

Marine Turtle Conservation in the Mediterranean

UPDATE REPORT ON MARINE TURTLE CONSERVATION IN ZAKYNTHOS (LAGANAS BAY), GREECE

Report to the 22nd Meeting of the Standing Committee of the Convention on the
Conservation of European Wildlife and Natural Habitats (Bern Convention)

Prepared by
MEDASSET

The Mediterranean Association to Save the Sea Turtles

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INTRODUCTION

In 1985, the founder of MEDASSET (The Mediterranean Association to Save the Sea Turtle) commenced drawing the attention of the Standing Committee to the Bern Convention to the plight of the sea turtles on their significant nesting beaches in Zakynthos. The initiative was taken over and carried on after 1988 by the newly formed MEDASSET, with yearly reports and recommendations, exerting pressure for change regarding the Zakynthos turtle nesting areas in Laganas Bay.

In 1994, MEDASSET made a formal complaint to the European Union; case No. 4/4667SG(94)A/15702 against the Greek Government for its failure to apply National and International Law and Bern Convention Recommendations, concerning the preservation of sea turtles on Zakynthos. In particular the Council Directive 92/43/EEC 21st May 1992, on the Conservation of European Wildlife & Natural Habitats of which the European Community is a party. We have renewed the complaint each year.

The annual complaints to the EC finally proved effective in 1998. The complaint to the EC had been put in abeyance in 1997. Then MEDASSET appealed to the EC Ombudsman, this eventually led to an "on the spot appraisal" by the DG XI, whose representative at the 18th Bern meeting announced the commencement of infringement procedures.

Year 2000 was the first time in 14 years Laganas Bay was not discussed at Strasbourg. The file was closed in 1999 subsequent to the EC initiative to take the Greek Government to the European Court of Justice for non-implementation of conservation legislation and EC Directives in Laganas Bay. The Presidential Decree providing the constitution for the Zakynthos National Marine Park (ZNMP) in Laganas Bay was signed immediately after the EC announced its action in December 1999.

In this ground-breaking move by the EC, the European Court of Justice considered the case on 12th July 2001. This was the first time that such action had been undertaken by the EC on behalf of the endangered sea turtles, and a significant step forward.

The Court came to its decision after taking into consideration a report presented by the Greek Government, which stated, that they simply did not have enough time to fully implement their commitment. The Court also took under consideration reports from involved NGOs, like MEDASSET, ARCHELON and WWF Greece.

Greece was asked to prove its concern for the protection of the sea turtles by deeds, through the implementation of the EC Environmental Directive and its own Presidential Decree.

An incorrect statement derived from a 20th July 2001 press conference for the Greek and German Press, held on the Island of Zakynthos by a representative of the Greek Ministry of the Environment and the Chairman of the ZNMP Management Agency, Prof. Pandis, at which MEDASSET was present, was that "After the hearing of the European Court of Justice on 12th July 2001, a five-month probationary period was allowed for Greece to fully implement conservation measures for the protection of the loggerhead sea turtle on Zakynthos". This

statement was widely reported in the Greek and international Press and included in our yearly update on Zakynthos prepared for the Bern Convention Standing Committee in September 2001. In actual fact, in November 2001 the Court website revealed that "M. Philippe Leger, Prosecutor to the European Court of Justice had agreed with the European Commission that Greece failed to ensure sufficient protection for Mediterranean sea turtles breeding on the island of Zakynthos up to 1999 and dismissed the government's counter arguments". Decision on this matter was referred to a panel of Judges meeting in December 2001.

The Greek State was under enormous pressure to implement the decision of the Court by the end of the sea turtle season, October 2001. As a result of all this, Summer 2001 on Zakynthos was more a political power game than a serious conservation exercise.

The Prime Minister of Greece and his Deputy Environment Minister being pro-active, the local member of Parliament (of the Prime Minister's Party), a vocal and almost hysterical opponent of the steps being taken, and the Minister of the Environment remaining on the sidelines. Much jockeying for positions of power within the Park Administrative Structure, who would be a member of the Park Agency and who would be left out?

Meanwhile the local Daphne land owners and businessmen (The thorn in the side of the Park) withheld their agreement to anything, waiting for the government to abandon its attempt to convince them that as a result of the establishment of the Park EU projects money would rain on them like Manna from Heaven, and start making compensation payments from the EU funds already stated by EC Commissioner Margot Wallstrom to be available for just that purpose. In some cases, no doubt, compensating them for the loss of profits gained from illegal activities.

The Cadastral plan essential to the delineation of the high water mark, and of who owns what within the boundaries of the Park made a much heralded start, and then foundered from lack of the necessary funds. Local guards recruited by the Management Agency, having no legal powers, could only stand by and watch the illegal actions of their fellow citizens.

In a statement, the Head of the National Land Agency Office in Zakynthos condemned the situation regarding beach furniture, stated that daily she receives a torrent of complaints from Greek and foreign visitors alike, that they cannot bathe on the beaches because all readily available space had been taken over by the commercial operators.

It was no surprise that at the International Environmental Film Festival organised by the ZNMP Management Agency in order to sensitise locals and visitors to the aims of the Park, 8-9th September 2001, more interest was shown in who attended and who boycotted the event, than in the proceedings. The Festival is intended to be an annual event, independently financed and managed.

After a meeting in December 2001 with EC Commissioner for the Environment Mrs Margot Wallstrom, Ms Vasso Papandreou, Greek Minister for the Environment, held a press conference at which she reported to have promised the Commissioner that within six months Greece would be in full compliance with the relevant EC Directive in the case of Zakynthos!

Zakynthos National Marine Park (ZNMP) from 15-09-2001

This year proved to be a year of high hopes and disappointment! Changes to the leadership of the Environment Ministry, coupled with intense pressure from the EC brought a crop of positive statements assuring everyone that resolution of all the problems was imminent. Sadly these statements again proved to be mere political oratory.

- On the 31st of January 2002, the European Court of Justice delivered its judgment, declaring that Greece had failed to fulfill its obligations under Article 12(1)(b) and (d) of Directive 92/43/EEC. The Court stipulated that by not implementing the required measures, the Hellenic Republic had failed to fulfill its obligations under Article 12 of the Directive, and was therefore ordered to take the necessary measures to comply with the judgment and to pay the court costs.
- An act of arson with 4 outbreaks of fire at different locations in the Park area on the 11th October 2001 destroyed about 1,800 stremma. The car of the ZNMP Coordinator was

vandalised the same night. Following the fires, the Athens Agricultural University immediately set up a station for the control of soil erosion in the burned area, commissioned by WWF.

- Vandalism against the WWF Greece shelter, in November 2001, included gunshots and the destruction of valuable research equipment.
- Gunshots totally destroyed the automatic erosion recording station of the University, valued at 10,270 Euro, in February 2002, bringing the research to an end, and making the research staff unwilling to return to the island. Also, once again, the wooden door of the nearby WWF post was broken open and destroyed. Contrary to explicit national law forbidding grazing in any area destroyed by fire, sheep and goats illegally graze on the burnt area.
- On 29/3/02 the "Athens News" published a readers letter that stated, "The area of Laganas Bay is nothing but a gross tourist playground".
- The Prime Minister visited Laganas on 7 – 8th April 2002, and conveyed his firm intention to close the ZNMP case by amending the controversial Presidential Decree.
- No funds were made available for the operation of the Marine Park and Management Agency until towards the end of the main nesting season in July 2002. Prior to this the Management Agency could be said to have been rendered inoperable
- The amended Presidential Decree still remains moribund in central government procedures at the Constitutional Court, without whose approval it cannot be enacted.
- The cadastral plan to delineate the high water mark, and land ownership remains incomplete.
- Nothing has been done regarding compensation payments to landowners affected by the protection measures.
- A much-vaunted attempt to bring the beach furniture operators under control by transferring the power to issue permits to the Park Management Agency could not be operated at the beginning of the summer due to slow bureaucratic procedures in the government. By the time the power was transferred at the end of July 2002, and the Management Agency was able to ask for tenders, the beaches were crowded with furniture, all the operators completely ignoring the fact that they did not have permits and were therefore totally illegal (see photo). When the tenders were accepted the operators exceeded by far those numbers permitted by legislation, ignoring the legal quota in their permits. The few small gaps between the operators' sections were quickly filled with folding chairs and umbrellas brought to the beaches by those tourists unable or unwilling to pay the exorbitant fees charged by the operators. Except for Gerakas, all beach furniture remains in place on the beaches at night.
- New construction work is being undertaken within the boundaries of the Park.
- No action has been taken by the police regarding any illegal activities in the Park reported to them. (e.g. sand-extraction, horse-riding, building etc)
- Illegal hunting activity continues within the Park, especially in Sekania, the section belonging to WWF, which is littered with hundreds of spent cartridges.
- On three occasions when MEDASSET volunteers went swimming near East Laganas, they found themselves surrounded by raw sewage.
- An editorial item in the Greek newspaper Eleftherotypia on the 17th May 2002 commented on the results of the latest **official government audit report** which states that "seven out of 10 building permits issued by the Planning and Environmental Authority of the Zakynthos Prefecture were issued without the required documentation to prove they were in compliance with the regulations".
It goes on to note that "this is not about permits for small constructions, but permits for hotels which are built "freely" without the consent or permission of the Forest Authority, without building plans, details of number of floors, etc." The auditors further certify that the extent of corruption is huge in governmental and municipal services, in Zakynthos as all over the country.
- A meeting was called by two Greek Euro MP's on 14th July 2002 with the local deputy Prefect, the NGOs, representatives of the ZNMP Management Agency and affected landowners from Daphne and the Islet of Marathonisi. They said that in answer to a Euro Parliamentary question to the EC dated 1st July 2002, they had received an official document that showed the EC European Regional Development Fund (ERDF) had given 869,532,337 Drs (Euros 2,551,819) to the Zakynthos Marine Park, of which, 777 million

Drs. (Euros 2,280,264) had been spent. They asked the Park representatives where it had gone. When the matter was investigated, it was found that the amount in question was money allocated to the local authority for the sewage system in the town of Laganas. Nothing at all to do with the ZNMP!

- The second International Environmental Film Festival was held and proclaimed a success.
- Mr. Humberto Da Cruz, Programme Officer of UNEP/MAP, visited Laganas Bay to verify measures required by the MAP Action Plan for the Conservation of Mediterranean Sea Turtles.
- In response to the Commission's request for Greece to communicate measures of compliance to the judgment decision, the Greek government submitted details of a series of measures that had been taken or were planned for the protection of the species. Having examined these, a committee led by Jean-Francois Verstryngne (Deputy Director-General to the Environment DG) visited Zakynthos on 4-5/9/02 for an on site appraisal. The committee reported to the press that, having witnessed the situation, Greece had yet to comply with the terms of the Presidential Decree despite some localized improvements.

ZNMP: CONSERVATION

The President of MEDASSET and volunteers were present gathering information in Laganas Bay all season.

- This year the first sighting of mating sea turtles in the Bay was on the 11th April.
- 36 guards were appointed to the Park in summer 2002, and while they were more effective this year, they were not always at their posts. Again they were inconspicuous with only a 7 cm. ZNMP insignia on their T/shirts. They reported that some beach operators acted very badly towards them, most notably the same operator at Gypsolithos who assaulted the ARCHELON/STPS volunteer in July 2002.
- The three wooden guard kiosks remain very unattractive, with just a few ZNMP stickers on the outside walls. It does not give a good impression!
- It is essential that the guards are trained, motivated to generate enthusiasm for conservation, and speak at least some English. A major factor here is the ability of the Park to pay them when wages are due. No pay – no motivation!
- Leaflets published by the ZNMP Management Agency still give a list of prohibited actions but do not explain why, nor do they ask visitors to use only the area up to 5 m. from the sea, as laid out in the Presidential Decree, for the reason that higher up the nesting beach is where most of the nests are. The guards comment that most people arrive on the beach aware of the turtles but totally unaware of any of the regulations.
- Low frequency noise from the Agios Sostis disco continues to be heard around the bay each night.
- Tourism figures for July and August showed a rise of 2-3% over 2001, but visitors were reported to have stayed for a shorter period.
- In cooperation with the ZNMP Management Agency, MEDASSET organised a slide presentation for children from a local primary school and a day care centre on Zakynthos, based on the impact of small garbage on the marine environment, before taking them to Kalamaki nesting beach to look at the situation on their own beach, and to clean it.
- In July 2002 MEDASSET signed a one year Memorandum of Collaboration with the ZNMP Management Agency* in order to contribute towards the improvement of sea turtle conservation on the island. However, until there is sufficient political will to enforce protective measures and legislation, sea turtle conservation in Zakynthos remains in serious jeopardy.

THE LAND

In East Laganas and Kalamaki including sand dunes:

- Cars have been using Kalamaki beach during winter for a shortcut and as a Driving School practice area. As a result, the beach is in a very compacted condition.
- Bulldozers have been working in full view on the sand dunes in front of the Kalamaki beach Hotel illegal cafeteria, completely destroying the few remaining dunes all the way to the front of the hotel built last year and mentioned in our 2001 report. Enormous craters up to 30 m across and over 3 m deep, in some cases penetrating the water table have

been opened up, seemingly for sand extraction on an incredible scale. A complaint was made to the police, but irreversible damage has already been done (see photo).

- On the 10th July 2002 at Kalamaki, near Gypsolithos beach, a foreign ARCHELON (STPS) volunteer was attacked by a chair operator, as he was checking the number of commercial umbrellas and sunbeds breaking his glasses.
- In East Laganas and in Kalamaki on 24/08/2002, MEDASSET volunteers counted 594 sunbeds, 289 umbrellas, 40 pedalos/canoes and 3 boats on the beach, all commercial. Legislation allows only 150 umbrellas and 300 sunbeds! None of the above is removed in the evening.
- No action has been taken to clear this year's new area of beach furniture in front of the Nostos Beach Hotel and the huge wooden pallets that form a footpath across the nesting beach from the hotel.
- The Governor of the Ionian Islands has several times told the press that she has made funds available for a new, re-located biological treatment plant. A responsible official stated, "Tourism produces 180 tons of garbage per day in full season, in the event of heavy rain all of this will go directly into Laganas Bay". No action has been taken so far to relocate the biological treatment plant to replace the saturated overflowing one in Kavalos hill above the Kalamaki nesting beach.
- A mobile home has been illegally parked above the beach at the Crystal Beach Hotel with no reaction from the competent authority!
- A 1 km stretch of beach from the Louis Zante Beach hotel to the Kalamaki Beach Hotel illegal cafeteria has no guard post and is therefore impossible for beach guards to control (see photo).
- Motorbikes, horse riding, campers, litter, and the opening of a new road to the hotel built in 2001 and its car park where dunes used to be, continue unabated to degrade and destroy the beaches and the few remaining sand dunes.
- There was an increased level of horse riding activity on the beaches and in the dunes, often twice a day, with hoof prints and piles of manure everywhere. The ARCHELON (STPS) call the police when horses are seen, but by the time they arrive the horses have gone. Despite being shown the fresh tracks and the manure, the police explains that unless they are actually there to arrest those responsible on the spot, they can do nothing. ARCHELON has made official legal complaints against the "riding schools", but as is usual, they just remain on file. We asked the ZNMP Management Agency what they were doing about it, and they said they had a meeting with the police who had promised to spend more time on the beaches. The Park beach guards, seeing that nothing was being accomplished told us they do not bother to report sightings of the horses any longer. A ludicrous situation when none of the riding establishments have any kind of permission or permit to operate, and are totally illegal! We were also told by a beach guard that there had been no sign of any police presence on the beaches for 2 weeks.
- Again this year in East Laganas- Kalamaki there are 3 ZNMP signs alongside the guard huts, but information is only on one side of the sign. There are no others along the beach. The sand dunes in East Laganas also face serious degradation if not destruction by motorcycle racing, camping, hunting, sand extraction and horse riding. There is garbage and litter everywhere, and some dumping of construction debris. Destruction of the dunes results in the beach being exposed to the glaring lights of the inland hotels, and affects the morphology of the nesting beach.
- The beaches continue to be littered with the plastic containers and bags used by the itinerant fruit salad vendors and other plastic garbage left by tourists, some half buried in the sand.
- Stones from the crumbling wall in Kalamaki keep falling on to what little beach is left. The commercial chair operators have had to move further along the beach.
- Stray dogs continue to roam the nesting beaches all summer.
- A new "Turtle spotting with pedalos" sign was put up at one of the entrances to the beach.

In Daphne: The situation in Daphne is totally out of control, a no-mans land for ZNMP Management Agency employees and conservationists!

- There are new illegal buildings, road improvements, uncontrolled reconstruction and further destruction of the natural Mediterranean vegetation (maquis) bordering the nesting beach, allowing more lights to shine onto the beach.

- Also in Daphne, 2 new wooden huts have been built amongst the trees behind the beach. Another bar was under construction. Additional works on the roof extension of an existing taverna, as well as the two constructions started in July 2002 to be used as public toilets, have all been completed in full view of the "vigilant eyes" of the competent authority (see photo)! It is an area completely under the control of the local landowners. There are, of course, no beach guard posts there.
- The local authority and the planning authority are not informing the ZNMP Management Agency of any building applications or permits issued in Daphne.
- The policy of the ZNMP Management Agency is to try to open a dialogue with the Daphne landowners so as to bring about collaboration. The attitude of the landowners has so far been **"No compensation – No cooperation!"**
- Illegal tavernas and the bar operate late into the night with their lights shining onto the beach. Parking space was enlarged by destroying more sand dunes behind the beach.
- Summer furniture is not permitted by law on Daphne beach, so they have bulldozed sand dunes behind the beach and placed illegal furniture there since 1997. There are approximately 150 umbrellas and 78 sunbeds on the flattened dunes behind the prime nesting beach. Soil from the levelling of the sand dunes was then dumped on the nesting beach, making part of it unsuitable for nesting. Nothing has been done to restore the beach morphology. Upon questioning, a member of the Management Agency and the local resident NGOs claimed to have no knowledge of these works.
- A recent makeshift wall made of pebbles and wooden planks blocks access to prime nesting area (see photo).
- The 13 illegal buildings designated by law to be pulled down remain along the beach.

In Gerakas, beach furniture still exceeds allowed limits, but the situation does seem to be relatively under control, and the furniture is stacked at night.

- There were 114 umbrellas and 228 sunbeds positioned close to the shoreline, although only 60 umbrellas and 120 sunbeds are permitted according to legislation.
- Grazing by goats on the dunes continues affecting their stability.

THE SEA

- Although Laganas Bay is patrolled by the Port Authorities relatively well, two turtles were found dead after having been hit by speedboats, as reported by ARCHELON (STPS) in September 2002. The Park Management delimited marine zones in the bay by means of buoys in July 2002.
- Yachts, some huge, were anchored in Zone B of the Bay, with 6 – 10 speeding boats per hour, also a jet ski. Culprits included those reported by MEDASSET to the Port Authority since 1997.
- Patrolling of the Bay has been insufficient to prevent some violations of the regulations due to shortage of staff.
- Turtle watching guidelines have been issued by the ZNMP Management Agency, and seem to have had some effect in reducing harassment of turtles. In a pilot project by ARCHELON/STPS some turtle boat customers have been given a talk on sea turtle biology and conservation.
- Effluent continues to seep into the sea from the overflowing biological garbage treatment unit situated in the area of Kavalos, above Vrondonero in Kalamaki that is seriously overburdened and should long ago have been relocated.

On the islet of **Marathonisi**, there were ZNMP wardens and a camp with ARCHELON volunteers. Large yachts were seen to anchor or moor not far from the islet in Zone C and boats disembarked tourists daily on to the small beach.

RECOMMENDATIONS

1. Land ownership records (Cadastral plan) and delineation of the High Water Mark should be completed NOW! Arrangements for compensation to **LEGAL** landowners should be devised and committed as a matter of urgency.
2. Formulate a management plan for the ZNMP.
3. Make arrangements that ensure that adequate funding is available to the Park Management Agency at all times.

4. Relocate the now over-burdened garbage and sewage systems of Laganas Bay.
5. An intense formal training and motivation programme should be carried out for the guards of the ZNMP, and this should be open to any Zakynthos citizen who wishes to attend.
6. Increase the staffing level of the Port Police/Coastguards so that they can adequately carry out their duty of control up to high water (Winter wave) mark (HWM). Similarly the Police establishment should be increased to ensure adequate presence on the area above HWM. Consideration should be given to opening a Port Police post in Laganas Bay
7. Commission an environmental impact assessment for the dunes system.
8. Arrange for the completion of the WWF/ Athens Agricultural University research on soil erosion.

* MEDASSET collaborates with the ZNMP Management Agency.

ENVIRONMENTAL SITUATION AND TECHNICAL REPORTS PRESENTED BY MEDASSET TO THE STANDING COMMITTEE TO THE CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE AND NATURAL HABITATS (BERN CONVENTION) AT THE COUNCIL OF EUROPE, PUBLISHED UNDER T-PVS REFERENCE:

ZAKYNTHOS (GREECE)

Updated reports prepared from 1984 and published as T-PVS since 1993:

T-PVS (93) 32: L. Venizelos, MEDASSET: Marine Turtle Conservation in Zakynthos, Laganas Bay, Greece, 5 July-16 August 1993, 10 pages.

T-PVS (95) 63: MEDASSET (L.Venizelos): Specific Sites, *Caretta caretta*, in Laganas Bay, Zakynthos (Greece), 3 pages. (Follow-up report and recommendations).

T-PVS (96) 86: MEDASSET (L.Venizelos): *Caretta caretta* in Laganas Bay, Zakynthos (Greece), 5 pages. (Follow-up report and recommendations).

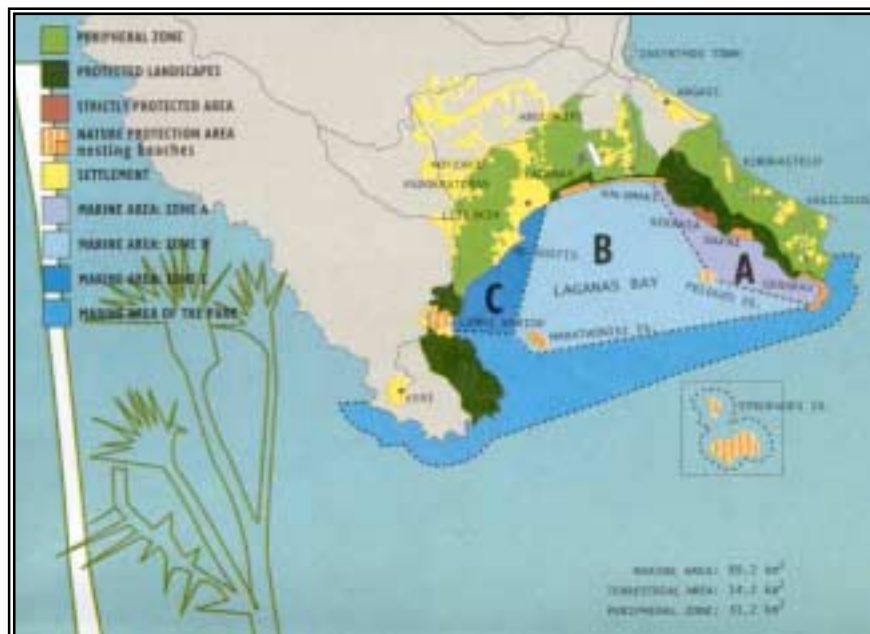
T-PVS (97) 46: L. Venizelos, MEDASSET Marine Turtle Conservation in Zakynthos (Laganas Bay), Greece, 5 pages. (Follow-up report and recommendations).

T-PVS (98) 48: MEDASSET: Specific Sites, Marine Turtle Conservation in Zakynthos Laganas Bay, Greece, 10 pages. (Update report and recommendations).

T-PVS (99) 70: MEDASSET: Specific Site, *Caretta caretta* in Zakynthos (Laganas Bay, Greece), pp. 2-14. (Update report and recommendations).

T-PVS (2000) 58: MEDASSET: *Caretta caretta* in Zakynthos (Greece), 8 pages. (Update report and recommendations).

T-PVS (2001) 71: MEDASSET: Update Report on Marine Turtle Conservation in Zakynthos (Laganas Bay) Greece, 19 pages.



Zakynthos National Marine Park Map (Source: ZNMP)

ADDENDUM: Summer Furniture.

Beach Furniture etc. – July 6th to August 24th 2002East Laganas, Kalamaki, Gerakas and Daphne

	<u>Sunbeds</u>					<u>Umbrellas</u>					<u>Canoes/pedalos</u>					<u>Boats</u>				
	Legal limit	6/7	14/7	20/7	24/8	Legal limit	6/7	14/7	20/7	24/8	Legal limit	6/7	14/7	20/7	24/8	Legal limit	6/7	14/7	20/7	24/8
E. Laganas & Kalamaki Left in place at night	300	665	665	575	594	150	326	326	285	289	Nil	40	40	40	40	Nil	3	3	3	3

	Legal limit	8/8		Legal limit	8/8
Gerakas Stacked at night	120	228		60	114

	Legal limit	21/7		Legal limit	21/7
Daphne Left in place at night	Nil	150		Nil	78

**DAPHNE (ZNMP) NESTING BEACH (JULY 2002):
ILLEGAL DEVELOPMENTS AND CONSTRUCTION ALONG DAPHNE NESTING BEACH.**



Photo: Gerald Hau, "Euronatur"



© 2002 MEDASSET - Photo: MEDASSET



© 2002 MEDASSET - Photo: MEDASSET

**KALAMAKI (ZNMP) NESTING AREA (MAY 2002):
BULLDOZED SANDUNES AND SAND EXTRACTION OF ENORMOUS SCALE, IN THE
IMMEDIATE AREA SURROUNDING THE HOTEL (THIS NEW CONSTRUCTION WAS
REPORTED IN 2001 (T-PVS (2001) 71).**



© 2002 MEDASSET – Photo: L. Venizelos



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© 2002 MEDASSET – Photo: M.-A. Dunais

KALAMAKI (ZNMP) NESTING BEACHES (JULY – AUGUST 2002)



On this narrow nesting beach, commercial summer furniture completely excludes nesting.
© 2002 MEDASSET – Photo: L. Venizelos



Stretch of beach from Louis Zante Beach Hotel to Kalamaki Beach Hotel, with no ZNMP guards posts and therefore difficult to control.
© 2002 MEDASSET – Photo: L. Venizelos



Beaches crowded with commercial furniture, most of which is illegal, and prevents turtle nesting.
© 2002 MEDASSET – Photo: L. Venizelos

ADDENDUM 1.



RAGING INFERNO! - ZAKYNTHOS NATIONAL MARINE PARK ABLAZE!

After a summer that has seen the conservation provisions of the Zakynthos National Marine Park (ZNMP) Presidential Decree appear ineffective due to non-compliance, now the summer ends in a raging inferno due to arson.

At least 4 outbreaks of fire in different parts of the ZNMP occurred overnight on 11th – 12th October, destroying over 1500 stremma (1.5million sq. metres) of the natural Maquis vegetation around the loggerhead nesting beaches of Laganas Bay.

We were informed by the fire service of Zakynthos that 3 fire fighting planes, 1 helicopter and 14 fire engines had worked around the clock to extinguish the fires. Reinforcements and fire engines were brought to the island from the Peloponnese mainland.

The fires are reported to arise from arsonists reaction to the decision a few days earlier, in the Greek Constitutional Court, rejecting appeals by the landowners of Daphne and the islet of Marathonisi affected by the protection measures, for the Presidential Decree setting up the ZNMP to be set aside. A blatant attempt to open-up the forest land for possible development. It is thought significant that the car of the ZNMP Coordinator was vandalised the same night. The people of the area still await compensation proposals for what they perceive as planning blight brought about by the establishment of the Park.

With the Maquis ground cover in ashes it is thought likely that the winter weather will destabilise the soil altering the important geo-morphological structure of the turtle nesting beaches, as has already been seen from a previous arson attack in 1994.

The Deputy Minister of the Environment was immediately despatched from Athens to the area.

We would remind you that after 15 years of promises and 6 years of drafting the Presidential Decree was hurriedly signed after the EC announced its intention to, for the first time bring a member state (Greece) to the European Court of Justice for non-compliance with EC Nature Conservation Directives. It was a significant outcome of constant lobbying and pressure applied by MEDASSET in the form of official complaints and detailed reports since 1993, to the European Commission and the Bern Convention, including an appeal to the European Ombudsman.

ADDENDUM 2.



A MEDASSET Press Release dated 20.07.01 and our yearly update on Zakynthos prepared for the Bern Convention Standing Committee in September 2001, contained a paragraph stating “After the hearing of the European Court of Justice on 12th July 2001, a five-month probationary period was allowed for Greece to fully implement conservation measures for the protection of the loggerhead sea turtle on Zakynthos.”

This information was derived from a Press Conference held on 20th July on the island of Zakynthos, by the representative of the Greek Ministry of the Environment and the Chairman of the Zakynthos National Marine Park Management Agency Prof. Pandis, at which MEDASSET was present. This was widely reported in the Greek and International Press.

MEDASSET would like to inform you, that contrary to the above, in November 2001, the Web Site of the European Court of Justice with reference to the C-103/00 Zakynthos case, revealed that “M. Philippe Leger, Prosecutor to the European Court of Justice agreed with the European Commission that Greece failed to ensure sufficient protection for Mediterranean sea turtles breeding on the island of Zakynthos up to 1999 and dismissed the government’s counter arguments”.

Costs of the action were awarded against the Greek Government.

Decision on this matter is to be taken by the panel of Judges who will meet in December 2001.

Thank you for your attention.

MEDASSET

ADDENDUM 3.



GREECE CONDEMNED
European Court of Justice decides for the turtles of Zakynthos

A Press Release (No. 08/02) issued by the European Commission (E.C.) states that the European Court of Justice announced judgement on the 30th January against the Greek Government for “failing to fulfil its obligations to implement effective and strict protection for the sea turtle *Caretta caretta* on Zakynthos” (Case C-103/00).

The Court paid significant attention to the evidence of “illegal buildings, small boats, mopeds driven on the beaches, and beach furniture” all contributing to “the deterioration or destruction of the breeding sites”.

The full text of the Court Judgement is available in English, French and Greek on the European Court of Justice Web Site <<http://www.curia.eu.int>>.

The case was taken to the Court by the EC on 17th March 2000, based on information in their possession and as a result of their own observations in Zakynthos up to the summer of 1999.

It was a significant outcome of constant lobbying and pressure applied by MEDASSET in the form of official complaints and detailed reports since 1993, to the EC, the Bern Convention and including an appeal to the European Ombudsman.

In light of the Court judgement it is now within the options of the EC to return to the Court on the same matter, this time asking for a fine to be imposed on the Greek State.

We have continued to monitor and report on the conservation efforts in Laganas Bay, and while the establishment of the Zakynthos National Marine Park (ZNMP) was a significant step forward, we have sadly had to report that conditions on the beaches continue to deteriorate due to the intransigence of local vested interests and the inactivity of the authorities.

After a meeting in December 2001 with EC Commissioner for the Environment Mrs. Margot Wallstrom, Mrs. Vasso Papandreou, Greek Minister for the Environment, held a press conference at which she said she had promised the Commissioner that within six months Greece would be in full compliance with the relevant EC Directive in the case of Zakynthos.

For further background information please see previous MEDASSET Press Releases on our website at <www.euroturtle.org/medasset> under "Press Releases".

ADDENDUM 4.

** Translation from the Zakynthos Daily News - 25.02.2002*

**SWEEPING CHANGES AT SEA PARK.
MANAGEMENT BEHEADED.
YIANNIS PANDIS AND 3 MORE MEMBERS TO GO.**

Sweeping changes for the operational sponsor of the National Marine Park of Zakynthos promoted by the Ministry of Environment.

According to exclusive information reported to the Zakynthos Daily News by Ministry circles, the Marine Park Management Organisation will witness dramatic changes since the new political leadership of the Ministry of the Environment seems determined to replace four of the ten members of the Administrative board, amongst them President Yiannis Pandis.

At present, the Deputy Minister who is responsible for environmental matters, Ms Rodoula Zisis, who replaced Mr Ilias Efthimopoulos in the recent Ministerial reshuffle, is attentively dealing with three matters concerning the Marine Park.

- A) Replacing Administration members.
- B) Modifying the Presidential Decree.
- C) Daphne.

These three items were the subject of a lengthy meeting which took place in Ms Zisis' office last Thursday, attended by all her legal advisers, all the Heads of Department of the Ministry of the Environment, the General Director of ETERPS, Mr Keserlis, the Minister's advisor Mr Louskos and, of course, the MP of Zakynthos Mr Dionisis Gouskos.

The same informant states that after Mr. Gouskos' report, that dealt with all matters concerning the Park, and which he had repeatedly discussed with Ms Zisis in Private meetings, those attending the meeting came to realise that the present administration of the Park does not have the acceptance of the offended locals, resulting in the obstruction of any kind of co-operation, especially in the matters concerning Daphne, and creating problems in implementing protection measures.

Those present therefore, at the meeting accepted the proposal of the MP of Zakynthos to replace the four Administrative Members of the Board of the Operational Sponsor which is appointed by the Ministry of the Environment, to have representatives of the Local Government and from the Regional Government, which up to now had no representation, and to have the balance of representation changed so that the majority of administrative members come from Zakynthos.

As for the amendments to the controversial Presidential Decree, which were processed by the Organisation and the departments of the Ministry of the Environment, these are still in Ms. Zisis' drawer not having been promoted or signed by the qualified members of the government.

In any case, the MP of Zakynthos believes that the particular amendments, as stated in the report that the Operational Sponsor sent to the Minister, do not cover either in content or in process, the requests of the offended.

This realisation constitutes the second reason for changing the Park's Management so that its new composition can revert to the original agreement Gouskos – Efthimopoulos and submit new proposals, which the Ministry of the Environment, according to the MP, must accept

without any objection. Besides, Mr. Gouskos's view that the Park must be made with the consent of every individual resident, is widely known.

Concerning the problems, worrying the offended owners of Daphne, common ground for all those present was that there must be an immediate, specific and clear proposal for the area, in order for the necessary protection measures for the sea turtle to be implemented this summer.

The new management of the Organisation will have to win the trust of the residents of Daphne and establish a climate of friendly negotiations, something that the present Management, up to now, has not managed to do, since most residents refuse any kind of communication with Organisation members.

Those following the intricacies of the case of the National Marine Park realise that the above findings and decisions consist basically of the MP's views, which have been publicly expressed since his falling out with Mr Ilia Efthimopoulos last May on the Park's first birthday.

However for the decisions made in Ms Zisis office to be implemented, what is required is the agreement of both the Municipality of Zakynthos and of Laganas, whose Councils will be called upon to state whether they agree or not with the replacement of members of the Organisations Management and the amendments of the Presidential Decree as submitted by the operational sponsor to the Ministry of the Environment.

In the event the two Municipal Councils agree the above, the changes within the operational sponsor will proceed smoothly. In the contrary event the situation will become complicated as the MP seems determined to realise everything agreed upon with Ms Zisis, come what may, as he has repeatedly declared.

A catalytic role, however in the formation of the views of the Councils will be played by the upcoming Regional and Municipal elections and in order to be convinced one must merely look back to the recent Parliamentary elections.

** Copies of the original Greek text can be obtained from MEDASSET.*

* Translation from the Ministry of Environment, Press Office Statement - 26.02.2002

MINISTRY OF ENVIRONMENT

26. 02. 2002

STATEMENT

No decision has been taken by the Ministry of the Environment concerning any change to the Management Board of the National Marine Park of Zakynthos, as reported in local newspapers.

The relevant services of the Ministry, in the context of a dialog with the partner organizations, are working on the proposed amendments to the current Presidential Decree, and the new Presidential Decree will be ready as soon as possible.

The new Presidential Decree will address the terms of reference of the Management Board of the National Park, as well as the question of larger representation by local organizations.

Furthermore, the new Decree will include a re-examination of any changes in the operation and management of the National Marine Park of Zakynthos.

** Copies of the original Greek text can be obtained from MEDASSET.*

ADDENDUM 5.

<p>Reader's Letter to the "Athens News" 29.03.02</p>
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"BELL TOLLS FOR ZAKYNTHOS"

News in brief in Athens News 15th March, reports the Athens Agricultural University "sounded the alarm" on the National Marine Park of Zakynthos. How many alarm bells does the Greek government need to hear before it does something about the atrocious situation on this island?

Alarm bells were sounding over 20 years ago. In early 1980, individuals and NGOs reported the imminent destruction of the beaches and sand dunes in the south of Zakynthos, in order to accommodate mass tourism. The warnings went unheeded and the price of the destruction was the loss of some of the most important nesting habitat in the world for the rare and endangered Loggerhead Sea Turtle *Caretta caretta*. There is still no halt to the illegal building of tourist accommodation and roads in the protected area of the Park.

Zakynthos continues to be marketed as an 'unspoilt island' in tourism brochures. How true is this in reality? The area of Laganas bay is nothing but a gross tourist playground. Hideous buildings do not even pay lip service to the rich and diverse culture and history of the people and the island's unique natural heritage. Vast areas of sand dunes have been completely wiped out in place of cheap bars and sun beds and beaches are not even visible to people let alone nesting sea turtles. The sea is awash with tourist rubbish and hotel effluent discharged into the sea poses a threat to visitors and sea turtles alike. Nighttime noise curfews, necessary for a peaceful environment in which turtles can nest, are blatantly ignored.

The complete lack of regard for the significance of the coastal areas of this exceptional island do not only pertain to tourism and summer activities. Over the winter, I have walked the beaches of Laganas Bay almost everyday and wonder if there is anywhere in the world where an area protected by International and National Law has been so abused. Laganas beach is lost forever and mainly used as a short cut for traffic in winter. The beaches of Kalamaki - clearly sign posted as a protected area within the National Marine Park of Zakynthos - are now a favourite place for driving lessons, motorbike practice, paragliding and motor racing in winter! The sand is so compacted it looks like a motorway. Cars drive the length and width of the beach and today I was almost run over by a speeding vehicle whilst peacefully walking my dog!

What chance does the National Marine Park body stand of spreading the vital conservation message when legislation is not enforced and the anarchy continues? The Greek government surely knows that the continued appeal of an island like Zakynthos rests wholly on it being 'unspoilt' and attracting quality visitors who will return again and also support conservation efforts. Its failure to enforce legislation therefore cannot be apportioned to economic criteria. The only possible explanation for lack of law and order is problems at local administration level. The Athens University of Agriculture reports destruction of property, arson within the Park and sabotage of equipment belonging to the World Wide Fund for Nature. All serious criminal acts punishable by law?

The Government has heard the alarm bells many times. Soon the final bell will toll.

JL Anderson
Zakynthos Island

ADDENDUM 6.

Prime Minister Visits Zakynthos

“NATIONAL MARINE PARK” FILE TO CLOSE

Translated from the "Zakynthos Daily News" 07-08.04.2002.

The firm intention of the Prime Minister to finally close the “National Marine Park” file, with the direct advancement of the amendments to the controversial Presidential Decree, was conveyed to those attending a meeting at the Zakynthos Prefecture, by the Minister of State, Stephanos Manikas, on Friday afternoon.

The meeting was attended by the Deputy Minister of the Environment, Rodoula Zisi, the General Secretary of Public Administration and Decentralisation, Vasilis Valasopoulos, and from Zakynthos, the Prefect Dionisis Gasparos, the Chairman and five members of the administrative board of the Zakynthos National Marine Park.

In accordance with announcements by government officials, following signature by the responsible Ministries, the amendments to the Presidential Decree will be submitted to the Council of State for final approval within days.

Concerning compensation measures, Ms. Zisi announced that this “controversial” issue will be dealt with in the framework of the Ministry’s development policies for all protected areas in the country.

Regarding the issue of land planning, a study for the whole Ionian Islands region was presented by the Deputy Minister of the Environment, with the request that any objections by the local government should be submitted before the plan goes to the Council of State.

Mr. Valasopoulos assured the Prefect of Zakynthos that the staff shortages at the Prefecture will be resolved in order to remedy service deficiencies and increase surveillance for the protection of the environment.

The General Secretary of Public Administration and Decentralisation met with the Mayors of the island and discussed issues that concern the leaders of local government.

ADDENDUM 7.

Press release by the Agricultural University of Athens
regarding the Zakynthos National Marine Park (ZNMP).

Translated from the Zakynthos Daily News, 20.03.02.

"Immediate implementation of substantial conservation measures needed"

The immediate implementation of substantial protection measures in the area of the National Marine Park of Zakynthos (ZNMP) is requested by the Dean of the Athens Agricultural University, Professor An. Karamanos, in a Press Release referring to co-ordinated acts of violence directed at the Park.

He states:

As is known, the National Marine Park of Zakynthos constitutes a vital natural habitat of pan-Hellenic and worldwide significance for the protection of the Caretta caretta sea turtle. Because of its ecological importance, the area has been declared a National Park, by Presidential Decree published in the National Gazette 906 A/22-12-99.

The Athens Agricultural University, with its particular sensitivity to environmental issues, has since October 2000, undertaken in cooperation with WWF Greece, a study of the erosion of soil with the drafting of maps showing the sensitivity to degradation of the hilly area of the Park, within the scope of a research program which is funded by the European Commission and the University, in order that protection measures can be implemented.

Unfortunately, during the time when members of the University were present in the area for research purposes, they were surprised to discover an unfriendly attitude from members of the local community towards all those working for the protection of nature. This was exemplified by a series of destructive actions at the Park having incalculable consequences for the ecological balance and the protection of the sea turtles. Some of these acts were:

- *The destruction of the natural vegetation and bushes on steep slopes with very erosion sensitive soils, and the creation of ledges for the planting of olive-groves.*
- *The illegal opening of roads leading to Sekania beach, by the inhabitants of the area.*
- *The act of arson in the Park area on the 11th October 2001, with the destruction of about 1,800 stremma. Following the fire, the Athens Agricultural University immediately set up a station for the control of soil erosion in the area.*
- *Vandalism against the WWF Greece guard-post, in November 2001, including gunshots and the destruction of research equipment.*
- *Illegal hunting activity within the Park, especially in the section belonging to WWF Greece, which is littered with hundreds of, spent cartridges.*
- *The illegal grazing of sheep and goats on the burnt area, contrary to the explicit law forbidding grazing in any area destroyed by fire.*
- *The total destruction with gunshots in February 2002, of the automatic erosion recording station of the Athens Agricultural University valued at 10,270 Euro. Also, the breaking open and destruction, once again, of the wooden door of the WWF Greece post which is in the area.*

Indisputably the aforementioned acts:

- *Constitute an unprecedented co-ordinated act against the National Marine Park of Zakynthos with adverse ecological consequences to the sensitive ecosystem.*
- *Expose our country internationally for the lack of protection measures in a National Park of such ecological importance.*
- *Inhibit any conscientious attempt by researchers for the protection of the natural environment of the Park and the turtle.*
- *Create adverse conditions for the attraction of tourism and the overall economic growth of Zakynthos.*

Consequently, it is imperative that substantial measures be taken for the protection of the globally important National Marine Park of Zakynthos, before the consequences to the natural environment, and to the very existence of the sea turtle, become irreparable.

ADDENDUM 8.***EXTRACT from 2-page article in the "Athens News" (03-09 May 2002).***

Feature

Efforts to preserve Zakynthos turtle nesting grounds meet with controversy
By Coral M. Davenport

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But though the boundaries of the park are clearly outlined on a map, frustrated residents and conservationists say the government still hasn't put its money where its mouth is, to the detriment of both the locals and turtles. The biggest problem is that the park has affected hundreds of acres of privately owned land which has now been devalued, and businesses like Haralambos Vitsos' have been essentially rendered illegal. In the meantime, many of those businesses continue to function, threatening the turtles.

"This has been a problem for 20 years, people owning land here and not knowing if they can do anything with it. Now, with the park, this means a lot more restrictions on land and building, and naturally residents are very unhappy. Here in Laganas people have private property - they have a lot of money at stake. If the state wants to establish this park properly, they have to give compensation," said Laganas Mayor Dionysos Maroudas.

Lack of compensation and communication

The restrictions affect more than tourist businesses. A Laganas olive oil factory used to dump its waste near a turtle nesting beach, threatening the turtles. The new restrictions forbid that, but now the company has yet to find a new way to dispose of its waste, Maroudas said.

"The reaction has not been the one we would like to have. The locals don't trust us, don't trust the park. They don't think it's in their best interests," said park director Costas Katselidis. He understands their complaints, though. "Up to now, we haven't had any compensation for these people. It's not very nice to have property for 20 years that you're not allowed to do anything on."

Park administrators can do nothing to remedy the impasse until or unless the ministry of environment allocates funds for compensation. Environment ministry officials say there isn't yet a process or budget in place to work out compensation to landowners, but that it is on the horizon.

"We do know the cost of compensation will be very, very high. But this is a crucial issue," said Dimitra Spala of the ministry's Natural Environment Management Department. There are a number of issues complicating how compensation will be given, she said. One is the question of whether landowners will be given money directly in exchange for not developing land, or they will exchange their building rights for other plots of land outside the park. Another question that must be worked out, she says, is whether buildings were built legally, namely with or without permits, before conservation measures were passed.

Those buildings, which Spala said include most of the buildings on Daphne Beach, were illegal to begin with and will be demolished without any owner compensation. Compensation will be a long, slow, process, worked out on a case-by-case basis with landowners, she said.

In the meantime, says Katselidis, it's still not clear what will happen to "illegal" businesses that were legally built before the park boundaries were defined.

"There's a gap in Greek law there. There's a lot of semi-legal activity, but we're not sure what's going to happen," he said.

The owners of Zante Beach hotel, one of the oldest businesses on Laganas Beach, say that they know they're now technically illegal. But, they say, they've had no communication from the government or the state park as to what this means for the future of their business.

The confusion has led to deep animosity between locals and conservationists: over the past decade there have been about 10-recorded attacks on conservationist volunteers. Last year, fires were set on turtle nesting beaches. Earlier this year, the Agricultural University of Athens reported that research equipment on nesting beaches had been vandalised.

Local authorities say they are working to change the situation, especially to bring about better communication between the park administrators and locals.

"People in Zakynthos do want the turtles to be protected, but property owners within the new park haven't been treated as they should have been," said the island's Vice-Prefect George Antonakis.

So far, the lack of compensation and communication has been the most insurmountable hurdle, but Antonakis said the prefecture is working to bring together all the stakeholders to figure out a solution. However, he believes nothing will be resolved until landowners receive some kind of compensation, a resolution that may take many more years.

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