



15.4.2019

NOTICE TO MEMBERS

Subject: Petition No 0898/2018 by Friedrich Klinge (German) on the violation of the Habitats Directive and of the Birds Directive by the German city of Eckernförde

1. Summary of petition

The petition alleges that Germany and the city of Eckernförde are violating the Habitats Directive and the Birds Directive. The petitioner claims that in recent years the city has issued permits for the organisation of numerous large-scale events and public festivals (at times exceeding 10,000 participants) in areas which are protected under the Directives. The presence of large groups of people as well the use of large vehicles during such events has resulted disturbances to fragile protected areas as well as to local bathers, including in particular through noise pollution. The petitioner also refers to photographic evidence of the physical damage caused through some recent events, in particular the “Strand Open Air Festivals” which took place from 6-7 July 2018, as well as annual Easter festivities which result in what the petitioner describes as potentially illicit burning activities.

2. Admissibility

Declared admissible on 18 December 2018. Information requested from Commission under Rule 216(6).

3. Commission reply, received on 15 April 2019

The beach area of the “Kurgebiet Südstrand” is part of the Natura 2000 site DE 1526-391 “Südküste der Eckernförder Bucht und vorgelagerte Flachgründe” and the site DE 1525-491 “Eckernförder Bucht mit Flachgründen”, protected under both the Habitats¹ and the Birds

¹ Directive 92/43/EEC of the Council 21. May 1992 on the conservation of natural habitats and of wild fauna and flora; OJ L 206, 22/07/1992, p.0007- 0050.

Directives². The sites have respectively a total surface area of 8.237,17 hectares and 12.062,00 hectares, including a marine area, and are partly overlapping. The beach, which is part of the protected site, is also used as a recreation area. The Federal Road B76 is directly adjacent to the protected site and to the beach. According to publicly available sources³, approximately 10 hectares of the Natura 2000 site are occasionally used for cultural or touristic activities by the City of Eckernförde.

Activities like open-air festivals or other cultural events can be conducted in a Natura 2000 site as long as adequate measures are taken so that they do not have a significant effect on the conservation objectives of the site. It is up to the Member State competent authorities to ensure that the necessary assessments are carried out and appropriate measures are implemented. According to the documents submitted by the petitioner, noise regulations for the open-air festivals are set up and waste collection systems must be established by the event organizers in order to prevent the deterioration of the area. If the petitioner is of the opinion that these measures by the local authorities are not respected during these events or are not enough, he should inform the national or regional competent authorities for an appropriate follow-up.

Conclusion

Based on the information provided by the petitioner and publicly available documents, the Commission does not intend to pursue the matter further.

² Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds, codifying Directive 79/409/EEC; OJ L 020, 26.1.2010, p.7.

³ <http://natura2000.eea.europa.eu/#>