

Strasbourg, 11 March 2020
[files23e_2020.docx]

T-PVS/Files(2020)23

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

40th meeting
Strasbourg, 30 November - 4 December 2020

Other complaints

**Habitat destruction in Mersin Anamur Beach
(Turkey)**

- COMPLAINT FORM -

*Document prepared by
Mersin Environment and Nature Association, Turkey*

*This document will not be distributed at the meeting. Please bring this copy.
Ce document ne sera plus distribué en réunion. Prière de vous munir de cet exemplaire.*

**Convention on the Conservation of
European Wildlife
and Natural Habitats**



First name: Seyda

Surname(s): AFYONCU TOP

On behalf of (if applicable): MERÇED (Mersin Çevre ve Doğa Derneği - Mersin Environment and Nature Association) Deputy

Address: Sağlık Mah. Halide EdipAdivar Caddesi. Özaltın İşhanı 2/4

Town/City: Anamur / MERSİN

County/State/Province: Anamur - Karağaç Nesting Beach (Also called as Cerenler Nesting Beach)

Postcode: 33630

Country: TURKEY

Tel: +905323651674 (Mrs. Afyoncu Top), 05426199660 (Ms. Ardiç)

Fax: 0-324-8145030

E-mail: av.seydaafyoncu@hotmail.com

Web site: <https://www.facebook.com/Anamur-%C3%87evre-Platformu-949710881892145/>

Date: 17 August 2019

Electronic Signature: E-signature is not available. Attorney for MERÇED is attached.

1. Please state the reason of your complaint (refer also the Contracting Party/es involved and the Articles of the Convention which might be violated).

On 31.05.2019, the Municipality of Anamur started construction to make “public beach and picnic area” by taking out sand from beach to change the slope of sand/dune area on the Karağaç Beach which is part of a 13 km long nesting area for sea turtles that is protected by Turkish law and international conventions and also endemic sand lilies are growing at that beach. Workers have poured lorries full of soil over sand and dune area which is about 25-35 m. from shoreline and afterwards they planted trees that are transferred from other parks of city to the soil covered beach. Initially workers irrigated these trees with pans, and then they planted grass on the soil area that is about 7000 m2 and they started to irrigate whole field with sprinklers. Meanwhile, they cut the reeds near the Sarısu Creek which is alongside the construction area and it is housing soft-shelled Nile turtles, various wild birds and ducks lived in the region, and they built walls with large stones alongside the creek.

This illegal work initiated by the Municipality was decided to be stopped by 2 government offices (the Ministry of Environment and Urbanization and the Ministry of Forestry and Water Affairs, National Parks Nature Conservation Directorate), and the Municipality was fined 180.489 Turkish Lira. Nevertheless, the Municipality of Anamur did not withdraw from the area and continued to irrigate the trees and grass where excessive water flowed down the beach and existing nests. The authorities working for the National Parks Conservation Directorate, which is responsible for protecting the nesting beaches, are not very effective to stop the Municipality’s illegal actions due to political reasons. For example the authorities decided the Municipality to rehabilitate the beach and take out transported trees and soil no later than 16.07.2019, but the Municipality removed only the fountains of the water sprinkling system and continued to irrigate the plants during night with huge hoses and water pumped from the Sarısu Creek just behind the area. The authorities know that the Municipality did not rehabilitate the beach but they don’t take any extra action to force the Municipality to obey the decision. The excess water sometimes together with soil is flowing down to the beach and causing damage on the structure of sand area and existing nests. There might not be any healthy baby turtles at some nests especially for the closest nests anymore. The sand and dune area is greatly damaged and narrowed. After the soil has been poured over the sand, two Caretta caretta sea turtles have climbed over the sand covered area and returned without laying eggs. (Ref: <https://www.facebook.com/949710881892145/videos/2391783101110906/>) As far as we know, there were

3 or 4 nests before the soil is poured. Since some sand is also taken out from the beach, the baby turtles may not emerge from the bottom of these nests.

According to the recent declarations made by the Mayor, it is clearly understood that they will not leave the nesting beach occupied by the Municipality. It is the proof that the Municipality does not comply with the stopping and rehabilitation decisions and opens a lawsuit against the fine.

The authorities (The Ministry of Environment and Urbanization and the Ministry of Forestry and Water Affairs, National Parks Nature Protection Department) whom did not stop Anamur Municipality and the Municipality have violated both domestic law rules and multiple provisions of international conventions such as Barcelona, Bern and Ramsar. In particular, the provisions of the first 11 articles of the Bern Convention and Article 10 of the Protocol on 'Special Protected Areas and Biodiversity in the Mediterranean Sea', which is an annex to the Barcelona Convention, have been violated. In addition, many provisions of the Ramsar Convention have been violated due to the cutting of the reeds around the Sarisu Creek and installing a stone wall throughout the creek, where wild waterfowl and soft-shelled Nile turtles lay eggs. It caused existing nests to be damaged and prevented new nests to be established by the mentioned species.

Academic reports of 'Mediterranean Turtles and Nature Conservation Association' and 'Underwater Research Association' are attached to this complaint form.

2. Which are the specific specie/s or habitat/s included in one of the Appendices of the Bern Convention potentially affected? (Please include here information about the geographical area and the population of the species concerned, if applicable)

Caretta caretta and Cheloniemydas sea turtles and soft-shelled Nile turtles listed in the annexes of the Bern Convention and also endemic sand lilies growing on the beach, and some wild ducks, wild birds that could not be classified that are living in the wetland area of Sarisu Creek were damaged, some reeds are destroyed.

The area is located approximately 100-150 m. long section of the nesting beach in Anamur, Mersin, Turkey. (Coordinates are approximately: 36.047429-32.842791; 36.046838-32.841905)

Total nest number for whole Anamur region is 900+ so for. (It was about 1200 last year)

3. What might be the negative effects for the specie/s or habitat/s involved?

The living and nesting area of the endangered animal and plant species has been destroyed and the nesting beach has been narrowed because of poured soil. And also daily irrigating soil covered area caused spilled water to go through the sand beach where existing nets are adversely affected. The structure of the remaining beach is also damaged irreversible to affect future generations of above mentioned species.

4. Do you know if potentially affected species or habitats also fall under the scope of other international Conventions, (for instance: RAMSAR, CMS, ACCOBAMS, Barcelona Convention, etc) or if the area has been identified as a NATURA 2000/Emerald network site?

RAMSAR and Barcelona Conventions are also violated.

5. Do you know if there are any pending procedures at the national or international level regarding the object of your complaint?

There is no international procedure pending. However some citizens filed a criminal complaint against the Municipality. Turkish law procedures are going on but the result is not promising. Because the authorities are not sufficient to prevent violating activities.

6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc)

The EIA process was not operated for the nesting beach. The Municipality of Anamur started construction with the instruction of the Mayor without any permission and no decision from the competent authority and carried out activities to create habitat destruction on the beach.

This picnic area construction is not the only incident that occupies nesting beach. Unfortunately the authorities (The National Parks and Nature Conservation Directorate) are not sufficient to protect the sea turtle nesting beaches of Anamur which is 2nd largest in Turkey and 4th largest in the whole Mediterranean. (Ref: IUCN MTSG report Sea turtles in the Mediterranean, 2010; Hochscheid et al. 2018. Sea Turtles in the Mediterranean Region.) The hotels, bars, tea gardens and other companies placed arboreal, umbrellas, tables, chairs and sun loungers starting from 3-5 meters from the shoreline and left them on the beach even during the night. In addition, organizations held noisy, brightly lit parties or wedding ceremonies (sometimes including fireworks) on the beach with the permission of the Anamur District Governorate. The number of incidents is increasing every year. Even the precautions to prevent entrance to the beach by vehicles are not taken, so that cars, motorcycles tour at the sand beach throughout the day and night. The authorities observe all these negative situations but they don't fine companies, put warning signs or take actions or trainings to increase awareness. The illegal invasion of the nesting beach will be clearly seen in the listed links below. Due to the aforementioned situations, there is a decrease in the number of nests each year. Last year 1200 nests were observed and this year 900 nests are observed so far. We are obliged to apply the Convention since the local authorities do not intervene effectively with the commercial companies and the Municipality who violate the protection of species. We request a total protection of 13 km nesting beach not only a specific picnic area at Karaağaç Beach.

Due to limited space to add photos, some links of our web page are added as a reference:

* Picnic construction photos (some samples from first day to latest situation) :

<https://www.facebook.com/949710881892145/posts/1187335428129688/> Photos include lorries pouring soil to beach, excavators working, stone wall installed throughout the creek, transported trees and green grass due to regular watering, watering hoses, existing nests, some official decisions of authorities)

* First post about this subject on 31.05.2019:

<https://www.facebook.com/949710881892145/posts/1139578989571999/>

* Transplanted trees: <https://www.facebook.com/949710881892145/posts/1150514305145134/>

* Water sprinklers, stone wall installed alongside the creek:

<https://www.facebook.com/949710881892145/posts/1173114076218490/>

* Lorries pouring soil to the beach and excavators are working:

<https://www.facebook.com/949710881892145/posts/1169922746537623/> and
<https://www.facebook.com/949710881892145/posts/1146774205519144/>

* Excess water is flowing to beach:

<https://www.facebook.com/949710881892145/videos/330603354547474/> and
<https://www.facebook.com/949710881892145/videos/309525683260331/>

* Shadow of trees cause gender change of the eggs in the nests:

<https://www.facebook.com/949710881892145/posts/1155764347953463/>

* Academic report of SAD in Turkish. English version is attached as annex 2.

<https://www.facebook.com/949710881892145/posts/1151258218404076/>

* People protest destroy of beach: <https://www.facebook.com/949710881892145/posts/1148954811967750/> and
<https://www.facebook.com/949710881892145/posts/1141659492697282/>

* Sign petition at Change.org site: <https://www.facebook.com/949710881892145/posts/1182439781952586/>

* News in English: <https://www.facebook.com/949710881892145/posts/1147024145494150/>

* The Municipality web page to include project details such as: Total Land Area: 7194 m², Total Green Area: 3169 m², Total Hard Floor Area: 2452 m², Total Children Playground: 400 m², Total borders: 1751 m, Pergolas: 32 Pieces, Children Play Group: 2 Pieces, Brick Barbecue: 18 Pieces, Fountain:12, Car Parking lot:40,

Panel Fence: 250 meters, Tree - Pine Family: 97 Piece, Tree - Rubber Family: 96 Pieces, Tree - Palm Family: 20 Pieces, Bush: 1000 Pieces <http://www.anamur.bel.tr/icerik/54/1078/mesire-alani-ve-halk-plaji-projesi.aspx>

General Violation Photos of Anamur Nesting Beaches

* Caretta caretta nest underneath the arbour, between sun beds:

<https://www.facebook.com/949710881892145/videos/2873578545991380/> ,
<https://www.facebook.com/949710881892145/posts/1170329603163604/> and
<https://www.facebook.com/949710881892145/posts/1157839784412586/>

* Bright lights next to the beach: <https://www.facebook.com/949710881892145/posts/1190629764466921/>

* Tables, sun beds and other accessories at the beach during day and night and wedding ceremonies till late night: <https://www.facebook.com/949710881892145/posts/1186360594893838/>,
<https://www.facebook.com/949710881892145/posts/1144572592405972/> and
<https://www.facebook.com/949710881892145/posts/1139186286277936/>

* Cars going into beach: <https://www.facebook.com/949710881892145/posts/1183113231885241/> and
<https://www.facebook.com/949710881892145/posts/1176028682593696/>

* New companies are trying to start business for water sports at the beach:
<https://www.facebook.com/949710881892145/posts/1167629066766991/>

ANNEX I**Akdeniz Kaplumbağaları ve Doğa Koruma Derneği (AKKAP) (Mediterranean Turtles and Nature Conservation Association) Press Release**

19/06/2019

I share with you AKKAP's press release about the destruction at Anamur sea turtles nesting area on behalf of Serap Ergene who is the President of the Association.

Anamur has an important place within 21 sea turtle nesting areas under protection in Turkey. It is one of the most important nesting areas of the *Caretta caretta*, which is listed as "VU: Vulnerable" in the red list by the International Union for Conservation of Nature (IUCN), with a sandy beach of approximately 13 km. In addition, it is the living area of the Soft Shell Nile Turtles (*Trionyx triunguis*) and Sand lilies (*Pancreatiummaritimum*) is the living area.

Mamure Castle and Anamurium Antique City are grade one protected natural site areas. With the studies carried out since 1988, it has been shown repeatedly that the number of nests in this area reached 1000s. In addition, since I personally wrote my Ph.D. dissertation on these beaches, I know all the properties of the beach in detail.

Although Anamur Beach is very important and it is committed to be protected by national and international agreements, the Anamur Municipality has been reorganizing nesting beach in the Cerenler distinct as "Municipality Picnic and Recreation Area", since 31.05.2019. It was determined by our association that the Municipality used construction machines in the area to reorganize the beach. As a result of the constructions made, spawning and hatching will not be possible since the existing nests are damaged and the dune structure of the area is deteriorated.

This intervention is contrary to the coastal-border line, as well as the circular on sea turtles. (Ref: Ministry of Environment and Forestry – Circular # 2009/10)

In addition, the Mersin Metropolitan Municipality carried out work to reorganize the dune area by using construction machines between the Pullu Natural Park and Mamure Castle and around the Ancient City called Ören, on the date of 06.05.2019.

All these works to be made between May and September, which is the nesting season at Anamur Beach, and the operations which then destroy the area, threaten the life of sea turtles.

Although we undertake national and international conventions as a country to protect the habitats of sea turtles, these laws and rules are contradictory.

Although Turkey has committed to the protection of the habitats of sea turtles by accepting national and international conventions, these activities are contradictory to these laws and conventions.

We urge all responsible authorities to take preventive actions for the damage to *Caretta caretta* nesting area and other species and also we request precautions to be taken for this area to be protected for future. Especially this year, the destruction of the sea turtle nesting areas are observed in Mersin, Davultepe 100.Yıl Natural Park beach, Anamur and Kazanlı beaches. We must make an effort together to ensure that exertions done for many years are not wasted and to protect the living species and nature.

This country is ours! Let's protect, keep alive, and live.

Dr. Aşkın Hasan UÇAR

On behalf of Prof. Dr. Serap Ergene, President of the AKKAP

Video of press release (In Turkish):

<https://www.facebook.com/949710881892145/posts/1155736907956207?s=100009453642339&sfns=cl>

ANNEX II

URGENT and IMPOTRANT

07.06.2019

Number : SAD-19/50

Subject: Habitat destruction in Mersin Anamur Beach

T. C. MINISTRY OF AGRICULTURE AND FORESTRY
General Directorate of Nature Conservation and National Parks
Beştepe Mahallesi Alparslan Türkeş Street
No: 71 - Yenimahalle / ANKARA / TURKEY

Underwater Research Association (SAD) is an NGO that has been researching and preserving the natural, historical and cultural values in the seas, underwater and coastal areas since 1994. Many research, monitoring and conservation projects have been carried out and completed in cooperation and coordination with universities and related governmental institutions.

While the monitoring and publication activities related to our coasts are in progress, when the information and photos are evaluated received from our SAD Aydıncık Representative and local people in June 2019, it is determined that large amounts of soil are poured by lorries into the Anamur Beach in the Anamur district of Mersin and this caused serious destruction. As you know, Anamur beach is one of Turkey's most important turtle breeding area (TÜRKÖZ and Kaska, 2010). As a matter of fact, it is the 4th most important *Caretta caretta* nesting area in the whole Mediterranean region with an average number of 422 nests per year (Casale et al. 2018). Although the content of Anamur Municipality's work on Anamur Beach, which is one of the 21 reproductive areas in total, is unknown, it is certain that there are contradictions to international conventions and national legislation on nature conservation, particularly Bern, Barcelona and Biodiversity. As a matter of fact, within the scope of the Circular No: B.18.0.DMP.0.01.03 / 831.02 dated 2009 of the General Directorate of Nature Conservation and National Parks of the Ministry of Forestry and Water Affairs, in the 1st degree Conservation Area (covering 65 m area from the coastal line) sand cannot be removed, sand dunes cannot be moved, sand cannot be cleaned by heavy vehicles and land cannot be acquired from beach by filling and drying according to Article 6 of the Coastal Law No. 3621. As it can be seen from the attached photographs, it is clearly seen that the Anamur Beach including nets is within the 1st degree Conservation Area (according to Circular dated 2009), and its natural structure is deteriorated and irreversibly transformed into habitat destruction. According to the study data of scientists working on water turtles in our country, Anamur Beach is used as a breeding area by *Caretta caretta*, Green sea turtle *Cheloniemydas* and African soft shell turtle *Trionyxtriunguis* (Uçar, 2008). Destruction of this beach will undoubtedly affect the population of these turtle species. As the habitat requirement of the mentioned species, breeding areas are sand dunes and sandy beaches that maintain their naturalness. This does not mean that the beaches cannot be used by people for swimming, relaxing and traveling. However, the deterioration of the key features of the natural area is quite separate from the use of the area by people without damaging it. Regulations to balance the protection and usage in important breeding areas is clearly stated in Annex-1 of the Circular (Dated 2009, about the Protection of Sea Turtles).

As an NGO that believes in the holistic conservation of habitat rather than species conservation, we respectfully submit for necessary action to be taken for on-the-spot assessment about the current law violations at Anamur Beach, stop the destruction of this habitat and initiate investigation about responsible authorities and inform our Association about the results.

Regards,

Assoc. Dr. Güzden VARİNLİOĞLU

Chairman of the Board SAD

Appendix-1: Photographs showing habitat destruction on Anamur beach (6 photos)

Appendix-2: List of scientific publications indicating that Anamur Beach is an important breeding area for sea turtles

<p>Distribution: To take action:</p> <ul style="list-style-type: none">- Ministry of Agriculture and Forestry – Directorate of Nature Conservation and National Parks- General Directorate of Protection of Natural Assets- Mersin Governorship- Anamur Municipality	<p>For Information:</p> <ul style="list-style-type: none">- Ministry of Agriculture and Forestry - General Directorate of Fisheries and Aquaculture- Mersin University, Faculty of Science Dean of Biology Department- Adnan Menderes University, Faculty of Science, Department of Biology- Middle East Technical University, Institute of Marine Sciences
--	---

Appendix-1Photos







Appendix-2 Scientific Publication and Doctoral Thesis on the Presence of Sea Turtles at Anamur Nesting Beach

- 1) Casale P, BroderickA, CamiñasJA, CardonaL, CarrerasC, DemetropoulosA, FullerWJ, GodleyBJ, HochscheidS, KaskaY, LazarB, MargaritoulisD, PanagopoulouA, ReesAF, TomasJ, TurkozanO(2018). Mediterranean sea turtle populations: current knowledge and conservation and research priorities. *Endangered Species Research* 36:229-267

- 2) Türkozan O & Kaska Y (2010). Turkey. In Casale, P and Margaritoulis D. (Eds) *Sea Turtles in the Mediterranean: distribution, threats and conservation priorities*, 257-293 pp. IUCN/SSC Marine Turtle Specialist Group, Gland, Switzerland

- 3) Uçar AH (2008) Investigation of Biological Properties of SeaTurtles *Caretta caretta* and *Cheloniemydas* and Soft Shell NileTurtle *Trionyxtriunguis* Populations and Anamur Nesting Beach Properties. Ph.D. Thesis. Mersin University, Institute of Science and Technology, Department of Biology. Thesis Advisor Dr. Serap Ergene, Mersin, December 2008

Photos of original report in Turkish:

<https://www.facebook.com/949710881892145/posts/1151258218404076/>