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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)**

- REPORT BY THE GOVERNMENT -

*Document prepared by
Ministry of Agriculture and Forestry, Turkey*

REPUBLIC OF TURKEY
MINISTRY OF AGRICULTURE AND FORESTRY

11.08.2020

Government Report on the Complaint submitted by Mersin Environment and Nature Association Regarding The Activities Done by Anamur Municipality on Karaağaç Beach in Anamur District of Mersin Province

Within the scope of the Government Report of the Republic of Turkey submitted on 01.04.2020, related with the “Habitat destruction in Karaağaç Beach in Anamur District of Mersin Province”, the complaint made by Mersin Environment and Nature Association was evaluated by the Bureau of the Standing Committee to the Bern Convention at the meeting on 7th and 8th April.

The Bureau urged the relevant authority to take action to ensure the necessary sanctions to the offending Municipality related to the breach of national law and international conventions, and to keep it updated of the outcome of the litigation procedures, results of the related actions, and any other updates for its next meeting in September.

As it is known, 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 Turkish Liras on the basis of Environment Law No. 2872 and was obliged so as to rehabilitate the area. However, the Municipality appealed to the administrative court. It is still waited for a court’s decision.

Meanwhile, bilateral interviews with the Municipality has been conducted in order to cease the actions taken on the beach. Karaağaç Beach was inspected on 11th June 2020 by Mersin Provincial Directorate of the Ministry of Agriculture and Forestry, and eight nests belonging to the marine turtles have been detected. It was also observed that no further commencement on the deterioration of the beach was in place. However, as the litigation process has not been concluded yet, the rehabilitation works could not been done. According to the results of the court, the action will be taken for the related area. However; before completing the litigation process, bilateral negotiations have been done between the Municipality and the Provincial Directorate and the efforts to find a common solution in favor of the turtle nesting beach has been continuing.

The Bureau will be kept informed about the progress.

REPUBLIC OF TURKEY

MINISTRY OF AGRICULTURE AND FORESTRY

01.04.2020

Government Report on the Complaint submitted by Mersin Environment and Nature Association Regarding the Activities Done by Anamur Municipality on Karaağaç Beach in Anamur District of Mersin Province

In a complaint submitted by the deputy head of Mersin Environment and Nature Association, Şeyda AFYONCU TOP, it is claimed that due to “The Construction of Public Beach and Picnic Area” which was started on 31st May 2019 by Municipality of Anamur on Karaağaç Beach in Anamur District of Mersin Province, many wild animals, especially sea turtles, and vegetation cover have been affected adversely. The municipality was fined 180.489 Turkish Liras by the Mersin Directorate of Nature Conservation and National Parks; however, the Municipality has not withdrawn from the area and has not rehabilitated the degraded area, but instead continued the illegal activities .

As it is known, sea turtles and their habitats are protected in Turkey, according to international and national legislation. Among these are the Bern and Barcelona Conventions, as well as Land Hunting Law coded 4915, Environment Law No. 2872 and Circular of the Conservation of Sea Turtles No. 2009/10. After the complaint which was reported to Mersin Provincial Directorate of the Ministry of Agriculture and Forest, on 10th June 2019 relating to the illegal activity carried out by the Municipality of Anamur, it was inspected by the Directorate and finally, it has been identified that the heavy construction equipment which belongs to the municipality were on Karaağaç Beach which is a nesting area for sea turtles. The Municipality poured soil over the dune area to modify the beach and some trees were planted on the area. As soon as this situation was determined, the municipality was warned by the Directorate to stop the construction.

As a result, Municipality of Anamur was fined 180.489 Turkish Liras within the scope of the Environmental Law as it had violated the biological diversity and Mersin Provincial Directorate decided that the municipality has to rehabilitate the beach and take out planted trees and soil under the inspection of the Directorate no later than on 16th July 2019. However, the municipality did not obey the rehabilitation decision and it appealed to the administrative court for the stay of execution and not to pay the administrative fine. To sum up, as the litigation process is expected, the rehabilitation action will be taken according to the result of administrative court.