



Strasbourg, 19 February 2024

T-PVS/Files(2024)31

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

44th meeting
Strasbourg, 2-6 December 2024

Bureau of the Standing Committee

10-12 September 2024
Strasbourg

Open File: 2019/05

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

- REPORT BY THE GOVERNMENT -

*Document prepared by the
Ministry of Agriculture and Forestry, Republic of Türkiye*

*August 2024***REPUBLIC OF TÜRKİYE****MINISTRY OF AGRICULTURE AND FORESTRY**

06.08.2024

Government Report on Complaint No. 2019/05: Open file: Türkiye: Habitat destruction in Mersin Anamur Beach

Background: This complaint was first asserted in the year of 2019 on the ground that some illegal activities were being carried out on the nesting beach of *Caretta caretta* by Anamur Municipality. As soon as the complaint was reported to the Mersin Provincial Directorate of the Ministry of Agriculture and Forestry, the case was inspected by the Directorate and finally, the municipality was fined 180.489,00 Turkish Liras on the basis of Turkish Environmental Law. (No. 2872). Also, the municipality was obliged to rehabilitate the area. However, the Municipality refused to pay the fine and appealed to the administrative court. The National Court made its decision in January 2021 and it ruled to dismiss the appeal filed by the Municipality with the decision no K.2020/1054. In addition, as a result of the appeal examination, Adana Regional Administrative Court 2nd Administrative Case Division decided to reject the appeal application with the decision numbered E.2021/780, K.2021/2031.

In view of the bilateral interviews between the General Directorate of Nature Conservation and National Parks and the universities, it was decided that the rehabilitation must be done within the scope of the principals determined by a group of experts so as to mitigate further degradation on the beach due to the unfavourable activities. In this respect, a small group meeting was held between the representatives of the Ministry and some members of National Sea Turtle Scientific Committee, which is an advisory body for the Ministry. In this meeting, the commission decided about an investigation on the site, to better see the effects of illegal activity on the beach. The investigation was held at the end of March 2021. It was a key tool to decide upon the road map about how to rehabilitate the area. Only three members of the Scientific Committee were able to attend the investigation due to COVID -19 restrictions.

In this respect, rehabilitation was done before the summer of 2021. In the mean time, another complaint about the same site was filed to the Secretariat, which included a broader Project about the arrangement of the beach. Previous reports conveyed some information about the case and in the 42nd Standing Committee Meeting, a file was opened after a vote. In the next SC meeting, an on-the-spot appraisal was decided. The present report should be evaluated together with the information presented in previous reports.

Information on both areas can be found below in detail:

A. Illegally Filled Site In Karaagac

Anamur Beach is located along the north-east and south-west of the Anamur District of Mersin Province, bordered between Cape Anamur in the south and Pullu Forest Camp in the north, stretching 12.2 km.

Anamur Sea Turtles Nesting Beach was declared as one of the important nesting beaches in Türkiye with the Circular No. 2009/10 of the former Ministry of Environment and Forestry. The borders of the "Anamur Sea Turtle Nesting Area" was defined in one of the the annexes of the Circular. In the west it starts with the coordinates 36°01'14.04" – 32°48'12.71" and in the east it ends with coordinates 36°05'15.11" – 32°54'59.63".

Anamur nesting beach is divided into 4 parts by Sultan Stream (Sultansuyu), Dragon Stream (Kocaçay) and Mamure Castle. The sections and subsections from west to east of Anamur Beach, which is divided into parts according to this study, are given below.

Section I: Ören (Anamurium) - Sultan Stream (Sultansuyu),

Section II: Sultan Stream (Sultansuyu) - Dragon Stream (Kocaçay);

Subsection I: Sultan Stream (Sultansuyu) - Aslihan (1st Channel),

Subsection II: Aslihan (1st Channel) - Taşlık (2nd Channel),

Subsection III: Taşlık (2nd Channel) - Pier,

Subsection IV: Pier – Dragon Stream (Kocaçay),

Section III: Dragon Stream (Kocaçay) - Mamure Castle,

Section IV: Mamure Castle - Pullu Forest Camp.

The filling area built by the Municipality of Anamur in the Karaağaç region remains in the first subsection, and negotiations were held for the rehabilitation works to be started by the Municipality again. The soil, which had been brought to this region in previous years, and the trees planted were removed and moved to another region. The earth fill, which was on the sand, has been moved from the area without damaging the dune area. Afterwards, it was left to the natural process to repair itself without any physical intervention on the damaged area, but it is monitored.

In this context, the relevant institutions have been informed that any arrangement contrary to the scope of the Circular 2009/10 should not be made without permission in the 12.2 km sea turtle nesting areas.

B. Beach Arrangement Project

The Anamur Coastal Arrangement Project is planned to be carried out in two stages. The 1st stage consists of two areas, first of which extends up to 65 meters inland from the coastline, where sea turtles can lay their eggs. In collaboration with the Directorate of Nature Conservation and National Parks and sea turtle experts working in the region, the boundaries for nesting, previously determined through earlier efforts, will be taken into account. Starting from the 65-meter mark towards the inland, this area will be open to the public for the use of sunbeds and umbrellas. Within the scope of Circular 2009/10, no structures (facilities, stalls, cafes, tea houses, etc.) can be built within the first 65 meters of the 1st Protection Zone.

The activities planned for the 2nd stage are as follows: There is no need for Environmental Impact Analysis (EIA) for such small scale projects like these. Therefore, before conducting beach arrangement works, a team of scientists consisting of Professors from three different universities, who have publications on sea turtles and are members of the National Sea Turtle Scientific Committee, determined the risks, necessary measures, and methods for preserving the nesting area, although there is no necessity for EIA. It was determined by the scientific committee that the 2nd Protection Zone in the current area, which lies behind the sea turtle nesting area, had

been impacted and degraded due to vehicle traffic, as well as various filling and excavation works. Therefore, the implementation of the 2nd Stage project has been identified by the scientific committee to contribute to the conservation of the area. As of July 2nd 2024, considering the decisions made by the scientific committee based on their examinations, it has been observed that the 2nd stage project is approximately 90% complete.

The Scope of the OSA: Based on decision taken during the 43rd Standing Committee to Bern Convention held between 27th November, 2023 and 1st December, 2023, it has been decided to mandate an on-the-spot appraisal subject to the agreement of the Republic of Türkiye. So, the decision was endorsed by the country, and on-the-spot appraisal was carried out between 2nd July, 2024 and 4th July, 2024 in Mersin Province of Türkiye.

1st day- Morning session: A meeting was held on the first day of on-the-spot appraisal with the range variety participation of the all related governmental institutions which were General Directorate of Nature Conservation and National Parks, 7th Regional Directorate of Ministry Agriculture and Forestry, Mersin Province Directorate of 7th Regional Directorate, Anamur Municipality, Mersin Province Directorate of Environment, Urbanization and Climate Change, Mersin Province Directorate of Agriculture and Forestry, Police Department of Anamur District, a member of National Sea Turtle Scientific Committee, and the Independent Turtle Expert (Mr. Alan REES). In addition to these participants, Ms. Marta MEDLISNKA, who is the representative of Bern Convention Secretariat, attended the meeting by means of online platform. A presentation relating to the conservation activities conducted Anamur nesting area was performed by the government. Besides, the responses to the allegations were addressed by showing photos and scientific evident during the presentation with regards to the beach which were the focus of the complaint. Furthermore, it stated that there was investigation on the site carried out by some members of National Sea Turtle Scientific Committee, and the decisions taken by the Committee were presented in order to rehabilitate Karaağaç Beach and Coastal Development Project. After the presentation was completed, the Question and Answer section started and the questions of Mr. Alan REES and Ms. Marta MEDLINSKA were responded by the related stakeholders. The mechanism and the method on the conservation activities done by the governments were explained to the expert and the representative of Bern Convention Secretariat.





1st day- afternoon session: This session of the meeting was held only with the participation of the NGOs and academicians.

1st day-night field visit: The first and second phases of the coastal development plan were observed in the place with the participation of not only institutions but also NGOs. The lighting system being in the coastal development project was examined by the expert.



2nd day: The original plan was to visit some areas and the remainings were going to be investigated at the 3rd day of the schedule. So, after completing the areas which were going to be visited in the 2nd day within the scope of the agenda, it was unanimously decided that the areas examined in the 3rd day shifted to 2nd day. Consequently, all field works were accomplished in the second day of the mission. The visiting areas were Dragon Rivulet, Portside, Beach

Arrangement Project (Phase I, Phase II), Karaağaç Beach, Sultan Rivulet, Anemurium Ancient City, the area between Dragon River and Mamure Castle.

Especially, Karaağaç Beach, which gave rise to kick off the complaint, was examined and it was clearly understood that the area has already started to rehabilitate itself.



Photo reflecting the illegal filling activity



Photo depicting the rehabilitated area after 3 years

3rd day: The representatives of the related institutions, NGOs, academicians and the independent expert came together in order to discuss the issues related to the complaint file. All sides made comments with regards to the impression which they experienced during the field inspection.



Final comments: In general, there was a positive interaction between the complainant and the governmental institutions. A common ground was obtained about the future studies. The importance of cooperating with NGO's was emphasized. In the near future, a commission will be formed with the participation of governmental institutions and other stakeholders to better monitor the implementation of the legislations.

February 2024



MINISTRY OF AGRICULTURE AND FORESTRY

05.02.2024

Government Report on Complaint No. 2019/05: Open file: Türkiye: Habitat destruction in Mersin Anamur Beach

Background: In the summer of 2019, a complaint was raised regarding an illegal occupation of a nesting beach, leading to an inspection by the Mersin Provincial Directorate of the Ministry of Agriculture and Forestry. Subsequently, the municipality was fined 180,000 Turkish Liras under Turkish Environmental Law (No. 2872), and it was mandated to rehabilitate the affected area. The municipality contested the fine, appealing to the administrative court, but the National Court, in January 2021, dismissed the appeal. Following discussions in the General Directorate of Nature Conservation and National Parks and the experts, it was determined that rehabilitation should be carried out to prevent further damage caused by heavy machinery activities. Rehabilitation was completed before the summer of 2021. Another complaint related to the same site, encompassing a broader beach arrangement project, was submitted to the Secretariat. In the Standing Committee Meeting of the year 2022, a file was opened after a vote, and in the following year, where Turkish government was not represented in the SCM, several decisions were made, including an on-the-spot appraisal, subject to the agreement of Turkish authorities.

Beach Arrangement Project

The Anamur Coastal Arrangement Project is set to occur in two phases. In the initial stage, two demarcated areas identified by wooden stakes were established. The first area extends up to 65 meters inland from the coastline, serving as a nesting ground for sea turtles. Boundaries for nesting, previously determined through collaborative efforts with the Directorate of Nature Conservation and National Parks and local sea turtle experts, were considered. Beyond the 65-meter mark inland, this space is open to the public for the use of sunbeds and umbrellas. As per Circular 2009/10, no structures (facilities, stalls, cafes, tea houses, etc.) can be constructed within the first 65 meters of the 1st Protection Zone.

The planned activities for the 2nd stage include the following: Despite the absence of a requirement for an Environmental Impact Analysis (EIA) for small-scale projects like these under Turkish legislation, a team of scientists, comprising professors from three different universities with expertise in sea turtles and membership in the National Sea Turtle Scientific Committee, assessed risks, necessary measures, and preservation methods for the nesting area before the beach arrangement works. The scientific committee found that the 2nd Protection Zone behind the sea turtle nesting area had suffered from the impact of vehicle traffic, filling, and excavation works. Consequently, the implementation of the 2nd Stage project is deemed by the scientific committee to contribute to the conservation of the area. As of August 17, 2023, taking into account the decisions made by the scientific committee during their examinations, it has been observed that the 2nd Stage project is approximately 90% complete.

Conservation measures recommended by the Scientific committee were outlined in earlier reports, that's why this report does not contain any extra information.

Finally, Turkish authorities would welcome an on-the-spot appraisal to be held in 2024 summer.