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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

36th meeting
Strasbourg, 15-18 November 2016

Specific Sites - Files open

**Akamas Peninsula
(Cyprus)**

- REPORT BY THE NGO -

*Document prepared by
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PROPOSED AMENDMENTS BY TERRA CYPRIA**- NOVEMBER 2016 -****Recommendation No. ... (2016) of the Standing Committee, adopted on ... November 2016, on the conservation of the Akamas peninsula and the sea turtle nesting beaches East of Polis (Cyprus) T-PVS (2016) 26**

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, acting under the terms of Article 14 of the Convention;

Having regard to the aims of the convention to conserve wild flora and fauna and their natural habitats;

Recalling that Article 3 of the Convention provides that each Contracting Party shall take steps to promote national policies for the conservation of the habitats of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats;

Recalling that Article 4, paragraph 1, of the Convention provides that each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild fauna species, especially those listed in Appendix II to the Convention;

Recalling that Article 6 of the Convention provides that each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the special protection of the wild fauna species listed in Appendix II to the Convention, particularly by prohibiting damage to or destruction of breeding sites;

Noting that *Caretta caretta* and *Chelonia mydas* are strictly protected species listed in Appendix II to the Convention;

Recognising the high natural value of the Akamas peninsula, both in its terrestrial and marine parts, especially as a little disturbed coastal area, a well-preserved forest and an extraordinary nesting area for the marine turtles *Caretta caretta* and *Chelonia mydas*;

Noting that the future of *Caretta caretta* and *Chelonia mydas* populations in the Mediterranean are largely dependent on the maintenance of conservation activities in both Kyparissia (Greece) and Akamas Peninsula and nesting beaches East of Polis (Cyprus), as these two regions are those in which nesting has been growing steadily in the last ten years;

Noting that the beach of Limni and the other Natura 2000 area East of Polis have also an exceptional value for nesting of *Caretta caretta*;

Referring to the field study (or conservation management plan) carried out by the World Bank in 1995, whose findings and guidance are still largely valid;

Recalling its Recommendation No. 63 (1997) on the conservation of the Akamas Peninsula, Cyprus, and in particular of the nesting beaches of *Caretta Caretta* and *Chelonia mydas* and noting that substantial parts of that recommendation have not yet been implemented even if they are still appropriate and pertinent;

Noting with satisfaction that, in spite of the shortcomings in the implementation of its 1997 recommendation, the Government of Cyprus has not yet authorized any development in the vicinity of the beaches of Lara and Toxeftra, and has de facto followed the last nineteen years much of the guidance offered by the World Bank study for the sustainable development of the villages;

Concerned that a very substantial development in the immediate vicinity of the Natura 2000 area of Limni, including a hotel and 792 villas, may affect negatively and irreversibly the value of the Limni beach for marine turtle nesting; noting in particular that the development is planned close to part of Limni beach that has the highest nesting density of the whole Natura 2000 area East of Polis;

Concerned that such development may be the start of a more important development for intensive tourism of the areas surrounding Natura 2000 beaches East of Polis;

Referring to the report by Dr Paolo Casale on the visit to Akamas [document T-PVS/Files (2016) 44],

Recommends that the Government of Cyprus:

The protection of Akamas

1. Declare the whole of the Akamas peninsula a national park, within the international definitions established by IUCN (for a national park) and/or UNESCO (for a biosphere reserve), comprising a marine and a coastal area, the National Forest Park and the land between the sea on the West and the Forest Park areas, including all areas uphill of the beaches of Lara and Toxeftra, thus facilitating an integrated management of the extraordinary biological diversity of the area; include in the national park the protected Natura 2000 area East of Polis, (CY 4000001 PERIOCHI POLIS-GIALIA), so as to facilitate a coordinated management and protection of sea-turtle nesting beaches in NW Cyprus;
2. Define, in the context of the national park some buffer zones that would ensure the long time preservation of the biological and landscape values protected, avoiding any new development in the whole area except in the vicinity of the villages, following, as it has been done in the last twenty years, the suggestions of the 1995 World Bank for a sustainable development of the area;
3. Create a national park authority that would coordinate the different administrations with competences in the national park, thus facilitating an effective implementation of protection measures, with scientific staff and wardens;
4. Reinforce the littoral and other relevant laws so as to avoid the establishment of buildings close to the sea line in any part of Akamas and giving priority to development near the villages and “in depth”, at suitable distances from the sea in the areas where some development is foreseen by the World Bank report;
5. In the context of the points above, implement a management plan that ensures conservation and regeneration of the Natura 2000 sites and their neighbourhood of the beaches of Lara and Toxeftra areas surrounding them, avoiding the construction of any new building, road, parking or other facilities and managing more efficiently access by people, particularly at night during the nesting season;
- 5. New version. In the context of the points above, implement a management plan that ensures conservation and regeneration of the Natura 2000 sites containing the beaches of Lara and Toxeftra and their neighbouring areas avoiding the construction of any new building, road, parking or other facilities and regulating/managing more efficiently access by people, particularly at night during the nesting season;**
6. Abolish the tourist zone near Toxeftra, including it in the neighbouring conservation area, so as to avoid its likely damaging impacts on this area of great value for green turtle nesting;

7. Regulate access of people and vehicles to the beaches of Lara and Toxeftra, avoiding in particular the disturbance caused by mass tourism;
8. Close down illegal restaurants in the neighbourhood of the beaches of Lara and Toxeftra (including Aspros river restaurant);
9. Give protection to the seagrass communities in the Akamas-Limni area on which *Chelonia mydas* feeds; On the planned development in Limni:
10. Ensure, by an independent environmental impact assessment, that the environmental values protected by the Natura 2000 area - in particular their exceptional value as nesting beaches for *Caretta caretta* - will not be significantly negatively affected by the development; in that context, as the development is of considerable size, make sure that there is no housing or lighting by creating buffer area from the limits of the Natura 2000 site, extending to such a depth that ensures no disturbance to the species. It should be no less than 475m. from the shore, viz. up to the planned road which is at a distance of 475m., thereby forming a natural barrier for a zone free of all development at least 200 metres from the limits of the Natura 2000 site;
11. Avoid creating this or any other new road perpendicular to the coastline, as lights of vehicles will point directly to the beach and surrounding waters, likely affecting negatively both orientation of hatchlings and attractiveness of the beach for nesting females; maintain the acacia forest along the existing road as it protects the beaches from light pollution;

12 New para: Acknowledging that as to date the area remains largely in a natural state, there should be strict application of the precautionary principle. All attempts to introduce mitigation measures suited to the improvement of degraded natural areas, rather than to pristine areas, should be avoided and discouraged, since they are not appropriate to this case.

12/now 13. Suspend the implementation of the development planned in Limni, including related infrastructure, until a Strategic Environmental Assessment will be completed taking into account the possible effects on sea turtle nesting and putting specific emphasis on cumulative effects of all development activities (the present project plus the new developments permitted in the present spatial planning) on the Natura 2000 area East of Polis, taking also into account the social aspects;

13/now 14. Keep the Standing Committee regularly informed about the progress in the implementation of this Recommendation.

Possible alternative to para 12 (now 13), Suspend the implementation of the development planned in Limni, including related infrastructure, until a Strategic Plan of carrying capacity based on all cumulative effects, existing and potential, to the sea turtle nesting has been carried out. Thereby, considering the present project and taking also into account the new developments permitted in the present spatial planning of the area, on the Natura site area East of Polis, taking also into consideration the social aspects;

- SEPTEMBER 2016 -



REPORT ON AKAMAS AND LIMNI

Follow-up Report to the 36th 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 Environmental Research Centre, Friends of Akamas, Friends of the Earth (Cyprus) and the Initiative for the Protection of the Natural Coastline.

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, as an exposition of recent developments since the proposed SCI/SPA for the area, and as a statement of what actions we demand.

A, 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 habitats and rare biodiversity of Akamas. Both areas have been designated as SCIs within the Natura 2000 Network (CY4000010 CHERSONISOS AKAMA and CY4000001 POLIS-GIALIA respectively). Akamas has also been designated 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. A report from the Environment Department to the Convention Secretariat (dating from April 2016) refers to progress made, but the fact remains that any action taken remains at the theoretical level, and **no effective protection measures are yet in place**; You may see in the attachment C that the provisions of your Recommendation 63/97 are still outstanding.

Specifically, although the first draft Management Plan proposal for Akamas went through a long process, including public consultation, and made provision for appropriate protection measures, it did not receive Ministerial approval in the form required by the national nature legislation, so as to become a legal management instrument. Instead the Ministry picked out, some of the proposals in the

text and made them part of a proposal to the Council of Ministers for yet another set of decisions about Akamas, entitled 'Management Plan' (see more under C Additional Facts).

Regarding the Polis-Gialia area, although the original decision prescribed that an area of 475m from the shore remain free of development, this was later reduced to 280m and eventually scrapped altogether with development being authorized in accordance with the original proposals of the developer. In April 2015 the Republic of Cyprus received a "reasoned opinion letter" from the EU Commission because, without carrying out a proper assessment of impacts it had 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*. The Government was asked to produce a new Appropriate Assessment and EIA. Despite strong evidence secured from parallel experience in Florida US, and presented to Government by Terra Cypria regarding the unavoidable damage to turtle nesting, the Government allowed the golf courses to proceed with their outlying villas as well as a hotel (not included in the original plans but now added to the project!)

At its last meeting your Standing Committee decided to conduct an on -the-spot appraisal which took place in early October 2016.

B. ADDITIONAL FACTS

Limni Natura 2000 site CY4000001 PERIOCHI POLIS-GIALIA

Much to our surprise, in between the first and the second EIA the developer made no amendments in the design of his project to protect the turtle nesting area, but introduced a hotel structure of 160 rooms, in addition to the villas already on the plans. This proposed hotel has now also been allowed to proceed together with everything else, except that three rows of bungalows attached to the hotel have been refused a permit. So now there is more construction proposed on the shore than before!

A large part of the developer's arguments were based on very doubtful and difficult to implement mitigation measures, such as the proposal to police the shore in order to control numbers of tourists using the beach (unlikely), to demand light screening by future villa purchasers (very unlikely and possibly unconstitutional if enforced), and to implement the Florida Model Lighting Ordinance measures. An investigation by Terra Cypria revealed, *inter alia*, that the Florida model had various shortcomings which have rendered it outdated, and that, in any case, it is a model used to upgrade already damaged turtle habitats. It is not intended for use in pristine areas.

It is our contention that acting against the evidence placed before it, the Government of Cyprus has allowed the golf project at Limni to go ahead with insufficient mitigation measures, without respect for the precautionary principle regarding its siting, and without properly assessing the cumulative effects that a project bringing thousands of sun-seeking tourists or home-owners will have on the turtle nesting grounds. It should be noted that the beach at Limni is very narrow, no more than 20-30 meters wide in some places, where humans and turtles will be competing, for space. Limni (and the 3 adjacent beaches) host the largest nesting population of the *Caretta caretta* in the Republic of Cyprus (about 200 females nest there every other year so the population that depends on this area is at least 400 females). If this project is allowed to go ahead, it will not only be catastrophic for the *Caretta caretta* turtles that nest there, but it will also set a very bad precedent for other proposed negative developments, and will make it very difficult for authorities to refuse development permits on private beach land in the adjacent area and in Akamas. This will impact on the *Chelonia mydas* and *Caretta caretta* populations.

Akamas (CY4000010 CHERSONISOS AKAMA)

In all previous Ministerial plans, the need to keep the Akamas Natura 2000 site free of all construction had been more or less accepted. Now the Government is opening up the prospect of development on all private land, so long as it has been preceded by a positive Appropriate Assessment exercise. Whereas this might have provided protection under normal circumstances, in light of the political pressures that are brought to bear on the official authorities, (as evidenced clearly in the case of Limni described above), allowing development throughout the Akamas is an open invitation to developers.

C. WHAT WE WANT

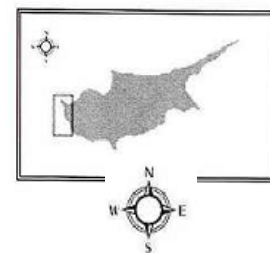
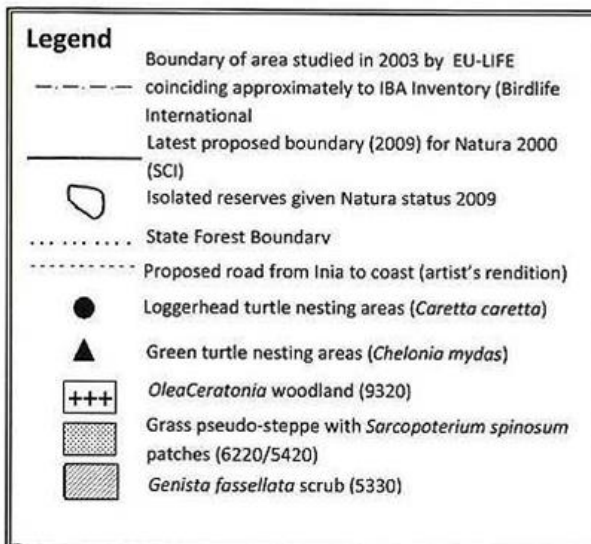
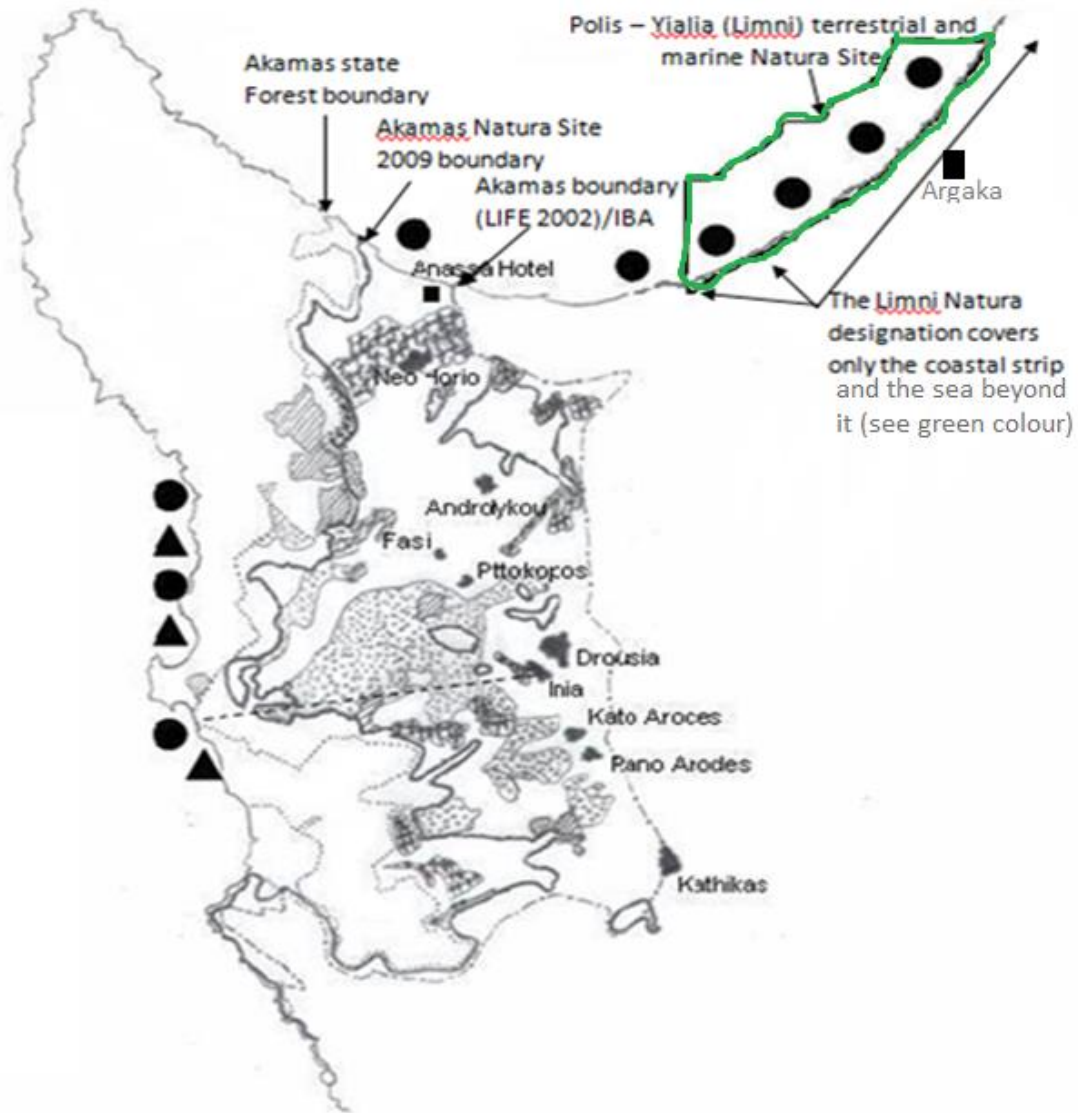
For Limni:

- To re-instate the original decision of the Environment Department providing an area of at least 475m from the shore free of all development, while at the same time reducing the overall residential capacity of the project, as it is far beyond the long-term carrying capacity of the area's ecosystem. This precaution is essential for the protection of the nesting ground and in order to meet future erosion of the sandy beach.
- To establish and enforce a Management Plan and Conservation Decree for the area in accordance with the procedure laid down in the Habitats Directive and allocate funding towards its implementation and careful monitoring and patrolling of the area.

For Akamas:

- - To expand the boundaries of the Natura 2000 site in line with those proposed by the LIFE project Special Areas of Conservation in Cyprus (1998-2002). As the boundaries stand today important habitat types and species remain unprotected.
- - To establish and enforce a Management Plan and Conservation Decree for the area and directly allocate funding towards its implementation and close monitoring and patrol of the area.

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 SCI, 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* phryganas
- *Olea* and *Ceratonia* forests
- Serpentinophilous grassland of Cyprus

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

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/EC, 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

Annex C

Statement by the Government	Comments by the complainant
<p>1. <i>«Declare the Akamas peninsula a national park, comprising a marine and a terrestrial part following as far as possible the suggestions of the World Bank study and giving to the beach of Limni and its surrounding land a similar status to the Akamas core area»</i> - The World Bank Study, although an important work, is now considered outdated. The state forest area of the Akamas peninsula, along with most of the state land, will be declared as a National Park according to the recent decision of the Council of Ministers regarding this issue (January 2016). Following the criteria set by the Habitats Directive a wide area of the peninsula has also been designated as a Natura 2000 site. The area of “Limni” has also been designated as a Natura 2000 site. Both sites are protected under the Directive and relevant national law.</p> <p>2. <i>«Freeze planning permission in the whole area covered by the World Bank study (and the area around the Limni beach) - except the villages - till the appropriate conservation measures have been decided, this to avoid the further degradation of the area which is intended to become a national park»</i> - Within the designated Natura 2000 area of Akamas the zoning that is currently in force includes 95,7% protection zones (no development), 3,6% agricultural zones, 0,5% farming zones and a very small percentage (0,2%) are tourist zones.</p> <p>3. <i>«Reinforce the littoral and other relevant laws so as to avoid the establishment of buildings close to the sea line in any part of Akamas and giving priority to development near the villages and “in depth”, at suitable distances from the sea in the areas where some development is foreseen by the World Bank report</i> - The current legislative regime is considered adequate for the protection of the Natura 2000 area of Akamas. The issuance of a Ministerial Decree will clearly define the conservation measures and actions for the area, as well as set the restrictions and prohibitions for the protection of both the terrestrial and the marine area. This Decree will reinforce all other laws and regulations valid for the area.</p>	<p>1. The World Bank study of 1995 set the basis of a holistic approach and overall management plan for the whole peninsula, including not only the declared nature protection area, but also its surrounding area of outstanding natural beauty which was initially proposed to be included as well in the Natura 2000 Network. It is only outdated in the sense that it was never applied. It should be explained that when Government documents refer to the declaration of Akamas as National Park, they do not refer to the generally understood IUCN category, but to a Cypriot concept of National Forest Park of much lesser protection. Both Limni and Akamas may have been designated as Natura 2000 sites but currently no actions are in force to adequately protect and monitor them as required by the Habitats Directive.</p> <p>2. Under current legislation isolated housing (and all the utilities they entail) are not prohibited, while several project proposals are currently being assessed for building permits, including residential and tourist developments within nature protection zones (e.g. Baths of Aphrodite, Sea Caves at Ayios Georgios and Ayiovouni in Pegeia) and quarries expansion in agricultural and farming zones (surrounding Androlikou Gorges). Moreover, the new Local Plan being prepared by the Town Planning and Housing Department in accordance with instructions from the Ministerial Council, may revise the current zonation of the area.</p> <p>3. This decree is being spoken of, but not published; so far, the examples of coastal development allowed, including the Anassa Beach Hotel are negative examples where few or any protective measures are applied in practice.</p>

<p>4. «Give, as a matter of urgency, protection status to the beach of Limni and its surroundings by giving it a similar protection as to the Lara-Toxeftra Reserve and the Akamas core area» - The designation of the Limni area as a Natura 2000 site, is considered as a sufficient regime of protection for the area. The site is closely monitored and the nesting trends are closely recorded. The protection of the site will be completed with the Ministerial Decree expected within 2016.</p> <p>5. «Avoid the construction of any new building, road, parking or other facilities in the neighbourhood of the beaches of Lara, Toxeftra or Limni» - Relevant EU legislation, as well as national legislation and the constitution do not allow for any a priori restrictions for the development of private land. If a project is expected to affect a Natura 2000 site then it must undergo an assessment and then if it is harmful to the site the permit will not be issued. Authorization of roads, buildings and other facilities has been closely monitored and has been restricted in these areas. Illegal activities of this sort are dealt with.</p> <p>6. «Abolish the tourist zone near Toxeftra, including it in the neighbouring conservation area, so as to avoid its likely damaging impacts on this area of extraordinary value for green turtle nesting» - As it is clear on the map attached as Annex I, no tourist zones are affecting the beaches of Lara or Toxeftra. Activities on these beaches are strictly regulated and strict restrictions are in force via the Fisheries Regulations.</p> <p>7. «Regulate access of people and vehicles to the beaches of Lara and Toxeftra, avoiding in particular the disturbance caused by mass tourism through "Safari" tours» - According to the management regulations for Lara-Toxeftra Reserve area, as specified in the Fisheries Regulations, the presence of the public on the beaches at night and driving on the beaches, is prohibited, inter alia, from the 1st of June up to the 30th of September. Monitoring of the area is consistent, however some illegal activity may be present but is being tackled. The matter is expected to improve with the implementation of the Management Plan for Akamas.</p>	<p>4. Designation on its own not accompanied by protection measures means nothing. No adequate monitoring system is in place at present to ensure an early response system to the many illegal activities that have taken place.</p> <p>5. National legislation does allow for <i>a priori</i> restrictions if it is done in the public interest. As the Limni case has shown, dependence on the procedure of Appropriate Assessment under the Habitats Directive is not a panacea, since so much interference by the developers has been allowed, after two decisions were taken. At the same time most of the illegal activities mentioned in Recommendation 63/97 are still in place and the government has not yet managed to put an end to them.</p> <p>6. The tourist zone near Tofextra (located between Aspros River and Agios Georgios) has not been abolished yet. Although the tourist zones do not directly overlap with on Lara and Toxeftra, the activities of tourists and visitors, including night-time interference, off-road driving on the beach, etc, do occur and there is no systematic surveillance by the authorities to detect them nor any initiatives to prohibit these actions. Also with the new Local Plan under preparation there is a real danger, that new Tourist Zones might be agreed in the area.</p> <p>7. As mentioned above although regulations exist they are not properly enforced and we have no reason to expect this will change in the near future, unless the government allocates more money, personnel and shows political will towards that direction.</p>
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<p>8. «Close down illegal restaurants in the neighbourhood of the beaches of Lara and Toxeftra (including Aspros river restaurant)» - There are still some illegal establishments within the designated Natura 2000 area of Akamas, however efforts are ongoing to resolve this issue. The new management regime and local plan are expected to provide new ways to tackle the problem.</p>	<p>8. All illegal establishments are still in place and the legislation for closing them down is not enforced. New ways to tackle the problem are not required, what is required is the will to enforce the law.</p>
<p>9. «Ensure that lights at the recently built Thanos hotel complex avoid photopollution of the beach; ensure that no chairs or parasols are set in the beach which may disturb turtle nesting; avoid water sports and mechanical cleaning of the beach» In respect to the potential disturbance of turtle nesting by the Thanos hotel complex, this was addressed in our letter dated 19.3.2014. The data clearly shows that the nests of the Loggerhead turtles are increasing, while the nesting of Green turtles is consistent. The beach is monitored by the Department of Fisheries and Marine Research and the wider area is also closely monitored by the Department of Environment.</p>	<p>9. NGO attempts to identify the actual conditions imposed on the Anassa Hotel proved fruitless with each department claiming that another department was in possession of these conditions and responsible for monitoring them. Moreover it is misleading to use any increase in hatching as evidence of effective measures, since scientific evidence shows that what happens now on the beaches is the result of the situation and measures taken 25-30 years ago. Similarly the effect of today's lack of protection will be seen 25 years down the line. The difficulty of securing compliance with protective measures on the Anassa Hotel beach, where there are relatively few nests, indicates how difficult it will be to secure compliance elsewhere, i.e. the Limni Area</p>
<p>10. «Give protection to the seagrass communities in the Akamas-Limni area on which <i>Chelonia mydas</i> feeds» - The <i>Posidonia</i> sea beds of the island have been mapped and the areas designated for their protection are considered adequate. The EC evaluation considers the habitat as sufficient and in excellent condition. <i>Posidonia</i> meadows are protected from trawling, while, in general, protective measures are undertaken through environmental impact assessment procedures before any activity is carried out in the sea. Moreover, 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 (<i>Posidonia oceanica</i>), the ecological status of Akamas is classified as high.</p>	<p>10. While acknowledging the value of the mapping carried out as a basis for further action, no monitoring or protective actions, either in the form of an updated Management Plan or an issued Conservation Decree, have been initiated as a result of the study. Regarding sea turtle foraging areas in Chrysochou Bay, no anchorage facilities exist, sea traffic is not regulated and no prohibition of fishing is imposed.</p>

Conclusion

From the above, it is evident that legal measures may exist, but enforcement is seriously lacking, and adequate practical measures have not been taken to implement this recommendation.