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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

35th meeting
Strasbourg, 1-4 December 2015

**FOLLOW-UP
OF CASE FILES**

REPORT BY THE EUROPEAN UNION

*Document prepared by
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European Commission*

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FOLLOW-UP OF CASE FILES (JULY 2015)

1. Complaint No 1995/6: Cyprus: Akamas Peninsula

Last year, the Commission reported it was analyzing further information from the Cypriot authorities. This information concerned various aspects under the Birds Directive and Habitats Directive:

- the classification of special protection areas (SPAs) of the Akamas area on the basis of the recent update of the list of Important Bird Areas in Cyprus published by Birdlife;
- the alleged failure to designate the Akamas area under the Habitats Directive as a Site of Community Importance (SCI), the mapping of habitat types in question and the management plan for the broader Akamas area. More precisely:
 - five habitat types and five species were not sufficiently covered;
 - the connectivity between eight separate segments of the site was not ensured;
 - non-scientific factors were taken into consideration for excluding areas from the SCI;
- as regards the tourist development in Limni (Polis-Gyalia Natura 2000 site): the Commission has investigated through an EU Pilot the measures taken to ensure compliance of the planned development with Art. 6 and 12 of the Habitats directive.

As regards the tourist development in Limni, the Commission issued on 30 April 2015 a Reasoned Opinion against Cyprus as it considered that the breaches of the Habitats Directive, identified in its Letter of Formal Notice, persisted.

As regards the other aspects of the case, only limited information had been received. Following further discussions with the parties involved, the Commission expects to receive further information from the complainants and the Cypriot authorities. The Commission will assess that information and decide on the appropriate follow-up.

2. Complaint No. 2004/2: Bulgaria: Wind farms in Balchik and Kaliakra – *Via Pontika*

On 17 October 2013, the Commission decided to refer Bulgaria to the Court of Justice of the European Union (CJEU). The Court application was submitted to the Court on 24 March 2014. The hearing on Kaliakra infringement took place on 20 May 2015. The Opinion of the Advocate General has been announced for 3 September 2015 and the Court ruling is expected toward the end of this year or the beginning of 2016.

3. Complaint No 2010/5: Greece: Threats to marine turtles in Thines Kiparissias

Following the assessment of the Reasoned Opinion received from the Greek authorities last year, the Commission decided in March 2014 to refer the case to the Court for breach of EU legislation (Directive 92/43) and the Court application was submitted on 13 November 2014.

The Greek authorities have prepared a Presidential Decree for the protection of the area concerned. Before such a Presidential Decree can be adopted, the Council of State of Greece needs to issue an opinion. On 8 April 2015, however, the Council of State of Greece considered that the Presidential Decree prepared by the authorities was not adequate and a new Decree with stricter measures would need to be submitted. Please find a copy of this [opinion](#) attached.

4. Complaint 2014/8: Presumed large-scale exploitation and marketing of protected marine shelled molluscs in Greece

The Commission may raise the matter with Greek authorities. Considering that the complainant's published survey dates back to 2009-2011, updated information on the extent of illegal activities and any other relevant would be useful.