

Marine Turtle Conservation in the Mediterranean

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

Report to the 21st Meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)

Prepared by
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INTRODUCTION.

In 1985, the founder of MEDASSET (The Mediterranean Association to Save the Sea Turtles) 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 Commission, 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/ENV, 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 Mediterranean sea turtles, and a significant step forward.

After the hearing of the European Court of Justice, a five-month probationary period was allowed for Greece to fully implement conservation measures for the protection of the loggerhead sea turtle on Zakynthos.

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.

The Greek State is now 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 has been 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. There is much jockeying for positions of power within the Park Administrative Structure, who will be a member of the Park Committee and who will be left out.

Meanwhile the local Daphni land owners and businessmen (The thorn in the side of the Park) withhold their agreement to anything. They are waiting for the day when the government abandons its attempt to convince them that, as a result of the establishment of the Park, EU money will rain on them like Manna from Heaven, and gets round to making compensation payments from the EU funds already stated by EC Commissioner 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 Committee, (who incidentally had not been paid since June) having no legal powers can only stand by and watch the illegal actions of their fellow citizens.

It was no surprise that at a "Film Festival of Culture and Ecology" organised by the ZNMP Management Committee in order to sensitize locals and visitors to the aims of the Park (8-9th Sept. 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.

Meanwhile astride all this confusion like some ancient colossus, Prof. Pandis, as chairman of the Management Body charged with the establishment of the Park, valiantly and with astounding spirit struggles to bring order out of chaos. A translation of his poignant statement to the press can be seen in Addendum II.

On 8th July, just prior to the European Court of Justice hearing, Police and Authorities carried out a raid on the beaches seizing illegal beach furniture that they handed over to the Mayor of Laganas. Embarrassed that he had nowhere to store these, and perhaps aware of the next Mayoral elections, he handed the furniture back to the beach operators on the 10th and after the 12th July hearing, it was duly re-instated on the beaches on the 14th.

The Head of the state Land Agency in Zakynthos, in a statement condemning 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 has been taken over by the commercial operators.

THE ZAKYNTHOS NATIONAL MARINE PARK.

A) CONSERVATION.

The President of MEDASSET and 2 volunteers were present gathering information in Laganas Bay from 5th July to the 29th August in addition to short visits during June and September.

- Early in the season there were problems with some of the ZNMP guards with unpleasant incidents reported by tourists and conservationists alike, 8 were dismissed, and this abated during the season. Generally the guards speak only Greek, so there is a communication problem as 95% of visitors are English speaking.

- In addition to the 50 guards, there are 10 eco-guides. Only 4 of the 50 guards have had any formal training, and there are problems with their performance. They are inconspicuous with only a 7 cm. ZNMP insignia on their t-shirts. Mostly local inhabitants, they are reluctant or even afraid to interfere with the illegal businesses such as the stable operators. "It's a small community, we all know each other, and the gossip...". When asked about the vehicles on the beaches, the answer is always the same: "They must come on the beach when I am not there". So much for 24 hr. guarding!
- The three wooden guard kiosks look very unprepossessing, and merely have 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. Then the ZNMP money would be well spent.
- In conversations with the guards, they begged us "please tell all these people who visit the nesting beaches about the ZNMP **before** they get here, otherwise they don't understand and are **uncontrollable**. The Greeks are the worst! They refuse to cooperate!"
- Leaflets published by the ZNMP 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 (photo No. 5), as laid out in the Presidential Decree. Higher up the nesting beach is where there are most of the nests.
- In May-June, two sea turtles, one adult and one immature, were found stranded in Laganas Bay with hook injuries from fisheries interaction, perhaps indicating fishing activity in the area of the Park.
- Low frequency noise from the Agios Sostis disco continues to be heard around the bay each night.
- Questioning amongst a number of random tourists seemed to indicate that generally visitors to hotel accommodation were aware of the ZNMP, but those in rented rooms were not.
- Tourism figures for July and August showed a rise of 7% from 2000.

B) THE LAND.

In East Laganas and Kalamaki including sand dunes:

According to the Presidential Decree regulations 150 umbrellas and 300 sunbeds in an area to be designated by the ZNMP with no pedalos or canoes. This year there were up to 328 umbrellas and 654 sunbeds in 764 m. of beach, accompanied by up to 42 pedalos, 16 canoes and 5 boats (Table No. 1 & No. 2).

None of the furniture is removed from the beach at night (Photo No. 4 and No. 8).

- Outside these commercial areas, the rest of the beach is filled with private day visitors who bring their own equipment, sticking umbrellas in the sand and trampling over the remaining upper part of the beach where turtles still nest (Photo No. 9).
- 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 signs along the beach (Photo No. 7).
- The sand dunes in East Laganas face serious degradation if not destruction by motor cycle racing, camping, hunting, sand extraction, tracks 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.
- Since October 2000 there is an enormous new two storey hotel with huge panoramic windows overlooking the beach near the Kalamaki Beach Hotel, with cars parked in the dunes in front of it (Photo No. 3).
- In September, the commercial operators assaulted volunteers counting the beach furniture in the Gypsolithos area of Kalamaki.
- The beaches were badly littered, especially with the plastic containers used by the itinerant fruit salad vendors and other plastic garbage, some half buried in the sand. It is impossible to know how much remains buried beneath the surface, or has been blown into the sea by the wind.

- Thousands of human footprints mark large areas of the nesting beach surface, presumably from beach games (Photo No. 1).
- Despite a ban on vehicles, throughout the summer the nesting beaches were ridged by the tracks of cars, scooters and bikes travelling in all directions.
- More stones from the crumbling wall in Kalamaki have this year fallen, further obstructing the already very narrow beach. Not only restricting nesting but causing the chair operators to move to more open areas of the nesting beach.
- Sand castles and holes were dug in the beaches, although some were levelled by volunteers (Photo No. 8).
- Stray dogs roamed the nesting beaches all summer.
- Although illegal, horse and pony riding on the nesting beaches and sand dunes of Kalamaki and East Laganas has taken place all summer in groups of 4 to 8 on a fully organised commercial basis. Hoof marks cover the entire beach, terrible fatal traps for hatchling turtles, and disturbing the nests (Photo No. 2).

On Sunday 18th June Archelon volunteers were assaulted after approaching horse riders on East Laganas beach. Following action by the society, the riding was stopped on 19th June but resumed on the 27th. Again on 18th July an owner of the horses attacked volunteers.

It must be stressed that it has now been discovered that the operators of the riding stables have no business permit and therefore have been operating illegally since 1993. The police state that they themselves have to be present in order to prosecute them, photographic evidence is not sufficient, and of course the police are rarely on the beaches or by the time they arrive the riders have gone. The ZNMP Management body has made several unsuccessful attempts to stop the practice.

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

- Anyone connected to the ZNMP or conservationists are made unwelcome by the landowners, tavernas, room renters and summer furniture operators, all guilty of illegal actions.
- 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. (Their logic is – No furniture permitted on beach so we place it on levelled dunes **behind** the beach), (Photo No. 11).
- Soil from the levelling of the sand dunes was then dumped on the beach, making part of this small beach unsuitable for nesting. Nothing has been done to restore the beach morphology.
- More exotic species of plants have been planted on and behind the beach (Photo No. 10).
- In excess of 123 umbrellas and 242 sunbeds line the back of the beach (Photo No. 11).
- On 30th June, sand from the waters edge at the western end of the beach was deposited on the back of the beach covering five nests with 50 cm of sand.
- The 13 illegal buildings remain along the beach (Photo No. 11).
- Attempts to extend one illegal bar built in 1999 were stopped by the ZNMP Management Body in May. However, improvement works were carried out, and the dirt road to the beach consolidated.
- Illegal Tavernas continued to operate during daylight hours.
- Camp fires have been observed on the beach.
- The affected parties in Daphni have not accepted the existence of the ZNMP Management Body, and have not allowed wardens on the beach. They consider themselves their own lords and masters, and they act accordingly on the nesting beach. They are encouraged to sustain this attitude by the local MP and advised by their lawyers (who are having a field day) to continue their hard line attitude until they **receive compensation**.

D) In Gerakas: The Presidential Decree allows 60 umbrellas and 120 sunbeds. Throughout the summer there were 63 permanent umbrellas and 126 sunbeds in an area of 115 m of the beach, giving this area the best compliance record for furniture around the Bay.

- The second highest number of crawls in the area occurred precisely where the furniture is located. Furniture was left stacked on the beach at night, and crawls were seen to circumvent chairs in aborted efforts to nest.
- The Presidential Decree regulation restricting furniture to 5 metres from the sea was not complied with.
- In the early summer a tractor was used to clear the beach of seaweed.
- On the dunes at the site of a fire a few years ago, in May-June goats were observed browsing on the new vegetation desperately needed to restabilize the dunes.

E) THE SEA.

This year the Ministry of Merchant Marine provided the Zakynthos Port Authorities with extra personnel in order that the boat provided by the Ministry of the Environment in 1999 could patrol Laganas Bay for 8 hours each day. As the season progressed more and more speeding boats were observed crossing the B and C protected zones of the Bay where boats are restricted to 6 mph (See ZNMP Map). In July and August up to 8 – 10 speeding boats per hour. However there was a reduction in the number of speeding boats this year, with the exception of the local habitual defaulters who have been recorded in our previous reports and regularly reported to the authorities.

- Illegal anchoring/mooring of large yachts was observed in restricted zone C of the Bay (See ZNMP Map).
- Turtle watching boats continued to disturb turtles that surfaced to breathe, or basking at the surface. Prominent signs on the beach advertise “No turtle sighting, your money back” (Photo No. 12).

An E-mail from tourist Steve West states: ***“I have just returned from Zakynthos, and I went on the turtle trip. I saw *Caretta caretta* and it was a wonderful sight. BUT the boat trip actually made me feel sick and embarrassed. There were at least 7 boats circling this poor turtle, and it was very distressing to see. Some people actually were swimming in the area. Our boat actually shouted them out of the water. I didn’t want to be there, and when we went to the turtle beach (not on it), it was just like a holiday beach. The trip was very informative, and made me realise what an extremely difficult job you have, especially with the amazing complacency of the Greek government.”***

- Effluent continues to seep into the sea from the 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.

F) On the islet of Marathonisi: There were ZNMP wardens and a camp with volunteers. No large yachts were seen to anchor or moor near the islet but boats disembarked tourists daily on to the small beach.

RECOMMENDATIONS.

1. It is of vital importance that whatever changes are made to the Presidential Decree for the ZNMP, they should not in any way be allowed to reduce the protection embodied in current legislation.
2. An intense formal training and motivation programme should be carried out for the employees of the ZNMP, and this should be open to **any Zakynthos citizen** who wishes to attend.
3. In order to establish continuity, a large core section (as many as possible) of the ZNMP employees should continue to be employed during the winter. As well as training courses, plenty can be found for them to do.
4. 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**.

5. The Greek Government ensure that comprehensive data regarding the use of Laganas Bay beaches by both turtles and tourists over the past 16 years is **made available** in the public domain. This will enable a realistic assessment of the anthropogenic impact in the area, in order to both control tourism and optimise conservation.
6. Although it would mean quite drastic changes to Greek law, the ZNMP Management Body should be given the power to impose large punitive “on-the-spot” fines, for non-compliance by locals, commercial operators and visitors alike. In the case of the commercial operators the fines should exceed the income from default. The funds thereby raised should be at the disposal of the ZNMP.
7. A Port Police Station should be established in the harbour of Keri to ensure adequate coast guard presence in the bay.
8. As soon as the situation within the ZNMP is stabilized an effective and well thought out Management Plan should be formulated.
9. Immediate and adequate financial resources should be made available to enable the ZNMP to meet it's objectives.

The above recommendations are not withstanding those detailed in the past 15 years that are still not implemented.

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 presented yearly since 1984:

T-PVS (93) 32: Marine Turtle Conservation in Zakynthos, Laganas Bay, Greece, 5 July-6 August 1993, 10 pages.

T-PVS (95) 63: Specific Sites, *Caretta caretta* in Laganas Bay, Zakynthos (Greece), follow-up report, 3 pages.

T-PVS (96) 86: *Caretta caretta* in Laganas Bay, Zakynthos (Greece), 5 pages.

T-PVS (97) 46: Marine Turtle Conservation in Zakynthos (Laganas Bay), Greece, follow-up report, 5 pages.

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

T-PVS (99) 70: *Caretta caretta* in Zakynthos (Laganas Bay, Greece), update report, pp. 2-14.

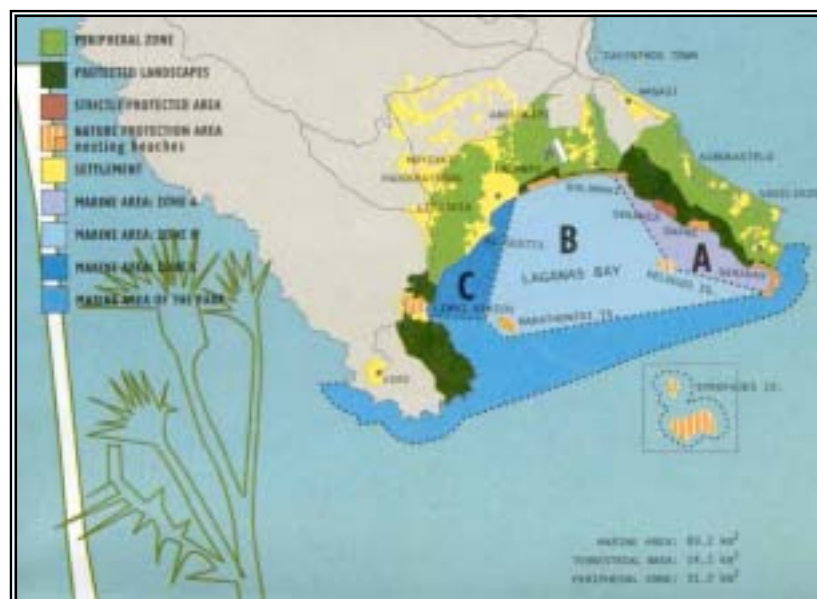
T-PVS (2000) 58: Update Report on Marine Turtle Conservation in Zakynthos (Laganas Bay) Greece, 8 pages.

T-PVS under “Statement by delegations”:

T-PVS (91) 4: Statement about Zakynthos, pp.16,17,30.

T-PVS (91) 80: Declaration on item 11.13 and intervention about Zakynthos, pp.21-25.

T-PVS (92) 83: Declaration of MEDASSET on item 12.1 about Zakynthos, pp.16-18.



Zakynthos National Marine Park Map (Source: ZNMP)

TABLE No. 1

BEACH FURNITURE, Etc. - June 14th to September 11th 2001.
Kalamaki to East Laganas Beach (Section P3 on Presidential Decree Map)

LOCATION	LENGTH	CHAIRS					UMBRELLAS				
		Date					Date				
		14/6	22/7	5/8	19/8	11/9	14/6	22/7	5/8	19/8	11/9
The front of Kalamaki Beach Hotel Cafeteria	400 m.	292	298	296	286	254	146	149	148	143	117
Bulldozed dunes		50	76	78	88	56	25	38	39	45	31
Beach near crumbled wall	42 m.	8	8	8	12	8	4	3	3	6	3
Gypsolythos beach	155 m.	112	84	84	112	104	56	42	42	56	52
The beach in front of Chrystal Beach Hotel	89 m.	80	71	68	72	70	40	32	34	36	34
Beyond Crystal Beach Hotel	78 m.	80	85	90	84	93	40	40	45	42	43
TOTALS	764 m.	622	622	624	654	585	311	304	311	328	280
PRESIDENTIAL DECREE LIMITS FOR THIS AREA.		300	300	300	300	300	150	150	150	150	150
IN EXCESS OF ALLOWED LIMIT		322	322	324	354	285	161	154	161	178	130

The beach furniture recorded above was left in place on the beach overnight.

TABLE No. 2

BEACH FURNITURE, Etc. - June 14th to September 11th 2001.
Kalamaki to East Laganas Beach (Section P3 on Presidential Decree Map)

LOCATION	LENGTH	PEDALOS					CANOES					BOATS				
		Date					Date					Date				
		14/6	22/7	5/8	19/8	11/9	14/6	22/7	5/8	19/8	11/9	14/6	22/7	5/8	19/8	11/9
The front of Kalamaki Beach Hotel Cafeteria	400 m.	10	8	10	10	9	6	3	4	6	4			1	1	1
Bulldozed dunes																
Beach near crumbled wall	42 m.															
Gypsolythos beach	155 m.	11	27	12	11	12	6		6	6	6	2		2	2	
The beach in front of Chrystal Beach Hotel	89 m.	8	7	10	8	7	5	5	5	4	5				2	1
Beyond Crystal Beach Hotel	78 m.															
TOTALS	764 m.	29	42	32	29	28	17	8	15	16	15	2	0	3	5	2
PRESIDENTIAL DECREE LIMITS FOR THIS AREA.		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
IN EXCESS OF ALLOWED LIMIT		29	42	32	29	28	17	8	15	16	15	2	0	3	5	2



Photo No. 1: Footprints left after volleyball game on E. Laganas nesting beach (16/06/01).

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Photo No. 2: Illegal horse riding on E. Laganas and Kalamaki nesting beaches showing how the horses hooves affect the sand (24/07/01).

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Photo No. 3: New two storey hotel overlooking Kalamaki beach (16/06/01).

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Photo No. 4: Illegal Kalamaki Beach Hotel Cafeteria showing leveled and concreted parking on the nesting beach. An unending line of beach furniture and tourists (24/07/01).

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Photo No. 5: Tourists in Kalamaki engulf a lone sea turtle nest marker (24/07/01).

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Photo No. 6: Commercial summer furniture lines the nesting beach in front of Chrystal Palace Hotel in Kalamaki (24/07/01).

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Photo No. 7: Warden's hut in Kalamaki with blank reverse side of ZNMP sign, two nests and rescue boat (11/09/01).

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Photo No. 8: Kids at play near Gypsolithos – there is no tide in the Mediterranean to refill the hole (24/07/01).

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Photo No. 9: Away from commercial operators beyond the Chrystal Palace Hotel, tourists still throng the beach (24/07/01).

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Photo No. 10: Bulldozed upper part of Daphni nesting beach with stones from rock garden, exotic plants and illegal sunbeds (15/07/01).

Photo: G. Hau, "EURONATUR"



Small
Hotels

Tavernas

Photo No. 11: General view of Daphni. Summer furniture, tavernas and small hotels – all totally illegal (15/07/01).

Photo: G. Hau, "EURONATUR"



Photo No. 12: Turtle watching trips – big business! (16/06/01).

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ADDENDUM I.

**Written Dialogue between MEDASSET and ZNMP
on the Occasion of a Press Conference in Zakynthos (26-27 May, 2001)**

As we have publicly declared, MEDASSET supports the difficult task of the Management Body of the ZNMP, applauds its efforts and is always willing to offer help. The recent news has however brought forward certain questions:

1. KALAMAKI AREA: BUILDING ACTIVITY

MEDASSET: In the area of Kalamaki, both in the settlement zone and in the zone of controlled tourism, an increase in building activity has been observed. Although, this activity is legal, there is a danger that it will undermine the, already abused, habitat due to the expected increase in the number of visitors to the protected nesting beach.

Question: How does the Management Body and the Government intend to deal with this problem, considering that, according to the Presidential Decree, the next environmental impact assessment will not be carried out before 2004?

ZNMP Answer: *The question refers to the building activity in the area of Kalamaki, which is being exercised within the legal limitations, the provisions of the Presidential Decree and the town-planning rules. The granting of permits for these activities came as the result of the analysis of the Special Environmental Study on which the Presidential Decree is based, and which provides for the location of tourist activities in this area. To this extent the Management Body of the ZNMP has no jurisdiction to interfere or control activities that are legally exercised.*

However, because there is indeed a danger that increasing pressure to the habitat due to the additional number of visitors will create a problem to the nesting of the Caretta caretta turtle, and also because illegal building activity has been observed, the Management Body has proceeded with the following actions:

- *The hiring by the ZNMP of a full-time civil engineer. This engineer will be responsible for overseeing the building activity in all the areas within the jurisdiction of the ZNMP and will intervene immediately in order to control illegal activities. Moreover, through his activity, the operation of service infrastructure and especially the biological sewage treatment in all tourist establishments will be monitored and adherence to habitat protection measures against light pollution will also be ensured.*
- *Concerning pressure on the sensitive areas in Kalamaki, planning has already taken place and intervention in the field has already begun with the "Guarding-Information Programme at the Nesting Beaches". These interventions, based on planning, will be intensified with the commencement of the LIFE Environment programme at the beginning of August 2001, with actions on the rehabilitation of the landscape, the more complete information to visitors on the nesting beaches and the complete control of access to them.*
- *Within the process of adapting the Presidential Decree to Law 2742/2000, stricter limitations and measures have been proposed for the building of hotels (decrease of the building coefficient to 1,5), with a similar revision to the terms for the building of houses in order to control the increased building activity which is mentioned in the question. Finally, this issue will indeed be covered in the new Special Environmental Study, which will begin within the legal time limit.*

2. COMPENSATORY MEASURES: THE CASE OF DAFNI

MEDASSET: The provision of compensatory payments to the affected people of Dafni is already two decades late as neither a cadastral plan nor a definition of the shoreline have been produced. The Management Body has postponed the implementation of protection measures in Dafni for a year in order to give the people there a chance to show "good face", asking them for example, to voluntarily shut their tavernas at 20:00 and to move sun beds and umbrellas to the upper part of the beach in the evening. The Management Body stated "since we give nothing we can't ask them to stop (illegal) activities" ("Zakynthos" newspaper, 13.03.01). Also, a study for the ecotourist development and the compensatory measures in the park was announced by the Management Body ("Zakynthos" newspaper, 13.03.01)

ADDENDUM I.

The Dafni Landowners Association replied that the inhabitants are the legal owners of the land, they can do what they want with it and they do not accept interference from the Management Body, which does not represent them ("Zakynthos" newspaper, 13.03.01)

A few days after these statements, building activity was reported in the area, which was stopped after the intervention of the Management Body.

The Commissioner for the Environment, M. Wallström has announced that the cost for compensatory payments is covered, within certain limits by E.C. projects. The work of the Park would be eligible for the operational programme "Life Environment" 2000-2006, **only** if permanent protection measures and the second Presidential Decree for compensatory measures are introduced ("Zakynthos" newspaper & Athens press, 06-07.05.01).

Question: How is proper operation of the Park and its funding from the E.U. to be guaranteed, without consent from all the people of Dafni and while the issue of compensatory measures remains pending? At what stage is the ecotourism development study at present?

ZNMP Answer: *From the first day of its operation the ZNMP tried to restore the climate of collaboration and mutual trust with the whole of the local community in Zakynthos, which had been severely disturbed in the past years. This target was achieved through the sincere and credible presence of the ZNMP during the past year, proving false all the scenarios, which had deliberately been disseminated by those who encouraged the prolongation of the arguments and illegality, at the expense of the local population and the environment, giving ample ground for all kinds of speculation.*

In this framework the ZNMP has repeatedly tried to establish a climate of mutual trust with the landowners in Dafni. The aim, for 2001, is to achieve, through collaboration, the implementation of conservation measures and guarding in the area of Dafni, and to plan that the compensatory measures should result as the product of a dialogue with the landowners. Up to now this collaboration has not been possible as the "Landowners Association of Dafni" refuses to recognise the Management Body of the ZNMP. The ZNMP will intensify its efforts to find a solution for this matter, based on the need to implement conservation measures in the area, without jeopardizing the climate of consent that has been achieved in the last year.

The issue of compensatory measures is indeed of critical importance, and as the European Union has already been informed, the ZNMP, with the consent of the government, is looking into new solutions for the provision of compensation through the development process, which must accompany the existence of the ZNMP, focusing on the protection and promotion of the environment. The study mentioned will propose a package of solutions to all the stakeholders which will include the measures already embodied in Law 1650/86 (compulsory purchase of land, land exchange, open market purchase etc.) but also the possibility to participate in new business ventures based on the protection and promotion of the natural environment. Moreover, the ZNMP in co-operation with the Ministry of Environment, Physical Planning and Public Works will proceed with the necessary legal provision so that the alternative forms of compensation will be embodied in legislation. This provision will also cover the legislative gap that exists today on the implementation of the compensation measures of Law 1650/86.

3. ECONOMIC VIABILITY OF THE ZNMP

MEDASSET: As the Ministry of Environment, Physical Planning and Public Works has announced, one of the aims of the Management Body is to achieve financial independence after the first two years. Funds that have been allocated have however been directed towards administrative expenses and the hiring of wardens (This year over 140 million drs have been allocated for more than 60 people who will undertake the 24h guarding of the 3,5 kms of nesting beaches.

Question: Now, after ten months, what investments have been made and what results have been obtained as far as the economic self-sufficiency of the Park is concerned?

ZNMP Answer: *The ZNMP has, up to now, the financial support of the Ministry of the Environment, which has disbursed from public funds, in the first year of the park's operation the sum of 50 million drachmas. Moreover, the ZNMP is being funded until the end of 2001*

ADDENDUM I.

through the contract of the Second Community Support Programme in the sum of 25 million drachmas.

The largest part of the funding has been spent to cover the establishment expenses of the ZNMP and the operating costs. It is worth mentioning that the largest part of the operating cost of the ZNMP has been absorbed by the guarding programme, which necessarily must be able to establish an effective system in the first years of the park's operation.

Apart from the aforementioned funds, the ZNMP has developed a complete management programme as a first step, with the proposal deposited to "LIFE Environment" with initial success. Apart from this programme it is planned to place activities in national, regional and EU programmes, and the management programme is constantly improved with the experience gained from the operation of the ZNMP.

4. EUROPEAN COURT OF JUSTICE

MEDASSET: In 1998 Greece was indicted to the European Court of justice for not adhering to the Habitats Directive, as a result of the several years of lobbying, and finally the recourse to the European Union Ombudsman, by MEDASSET. A possible sentence will put a financial strain on the state budget.

Question: What is the current status of events concerning this case and when is the European Court's decision expected?

ZNMP Answer: The European Court of Justice set the 12th of July 2001 as the court trial day for case C130/00. Although the hearing of the case occurs during the first summer that the ZNMP operates normally, something which weakens Greece's position to display and justify the progress that has been achieved during the past months, there is important evidence which refers to the protection of the area during the last year and the current nesting season, as well as the operation and organisation of the Management Body of the ZNMP, and also the steps taken to address the vital and institutional pending matters. This information will be available to the European Court of Justice and the EC in order that there will be justice and an acknowledgement of the efforts made.

5. BRIEFING TO FOREIGN TOUR OPERATORS ON THE ZNMP

MEDASSET: Going through the brochures of the big tour operators (Thomas Cook, Thomson, TUI etc) we find few and vague references to the ZNMP and the protected status of sea turtles. In fact Laganas is portrayed as a lively resort with intense nightlife.

Question: Is there any form of co-operation between the Management Body and these companies, who bring hundreds of thousands of tourists to Zakynthos every year, in order to enhance the distribution of information, and adherence to protection measures?

ZNMP Answer: The Management Body of the ZNMP had a working meeting in April 2001 with Mr. Ivand, General Manager of the Environmental Division of TUI, the largest tour operator in the area. It was agreed to develop co-operation between the ZNMP, TUI and the local tourism operators in Zakynthos (with whom there has been a series of contacts) in order for the ZNMP to have an active participation in the awareness of visitors, both on the spot, and through the information material which is produced every year.

6. ZAKYNTHOS AIRPORT'S NIGHT FLIGHTS

MEDASSET: In a press conference the Management Body ("Zakynthos" newspaper, 15.02.2001) referred to night flights and the possibility of extending them for one more hour, until 11 p.m.. Anyone who has spent the summer months in Laganas could bear witness that despite the banning of flights after 10 p.m., these continue sporadically until the early hours of the morning. That is, of course, to be expected as charter flights are often late and the airport cannot refuse landing! Official statistics of the Zakynthos airport show that from May to October 2000, there were 2,747 flights, up by 17% on 1999, carrying 438,000 visitors to the island.

Question: What is the Management Body's position on this?

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ZNMP Answer: *The subject of changing the operation hours of the airport has not been raised. If such a matter occurs it will be examined on the basis of scientific facts within the framework of the Management Plan of the ZNMP.*

7. PROPOSED CHANGES TO THE PRESIDENTIAL DECREE FOR THE ZNMP

MEDASSET: Our concern is made even greater by certain proposed changes to the Presidential Decree for the ZNMP that are included in a report prepared by a panel of experts:

- 1) The proposed relaxation of the regulatory measures regarding building and the height of structures is expected to intensify light pollution and tourist congregation on the nesting beaches.
- 2) The decrease in certain areas of the distance between the building line and the high water mark from 100 m to 50 m, is dangerous (if not unacceptable) for this protected habitat.
- 3) The proposal to allow the operation of recreation facilities such as e.g. clubs/discos in certain areas. As has been proven, noise pollution from such activities in the Bay of Laganas has no limits, and all efforts to control it have in the past had little result.

ZNMP Answer: *The changes in the Presidential Decree 906/99 aim mainly at its harmonisation with the subsequent Law 2742/00, which provides for the formation and operation of management bodies on a national level. The various adjustments proposed aim at the lifting of certain particularly strict measures that have no positive effect on the protection of the area (e.g. rental of houses in zone O), whereas more strict measures are suggested for areas where this is considered necessary (e.g. decrease in allowed building density from 8 to 20 stremma *1).*

ADDENDUM II.

Extract from “Zakynthos Daily” newspaper, Thurs. 12th July 2001.

“THE DAY OF JUDGEMENT HAS ARRIVED”

Reported statement by Prof. Pandis, Chairman of the ZNMP Management Body.

"All that we should have done on an institutional level, we have done. Our problem is in implementing those measures for which the cooperation of Departments of State and authorities are required, such as the case of umbrellas on nesting beaches. We are, that is to say, in a situation of implementation-non implementation. In order to be able to do our job we need the cooperation of the Land Authority - which we have - and also of the Municipality of Laganas, the Municipality of Zakynthos, the Port Authority, the Police, etc. We are keeping a close watch, and report all the illegal activities requesting that the appropriate authorities intervene, trying through the intervention of these bureaus and authorities, to implement what we must.

It is not entirely up to the Management body to show that in practice we have results in Zakynthos. The people themselves, not just the authorities, must understand that laws have to be implemented. For example, we cannot have the law allowing 150 umbrellas on the beach and the owner putting more than that, because this is an illegal activity that is against the Greek State. What is he selling? Greek public property, the Greek coast! Why is he stealing from Greek public property and conducting illegal activities? Each and every time, we are obliged to take action against lawbreakers! That is the big problem. And what are we supposed to do? Proceed to lawsuits or fines? What then? A fine of 100,000 drachmas is of no concern to them when they make 5-7 millions out of every umbrella! They do not even take the possibility of legal action against them seriously, because who knows when the case will come to trial, and even then the penalty will only be between 100-500 thousand. So we are in a constant conflict between legality and illegality.

How is that problem solved? Only by society itself deciding that it does not want illegal activities! A more effective way must be found for the next year. This is a matter of planning by the Management Body, and it will be done. I must stress that there is a way, and nothing like this will take place next year. For the moment, however, we are at constant war against lawbreakers.

The same applies with the horses. There are three stable operators who break the law. They do not inform their horse-riding customers that they are banned from the beach, on the contrary they tell them, “Go there”! We have asked them to designate a route that will disturb nobody.

The self-evident concept for the whole world, that there can be no illegal activity, is not the reality in Zakynthos! While the authorities try to save Zakynthos and Greece from a possible conviction at the European Court of Justice, Zakynthians themselves are indifferent! Do they want “to have their cake, and eat it”? Do they want E.U. money for infrastructure while at the same time nobody adheres to the law? Absurd! But that is the rule in Zakynthos! This is because, with few exceptions, the economic development that we have observed on the island over the past few years is the result of illegal activities! I repeat that a solution will be forthcoming only if the law is implemented. I imagine that in this whole climate of illegality, we, the ones who ask for laws to be implemented, must seem like Martians!

I must say that what is happening in Zakynthos is being reported, and the European Union is aware of the situation. We will be truthful about the problems we are facing, and we will ask for their help. Of course, in the past few months we have made a huge effort to present a decent image of Zakynthos in an effort to avoid conviction. The authorities of Zakynthos have responded well, but the local population has not! Is an individual's illegal profit to be held above the benefit of the community as a whole?"