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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

34<sup>th</sup> meeting  
Strasbourg, 2-5 December 2014

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**Specific Site - File open**

**Akamas Peninsula  
(Cyprus)**

**REPORT BY THE NGO**

*Document prepared by  
Terra Cypria*



**OCTOBER 2014**

**Report on Akamas and Limni**

**Follow-up Report to the 34<sup>th</sup> meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats.**

by Dr Artemis Yiordamli, Executive Director, **Terra Cypria**,  
supported by **BirdLife Cyprus, The Cyprus Federation of Ecological and Environmental Organisations, Cyprus Wildlife Society and Friends of the Earth Cyprus.**

conservation of the Akamas and Limni areas in Western Cyprus: Threats posed to wildlife by development near or within these areas.

**This report is presented as an update to the reports presented over the past years and as an exposition of recent developments since the proposed SCI/SPA for the area.**

**INTRODUCTION**

This case involves primarily the lack of protection of the Mediterranean sea turtles (*Caretta caretta* and *Chelonia mydas*) that nest on the shores of both Akamas and Limni in western Cyprus, but also the other rare biodiversity of Akamas. Both areas have been designated as SCIs within the Natura 2000 Network (CY4000010 CHERSONISOS AKAMA and CY4000001 PERIOCHI POLIS-GIALIA respectively). Proposals for management plans have been drafted, but not implemented. Recent correspondence between the Environment Department and the Convention Secretariat refers to progress made, but the fact remains that no effective measures are in place on the contrary the conservation of the turtles is more threatened than ever. Also, the last letter of the Environment Department to the Convention Secretariat, dated 16.7.14, states that the designated Natura 2000 for Akamas is sufficient, whereas in fact, a very large area of important habitats and species originally proposed for inclusion, has been excluded for reasons which are not based on ecological criteria. Terra Cypria has supplied full details to the Government in 2012 and 2014.

The threats to Akamas and Limni are evidenced by the following recent facts:

**AKAMAS**

1. According to a recent report by the Auditor General of Cyprus (Sept. 2014, p.2) "Management Plans for Natura 2000 marine and coastal sites have been prepared for all but three sites. In no case has a Management Order been issued according to the law". This means, there is no applied management in place under the provisions of the Cyprus law transposing the Habitats Directive. What is in place today regarding sea turtle protection is the establishment of the Lara/Toxeftra Reserve (Akamas Coastal Area) since 1989 on the basis of the old Fisheries Legislation. It should also be noted however, that other species of fauna and flora remain unprotected, due to lack of management and/or insufficient designation and Terra Cypria has provided fully documented evidence to this effect with maps and photos in 2012-2014.
2. The Management Plan for Akamas is repeatedly announced as imminent but is not publicized and it is widely understood that this is due to external interference by development interests. The preparation of the Akamas Management Plan is essential so as to effectively manage the area and

also to better enforce the existing Lara/Toxeftra regulation mentioned above. Even though the Law is currently in place, its implementation is not fully applied and as a result, sun beds, quad bikes and other four-wheel drive cars are often present at the nesting areas. Moreover, there are concerns that the proposals in the Management Plan might weaken the existing fisheries legislation for turtle protection, in light of the general 'push' for economic development. Therefore, this period is extremely critical for sea turtle protection in Akamas.

3. In addition to the above, according to the report of the Cyprus Auditor General (September 2014 page 2) "The Sea Turtle Protection Plan is implemented by non-government experts. The Fisheries Department should ensure their expertise on this subject will be transferred in stages to the state". And at p. 45 of the report "The possibility should be examined of recording the protection measures and drawing up official action plans for the sea turtles which could include provisions for monitoring the results and periodical review, as needed".
4. In a letter dated 14.2.14, from the Cyprus Ombudsman to Terra Cypria, the Ombudsman concludes that the tolerant policy of various Departments towards violations of the law has nurtured the belief that no serious consequences could occur from damaging the environment. The Ombudsman shares our worries that potential building and noise pollution developments at Akamas may impact negatively on protected species and habitats, and that governmental efforts should focus on prevention measures. The Ombudsman calls on the government to take appropriate measures in line with its EU obligations.
5. The EU Commission is investigating the complaints received concerning the insufficient designation of Akamas and we anticipate that formal notice of insufficient designation will be sent to the Republic of Cyprus.

#### LIMNI

6. The management plan for the (Polis - Gialia) Limni area has been prepared, but so far has no legal status. As far as the project to develop two 32-hole golf courses with a hotel and several hundred villas is concerned, the Government did not follow the original suggestion of the Appropriate Assessment decision (as foreseen by Art. 6 of the Habitats Directive) to secure a 475m distance from the sea free of buildings. Many villas are sited to look directly on to the turtle nesting ground at a very close distance; the sole condition imposed on the developer is to create a barrier of trees, cancelling the original 475 meters buffer zone. Such a barrier will not address the effects of sky glow or human disturbance, or, in many cases direct lighting. A letter by the Department of Environment to the Planning Department dated 8.11.2013 acknowledges the insufficiency of the proposed tree barrier as a means of protecting the conservation status of turtles and considers that the precautionary and protection principles are not being met. It should be noted that the beach which is going to be affected provides 25% of the *Caretta caretta* nesting in Cyprus, viz. around 200-250 nests p.a.
7. In his aforementioned report the Auditor General of the Republic (p.3) outlines the failure of both government and local authorities to protect the country's coastal and marine ecosystems, and makes specific reference to the inappropriate decision taken by the Planning Authority regarding the golf complex at Limni.
8. The European Commission has started infringement proceedings against the Cyprus Government about this matter by sending a Formal Notice letter (11.7 2014).

We, the NGOs mentioned in the title (p.1 of this report), therefore urge this meeting not only to keep the Akamas-Limni file open, but moreover, to call upon the Cyprus Government to comply with the letter and the spirit of its obligations towards protected species.

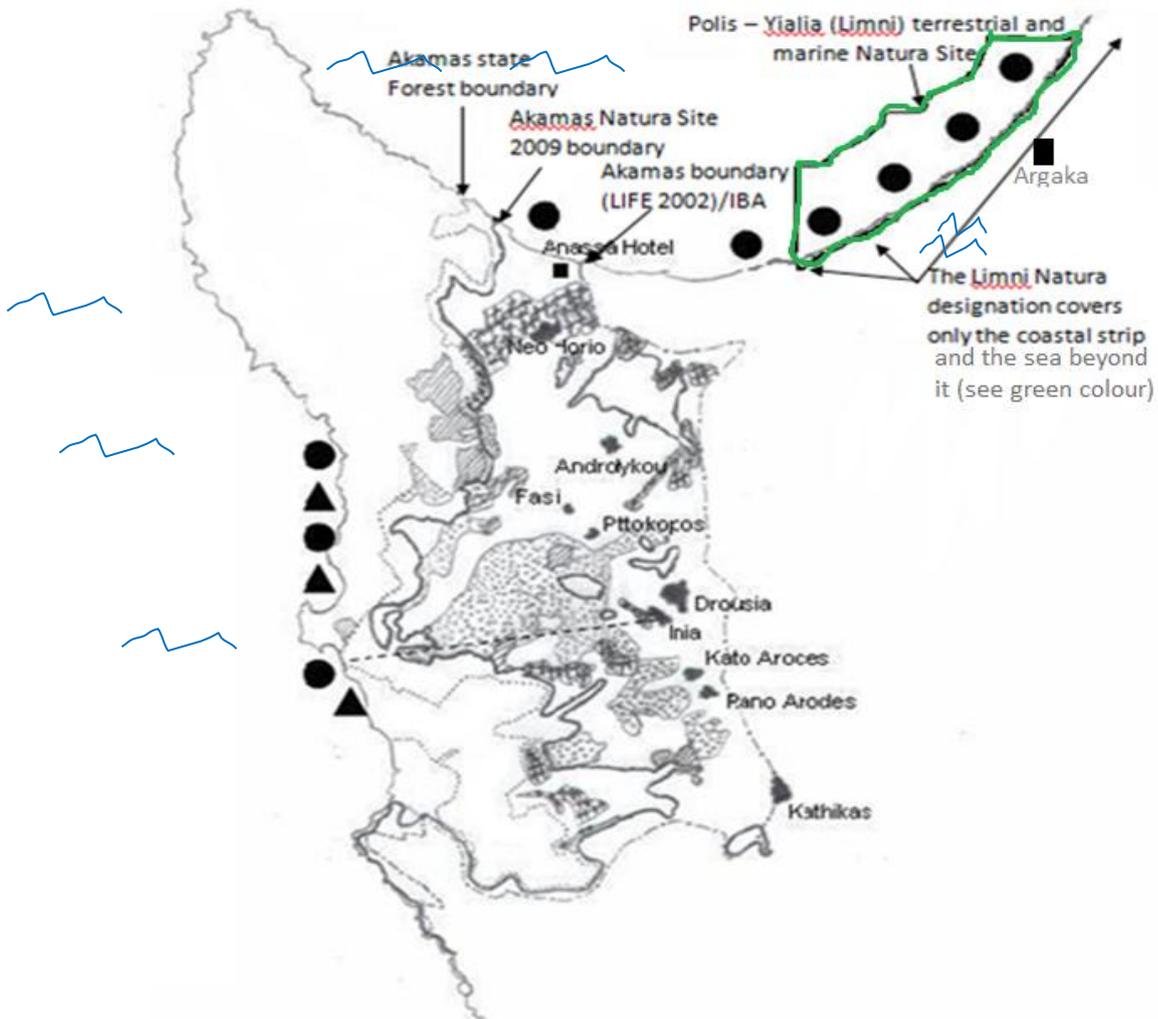
See map attached.

Fleet of Quad Bikes in Akamas



**Annex A**

**Map of Akamas Peninsula and Limni (Cyprus) and proposed Natura sites (Site of Community Interest, SCI, Habitats Directive and Specially Protected Area, SPA, Bird Directive for Akamas also Site of Community Interest, SCI, Habitats Directive for Limni (Polis-Yialia))**





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Οργάνωση Περιβάλλοντος  
και Πολιτισμού

11/11/2014

**Ivana d'Alessandro**

Head of the Biodiversity Unit  
Bern Convention

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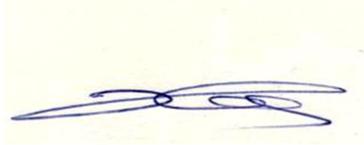
Referring to the above report -document of Terra Cypria, (already submitted to the Committee's attention), we the environmental organization of ' FRIENDS OF AKAMAS' agree with all the aspects of this document.

Furthermore we would also add the following:

As disclosed by the director of the mines department on a conference on the Akamas on 30.8.2014 the government plans to develop limestone rock quarries for breakwater construction near Petratis gorge in the Akamas protected area and is planning to ask for permission for exception from the Commission on grounds of national interest. This apparently has to do with grandiose plans for massive coastal developments that include marinas and artificial islands near the town of Paphos, for which no environmental studies

have been done so far. We and the local inhabitants of Neo Khorio strongly oppose this quarry development. Rock for breakwater construction can be imported if the required quality is not available, or artificial armor units can be constructed if a scheme proves financially and environmentally viable.

We remain at your disposal,

A handwritten signature in blue ink, consisting of several overlapping loops and a central horizontal stroke, set against a light yellow rectangular background.

Christos Theodorou,  
President of the Friends of Akamas



3 April 2014  
140/31/14

Ms Ivana d'Alessandro  
Secretary of the Bern Convention  
Strasbourg

Dear Ivana,

**COMPLAINT NO. 1995/6: CASE-FILE OPEN ON "CYPRUS: AKAMAS PENINSULA"**

Having carefully studied the report by the Cyprus Government to the Bern Convention Secretariat (no. 04.05.003.001.001, 02.15.004.031.001, of 19 March 2014) we have identified several points presented in a way that is contrary to our understanding of the situation. My comments

The **second paragraph** states:

*"The areas proposed as Sites of Community Importance for Akamas and Limni are considered **adequate for the protection of the species and habitats found on site.**"*

Regarding the Akamas Peninsula, as you know, there is a case-file opened by the EU Commission for insufficient designation of the Akamas Peninsula both as a Site of Community Importance, under the 92/43/EEC Habitats Directive, and as a Special Protection Area under the 2009/147/EC Birds Directive. In both cases NGOs, including Terra Cypria, have presented watertight scientific evidence that a huge part of the Akamas Peninsula has been excluded from the Natura 2000 network leaving very important habitats and species unprotected.

Especially regarding the insufficient SCI designation, we have presented evidence to the EU Commission that the most important areas of the priority habitat Pseudo-steppes (code no. 6220\*) are not included in the designated area. Also large areas of Phrygana habitats (code no. 5420) and Thermo Mediterranean scrub (code no. 5330) have not been included in the Natura 2000 network. This is due to political pressures as well as the misinterpretation of the Natura 2000 network by the local communities, who continuously object to the correct designation as identified in the Life scientific study of 2003. This study which was financed by the EU Life instrument identified the areas eligible for designation as Natura 2000 sites.

Regarding Limni, we have long argued that the very narrow terrestrial strip designated as a Natura site does not ensure the protection of the turtle nesting beaches. Unfortunately our concerns proved justified. The final blow came this year when a golf course proposed together with a multi-villa development was licensed to be carried out **within** and **adjacent to** the Natura 2000 area. This decision ignored even the opinion of the Appropriate Assessment carried out under the provisions of Article 6.3 and 6.4 of the Habitats Directive. The opinion required that a zone stretching to 475 metres away from the beach had to remain free of buildings. However this decision was altered several times by the licensing authorities and the whole project was allowed to go ahead more or less in its original, invasive form. The establishment of a tree-planted zone, 20m wide, to protect the beach from photopollution is virtually the only condition imposed, while disregarding the problems of sky glow and noise that human presence will create.

We strongly believe that the insufficient designation of Limni as well as the current approval of the golf course development as it is, has encouraged local land owners in the belief that everything is allowed, so long as it is outside the narrow designated area. This is a clear misinterpretation of the Article 6.3 of the Habitats Directive. If the terrestrial boundaries had been broader than an adequate buffer zone would have been included in the Natura 2000 network, thus the Republic could not have adopted erroneous positions during the licensing of the project.

Moreover, we do not agree with the argument immediately following, on in the same paragraph:

*“No construction of buildings is allowed on the beach and any construction proposed close to the beach undergoes impact assessment as required by EU and national legislation and appropriate measures with regards to lighting and access to the beach are enforced.”*

The Authorities final decision to allow the entire golf course development to proceed together with housing development inside and adjacent to the Natura 2000 site, negates all of the above argument since, by its decision, the Government has chosen to override the Appropriate Assessment thereby failing to protect the most important nesting beaches of the *Caretta caretta* sea turtle in our country.

Secondly, the Government’s line of argument does not follow the spirit of the Directive. The designation is not made simply in order to prevent inappropriate development within the chosen boundaries. The designation is made so as to enable sustainable management of an area. Development may be allowed as long as it does not cause deterioration to the conservation status of the habitats and species protected. In this case, even though no construction is allowed on the beach itself, the decision to allow housing and recreation activities outside, but in close proximity to, the area will be disastrous for the species.

Regarding the **third paragraph**:

*“As we have informed you in the past, a Management Plan for the “Polis-Gialia” Natura 2000 site has been completed and is being implemented.”*

We are well aware that a Management Plan proposal was prepared under two Transition Facility funding schemes, financing the preparation of Management Plans for 21 areas, including Polis Gialia. The proposals in these Management Plans were in general very theoretical and as far as we are aware do not contain serious implementation actions. Article 15 of the Cyprus Law for the Protection of Nature, no. 153(I)/2003, explains in detail what a Management Plan should contain in order to acquire a legal basis. The Proposed Plan for Polis-Gialia does not clearly meet these requirements. In any case we are not aware of any Management Plan, however inadequate, being implemented for the Polis Gialia area according to the provisions of our National Law for protection of Nature.

The **fifth paragraphs** states:

*“Additionally, the Government of Cyprus has designated a wider residential and rural area, around the Akamas Natura site, which will be managed via development regulations and restrictions, to ensure the highest possible protection of the peninsula. A Manager has been hired to manage this area and ensure sustainable development and protection of the environment”.*

This action has been undertaken within the Town Planning framework. It is not in response to the Government’s obligations to provide a management plan in accordance with the Habitats Directive. Consequently its driving philosophy is not based on biodiversity perspective. Moreover, as we understand, the competence of this Plan does not cover the existing Natura site. It extends only to the remaining area of the Peninsula. We could accept this Town Planning initiative as part of what should have been a holistic sustainable management plan or the entire Akamas area, **IF** the boundaries of the Natura 2000 area had been drawn according to the suggestions of the Life 2003 program to cover the whole peninsula. Now we have a very small designated site which, as stated above, has left out areas with very important habitats, and a second area for the rest of the peninsula which is managed within the Town Planning framework and without a conservation agency being directly involved. Thus the failure to designate a sufficient area as a Natura 2000 site has resulted in different

plans being prepared for different parts of the Akamas peninsula without an adequate relation between them.

In the **seven paragraph** it is stated that:

*“According to the management regulations for Lara-Toxeftra Reserve area, as specified in the Fisheries Regulations, the presence of the public on the beaches at night and driving on the beaches is prohibited, inter alia, from the 1<sup>st</sup> of June up to the 30<sup>th</sup> of September. Monitoring of the area is consistent.*

We do not agree that monitoring of the area is consistent. In the past, as far as we know, officials from the Fisheries Department were on patrol duty 24 hours, during the nesting period, to ensure minimum disturbance to the areas. Today this is not happening and we have noticed various disturbances on the nesting beaches ranging from fishing activities to cars been driven in the sand dunes at night.

In the **eight paragraph** it is stated

*“In respect to the potential disturbance of turtle nesting by the Thanos hotel complex, please find attached the data concerning turtle nesting activity on the beach in question (Asprokremmos) from 2003 up to 2013 (Tables & Graphs). The data clearly shows that the nests of the Loggerhead turtles are increasing, while the nesting of Green turtles is consistent.”*

We consider this assertion quite misleading. Sea turtles need 25-30 years to reach sexual maturity in order to reproduce. So, the increased nesting activities recorded nowadays actually reflect the conservation initiatives based on the ecology of the area 25-30 years ago. If those conditions now change and disturbance becomes a fact, we shall not see its effect till several years down the line. In any case having consultant Cypriot sea turtle experts, we were informed that there are only two-three nests right in front of the hotel. The tendency is for nesting to expand west of the hotel, reflecting the general trend in all the beaches of the Akamas peninsula.

Finally regarding the **tenth Paragraph Ten**:

*“Lastly, with regards to your recommendation to adopt an early warning system against illegal damage, we consider the regular monitoring of the sites being implemented at the time is the appropriate and effective way to detect and handle illegal damages. When an illegal act or damage is detected, legal measures are taken against the perpetrator and immediate restoration measures are taken. However, we are open to evaluate any specific recommendations regarding the issue”.*

Over the last years we have had various interventions in both Akamas and Limni during which the Republic failed to deal with them at an early stage and before damage was done. Specifically in 2011 the Community Council of Argaka (one of the villages of the Polis Gialia area) hired a tractor and destroyed a large extent of sand dune in order to create better parking facilities (!) No early warning or response system was in place and reaction happened well after the damage. The situation was repeated in 2012, at the Limni Area, when a private company cut many trees and intervened in the sand dunes that acted as light barriers for the turtle nests. A similar event took place again on the Limni coast in 2013 involving another private company. In all cases there was no surveillance of the coast, so the only reaction left to Government was to take the illegal perpetrators to court after the damage had been done. A very slow process indeed. On the Akamas coast a karaoke bar with blaring music and lighting, was operating next to the nesting area in 2012 and it took months before the bar was closed down.

Regrettably, the Republic does not yet have the necessary set up to deal with biodiversity disturbance and damage. It has neither a team of wardens nor full legal powers. Instead it has to go through a tortuous court process to prevent or demolish illegal constructions. Our Foundation wrote to the Cyprus Ombudsperson expressing these concerns. In her answer of 14.2.14 the Ombudsperson actually agrees with our positions. The letter in Greek, is attached in full. A translation of the concluding paragraph is set out below.

*“Taking into account what I have mentioned above and especially that there is indulgence of those violating the law, leading to the belief that no serious consequences will follow, I share your concerns that the potential for setting up buildings or noisy activities within the sensitive area of Akamas can negatively impact protected species and habitats. Due to the significance of habitats and species [therein] efforts should concentrate on taking precautionary measures to prevent violations.”*

In light of all the above, one can only conclude that the Cyprus Government has not yet either put effective management plans in place for Limni and Akamas, nor, in their absence, has it established early warning systems to prevent habitat and species destruction.

Consequently, both these allegedly protected areas are currently facing very serious threats, much more than in the past, that can directly degrade their conservation status. Development is now on their doorstep within an economic climate that favours ‘big projects’. Thus we kindly ask the Bureau to keep the file open.

Thank you for your attention

Best wishes

Dr Artemis Yiordamli  
Executive Director, Terra Cypria