

Protected Areas and Natural Habitats

"Natura 2000" Network

(a) Network creation. 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 (SACs) and, on the basis of criteria specified by the Directive, shall propose a list of sites of Community Interest (SCIs). Within this framework, the Environment Service submitted to the European Commission, at the end of 2006, a list of 38 proposed areas, which were approved for inclusion in "Natura 2000" in March 2008.

Upon evaluation of the aforementioned list, the Commission ascertained that it did not sufficiently represent all relevant habitats and species, therefore the suggested areas needed to be modified and extended, and new areas added. The major weaknesses arose from the non-inclusion in the Network of the areas of the Akamas Peninsula, the Paralimni lake, the Oroklini lake and the Kato Paphos Lighthouse.

Based on the above, the Minister of Agriculture, Natural Resources and Environment (MANRE), with notifications published in the Official Government Gazette on 16.1.2009, 6.3.2009 and 30.4.2009, declared the largest part of the Paralimni lake area and the areas of Kato Paphos Lighthouse and Oroklini lake, respectively, as SCIs. The boundaries of the areas in question were finalised by the responsible scientific committee and were proposed to the

Commission for inclusion in the Network on 23.12.2009. As far as the Akamas peninsula is concerned, the Minister, with a publication in the Official Government Gazette on 17.7.2009, announced the classification of part of the peninsula as an SCI and following the examination of the appeals submitted, the area was proposed to the Commission for inclusion in the Network. The Minister of Interior, with a publication in the Official Government Gazette on 10.12.2009, defined part of the Akamas area as a SAC. Following this, the Minister of Agriculture, with a notification dated 30.3.2010, published the position and extent of the part of the area proposed as an SCI, in the Official Government Gazette. As we have been informed by the Permanent Secretary of the Ministry of Agriculture, Natural Resources and Environment (MANRE), the borders of the area of the Akamas peninsula that the Republic of Cyprus suggested for inclusion in the Network were sent to the European Commission on 26.3.2010.

(b) Protection of the Cyprus water snake in the Paralimni lake area.

The European Commission, with its letter dated 18.12.2009, expressed deep concern about the threats facing the Cyprus endemic water snake *natrix natrix cyprica* in the Paralimni lake, and on the 29.6.2010 initiated legal proceedings at the European Court of Justice against the Republic of Cyprus. According to the case filed with the Court, the Commission poses three arguments:

- (i) Omitting to include the entire Paralimni lake in the national list of proposed SCIs constitutes violation of article 4(1) of Directive 92/34.
- (ii) The Republic of Cyprus violates its obligations under the aforementioned Directive by tolerating activities (building construction, land division,

motorcycle racing) that place the ecological characteristics of the Paralimni lake in serious danger and not taking all the necessary protection measures so as to safeguard the population of the matrix matrix cypriaca.

- (iii) The lack of necessary measures so as to establish and implement a strict protection regime for the above species also violates the obligations of the Republic under article 12(1) of the said Directive.

The Department prepared a response memorandum which was sent on 17.8.2010 to the Attorney General for further action.

The Permanent Secretary of MANRE informed us that the Famagusta District Office, in collaboration with the Department of Environment, has proceeded to remove garbage from the lake, while the illegal buildings will be brought down and three out of four entrances to the lake will be closed so as to minimize disruption to the water snake.

(c) Oroklini lake. Letter of formal notice / Case no. 2008/4971. The European Commission, with the letter of formal notice dated 5.5.2010, highlighted the implementation of Directive 92/43 with regard to the Oroklini water habitat, making reference to a violation concerning lack of appropriate environmental impact assessment and the degrading and destruction of part of the habitat, as well as harassment of protected species, due to the construction and operation of various activities (gas station, open air market, parking space and embankments and road construction in the northeast of the habitat). We asked the Department to inform us of any actions it has taken to rectify the above.

The Permanent Secretary of MANRE informed us that legal measures have been taken in order to move the open air market, and following this the site will be reconstructed and the Game Fund will take protection measures. She also noted that the Republic of Cyprus disagrees with the opinion of the European Commission that the gas station causes problems to the habitat, and that the effects of the planned road construction will be examined according to the legal framework.

(d) Management of the Network. According to the legislation in force, the Department of Environment is responsible for the management of SCIs, while the Game Fund is responsible for SACs. For the implementation of the provisions of the relevant EU Directives on SCIs and SACs, the Department of Environment has prepared management plans for 25 regions of the Network. We asked to be informed on whether the management plans that have been completed have been implemented.

The Permanent Secretary of MANRE informed us that the management plans and the suggestions of the consultants that prepared them will constitute the base for the issue, by the Minister of Agriculture, Natural Resources and Environment, of relevant decrees for nature management and protection. Based on the relevant decrees, Management Bodies will be set up for each region, and approval of the relevant funds will be sought in the Departmental Budget in order to implement the actions aiming to protect the species and habitats of each area.

(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 plans for eight areas

of the Network and €600,000 for the preparation of management plans for another 13 areas, out of the Transition Facility for 2006. The management plans for all 21 areas have been completed. The European Commission approved, on 30.7.2004, the co-financing, with the amount of €2,615,470, representing about the 60% of the total cost of about €4.5 million, through the European programme LIFE, of the preparation of pilot management practices in five areas of the Network, which were completed in 2010. The European Commission also approved the co-financing of the establishment of a plant micro-reserve network for the conservation of priority species and habitats, and the improvement of the conservation of fauna species in Cyprus, under the LIFE+ programme. Additionally, the co-financed programme LIFE for the improvement of the state of fauna species in Cyprus has been approved by the European Commission and is being implemented, with a total budget of €1,241,007.

(f) Applications for the development of golf courses. As is mentioned in our 2008 Report, the Department of Environment, during the preliminary examination of the environmental impact assessments relating to applications for the licence issue for the development of golf courses, ascertained that, in three cases, part of the land proposed for development is part of the “Natura 2000” Network, and since this is specifically prohibited by the relevant decision of the Council of Ministers, the applicants were asked to remove the areas in question from their applications. In one of these cases, the applicant removed the area listed as part of the Natura Network from the plans and the Department of Environment proceeded to examine the environmental impact assessment, issuing a positive opinion for the project on 5.3.2010. In the

second case the applicant submitted a revised plan in which it is evident that the only intervention in the Natura 2000 area is the placement of pipes for the transfer of water to and from the desalination plant, and the competent Ministerial Committee is expected to decide on the issue. Regarding the third case, which falls entirely in a Natura 2000 area, the Permanent Secretary of MANRE informed us that, according to a relevant opinion issued by the Law Office, the Department of Environment, being the Environmental Authority, should examine the application and issue an opinion.

(g) Waste disposal in the salt lakes of Larnaca, following the chemical cleaning of air-conditioning system pipes of the new airport. In violation of the Laws of 2002-2008 on Water Pollution Control, the company that undertook the chemical cleaning of the air-conditioning system of the new Larnaca airport, disposed of waste matter originating from the chemical cleaning of the pipes of above system, at the Salt Lake area, which, due to its importance as a water habitat, was included in the Natura 200 Network. The case was brought before the Attorney General on 17.6.2009, with the suggestion to take legal measures against the managing company of the new airport and the company in charge of the chemical cleaning of the air-conditioning system. A case was filed with the Court on 14.10.2009, the proceedings for which are still pending.

(h) Illegal camping site at the southern Larnaca salt lakes.

The Department has repeatedly put forward to the Larnaca District Officer and the Larnaca Municipality the need to immediately terminate the illegal construction of sheds and other temporary housing structures at the southern Larnaca salt lakes, yet no measures have yet been taken by the above

Authorities. We noted that the area is part of the Natura 2000 Network and Cyprus is committed before the EU to take measures for its protection.

The Permanent Secretary of MANRE informed us that during the last meeting of the Committee for the Protection and Management of the Larnaca salt lakes, a representative of the Larnaca Municipality mentioned that a list has been compiled of all illegal sheds and caravans, and a plan is being drawn up for the management of the site. She also noted that, following a Ministerial Decision, the area was given for the creation of a camping site.

(i) Report to the European Commission for the conservation status of species and habitats.

The European Commission, with its letter dated 16.4.2010, drew attention to the implementation, by the Republic of Cyprus, of article 17 of Directive 92/43/EEC, as regards the preparation of a report on the implementation of conservation measures and the evaluation of the impact of those measures on the conservation status of the natural habitat types mentioned in the Directive. As it transpires from a previous report submitted on 20.12.2007, for a large percentage (47%) of species and habitats, there was no available information as to their conservation status. Given that a mapping guide has recently been prepared, we asked the Department of Environment to inform us whether it has proceeded with the mapping of natural habitat types based on the Directive, so as to comply with its provisions.

The Permanent Secretary of MANRE informed us that the Department of Environment, in cooperation with other Departments responsible, has intensified its efforts in order to fully comply with the Directive, including the

preparation of a Recognition and Mapping Guide for Habitats of Annex I of Directive 92/43/EEC, which is now being finalised.