

Strasbourg, 24 November 2021
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T-PVS/Files(2021)29

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

41st meeting
Strasbourg, 29 November – 3 December 2021

Possible File: 2019/05

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

- REPORT BY THE GOVERNMENT -

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

-November 2021-

REPUBLIC OF TURKEY

MINISTRY OF AGRICULTURE AND FORESTRY

01.11.2021

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

Background: This complaint was first raised in the summer of 2019. 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 about 180.000 Turkish Liras on the basis of Turkish Environmental Law. (No. 2872) The municipality was also obliged to rehabilitate the area. However, the Municipality refused to pay the fine and appealed to the administrative court. The court made its decision in favor of the sea turtle conservation activities and the municipality rehabilitated the area. After the breeding season of 2021, the Bureau evaluated the complaint in its September meeting. Below the comments made by the Bureau are presented in bold.

“The Bureau thanked both parties for the updated reports. The Bureau noted that following the on-the-spot appraisal (OSA) of a group of scientific experts to assess a second project on coastal development/beach arrangement, the project had been amended to move certain components to more suitable locations. However, the Bureau requested more information on a possible Environmental Impact Assessment to have a better overview of the impact that this project would have in the area.

As it was presented in the previous reports, it is not possible to provide an EIA report, as the national legislation does not require it for small scale projects like this. The extent to which an EIA procedure is required is defined in the Environmental Impact Assessment By-law. However, the Project is evaluated under the Environmental Plan, which involves the conditions of infrastructure in and around Sea Turtle breeding sites.

The Bureau also took note of the complainant information that rubble and soil remain after the rehabilitation works in the Picnic Area in Karaağaç and regretted that authorities did not involve the complainant organisations and other relevant local NGOs in reference to the on-the-spot appraisal visit and the recommendations for the rehabilitation.

The complainant organisations and other relevant local NGOs were informed about the on-the-spot appraisal. Besides, some members of the Sea Turtle Scientific Committee were in the on-the-spot appraisal who have contact with the local NGOs.

The Bureau positively noted the efforts of Turkish national authorities to raise awareness of these local stakeholders and asked to increase the enforcement, as the complainant continues to report violations and lack of enforcement of conservation measures.

The responsible institutions are always in close contact with the local stakeholders and the enforcement is always in place.

Finally, Turkish authorities were invited to share more details on Mersin Metropolitan Municipality’s approval of Anamur Municipality’s request to change the established protection zone, which could enable further construction works within Anamur’s protected area.

According to the Turkish legislation, Mersin Metropolitan Municipality's approval is not required for changing the established protection zone, however, it is not clearly understood by our authorities because there is no demand or any suggestion to change the protection zone. On the contrary, the authorities request to change the place of some of the structures in the Coastal Arrangement Project to be in line with the Environmental Plan.

The Bureau finally thanked both parties for their cooperation on the ongoing marine turtles' conservation initiative, which is in elaboration with the goal of identifying holistic solutions for the long-standing (and any future) marine turtle case-files.

We would gladly be involved in any kind of conservation initiative and any cooperation for marine turtles.

The file remains a possible file. Both parties were invited to present updates to the 41st Standing Committee.

Our request is to dismiss this possible file as all the necessary precautions are taken by our relevant institutions.

Photograph showing the current situation of the beach after removing the soil.



-August 2021-

REPUBLIC OF TURKEY

MINISTRY OF AGRICULTURE AND FORESTRY

06.08.2021

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

Background: This complaint was first raised in the summer of 2019. 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 about 180.000 Turkish Liras on the basis of Turkish Environmental Law. (No. 2872) The municipality was also 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 view of the bilateral interviews between the General Directorate of Nature Conservation and National Parks and the complainant Association, 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 heavy machinery activities. In this respect, a small group meeting was held between the representatives of the Ministry and the members of National Sea Turtle Scientific Committee, which is an advisory body for the Ministry. In this meeting, the commission decided about an on-the-spot investigation, to better see the effects of illegal activity on the beach.

Progress Since the 1st Bureau Meeting

The on-the-spot visit 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. Three members of the Scientific Committee attended on-the-spot visit due to COVID -19 restrictions.

The committee also collected information about the official application of the same Municipality to make a beach arrangement project, which was based on the Beach Arrangement Master Plan, approved by the Ministry of Environment and Urbanization in September 2020.

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. Mamure Castle and Anamurium Antique City located here are first degree natural protected areas. There is also Pullu Forest Camp here. Anamur nesting beach is divided into 4 parts by Sultan Stream (Sultansuyu), Dragon Stream (Kocaçay) and Mamure Castle. In addition, since the Section II is divided further by a concrete pier and two channels, it has been evaluated in 4 subsections. This section and sub-sections show partial differences in terms of both the use of the beach by people and the construction and sand structure. 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) - Ashhan (1st Channel),

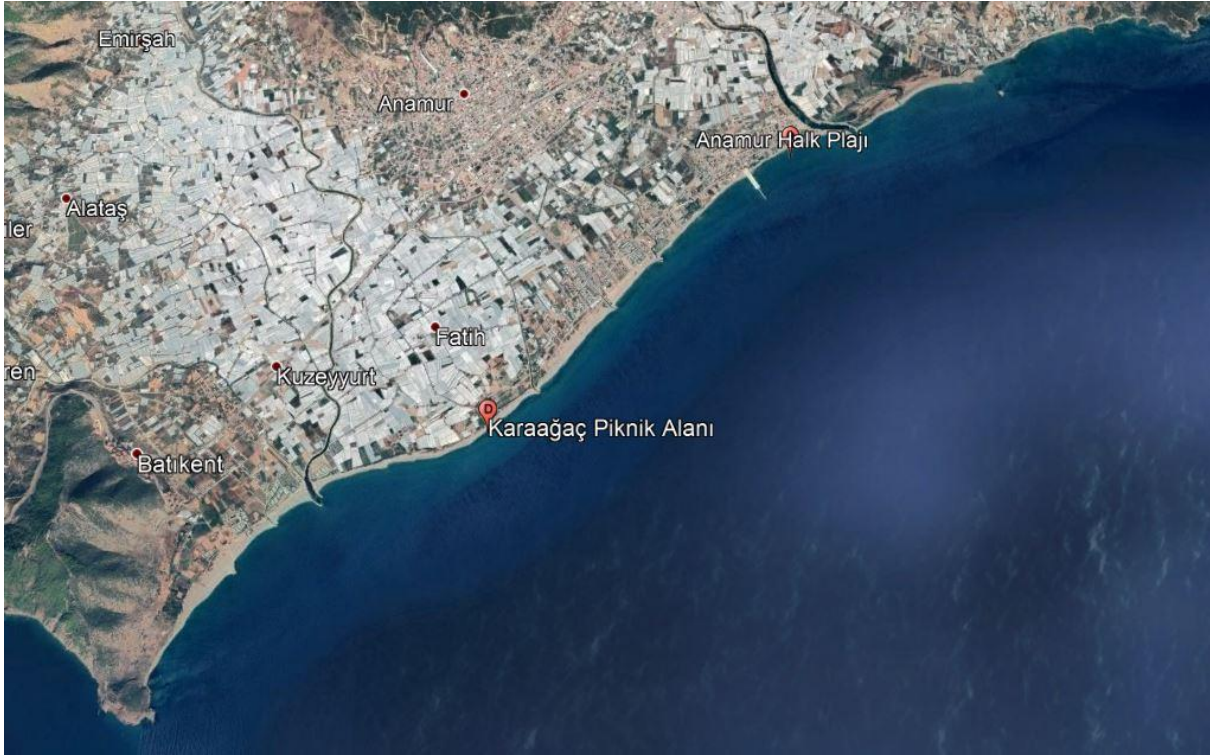
Subsection II: Ashhan (1st Channel) - Taşlık (2nd Channel),

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

Subsection IV: Pier – Dragon Stream Çayı (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. In previous years, soil had been brought to this region 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 is 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;

First Stage of the Project;

Taking into account the vegetation line, the nesting band will be marked with wooden pile systems with the features to be determined by the General Directorate of Nature Conservation and National Parks. Considering that the wooden piled systems should be at a distance of 65 meters from the shoreline, they will be built within the nesting limits determined by previous studies. In this context, taking into account the nesting limits determined by previous studies which were carried out together with the Nature Conservation and National Parks Branch Directorate and sea turtle experts working in the region, starting from 65 meters towards the coastline it will be open to the use of sunbeds and umbrellas that can be used by the public,

Within the scope of the Circular No. 2009/10, no buildings (facilities, buffets, cafeterias, tea houses, etc.) can be built within the first 65 meters of 1st Protection Zone.

It has been determined that the 2nd Protection Zone, at the back of the beach, is far beyond the nesting area of sea turtles and has been destroyed by vehicle traffic, so it has been exposed to various filling and excavation works. For this reason, it has been found appropriate that the beach arrangement works can be arranged as it will contribute to the protection of the nesting band.

The 3-meter wide bicycle path and 4.5-meter wide walking path planned along the south side coastline specified in the project must be moved to the northern region.

All lights in the project area should be planned to face the interior, and red lights should be used so that turtles are not disturbed by the light during nesting and hatching periods.

Tea gardens, cafes, cafeterias, makeshift huts, showers, toilets, etc., within the determined nesting band must be removed and the area must be rehabilitated by removing the landfills. It is necessary to transfer the trees planted in the existing dune and nesting band from the area to a suitable place. Also

the stone wall structure located in the Taşlık region should be removed and restructured in accordance with the natural landscape.

Activities like concerts, festivals, parties, weddings, etc., which may cause discomfort to the turtles are not allowed.

The construction works of the project must be carried out between 15 October and 15 May and the dune fields in the 65-meter 1st Protection Zone must not be damaged under any circumstances.

Information and warning signs about turtles should be placed in appropriate areas in the project beach side entrance areas.

It is recommended that natural plants such as sand lily and oleander that grow naturally on the beach suitable for the natural landscape should be protected and used in landscaping.

Second Stage of the Project;

Taking into account the vegetation line, the nesting band will be marked with wooden pile systems with the features to be determined by the General Directorate of Nature Conservation and National Parks. Considering that the wooden piled systems should be at a distance of 77 meters from the shoreline, they will be built within the nesting limits determined by previous studies. In this context, taking into account the nesting limits determined by previous studies which were carried out together with the Nature Conservation and National Parks Branch Directorate and sea turtle experts working in the region, starting from 65 -77 meters towards the coastline it will be open to the use of sunbeds and umbrellas that can be used by the public,

Since activities such as open sports fields and football fields planned in the project will cause light pollution, they should be removed and replaced with a beach volleyball court.

Within the scope of the Circular No. 2009/10, no buildings (facilities, buffets, cafeterias, tea houses, etc.) can be built within the first 65 meters of 1st Protection Zone.

The 3-meter wide bicycle path and 4.5-meter wide walking path planned along the south side coastline specified in the project must be moved to the northern region.

All lights in the project area should be planned to face the interior, and red lights should be used so that turtles are not disturbed by the light during nesting and hatching periods.

Tea gardens, cafes, cafeterias, makeshift huts, showers, toilets, etc., within the determined nesting band must be removed and the area must be rehabilitated by removing the landfills. It is necessary to transfer the trees planted in the existing dune and nesting band from the area to a suitable place.

Activities like concerts, festivals, parties, weddings, etc., which may cause discomfort to the turtles are not allowed.

The construction works of the project must be carried out between 15 October and 15 May and the dune fields in the 65-meter 1st Protection Zone must not be damaged under any circumstances.

Information and warning signs about turtles should be placed in appropriate areas in the project beach side entrance areas.

Waste water that will originate from the shower cabins specified in the project should be discharged into the sewerage systems of the municipality.

The exhibition and show fair area specified in the project should be shifted towards the land side.

It is recommended that natural plants such as sand lily and oleander that grow naturally on the beach suitable for the natural landscape should be protected and used in landscaping.

C- Ensuring the Sustainability of Sea Turtle Protection and Monitoring Works on Anamur Nesting Beach

In order to prevent the entry of vehicles into the shore, wooden piled systems (12-15 cm in diameter, 1.5 meters in length, impregnated wooden piles buried into sand 70 cm) will be placed at intervals of 5 meters along the beach. The distance between the piles will be decreased to 1.5 meters at the points where there may be a vehicle entrance and these works will be carried out by the Municipality of Anamur.

Any work to be done on sea turtles and nesting areas should be carried out under the coordination of the Ministry of Agriculture and Forestry, General Directorate of Nature Conservation and National Parks, with the opinions of the members of the science commission.

Every year, monitoring studies should be carried out with the contribution of GDNCNP officials and volunteer students or staff from Universities and, if possible, with the participation of Municipality personnel in obtaining nest, trace and hatchling information.

KOMİSYON



Prof. Dr. Remziye Serap ERGENE
Mersin Üniversitesi
Deniz Kaplumbağaları Uygulama ve Araştırma
Merkezi Müdürü



Prof. Dr. Ahmet Erkan KIDEYŞ
Ortadoğu Teknik Üniversitesi
Erdemli Deniz Bilimleri Enstitüsü



Prof. Dr. Yakup KASKA
Pamukkale Üniversitesi
DEKAMER Başkanı



Öğr. Gör. Mahmut ERGENE
Mersin Üniversitesi
Deniz Kaplumbağaları Uygulama ve Araştırma
Merkezi



Adem AĞIR
Mühendis
Tür Koruma Çalışma Grubu Sorumlusu



Mehmet Yüksel ÇEVİRGEN
Orman Mühendisi
Av ve Yaban Hayatı Şube Müdürü



Ömer ARSLAN
Orman Mühendisi
Mersin Şube Müdürü



Mahmut AKAN
Mühendis



Mürsel BULUT
Orman Mühendisi
Anamur DKMP Şefi



Dr. Ayşe DÜRGEN
Veteriner Hekim



Orhan KARAKAYA
Biyolog



Birol BIYIKLI
Şehir Planecisi
Mersin Çevre ve Şehircilik İl Müdürlüğü

Attachment: Signatories to the decisions taken

-March 2021-

REPUBLIC OF TURKEY

MINISTRY OF AGRICULTURE AND FORESTRY

01.03.2021

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

Background: This complaint was first raised in the summer of 2019. 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 about 180.000 Turkish Liras on the basis of Turkish Environmental Law. (No. 2872) The municipality was also obliged to rehabilitate the area. However, the Municipality refused to pay the fine and appealed to the administrative court.

Progress Since the 40th Standing Committee

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. Based on the decision, the rehabilitation of the area will begin in a short time.

In view of the bilateral interviews between the General Directorate of Nature Conservation and National Parks and the complainant Association, 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 heavy machinery activities. In this respect, a small group meeting was held between the representatives of the Ministry and the members of National Sea Turtle Scientific Committee, which is an advisory body for the Ministry (Appendix 1).

In this meeting, the commission decided about an on-the-spot investigation, to better see the effects of illegal activity on the beach. The on-the-spot visit, which was decided to be held at the end of March 2021, will be a key tool to decide upon the road map about how to rehabilitate the area. At least three members of the Scientific Committee will be attending the on-the-spot visit.

Moreover, in this on-the-spot visit, the commission will also collect information about the official application of the same Municipality to make a beach arrangement project, which was presented in the 40th SC meeting that it is based on the Beach Arrangement Master Plan, approved by the Ministry of Environment and Urbanization in September 2020.

As it was explained in the SC, this is a landscape design project and small scale projects like these, are not subject to Environmental Impact Assessment. But rather, they are evaluated by the experts of related institutions. In this regard, the Scientific Committee will decide on the project's details.

There are 21 important sea turtle breeding sites in Turkey, all are listed within the scope of the Circular 2009/10. One of these breeding sites, Anamur beach, starts from the historic town of Anamurium and extends upto the Pullu Forest Camp, covering a total of nearly 13 km in length. The Anamur Beach is managed according to the principals defined in the Circular 2009/10. In this decree, four zones are defined from the sea to the land. These are First Protection Zone, which extends from the coastline to the land for 65 meters, second protection zone, which starts from the end of the first zone and until shore edge line in the land, and there are buffer zone and impact zone.

First protection zone starts from the coastline and reaches upto 65 meters in the direction of the land. In regions where beach is narrower than 65 meters, the zone is upto the shore edge line. In this region;

- a) Only those structures that are allowed in Coastal Law is permitted, if approved by the Sea Turtle Scientific Committee and the related Ministry.
- b) This zone could not be subject to modification through landfilling and desiccation.

- c) Sand extraction and modification of the sand dunes is prohibited. Sand cleaning with heavy vehicles during breeding season is also forbidden.
- d) Access of motorized vehicles is forbidden.
- e) This area will be used for informative signs by the Ministry.
- f) Visitor access during the night and using light is not allowed and will be monitored by administration.
- g) Any other kind of activity is subject to the permission from the Ministry of Agriculture and Forestry.

Second protection zone starts from the end of the first protection zone and reaches upto shore edge line. In this zone,

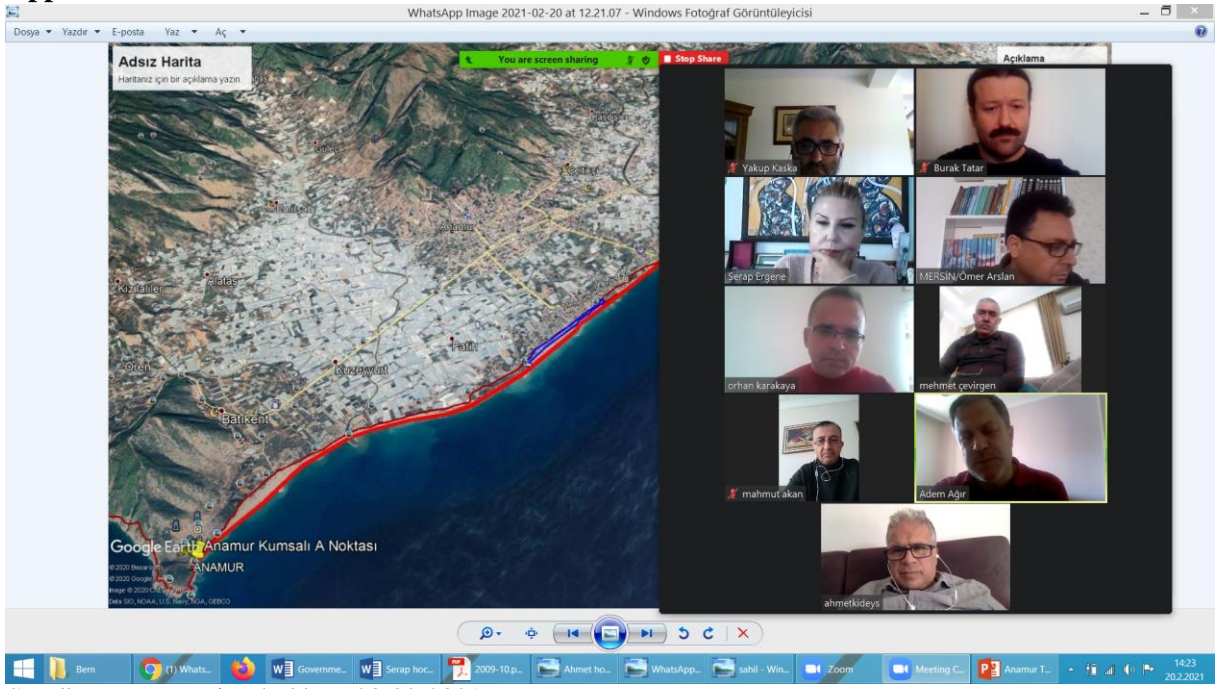
- a) The conditions in the First Zone also applies to this zone only with an exception for temporary structures.
- b) Activities that will be detrimental to the geomorphological structure of the sand dunes or that will be harmful for flora and fauna species are forbidden. Construction of roads, sand removal, modifying the beach morphology and grazing is forbidden in this zone. However, Existing structures before the issueing of this Decree is allowed.
- c) Any other kind of activity is subject to the permission from the Ministry of Agriculture and Forestry.

The aforementioned landscape project falls into the second protection zone. Among the landscape project properties that are planned; there is a bike road and pedestrian road, open sport fields, mini golf and fair fields, pergolas, changing cabins, WCs and showers and temporary structures like these. Besides, all the structures that will be built will have to be in line with the principals defined in the Circular 2009/10.

Conclusion:

This landscape project could only be allowed on the condition that the Circular 2009/10 is obeyed. The Circular 2009/10 mandates that the preapproval of the Ministry of Agriculture and Forestry is taken. Therefore, on-the-spot visit on behalf of the Scientific Committee which will be conducted in March will be an important milestone for this case.

Appendix 1



Small group meeting held on 20.02.2021