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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

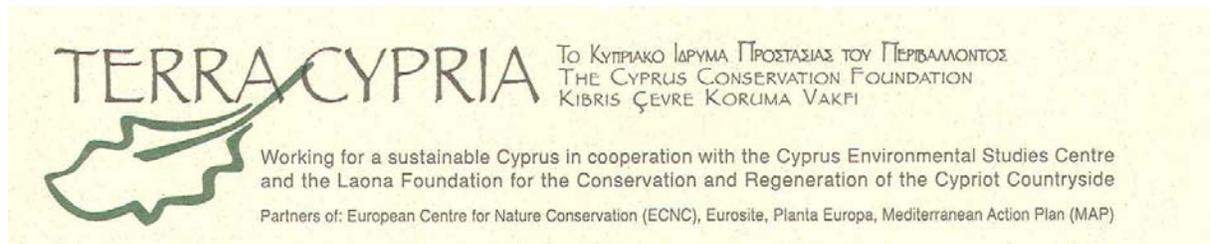
31st meeting
Strasbourg, 29 November – 2 December 2011

Specific Site - File open

**Conservation of the Akamas and Limni areas in
Western Cyprus**

REPORT BY THE NGO

*Document prepared by:
Terra Cypria*



OCTOBER 2011

Report on Akamas

Follow-up Report to the 31st 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

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.

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1. SUMMARY

The relevant case file should remain open as no concrete and/or effective measures have been taken to adequately protect and/or manage the important wildlife of the Akamas Peninsula or Limni, and the current Natura 2000 designations are inadequate.

The Akamas Peninsula in N.W Cyprus is an area of exceptional ecological significance, which is, inter alia, a nesting ground for the endangered green turtle (Chelonia mydas), while the Limni coast further north is an important nesting area for the loggerhead turtle (Caretta caretta). Both sites are in the western part of Cyprus, but separated by a strip of considerable coastal development. Plans for the protection of Akamas have been announced and discussed for years (but not implemented), and finally the status of both Akamas and the Limni coast, were left to be settled within the context of the Natura 2000 network, according to which Cyprus is obliged to designate key sites, as provided for by the EU Habitats (92/43/EEC) and Birds (2009/147/EC) directives. For both Akamas and Limni, the boundaries designated for Natura 2000 do not adequately protect the key species or habitats

*The Standing Committee issued Recommendation no.63/97 inviting the Cyprus Government to grant the Akamas peninsula the status of a **national park**, or similar, and to take appropriate protection measures on a number of issues. Two appraisals on-the-spot were conducted in 1997 and 2002. The second report (Ellul Report) identified that many of the measures proposed by the Cyprus Government for Akamas were **incompatible with sustainable management** and long-term protection.*

*The area designated as an SCI (Site of Community Interest) for Akamas now, and for Limni three years ago, is so limited as to be catastrophic. **The Akamas designation is more limited than any previous government proposal over the last two decades**, and barely extends beyond the (already protected) state forest, thus leaving unprotected large areas of habitats listed in the Habitats Directive and species listed in the Appendices of the Bern Convention. Formal complaints to Government were lodged by leading NGOs, Terra Cypria, BirdLife Cyprus and Friends of Akamas, as part of the complaints procedure envisaged in the Cyprus law. The complaints were rejected and the boundaries were finalised and submitted to the Commission in Feb 2010 after being yet further reduced. Formal complaints followed to DG Environment by various NGOs. Thus the adequacy of the SCI designation under the Habitats Directive is under examination at European level. As far as the SPA designation is concerned, the European Commission has already sent a reasoned opinion to Cyprus concerning inadequate designation of SPAs, including Akamas. Meanwhile, extensive development has been taking place, including the erection of unlicensed, illegal premises, with mostly ineffective and dilatory actions to stop or remove them.*

In Limni (known as the Polis-Yialia site), the management plan, although adopted, has not yet been implemented, and even if it were, the Natura site is so small that it would be of limited benefit to the turtles it is supposed to protect, as there are major developments planned adjacent to the site including what is possibly the largest golf and village complex in the Mediterranean. So far no measures have been imposed on buildings under construction to mitigate the effects of development.

Since Recommendation no.63 has not been observed or put into effect, and the EU Commission is considering the adequacy of these sites, we urge that the file remain open.

2. BACKGROUND

(Longer-standing Committee members who already know this case may wish to proceed directly to part.3 below).

The Akamas Peninsula in north-western Cyprus is an area of 230 km² lying at the meeting point of three continents. Apart from its geological interest and scenic beauty, it provides a habitat for flora and fauna, which is in several cases either endemic rare or protected under the Bern Convention. The area is exceptionally rich in biodiversity and its beaches provide nesting grounds for green and loggerhead turtles (*Chelonia mydas* and *Caretta caretta*). A list of the most important floral and faunal species is attached as Annex 2.

Following a request by the Cyprus Government in 1992, a project was set up by the World Bank's Mediterranean Technical Assistance Programme (METAP), and funded jointly by the World Bank and the EU, to prepare a management plan for the Akamas resulting in the report, usually referred to as the 'World Bank Study', published in 1995. It called for the strict protection of the core area, which includes the coastline and beaches. **The core area (largely corresponding to the state forest and the coastal zone on the west) was to be further protected by creating buffer zones around it, restricted to traditional activities, with little or no development taking place.**

The protective measures proposed by the World Bank Study became the subject of lengthy controversy by landowners and locals; so, despite the support of environmental NGOs, the report has not been implemented. (For the same reason discussions over the Natura designation of the area lasted for years). In the 1990's permission was given for the construction of the Anassa Beach Hotel, a 350-bed luxury tourist complex owned by the family of a former Minister of Foreign Affairs, on land, which the World Bank Study designated for non-intrusive uses. This marked the beginning of incursions into the Akamas on the basis of salami tactics. The hotel has been operational since 1999. The siting of this hotel and its impact on wildlife (and in particular on turtles) have been the subject of our annual reports to this Committee, since 1996 leading to the opening of a file and an on-the-spot appraisal the next year.

In 1997 the Permanent Committee of the Bern Convention through its Recommendation no.63 proposed ten measures to secure the long-term protection of the Akamas and Limni coasts. In view of the slow progress evidenced, and the importance of both sites on a European scale, the file has remained open since then; a further on-the-spot visit was held in 2002 followed by the report of

specialist Anthony Ellul, which was considered by the Standing Committee in 2002. It's proposal have also been disregarded.

3. CURRENT SITUATION

Akamas

The same area has been proposed by the Cyprus Government as an SCI (Site of Community Importance) under the Habitats Directive, and as a SPA (Special Protection Area) under the Birds Directive. As will be seen from the attached map, Annex 1, the area proposed falls well short of the area envisaged by the World Bank Study (1995) or that studied by the EU-LIFE Natura Project (2003) or the IBA Recommendations. From a potential area of 230km²/23.000 ha identified by the World Bank Study, only 10.017 ha have been included in the terrestrial area of the current government proposal, of which over 7.000 ha correspond to the already protected state forest. The planning provisions for the Peninsula, which were announced as part of an earlier Government decision in late 2008 (while the boundaries were still pending), remain in effect and contain many of the contentious issues identified in previous decisions by your Committee. These include:

- The proposed road from Inia village and erection of a community centre on the coast (both criticised in the Ellul report and contravening point 8 of the Committee's Recommendation 63/1997)
- The continuation of the tourist zones on either side of Akamas without a buffer zone (contrary to Recommendation 63/1997 and the Ellul Report).
- Although it is understandable that the decision should provide measures to support the village communities and their economies, the development zones proposed are excessive, thereby limiting the Natura site and degrading the landscape (contrary to the Ellul Report). The original issue of declaring the wider area into a National Park or Biosphere Reserve, which was the aim of the World Bank Study, and of your Recommendation no.63, has been totally ignored.
- **A new and very dangerous development is that the ban on building isolated homesteads in the "area west of the communities", has now been withdrawn, allowing construction of isolated houses in all the natural areas of Akamas. So a policy which has degraded habitats in the rest of rural Cyprus is now extended to the Akamas Peninsula.**

The boundaries proposed exclude large areas of the Akamas of great importance to breeding and migratory birds listed in Annex I of the Birds Directive, and large parts of habitats listed in Annex I of the Habitats Directive. These are mentioned specifically in Annex 2 to this report.

There is little evidence on the ground that development is being 'strictly controlled'. On the contrary development of housing is proceeding rapidly and in places is clearly damaging habitats listed in Annex I of the Habitats Directive such as *Olea-ceratonia* and *Quercus infectoria* woodlands, *Juniperus phoenicea* scrub, *Genista facellata* scrub, *Pinus brutia* forest and *Sarcopeterium spinosum* phrygana. The coastal-strip development between Polis and the Baths of Aphrodite has also dramatically increased the level of human disturbance on *Caretta caretta* breeding beaches outside the Natura site proposal, e.g. Latchi beach and the 1 km long Asprokremmos Beach (where the Anassa Hotel is situated) Under the EU Directives there is nevertheless an obligation to protect these species. Yet no measures have been taken to prevent disturbance from encroachment. Noisy water sports are still taking place. Contrary to point 9 of Rec.63/97, the situation on the beach of the *Anassa Beach Hotel* (sun beds, water sports, mechanical cleaning, photo pollution), has deteriorated further. With the approval of the local authority sun-beds etc. remain on the beach day and night. 'Quad bikes' and sand flattening machines move back and forth on the sand at Latchi, and noisy beach parties are held at night.

Scattered housing development further inland is also impinging on areas of importance to breeding Rollers, *Coraccias garrulus* and Bonelli's eagle, *Hieraetus fasciatus*. Licenced and unlicenced quarrying activities, near the villages Kathikas and Drousia, are damaging *Cupressus* and,

Olea -Ceratonia woodland and causing serious disturbance to an important colony of Egyptian Fruitbat **Roussetus aegyptiacus**.

In light of the above, it is clear that the current proposal is too limited to afford sufficient protection to habitats and species. The reason for this is that, contrary to the requirements of the Habitat and Birds Directives, the boundaries for the area designated as a Natura site have been set less on ecological grounds, and more on socio-economic ones, to satisfy local voters. The Government's insistence on 'providing protection' for a large part of the Peninsula, not through Natura designation, or other international status, but through the national planning zoning scheme, does not satisfy NGOs, because these zones may be changed much more easily under populist pressure. No zoning is yet in place and illegal buildings are already being constructed within the site area, with no serious attempts to prevent them. In any case, designating a small part of the Peninsula (mostly state forest) as a Natura site does not meet the proposals of the Bern Convention's Recommendation no. 63/97 for protection of the area, nor in this case, the Natura 2000 Guidelines concerning sufficiency and non-fragmentation of proposed sites.

THE LIMNI SITE. The area from Yialia to Polis (see map Annex 1), a major nesting site of Loggerhead turtles has been included in the Natura 2000 network (known as the Polis-Yialia site). The area includes a 10 km long beach and the adjacent marine area. However, the terrestrial and marine areas included in the site have been reduced very significantly compared to the original proposals (500m), and the width of the coastal area now is on average about 100m and in some places less. There are still no management measures in place and development in the immediately adjacent area (in some cases 60m from the sea) has proceeded very rapidly on some stretches of the site, with no regulations to guide it in such a way as to minimise impact (e.g. lighting etc). The relevant provisions of the Town and Country Planning legislation included in the Countryside Policy for Polis are evidently receiving little attention, but even if they did, the Countryside Policy for Polis, does not include the Yialia area. Although the Government's 2010 Report states that the area is protected under "several national laws", protective measures are not actually implemented.

Following a tender award by government, a management plan for the Polis-Yialia area (as proposed to the EU as a Natura 2000 site) is now complete and covers the area in its now reduced form (in comparison to the 1998 LIFE Project), while a permit is being considered to develop beyond the site what could be the **biggest golf course and villas complex in the Mediterranean**. Because of this, implementation of the management study, however good, is unlikely to effectively protect turtles either on land or in the sea.

4. ACTION RECOMMENDED

In view of the fact that turtle nesting at Limni, as well as the wildlife and biodiversity of Akamas continue to be under immediate threat, and all indications are that neither at the local, nor at the national level, are effective measures being adopted for conservation and sustainable development in and around Akamas and Limni, we believe that a patently inadequate Natura 2000 designation cannot mark the end of this story. We therefore, urge that the file on this issue remains open, so that monitoring of the situation can continue. At the same time your Committee should recommend to the Cyprus government that:

1. The proposed boundaries for the Limni site (Polis-Yialia Natura SCI site) should be revised to reflect realistically the area needed to provide protection to nesting turtles, and that regulating development in the adjacent area **is urgent**. This revision should be in accordance with the LIFE Project, 1998, *Special Areas of Conservation (Directive 92/43/EEC) in Cyprus* and the Habitat Map it proposed for Polis-Yialia, no. CY4000001.
2. That the boundaries of the Akamas Peninsula site under the Habitats Directive should be revised to include the plateau villages (World Bank study as expressed in the *Local Plan for the broader Akamas Area (1989)* published by Government), while the site under the Birds Directive should be extended to adopt the BirdLife International IBA recommendations for the site. These designations should be followed by stricter control for especially sensitive areas within Akamas, and particular designations, where appropriate, to cover the village areas. (See e.g National Park/Biosphere reserve, etc)

3. That a management plan of Akamas with all necessary measures for monitoring and control of habitats, **including privately owned farmland habitats**, should be elaborated with participation **of all stakeholders**, and implemented without delay.
4. That in so doing, the provisions of the World Bank Study, the provisions of Recommendation 63/97, the Ellul Report and EU guidance for management of Natura 2000 sites should all be taken into account, especially concerning tourist activities on the coast, the proposed road connecting the villages, the proposed road from Inia to the coast, and the community centre on the coast.
5. Immediate and active measures should be taken against illegal constructions and against unsuitable activities on the surrounding beaches (see references to Anassa Beach and new constructions).

Annex 1 see overleaf

Annex 2

Habitats and species insufficiently protected by the Cyprus Government proposal

The following **habitats** have been insufficiently covered by the current pSCI, by excluding from the site boundaries large tracts of private land on which they were situated

- pseudo steppes with grasses and annuals
- *genista fasselata* scrub
- *sarcopoterium spinosum* phryganas
- *Olea* and *Ceratonia* forests

A significant stand of *Quercus infectoria* has been totally excluded.

Species

The following **mammals** are underrepresented and/or insufficiently protected

- *Miniopterus schreibersii*^{1,2} *Myotis emarginatus*^{1,2}
- *Myotis blythii*^{1,2} *Crocidura Cyprica*¹
- *Rousettus aegyptiacus*

The following **reptiles** are underrepresented: *Caretta caretta*^{1,2}, *Chelonia mydas*^{1,2}

The habitat requirements of the following **birds** are not sufficiently covered by the SPA for the Akamas Peninsula:

- *Hieraaetus fasciatus*³ (the unique species of eagle that continues to nest in Cyprus)
- Thirteen species of raptors passing over in large numbers during their migration
- ('bottleneck' migration site)
- *Falco peregrinus*^{1,3}
- *Sylvia melanothorax*^{1,3} (endemic species)
- *Merops apiaster*¹
- *Coracias garrulus*^{1,3}

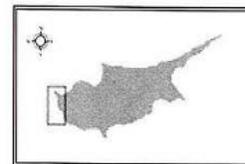
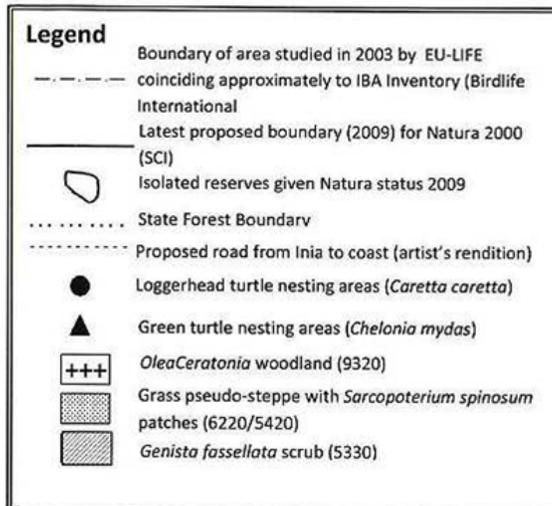
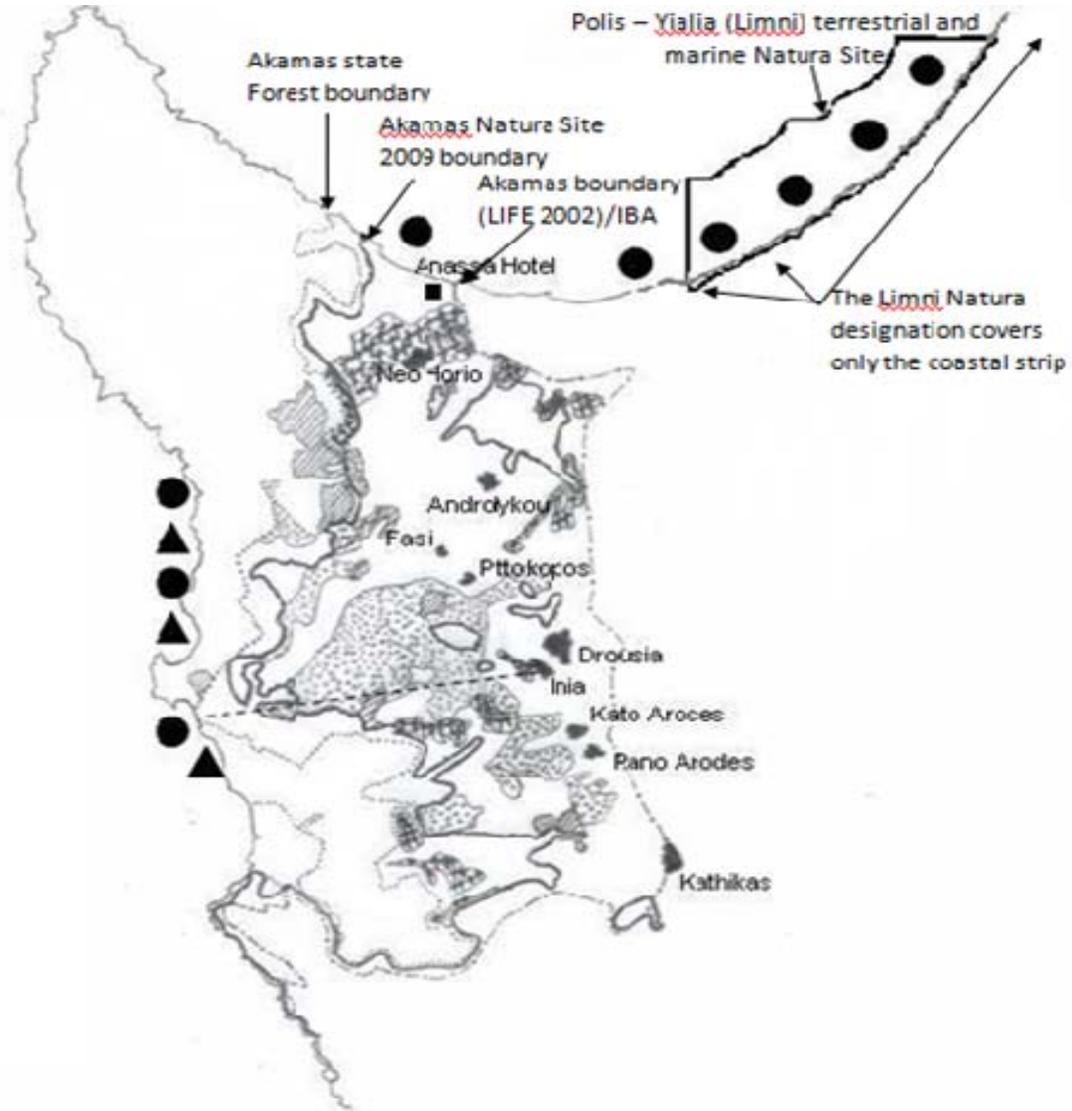
The wider region of the Peninsula is very important for the birds of the island, particularly for the migratory species. A total of 170 species of birds have been recorded and Akamas provides a nesting area for 77 species of Annex I of Directive 2009/147/EU, and also for 99 other migratory and 16 other important species. The region is also a nesting ground for raptor species and maintains important populations of the two endemic bird species *Sylvia melanothorax* and *Oenanthe cyprica*. In 2004 BirdLife Cyprus defined 19 Important Bird Areas (IBA) following the criteria and the well-recognised methodology of BirdLife International.

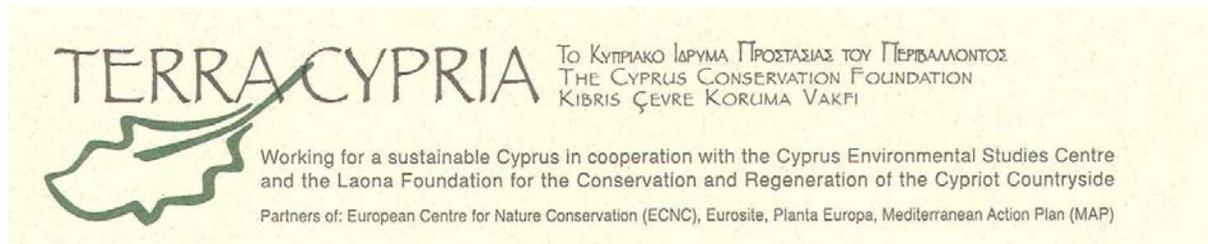
Although the IBA has been recognized by the European Court of Justice as a scientifically sound basis for the determination of SPA boundaries, this has not been followed in the case of Akamas.

- 1: Strictly protected fauna species in Appendix II of the Bern
- 2: Protected under Annex II of the Habitat Directive 92/43/EEC
- 3: Protected under Annex I of the Birds Directive 2009/147/EC

Ccf\Akamas\Akamas 2011\ Akamas Report for Bern Convention 2011 (29 Nov-2 Dec)

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))





NOTE to Bureau

Follow-up Report to the Meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, 9/9/2011

All numbers below refer to the numbering in document T-PVC(2010)25, dated 2.2.2011.

A. Issue 5.6, Illegal Killing of Birds

We congratulate the Secretariat on successful organization of the European Conference on Killing of Birds, which took place in Cyprus 6-8 July 2011 and thank the President and the Swiss delegate for encouraging the issue of the Larnaca Declaration. A very strong point for which we would like to express our appreciation was the balanced treatment of all participants at the meeting. We shall look forward to studying the detailed recommendations of the Conference to be held in Strasbourg on 29 November-2 December. Now that commitment has been made by the Cyprus Government to take action to reduce trapping by 2012 (Cyprus Presidency) and in light of the commitments made also by others, **we ask that this issue should remain on the Agenda.**

B. Issue 6.1 Cyprus: Akamas peninsula

Regarding the SPA proposal for the area, an infringement procedure by the European Commission is in progress. A formal notice letter and a reasoned opinion have been sent to the Republic of Cyprus and answered. It is expected that the issue will be led to the European Court of Justice.

Regarding the inadequacy of the proposed SCI, the European Commission has initiated an infringement procedure by sending the Republic of Cyprus a formal Notice on 19.5.2001. We expect the Republic to give its response to the letter by the end of July.

Taking into account the references by the Cyprus Government at the last Convention meeting to the preparation of a management plan for Akamas, we would ask you to note that the management plan referred to, is not an Environmental Management Plan according to the provisions of the 92/43/EEC Habitats Directive and the corresponding national legislation. The Management Plan referred to deals with Town Planning issues rather than Environmental issues.

Given the above, our Foundation kindly asks the Bureau to keep the file open,

C. Follow-up of previous Recommendations

Recommendation No. 113 (2004) on military antenna in the Sovereign Base Area of Akrotiri (Cyprus)

While it is correct that the SBA has formally designated the wetland as an SPA and intends to designate a SAC, we request that this matter should remain on the Agenda because, for reasons explained below, there are now various threats to wildlife in the SBA area. Whereas the previous concern was for impacts of the mega-antenna on avifauna, there is now a second more serious, threat: the proposed siting of a solar park next to the Ramsar site (which will affect not only birds). The fact that there is no legal requirement in the Bases for the conduct of Strategic Environmental Assessments

adds to our concern. The SEA for renewable energy sources for the Republic of Cyprus, which is under examination, does not cover the SBA in detail, leaving the recently protected areas and the ones to be designated in the near future, partly exposed to development. Additionally our concern has extended to the high turtle mortality rate over the last two years. The turtle survey referred to in the UK delegate's report last year (which was to be completed by end of 2011 is still outstanding and the meeting expected between the Bases and the interested NGOs has not yet taken place.

In light of the above we request that the situation on the SBA remain on the Agenda, and since the discussion now covers several topics you may feel it is worth adjusting the title.

15 July 2011