus Government to comply with the letter and the spirit of its obligations towards protected species.

Annex A

Map of Akamas Peninsula and Limni (Cyprus) and proposed Natura sites
 (Site of Community Interest, SCI, Habitats Directive and Specially Protected Area, SPA, Bird Directive for Akamas
 also Site of Community Interest, SCI, Habitats Directive for Limni (Polis-Yialia))



Annex B



Habitats and species insufficiently protected by the Cyprus Government proposal

The following **habitats** have been insufficiently covered by the current pSCI, by excluding from the site boundaries large tracts of private land on which they were situated

- Pseudo steppes with grasses and annuals
- *Genista fasselata* scrub
- *Sarcopoterium spinosum* phrygas
- *Olea* and *Ceratonia* forests

A significant stand of *Quercus infectoria* has been totally excluded.

Species

The following **mammals** are underrepresented and/or insufficiently protected

- *Miniopterus schreibersii*^{1,2} *Myotis emarginatus*^{1,2}
- *Myotis blythii*^{1,2} *Crocidura Cypria*¹
- *Rousettus aegyptiacus*

The following **reptiles** are underrepresented: *Caretta caretta*^{1,2}, *Chelonia mydas*^{1,2}

The habitat requirements of the following **birds** are not sufficiently covered by the SPA for the Akamas Peninsula:

- *Aquila fasciata*³ (the unique species of eagle that continues to nest in Cyprus)
- *Coracias garrulus*^{1,3}

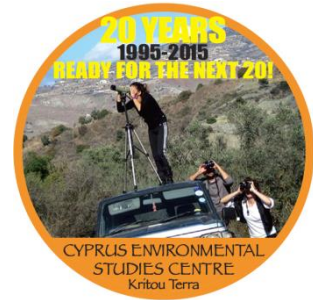
The wider region of the Peninsula is very important for the birds of the island, particularly for the migratory species. A total of 170 species of birds have been recorded and Akamas provides a nesting area for 77 species of Annex I of the Birds Directive 2009/147/EU, and also for 99 other migratory and 16 other important species. The region is also a nesting ground for raptor species (*Aquila fasciata* and *Falco peregrinus*) and maintains important populations of the Roller *Coracias garrulus* and the endemic *Sylvia melanothorax*. In 2012 BirdLife Cyprus defined 34 Important Bird Areas (IBA) following the criteria and the well-recognised methodology of BirdLife International.

Although IBAs have been recognized by the European Court of Justice as a scientifically sound basis for the determination of SPA boundaries, this has not been followed in the case of Akamas.

¹: Strictly protected fauna species in Appendix II of the Bern

²: Protected under Annex II of the Habitat Directive 92/43/EEC

³: Protected under Annex I of the Birds Directive 2009/147/EC



AKAMAS PENINSULA

by Terra Cypria

- Report received on 30th June 2015 -

While there is no doubt that the Department of Environment is trying to reach a solution, the politicians have not yet decided to support any effective protection that would prevent building in the core area.

As you will notice in the fourth para of the Government letter, they refer to various measures being proposed in order to support the local economy and we are fully in agreement with this effort; but we believe it should be seen as an incentive for locals to accept conservation measures, not as an alternative to protection. The development regulations/restrictions referred to in the same para have yet to be announced.

Since it is stated that the relevant Ministerial decree is not expected till the end of the year, we see no reason at present that would justify changing the status of the Akamas file. Especially if you consider that this file also covers Limni, and the Limni area is now the subject of an EU infringement procedure, we assume that the issue will remain on the agenda of the next Standing Committee meeting as an open file.