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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

32nd meeting
Strasbourg, 26-30 November 2012

Complaint in stand-by

**INCREASE IN TURTLE MORTALITY IN EPISKOPI
AND AKROTIRI AREAS
(CYPRUS)**

REPORT BY THE UK GOVERNMENT

*Document prepared by
The Department for Environment, Food and Rural Affairs (DEFRA)*

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**Complaint to the Bern Convention Standing Committee by Medasset and Episkopi
Turtleshoot (NGOs): Sea turtle mortality in the British Sovereign Base Areas (SBAs) of
Episkopi and Akrotiri (Cyprus)**

Thank you for your letter of 12 January. The following is a formal response, provided the Sovereign Base Area Administration and approved by Defra, to the points raised in the August 2011 NGO report and the issues which you raised in your January letter.

Second report by the SBA Administration to address the points raised in the NGO report dated 30 August 2011 (T-PVS/Files (2011) 22) and the letter from the Secretariat dated 12 January

1. Commitment of the SBAA to marine turtle conservation and nature of the problem

The claim made by the NGOs that the SBAA denies that there is an issue and that it is not committed to marine turtle conservation is unfounded. Turtle conservation has high priority for the Administration and as a result a lot of effort has been put into dealing with the issue of turtle deaths. Addressing a complicated issue as this does not merely translate into changing the Fisheries regulations or even banning all fishing activity within Episkopi bay without scientific justification. The NGOs have throughout their reporting oversimplified the issue and are using general observations (supported by assumptions and not systematic data) to draw conclusions about what should be done to rectify the situation, all of which are based on the prejudice that the SBA Administration is not recognising the problem to its proper extent, while at the same time tolerating illegal fishing activities by professional fishermen at Zapalo. They attribute the problem almost solely to fishermen at Zapalo, which is not wholly correct - dead turtles are caught by fishermen operating at Zapalo harbour but also at the Akrotiri fishing shelter, Evdhimou, and professional and amateur fishermen based at Limassol, as demonstrated in the SBAA Marine Turtle Survey Report and by the numbers and locations of dead turtles. It is a problem that is not confined to Zapalo and the Administration does not concentrate its efforts on enforcing the legislation on fishermen operating at Akrotiri only, as suggested by the NGOs, but to all persons fishing within the SBAs. Customs officers have confirmed that fishing violations have occurred at various locations, and certainly not Zapalo alone. As confirmed by the Marine Turtle Survey, the problem of dead turtles is not an SBA issue only but a wider issue extending into the Republic and both sides of the peninsula, which are catchment areas depending on winds and current.

Since the enactment of the Protection and Management of Nature and Wildlife Ordinance, which lists both turtle species as priority species, the SBAA has taken all the necessary steps to provide full protection to nesting beaches through enforcement. At the same time, Customs and SBA Police are enforcing the provisions of the Fisheries Legislation in relation to fishing activities. However, it is widely recognised that it is very difficult to control what happens at sea. As a result bycatch of turtles is one of the most serious threats internationally. The IUCN Report on Sea turtles in the Mediterranean mentions that "data on relative abundance of turtles in different areas come from fishery bycatch data" and that "incidental catch occurs practically everywhere".

From 2009 onwards emphasis has been put into dealing with the issue of deaths in an effort to implement additional enforcement measures, where necessary.

For more information on how the issue is addressed and a relevant action plan please refer to the SBAA Marine Turtle Survey Report.

2. SBAA Marine Turtle Survey 2010-2011

The Marine Turtle Survey was carried out between June 2010 and September 2011. Aerial and boat surveys and fishermen interviews were carried out to complement death and nesting data with a view to confirm the turtle interest and the connection of deaths with fishing.

The Marine Turtle Survey Report dated January 2012 comprises:

- the results of the survey,
- an analysis of the results,
- an analysis of data on dead turtles recorded in 2009, 2010 and 2011,
- an analysis of the turtle nesting interest within the SBAs and in comparison with the rest of the island,
- a list of recommendations, and
- an action plan.

The report should address the concerns raised by the NGOs in relation to the accuracy of the methodology and the reliability of its results.

It is worth noting here that we do not understand how the NGOs make assumptions about the survey results and their value before it is even finished.

Furthermore we would like to point out that the statement that was made that the SBA representative had seen more than 50 turtles during a joint snorkelling survey is inaccurate. Please refer to the Survey Report for the detailed results of the boat survey.

Up until the meeting that took place on 6 July 2010 (minutes of which are attached to the NGO report) the surveys undertaken by Episkopi Turtlewatch did not employ a GPS and were done in loops which inevitably involved double counting. We have no information as to what methodology was used from July onwards.

Representatives of Episkopi Turtlewatch participated in a number of aerial surveys from July 2010 until September 2010. They did not respond to the invitation for a joint survey at the beginning of October 2010 and from then onwards the SBAA continued the surveys on its own, but under no circumstances was there any intention to exclude the NGO from participating in the surveys.

3. Credible comprehensive turtle survey

The SBAA is confident that the turtle survey, within the constraints acknowledged in the report, has gathered reliable data in terms of the turtle population and the temporal and spatial variation of the population. In any event, the methodology employed was communicated and agreed with relevant expert departments in Cyprus and the UK and the NGOs in April 2010. We are therefore not clear as to what the NGOs are requesting when they ask for “a credible comprehensive population survey to get under way with a commonly accepted survey methodology and conclusions”.

The statement that a new survey methodology was devised together with Episkopi Turtlewatch on 7 July 2010 (annex 4, p.14) is incorrect. The methodology used for the aerial survey was the same from the start of the survey in June 2010 until the end of the survey in September 2011. Also the statement that aerial surveys would be mainly performed by ETW personnel due to manpower constraints in the SBA is also inaccurate. ETW were invited to participate in the surveys not because of personnel constraints but within a spirit of co-operation and openness.

The Survey Report makes a recommendation to continue death surveys using the same methodology so that conclusions with more statistical validity can be reached. This year we will also cover the gap that exists in relation to the mating season that is missing from the aerial surveys undertaken in 2010 and 2011.

The next step, which is indispensable in confirming whether or not Episkopi Bay hosts an important turtle population in relation to the rest of Cyprus, is the undertaking of joint SBAA/RoC aerial surveys which would put the SBA turtle interest and bycatch in context with the rest of the island. Its outcome would recommend further management measures such as the designation of a marine protected area. Also, the decision making process should take account of the context of populations and death rates in the wider catchment area in accordance with the IUCN figures.

4. Fishing Offences and revocation of fishing licences

SBAA Customs reported that when observing any fishing offences, each offence is judged on its merit, with the Fiscal Officer deciding on offence actions and penalties. Normally a first offence (depending on seriousness) would result in a fine, and repeated offences by the same individuals could lead to a licence being revoked.

5. Meeting with the NGOs

The SBAA Administrative Secretary had an informal meeting with Episkopi Turtlewatch in August 2011. No formal meetings have been arranged with the NGOs since the launching of the complaint at Bern, as it was decided that it would be best to wait for the completion of the Marine Turtle Survey and a decision of the Bureau on the follow up of the complaint once the Bureau has a chance to evaluate the actions undertaken by the SBAA and the recommendations contained in the Survey Report.

The SBAA has discussed the issue with Episkopi Turtlewatch through numerous letters and meetings, some of which involved the RoC Fisheries Department. Throughout this process, which started in 2008, Episkopi Turtlewatch have not been showing a constructive attitude. Their lobbying effort has focused on a blame culture thus missing the substance of the problem.

The SBAA welcomes constructive criticism but this has not been the case with Episkopi Turtlewatch and as a result a lot of time and effort is dedicated on exchanges on lesser points through letters and messages.

6. Misrepresentations and inaccuracies

The NGO report contains a number of inaccuracies. Most of them are addressed in the various sections of the Marine Survey Turtle Report. A few comments are provided below in relation to some of the points which are either inaccurate or the SBAA does not agree with. It must be noted here that the blame culture employed by the NGO has started long before the launching of the complaint and the SBAA has dedicated considerable amounts of effort and time in responding to the points raised. Unfortunately this has not yielded any positive results as the lobbying methods used by the NGO continue to be the same but at a different level. This is the last time the SBAA will try to address some of the misrepresentations. The intention is to concentrate efforts and resources on the action plan and the continuation of the surveys and should the Bureau have any concerns on any of the actions undertaken, the SBAA would be happy to address them.

6.1. Introduction of the 5 metre limit for casting nets and enforcement of SBAA Fisheries Regulations

NGOs claim that turtlewatch volunteers started seeing regular fishing at the 5m depth or below from September 2007 onwards, in an effort to directly link the increase in deaths to the change of the limit (Annex 4, p.14). However, in the initial complaint they reported that the problem started in 2008, after the introduction of the 5M limit at the end of 2007, despite objections from ETW.

This is an example of unfounded and contradictory claims and arguments.

The 5M limit was introduced by the SBAA in December 2005 (mirroring the equivalent amendment in the RoC Fisheries Regulations) and fishermen started fishing within the new limit immediately as it was a measure that was introduced by the Republic of Cyprus following the requests from fishermen. The limit has been and continues to be included in the conditions attached to the Fishing licences.

6.2. From the air the majority of sightings appear to be of large juvenile greens (p.5)

We have strong reservations in relation to the identification of species and size from aerial surveys. This point is addressed in the Survey Report.

6.3. Estimated time and probable location of death (Annex 4, p.15)

The claim made by the NGOs that the SBAA Environment staff may be misrepresenting the probable time during which a turtle has been dead is wrong. If it is estimated that a turtle has been dead for 1-48 hours then the death is recorded as a fresh death. Once again the point made by the NGOs shows their underlying effort to demonstrate that the Administration is misrepresenting facts to downgrade the scale of the problem. In any event the information on the majority of deaths recorded at Episkopi was provided by Episkopi Turtlewatch themselves and the information they provide is not modified and is analysed as given. It must, however, be recognised that there is always an element of judgement when trying to establish the decomposition level.

6.4. Silting at Zapalo harbour in 2011 (p.3)

The assertion made by the NGOs that there were no deaths until May 2011 because no fishing took place from Zapalo due to problems with silting, and that when fishing started again in mid-May dead turtles started washing up is wrong. SBA Customs has confirmed that fishing did take place during that time. Up to the present day, the removal of excess sand/shingle from Zapalo has not yet even started and fishing from Zapalo has been continuous.

6.5. There is strong evidence that deaths are linked to boats operating out of Zapalo harbour (p.3)

The NGOs mentioned that only fishermen operating from the Akrotiri Fishing Shelter were reminded of the sanctions applicable for illegal fishing and that no such reminder was provided to the community operating from Zapalo harbour. SBA customs reported that in February 2010 a comprehensive 'education programme' was initiated. This included a number of liaison visits of, amongst other places, Zapalo, with leaflets and questions asked of the professionals. All professionals were conversant with the legislation.

SBA Police Marine Unit were also in contact with the professional fishermen at Zapalo as were members from the Environment Department who carried out the interviews used for the turtle survey. We can confirm with confidence that fishermen at Zapalo, just like fishermen at Akrotiri, are well aware of the provisions of both the Fisheries and Nature Ordinances and that they are not treated or educated in any different manner.

6.6. Akrotiri-based fishermen cast nets off the south and east point of the Akrotiri Peninsula and turtles caught in these nets wash up in the Republic (p.3)

This is not accurate. Fishermen based at the Akrotiri Fishing Shelter fish extensively at the western side of the Peninsula as well.

Please refer to the Survey Report for information on the washing up of turtles and prevailing winds and currents.

II. The SBAA Marine Turtle Survey 2010-2011 is a very large document (8MB) so the SBAA will send you a link to it when they have uploaded it to their website later this week.

III. If you have any further questions or require any clarification then please let me know.

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