

Protected Areas and Natural Habitats

"Natura 2000" Network

(a) General. On the basis of article 3 of Council Directive 92/43/EEC a coherent European ecological network of special areas of conservation was set up under the title "Natura 2000". According to this Directive, each member state shall contribute to the creation of the network and to that effect it shall designate sites as special areas of conservation and, on the basis of criteria specified by the Directive, shall propose a list of sites of Community Interest. Within this framework, the Environment Service submitted, at the end of 2006, to the European Commission, a list of 38 proposed areas, which were approved for inclusion in "Natura 2000" in March 2008.

(b) Inclusion of the Akamas peninsula in the Network. The Council of Ministers approved on 21.12.2005, the provisions of the Management Scheme for the Akamas peninsula, the objective of which is the protection and management of the area. Also, the Council approved on 4.10.2007, the establishment of the Management Committee, which will be responsible for the supervision of the implementation of the Management Scheme and the related projects.

We pointed out that, as stated in the letter of the Council of Europe, dated 2.10.2007, the Standing Committee of the Bern Convention, according to which all member states are obliged to protect the population of wild flora and fauna and to give special attention to vulnerable species and species under the threat of extinction, during its meeting held between 27-30.11.2006, has called the Republic of Cyprus to fully adopt Recommendation No. 63(1997),

for the protection of the Akamas peninsula and especially of the coasts where two protected species of tortoise met in Cyprus breed. The Office of the Bern Convention asked for further information about the declaration of part of the Akamas peninsula as a national forest and the measures taken for the protection of the flora and fauna of the area.

Also, Directive 79/409, on the conservation of wild birds, requires member states to take measures for the conservation of the habitat of wild birds and classify the most suitable territories in number and size as special protection areas for the conservation of these species, within the geographical sea and land area where the aforesaid Directive applies. The Commission of the European Communities issued, on 29.11.2007, a letter of formal notice in which it is stated that the Republic of Cyprus has failed to specify as Special Protection Areas the most suitable territories, in number and size, for the protection of the species which are referred to in Directive 79/409, thus violating its obligations according to article 4 of the Directive in question, while some of the omissions referred to in the above letter, are attributed to the non-declaration of the Akamas peninsula as a Special Protection Area.

It is our understanding that, the inclusion of at least part of the Akamas peninsula in the "Natura 2000" network is faced with opposition from the affected Communities and land owners, concerning the demarcation of the area which will eventually be included. The delay which is observed in the demarcation of the area that will be included in the Network makes the implementation of the Management Scheme of the area, which was approved by the Council of Ministers in 2005, impossible.

(c) Applications for the development of golf courses. During the preliminary examination of the applications for the issue of a licence for the development of golf courses by the Department of Water Development, it was ascertained that, at least in three cases, part of the land proposed for development is part of the "Natura 2000" Network, a fact specifically prohibited by the relevant decision of the Council of Ministers. We drew the attention of the Service to this fact, since the aforesaid applications, following the completion of their examination by the Department of Water Development, will be submitted to the Environment Service for views and comments.

(d) Protection of the Cyprus water snake. As it was stated in our previous year's Report, following a charge filed against the Republic of Cyprus, the Commission of the European Communities issued, on 21.3.2007, a letter of formal notice for the non-compliance with Directive 92/43, on the conservation of the natural habitats and of wild fauna and flora, concerning the conservation and protection of the endemic Cyprus water snake (*Natrix natrix cypriaca*). According to the above letter, the Cyprus Authorities had not included the area of the Paralimni lake in the national list of the proposed sites of community interest and permit activities which are harmful for the species and destroy its habitat in this area, as well as in the Xyliatos dam.

In the reply given by the Republic of Cyprus, it is stated, inter alia, that all the necessary arrangements are planned to be completed by the end of 2007, so that the Paralimni lake area is proposed for inclusion in the "Natura 2000". Subsequently, the European Commission, having taken into consideration the above reply of Cyprus, issued a reasoned opinion on 5.6.2008, according to article 296 of the Treaty establishing the European Community, due to the

violation of Directive 92/43, for the reasons stated above and requested the Republic of Cyprus to take the required measures for compliance, within two months.

As it was ascertained, the necessary arrangements have not yet been completed, for the inclusion of the Paralimni lake area in the Network, due to the reactions of the owners of land in this area. The delay in the inclusion of this area may result in the referral of the Republic of Cyprus to the Court of Justice of the European Communities, possibly resulting in the imposition of a financial penalty.

(e) Financing of the Network. Cyprus has secured the approval of the European Commission, for financing of €900.000, out of the Transition Facility for 2004, to be used for the preparation of management schemes for eight areas of the Network and €600.000 for the preparation of management schemes for another 13 areas, out of the Transition Facility for 2006. Also, the European Commission approved, on 30.7.2004, the co-financing, with the amount of £1.530.766, representing about the 60% of the total cost of about £2,6 million, through the European programme LIFE, of the preparation of pilot management practices in five areas of the Network.

(i) Absorption of funds which were secured from the Transition Facility 2004. Despite the fact that the approval for the financing of the preparation of the management schemes has been secured, as stated above, for the eight areas of the Network, for the total amount of €900.000, it was observed that the total value of contracts signed, with significant delay, only amounts to €498.061, plus VAT. The actual expenses incurred by 31.12.2007 amounted to €202.102 including VAT,

while during 2008 the remaining expenditure was incurred and the relevant funds absorbed from the European Union.

(ii) Absorption of funds which were secured from the Transitional Facility for 2006. The approval for the financing of the preparation of schemes for another 13 areas of the Network from the Transition Facility for 2006, was secured for the amount of €600.000. As it is stated in the relevant decision of the European Commission of 1.8.2007, as amended on 24.7.2007, the final date for signing the relevant contracts was 15.12.2008 and the last date for their execution was 15.12.2009. The invitation for tenders for the preparation of the management schemes was published on 28.12.2007, and on 12.5.2008 the Tender Board of the Ministry decided on the award of the tenders relating to the preparation of the management schemes for eight areas, while for the schemes for the remaining five areas new tenders were invited.

We pointed out that, due to the delay which was observed in the invitation and award of the above tenders, the time limits for the execution of the projects are limited and measures should be taken, so that these are completed on time, for the purposes of the absorption of the funds from the European Union.

(iii) Absorption of funds through the LIFE programme. For the implementation of this project, agreements were signed between the Environment Service and the Departments of Fisheries and Marine Research, and Forests and the Game Fund, as associates, as well as with four private organisations, which undertook the preparation of management schemes, various actions, and, inter alia, the monitoring of

the project, the collection of the necessary data and the preparation of the financial reports for submission to the European Commission.

In the relevant proposal, the date of completion of the project is specified as 30.4.2008. The Service requested of the European Commission, on 31.1.2008, the extension of the programme for a period of nine months, that is, until 31.10.2008, as well as a partial reallocation of the total amount to the individual actions of the programme, requests which were approved on 25.4.2008.

Interventions to the sea area of Limassol. DG Environment informed the Permanent Representative of Cyprus in the European Union, with its letter dated 27.8.2007, that the European Commission has filed a report against the Republic, relating to the partial violation of the community environmental legislation at the Limassol area. In this letter, mention was made, inter alia, to the abandonment at the entrance of the port of a shipwreck, containing a load of asbestos and, consequently, any work for the final disposal of the load should be made in such a way, so that the pollution of the area is avoided.

Due to the absence of the necessary know-how and expertise, arrangements are being made by the Cyprus Ports Authority for the appointment of special consultants, for the settlement of the matter.