



Strasbourg, 16<sup>th</sup> August 2023



**T-PVS/Files(2023)46**

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

43<sup>rd</sup> meeting

Strasbourg, 27 November - 1 December 2023

**Open file: 2010/5**

**Threats to marine turtles in Thines Kiparissias (Greece)**

**- COMPLAINANT REPORT -**

*Document prepared by*

*the Mediterranean Association to Save the Sea Turtles (MEDASSET)*

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**UPDATE REPORT BY THE NGO****Marine Turtle Conservation in the Mediterranean****LOGGERHEAD SEA TURTLE (*CARETTA CARETTA*) CONSERVATION  
MONITORING IN KYPARISSIA BAY, SOUTHERN KYPARISSIA  
(WESTERN PELOPONNESE, GREECE)**

01 August 2023

*Document presented by**MEDASSET - the Mediterranean Association to Save the Sea Turtles**for the 43<sup>rd</sup> Standing Committee Meeting of the Contracting Parties to the Convention on  
the Conservation of European Wildlife and Natural Habitats (Bern Convention)*

MEDASSET hereby submits an update report to the 2<sup>nd</sup> Bureau Meeting of the Bern Convention (September 2023) on the conservation status of sea turtle nesting beaches in Kyparissia Bay, Greece.

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**SUMMARY**

**During our assessment in July 2023, we verified that the situation in Kyparissia bay remains unchanged, with no mitigation of the threats identified in previous reports and no evidence of improvement in compliance with the measures of Recommendation No. 174 (2014). Threats recorded included the continued construction of illegal buildings along the protected coastline, continued planting and no removal of previously planted trees and alien species on the nesting beaches, destruction of dunes, nearshore fishing, unimpeded vehicular access to the nesting beaches and illegal road network across the protected sand dunes, lack of beach furniture management, and light pollution. Moreover, contracts signed for the exploration and potential extraction of hydrocarbons in the adjacent marine protected areas constitutes a significant additional threat. Seven years after condemnation by the European Court of Justice, nine years after the Bern Convention issued Recommendation No. 174, and five years after the relevant Presidential Decree was issued, the site remains inadequately protected. The measures of Recommendation No. 174 are either completely disregarded or only partially implemented.**

***MEDASSET calls upon the authorities to:***

- Safeguard and enforce implementation of the Presidential Decree (PD) regulations

- Urgently issue and implement a Management Plan in collaboration with the Protected Areas Management Unit, which will also cover unresolved issues not addressed in the PD (e.g. fishing activities and nighttime beach use and operation of beach bars)
- Impose fines and penalties in order to stop illegal activities and restore the habitat especially the sand dune habitats, which are degraded year by year
- Keep the Standing Committee informed about progress in the implementation of the above Recommendations

***MEDASSET calls upon the Bern Convention Standing Committee to:***

- Encourage authorities to provide further information to the Standing Committee, as requested above
- Urge authorities to implement Recommendation No.174 (2014)
- Discuss the case file at the 43<sup>rd</sup> Meeting of the Standing Committee
- Bring the issue to the European Commission as part of the infringement process for noncompliance with CJEU's judgment C-504/14.

**DETAILED UPDATE**

The first week of July 2023, MEDASSET's experts carried out an assessment on the conservation status of the core nesting area of Kyparissia Bay (rivers Arkadikos to the south and Neda to the north). The following presents the survey findings in relation to each of the measures under Recommendation No.174 (2014). All photos were taken by MEDASSET, unless stated otherwise.

***1. Consider giving the key nesting areas for sea turtle an appropriate protection status that may ensure the long-time conservation of their high natural values, including sea turtle nesting beaches, dunes systems, coastal forests, marine habitats and others***

The PD designates the nesting beach as a Nature Protected Area and not as a National Park, the latter providing the highest level of protection. For Nature Protected Areas, all adjacent areas that are not within the boundaries are designated as Agricultural Landscape Zones, in which construction is permitted. Part of the coastal area directly behind the core-nesting beach, in particular Kalo Nero, is designated as an Agricultural Landscape Zone and has suffered extensive coastal developments placing the reproduction of sea turtles in extreme danger.

***2. Permanently restrict or prohibit as appropriate, based on an appropriate assessment, the construction of any villas or other buildings, new roads or other infrastructure, in the key areas where construction licenses have been suspended by decree, thus preserving the present natural state of those areas***

Because of the failure to enforce the PD, there has been no suspension of construction or demolition of the existing constructions directly behind the core nesting area. Hence, due to its lack of enforcement, the PD fails to adequately protect and preserve the habitat. No buffer zone exists between the construction and nesting areas, despite requests by ARCHELON, MEDASSET and the 'Nature 2000' National Committee. Furthermore, while the PD addresses the need to remove the existing illegal road network, there has been no action for its removal. This illegal road network gives direct access to the nesting beach and leads to the continuous degradation of the site. (**Fig. 1a & b**)

***3. Restore the original sand dune and forest habitat in the above-mentioned area by demolishing any illegal road built perpendicularly to the shoreline, as well as other existing illegal artificial infrastructure; put immediately effective measures in place to prevent cars***

***and caravans from reaching the proximity of the nesting beaches and produce nuisance to sea turtle nesting and hatching***

No action has been taken for the demolition of the illegal road system perpendicular to the shoreline, or the restoration of the area). No steps are taken to stop the creation of new roads. The Greek Ministry of Environment and Energy through the corresponding Coordination Office for the Implementation of Environmental Liability (COIEL, known in Greek with the acronym SYGAPEZ), placed some blockades in June 2021, at the entrance to the existing five illegal roads constructed by the KOTINOS real estate company. Nevertheless, it was an unsuccessful step to protect the area as the barriers were easily moved and the vehicles can drive around them (**Fig 1**) to access the high-density sensitive nesting areas of the beach. We emphasize that no effective measures are in place to prevent cars and caravans from reaching the proximity of the nesting beaches, causing disturbances to sea turtle nesting activity and emerging hatchlings (**Fig. 2**). Furthermore, camping is extensive throughout the protected forest habitat that borders the dunes and nesting beach and the authorities do nothing to prevent it (**Fig. 3**). The core cause for the above threats is that the PD does not include a map of the legal road network, therefore allowing the constant creation of new illegal roads to access the beach and to support illegal camping. The Management Plan must address these important issues.

- 4. *Ensure that owners of the houses that have already been built in sensitive areas in the vicinity of the core nesting area, avoid changing the profile of the dune, and control that the communities and geomorphological dynamics; ensure that existing houses change or shade the lights illuminating the beach causing photo-pollution affecting negatively sea turtle nesting and hatching; remove invasive alien plants already planted in some of those areas (for instance *Carpobrotus*) as they may spread into dune and beach nesting areas making them inappropriate for sea turtle nesting***

As stated in the PD, the sand dune ecosystem around the existing houses must be restored. However, introduced alien plants have not been removed and there has been no effort to reinstate the previous dune ecosystem where houses have been built within the vicinity of nesting areas (**Fig. 4**). In addition, the homeowners in order to set the borders for their gardens plant new alien species. Cultivation of the flora continues to maintain these alien species and prevents restoration of the natural sand dune ecosystem. The invasive species *Carpobrotus sp.* can be found at various locations along the shore, encroaching onto the nesting area of the beach from Kalo Nero to Vounaki (**Fig. 5 & Fig. 6**).

- 5. *Avoid any agriculture in the public domain and restore dunes to their original natural state***

No action has been taken to enforce the specifications of the PD and thus the cultivation of watermelons and zucchini (observed this year) continues extensively across the sand dune area. (**Fig. 7**)

- 6. *Address in the whole Nature 2000 site the problem of photo-pollution, particularly in Kalo Nero; all lights should be shaded in a way to avoid illuminating the beach and dune areas***

Light pollution is still a severe unresolved problem, in particular in Kalo Nero, posing a serious threat of disorientation to the emerging hatchlings in this and in many other locations across the nesting beach (**Fig. 8**).

- 7. *Ensures that the beach's equipment used now in the Natura 2000 site is removed at night or stored in a way that reduces the area occupied on the beach; prohibits/ does not give any***

***licenses to any new beach equipment so that core nesting area remain free of obstacles for nesting turtles***

The beach furniture used at Kalo Nero nesting beach covers a zone of approximately 1.2 km and was not removed at night during our assessment, despite the relevant provisions of the PD (**Fig. 8**). The lack of beach furniture management occurs throughout the entire nesting beach (**Fig. 8**). The illegal wooden platforms, used by restaurants and cafes, at the beach of Kalo Nero, remain despite the demolition protocols that have been issued by the Public Land Authority of Messinia Region, and regardless of the provisions of the PD for urgent demolition of all illegal constructions. (**Fig. 9**).

**8. *Prohibit any sand and gravel extraction or any new structures in the sea (breakwaters, etc.)***  
During this year's assessment, sand and gravel extraction was not observed.

**9. *If new housing is to be built to accommodate growing tourism, favor building in areas already urbanized (such as Kyparissia town) avoiding delivering building licenses in pristine natural areas within the Natura 2000 site, independently from the ecologically friendly characteristics of the new buildings***

The Measure is only partially addressed. The PD fails to adequately protect the nesting habitat especially at Kalo Nero, directly behind the core nesting area, where building is permitted. Newly constructed houses (completed during 2021) were observed at Vounaki and Agiannakis (**Fig. 10**). Inquiries with the local authorities asking if the construction is in accordance with legal building permits have been made since 2019; to date no reply has been given from the authorities.

**10. *Consider regulating the navigation of vessels in the marine part of the Natura 2000 site GR 2550005 during the nesting and hatching season (April to October) so as to avoid the killing of turtles by boats; assess existing fishing practices and prohibit those that may negatively affect nesting and mating turtles, as some are likely to be drowned in fishing nets*** Fishing activities are considered the highest threat to sea turtles today and the only maritime restrictions stated in the PD relate to vessel speed limit (maximum six knots) within one mile of the shoreline and a time limitation on recreational fishing, which is only permitted during the day. Currently there is no enforcement of the six-knot speed limit and prohibited nighttime recreational fishing activities. Fishers are still permitted to set their nets in the nearshore waters (**Fig 14**) in close proximity to the nesting beach, which presents an extremely high risk of incidental capture of breeding adult turtles and hatchlings. Especially during May and June due to the species of fish targeted NGOs and experts called on the authorities to include protective measures to address fishing threats in the PD, but as stated by the Ministry of Environment these issues should be addressed within the Management Plan, which is yet to be developed.

**11. *Enforce measures aimed at avoiding people and cars visiting the sea turtle nesting beaches at night, particularly from the camping sites; control feral dogs as they have proved to attack and hurt many nesting sea turtles***

No restrictions were included in the PD to prohibit or reduce human presence on the beach at night, but as stated by the Ministry of Environment, these issues should be addressed within the Management Plan, which is yet to be developed. Currently there is a complete absence of measures preventing people and cars from accessing the beach at night. There are no notices or signs informing visitors that this is a protected sea turtle nesting beach and should not be accessed at night, in order to prevent disturbances. Shelters were observed at Vounaki (**Fig 3**), remnants of bonfires were observed on the beach at Kalo Nero, in very close proximity to marked nests (**Fig 11**). Also at Kalo Nero horse riding tours advertised depict tours over the sand dunes and operating

outside of daylight hours as seen at the picture taken from their official Instagram account and horse droppings were found at Agiannakis high density nesting beach (**Fig 13**). As a result, of all the above, the nesting areas are subjected to high levels of disturbance during the crucial nighttime nesting period. Traditional festivals with loud music are held annually at Giannitsochori and at Kalo Nero, in both cases just behind the nesting beach.

No attacks on the nests by feral dogs have been recorded this year.

***12. Keep the Standing Committee regularly informed about the progress in the implementation of this Recommendation***

MEDASSET is in frequent contact with the Secretariat, updates the Secretariat in due time for any developments in the area before every Bureau Meeting and every Standing Committee Meeting with detailed reports and letters, prepares responding letters to Greek and EU authorities correspondingly.

***Observations on other activities and impacts:***

- The ongoing projects for carrying out Special Environmental Studies for the issuance of Presidential Decrees and Management Plans for all Natura 2000 sites in Greece is fraught with delays and implementation problems. There are serious concerns about the process and the expected outcomes.
- Contracts signed for the exploration and potential extraction of hydrocarbons in the adjacent marine protected areas constitute a new significant additional threat.

## **ANNEX: BACKGROUND**

*For a full description of the site and of the case background see [T-PVS/Files \(2020\)56. MEDASSET. Update Report.](#)*

Kyparissia Bay, a NATURA 2000 site, is located in Greece, on the Western Peloponnese coastline. It has a high ecological value due to the presence of an extensive dune ecosystem and the fact that it constitutes one of the most significant nesting sites of the *Caretta caretta* turtle in the Mediterranean Sea, an endangered species as listed in the 92/43/EOK Directive, in need of strict protection (annexes II and IV). Approximately 82% of the nesting activity at Kyparissia Bay occurs in the 10km stretch of beach between the estuaries of the rivers Neda and Arkadikos. For reference, there were approximately 1.452 nests in 2013, 1.286 in 2014, 1.472 in 2015, 2.702 in 2016, 2.650 in 2017, 2.550 in 2018, 2.850 nests in 2019, over 3800 nests in 2020 and 3.200 in 2021. (as recorded by ARCHELON). It is important to note that in all the aforementioned years the number of nests exceed even those recorded in Zakynthos, which is officially the most important nesting site for *Caretta caretta* in the Mediterranean.

The developments threatening Kyparissia Bay were firstly reported by MEDASSET's complaint submitted on 22 August 2010, for the 30th Standing Committee Meeting of the Bern Convention. Since then, MEDASSET in collaboration with ARCHELON, WWF Greece and other environmental NGOs, has been lobbying at regional, EU and national level, in order to establish an adequate legal framework for the protection of Kyparissia Bay and its habitats. Following the campaigns and annual reports of MEDASSET and ARCHELON, the Standing Committee of the Bern Convention unanimously adopted Recommendation No. 174 at its annual meeting on December 5, 2014, urging Greece to prevent habitat deterioration and ensure improved adequate protection of the Southern Kyparissia Bay. The 2014 Recommendation was issued pursuant to a report and appraisal by an international expert and concerns raised by NGOs (ARCHELON and MEDASSET) relating to the construction of roads, houses and marine structures near the nesting sites, as well as the risks posed by fishing practices, light pollution and human disturbance to the beach during the nesting and hatching season. In total, the Recommendation includes 12 measures for the protection and restoration of the site.

Since the adoption of Recommendation No. 174 on 2014, MEDASSET, in collaboration with ARCHELON, have presented annual reports to the Bern Convention of the continued degradation of the site and its inadequate management. While positive steps have been taken with the adoption of the Presidential Decree (PD) after Greece's condemnation of the Court of Justice of the European Union on 2016, its enforcement is yet to be fulfilled. The strict enforcement of the Presidential Decree and the preparation and implementation of a Management Plan, which also considers the local community's needs and assistance is of utmost importance, has already been delayed by 5 years, with no foreseen timeframe for its preparation and implementation.

### ***REPORTS & COMPLAINT SUBMITTED TO THE BERN CONVENTION***

*Available online at [www.medasset.org](http://www.medasset.org) or [www.coe.int](http://www.coe.int)*

T-PVS/Files (2022)56. MEDASSET. Update Report. Threats to marine turtles in Thines Kiparissias (Greece). 21pp

T-PVS/Files (2021)32. MEDASSET. Update Report. Threats to marine turtles in Thines Kiparissias (Greece). 4pp

T-PVS/Files (2020)56. MEDASSET. Update Report. Threats to Marine Turtles in Thines Kiparissias (Greece). 23pp

T-PVS/Files (2019)28. MEDASSET. Update Report. Development Plans in Kyparissia Bay, Southern Kyparissia (Western Peloponnese, Greece). 15pp

T-PVS/Files (2018) 48. MEDASSET. Update Report. Development Plans in Kyparissia Bay, Southern Kyparissia (Western Peloponnese, Greece). 5pp

T-PVS/Files (2017) 30. MEDASSET. Update Report. Development Plans in Kyparissia Bay, Southern Kyparissia (Western Peloponnese, Greece). 9pp

T-PVS/Files (2016) 34. MEDASSET. Update Report. Development Plans in Kyparissia Bay, Southern Kyparissia (Western Peloponnese, Greece). 12pp

T-PVS/Files (2015) 29. MEDASSET. Development plans in Southern Kyparissia Bay, Southern Kyparissia (NATURA 2000-GR2550005 Western Peloponnese, Greece). 7pp

T-PVS/Files (2014) 48. MEDASSET. Update Report. Development Plans in Kyparissia Bay, Southern Kyparissia (Western Peloponnese, Greece). 8pp

T-PVS/Files (2013) 15. MEDASSET. Update Report on Development Plans in Kyparissia Bay, Southern Kyparissia (Western Peloponnese, Greece). 14pp

T-PVS/Files (2012) 25. MEDASSET. Update Report. Development Plans in Kyparissia Bay, Southern Kyparissia (Western Peloponnese, Greece). 3pp

MEDASSET. 2011. Update Report on Development plans in Kyparissia Bay, S. Kyparissia (W. Peloponnese, Greece). 9pp

MEDASSET. 2010. Complaint to the Bern Convention regarding uncontrolled development in Southern Kyparissia Bay (Greece). Prepared by L. Venizelos. 26pp

## **ANNEX: PHOTOGRAPHS**





**Fig. 1a | Core nesting area, Agiannakis to Elaia, 6<sup>th</sup> of July 2023.** The five illegal roads are not restored yet. Blockades placed by the Ministry of Environment and Energy fail to prevent vehicles accessing the beach, vehicles can easily detour the barriers, as seen in the bottom photo, with a car behind the barriers on the side leading to the beach.



**Fig. 1b | Agiannakis core nesting area, 6<sup>th</sup> July 2023.** Illegal road accessing the beach. Authorities have taken no action to effectively block it.



**Fig. 1c | Vounaki core nesting area, 6<sup>th</sup> July 2023.** Traces (in yellow line) of cars and vehicles driving on the nesting beach. Nests in red circles.





**Fig. 2 | Kalo Nero core nesting area.** No management measures exist to prevent cars and caravans parking in close proximity to the nesting beach. Nests in red circles, caravans and cars behind them.



**Fig. 3 | Core nesting area between Agiannakis and Elaia village, 6<sup>th</sup> July 2023.** Camping directly behind the core nesting area in the protected forestry area and illegal roads. Presence of dogs as well (white circle). No action is taken by the authorities to prevent it.





**Fig. 4 | Top, Vounaki & Bottom Agiannakis core nesting areas, 6<sup>th</sup> July 2023.** Houses constructed on the protected sand dunes, and alien plant species planted around the properties. Signs of heavy vehicle traffic in front of the houses, directly on the beach.



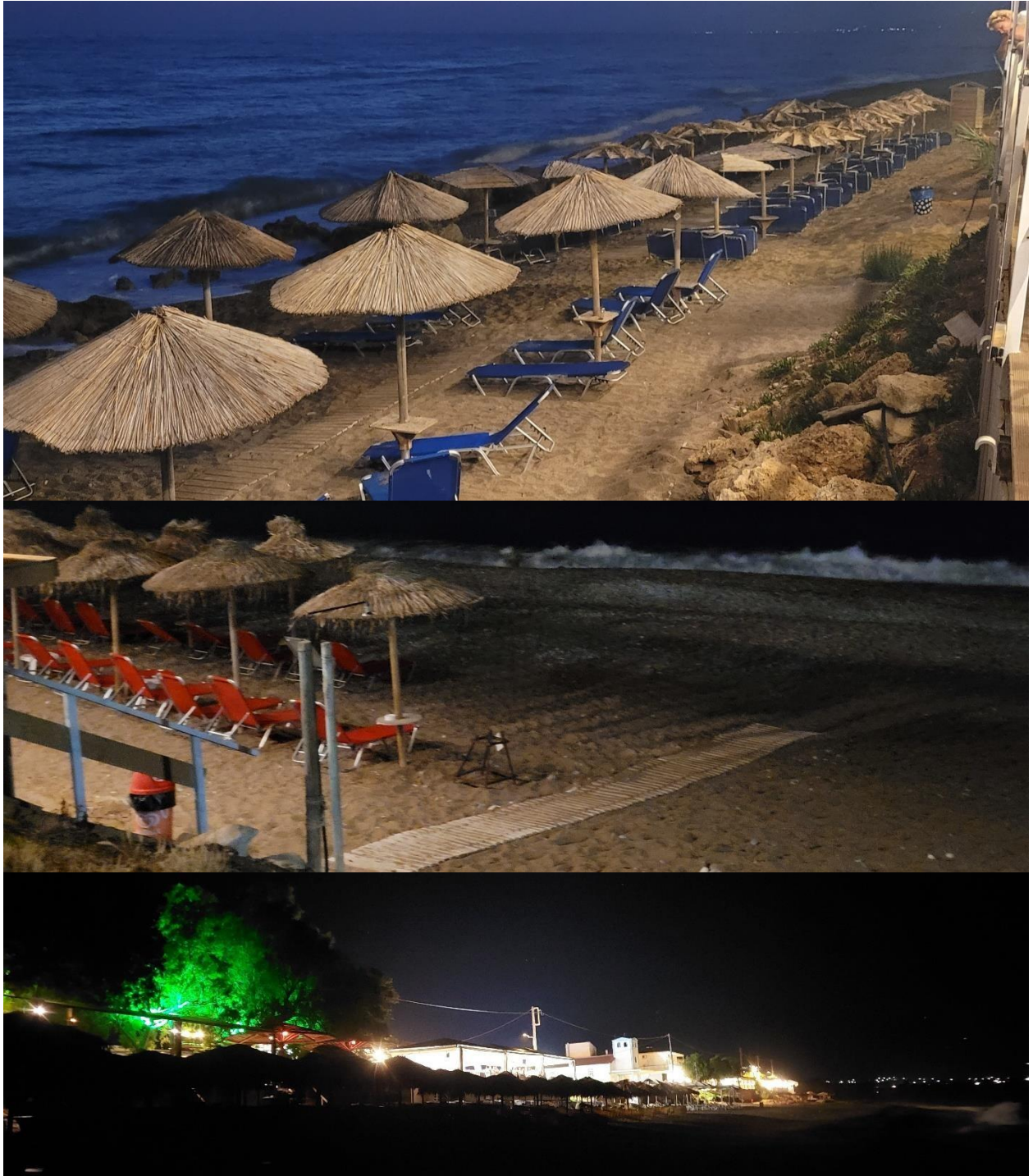
**Fig. 5 | Kalo Nero, 6<sup>th</sup> July 2023.** Cultivation of invasive species *Carpobrotus sp.* encroaching onto the nesting area of the beach from Kalo Nero to Vounaki.



**Fig. 6 | Kalo Nero, 6<sup>th</sup> July 2023.** Cultivation of non-indigenous species *Musa sp.* (red circle) behind a high density nesting area.



**Fig. 7 | Behind the core nesting areas of Vounaki and Agiannaki, 6<sup>th</sup> July 2023.** Sand dune destruction due to agricultural use; ongoing watermelon (above red line) and zucchini (below red line) cultivation.



**Fig. 8 | Kalo Nero core nesting area, 5<sup>th</sup> July 2023.** Light pollution emitted from the beach bars/restaurants, which have illegal constructions/wooden platforms on the beach. Beach furniture not removed during the night, causing obstacles and limiting the availability of nesting space.



**Fig. 9 | Kalo Nero core nesting area 6<sup>th</sup> July 2023.** Illegal wooden walkways placed by local businesses not removed and no enforcement of demolition protocols. Shower (yellow circle) runoff flows on the protected nesting beach, next to a nest. No beach management exists to provide a safe distance between visitors and sea turtle nests (red circles)







**Fig. 10 | Top & Middle, Agiannakis and Bottom Vounaki core nesting areas, 6<sup>th</sup> July 2023.**  
Two newly constructed houses complete in 2021 (red circles).



**Fig. 11 | Kalo Nero core nesting area, 5<sup>th</sup> & 6<sup>th</sup> July 2023.** Top & Middle; 17 Caravans parked during the day and overnight for camping directly behind the core nesting area. Bottom; evidence of bonfires (in yellow – nests in red circles), in close proximity to sea turtle nests.



**Fig. 12 |** Agiannakis core nesting area, 6<sup>th</sup> July 2023. Beach bar under construction and is expected to open in a few days. The beach bar at Elaia is operating since 18<sup>th</sup> of July 2023.





**Fig. 13 | Kalo Nero core nesting area.** A poster calling for horse riding at Elaia nesting beach 5<sup>th</sup> July 2023 (top), picture taken from the official [Instagram](#) account posted 2<sup>nd</sup> of June 2023 and horse droppings at Agiannakis high density nesting beach (down).



**Fig. 14 | Kalo Nero core nesting area.** Fishing activities are considered the highest threat to sea turtles.