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## MISSION REPORT

following the fact-finding visit to the Mar Menor (Murcia), Spain, of 23-25 February 2022, in relation to the environmental deterioration of Mar Menor

Committee on Petitions

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## Introduction

The fact-finding visit to Spain, which took place from 23 to 25 February 2022, was organised by the Committee on Petitions as provided for by Rule 228 of the Rules of Procedure of the European Parliament, and was authorised by the Bureau on 4 October 2021. The objective of this fact-finding visit was to gather information from the competent Spanish authorities, petitioners, and a variety of experts, citizens' platforms and non-governmental organisations about the environmental situation of the Mar Menor, a saltwater lagoon on the Mediterranean coast located in the region of Murcia, in south-eastern Spain.

The head of the delegation stated that she and the other members were well aware of the fact that the environmental situation of the Mar Menor is a multi-faceted problem with implications for all levels of administration, from the local to the regional, national and European levels. This was why this fact-finding visit aimed to gather first-hand information regarding all the different aspects involved in the environmental problems, as well as how to tackle them and how the European institutions may be able to help turn the situation around before it becomes irreversible. The head of the delegation also conveyed to all of the delegation's interlocutors the firm intention of the delegation to do everything in its power to make the necessary recommendations to allow all the institutions involved to work together in solving the environmental problems affecting the Mar Menor.

## Petitions and petitioners

This fact-finding visit came about in response to the following petitions, and the delegation met with the petitioners during their first day in Murcia:

- **Petition 0886/2016** by T.M.M. (Spanish) on the declining state of the ecosystem in Mar Menor lagoon, Murcia
- **Petition 1168/2016** by Isabel Rubio Perez (Spanish), on behalf of Ecologistas en acción de la Region Murciana, on the preservation of the Mar Menor
- **Petition 1095/2018** by Mario Ginés Pérez Cervera (Spanish), on behalf of Los Alcázares PSOE, on the misuse of Integrated Territorial Investment (ITI) funding for the Mar Menor in Murcia
- **Petition 1059/2019** by José Luis Álvarez-Castellanos Rubio (Spanish), on behalf of Izquierda Unida-Verdes de la región de Murcia, on the pollution and deterioration of the environmental conditions of the Mar Menor
- **Petition 1331/2019** by D.R.H. (Spanish) on environmental offences in the Mar Menor lagoon, Murcia
- **Petition 0756/2020** by V.A.M. (Spanish) on environmental crimes in the Mar Menor, Murcia

## Summary account of meetings

*Wednesday 23 February 2022 (11.00-13.30)*

### Meeting with petitioners

On behalf of the delegation of the Committee on Petitions, Ms Tatjana Ždanoka thanked all petitioners and their representatives for attending the meeting and for presenting their views on this issue. Ms Ždanoka first introduced the Members of the delegation and then gave the floor to the petitioners.

- For **Petition 0886/2016**, it was Mr Santiago Pérez Blaya, representing the petitioner Mr Manuel Macanás, who took the floor. He started by thanking the Committee on Petitions for allowing them to present the situation that the Mar Menor is now facing. After 30 years of continuous degradation of the environment, he said, a variety of stakeholders, from green organisations to citizens and the media, have been pointing out what had happened. He believes the competent authorities have ignored them. The Rambla del Albuñón has been deteriorating and they have witnessed it, first hand, as they live there. In 2004, the run-off from the desalinisation plant nearby has been out of control and this has not yet been remedied. It was only a matter of time before the maritime ecosystem was destroyed, and unfortunately, that time has arrived. This situation was taken to the courts where the magistrates finally ruled that the citizens did not have the right to make the demands they were making. The degradation of the beaches around the Mar Menor was already obvious, even before 2016, when the Mar Menor became ‘an enormous green soup’ due to the proliferation of algae. Dumping had continued and the sewage plants were not working properly. Citizens and organisations had pointed out where the pollution was coming from and who was responsible for it. They had also suggested what should be done to rebalance the environmental situation and the actions that should be taken in economic terms. He believes that the key points of the deterioration were obvious after the September 2019 floods and the anoxia event that occurred in October 2019. Social movements continued to exert pressure and stated that the administrations were neither applying the law nor sanctioning the polluters. He said that all the administrations involved should work together to solve this problem. He also said that Europe should play a bigger role in the recovery of the Mar Menor, especially as some of the projects in place in the area are financed by European money. First, concerning the sewage treatment plants, he said that they were still releasing water into the Mar Menor, and that there were no tanks or reservoirs to capture rainwater. When it rains heavily, without a proper network to allow for this rainwater to be captured and treated, it has to be directly pumped out. After treatment, the high levels of salt sediment in the water mean it cannot be used for irrigation. Therefore, he said, it either has to be mixed with higher quality water or dumped in the Mar Menor, without extracting the huge amount of nitrates that it contains. The administration should have come up with a solution which, he said, is quite simple: these same water treatment plants should have a denitrification zone as well as a desalinisation area. He said that the EU should keep a closer eye on this to avoid impunity when administrations fail to assume their responsibilities, and that the institutions that disburse EU funds should check that the goals of the projects they fund are being achieved. With infrastructure getting old and lacking maintenance, and the number of people living nearby increasing exponentially, especially during the summer, the environmental deterioration of the lagoon is worsening dramatically, he said. Polluted

water is being pumped into the aquifer as well as into the Mar Menor, he said, and more investment is needed from the local authorities to improve urban water disposal systems. The agricultural sector has occupied the most space in the Mar Menor basin over the past years, and should be subjected to a thorough and scrupulous audit. He said he believed there were not enough checks on land irrigation and that citizens did not have access to information about the amount of illegal irrigation detected in the area. What infuriates the people, he said, is that some of the projects at fault are financed by EU funds. He said that the EU cannot say it does not have the power to act, and nor can the central and regional authorities. He concluded his intervention by thanking again the Committee on Petitions for coming to Murcia.

- For **Petition 1168/2016**, Isabel Rubio Perez took the floor. She represented Ecologistas en acción – Región de Murcia, the Naturalists Association of the Southeast (ANSE), the Federation of Neighbourhood Associations of Cartagena and its Region (FAVCAC) and the Association of Fishermen of the Mar Menor. She first thanked the Committee of Petitions for coming to Murcia and gave an introduction to the Mar Menor, saying where it is located and that it is the biggest saline lagoon in Europe. She also explained how the mining industry of the past, and the agricultural industry of both past and present, are behind the deterioration of the Mar Menor, as wastewater and substances from those industrial activities run through the watercourses, called ‘ramblas’, down to the Mar Menor, which acts as a basin. The water of the Mar Menor is more saline than that of the Mediterranean Sea because the strip of sand that isolates it, called La Manga. There are three openings that allow water to circulate between the Mar Menor and the Mediterranean, two artificial and one natural. Until recently, owing to the weather conditions in Murcia, without much rain and with evaporation caused by high temperatures during the summer, the water of the Mar Menor was oligotrophic (i.e. low in nutrients) and very clear. These characteristics fostered the creation of a unique ecosystem for the species of that habitat, some of them threatened by extinction. The Mar Menor and its ecosystem are protected by laws at regional, national and European level. It is a symbol of the region of Murcia and is very important for the economic income it enables in the tourism and traditional fishing sectors. There are also strong emotional links of the people living in this area, Ms Perez said. Until 2015, the water was polluted but it was still transparent. In 2016, the first big episode of eutrophication occurred, followed by a huge die-off of fish in 2019, and then another, four times greater, in August 2021. The petitioner also explained the historical development of the area, from the little villages that existed in the 1960s and lived from farming and fishing, to the change in the economy relying on tourism, the construction of many second homes in the rural area and the intensive irrigation of agricultural plots. Waste from the mining industry in Cartagena-La Union had other impacts on the Mar Menor. All this changed the hydro-dynamism of the Mar Menor and its salinity, and new species entered the Mar Menor owing to the muddiness of the water. She also criticised the chaotic town planning of La Manga del Mar Menor, with its huge buildings. She said that 10 leisure harbours had been built around the 70 kilometre perimeter of the Mar Menor and that they often acted as barriers to the seawater currents, helping the accumulation of mud. All of this is very serious but the final coup de grace to this ecosystem, she said, has been the development of intensive industrial agriculture. This has increased the eutrophication of the water and put the Mar Menor on the brink of collapse. The completion of a huge infrastructure project to bring water from the Tajo river to the Segura river meant a change in farming. The traditional unirrigated crops of cereals and olive trees were replaced by vegetables and irrigated fruit-

trees, harvested several times a year and using large quantities of water, fertilisers and pesticides. As this farming was more profitable, the traditional landscape of farmed terraces was destroyed. According to the petitioner's findings, more than 10 000 hectares of farmland do not have the right to irrigation using the water transferred from the Tajo river. The Confederación Hidrográfica del Segura, the competent water authority, recognises at least 8 500 hectares of farming plots without the right of irrigation. Furthermore, the petitioner stated that water from the aquifers is also being used and polluted by chemical substances from the agricultural sector. She explained that some research has found that there are 300 000 tonnes of nitrates in the subsoil of Campo de Cartagena. This water is brackish and needs to be desalinated if it is to be reused. The residue of that process, which is the brine, plus any chemical substances, have been discharged into the Mar Menor even though this is prohibited. A criminal case is currently ongoing against two high-ranking officials and 39 agricultural companies for crimes against the environment in the Mar Menor, linked to illegal irrigation and the discharge of brine. In 2001, the petitioner's association brought a case to the European Union regarding non-compliance with the Nitrates Directive in Murcia, particularly in Campo de Cartagena. The regional government has declared the area a vulnerable zone but that has not prevented the problem from getting worse because no effective measures have been implemented, she said. In 2019, the regional government drew up a new map of areas where nitrates were causing damage. The petitioner criticises that fact that measures are not taken at the source of the pollution. The European Commission's report of October 2021 indicates that the Murcia Region is one of the most highly polluted in Europe. The majority of the chemical substances dumped in the Mar Menor come through the Rambla del Albujón, which should be dry, as well as through the aquifer.. All this has led to an increase of the eutrophication of the Mar Menor, with the exponential growth of microalgae and phytoplankton causing the death of 80 % of the sea's weed beds in 2016. Eutrophication is also the reason behind the lack of oxygen that led to the massive die-offs of fish in 2019 and 2021. 55 000 people demonstrated in Cartagena in October 2019, and then 70 000 people demonstrated in Murcia in October 2021. The tremendous damage has been aggravated by the rechannelling of the watercourses, changes in the farming sector and the proliferation of greenhouses, the petitioner said. Eutrophication has caused a crisis in the traditional fishing sector because the seabed is so altered and polluted, and in the price of dwellings in the area, which have fallen by 40 %, taking a toll on the tourism sector. The petitioner believes that this damage could have been partially limited if the regional authorities had not derogated from the law on protection and harmonisation of uses of the Mar Menor in 2001. They should also have complied with the Nitrates and Natura 2000 Network Directives. It is essential that agricultural activities be reined in, that parts of the areas occupied by intensive farming be re-greened, and that further developments and building be prevented. On top of this, certain marinas should be eliminated and the areas returned to public coastal maritime zones, the petitioner said. The represented organisations denounced the way that the regional authorities have used European funds without achieving any significant results, and said that measures announced recently have not been properly evaluated. They also denounced the fact that the participation instruments, such as the Mar Menor Council, have not yet been set up. The petitioner hoped that the Parliament delegation would help to better control and monitor how EU funds were spent in order to prevent the development of new infrastructures or economic activities that may damage the Mar Menor, in compliance with the polluter pays principle, and said that nature-based investments should be made.

They stated that they have come to Brussels three times and, unfortunately, they have not seen any intervention.

- For **Petition 1095/2018**, María José Benzal took the floor, representing PSOE Los Alcázares. The petitioner complained about the Integrated Territorial Investment funds for 2014 to help the Mar Menor recover, saying that they were misused because the storm tank that was built and inaugurated in 2016, at a cost of more than EUR 1 million, is not working owing to construction mistakes and because the pumps are not functioning. Therefore, the objective of the funds was not achieved. She informed the delegation about various expert reports that have looked into the matter. She stated that, because of the shortcomings detected when it was put into operation, from the very first days it was clear that the tank was not working properly. The operation of separating the water from sewage inflows was not working correctly and when the storm tank was full, rainwater got mixed with sewage residues. The pumps were supposed to stop and close the tank when it reached 70 % of its capacity but this is not happening and the pumps keep on operating. When the tank is completely full it overflows into the sewage system and the polluted water then reaches the Mar Menor. The petitioner also explained other deficiencies in the construction of this infrastructure. The petitioner denounced the bad management of the EU funds by the regional authorities in Los Alcázares municipality. Nitrates overflow from the storm tank into the Mar Menor, even when it is not raining, she said.
- For **Petition 1059/2019**, José Luis Álvarez-Castellanos Rubio took the floor, representing Izquierda Unida-Verdes de la Región de Murcia. He welcomed the delegation to the Murcia region. He stated that many inhabitants of the region had high hopes for this visit. He criticised the fact that the first petitions on this issue were presented in 2016 and that it was only in 2022 that the Committee on Petitions had come to visit the area. He said that members should pay attention to what the people of Murcia are saying, from fishermen to residents of the Mar Menor's surroundings, as citizens that represent their region. He stated that the regional government had not listened to them. What had happened in the Mar Menor is largely a result of the non-compliance by public sector authorities, mainly the regional government, with their obligation to protect natural resources and the environment, as set out in Article 55 of the Spanish Constitution. The precautionary principle, the principle of preventing polluting at its source and the polluter pays principle, which form the basis of the EU's environmental legislation, had also been disregarded. The current situation is not in compliance with the Spanish Constitution nor with EU policies, he said. The petitioner pointed out that this visit may be the sole opportunity for many of the citizens to inform the European Parliament, first hand, of this problem while public administrations have other means to convey their message. He said he believed that the regional government had not only not protected the Mar Menor from pressure and pollution but had also made a conscious contribution to its degradation. The regional government had given priority to the development of certain economic activities in the Mar Menor area such as building, intensive agriculture and intensive pig farming, not to mention the mining activities in the hills in the 1970s and 1980s, which caused and still cause heavy metal pollution. He stated that the main problem was the intensive agriculture in the region, which is the source of the huge amount of nitrates that end up in the Mar Menor and which have led to the eutrophication of the water. According to Mr Esteve, an expert that members of the delegation would have the chance to listen to at a later meeting, nearly 85 % of the nitrates in the lagoon come from intensive agriculture in the Campo de Cartagena area. That is why the petitioner said he believed that solutions

should come in the form of controls on these activities at their source. These are objective facts and not opinions, he said. The petitioner stated that Members would hear that current agricultural methods are a lot less polluting and that they require less water than the old methods. This is all debatable. However, the fact is that irrigated agriculture areas have increased to 50 000 or 60 000 hectares when only 36 000 hectares were envisaged in the plan for Campo de Cartagena. In addition to this, nearly 90 % of pig farms and the slurry tanks they use for pig excrement do not comply with the rules that apply to them. Thus, he said, we are facing the fact that the regional government has not acted and has not taken its responsibilities. The petitioner referred to the Topillo case, currently before Murcia's Court, where the prosecutor stated that the main cause of pollution was the inaction of the former regional authorities from 1999 to 2015. Its forecast was considered not realistic, it did not prevent the discharge of fertilisers into the Mar Menor. In conclusion, the regional government has been in the same hands since 1995, and it has systematically ignored the rules on the environmental protection of the Mar Menor. The petitioner concentrated on the compliance with the Nitrates and Habitats Directives, which were transposed into Spanish legislation in 1996. Since 1987, when the first law to protect the lagoon was passed, the regional government has done everything to try to derogate from that law, he said. It was not a perfect law but it could have meant a turning point in the protection of the Mar Menor. A few months after the law was passed, the regional government presented a constitutional appeal against it and when, in 2001, the same political party came to power, it cancelled the law. The regional government brought in the Soil Law, which made a provision allowing all local councils to permit much more building, for example, of second dwellings. This was a missed opportunity, the petitioner said. Then there is the issue of non-compliance with Law 4/1992, on protection of the territory of the Murcia Region, where it was stated that certain parts of the Mar Menor and islands were protected areas that should have been subject to a natural resources harmonisation plan. The natural resources management scheme was never adopted. After 27 years of bureaucracy and a hands-off approach, the creation of illegal desalination plants in the Campo de Cartagena was clearly affecting the Mar Menor, and it was not until December 2019 that the Mar Menor was declared an area vulnerable to nitrate pollution. The petitioner called for the action plans from the EU to be implemented by the regional government. In 2001, the basin was declared a vulnerable area, in 2003, the first action plan was passed, and it was supposed to be revised after three years but all of the action plans, until now, have accumulated unjustified delays. In 2007, the setting up of a monitoring and control plan was proposed, with a committee that was not established until December 2019. Since then, that committee has only met once. The petitioner referred to a chronological summary where Members could see the negligence of the regional government. The petitioner highlighted that, in 1995, when there was a severe draught, farmers were allowed to extract water from the subsoil, which led to the creation of a multitude of clandestine desalination plants. Most of the waste from that process was dumped illegally into the Mar Menor for many years. That is one of the main causes of pollution in the lagoon and has destroyed most of the fauna and the seabed flora of the area, which enabled the lagoon to self-regulate. The question is what to do in the face of this situation. The negligence and hands-off-policy of the regional government cannot continue, the petitioner said. The Segura River Water Board has also had its share of responsibility for this situation, in some periods, and the central government too. The petitioner outlined two alternative ways forward: continuing public investment and infrastructure work to protect the lagoon, following the polluter pays principle; and intervening at the source of pollution, which means cutting intensive agriculture areas and

reducing the amount of nitrates and phosphates dumped into the Mar Menor. We need to re-green areas and to recover the watercourses, he said. All of this is in the Mar Menor protection plan law passed in 2020 but which has not yet been applied. The European Commission stressed the importance of tackling pollution at the source in the Mar Menor, taking urgent action by sending a letter after the visit of the Commissioner Sinkevičius in September 2021.

- For **Petition 1331/2019**, Diego de Ramón Hernández took the floor. He started by stating that he was a naturalist and a European citizen. For more than 30 years, he said, we have talked about the institutions that have failed to act and the monopolies that have led to the destruction of the beauty of the Mar Menor and its role as part of the identity of the people of Murcia. He explained that he was seven the first time he went swimming in the Mar Menor. He went on swimming every summer in the beautiful clear water where you could see the fish around you, until 1985. We do not want to have an environmental disaster in the European Union, he said. There is a vacuum in Spain when it comes to protecting environmental whistleblowers. The petitioner underlined that he is not representing a political party or an economic organisation. He denounced the fact that people are to blame; he was talking about people and not institutions. He stressed, in a book that he said he would give to the Chair, that millions of euros have been given to the Region of Murcia by the European Union. From the year 2000 until 2014, the Region of Murcia received EUR 111 million for the protection of the environment of the Mar Menor. Between 2014 and 2020, EUR 1.3 billion. If this money had been spent correctly, we would not have 300 000 tonnes of nitrates in the lagoon. The authorisation of construction has caused the population of the area to double in size. Another issue, he said, is the question of banning fertilisers. Former environment Commissioner Karmenu Vela said in 2016 that Spain had failed to comply with EU environment legislation when it came to the Mar Menor (Habitats and Nitrates Directives). The petitioner called for a moratorium on house building near the Mar Menor. He questioned where did the EU money had gone and how it had been spent. The environmental damage caused by harvesting four crops a year in the agricultural sector is another element to take into account. These two factors are the main causes for the deterioration of the Mar Menor. The petitioner said he believed that this needed to be audited and the people responsible punished, not the institutions but the individuals in charge. The Mar Menor should be respected as a sacred trust. The petition he presents refers to European law (Sites of Community Interest, Special Protection Areas for Birds and others). The Court of Justice of the European Union (CJEU) in one of its rulings stated that it is possible to levy criminal sanctions when referring to environmental crimes. According to the petitioner, the misuse of EU money is at the root of the deterioration of the Mar Menor. The petitioner requested that the Committee on Petitions ask the legal services of the European Parliament and the European Commission about the possibility of bringing criminal sanctions for these environmental crimes. The petitioner stated that the name of the Mar Menor could be changed to the 'Dead Sea' because of its current situation.
- For **Petition 0756/2020**, Victoria Alcaraz Marín took the floor. She stated that people are tired of nice words and good intentions. They want everyone responsible to take action and work together. Her town, Los Alcázares, was a welcoming place with warm, transparent salty water for swimming. Now, it is a sad village. It is trying to get out of its depression but it cannot. The inhabitants look at the sky and they tremble, waiting for rain. They look at the sea and, as the Mar Menor is dead, many people have moved away. We

need action, she said. As common citizens, they do not understand the technical reports presented by experts and authorities. The lack of understanding and cooperation among different governments and administrations is one of the main causes of this situation. The petitioner said she wanted the Mar Menor to be what it used to be, a natural paradise. Nature gave it to the people freely and between them, the people have killed it. She said that the authorities have to work together and leave aside political quarrels. Compliance with EU law should be analysed and if it is found to have been broken, the Committee on Petitions should take appropriate action. Do not leave the people of the Mar Menor on their own, she said. The petitioner requested that the European Parliament supervise the Spanish administrations, check on the funds granted and the timeframes of their use, and oversee the work of the responsible authorities. Help the Mar Menor and do not forget its people, she said.

### **Question and answer session**

During the question and answer session, the following members of the delegation spoke:

Ms Ždanoka reminded the petitioners that the Committee on Petitions could not come before because of the pandemic and that the activities related to fact-finding visits had just started in the European Parliament. Then she gave the floor to the official members of the delegation, starting with Mr Loránt Vincze.

Mr Vincze thanked the petitioners for their passionate statements and said he understood perfectly their commitment and sorrow concerning the situation of the Mar Menor. He acknowledged that we face a very complex situation. Its different facets had been already pointed out and should be taken into account. Environmental protection, he said, was the core of the topic. However, tourism, agriculture, the fishing industry and the real estate situation, as well as other economic activities, all had a part to play. He said that we need to see this situation in all its complexity. In trying to solve one problem we need to avoid creating other problems. In these cases, it is always important to keep the balance and find a fair solution. The Committee on Petitions is committed to this but as the Chair rightly pointed out, its members were not there to provide justice. He said they would try to make a correct assessment of the situation and draw up a report. Mr Vincze asked the petitioners for concrete proposals and whether it is still possible to reverse this situation.

Mr Kosma Złotowski then took the floor and stated that he did not have specific questions yet as the petitioners had described the problem from many different perspectives. Members were there to learn about the situation and then draw up a report. He suggested writing a resolution on behalf of the whole European Parliament as a way of also including the European Commission on the issue. He thanked all the petitioners for a very in-depth presentation of the situation. He said he believed environmental solutions were possible but that they had to be found, as Mr Vincze had rightly said, in a way that avoided causing problems in other areas.

When it was his turn to speak, Mr Michał Wierzyński thanked all petitioners for presenting their issues. He also thanked them for their persistence in defending their cause. He said he saw that the situation was complex and problematic, with many victims. First of all, the Mar Menor itself is the biggest victim. But also fishermen, whose fish stocks are decreasing dramatically. Tourists are not willing to swim in the Mar Menor because of the bad quality of

the water. Real estate owners are losing money. Therefore, there is ecological damage but also economic damage. He wondered whether this damage was too profound to really care about this situation. He stated that some petitioners presented a culprit, and that some of their allegations should be investigated but that that was not the duty of the Committee on Petitions, which had come to listen to their stories and their viewpoints. It seems that intensive agriculture plays an important role in the deterioration of the Mar Menor, he said. He asked the petitioners if they thought that the agricultural sector was not concerned about the impact it was having in this area or if they were also on the side of the petitioners. Did they cooperate with each other or were they are on opposite sides.

Pedro García, Director of ANSE, replied that he represented one of the organisations presenting petition 1168/2016, and that in 2021, they had also presented a complaint for non-compliance with the Nitrates Directive as well as with the Habitats and the Birds Directives, not just regarding the Mar Menor but in the region as a whole. Answering the questions, when it comes to intensive farming and agro-industries, the model for too many years has involved thousands of hectares of illegal irrigation. In the past, the sector did not recognise the damage, as has been recorded in various reports that acknowledge that 80 % of the pollutants in the Mar Menor come from this type of farming, and mainly concern nitrates. Nowadays, the agricultural sector, which is also a complex one, it is starting to recognise this damage and trying to contribute to the solution. There are all kinds of different farmers. Some are doing a great job and others not so much. The speaker believed that the Mar Menor, for natural reasons, would not be able to restore itself and cure the damage totally during the winter months without the intervention of humans. It is true that eutrophication happens mainly when it is warm, in summer, he said. In winter, in some areas, the water is fairly clear and transparent. However, the Mar Menor cannot recover to its original state on its own. The solution is in the hands of the public sector, the administration and parts of the farming sector. He said that he could present multiple solutions but that he first wants the rules and the environmental legislation to be correctly applied. Europe is taking too long to recognise that the Nitrates Directive is not being complied with and has not monitored the funds that have been spent in the region. There are many other possible measures that could be taken, including re-greening, restoring the territory around the Mar Menor to its previous state. In many cases, its condition has been changed illegally. During the visit, the following day, he would try to go into more detail about these solutions for re-greening the area and banning certain forms of use. It is not just farmers who are taking these illegal actions, he said, other activities are also involved.

Ms Ždanoka also intervened, stating that most of the fact-finding visits to Spain in the past also had to do with pollution. She had participated in those to Galicia, to the Ebro river and to the Tajo river. She summarised that the petitioners had said that agriculture was the main cause of pollution in the Mar Menor. She said she wanted them to compare the situation with those in the places she had just named and give their opinion before hearing the next day from experts and scientists.

Pedro Luengo, representing Ecologists in Action, answered that here it had been scientifically certified that agriculture was the main sector bringing nutrients causing the eutrophication of the Mar Menor ecosystem. This is the most urgent problem to tackle right now because it is deteriorating the environment very quickly, he said. Other impacts are caused by other activities, and they complement each other to cause greater damage. Nevertheless, agriculture is making a direct contribution to the deterioration of the lagoon. Housing developments have

eliminated some wet zones that were natural barriers and filters eliminating some of the nutrients reaching the Mar Menor. Agriculture is not the only cause, but it is the main one, making it the most urgent to act upon. In other places with similar characteristics in Spain, Europe or America, the same things are happening: wherever big agro-industry zones end up flowing out their leftover water into closed and wet areas, they cause the deterioration and destruction of the existing ecosystem.

Pedro García, Director of ANSE, went on, answering that maybe the main reason why the Committee on Petitions was in Murcia was the problem of eutrophication that had caused a huge die-off of fish and seaweed. He said he had only given a hint of other problems with other complex causes. However, the EU had recognised this problem by taking Spain to the CJEU over non-compliance with the Nitrates Directive. In addition, he said, the central authorities were putting in place plans for the hydrological basin of the Segura river where the problem of the pollution coming from intensive agriculture is clearly stated.

Following with the intervention of the accompanying members, Mr Jorge Buxadé intervened and clarified that not all the speakers had stated that the main problems with the deterioration of the Mar Menor were caused by agriculture. One of the speakers, who highlighted that they were not motivated by any political or ideological affinity, stated that there were three main causes, each at the same level: not only agriculture but also the poor management of urban waste and the lack of adequate sewage channels. He talked about the eutrophication that was considered a fact; he mentioned a European Commission report for the period 2016-2019, which did not mention any of the current environmental complaints with the Mar Menor. He asked if, at some point, there had been plans to open slightly the bar dividing the Mar Menor from the Mediterranean Sea, to allow water from the Mediterranean Sea to enter and restore the environmental situation of the Mar Menor. Most of the speakers had criticised the agricultural sector, he said, but only one or two had mentioned the role of real estate activity and the tourism sector in the area in leading to the over-exploitation of resources. He also mentioned that the Mar Menor had been closed artificially. In its origins, the lagoon was not as we see it today. He wondered whether the creation of a huge perimeter channel had been considered, to prevent water coming from the agricultural sector from reaching the Mar Menor, instead of criminalising a sector that gives employment to thousands of families in the region of Murcia.

Ms María Soraya Rodríguez Ramos thanked the petitioners for their interventions and their commitment. We need a greater involvement of the EU in saving and regenerating the Mar Menor, she said. We are visiting a unique ecosystem in Europe. It is a very delicate one and needs more attention than other ecosystems to keep the balance. She said she did not believe that the petitioners had concentrated their claims on only one economic activity. According to her understanding, the aim was not to criminalise any activities. She said that all of the speakers had shown that the complex situation that the Mar Menor was suffering from was caused by a variety of different activities. Not all of them influence the deterioration of the lagoon in the same way. The problem of eutrophication, for example, is directly linked to nitrates. Space has been gained from nature, she said, with urban developments and agricultural plots. However, there are more modern, sustainable and efficient way to exploit the land. The message that should remain is that the situation is still reversible.

Ms Sira Rego thanked the speakers for their common sense and the diversity of their opinions and raised them for defending the land and keeping up the struggle to protect this area. Their

contributions combine the rigour of science with the feeling of those who inhabit the territory and know how things are developing day after day. She said that as a delegation from the European Parliament, the Members were able to point out political responsibilities, and stressed that the speakers had insisted on the responsibility of the different competent administrations in dealing with this problem. She said she believed that these administrations had not performed their functions adequately. Many legal and political instruments could have been used but were not put into practice. She said that the speakers had presented concrete measures that would help to ease the situation in the Mar Menor and that they should be taken into consideration. She wondered whether there was a real contradiction between economy and environment, where economic activities that seem to create employment are really destroying it, expelling a traditional way of living and farming that may give much more sustainable employment and economic and social growth. She asked for facts and figures about this issue. She also asked about the Topillo court case, and what stage the procedure was now at.

Mr Marcos Ros Sempere welcomed the whole delegation to his city, his region and to the Mar Menor. The petitioners and some political groups had been asking to come since 2019, then it was not possible but now the Committee on Petitions was here. It was very important to listen to the speakers, he said, even if he knew them and the issue well and had listened to them many times. This is a multi-faceted reality. The different points of view add up to more than a single vision. There are as many visions as the more than 1.5 million inhabitants of the region of Murcia. He said they were there to scrutinise the European dimension of this problem. There is a regional dimension, a national dimension, a local dimension but also a European dimension. The Mar Menor area has six zones of special protection based on EU directives (Habitats, Birds, Natura 2000, Nitrates and Water Framework). He stated that their good implementation had to be verified. EU funds had also been invested and checks should be carried out to verify that they had been used for what they were supposed to be used for. Moreover, the principles of EU environmental policy had to apply, he said, especially the polluter pays principle. The Spanish Government is going to invest EUR 485 million to re-green the area of the lagoon, paid for by the Spanish Government and all the citizens but not the polluters. He said he was very concerned about that, but that we had the opportunity to react as we were in the legislature of the European Green Deal and the ecological transition. He said that we should explore the ways to ensure an agricultural transition and change the model of society in the region of Murcia to make it compatible with the Mar Menor. It is not a question of demonising anyone nor of eliminating any economic activity but of responding by looking for a compatible model. The report of the Committee on Petitions should establish some responsibilities, examine the causes of this situation and offer possible pathways to regeneration. Although pessimistic about the current situation, he said that he believed that the Mar Menor would regenerate. This report needs to be very forceful and urge the European Commission to exercise its responsibilities of implementing environmental legislation and checking where EU funds have been spent. He stressed that the European Commissioner had stated several times that it was important to act at the source of the problem first, to stop the causes of pollution. Mr Sempere asked what would you request from this delegation? Do you think that an agricultural conversion is possible in the Mar Menor area making compatible the economic activity with the environmental protection of a hypersaline lagoon as it was at its origin?

Mr Ramón Pagán, spokesperson of Pacto por el Mar Menor, is a chemical engineer who tried to answer some of the questions from the ex officio Members. In order to solve a problem, the

first thing is to acknowledge that problem, he said. In the region of Murcia, for more than 20 years the environmental problem of pollution by nitrates had not been acknowledged. This, he said, could only lead to the destruction of this ecosystem and the ravaging of the region's economy. The openings from the Mar Menor to the Mediterranean are all open, including the natural ones in the northern part of the lagoon. Less than 10 % of the water in the Mar Menor is renewed through these openings, he said. 85 % of the water is renewed through the Estacio Channel. This has significantly reduced the salinity of the lagoon. Previously, the levels were close to 51 gr/l and now the levels are lower than 40 gr/l. We need to solve the problem and stop the arrival of nitrates, he said. It takes between one and a half and two years for the water of the Mar Menor to be fully renewed.

Mr Jesús Gómez, President of the Association of Fishermen of the Mar Menor, wanted to reflect on his situation, coming from a line of several generations of fishermen. He started fishing professionally in 1971 in the Mar Menor. He has suffered the deterioration of the lagoon during these past five decades. Currently, he does not swim in the Mar Menor and neither do his grandchildren. He has eaten fish from the Mar Menor for most of his life, but now he eats almost no fish coming from the lagoon, he said. Now is a historic opportunity to reverse this situation, he said. This problem is well known in the Mar Menor but also in other similar ecosystems in the world. The agricultural sector is not solely responsible. The local authorities are responsible because of the poor waste treatment systems and their inability to deal with heavy rains. In addition, the urban development plans around the Mar Menor are putting pressure on the area. He begged the delegation to try to do all in its power to solve this problem. Catches have been falling for the last couple of years, yet the number of invasive species is increasing because of eutrophication. In 1971, there were 12 commercial species in the Mar Menor. Now, only one commercial species is left. This problem concerns a natural system and it is taking a toll on us, he said.

Mr Ramón Pagán, from Pacto por el Mar Menor, again took the floor to state that he believed that if the nitrate levels were reduced, the Mar Menor would have the resilience and capacity for renewal to return to a better situation within a reasonable period of five or six years. This is not a lost cause but we need to react urgently, he said. He requested that the European institutions provide the funds needed to act at the source of the problem and also to audit and control the use of that money. Agricultural changes are needed, he said, and requested that the European institutions ease this path to a more sustainable agricultural system. The Spanish Ministry of Ecological Transition had already invested EUR 20 million euros to launch that agricultural conversion. The future of the Mar Menor and the agriculture sector in the Campo de Cartagena are linked. The destruction of the marine ecosystem in the lagoon and the destruction of agriculture would be a total catastrophe for the region of Murcia, he said.

Mr Diego de Ramón Hernández, petitioner from petition 1331/2019, took the floor to state that he agreed with Mr Ros Sempere that the report needed to point out who was politically responsible for this situation. Then the CJEU would be the judge afterwards. He said he believed that farmers were not criminals who had polluted the Mar Menor; they had done their job with the assent and the silence of the authorities, who only banned these practices from August 2021. According to the petitioner, EUR 528 million had been wasted and not reached their destination, EUR 111 million of which should have been used to restore the Mar Menor. He is requesting an audit by the competent European authorities for the periods 2000-2014 and 2014-2020, covering EUR 1 200 million.

Ms Ždanoka again thanked all the petitioners and their representatives for their comments and she offered her assurance that the delegation would ask the competent authorities the questions posed by the petitioners and that the report of the Committee on Petitions would aim to lead towards finding a solution to this situation.

*Wednesday 23 February 2022 (15.00-16.30)*

### **Meeting with Murcia regional authorities**

Owing to unforeseen circumstances concerning the president of the region of Murcia's agenda, the meeting with Mr Fernando López Miras was brought forward and took place at 13.30, right after the meeting with the petitioners.

Mr López Miras, in his intervention, welcomed the delegation of the Committee on Petitions to the region of Murcia and expressed his appreciation for its sensitivity in coming to Murcia and getting a first-hand view of something that is a major issue, not only for Murcia but also for Spain and the rest of Europe. He introduced the regional authorities that were accompanying him and that would speak after the lunch break. He stated that the environmental problem of the Mar Menor was one of the most complex issues that had occurred in the European Union in recent years. The Mar Menor is a gem of Spain and of Europe and it is a privilege for the region of Murcia to have two seas, the Mediterranean Sea and the Mar Menor. Owing to various circumstances during the last decades, we have reached a critical moment for the Mar Menor. It is true that during the winter season the environmental parameters (oxygen, transparency, chlorophyll) of the Mar Menor improve but when warmer and longer days begin the situation of the past years could repeat itself, with episodes of eutrophication and anoxia that could lead to the death of fauna and flora in the Mar Menor. Mr López Miras said he believes that there is a solution to this problem. This solution goes beyond the competence of a region. Involvement is needed not only from the national authorities but also from the European Union to face this critical situation. The President did not want to talk about technical solutions, which he would rather leave to the experts. He affirmed that the regional government had legislated on this issue. The region of Murcia has reduced the activities that put the most pressure on the Mar Menor and cut the use of fertilisers and other substances containing nitrogen. The law is being enforced but more mechanisms will need to be put in place. It is evident that the agricultural activity around the lagoon needs to be regulated. Data coming from the Spanish Ministry of Ecological Transition states that there are 8 000 hectares of illegally irrigated fields. According to the regional president, the Ministry promised to leave those fields without water. Most of the experts agreed that the most urgent problem of the Mar Menor is the high quantity of water with nitrates arriving from the Rambla del Albuñón. That very day the flow of that channel was 95 litres per second. Actions have to be taken at the source in the long run. However, this flow of water containing nitrates needs to be stopped right away. This water is not coming directly from farms but from the subsoil due to the high level of the aquifer. He asked that the ministry comply with its commitments concerning the pumping systems in order to stop the water flowing to the Mar Menor. He stated that this was the most urgent measure and that the rest of the actions would not have any effect if this measure was not taken. During the afternoon, the water and agriculture counsellor would inform the delegation of the different actions that the regional government has put in place with a budget of EUR 85 million and with the daily monitoring and removal

of biomass. Projects for bioreactors have been tendered to reduce the nitrates in the water flowing through the Rambla del Albujón. In recent months, cooperation with the ministry and the Spanish Government has been a reality. He asked to make an urgent appeal to the EU to act to protect and safeguard the Mar Menor along with the other levels of public administration, with funds and with concrete actions. He believed that this visit would help to solve this complex issue.

The rest of the meeting with the regional authorities took place at the agreed time, starting at 15.00. After introducing the delegation of the Committee on Petitions, Ms Ždanoka gave the floor to M Antonio Luengo Zapata, regional counsellor for water, agriculture, livestock, fisheries and the environment.

Mr Luengo Zapata welcomed the delegation to the region of Murcia and stated that it was essential that the delegation knew, in an objective and precise way, what was happening in the Mar Menor. It is vital to listen to what the scientists and the experts have to say. The counsellor introduced his team to the delegation, saying they would explain in four separate blocks what the regional government was doing to solve this problem. He started by summarising the main causes of pressure on the Mar Menor and then he went on to explain the strategies and plans put in place by the region of Murcia. Two documents were distributed among members of the delegation: the presentation that the counsellor was going to make and the *Strategy of integrated management of the coastal zones of the Mar Menor* (Action 1). This document included the roadmap to the recovery of the Mar Menor. This strategy was adopted with the participation of the citizens, the scientific community and the different public administrations. Action 2 has to do with the regulatory, financial and sectoral commitment framework. Action 3 refers to monitoring, the scientific committee and social participation. The conclusion will tackle the main measures taken by the regional government. One of the main sources of pressure on the Mar Menor is agriculture. There are around 121 000 hectares of farmed land close to the Mar Menor. Another source of pressure is urban and industrial development, along with tourism. Mining is also causing pressure on the lagoon and finally also the sediments and sludge themselves are producing a major imbalance in the ecosystem. The regional government has been working over the years on the identification of the problem, on its diagnosis and also on providing solutions. The speaker differentiated three well-delimited areas by their location with respect to the mass of water. In the agricultural sector, of the existing 121 000 hectares, 80 000 hectares are being cultivated. 56 000 hectares have the right to be irrigated. The presentation showed what use is made of each plot of land. Concerning livestock activities, the presentation showed where the main livestock farms are situated. 460 farms were identified around the Mar Menor area. Some are far away but exert significant pressure. That is why a strict regulation has been adopted at regional level to guarantee the waterproofing of all livestock facilities, to avoid the leakage of nitrogen to the aquifer. Other pressure is the high piezometric level of groundwater, a significant flow of water is running on the surface and underground, mainly through the Rambla del Albujón. This continuous flow happens because the level of the aquifer is very high, and results in fresh water with a high concentration of nutrients emptying into the Mar Menor. There is also an underground exchange of water. It is crucial to act in order to lower the level of the aquifer, according to experts and scientists, because the aquifer is full of nutrients that deteriorate the Mar Menor ecosystem. The speaker mentioned the Zero Discharge Plan of the Spanish central authorities, which included the construction of a pipe to collect the water from the Rambla del Albujón and divert it to the north, where it could be reused or treated properly and conducted to the Mediterranean Sea. Another pipe, already built, is awaiting authorisation

to divert water to the south, where it will proceed to treatment and be conducted to the Mediterranean Sea, in compliance with EU legislation. Concerning urban and industrial activities, of the 125 000 hectares that make up the basin area, 18 000 are waterproofed, since they are occupied by urban and industrial developments and road infrastructure. All the bordering municipalities have adequate sanitation networks with sewage plants that work efficiently to guarantee that there is no polluted water spilling into the Mar Menor. Mining activities were important in the past, contributing to the industrial, economic and social development of the region and of the whole country. The techniques used at that time have left a number of high-risk mining ponds and large quantities of minerals deposited in the riverbeds which could end up in the Mar Menor. Tourism is also affecting the Mar Menor. Eleven marinas and many artificial beaches have been built along the coastline in response to demand in the 20th century, and sand has been extracted from the northern part of La Manga and placed on the different beaches. The counsellor concluded by speaking about the eutrophication crisis. The flow of surface and underground water is the main cause of that specific crisis. The first eutrophication event happened in the summer of 2016, endangering the balance of the ecosystem. A relatively fast recovery followed when the flow from the Rambla del Albuñón stopped. The scientific community raised the alarm, saying that the ecosystem balance was very weak. Two main risks have to be considered: the torrential rains that caused a significant flow of water into the Mar Menor with many sediments, and the increase in temperature. In 2019, the most severe torrential rain in recent decades occurred in the area. This caused a huge flow of water into the lagoon, equivalent to around 10 % of its volume, and an episode of anoxia which caused the first of the massive fish die-offs in the northern area. In 2021, the increase in temperature along with a high proportion of nutrients caused another eutrophication crisis in the southern area.

Mr Juan Faustino Martínez Fernández, deputy director for natural heritage and climate change, took the floor. He described the Mar Menor as the natural gem of the region of Murcia. As the largest salt water lagoon in Europe, it has national and European importance, with 21 habitats of EU interest, with a number of endangered species of flora and fauna and 13 protected zones, including seven of the from the EU Natura 2000 network. The actions taken by the regional government, he said, are informed by continuous scientific advice based on the best available data from the environmental monitoring obtained by universities, research centres and public administrations. These actions are based on three main pillars: scientific knowledge; public participation; and administrative coordination. The speaker presented a timeline showing that even before the episode of the ‘green soup’, a working group had been created to study the green filters in the Mar Menor area in July 2016. Also in July 2016, the Scientific Advisory Committee of the Mar Menor was created. This Committee adopted a report in 2017 stating the causes of the eutrophic crisis. In June 2021, another important scientific milestone was the creation of the Mar Menor Observatory, under the Institute for Agricultural and Environmental Research and Development of Murcia, to coordinate all the actions from the different universities and scientific groups concerning the lagoon. Public involvement is also crucial, from existing bodies such as the Regional Advisory Council for the Environment or the Governing Board of the Regional Park of San Pedro del Pinatar, to ad hoc bodies such as the Social Participation Committee of the Mar Menor or the web page ‘Canal Mar Menor’, where all public documents concerning the lagoon are available. Concerning administrative coordination, there is an Interdepartmental Commission of the Mar Menor coordinating all the regional organisations with competences in the development of projects and actions related to the Mar Menor. There is also the Inter-administrative Commission of the Mar Menor which meets on a monthly basis, bringing

together the local, regional and central competent authorities. There is also a convention between the central government and the regional government (2013-2018), which resulted in the drafting of the Zero Discharge Plan. The speakers detailed the strategies and plans adopted by the regional government, included in the presentation. The most relevant is the integrated management strategy of the Mar Menor coastal area. There is also an integrated management plan for the protected areas of the Mar Menor, including guidelines and regulations for conservation and environment management. The adoption of Law 3/2020 of 27 July on the recovery and protection of the Mar Menor, improving the governance of the Mar Menor, including agricultural activities as well as all other activities in the basin, was also important. The speaker mentioned the Zero Discharged Plan, drafted by the central government, which identified the main problems causing the deterioration of the Mar Menor. According to experts, the priority should be to reduce the volume and level of the aquifer in order to solve the most urgent problem of the Mar Menor by preventing the massive entry of nutrient-rich water into the Mar Menor and minimise the impact of torrential rains.

Mr Andrés Martínez Bastida, deputy director for control, prevention and monitoring of vulnerable areas, took the floor. He spoke about the protection regulations applicable to the Mar Menor and its basin, and the implementation, at regional level, of Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources and Directive 2000/60/EC establishing a framework in the field of water policy, and of the national legislation. He considers that agricultural exploitations in the Campo de Cartagena are the most technologically advanced and controlled agricultural activities in Spain and probably in Europe. He showed all the zones that were designated as vulnerable to nitrates. All the actions are focused on control and prevention in those areas. He mentioned the Regional Code of Good Agricultural Practices, which is crucial for farmers. Control is intensified with the action plans and programmes from 2009 to 2016. In accordance with Law 3/2020 on the recovery and protection of the Mar Menor, the regional government considers two different areas related to the proximity to the Mar Menor. Even inside zone 1, more restrictive actions are specifically taken in the area closer to the sea, up to 1 500 metres away. This law includes the control of all the sectors that could affect the lagoon. All the plots of land need to have a humidity control probe because water is the source controlling fertilisation. There are also monitoring sensors to control nitrogen and phosphorus. All farmers are obliged to calculate their nitrogen balance at their farms. There are limitations on both mineral fertilisation and organic fertilisation (such as manure and slurry). Also, the time required for the processing of crop restitution and sanctioning proceedings is reduced from six months to three months. All these actions are taken with the aim of implementing sustainable agriculture. In relation to the CJEU proceedings against Spain for non-compliance with the Nitrates Directive, the region of Murcia has taken all the necessary actions to reduce the four counts of infringement to one. The only one remaining concerns the improvement of the action programmes that will be covered by the action plan for vulnerable zones, which will be adopted soon. He mentioned other control instruments and measures that would be put in place in the near future and the sanctioning regime and crop restitution procedure. There are no illegal farms, he said, but there is illegal irrigation. Those plots should be brought back to their original status, and the regional government was dealing with the proceedings.

Mr Emilio Dolores Pedrero, of the general directorate for livestock, fisheries and aquaculture, informed the delegation about how all these actions and plans fit into the EU *acquis*. He pointed out the economic and social importance of the primary sector in the region, not only agriculture but also livestock farms, fishing and aquaculture. First, he mentioned the marine

strategy framework and the implementation of Directive 2008/56/EC by Law 41/2010 on marine environmental protection. He informed the delegation about the programmes of measures of the second cycle in the Mar Menor in four different areas: TETRA, which regulates the system for locating and monitoring fishing vessels in the region of Murcia; the environmental adaptation programme of the professional fishing fleet, with energy audits; the management plan for fisheries stocks; and the Integrated Territorial Investment (ITI) instrument for the Mar Menor. The integrated management strategy includes all these measures as a roadmap for the present and future actions in the Mar Menor. He also explained the organisational structure of the directorate and the instrument and the different action plans. He spoke about the integrated maritime policy and mainly the marine data and knowledge systems (SIOM) and integrated maritime surveillance. Budget support is vital, with the focus on the ITI with a budget of EUR 99 million, EUR 27 million of which have already been spent. It is a multi-fund instrument combining the EDFR, EAFRD and EMFF with a huge multiplying effect.

Regional Counsellor Mr Luengo Zapata took the floor again to present his conclusions. He informed the delegation about the different inspections to verify compliance with the measures included in Law 3/2020 on the recovery and protection of the Mar Menor. For the regional government it was clear that a law was needed in order to monitor, verify and regulate all the activities and pressures concerning the Mar Menor. The region of Murcia is the sole Spanish autonomous community with a legal framework allowing it to oblige any farmer who is using unauthorised irrigation to return their plot of land to its situation of origin. There is a national law stating this, but as the competent body was not executing it, the regional government reacted. Biomass removal from the coastline is also very important to avoid the eutrophication process. From 2017-2021 the regional government removed 8 355.5 tonnes of biomass at a cost of EUR 4.1 million. It is also crucial to offer help and advice to farmers. That is why the regional government has installed a lysimetric network with around 1 000 sensors to guarantee the efficient use of water and fertilisers. This aims to avoid pollution and reconcile this activity with the protection of vulnerable zones. It is also fundamental to invest in storm tanks. The regional government has built up to seven storm tanks along the perimeter of the Mar Menor, in the different municipalities, to avoid the first torrential waters, which are the most polluted, ending up in the lagoon. It intends to keep on building them and repairing water pipes to avoid flooding and polluted leakage into the Mar Menor. More than 25 kilometres of water pipes have been monitored by the regional government, which has invested around EUR 1.5 million to repair 9 kilometres. A sanitation network of around 1 000 kilometres is identified around the Mar Menor. The construction of bioreactors is urgent. It is crucial to avoid the flow of water polluted with nitrates from the Rambla del Albujón. The proposal from the scientific community includes the construction of rafts of citrus wood chips to retain nitrates, for an investment of more than EUR 5 million. The regional government will keep on investing in the construction of sewage treatment plants and removing abandoned or semi-sunken boats. It will also continue its investment also in research, innovation and development, with EUR 6.6 million.

Five concrete actions to conclude:

1. Guarantee the regulatory framework for the environmental protection of the coastal lagoon.
2. Monitor the discharge basin, aquifers and the Mar Menor.
3. Obtain sectoral and social commitments on good practices and the use of the best available techniques.

4. Encourage broad public participation.
5. Ensure the continued financial contribution of the EU. Most of the actions discussed during the presentation come from projects funded by the EU, so its economic contribution is vital to keep on protecting the Mar Menor. Scientific support and follow-up are also important.

*Wednesday 23 February 2022 (16.45-18.15)*

### **Meeting with local authorities**

On behalf of the delegation of the Committee on Petitions, Ms Ždanoka welcomed the mayors of the six different municipalities represented in the meeting and explain to them the main aim of the fact-finding visit.

First, the Mayor of Cartagena Ms Noelia María Arroyo Hernández took the floor. She explained that the beaches that are near to the Rambla del Albuñón belong to Cartagena's municipal area, in the southern part of the Mar Menor. She said that while the environmental situation of the whole ecosystem is critical, the situation on these beaches of the south is even worse. In the summer of 2021, an anoxia episode happened in this area. She believes that there is too much talk about who is to blame but, on behalf of the municipality she represents, she would rather focus on looking for solutions. She concentrates on three phases of the problem. First, the pollution of the aquifer that is right by the Rambla del Albuñón from the surface. Second, the pollution of the Mar Menor coming from that very same aquifer. Third, the consequences of the inaction on the two previous phases concerning the pollution of Cartagena's beaches and the sea. It is essential to avoid more nutrients entering the aquifer, but we have to bear in mind that the aquifer is already polluted and will remain polluted for many decades, according to the data provided by the minister for ecological transition. Every day, thousands of litres of water enter the Mar Menor from that aquifer. In the forums in which the mayor had taken part, she had not heard any solutions to this problem. The problem of the pollution of the beaches in the form of tonnes of biomass was not up for debate. At the beginning, it was an occasional issue, now it is a structural problem. She explained that the mud prevents bathing and causes the algae to rot. The solution to the third phase is not easy and it requires difficult environmental procedures. It is in this third phase that the municipalities are feeling alone. This same problem affects San Pedro del Pinatar and Los Alcázares. Every day of the year there are teams of workers cleaning the algae to prevent it from accumulating in front of the beaches, rotting and generating more mud. The municipalities are taking on duties like cleaning the seabed, which should not fall to them, and without enough resources. She showed a document with a plan to protect the border of the coastline, the original version of which included the cleaning of the mud, but said that this action had since disappeared from the document. The municipalities have neither the technical nor the economic resources to clean the mud. She requested that the delegation take into account the problem that the Ministry of Ecological Transition had committed to deal with but that is unsolved. The pollution of the aquifer will cause future problems but there are problems right now that need to be resolved. This is neither a local nor a regional issue. This national issue requires the coordination of all the levels of Spanish administration with the fundamental intervention of the European Union.

Then the Mayor of Los Alcázares Mr Mario Ginés Pérez Cervera took the floor. He explained that the municipality he represents has suffered the negative effects of climate change over the

last two years. None of the inhabitants of Los Alcázares denies the fact that there is a need to implement environmental policies concerning all the economic sectors present in the municipality. Consequences have been critical from an economic point of view but also physiologically. The problem of the Mar Menor is an environmental issue. Some have tried to create a confrontation between sectors but this is not the reality. The real confrontation exists between those who obey the law and those who break it and go unpunished for their non-compliance. The solutions exist but they should be taken at the source. The EU, the Spanish central government and the regional government should not be spending money on 'band aid' measures. We need to act at the source of the problem. To do so, we have to make the development of the economic sectors compatible with the regeneration of the Mar Menor. With this regeneration, agriculture would continue to exist, and without the regeneration it would disappear in the Cartagena area. The local government of Los Alcázares has taken a proactive stance on this issue. First, trying to protect the Mar Menor with legislation, for example, the citizen's legislative initiative that aims to give a legal personality to the Mar Menor. They have also tried to promote ecological or sustainable labels among the sectors that affect the situation of the Mar Menor. For this, the EU's common agricultural policy is vital. They are aware that funds are given to those agricultural projects that try to develop more sustainable activities. The Mar Menor is the heritage of all, including the EU.

Afterwards, the Mayor of San Javier Mr José Miguel Luengo Gallego took the floor. He started by thanking the European Union for its long-standing commitment concerning the Mar Menor. It seems that nothing has been done in the lagoon, but he remembered as a child, 30 years ago, that the sewage collectors flowed into the Mar Menor. That was an emergency at that time and the EU helped to solve the problem by building the most modern treatment plants in Spain. These treatment plants recover nearly 99 % of the sewage water coming from the coastal municipalities and almost 100 % of the mud produced by the treatment plants. This is a clear example of circular economy and environmental protection. The agricultural sector, so criticised by some, has always been the first to adapt to EU legislation because their main clients are the most demanding markets in terms of environmental protection (France, Germany). More than 80 % of the production from the Campo de Cartagena is exported to the rest of Europe. It is modern and high-tech agriculture that also needs regulation. The agricultural sectors do not want to be part of the problem, instead they want to be the drivers of the solution. He has witnessed significant investments in rainwater collectors in his municipality. Those rains cause tremendous floods that end up flowing into the Mar Menor. In San Javier, huge investments of funds from the EU along with the regional government are being made to improve the urban sanitation system. He believes a solution can be found to protect and recover the Mar Menor. The EU has been calling on the different Spanish administrations to find an agreement and has already financed the Zero Waste Plan for the Mar Menor with around EUR 700 000. This plan was put into place from 2013 to 2018, with five years of work and consensual efforts from all the stakeholders. On 5 June 2018, it was published in the Spanish Official Journal (BOE). In September 2019, the central government published its environmental declaration. That project should be running already. The municipalities are investing and putting resources into these actions. There should be no discussion about the powers of each of the administrations. We are all part of the solution and we need to act now. There are actions to be taken in the short, medium and long term. Today, it is urgent to lower the level of the Quaternary aquifer. This aquifer should be disconnected from the Mar Menor. Even if agriculture and livestock farming were to be stopped immediately, more than 30 years from now the aquifer would still be pouring out nitrates. One of the main actions included in the Zero Waste Plan was the collection of those waters,

their treatment and denitrification and their diversion into the Mediterranean Sea. This is urgent; this is an emergency. The rest of the actions are very welcome for the future. He predicted that this summer, more episodes of anoxia would occur due to the fact that thousands of litres of nitrates are flowing from the Rambla del Albujón into the lagoon. This is where immediate action needs to be taken.

Then the Mayor of San Pedro del Pinatar, Ms Visitación Martínez, took the floor. She explained that the municipality she represents has 25 000 inhabitants in an area of 21 square kilometres, a third of which is a regional park. They have little agriculture, little industry, a huge services sector and depend a lot on tourism. The Mar Menor is the economic engine of the municipality. They also have the only fishermen's guild, and a salt flat dating from the Roman Empire, where the process of extracting salt is carried out from start to finish. The survival of the municipality is intimately linked to the survival of the Mar Menor. One premise is essential for the development and success of the rest of the sectors: the good environmental condition of the lagoon. She outlined two major threats, the flow of surface and underground waters and the effects of climate change. This will cause more and more floods, more and more torrential rains, and more dry riverbeds like the Rambla del Albujón to be continuously flowing water polluted with nitrates into the sea. She also mentioned the aquifer from which water flows into the lagoon, and said that it is vital to act in a coordinated matter. There are forums to develop this administrative coordination where all the administrations are represented. They need measures in the short, medium and long term. They need measures at the source and also at the destination of the pollution. The salvation of the Mar Menor depends on reacting quickly. The municipalities are making huge efforts to react. They check their sanitation networks, sewage plants, clean up biomass from their beaches, and envisage environmental projects. They need the support of every one; they need the EU's support. In 2020, her municipality addressed the European Parliament, the Council and the Commission, asking for help to protect and recover the Mar Menor. The municipalities cannot cope with this problem by themselves. There is hope and the recovery of the lagoon is their absolute priority. They need to work together and rely on the scientific advice.

Later, the Mayor of La Unión, Mr Pedro López Milán, took the floor. He explained that he represents a municipality that is not on the coast, it is an industrial and mining town. In the XIX century, it was called 'the new California'. The biggest environmental disaster of the Mediterranean basin occurred there and it is still lingering. 60 million tonnes of heavy metals were released into the Portmán Bay, in the Mediterranean Sea. This happened because it was allowed to happen. He makes this analogy to related it to the Mar Menor where, during a long period, many acts occurred that are unthinkable today. Each one of us may propose a different solution but we do all agree on one thing, the lagoon has to recover. The mayors represented here may have a different political affiliation but they all have a common objective, the recovery of the Mar Menor. He calls for the full protection of the Mar Menor. Not everything has to be restricted but there have to be limits. No one is against agriculture. The Mar Menor area has been characterised by rain-fed farming. Today, irrigated plots of cultivated land in the surroundings of the beaches of Los Nietos and Islas Menores, in the Campo de Cartagena, are increasing the problems. Some problems also originate in his municipality, because the dry river beds that lead to the Mar Menor carry heavy metals. A common plan should be drafted to achieve the recovery of the lagoon, starting with its protection. We should not be scared to limit harmful activities to protect this gem that is in a critical situation. He understands the concerns of the mayors of the coastal municipalities regarding the anoxia

problem, because he has also enjoyed those beaches.

Finally, Mr Antonio León Garre, Mayor of Torre-Pacheco, took the floor. He stated that his municipality is not a coastal town adjacent to the Mar Menor, but that it is also directly affected by its deterioration. There are special circumstances affecting this municipality but it has one thing in common with the rest: first we have to agree that there is a problem and we have to identify it and know its causes. We have reached that point in time. We have also gone through the phase of blaming each other. In the past, the activities carried out in the area were not appropriate. Mining run-off, poor sewage systems, a lack of wastewater treatment and harmful actions in the agricultural sector that differ from the methods employed today all took a toll. Those bad practices are the cause of the deterioration of the Mar Menor. Now, there is legislation in place that it is being complied with. Almost 80 % of the activity of his municipality is devoted to the agricultural sector. This sector has been blamed for the deterioration of the lagoon. Old agricultural practices were not compatible with the environmental protection of the area. Nowadays, sustainable agriculture is taking place in this area. Farmers want to comply with all the regulations. They are probably subject to some of the strictest sectoral regulations in the world. The products coming from this region undergo exhaustive controls. We have to defend those sectors, agriculture or tourism, that are complying with the legislation. The harm to the Mar Menor is coming from underground, as the water table is exerting huge pressure on the lagoon. Torre-Pacheco is 40 metres above sea level, while the water table is at 1.5 metres below the surface. There is significant hydrostatic pressure in this area. Lowering this level is essential to avoid the push of polluted water to the Mar Menor. He asked for help from the EU because the sewage system of the municipalities needs to be improved and waterproofed. They also need a water separation network for dividing rain water from sewage water because their treatment is completely different. The harm also comes up from the surface; torrential rains are more common, that is a fact related to climate change. The floods it causes devastate towns and farms, and all the polluted waters end up in the Mar Menor. The course of the dry river beds should be altered to avoid causing damage. This common effort requires the cooperation of all levels of administration.

### **Question and answer session**

During the question and answer session, the following members of the delegation spoke:

Ms Ždanoka stated that the six mayors had mentioned different measures to be implemented but she wanted to know if a common action plan existed with concrete measures to be taken and actions to be prohibited.

Mr Vincze took the floor, stating that the presentations had shown that the municipalities were all different, with their own characteristics, and that it was good to have a clearer understanding of this region. He asked how the cooperation is among the municipalities themselves, regarding the management of the Mar Menor, and how they cooperate with the regional government. He had heard that there was an institutional body managing the Mar Menor and he asked if the municipalities were part of it and if they contributed to it. The second question he wanted to ask referred to water treatment. He wanted to know if the separation of water treatment between residual water and agricultural water was already included in the regional management plan.

Mr Złotowski said that the members of the delegation had listened to the description of the

problem by the petitioners, the regional authorities and the local authorities. He considered that those three descriptions were the same. The proposed solutions were also the same. All the mayors talked about bringing institutions and administrations together. 'Together' being the word most frequently-used word. He asked if the regional and central governments were going in the right direction with their actions or they are going in the wrong direction.

Mr Wiezik took the floor and said he appreciated the practical approach presented by the speakers, but he was also scared by the scale of the problem, if the only possible and effective solution is to lower the level of the water of the aquifer, to purify it and release it into the Mediterranean Sea. This is technically and financially an enormous problem. In the reports, members of the delegation had read that the Mar Menor was an environmental problem, but also an economic problem. The degradation of the environment is having effects in terms of a drop in fish stocks, a decrease in tourism and a decrease in the price of real estate. He wanted to know how mayors perceive this problem and if they had figures to illustrate how this economic impact affects their municipalities and how it is perceived by the population.

The Mayor of San Javier, Mr Luengo Gallego, took the floor first. He answered, stating that the document that lays out the actions that are needed already exists, and was financed by the European Union. It is the Zero Waste Plan for the Mar Menor. He reiterated that, in September 2019, the central government published its favourable environmental impact assessment, but that this plan had not been executed, after six years of coordinated efforts from all the stakeholders. Lowering the aquifer is not the only solution, and the plan mentions many actions. Regulations have been adopted by the regional authorities. Some concrete measures are overseen by local entities, others by the region and others by the State, depending on where their powers lie. He mentioned the case of the river Segura, which had been considered the sewer of Europe because of its level of pollution, the EUR 500 million of investment it received and the creation of ESAMUR, entity in charge of managing Murcia's treatment plants. The canning industry, which was creating environmental problems, was regulated but not eliminated. The river Segura is still gathering recognition as a successful environmental recovery project. He believes this could be done with the Mar Menor: money, legislation to comply with and the broad will of society, focused on the same objective. Nobody is superfluous, only the bad practices and the inaction that may have existed on the part of all the administrations. He is optimistic because the public administrations are on the same page. The municipalities are doing their part. Each one has to develop its own planned actions.

Then Mr León Garre, Mayor of Torre-Pacheco, took the floor to reply about the economic impact. He reiterated that the agricultural sector of today is complying with environmental legislation. However, malicious information published in some European countries is hampering the export of products coming from the region of Murcia. The negative effects on the fishing industry are also clear to see. Furthermore, the share of the tourism sector has fallen. He does not have an exact figure for the economic impact, but knows that it is huge. The separate treatment of waters is in the management plans and in legislation, but it means that these municipalities have to duplicate their sanitation systems, which is economically unfeasible. This is why he is requesting EU support to put in place these measures.

The Mayor of San Pedro del Pinatar, Ms Martínez Martínez, also replied endorsing the idea of a forum where all the administrations that want to participate are represented, and where measures are shared. There is a Zero Waste Plan and now there are even more documents

coming from the central government. In her opinion, the problem lies in the timing. The perspective should not only be for 2050. There are measures that need to be taken right away and other measures to be developed in the long term. There are many measures to take. All of them are needed and have to be part of the solution. Concerning the economic impact, it is clear that it exists, she said. In San Pedro del Pinatar, the tourism sector is severely affected and the fishing sector is suffering a drop in catches. Bad press is affecting the prices of the agricultural and fishing products as well as the prices of real estate. She does not have the figure but is sure that there is a negative impact. She believes that a recovery is still possible.

The Mayor of Cartagena, Ms Arroyo Hernández, also replied to the questions. There is an inter-administrative coordination forum with the participation of local, regional and central authorities, she said. This forum has not been useful because its situation has changed. Now, the Mayor of Los Alcázares is not participating in it. The President of the Segura Hydrographic Confederation does not attend and neither the head of Murcia's Coastal Demarcation. The person taking part in its meetings is a representative of the government delegation. She has asked for a High Commissioner to be appointed to coordinate this forum, independently of the political parties, to make it useful because this is clearly needed. Moreover, there is a Scientific Committee and a Social Participation Committee. They take one step forward and two steps back because of the lack of consensus that is needed to take action. The diagnosis has been made. The problem is identified and well-known. The quest to find culprits has been constant. The current governing authorities want to be part of the solution. Let the courts play their role if needed. She insisted that, according to the experts of the Ministry of Ecological Transition, even if the agricultural activities were completely stopped in the Campo de Cartagena, it would take more than 30 years to get rid of the water containing nitrates that flows into the Mar Menor. We have to take action on the body of water that it is already polluted and that is in the aquifer. The local agriculture sector may have been part of the problem in the past, but now it is sustainable, high-tech and among of the most modern in Europe. Chief among her concerns are the mud and the sludge because, according to the experts, with high temperatures, the increase in chlorophyll and the drop in oxygen, anoxia will occur in the seabed. If the municipalities cannot react to this, more episodes like that of last summer will occur. Concerning whether the governing authorities were on the right or wrong track, she said the Zero Waste Plan had been adopted but not executed and that they had started again from scratch. It may be a good document but the municipalities need the plans to be executed, they do not need more research or studies. She mentioned a document dating from March 2020 which concerned the protection of the coastline. The cleaning of the seabed was considered a priority action, yet it has disappeared from the document in 2022. It is not only an environmental catastrophe but also an economic crisis for all the sectors concerned.

The Mayor of Los Alcázares, Mr Pérez Cervera, also replied to the questions, stating that the situation of the Mar Menor could get even worse. He referred to the example of the Portmán Bay in La Unión. The different administrations need to act in an effective way. Concerning the coordination forum, he believes that it has been transformed into a political forum, although it should be an institutional body. He stated that while he took part in that forum, he had even written a letter to the Ministry of Ecological Transition, along with the rest of the mayors, so he tried to be politically balanced. He had witnessed some of the participants in that forum (not the mayors) using it in a partisan and political way. Not once, when the inter-administrative forum for the Mar Menor gave a press conference, was it stated that this forum had decided something. It was always the regional government that gave updates about what

it was doing while criticising the other participants in the forum. That was the reason why he decided not to participate in that forum which, in his opinion, had shown itself to be inoperative, resulting in further anoxia episodes and the further deterioration of the lagoon. The mayors agreed on some of the measures, such as the need for sludge removal, and that the competence for this lies within the remit of the central government. However, he did not agree with other measures. For example, that the north manifold, included in the Zero Waste Plan, should be one of the main measures to take. He believes that this would mean simply deviating the polluting elements to other places. He proposed first to tackle the problem and then to develop other measures. He rhetorically asked what had polluted the Quaternary aquifer. He proposed to act to tackle those causes and then to extract the polluted waters. He considered that today, in the Mar Menor area, environmental legislation was being infringed without fair punishment. Concerning the actions of the regional and national governments, unfortunately the Mar Menor has been used for many years as a political argument. It is very important to find a forum in which all the stakeholders can participate without that partisan drift. It is also true, he said, that the different administrations now have better awareness of the situation. He said that the Minister of Ecological Transition had not implemented the Zero Waste Plan because she believed it had started from an ill-defined concept and therefore that the measures were wrong. He believes that all the measures have to count on the support of citizens' participation.

Then, the Mayor of La Unión, Mr López Milán, took the floor to answer the questions. Concerning the forum, he stated that he did not take part in it but he believes that, at least, it is useful to raise debate and not confrontation. Dialogue needs to be resumed as all stakeholders have the common objective of recovering the Mar Menor. In relation to the extraction of the polluted water from the aquifer, according to the experts he has consulted, it is considered to be an overwhelmingly large task. All the stakeholders want the same thing and they need to reach a common understanding, including the central and regional governments. The economic circumstances of the area have deteriorated enormously. Common measures are needed, with the help of the EU, and the administrations need to stop turning around in circles and execute the existing plans to stop the deterioration of the Mar Menor and to prevent it from dying.

Mr Buxadé, accompanying the delegation, asked if a financial valuation of the separation of the sanitation system between rainwater and sewage water had already been conducted, and if this separation would take place. He also asked if the dimensions of the sanitation system took into consideration the huge increase of the population in the area during the past decades. Concerning the deviation of the dry riverbeds (ramblas), even if they are enormous works, they can be executed, he said. He gave as an example the deviation of the River Turia in the city of Valencia. He asked why this deviation, purification and desalination was not possible in the Mar Menor, if it had been budgeted and why it had not been done. He asked about the possibility of opening the floodgates (golas) to allow water from the Mediterranean Sea into the Mar Menor to salinise it. He believes that the farmers are not the only ones responsible because there are many interest and many responsible stakeholders.

Ms Rodríguez Ramos spoke next to praise the work of the mayors in their close management of the problems of citizens. She stated that nature is our greatest asset, and if biodiversity collapses, we will all collapse. The Mar Menor is a good example of this. She wanted to ask if, concerning the budget needed to put in place all the measures that the municipalities have to deal with, enough funds are available. Execution of projects dedicated to the Mar Menor

appears to be very low, 14 % in 2021, which has resulted in a 10 point reduction in EU funds allocated to the Mar Menor.

Mr Ros Sempere took the floor to clarify that the European Parliament delegation is not a court. This delegation visits the region to analyse the situation and take an interest in what the petitioners have been requesting, and, finally, to propose measures to be taken by all the responsible authorities. He stated that he wanted to put the European Parliament at the service of the citizens of the region of Murcia. He was surprised by the fact that some speakers had stated that the aquifer was polluted as if this had happened spontaneously, without a cause. This problem has been dragging on for the last 20 or 30 years. He mentioned the actions that had been proposed at the end of the pipeline, namely deviation of the polluted water into the Mediterranean Sea. He stated that the European Commissioner had said it twice, including once when he visited Murcia and when he met the president of the Region: we need to act at the source of the problem. He asked if there were serious studies of the economic and social impact of the deterioration of the Mar Menor. He also wanted to know if there were any plans, especially coming from the competent authorities and the regional government but also from the central and local authorities, that go beyond the regeneration of the Mar Menor (socioeconomic plans, education plans, workforce reintegration plans, tourism recovery plans). He wanted to talk about the citizens and their problems and needs.

The Mayor of La Unión, Mr López Milán, stated that most of the municipalities of the region of Murcia did not have a rainfall-water sanitation network. Lifting the asphalt of a municipality to introduce a second network would be incredibly expensive and cumbersome. Concerning the floodgates, he believes an environmental impact assessment is needed before taking the decision to open them. Municipalities have a very limited budgetary capacity.

The Mayor of Los Alcázares, Mr Pérez Cervera, said that his municipality had drawn up a plan to guarantee that its sanitation and purification systems did not generate any spill-over into the Mar Menor (a plan that would cost EUR 16 million). This plan includes all the measures needed (separated networks and investment in pumping stations). He confirmed that during 2022-2023 the municipality would invest EUR 8 million to improve its whole sanitation network with the help of EU funds (the ministry announced a package of EUR 20 million for coastal municipalities to invest in sanitation and purification networks). In addition, the regional government and ESAMUR are helping with this, but the sanitation networks are under the remit of the local authorities, which need to respond. He is against opening the floodgates. He based his argument on the statements of Murcia's official College of Biologists. Opening the gates would be dangerous because the salinity of the Mediterranean Sea and the Mar Menor are very different, the latter being much higher. If we let water come in from the Mediterranean, the salinity would decrease in the Mar Menor. Moreover, non-indigenous species could enter the Mar Menor. There is already a problem with the blue crab, an invasive species. If you look at the Mar Menor as just a bathing area it could work, but he believes that, environmentally speaking, it is dangerous. Municipalities are little by little investing more in measures within their remit to regenerate the Mar Menor. Public Administrations should be more effective when planning and executing.

The Mayor of Cartagena, Ms Arroyo Hernández, stated, concerning the separation of sanitation systems in her municipality, that it had not been executed. Municipalities are using their powers to plan and develop these systems, she said, but they need financial help from other authorities. She acknowledged that this situation has been created by bad practices from

the past. She illustrated the situation as if the Mar Menor was sick and in the intensive care unit, needing to be stabilised from its critical situation. Of course, the rest of the measures addressing the source of the problems are needed too. People are asking the mayors to react to the problem, to remove the biomass and the sludge, even if they are not able to do it. Employers' associations have studies on the economic impact of the deterioration of the Mar Menor.

Then the Mayor of San Pedro del Pinatar, Ms Martínez Martínez, stated that municipalities had a very limited budget capacity. That is why she is requesting the help of all the authorities. Actions need to be taken to address the source and the symptoms of the problem. Green filters need to be developed to avoid nutrients entering the Mar Menor. However, municipalities need 'green' and also 'grey' infrastructures. If we do not prevent flooding on the lower level, where San Pedro del Pinatar is, from the rainfall waters coming from the highest ground, all this water will end up in the Mar Menor. She affirmed that she has to juggle with the budget. As an example, she has changed all the infrastructure of the drinking water network without having the money to do it, using the capital of the water company. The citizens do not understand why no one is reacting to the problem. She believes that there are too many meetings, too much discussion, but too little action.

Mr León Garre, the Mayor of Torre-Pacheco replied to the question concerning the existence of socioeconomic, recovery and reintegration plans. He does not know of them, but what is missing is action. All the municipalities have their budgets focused on solving these issues. Specifically preventing flooding, in his case. The duplication of the sanitation network not only has a huge economic impact but the urban development impact is also very big. He stated that it had not been valued financially, but considered it unmanageable currently. In Torre-Pacheco they are building a storm tank in collaboration with ESAMUR, which is a small-scale public investment that does not solve all the problems. Financing is lacking to undertake those public works that require a significant amount of funds.

Ms Ždanoka thanked the mayors for their participation and hoped that the situation would improve.

*Wednesday 23 February 2022 (18.30-20.00)*

### **Meeting with Spanish authorities**

On behalf of the delegation from the Committee on Petitions, Ms Ždanoka introduced the members of the delegation to the central authorities and explained the aim of the fact-finding visit.

Mr Miguel Ángel González Suela, Undersecretary for the Ecological Transition and the Demographic Challenge, took the floor first. He conveyed the greetings of the Vice-President, Ms Teresa Ribera, and of the Secretary of State for the Environment, Mr Hugo Morán. He did not want to flood the delegation members with data, plans and programmes but he wanted to send an important message on behalf of the central authorities. He would present the overall scenario and then the rest of the delegation could answer any specific question related to their fields of activity. He did not want to transmit scientific knowledge, as the delegation would meet with experts during the following days, but said it was clear that the government was

acting hand in hand with science. The government reacted as soon as the first episodes of anoxia, hypoxia and eutrophication came to light. The Mar Menor has lost its ability to regulate itself. They need to act to bring back the ecosystem balance and they need to get to the root causes of the situation. This is a situation of environmental deterioration. Complex problems do not respond to simple or traditional solutions. Faced with a novel situation, the authorities will always act hand in hand with science, knowing that it takes time to solve problems. However, action has been required from the very beginning and the Spanish Government has stepped up. Its action has been joint and coordinated. Different departments have been involved: the Ministry of Science and Innovation, the Ministry of Agriculture, Fisheries and Food, and the other ministries with competences related to this issue, including the Ministry of Industry, Trade and Tourism. Inside the ministries, this is not just a question of water management. It is also an issue of biodiversity, the coasts and climate change. He believed that they should not react only to the consequences. The causes must be addressed, or else the problem will last. Solutions should be based in nature, reversing the current situation at the source. This is an historical moment for the Mar Menor, requiring a transformation of the management and production model. The ministry has always followed four basic principles: listen to the science from the very beginning; implement and comply with the law, because some situations that must be reversed are due to certain abuses; ensure coordinated and responsible inter-administrative action; work together with and listen to the other levels of administration and society. The Vice-President came to Murcia and listened to views from academia, civil society, NGOs and mayors. Public consultation is essential. This was the initial position and the Spanish Government has started working within its constitutional competences. He stated that the regional authorities have competences on agriculture, farming, urban development, economy, tourism, shell fishing, aquaculture, and environmental protection, among others. The legal object of the national authorities' competences is different, but they act in the same space. There are shared competences, in the case of the national authorities, bound to the maritime-terrestrial public domain, water management of the water that flows through the river, but they are not responsible for the lagoon. The government has gone further because it has understood the importance of the moment. It has used a legal basis included in the Spanish Constitution: the declaration of general interest of public works related to the Mar Menor area, because the seriousness of the situation requires exceptional actions. The aim of all actors is to recover the environmental balance of the Mar Menor. Action must be taken to recover those ecosystems that are deteriorated. In the end, it is also a question of the economy and not leaving any one behind. They talked about accompanying the process without stigmatising agriculture. They are also well aware of the fact that the current model needs to change. Agriculture is not the only cause of this situation but if the authorities limit themselves to solving problems downstream – desalinating and denitrifying – without acting at the source, the same problem will occur in the future. Mr González Suela referred to the document entitled 'Framework of priority actions to recover the Mar Menor', which was given to the members of the delegation. This framework has been endowed with EUR 484 million to support its actions. This amount was increased by EUR 100 million after the public consultation in the affected area. This is an ambitious framework that is already in place. The finding comes partly from the national budget, but also from the Recovery, Transformation and Resilience Plan, that is to say, from the NextGenerationEU (NGEU) programme. It enjoys all the guarantees of Spanish law plus the budget control of the European Commission (component 4 - biodiversity and component 5 - water management). This plan entails multiple actions: restoring legality and the natural dynamics of the ecosystems; establishing control mechanisms to guarantee the correct use of water and fertilisers; restoring and revitalising the different areas of action at basin level;

developing monitoring systems and viable strategies in the medium and long term. The ministry is aware of the fact that urgent action is vital but that plans for the medium and long term are also essential. The result of the public consultation is also included in the document with the improvements and additions that were taken into consideration. Actions were focused where citizens wanted them most: development of the dry riverbeds, flood management, the green belt and the delimitation of public channels. The undersecretary of state highlighted some of the measures. Monitoring measures are needed because agricultural activity and urban development need to be compatible with the protection of the Mar Menor. The ministry is planning recovery actions for the original drainage network. It is working on restoration actions for the perimeter strip and a green belt in the first 1 500 metres surrounding the Mar Menor. It is not only taking action on nitrates and phosphates, but also restoring abandoned facilities and contaminated soils in the mining basins. It is redefining aspects of the maritime-terrestrial public domain, purchasing new plots of land and working on the dry riverbeds. It is looking for solutions at the source, not only dealing with the symptoms. These actions are aimed at avoiding the spilling of nutrients into the Rambla del Albujón. The ministry is also taking action for biodiversity. There are plans concerning marine species and the protection of all the threatened species. From the legal point of view, the ministry is working on regulatory reforms and strengthening the scientific knowledge. Other ministries are also working to solve this problem within their remits. The secretary of state for tourism was presenting, at the same time, a plan for 'Destination Mar Menor'. There are projects linked to the CAP and also to green employment or the bio-economy. He wanted to point out that there had been progress. The main public works included in the framework have been declared of general interest and public utility. The government has adopted several regulations specifically concerning the protection of waters against nitrate pollution from the agricultural sector. It has started to implement monitoring measures for the public domain. It has managed to stop 52 cases of illegal irrigation. In the framework document, members of the delegations were provided with maps of where the different actions are taking place. One of the most welcome initiatives is related to the agricultural sector reducing to a minimum the return of irrigation and promoting conservational agriculture practices. The government will keep on counting on all the stakeholders and fostering inter-administration cooperation. This is a collective action and the Spanish Government is going to put all its efforts into solving the problem. Mr González Suela then introduced the rest of the national authorities' delegation.

### **Question and answer session**

During the question and answer session, the following members of the delegation spoke:

Ms Ždanoka started by asking how the national representatives approached the issue that mayors had different opinions on the measure of deviating polluted water from the channels to another place and preventing it from flowing into the Mar Menor.

Mr Vincze stated that it was difficult for the delegation members to follow the different competences of the different levels of administration in Spain. He wanted to understand where the national competences and where the regional and local competences lay. He wanted to know how cooperation with the municipalities was conducted. He also asked about the inter-administrative coordination body, which is not functioning properly according to the municipalities, and which needs the participation of representatives who can come up with

solutions.

Mr Złotowski wanted to join his voice to Mr Vincze's question. He had heard that all the levels of administration knew there was a problem and knew the solution to that problem, but the question was if it was being solved. Both the regional and the national governments had told the members of the delegation that they were taking actions and that the problem would be solved in the near future but the mayors did not see these actions happening.

Mr Wiezik stated that, for him, it was clear that a big part of the problem was related to agriculture, nitrates and related activities such as desalinisation and the dumping of various waste products into the Mar Menor. What he found intriguing was the fact that, even if agriculture were to be stopped completely in the area, today, there would be still leakages of highly polluted water into the Mar Menor for another 30 years. This is because the aquifer is so polluted. Some mayors had proposed pumping the water out of the aquifer, purify it and releasing it into the Mediterranean Sea. He believed this was an enormous task. He asked the national authorities if they considered this a realistic scenario, if they had plans for this aquifer or if was out of the scope on their strategies.

Mr Teodoro Estrela Monreal, Director-General for Water, answered the question related to the pollution caused by nitrates in the aquifer. The cause is the excessive use of fertilisers over the years. The Hydrological Confederation of the River Segura declared it to be a 'chemical risk'. This means that the amount of fertilisers used needs to be reduced. Agriculture can continue to exist, but it has to be sustainable and at a level that does not pollute. This is a problem that cannot be solved from one day to another, but it can be solved. It is a question of using the exact amount of fertiliser needed by plants. He believes that if we start working on that, the level of pollution of the aquifer will be reduced in some years. That is why the ministry is acting on the causes of nitrate pollution. He mentioned the regulation on nitrates adopted by the national government that protects water against pollution. This regulation updated another piece of national legislation from 1996, implementing an EU directive from 1991. The idea is to avoid having a surplus of nitrogen that, in the end, pollutes the aquifer. It is not the only problem. There is also phosphate pollution from some small housing developments or other areas that is reaching the lagoon and causing eutrophication. The action plan also deals with this, trying to prevent any pollution of urban or industrial origin from reaching the Mar Menor. These two main measures will help the lagoon to recover in the near future. There are also some more urgent measures included in the action plan. Concerning the deviation of channels, the national government is competent to offer resources to meet the demand for the sustainable use of water. Concerning water transfers, this area receives water from the Tajo-Segura Transfer, complemented by groundwater extraction. The quality of the water coming from that transfer is good and it does not negatively affect the Mar Menor.

Mr Mario Andrés Urrea Mallebrera, President of the Segura Hydrographic Confederation, stated that, in order to reduce the pressures on the aquifer and improve its protection and monitoring, which is the direct competence of this body, the Confederation was not only monitoring the reduction of the use of nitrogen products but was also conducting exhaustive legality checks on surface irrigation. Since 2018, the Confederation has been trying to detect all the plots of land that do not have the right of irrigation. Those irrigation areas should be expelled from the system, directly reducing the quantities of nitrogen reaching the aquifer. More than 1 000 hectares have stopped being irrigated, from a total of 8 000 hectares that

have been identified. The plots of land without the right of irrigation are well known. He predicted that by the end of this year, they would have stopped their activity and reduced the pressure on the aquifer. With the declaration of a chemical risk to the aquifer in July 2020, the use of fertilisers had to be reduced in the area of the Campo de Cartagena. There are also precautionary measures that concern the legal plots of land. Coordination with the region is needed for the execution of these measures as they are a shared competence. A road map exists and is being updated with the measures needed to achieve all the objectives included in the Water Framework Directive. The Committee of Competent Authorities exists in order to solve the problem of competences in this field, and gives green light to the measures.

Mr González Suela took the floor to answer other questions. He stated that the competence system in Spain is complex but it is well defined in the Spanish Constitution and in the Regional Statute. The main message he wanted to convey is that this is a problem that affects everyone, notwithstanding the distribution of competences. Administrations need to work in coordination to reverse this situation. There is not a magical nor immediate solution but they have a clear idea of the path to follow. He insisted on the need for a transformation of the model with solutions based in nature, and for actions to be taken at the source to solve the problem.

Accompanying member of the delegation Ms Rego intervened to point out the distribution of competences in Spain and who is responsible of what. She wanted to get an example of what they were referring to when they talked about intervening at the source of the problem, knowing the causes and linking it to the EU 'polluter pays' principle. Strategic plans are needed to solve the problem, not just sticking plasters. She also wanted to know how coordination with the regions took place, and how the budget of EUR 484 million is applied in concrete actions.

Mr Ros Sempere thanked the speakers for their explanations. He stated that this was what the Mar Menor needed. He insisted on a change of model, on acting at the source of the problems and not focusing in solutions at the end of the pipeline. He asked if the declaration of general interest of the public works had to be made because someone was not doing their job. Another issue is the difficulty of applying the 'polluter pays' principle to this question of the diffuse pollution of waters by nitrates. He has heard other administrations talking about pumping systems, manifolds, ditches and zero waste, and it seems they do not realise that the EU and the Green Deal also require a change of model. He understood the need for agricultural reform in the whole area, which could be supported to achieve a sustainable model.

Ms Rodríguez Ramos also thanked the speakers for their interventions. She stated that there is a feeling among civil society that there is a need to act right away. She focused on the actions related to urban development and livestock farming. Concerning the illegal irrigation plots of land, some organisations informed her that the reduction of the 8 000 hectares was going very slowly and that only 300 hectares had so far been affected. Also, it was unclear how the exclusion of nitrate fertilisers from 12 000 hectares would be monitored. She wanted to know about some of the measures affecting the coastal towns.

Mr Buxadé took the floor to state that, from the previous meetings, it could not be concluded that agriculture was responsible for the pollution of the Mar Menor. Some people had said so, but there was also the issue of the mining run-off and the sewage waters. He referred to a study from the Spanish Oceanographic Institute concerning the torrential rains and flooding of

the Mar Menor with elements containing phosphates, which had caused the episode of eutrophication and the other episode that occurred in the summer of 2021, when the hotel occupancy in the area is at its highest point, with an increase of 100 000 persons in two months. In that second episode, studies also talk overexposure to phosphates not linked to agricultural products. He wondered why the national authorities wanted to sacrifice the agricultural sector and no other activities, such as the marinas or urban developments. He believed that not a single job of a Spaniard should be sacrificed. He asked the question of the floodgates (*golas*) and why they are not opened to let the water from the Mediterranean Sea enter the Mar Menor. He asked about the Zero Waste Plan and why some of its measures could not be implemented, because that is what the mayors of some municipalities were requesting, especially for those dealing with the sanitation systems.

Mr Vincze came back to the question of the Inter-administrative Commission of the Mar Menor that had not been answered. Concerning agriculture, he wanted clarification as he had heard from previous speakers that this was a very high-performing sector, in line with modern practices, and according to the national authorities, that was not the case.

Mr Estrela Monreal answered to the question about tackling the problem at the source. The problem is not only caused by agriculture as there are nitrates and phosphates, and those are the nutrients that end up causing the problem of eutrophication. The intervention at the source is to reduce fertiliser use. Nitrate concentrations reach 200 or even 300 mg/litre when the limit should be 50 mg/litre. He also proposed to intervene in some urban areas where the storm or septic tanks are not working properly. There is no need to sacrifice any of the sectors. Eutrophication has been a problem for a long time but now it has caused the death of thousands of fish and algae with episodes of anoxia. The main actions using EU funds deal with protection against flooding and preventing the access of nutrients to the lagoon in these situations, because the levels of chlorophyll in the Mar Menor increase exponentially. Water should reach the lagoon at a slower pace. The riverbeds will also be restored, along with green belts and actions to encourage reforestation. Concerning the Zero Waste Plan, some of the measures that are being applied now were already in place. What they do not want is to build enormous manifolds that capture nitrates to prevent them from reaching the Mar Menor. They want to foster more sustainable agriculture to prevent pollution problems. Campo de Cartagena is very efficient in the use of water but does not comply with the legislation as there are nitrate concentrations over the limit in the aquifer, but it is difficult to monitor because pollution is diffuse. If the aquifer is in bad condition, the Mar Menor will be affected.

Mr Daniel Caballero Quirantes, Head of Murcia Coast Demarcation, spoke about the floodgates. From a scientific point of view there is no clear evidence of the benefits of opening those channels nor of its negative consequences. If you ask an expert in thermodynamics he/she will say it is beneficial, if you ask an expert in environmental conservation he/she will say it is harmful. The region of Murcia within the remit of its competences wanted to dredge the channels, but they have never asked for authorisation to do those works.

Mr Fernando de la Gándara García, Director of the Spanish Institute of Oceanography (Oceanographic Centre of Murcia), responded to the mention to the report by his institution that referred not only to agriculture but also to other causes. They had studied the die-offs of fish that occurred during the two episodes in October 2019 and in August 2021. In the first

case, they stated that it was caused by sulfide formation from the putrefaction of the algae on the seabed. In the second case, the die-off was caused by a lack of oxygen due to the existing phytoplankton and its consumption of oxygen during the night. He mentioned that the expert in this subject was Juan Manuel Ruiz who would be present the following day.

Mr José Vélez Fernández, Spanish Government Delegate in the region of Murcia, answered the question concerning the inter-administrative forum. He stated that the regional government was using this forum as a political arena and that they gave press statements before finalising the meetings and writing conclusions. That is the reason why some mayors and some other representatives may have left that forum.

Mr González Suela concluded by agreeing that actions need to be taking at the source. This is a great opportunity to solve this problem and it is being addressed now; it is not only a plan for the future. They are trying to fulfil all the European Commission's requirements concerning funds. What really matters is that they also have an evaluation system, that the measures taken are analysed gradually, in case changes have to be made. The national government felt it had the responsibility to give answers where other administrations were not acting properly. It has to be in the front row and leading these actions, and has the help of the scientific community and of the European Commission with the Recovery and Resilience Plan. He stated that old solutions could not be applied forever, that would be a big mistake. There are opportunities for everyone but the economic model has to be changed. People have to be aware of environmental costs. They will also help the agricultural sector to transform with Strategic Projects for Economic Recovery and Transformation plans (PERTE). Agriculture is not the guilty party, but the sector has to transform its production model with the help of the authorities. There also are green jobs. This region has to be an example for Europe.

*Thursday 24 February 2022 (10.00-13.45)*

### **Visit to the affected areas of the Mar Menor**

Members of the delegation spent the day visiting some of the most affected areas around the Mar Menor by bus. Some of the petitioners representing environmental organisations, such as Ecologistas en Acción and ANSE, accompanied them throughout their visit. The regional authorities were also present, represented by Mr Antonio Luengo Zapata, Regional Counsellor for Water, Agriculture, Livestock, Fisheries and the Environment, and Mr Emilio María Dolores Pedrero, head of the fishing service. In addition, Mr Mario Andrés Urrea Mallebrera, President of the Segura Hydrographic Confederation was also present at the Rambla del Albujón along with the petitioner Mr Manuel Macanás. The petitioners and the representatives of the central and regional governments were able to present their concerns and proposals during the visit.

The visits were as follows:

- Panoramic view of the agricultural area surrounding the Mar Menor
- Marchamalo salt works and Los Alemanes beach
- Los Nietos beach
- Mouth of the Rambla del Albujón
- Regional Park Salinas de San Pedro.

The planned boat trip around the Mar Menor could not take place due to the delay accumulated during the rest of the visits.

*Thursday 24 February 2022 (15.00-16.30)*

As most of the experts and social organisations provided the members of the delegation with their presentations, the summary of these meetings will be more concise.

### **Meeting with scientists**

Ms Ždanoka started introducing the members of the delegation to the experts and explained the aim of the visit.

Mr Angel Pérez Ruzafa, Professor of Ecology at the Department of Ecology and Hydrology at the Faculty of Biology at the University of Murcia (UMU), took the floor explained the situation of the Mar Menor, comparing it with other similar lagoons in the rest of Europe, and the different activities that develop around these ecosystems. All have similar indigenous species and similar invasive species as the blue crab. The Mar Menor was exceptional for the transparency of its water compared with other muddy water lagoons. This was thanks to its greatly varied ecosystem. He stated that dredging channels to reduce pollution is a grave error because restrictions in the flow of water allow the lagoon are to keep its special properties. This does not happen, for example, in Venice, where the water is renewed every five days instead of every year for the Mar Menor. The lagoon has been suffering from strong pressures for many years (mining, urban development and tourism). The sludge stored in the lagoon,

which is more than a metre thick in practically the entire lagoon, is due to the accumulation of the invasive algae *Caulerpa prolifera* that has covered practically the entirety of the Mar Menor since 1986 when it first appeared. In the 1990s the proliferation of jellyfish was detected and experts confirmed that they contributed to lowering the level of nutrients. They also realised that the changes in the amount of nutrients in the basin caused by intensive agriculture were affecting the lagoon. A complex ecosystem allowed the Mar Menor to keep clear waters for so long. In 2015, it was detected that the system was about to collapse and afterwards, the level of chlorophyll increased and there were some episodes of muddy waters. When pollution spills were restricted the lagoon was able to recover its environmental health. The flow of water arriving from the riverbeds and from underground waters is too high and nutrients keep arriving. He supports the plan to reduce the level of water in the aquifer. He believes in a green deal with blue growth where agriculture is compatible with other activities.

Mr Julio Mas Hernández, Former Director of the Spanish Institute of Oceanography, wanted to elaborate on the problems of the Mar Menor, which have been aggravated since 2016. The special characteristics of the lagoon have been lost, along with its capacity to recover. The multifactorial problem concerns mining and flows of water containing nutrients, among many other issues. One of the specificities of the Mar Menor is its different level of salinity compared to the Mediterranean Sea. There is a debate on whether to prioritise the waters coming in from the aquifer that lower its salinity and the opening and dredging the channels communicating both seas. The fishing sector has suffered from this deterioration of the lagoon. The existence of disruptive species like phytoplankton is very dangerous for the Mar Menor and its recovery. The Nitrates Directive exists because these are harmful substances. He believed that the answer to the problem was not water collection with new infrastructure while keeping the same model. The Mar Menor and the Campo de Cartagena need urban planning and agricultural organisation with a recycling and maintenance system for the water and a recovery system based in nature. A green belt is needed.

Mr José Luis García Aróstegui, Senior Scientist at the Geological and Mining Institute of Spain (Murcia Office) and Associate Professor of Hydrology at the Department of Ecology and Hydrology at the University of Murcia, pointed out that the problem of eutrophication of the Mar Menor is clearly linked to the aquifer and the underground waters. Huge investments are needed to solve this hydrogeological problem. There is a problem with the representativeness of the points where nitrates are measured and sent to the EU. He presented one of the projects in which he is participating, financed by Interreg. Campo de Cartagena has gone from 3 000 irrigated hectares at the beginning of the 20th century to around 50 000 hectares taking water from the aquifer and from the Tajo-Segura Transfer today. The Quaternary aquifer is the one linked to the Mar Menor. He stated that in order to understand the problem we have to go back a century. Water will keep on flowing even when it will not be visible, and another problem is the lack of wetlands due to urban development. Water used to be 20 metres underground and now there are places where it flows less than a metre under. This rise in the level is also linked to the reduction of water exploitation by pumping, as a result of the development of desalination plants. Around 55 litres/second were coming out from the Rambla del Albuñón at the time the delegation was visiting that area. We need to lower these levels to prevent this problem from occurring. Wetlands are only partially effective. He believed we should act at the source but the water stock currently present at the aquifer needs to be managed.

Mr Juan Manuel Ruiz, a researcher at the Spanish Institute of Oceanography (Oceanographic Centre of Murcia), is the co-author of some of the reports concerning the recent state of the Mar Menor. He stated that he is conducting research in San Pedro del Pinatar, right on the shores of the Mar Menor. He is studying marine ecosystems, their structure, functioning and development. He pays special attention to human interaction with the marine environment. The Spanish Institute of Oceanography gives advice to the different public administrations. Along with the Ministry of Ecological Transition, they are responsible for the implementation of several EU directives (including the Marine Strategy Framework Directive). Over recent decades, they have been developing knowledge of the Mar Menor and its environmental situation, a long time before the current problems were publicly visible. They warned the competent authorities of the risk of ecosystem collapse. Unfortunately, this prediction was more than fulfilled. This was a model case of the eutrophication process. This process is a lot more complex than the mere presence of nitrates. The addition of nutrients caused by human activity is the necessary condition to give rise to this process. In this context, agriculture, livestock farming, urban development and atmospheric pollution are the main sources of nutrients. He believed that massive blooms of phytoplankton or episodes of lack of oxygen could not, by themselves, cause this process of eutrophication. Heat waves and other events related to the climate change cannot be blamed as the causes of the deterioration of the Mar Menor. He stated that a huge majority of the scientific community subscribes this line of thought. There is no scientific conflict among scientists. There are only statements biased by non-scientific interests that serve to confuse public opinion, undermining the prestige of scientists and science. It is urgent to foster some changes to allow the scientific community to carry out its work independently. An independent scientific committee needs to be put in place. Technical solutions to the Mar Menor's problems need to be based on the best science available. The Mar Menor needs trustworthy monitoring systems to check the situation of the lagoon in real time, with good coordination among authorities.

Mr Gonzalo González Barberá of the Soil and Water Conservation Research Group, Centro de Edafología y biología aplicada del Segura (CEBAS), at the Spanish National Research Council (CSIC), stated that the problem of the Mar Menor originates outside the lagoon. Underground waters and surface waters flowing into the Mar Menor are the main sources of nutrients that cause the eutrophication process. Ten or 15 years ago there were also sewage waters spills into the lagoon, which nowadays are much more under control. He affirmed that agriculture was the main source of nutrients reaching the Mar Menor. He clarified that when water was extracted in the past from the aquifer, desalinated and used for irrigation, the leftover brine ended up in the lagoon. He stated that public administrations had abandoned their surveillance and control mission. Now the problem may be that not enough water is pumped out of the aquifer, but before, nutrients also reached the Mar Menor through these pipelines from the desalination plants. He believes it is important to discuss all possible solutions, including infrastructure construction and water extraction from the aquifer. However, there are actions to be taken at the source of the problem. It is not only a question of using less fertilisers but also of improving the irrigation systems. The installation of probes that control the amount of water that percolating through the land, which are being developed by the regional government, is very important. When torrential rains occur, water run-off carries huge amounts of sediments, nutrients and phosphorus. In 2019, when an episode of torrential rain took place, the amount of dissolved phosphorus entering the Mar Menor in one day was 100 times higher than the amount in the lagoon at that time. Intensive agriculture has forgotten about ground conservation. Since the advent of water pipes, the ground has been seen as a mere physical support, there are no terraces anymore. This change is easy to put in

place and not very expensive. It is more of a cultural change but also one that will allow farmers to comply with the regulations.

Ms Francisca Giménez Casaldueiro, full professor of marine sciences and applied biology at the Faculty of Sciences of the University of Alicante (UA), focused on the consequences that this situation is having on the species and the diversity of the Mar Menor. She mentioned the *pinna nobilis*, an endangered species only present, since 2016, in the Mar Menor and in the Ebro delta. The lagoon should have become the reservoir of this species. Until 2015, there were around 1.6 million specimens in the Mar Menor, but they were hit by the episode of eutrophication. The death rate reached 99 % of the population. There were only 6 000 specimens left after 2016. Torrential rains in 2019 and a new episode of eutrophication in 2021 have diminished the population down to 800 specimens. This is one example, but there are many others. She stated that there is a direct link between industrial agriculture and the deterioration of the Mar Menor. Disinformation or poor monitoring were behind the inaction of the competent authorities. She believes that the story has been manipulated without real scientific support. As a society, we need to decide what kind of Mar Menor we want. Either a clear water container kept that way by mechanical or artificial filtering systems – and if this is the case, we should give up all protection measures, losing what makes the lagoon different – or a balanced and recovered ecosystem with environmental values. She called for ambition to try to recover the original Mar Menor. Environmental restoration should be prioritised, eliminating external pressures to allow the system to recover by itself. In 2018, everyone witnessed the capacity of the Mar Menor to re-invent itself, as the spills stopped. Shortcuts are not good at all.

Mr Juan Carlos Fernández Zapata, an agricultural engineer at Miguel Hernández University of Elche, spoke as a lover of the Mar Menor. Experts sometimes speak about different aspects of the situation. However, this is the visible part of a wider ecosystem. The Mar Menor is closely linked to the drainage basin and a Quaternary aquifer. Close to the lagoon, another environmental disaster is the mining area. In the 1960s, the situation of the Mar Menor was totally different from today, and the traditional way in which the mining area had traditionally been exploited was very different from the industrial process used from then on. From the 1960s to the 1990s, the collapse of mining in the area occurred. Pollution coming from heavy metals leaking into the lagoon is a very significant factor and should not be ignored. The pressure vectors on the Mar Menor were the mining activity, urban development from the 1970s, and significant changes in the biology and behaviour of the lagoon. In the 1980s, the Tajo-Segura water transfer changed the economic activities in the area. Pressures kept building and no action was taken, and in the year 2001, the EU directive declared the Campo de Cartagena as a nitrate vulnerable zone. That was more than 20 years ago. The pressure vectors have increased without proper action from the competent authorities. The collapse has occurred when a series of environmental events have highlighted the fragility of the system. Previously, the system was temporarily hit during the summer with the overcrowding produced by the flow of tourists, and it recovered throughout the year. With more pressure vectors, this capacity for recovery has diminished, resulting in the environmental collapses of 2016 and 2019. Again, no action was taken. Two protection laws for the lagoon have been passed, without real effect. The pressure vectors need to be stopped. The big problem now is the large amount of run-off after torrential rains and the huge inflows of nutrient-rich water into the lagoon.

## Question and answer session

During the question and answer session, the following members of the delegation spoke:

Ms Ždanoka started by saying that the delegation had previously heard that there were different opinions among scientists, and today she had heard that there was unanimity. She had read that incorrect interpretation of results had led to misinformation and she wanted to understand this situation and the possibility of having an independent scientific committee.

Mr Vincze, knowing that it is a complex problem, asked how to remove pressure from the Mar Menor coming from external vectors. In addition, there is the question of climate change, which cannot be controlled and which will bring heavy rainfall and run-off into the Mar Menor, which will in turn lead to changes in the ecosystem. He asked if the experts believed that the policies put in place by the authorities were good enough to solve this situation.

Mr Wiezik agreed that the picture was rather blurry after the most recent presentations and he stated that the delegation was there to check the facts and hear a clear message. He had witnessed, during the field trip, that certain things were obvious and could not be doubted. He had seen the clear eutrophication of the lagoon in various areas. He had seen the seabed covered by algae that was not normal for this area. The case of the *pinna nobilis* struck him as a disaster. The question is what to do in the short and the long term. He believed that the main source of nutrients reaching Mar Menor was agriculture. The Rambla del Albuñón seemed like a sewer and no action was being taken. Most of the pollution comes from years ago and today's agriculture is more sustainable.

The experts answered that, depending on the sector, there was still debate in the scientific committee. Mr García Aróstegui stated that, as he was the only hydro-geologist, no debate was possible when dealing with underground waters. Of course, 60 years ago fertilisers were not used in the same way that they are used today. In addition, pumping water from the aquifer and applying blanket irrigation instead of drip irrigation increased the amount of nutrients flowing into the lagoon. By the 1970s, the aquifer was already heavily polluted. The problem was that of marine intrusion coming from the Mar Menor into the aquifer. With water of better quality coming from the transfer, the exploitation of the aquifer decreased and its level rose, but now its level changes with rainfall and not with irrigation. The ground needs to be cleaned of nutrients to avoid run-off, and that is a difficult task.

Ms Giménez Casaldueiro answered the question about misinformation. She believed that what had happened in the Mar Menor was not new and had been well studied. There was a lot of interest in disguising that information. Starting with a mild eutrophication process, the situation kept on deteriorating, first owing to cesspools from some houses, but immediately afterwards with the switch to intensive agriculture. Then the invasive algae *Caulerpa prolifera* started absorbing those nutrients and grew along the seabed. At first, the waters were still transparent because that algae was removing the nutrients. With the industrial transformation of agriculture, the flow of nutrients became so intense that the whole system changed. Those algae could not absorb the amount of nutrients reaching the lagoon. This caused the growth of phytoplankton and that is when the eutrophication process of 2016 started, leading to the death of 80 % of seabed species. Even as this critical situation unfolded, some colleagues had said that the Mar Menor was better than ever, because the damage was

not visible.

Mr Mas Hernández stated that there was no scientific unanimity. Part of the community thinks one way and other part thinks differently. Some scientists defend similar ideas to those coming from the regional authorities. He supports the creation of an independent scientific committee. The first solution is to remove the pressure from the Mar Menor. An integral land use plan is needed covering all of the uses and resources of the area. This also needs to take into account climate change and its evolution. Agriculture is one of the main sectors responsible, owing to its extent and the way in which it uses land.

From the accompanying members, Mr Ros Sempere said he was grateful for the contributions of the experts and that he believed that we should show respect for the scientists and for scientific truth. He was very worried to hear that scientists had had to leave a scientific committee that was supposed to be independent. He is worried that society believes that there is a division among scientists. We have to listen to the science and agree on the diagnosis of causes and solutions. And from that point, start working. He is also worried about infringements of the law. He asked how the scientists thought the situation of the Mar Menor would be right now if the law from 2020 protecting the lagoon had been implemented. In addition, he asked what would have happened if the law of 1987 had been kept, along with the law of 1992 concerning urban development. On the subject of the aquifer, he asked if it had filled by itself. If it does not rain and the level of the aquifer raises, water and nutrients must be coming from somewhere.

Ms Rego stated that the presentations were very clear even if there had been some contradictions. She asked for a clear framework based on the science to enable action without any doubt.

Ms Rodríguez Ramos stated that there seemed to be a contradiction between taking action on the surface to prevent water from leaking out and acting on the aquifer. However, both solutions are compatible. Many measures need to be taken, due to the complexity of the problem, but not all of them have the same level of priority. Measures to stop water spills and the flow of nutrients into the Mar Menor seem to be the most urgent. She asked if that was in contradiction with not acting on the aquifer. She asked if the restoration of the original channels and the creation of wetlands are valid solutions in the experts' view.

Mr Fernández Zapata answered the question, saying that it was true that agriculture had generated a problem. He believes the diagnosis of the scientific community is unanimous although scientists may differ in the solutions they suggest. He stated that all economic sectors need to be compatible. Agriculture is a strategic sector for the authorities to protect. Things had been done the wrong way, using too much water and too much nitrate fertiliser. Sustainable agriculture is needed. Governance is another issue in this area, with the law of 2020 establishing up to five different bodies governing the Mar Menor. The complexity of the problem is evident. The sewage systems still have problems with leakage and need to be monitored. An overall plan is needed to include all solutions.

Mr Ruiz stated that in the opinion of civil society, scientists had staged conflict and division. However, this confrontation is not real because there was no such confrontation following the scientific method. There is no scientific debate in the newspapers. This confrontation is driven by specific interests. This needs to be addressed in order to make the science credible to

society and stakeholders. He was surprised to hear that it is time to act because there are still many aspects that need to be studied concerning the situation of the Mar Menor. For example, pumping out water from the aquifer is an enormous public work. Action needs to be based on the best available science. It should not be forgotten that the Mediterranean Sea is also experiencing similar eutrophication to the Mar Menor.

Mr González Barberá stated that the issue of nutrients in the water was all a question of balance. The anoxia situation on the seabed had been evident to scientists for more than 30 years, well illustrated by the drop in mullet fishing. If the ecosystem is capable of absorbing and expelling nutrients through fishing, the balance is maintained. The same question of balance applies to inflows and outflows of water. Imbalances occur when torrential rains flood the areas surrounding the lagoon. An independent scientific committee should depend on data. Infrastructures that make cohabitation between the lagoon and the activities in the surrounding area possible are needed.

Mr Pérez Ruzafa affirmed that it would take a long time to reach a solution to this problem. It would not be immediate. He imagined that today's agriculture is not like it was 25 years ago, concerning the use of fertilisers, yet all the studies state that nitrates are still permeating the earth. There are thousands of farmers with different techniques. Concerning the aquifer, the public administration has identified 8 000 hectares of illegally irrigated plots of land. Their activities are being stopped, and this means a significant reduction in irrigation. Intensive irrigation means that the soil in Campo de Cartagena is permanently wet, and this facilitates nutrients permeating the aquifer. The solution is not to eliminate agriculture as a whole, but cutting out the plots that do not comply with the law would mean reducing the pressure by around 20 %. He believed that Spain had excessive regulation and a problem implementing it. He affirmed that the drainage network is totally artificial. Part of the problem could be solved with new infrastructure but another part requires changes to agricultural practices to make them sustainable.

Ms Ždanoka thanked the experts for their valuable contributions, which would be taken into account in the recommendations.

*Thursday 24 February 2022 (16.45-18.15)*

### **Meeting with social organisations**

On behalf of the delegation from the Committee on Petitions, Ms Ždanoka introduced the members of the delegation and gave the floor to the representatives of the different social organisations.

The representatives of the 'Banderas Negras' collective, Ms Teresa Conesa and Mr Pedro Macanás, stated that the fundamental problem is that the European, state and regional regulations that affect the coastal lagoon have not been complied with. It is up to the regional government, local administrations and the Segura Hydrographic Confederation to monitor compliance, but they have looked the other way for decades, allowing systematic breaches without any relevant punishment or sanction. From this impunity, a lack of control and a proliferation of companies have arisen that have seen their profits favoured, as they have not had any type of brake, and have even been able to receive European funds. The causes that are

destroying this unique ecosystem are uncontrolled urbanism, irresponsible mining, inadequate water management, discharges of all kinds, and very aggressive agribusiness and livestock exploitation. All of this takes place on land that draws from three aquifers and is irrigated with water from the Tajo-Segura Transfer. Ms Conesa and Mr Macanás denounced that, until now, no measures have been taken that directly benefit the recovery of this unique ecosystem, and we need to monitor and control the aid that comes from Europe, since the ecocides that have continued since 2016 show that the management of these funds by the responsible governments has been disastrous. To remediate the coastal lagoon and restore the future of the area, different environmental, technical and scientific groups in the environment and citizen movement have always indicated the need for high-priority action to be taken in the region.

The speaker of ‘Por un Mar Menor Vivo’, Ms Caroline Rivière, focused on the different problems that have caused the deterioration of the Mar Menor, namely intensive agriculture and livestock farming, flows from the transfer Tajo-Segura, uncontrolled urban development, and the inaction of the regional authorities because it was perceived as a threat to the development of their economic model. Finding solutions needs the intervention and commitment of many stakeholders. The lack of concerted action could be solved with a ‘Custody of the territory’ approach like that used in the Canary Islands, including a plan outlining solutions created by all of the relevant levels of administration. But also, active consultations with all the ecologists, neighbours, farmers, fishers, tourism, building industry, workers, scientists and irrigation associations are key to finding a solution. She stated that, until today, millions of euros have been spent on useless solutions that do not tackle the problem at its roots. Not to mention that the legislation is not being enforced and proper monitoring does not exist. She affirmed that without the direct intervention of the European Union, the Region of Murcia, and the authorities in the Campo of Cartagena and the Mar Menor will never be able to fulfil the regulations under the 2000 Water Framework Directive and the 1991 Nitrates Directive. She seized the opportunity to make an ambitious suggestion, namely that the European Union establish, in cooperation with the Spanish Government, a multi-year programme dedicated to ‘building back better’ in the Mar Menor and the Campo de Cartagena that would support research and the piloting of innovative approaches to improve agricultural and animal-rearing practices to promote sustainable growth. This could be envisaged as a practical endeavour to implement the European Green Deal and related EU strategies and policies in the hope that in a few years, lessons learned could be applied to similar situations in Europe and elsewhere.

The representative of the ‘SOS Mar Menor’ citizens’ platform, Mr Ramón Pagán, said that they try to make the voice of the inhabitants from the Murcia Region be heard everywhere. They are very hopeful that this visit will be fruitful. The report from the delegation should make it possible for the European Union to set the basis for the restoration of the Mar Menor. EU funds must be optimally targeted in this area, specially the common agricultural policy funds. Citing a report from economist Genoveva Aparicio he stated that most of these funds go to big agricultural multinationals. This is what most harms the Mar Menor. He requested a transformation of the agricultural model. The future of the Region of Murcia is linked to the development of sustainable agriculture and the protection of the Mar Menor. It is a source of wealth for the entire area. Without the Mar Menor there would be no tourism and all the coastal villages would die, as is currently happening in Los Nietos. It is most important to comply with the law and that public funds be devoted to finding effective solutions for the source of the problem.

The representative of the ‘Elegimos Mar Menor’ collective, Mr Bernardo Sáez, explained the objectives of this comprehensive movement. He then read his manifesto, which focused on defending nature over economic interests and human activity. He stated that sewage spills should be stopped and agriculture should be limited to what the ecosystem can sustain. He denounced that people do not want to live paying service to agricultural multinationals. They want to restore the traditional environmental values of the area. They request that the tourism model be redesigned to stop urban development and nautical leisure activities. They want to restore a green belt surrounding the Mar Menor with indigenous species and sustainable agriculture and prioritise solutions based in nature. They are against useless public works. They stated that the natural drainage network needs to be restored and the demolition of illegal construction in flood ways should be prioritised. They want the Mar Menor to be endowed with the maximum legal amount of protection possible. They request immediate action to avoid auto destruction, summarised in five verbs: Reduce/Return/Restore/Repair/Recover.

Mr Juan Francisco Ortuño Hernández, the representative of the Platform of People Affected by Heavy Metals from Mining in the Sierra de Cartagena and La Unión, stated that pollution knows no borders and reaches the whole area of Cartagena. There are heavy mineral deposits at the headwaters of the dry riverbeds. He denounced that mining waste is not inert and that through wind and runoffs, heavy minerals reach the population, plots of land, livestock farms and the Mar Menor. Even if the competent authorities know about this problem, no action has been taken to solve it. There are scientific studies stating that, more than 12 tonnes of heavy metals have reached the Mar Menor from some of the riverbeds. This does not only affect surface waters but also underground waters, due to the permeation of heavy metals. A solution has to be found at the source and not at the end of the pipeline. They have monitored more than 200 mg/kg of arsenic flowing through some of the riverbeds that cross the town and the school reaching the lagoon. He presented scientific studies showing that mothers and children are contaminated through breast milk. Heavy metals affect the cognitive level of the students. Still, no action has been taken. He talked about his personal case, as his children have heavy metals in their blood (lead). Health authorities need to monitor the quantity of lead in the blood of the inhabitants of the area. He believed that dredging the Mar Menor is not the answer to stop the problem of heavy metals.

The representative from ILP Mar Menor (Spanish Citizen’s Initiative which has had more than 600 000 people sign in favour of their request), Ms Teresa Vicente, concurred with the comments from the different representatives who preceded her. They are all together supporting the citizens’ initiative to give Mar Menor its own rights. She related the origin of this initiative to prevent the collapse of this ecosystem. She denounced that there were studies from the University of Murcia and other research centres stating what was happening in the Mar Menor and what should not be done. The lagoon seems to be at a point of no return. Administrative regulations have not worked properly. Citizens have put in place this initiative to give the Mar Menor its rights. The voice of the Mar Menor will be heard. The right to live, as an ecosystem, will be defended for the lagoon. Every citizen will be the voice of the Mar Menor. They have joined a movement that has been developing throughout the world due to humanity’s devastating actions against nature. Nature is the source of life and the main subject in need of protection. Public administrations, companies and human beings need to share their rights with nature. She announced that this initiative would be in the agenda of the plenary of the Spanish Parliament in May 2022. She mentioned the different initiatives throughout the world, in Europe (France, Germany, the Netherlands and Denmark) and the

UN initiative ‘Harmony with nature’. She also mentioned the European Parliament’s initiative to give fundamental rights to nature. She requested that the delegation push for the success of these initiatives both at national and European level. She also mentioned the need to regulate ecocide as a crime. They hope to see a new model for the future.

### **Question and answer session**

During the question and answer session, the following members of the delegation spoke:

Mr Złotowski pointed out the jurisdiction of the Committee on Petitions and stated that the delegation has seen that the problem is very well defined. There are good proposals to solve the problem but no one acts on them. He pointed out the different competent authorities. He talked about the demonstration outside the hotel and thought that the people there had the right idea. Responsible authorities should resign and culprits should go to prison. According to him, this is a good proposal. It is for the Spanish people to decide on choosing their governments.

Ms Ždanoka clarified that due to the complex territorial structure in Spain, they always encountered problems with the division of competences and powers in the different visits. She asked if civil society, as scientists pointed out the day before, thought that the reasons for the problem were clear. However, finding the solution was a question of different approaches from different authorities at local, regional and national level.

Mr Wiezik confirmed that the problem with the Mar Menor was complex and long lasting. It would not be solved by anyone snapping their fingers. Part of the problem has been the inaction by the public administration mentioned by most of the representatives. He wondered whether granting rights to the Mar Menor would really improve the situation of the lagoon or just make the complex problem even more complex. He mentioned that in the upcoming months, in the European Parliament, they would be working on legislation on environmental crimes. They are trying to clarify the definition and the content of the term ‘ecocide’. He had problems grasping the term because of the scale of the ecological damage needed to refer to a situation as ecocide. He would like to hear their ideas on this as regards the Mar Menor.

Ms Teresa Vicente answered with an example of the legal changes that would take place if the Mar Menor were recognised as a legal entity. She talked about the river Vilcabamba in Ecuador. There was a court proceeding that involved a representative of the company accused of causing harm and a representative of the river. The judge, in the ruling, looked into the question of whether harm was caused to the ecosystem. The judge convicted the company. As the river is a protected ecosystem and legal entity, its representatives can directly protect and defend its rights. Concerning the definition of ecocide, this needs to be fostered in the European Parliament to the same extent as it has been in the international arena.

Ms Caroline Rivière stated that there are plenty of problems in the Mar Menor, not just one. The solutions given up to that point were focusing on the end of the pipeline but they need to focus on solutions at the origin and at the root of the problem.

Mr Pedro Macanás said that the organisations represented agree on the causes that have been pointed out in the citizens’ initiative. Ecocide means the destruction of a whole ecosystem or

a huge part of it, as has happened in the Mar Menor.

Coming from accompanying members, Mr Buxadé asked the representative of the heavy metals platform when the company had stopped the exploitation of the mine, the name of the company and the reasons behind the inaction concerning the restoration plans.

Ms Rodríguez Ramos wanted to thank the citizens' initiative for their efforts to help, at European level, develop the fundamental rights of the environment and to reform the EU Charter of Fundamental Rights to include this right.

Mr Ros Sempere thanked the representative of the citizens of Murcia for being their voice. He felt civil society's strength and encouragement to work on behalf of the people. He committed himself to being the voice of the Mar Menor in the European Parliament. This delegation is not a court, they come to listen, to learn about the problem and to propose solutions. The delegation wants to hear how the European Parliament can help. Concerning ecocide, a first report from the European Parliament's Legal Affairs Committee will be coming out in which the word 'ecocide' is present for the first time in an official document, even if it is in the preamble. The legal basis to deal with the environment is changing.

Ms Rego stated that citizens' mobilisation and struggle serve to win rights. She also thanked all the civil society representatives. She focused on the EU directives that Spain may not be complying with. The European Parliament will also debate the initiative to protect the environment through EU criminal law. New legal measures are being debated in this field. She mentioned the letter sent to the European Commissioner for Environment, Oceans and Fisheries, Virginijus Sinkevičius, concerning ecocide to open the debate.

Mr Ortuño Hernández replied that mining activity ended 30 years ago. This mining activity is done in grids. Every grid has its authorisation with differing deadlines for restoration. For some, this authorisation expired in 2022. The restoration deadline was prolonged without any reason for one year. The responsible company for the Portmán Basin was Peñarroya. For the last development in the 'Sierra Minera-La Unión', the permit was a concession from Peñarroya to the company Portmán.

Ms Ždanoka thanked the speakers and concluded this part of the meeting.

*Thursday 24 February 2022 (18.15-20.00)*

### **Meeting with business and trade union organisations**

The meeting began with the statement from Mr Adolfo García Albaladejo, President of the Ingenio Foundation. He explained that he represented a business, civil and apolitical organisation. Its goal is to innovate agriculture, make it a driver of environmental and social sustainability and make agriculture and environmental preservation compatible. Around 10 000 small and medium farmers form part of the foundation. He stated that agriculture represented 38 % of GDP and 50 000 full time jobs and that 33 % of the employment in Murcia is related to the agri-food sector. Concerning the environmental commitment and innovation of the agricultural sector in the Campo de Cartagena, he mentioned that they were national leaders in drip irrigation and organic farming, 100 % of the greenhouses in pepper

cultivation use natural enemies for pest control and water use is far below Food and Agriculture Organization recommendations. He acknowledged that agricultural practices were not the same some years ago. The problem in the Mar Menor does not only pertain to agriculture but also to other economic sectors. It is a multifactorial problem. He referred to the framework plan from the national authorities and the distribution of funds as solutions to restore the Mar Menor. From a budget of EUR 382 million, only 6 %-8 % is dedicated to the agricultural sector, while 26 % is dedicated to solving issues related to floods and torrential rains, 29 % to mining issues and 13 % to sanitation projects. Additionally, the agricultural sector is hyper-regulated. He affirmed that farmers are strictly complying with all relevant regulations. Their proposal for an integral solution is an integral protective ring. This would protect the land from runoffs, urban waste, nutrient filtering, and heavy metals pollution and would improve agricultural practices.

Ms Ana Correa Medina, President of COEC, the Regional Confederation of Business Organisations of Cartagena, focused on economic and social problems. There are many small farmers working on their plots of land generation after generation. She referred to the hyper-regulation of the sector, which makes the work of farmers very difficult. She mentioned that farmers rented their fields to install solar panels that do not generate jobs or wealth for the community. The economic benefit goes to investment funds. The tourism sector has also been affected by the situation. There is no aggressiveness among economic sectors, but rather a will to collaborate and to come out of this situation. She stated that they lack support from the national authorities, especially in relation to the cleaning of the beaches, which are a great cost for the municipalities and unfair to the local residents whose taxes pay for the cleaning. Political differences are affecting the solution that needs to be found for the Mar Menor. She mentioned the Zero Waste Plan that was adopted but not implemented. Business organisations have requested economic help from the national authorities in the form of tax cuts and lower social quotes with no reply. They are producing a study along with the University of Cartagena to see how this situation has affected all of the economic sectors. There is no data concerning the area of Campo de Cartagena. Most of the available data refers to the Region of Murcia as a whole. They have witnessed increased social tension. The solution should come from everyone and should be to the benefit of everyone.

Mr José Blaya, Major Patron Fishermen's Brotherhood of San Pedro del Pinatar, representing 63 small craft vessels and around 220 families, gave thanks for the help coming from EU funds related to the fishing sector. Its facilities have been technological modernised and energy efficiency has been improved. The Ministry of Economic Transition has adopted a framework plan for the restoration of the Mar Menor, with an important investment in the fishing sector. According to him, the investment is not sufficient. He spoke about his personal case, as he has been a fisherman since he was a small child. He does not think that the next generation will be able to work in the fishing sector. He also mentioned the importance of the fish market. Without fishing catches, there is no work for the rest of the sector. He also defended and guaranteed the quality of the fish coming from the Mar Menor, which follow strict sanitary guidelines. The EU should help to promote the fish coming from the Mar Menor. The fleet is committed to environmental protection and the refurbishing of boats. They need help in order to carry out these works.

Mr Dionisio García Piqueras, Mar Menor Nautical Station Manager, started by asking a straightforward question to the members of the delegation. After visiting the Mar Menor area,

would they come with their families to spend their holidays at the lagoon? The tourist sector represents over 35 000 jobs with 17 000 accommodation units. The Mar Menor is a unique place to develop sustainable nautical activities. Since 2016, this sector has been suffering an image crisis that is difficult to overcome. More than 40 % of the companies related to the Mar Menor have disappeared. Since 2016, there have been floods, anoxia episodes with death fish, many newspaper covers and TV headlines stating that the Mar Menor is polluted. This situation causes devalued products and the profitability of accommodation decreases. If we add to this situation two years of the COVID-19 pandemic, the picture is devastating. His sector is requesting solutions after five to six years of inaction. Millions of euros have been spent to study the situation and many proposals in the different plans adopted. He requested that the EU create a special commissioner to establish a clear road map with actions to take in the short, medium and long term. We should not let the Mar Menor die due to political struggles. All of the economic sectors are losing jobs and families living in the area, It is a disastrous situation.

Mr José Miguel Marín, President of the COAG, Coordinator of Farmers and Breeders Organisations, represents thousands of farmers and breeders in the Region of Murcia. The Mar Menor faces a difficult situation. He started by focusing on the water deficit in the region. There have been periods of very severe drought. Agriculture has impacted the aquifer over the past several decades, as traditional methods are less sustainable and require more water. However, 15 years ago, the model changed radically. The scarcity of water resources has obliged the sector to maximally optimise its use along with what the market required of the sector. There are numerous ecological plots of land and sustainable agriculture is growing. From 2005 to 2009, during the last severe draught, COAG suggested to the public administrations a solution to desalinise water from the Campo de Cartagena. There was no reply and no infrastructure provided to solve the problem. The change of the productive model is a reality nowadays. The agricultural sector has developed, with its own means, technical innovations and studies to reduce the problem. He stated that the question of nutrients is a complex one. Agriculture is made to be responsible for this situation and he considered that we forget about other aspects and sectors. Scientists corroborate that nutrients such as phosphorus are not of agricultural origin and not all nitrogen nutrients may come from agriculture. He affirmed that the use of biological fertilisers and the biological regeneration of soil lead to a sustainable practice compatible with the environment. He stated that the use of water extracted from the aquifer could be part of a zero-waste process due to the recovery of by-products. Agriculture is part of the solution. Nutrients and nitrogen would not disappear without agriculture in the Campo de Cartagena. Sustainable agriculture could capture part of these nutrients.

Mr Alfonso Gálvez Caravaca, Secretary-General of ASAJA, Young Farmers Agricultural Association, gave some data concerning the Mar Menor with an surface of 13 500 hectares with around 600 cubic hectometres with an annual evaporation of 200 cubic hectometres. The flow of nitrates is quantified as eight cubic hectometres per year and one cubic hectometre of phosphates. To compensate the evaporation and maintain balance, it is important to know that the Mar Menor is connected to the Mediterranean Sea by various floodgates. The solution to the problem of nitrates was included in the Zero Waste Plan with the coordinated effort of all the stakeholders. He denounced the fact that the national authorities did not implement it. The water deficit in the area obliges farmers to extract water from the aquifer and from the transfer Tajo-Segura. He believed that the recovery of the Mar Menor needed to take into account the connection with the Mediterranean Sea. The old agricultural methods with an excessive

amount of fertilisers is not only a problem in the Cartagena area, but everywhere in Europe. He stated that nitrates pollute most of the aquifers in Europe, and that is the reason behind the Nitrates Directive and the Water Framework Directive. He referred also to the public channels that flow into the lagoon carrying run-off of organic and urban waste. An effort is needed to improve the sanitation network in the surroundings of the Mar Menor. He defended the establishment of a separate system for wastewater and rainwater. He stated that nearly 100 % of irrigated fields in the Campo de Cartagena are efficient and use the exact amount of nutrients needed by the plants. All the certifications required by EU legislation for agricultural products refer to respect for these environmental principles. He stated that this area is privileged and strategic for Europe in the context of the agri-food sector. He used as an example that it was the sole area, besides Almeria, where production was not affected by the last polar cold wave. He supported the implementation of the Zero Waste Plan to monitor and regulate the integral cycle of water. Farmers are always innovating and working through various EU-funded projects under Horizon 2020 to diversify crops.

Mr Santiago Martínez Gabaldón, President of FECOAM, Federation of Agricultural Cooperatives of Murcia, stated that some of the proposals that the delegation may have heard are directed against the agricultural sector. This sector is dedicated solely to producing food with high food safety. They have been successfully audited many times. His organisation represents around 22 000 small farmers and around 40 000 direct jobs. There are more sectors responsible for the situation of the Mar Menor than just agriculture. Farmers have been collaborating with a chair at the University of Cartagena to find a solution, including four years of research to denitrify the water from the aquifer, spending a lot of money along with COAG with great results. No answers have come from national authorities. The involvement of the agri-food sector is vital to solve the problem of the Mar Menor. He mentioned the situation of the aquifer with a level of 16 m, which creates a close cycle between the aquifer and the lagoon. If this problem is not solved, in a few years, half of the Campo de Cartagena will be flooded. They have sensors that let them know the amount of water each plant needs. Farmers are very meticulous because the water is very expensive, around 60 cents per cubic metre. He mentioned some supermarkets to which they had exported products that were very rigorous concerning food quality and EU legislation compliance. He felt that, for the past seven months, the agricultural sector seemed to be responsible for everything that happened in the Mar Menor, while during the pandemic they were praised for their commitment. Farmers have collaborated in research using their own money and with the help of the EU. He invited the members to visit some of the farms to see for themselves the sustainable work they are implementing.

Mr Antonio Moreno Soriano, Responsible for Agriculture UPA, Union of Small Farmers and Ranchers, stated that it is not fair to focus on one single sector as the only one responsible for the situation of the Mar Menor. Old agricultural methods are part of the problem that we have today in the lagoon. The current agricultural model is one of the most efficient in the world, optimising water and supplies. He asked the delegation to join already existing efforts and request that the Spanish competent administrations also join forces. There are many proposals, but he felt that they do not listen to the agricultural sector. Farmers are working to adapt to the law rigorously. He asked that the politicians agree and that the administrations come together and started working. They are a sector that produces food. He mentioned the situation in Ukraine and the need to protect European food sovereignty.

Mr Manuel Jódar Casanova, Representative of the Association of Civil Engineers of Murcia, presented two main issues concerning the Mar Menor. The first was the progressive disconnection of the Mar Menor from the Mediterranean Sea, which would result in the complete closure of the lagoon. The second issue was the large amount of waste flowing into the Mar Menor (i.e. nitrates, phosphates, urban waste waters, runoffs from torrential rains). These two phenomena have caused the current situation wherein the ecosystem is not capable of regenerating. He mentioned the amount of water that evaporates and the inflows coming into the lagoon mainly through the 'Rambla del Albuñón' and the aquifer. The balance is produced mainly by the interconnection with the Mediterranean Sea. He mentioned the Zero Waste Plan with 31 proposals to regenerate the Mar Menor. He affirmed that those proposals could solve a big part of the lagoon's problem. They can be grouped into three large themes: the drainage of the aquifer recovering and reusing water, separated wastewater and rainwater urban networks, and actions to correct and divert the riverbeds. The plan makes a brief mention of the connection between both seas; he considered that it is important to monitor this connection and the balance of water produced by it. Coordination within the public administration is vital. He stressed that the good health of the Mar Menor and economic activity in the Campo de Cartagena are perfectly compatible. Innovation and infrastructure are part of the solution. He supported the implementation of the Zero Waste Plan.

### **Question and answer session**

During the question and answer session, the following members of the delegation spoke:

Mr Vincze took the floor first to thank the speakers for the presentations that allowed the delegation to see another side of the same coin. The economy, businesses and jobs are relevant for all citizens. Finding a solution is also about families, future and food security in Europe. He was surprised that agriculture only represented 6 % of the actions proposed by the national authorities under their framework plan. He confirmed that the agricultural sector was blamed during the rest of the visit's interventions. He thought that it was not correct to make agriculture the main party responsible for the situation of the Mar Menor as it was linked to the economic importance of the sector and the number of jobs it created. He was satisfied to hear that the agricultural sector had improved a lot during recent years and that they are respecting the law and working with Horizon 2020 projects. He believed it was a pity that there was an apolitical fight over the Mar Menor and that the economic sectors are the victims of this fight. He stated that there is also a disparity in society as he has witnessed during previous interventions of civil society organisations. He considered it important that farmers provide social responsibility and that they be open to cooperation to find solutions. He stated that the question of nitrates reflected the situation of some decades ago and one cannot blame a whole sector for what happened when those regulations did not exist. He believed that solutions needed to be found in the region, even though the EU could provide some guidance. He asked about the situation of illegal farming and illegal irrigation on an estimated 8 000-10 000 hectares. He also asked about pig farming and its rise in the region.

Farmers associations do not defend illegal practices. Public administration needs to act on this to remove illegal means of irrigation. The problem is that some of this situation was caused by the action of the public administrations. Mr García Albaladejo referred to one of the desalination plants and the water it used.

Mr Martínez Gabaldón intervened to add to the answer concerning to the desalination plant in Valdelentisco. When it was built, the national authorities gave the right to irrigate to some farmers that are now being denounced by the same national authorities. It is curious to see that they provide water to farmers that pay for it and now the farmers are denounced. There are some illegal hectares, but they do not belong to the community of irrigators that has very strict rules in this respect. He stated that the percentage of huge multinationals in the agri-food sector in Murcia is very low. Small and medium-size farms form most of the sector.

From the accompanying members, Ms Montserrat intervened to ask what farmers and business associations would request that the European Union make environmental protection and the development of other economic sectors compatible.

Mr Ros Sempere thanked the speakers and was especially worried about the impact of the deterioration of the Mar Menor on some sustainable activities, such as the nautical sector. He had carefully listened to what pertains to the agricultural and fishing sectors. He was relieved by the fact that, concerning the fishing sector, the EU is strongly involved in protecting and fostering this activity in a sustainable way. He mentioned that they would meet the Commissioner responsible for this sector to highlight this situation. He affirmed that this was not about closing Mar Menor to agriculture. He talked about reconfiguring those activities that are negatively affecting the Mar Menor by looking for a new productive model related to the ecological transition and the Green Deal to remediate the lagoon. Members can react at European level and not to national or regional legislation. Members deal with EU directives and EU funds. Now, there is a framework of priority actions to restore the Mar Menor with EUR 482 million to be allocated. He asked how they can help reconfigure the sector and he would also like to talk about urban planning.

Mr Buxadé gave thanks for the intervention of the people who are on the field and who work. He wanted to know if the organisations were informed about the fate of the Zero Waste Plan.

In their replies, the representatives of the farmers stated that they were focusing on sustainable agriculture and the environment, which is a priority for the EU. They need the EU to also support agriculture. They are worried about the next common agricultural policy reform concerning agreements with non-EU countries with equal conditions and regulations. Food security is not given enough importance. They are eager to keep on working for sustainability, but they need clear support from the EU.

Mr Jódar Casanova requested that the EU urge the Spanish competent authorities to work with a clear plan with a concrete timetable and proposals. All the sectors around the Mar Menor should be taken into account. He agreed with Mr Ros Sempere on the importance of developing integral urban planning for the Campo de Cartagena.

Mr Martínez Gabaldón insisted on the need to urge the national and regional authorities to find common ground for understanding. The solution is not as complicated as it may seem, if there is political will. We have reached the moon and we should be able to solve the problem concerning nitrates.

Ms Correa Medina answered that monitoring from the EU was needed. Concerning EU funds: clear implementation deadlines, checks and, if they are not implemented, economic sanctions all need to be laid out. The most affected sectors need specific help (nautical sector, tourism

and dependent activities). The whole business ecosystem has been affected, as well as citizens, by the decrease in the value of their real estate, while they keep on paying the same or more in taxes.

Mr Blaya requested that the EU take into account the fragile situation of the fishing sector. There is a risk of the fishing sector disappearing in the Mar Menor. There are not many fishers, but they are important.

Mr Moreno Soriano stated that is for the European Commission to monitor the implementation of the Zero Waste Plan, which gives solution in the short and medium term for the situation in the Mar Menor. He did not understand why the national government had not presented any project in relation to the NextGenerationEU funds. The Ministry of Ecological Transition has not explained why it did not implement the Zero Waste Plan. He supposed that national authorities prioritise solutions based in nature, but they need explanations.

Mr García Piqueras insisted on the need to restore the ecosystem first and that afterwards this would trigger the recovery of the rest of the economic sectors in the Mar Menor. Solutions need to be implemented right now.

M. Ždanoka concluded by stating that she was happy to return to the ecosystem in the last intervention because we need to save it.

**Meeting with the spokespersons of the parliamentary groups of the Regional Assembly**

On behalf of the delegation from the Committee on Petitions, Ms Ždanoka welcomed the members of the regional parliament and introduced the members of the delegation.

First to intervene was Mr Francisco Lucas Ayala, Spokesperson of the Socialist parliamentary group. He started by asking what has happened to the Mar Menor. He then referred to the eutrophication process and the excessive amount of nitrates coming from intensive agriculture. He then asked how we got into this situation. This deterioration has been progressive and he blamed the regional government's inaction over the past 20 years. He stated that the regional government had the competence transferred concerning agriculture, livestock farming, environmental protection and land use planning. He denounced that the regional authorities prioritised economic interests over the protection of the Mar Menor. He claimed that the Socialist Party's last regional government in the 1980s started working to plan for the different uses by adopting, in 1987, the first regional law protecting the Mar Menor. This regulation tried to control the different activities that were affecting the lagoon. This law was appealed by the Popular Party and repealed in 2001. He stated that, since 1995, environmental organisations and opposing political parties have warned the Popular Party government of the danger of its policies. He explained that, in 2016, the situation of the Mar Menor was critical with a 'green soup' episode. Then, in 2019, the first anoxia episode occurred, following which 50 000 people demonstrated in defence of the Mar Menor. He requested that the regional government, once more, implement a comprehensive law to protect the lagoon. On 22 July 2020, the Regional Assembly passed this law. He affirmed that, after two years, the regional government is still not implementing the law. The national government is working intensively to remediate the Mar Menor. It has prohibited the use of fertilisers in the 1 500 m surrounding the lagoon. He referred to the framework plan of the national government with a budget of EUR 500 million, partially financed by EU funds. The solutions are based in nature and address the source of the problem. He would like the regional government to leave aside political confrontation and start working to restore the Mar Menor.

Mr Joaquín Segado Martínez, Spokesperson of the Popular parliamentary group, stated that the visit should be useful to look for solutions. These solutions do not rely on one single public administration. There should be coordinated action. The EU is key to this. They proposed the creation of a High Commissioner to supervise and monitor all the policies affecting the Mar Menor. He explained his constructive spirit. He stated that this ecosystem is one of the most monitored areas. The deterioration of the lagoon is not caused by one single factor. Multiple factors have affected this fragile ecosystem over the past few decades. He believed that it is unfair to judge today the practices of 40 years ago. The permanent monitoring of the Mar Menor should be useful for finding solutions. He mentioned and supported the Zero Waste Plan. He wanted to join forces to improve the situation of the Mar Menor. He would differentiate between long-term and short-term measures. He called for immediate action, for example, the supply of nitrate-laden water must cease. Underground waters are a national competence and the national authorities should act on them. He proposed lowering the level of the aquifer to prevent water from flowing into the Mar Menor. For surface waters, the regional government is building storm tanks to prevent rainwater from flowing into the lagoon.

Mr Francisco Álvarez García, Spokesperson of the Ciudadanos parliamentary group, stated that this is a multifactorial problem with multiple causes. He supported the creation of a High Commissioner as the previous speaker stated. He affirmed that the regional government has put in place sanctioning measures. He also discussed the sealing of 96 hectares next to the Mar Menor for non-compliance by the Segura Hydrographic Confederation. They requested that the national government to confiscate the 8 500 hectares of illegal irrigation in the area. They have been informed that 1 146 hectares have been already sealed. The restoration of the Mar Menor should not be based on political criteria. All the public administrative bodies involved should work together. He also mentioned the comprehensive regional law to protect the Mar Menor. More than 20 regulations, at all levels, affect the protection of the lagoon. These laws should be respected to prevent the situation from becoming irreversible. He defended the ‘polluter pays’ principle and noted that the revenue from the sanctions was used to protect the Mar Menor. The agricultural model has changed and is now very modern. He stated that most of the competences belong to the national authorities. He affirmed that solutions should not only be enacted at the source, but also at the destination. He also mentioned and supported the Zero Waste Plan.

Mr Juan José Liarte Pedreño, Spokesperson of the Vox parliamentary group, stated that he could not add anything from a technical or a scientific point of view to what the members of the delegation had heard during the past three days. He wanted to point out the political situation in the region. There is an obvious environmental problem in the Mar Menor. There is also a political problem. It is a complex problem. There is no unanimous stance, either political or scientific. Even the shared competences between administrations are not clear. According to him, the distribution of powers between the State and autonomous communities is difficult to understand. There are important competence overlaps. He denounced the inaction of the Segura Hydrographic Confederation in stopping the water flowing into the Mar Menor from the different riverbeds. He also criticised the lack of action from the regional government and the proposal coming from the left parties to dismantle the primary sector in the Region of Murcia. He believed that putting the blame on the agricultural methods used 40 years ago did not help to find a solution. He mentioned other activities affecting the Mar Menor like urban development and marinas. He also stated that the floodgates that were opened and allowed the flow of water from the Mediterranean Sea into the Mar Menor are now clogged. Previously, they were periodically cleaned to allow water flows. His proposal is to take the issue of the Mar Menor out of political debates. There should be an independent scientific body, with its own budget, to work on this. He understood that the proposal of a High Commissioner could go in that direction and so he could support it.

Ms María Marín Martínez, Spokesperson of the Non-attached parliamentary group, noted that she would circulate a report on the creation of the Mar Menor regional park among the members. She believed this could be the definitive solution to solving the situation of the lagoon. The most important aspect of the visit is that members could witness for themselves the dramatic situation of the Mar Menor. She was grateful that they had been able to listen to independent scientists. Their work in the Regional Assembly is to pass laws to solve the environmental, social and economic problems of the Mar Menor. She presented their proposal to create a regional natural park in the Mar Menor. She wanted to explain the advantages of this proposal. This would be a global and comprehensive response to the environmental crisis

in the area. The only solution is to legally shield the lagoon. They presented a draft bill in June 2021 and, in September 2022, it should be debated in the Regional Assembly. At national level, they have also asked the central government to include the Mar Menor in the catalogue of endangered habitats. They are trying to create a protected coastal strip of at least 2 000 metres in which the use of any fertiliser is not allowed. She wanted to unify all the existing measures to make them more effective. They also support recognising the Mar Menor's legal personality. There would be administrative advantages to unifying measures. She denounced that the distribution of competences has caused inaction from national and regional authorities. She believed that some of the solutions proposed by the rest of the speakers have become obsolete. She affirmed that the regional law passed in 2020 has been a complete failure. She explained that the agricultural sector has not complied with the limitation on the use of nitrates. Urban pressure has been growing. She denounced the regional government's lack of monitoring of the slurry ponds in the region. She stated that there should be an environmental legal framework to protect the lagoon. She supported the remediation of wetlands and indigenous plants around the Mar Menor. According to her, there were also economic advantages associated with the creation of the regional park. Sustainable activities should grow.

Mr Juan José Molina Gallardo, Member of the Non-attached parliamentary group, explained that the problem was that the situation had been going on for a long time. Urban development and agriculture have caused this dramatic situation. Inaction by the different administrations is unacceptable. He stated that the EU's natural heritage was being battered. EU institutions should react and be responsible for the restoration of the lagoon. He affirmed that they should take over the duties of those inoperative governments. He proposed that the EU should not only monitor, provide funds and threaten sanctions, but that it should take control on this. Distance and perspective could be effective in taking appropriate measures to protect the Mar Menor. Those mechanisms he proposed may not exist yet but they should be created by ceding sovereignty. He believed it was not a question of legal protection. There are already too many legal concepts and laws, according to him. The problem is the political inaction. He asked the EU not to leave people from Murcia alone when trying to solve the deterioration of the Mar Menor.

### **Question and answer session**

During the question and answer session, the following members of the delegation spoke:

Mr Vincze stated that there are issues that should be dealt with above any political quarrel. The Mar Menor problem is one of those issues that need to unite all political parties. He affirmed that a consensus needed to be found and respected by everyone, taking Mar Menor out of the everyday fight among the parties. He confirmed that political action needed to be taken and that it was not for scientists to decide. They could make proposals but the decisions needed to be political. He considered that there was deadlock from the political point of view. The situation is complex and the solutions are not easy to find. After three days of visits, he affirmed that it is not only an environmental issue. The main aspect is, clearly, the environmental deterioration of the lagoon by eutrophication, but the roots of this problem are multifold (agriculture, climate change, tourism, real estate). Everything it is linked to the economy, families and jobs. This problem cannot be separated from the region. He supported long-term solutions but questioned whether working together was possible.

Mr Wiezik confirmed that this was a complex issue. It would be hard for the delegation to find solutions, but he committed himself to being as objective as possible to bring the picture and the scale of the problem to the European Parliament. He stated that there was a huge ecological problem in the Mar Menor and paralleled it with climate change. This problem also started in the 1970s. He affirmed that neglecting the problem any longer would be too costly. Besides the ecological problem, there is the economic problem. He had seen some beautiful tourist sites around the Mar Menor where he would love to spend his holidays, but then he saw the water conditions in the lagoon. He would not let his children enter the water because it would threaten their health. The tourism sector should also be taken into account when looking for a solution. He agreed with his colleagues that politicians needed to cooperate and that they could not afford inaction. The EU would support their efforts but Europe needed to see results. He affirmed that money needed to be spent where it was most effective. He would try to bring the attention of other Parliament committees to this issue, for example, the Committee on Budgetary Control. He believed there had to be a systematic change for this region. The conservation of the Mar Menor needed to be at the heart of all actions taken. Ms Ždanoka presented two questions: who is guilty and what to do? She asked to which one it was easier for the speakers to reply. She stated that scientists knew the answer to the first question.

From the accompanying members, Ms Montserrat asked what they expected the Europe Union to do for the Mar Menor. EU funds have reached the region. Did they expect something else?

Mr Ros Sempere would like to highlight the Murcia Regional Assembly's global responsibility. He had heard a lot of talk about coordination but everyone has to fulfil their duties. Concerning the regional authorities, he had heard about the Law 3/2020. However, many organisations have stated that this law was not implemented. As a legislative institution, the Murcia Regional Assembly had the duty to monitor whether the regional government complied with the law. He affirmed that, after two years, 80 % of the articles were not developed nor implemented. He asked if they were going to request that the regional government comply with its duties. He had heard that the national government had to assume regional competences by declaring some public works in their framework plan of general interest. He considered that there was not a magic formula to solve the problem because of its complexity.

Ms Rego wanted to focused on the different proposals brought by the regional political groups. She believed that this political discussion is useful to find a solution to the problem using different viewpoints. This issue has many facets, and one of them is the political proposal. She wanted to know if the legal concept of a regional park could provide advantages to the situation.

Mr Lucas Ayala confirmed that all the speakers wanted to restore the Mar Menor. It has to be considered a State issue. He committed himself to bringing this cooperative will to the regional and national level of the Socialist Party. He wanted to support what the national government was doing and asked the regional government to abandon political confrontation and to fulfil its duties.

Mr Liarte Pedreño stated that if the necessary solution was not going to be an electoral

advantage for the party, they would not be eager to enact it. The political competences are very complicated. He affirmed that the national government had just begun stopping illegal irrigation in the area. According to him, this proved that solving the problem of the Mar Menor was the job of the national authorities and not the regional authorities. He insisted on proposing an independent scientific institution to raise proposals with the political bodies. Political influences should be isolated in this matter to make decisions based on scientific environmental ideas. The EU needed to impose some kind of outside pressure on the situation. Somebody needs to monitor what the Spanish competent authorities are doing and what they are not doing.

Mr Molina Gallardo thought that removing political confrontation from this problem was a utopia for him, at this moment. The political situation is even more polarised now. Talking about the law, the regional government did not implement it. Concerning the EU, they needed to take more executive actions owing to the fact that it is a part of the EU's heritage.

Ms Marín Martínez thought they did not need more organisations or bureaucracy. For more than 30 years, laws and institutions were being adopted and created, while meanwhile the Mar Menor was dying. Different proposals needed to be put on the table. Her group presented a real solution with the creation of a regional natural park. She stated that what she expected from the EU is to be heard and to take into account real solutions that have been presented. That legal concept was useful to protect other areas, not only in the Region of Murcia, but also in the rest of Spain. They were requesting two kilometres of protection surrounding the lagoon. She affirmed that the regional law was dead from the beginning. The law mentioned sustainable agriculture with no standards, trying to hide the pollution in the area. The advantages of the regional park also included economic development.

Mr Álvarez García stated that a political agreement is not only possible, but also compulsory for the different regional parties. The problem lies in who has the competence for the problem. He insisted that the position of a High Commissioner for the Mar Menor be created to coordinate different policies. The EU should help via not only funds but also by fostering the coordination of the different public administrative bodies involved.

Mr Segado Martínez confirmed that political agreement was needed and possible. Different political parties at different levels of the administration made this understanding more difficult. He believed that all levels of the public administration were responsible for this critical situation. The different parts did not seem to add to the whole project. There are more than 20 regulations related to the Mar Menor at all levels. If they all complied with those regulations, helped by the construction of necessary infrastructure, the problem would be easier to solve. The EU needed to join and boost the consensus to protect the Mar Menor. He stated that in order to develop a master plan for land use, at least four or five years are needed. Discharges occurred every second through the 'Rambla del Albujón', from the aquifer and due to torrential rainfalls. These events cannot wait for the development of a master plan. He also mentioned the Zero Waste Plan. Concerning the regional park, he affirmed that the legal concept was not needed.

*Friday 25 February 2022 (10.45-12.15)*

### **Meeting with experts and concluding remarks**

On behalf of the delegation from the Committee on Petitions, Ms Ždanoka welcomed the speakers and introduced the members of the delegation.

The first to intervene was, Mr Miguel Ángel Esteve, Professor of Ecology at the University of Murcia. He pointed out that his intervention was developed in more detail in the documents he had sent the Committee on Petitions before the meeting. He explained that the lagoon, due to its geographical situation, is deeply linked to the Campo de Cartagena. What was done in the area has direct effects on the Mar Menor. He detailed the changes from drying crops to irrigated crops, starting in the 1980s with the transfer from the Tajo-Segura. Nutrients reaching the lagoon increased abundantly during this period. There are other collateral issues and the drainage coming from heavy metals or from urban waste. The main cause of this deterioration is the drainage coming from agriculture into the Mar Menor. Scientists developed models to understand what was going on. He stated that, according to these models, 85 % of the nutrients entering the lagoon were of agricultural origin. He showed the development of the agricultural area with two causes, the transfer from the Tajo-Segura and the desalination of well water. The balance should be attained with 45 000 hectares but it reached 65 000 hectares. Technological changes enabled this increase. From 1995, nutrients were flowing more abundantly into the Mar Menor. The lagoon had its own natural protection mechanisms that worked for 20 years. The amount of chlorophyll in the lagoon kept on growing. Then, in the winter of 2015-2016, there was an environmental crisis and a general collapse of the system. Nowadays, the Mar Menor is less valuable and more vulnerable. Every one or two years, there is an anoxia crisis with dead fish witnessed by the community. The measures needed are complex. Up to now, measures were taken to solve the environmental impacts. Structural measures are needed at the source of the problem. He proposed reducing the agricultural surface, at least, there were plots of land with illegal irrigation (around 10 000 hectares). He also proposed reducing the quantities of nitrates and phosphates on the surface of the land. There should be less agriculture and less pollution. The Campo de Cartagena should be re-naturalised.

Mr Francisco Javier Gilabert Cervera, Professor of the Department of Chemical and Environmental Engineering Ecosystems Group of the Polytechnic University of Cartagena (UPCT), started by focusing on the eutrophication process that was evident in the spring of 2016, when the water from the Mar Menor became green, due to the massive proliferation of phytoplankton. This episode occurred because of the presence of nutrients, high temperatures and reduced exchanges of water with the Mediterranean Sea. These factors caused the accumulation of nutrients and other sediments in the lagoon. The first crisis of dead fish happened in 2019, and it occurred after a very large flood that dragged tonnes of waste and nutrients, along with fresh water, which stratified the nutrients in the most shallow part of the lagoon. The increase in phytoplankton collapsed the seabed and resulted in oxygen in that area. With the second anoxia episode, in the summer of 2021, the problem occurred because of the continuous flow of water coming from the aquifer and the surface water. The existing mud in the seabed elevated and started to eliminate the oxygen in the area creating, anoxia pockets, which killed fish. No measures were taken to avoid this and, this episode could repeat itself in the near future. He focused on two main problems: the aquifer and the muds in the seabed. He stated that the composition of the nutrients in the aquifer come from organic

materials and not inorganic materials. According to him, these are from many years ago. Concerning the muds in the seabed, they are dangerous because their elevation could cause another anoxia episode. During 2016, there was an attempt to look for the culprits of this situation. He confirmed that was the reason why the Segura Hydrographical Confederation dismantled a brine pipeline. He stated that its legality may be dubious but it was environmentally very effective. Dismantling desalinisation plants eliminates the only obstacle to the increase of the phreatic level of the aquifer (70 cm from the surfaces in some places). This aggravates the problem as happened in the summer of 2021. He considered that taking measures based in nature are not enough to solve this situation. A realistic plan needed more measures to decouple the aquifer from the Mar Menor. Political inaction by regional and national authorities is part of the problem. Only political institutions could reach a solution. He believed that the Mar Menor did not need more protection categories or judicial processes. He stated that the lagoon needed incentives, infrastructure and compliance with the law. EU legislation is very effective at preventing pollution, but not so effective at avoid critical situations when the ecosystems are already damaged. He referenced, as an example, that the paralysation of the extraction of nutrients from the aquifer had caused a bigger problem than the one it was trying to solve.

Mr Antonio Urbina Yeregui, Professor of Physics at Polytechnic University of Cartagena, focused on the main issues and wanted to contribute with new proposals. He started by mentioning the live cycle assessment as a methodology to assess environmental impact in the Mar Menor Region. He noted the increase of irrigation areas since the transfer in the 1980s. He wanted to concentrate on the reality behind this situation. He talked about the increase and resilience of chlorophyll in the lagoon over the years but only to a point. Since 2015, he confirmed a break in the equilibrium. He could evaluate the exact amount of nitrogen and potassium. He made a differentiation between the reality seen through satellite images and the official reality of the cadastral record. Focusing on the official irrigated areas and its eutrophication potential, he had discovered that the potential was huge. Then, he concentrated on the recommendations. Some scientists consider the amount of nitrates entering the Mar Menor to be to 80 % of the problem, along with urban development and waste from heavy metals coming from the old mines. This is unsustainable because the lagoon is no longer resilient. There is an urgent need to reduce the eutrophication potential of crops by at least 10 % to enable re-naturalisation. In addition, another 10 % reduction is needed for other uses. He strongly supported the creation of additional environmental protections through the establishment of the natural regional park of the Mar Menor. He also mentioned the socio-economic impact of this problem. He referred to alternatives, such as agri-voltaics (agri-solar) which would merge cultivated areas with solar renewable energies. This revenue could substitute for the decrease in irrigated land.

Mr Alejandro Pérez Pastor, Professor of Agricultural Engineering at the Polytechnic University of Cartagena (UPCT), stated that he has been working for more than 25 years on the optimisation of the use of water in agriculture. He mentioned the EU projects 'Water4rever' and 'Irriman' as platforms for sustainable irrigation that has been implemented in the Mar Menor area. He would like to point out that, compared with the green areas that need to be irrigated, the real watering time has been reduced to the minimum. They have monitored and measured different data points on model plots of land concerning the amount of water in the soil, its salinity and soil temperature. With more data, they can optimise these systems and farmers know how long they should irrigate each plant to avoid percolation into lower layers of the land. With this model, they have achieved a 20 % water use reduction,

along with the Food and Agriculture Organization recommendations. He insisted that this method prevents the percolation of water into the soil that is not detectable up to 30 cm. The water is being successfully absorbed into the crops and does not permeate the soil. According to him, this systems amount to 95 % of the irrigation systems in the Region of Murcia. He affirmed that EU legislation has restrained the water and nutrient contributions during the past years and Murcia's farmers have complied with the relevant legislation. Farmers need good quality water or the decrease in productivity is enormous. Technology helps to prevent nutrients absorption. He insisted that with current technology farmers could reduce up to 30 % of water use according to international standards. He considered that dry crops are no better for environmental protection than irrigated crops.

Mr Angel Faz Cano, University Professor of the Polytechnic University of Cartagena, Doctorate Coordinator: Technology and Modelling in Civil, Mining and Environmental Engineering, Principal Investigator, focused on other economic activities in the area of the Mar Menor. He mentioned livestock farming, which is very physically concentrated. The most outstanding problem referred to the slurry ponds that are regulated to be sealed both naturally and artificially to prevent filtration. He presented a methodology to work in this field with a detailed presentation. Technology is used to protect the soil from any environmental damage up to 15 m. He recommended, because the slurry pond is not sufficiently sealed, installing a piezometer 10-15 m deep downstream of the pond with an annual leachate control of that piezometer.

Mr Ginés Luengo Gil, Dean of the Official College of Biologists of the Region of Murcia, stated that, on the occasion of the drafting of a law that was intended to solve the problems of the Mar Menor in 2019, the College of Biologists prepared 58 measures that were to be contemplated for that law. Unfortunately, not a single one of them was taken into account in the law that was finally approved, neither in the one proposed by the regional executive, nor in the final one adopted by the Regional Assembly. He wanted to support the initiatives of the general direction of the Mar Menor. They considered that the problem of the Mar Menor is an environmental problem, not exclusively linked to agricultural, urban or tourist planning. He believed that these economic activities were an important part of the causes of the current situation of the Mar Menor, while these are economic sectors that were affected by it, as if they were two sides of the same coin. He affirmed that the causes of the environmental deterioration of the Mar Menor have a very clear source: the over-exploitation of its natural heritage, specifically intensive agriculture and uncontrolled urban development. The philosophy of the new law should have had nature-based solutions and the re-naturalisation of the lagoon environment as its cornerstone, with the ultimate goal of achieving more sustainable and resilient ecosystems and societies. However, the approach has not only fallen short, but measures have been proposed that, although they may be temporary fixes to the most serious problem, i.e. nutrient coming from the aquifer, will not solve the serious encroachments that have led to this situation. He stated that there was an urgent need to restore a large part of the bordering terrestrial ecosystems that have been devastated by intensive agriculture, as well as to completely block urban growth in the area, in order to prevent the problem from continuing to worsen. He supported nature-based solutions over those that seek to patch up a problem that affects all the ecosystems in the area. He stated that legislative initiatives must be much more intense than they have been so far.

Mr Alfredo Pérez-Morales, Associate Professor in the Department of Human Geography, University of Murcia (UM), focused on land use planning. He explained that, in the Region of

Murcia, authorities have developed up to seven legal instruments concerning land use planning. He stated that he was personally ashamed by the critical situation in the Mar Menor. He mentioned the transfer from the Tajo-Segura as the first measure to have a clear impact in the area. That was followed by the Law of the Mar Menor of 1987. Municipalities are the public administrative bodies opposing this legislation. A more ambitious environmental law was adopted in 1992, but it also failed due to speculative interests. A new law was passed in 1995, including all aspect of environmental protection for the Region of Murcia, but that also failed to achieve the necessary results. There was an increase in the development of irrigated areas during these years. Then, he talked about a second cycle, staring with the law of 2001. There was more experience among regional and local authorities and they tried to combine land use policies concerning different socio-economic sectors. New legislation in 2005 and 2015 failed to prevent critical episodes of floods and anoxia that occurred in the Mar Menor. He confirmed that there was no difference in the rhythm of construction in flood zones or in dry zones throughout the years. These actions related to land use planning have had critical consequences,, such as a loss of biodiversity and economic damages linked to floods.

Ms Julia Martínez Fernández, Professor of Biology and Technical Director of the New Water Culture Foundation, wanted to focus on the fact that there are some interpretations according to which the Mar Menor lagoon is not eutrophicated. She stated that some people wrongly affirmed that the main cause of the degradation of the Mar Menor is not found in the excess of nutrients of agricultural origin that reach the lagoon. In any case, those interpretations affirmed that the main source of the nutrient flows that reach the lagoon are the contamination accumulated in the Quaternary aquifer. Therefore, such contamination is a legacy of past activities and not a direct result of current agricultural activities. However, in the face of such interpretations, she defended that the Mar Menor is eutrophic based on many scientific reports. It suffers from an excess of nutrients. This has caused the situation of extreme degradation suffered by the Mar Menor since 2016, including episodes of mass mortality experienced in 2016, 2019 and 2021. The main source of these nutrients that reach the lagoon are intensive agricultural activities (agricultural and livestock farms) in Campo de Cartagena. In the case of nitrogen, the main source is agricultural fertilisers from crops. Moreover, nutrient flows enter mainly via surface routes and therefore are produced by current agricultural activities and not so much by pollution caused by past activities that accumulated in the Quaternary aquifer. She defended that different studies have shown that surface water flows are up to five times higher than underground water flows. There has been no reduction in nutrients during the past few years in the Campo de Cartagena.

Ms Ždanoka thanked the speakers on behalf of the Committee on Petitions for their remarks and, although there was not enough time for questions and answers she welcomed their scientific-based interventions and the fact that, among many negative conclusions, there were some positive and constructive proposals.

## Conclusions and Recommendations

### Conclusions

The fact-finding visit to the Mar Menor showed the delegation that this multifold problem needs comprehensive action from all competent authorities. The complexity and severity of the environmental situation of the lagoon confirmed that all the national, regional and local stakeholders need to act immediately and in a coordinated manner to prevent both further deterioration of the ecosystem and future episodes of eutrophication and anoxia, as well as to ensure the restoration of the lagoon. At the same time, the visit showed the need for the European Commission to act when it comes to (non-)compliance with EU environmental legislation, by using all available tools and requiring the prompt rectification of any breaches in order to prevent irreparable damages.

According to most of the experts, the Mar Menor continues to show a certain capacity for self-regulation and this provides hope that it may be able to restore its ecological integrity, if the authorities act correctly and quickly.

The measures taken need to be part of a comprehensive strategy, including actions in the short, medium and long term in order to ensure both a substantial improvement in the current situation and inclusive protection for the future of the lagoon and all the economic actors concerned.

While the main problem is an environmental issue and the primary measures taken need to tackle the serious deterioration of the Mar Menor, other relevant social and economic factors are also at stake and need to be seriously taken into account.

Agricultural, urban and tourist uses need to be monitored in the area. Those economic sectors must have their corresponding territorial zoning, and well-designed and strict regulatory measures are needed. With these measures and with the necessary infrastructure, it should be possible to maintain primary productive activities, mainly agriculture and fishing, with tertiary activities such as nature tourism, at levels of sustainability and compatibility with the recovery of the lagoon. As well as protect the ecological integrity of the ecosystem in the context of blue growth and the Green Deal. Without comprehensive measures whose effectiveness for the recovery of the lagoon is supported by scientific studies, none of this will be possible, at least at the desired quality levels.

In recent times, more comprehensive framework actions and managing strategies concerning the protection of the Mar Menor have been adopted at national and regional level. However, despite a number of adopted decisions, implementation is lacking in quite a few cases, while in others there is a notable lack of coordination, so that not all the proposed measures are compatible with each other, and, therefore, it is of the utmost importance that these decisions be duly and timely implemented to achieve what the people from the Region of Murcia are demanding and to ensure compliance with EU legislation. That is to say, concrete, coordinated and urgent actions are needed to solve the most outstanding problems related to the degradation of the Mar Menor. Furthermore, effective and constructive cooperation, coordination and the exchange of information among public administrative bodies of different levels need to be at the core of all the measures directed to restore the ecosystem of the lagoon.

Finally, the delegation welcomes citizen's legislative initiative to grant legal personality to the Mar Menor and the adoption of legislative act in this regard that will enable citizens and legal persons to enforce their rights in court as well as legal representation and guardianship of the lagoon exercised through an authority comprising of representatives of public administrations, members of universities, research, scientific centres and residents of local municipalities.

## **Recommendations**

### **Actions at local, regional and national level**

The European Parliament and the Committee on Petitions, in particular, have the utmost respect for the delimitation of the competences of the Union, which, under the principle of conferral, means that the Union shall act only within the limits of the competences conferred upon it by the Member States in the Treaties to attain the objectives set out therein.

On the basis of this fact-finding visit, the following recommendations are made to the competent Spanish authorities:

1. Urges the Spanish competent authorities, as a basic principle, to comply with all EU environmental legislation, as well as regional, national and international regulations related to the Mar Menor and, in particular, to take, without further delay, all necessary measures to comply with the Nitrates Directive and the Habitats Directive, especially Articles 6.2 (no deterioration) and 6.3 (impact assessment of activities adjacent to the SACs of the Mar Menor) of the latter of the Habitats Directive, taking into account that the Commission has initiated infringement proceedings against Spain and other Member States;
2. Requests that the Spanish competent authorities continue their efforts to tackle illegal water extraction, changes in agricultural activity and livestock farming without environmental impact assessment, and polluting spills from surrounding agricultural areas in order to comply with the Water Framework Directive in keeping with the objectives of the European Green Deal;
3. Engages the Spanish competent authorities to put an end to agricultural and livestock discharges into the Mar Menor by implementing specific measures to:
  - Eliminate all illegal irrigated agricultural areas, so that they adapt to real and legal water availability;
  - Promote the change to sustainable farming, rehabilitate the soil, protect and restore biodiversity and prevent damage from improper water management;
  - Optimise the use of agrochemical resources in the form of fertilisers and phytosanitary products;
  - Strengthen monitoring systems in order to reduce water pollution by nitrates at origin from agricultural sources, either directly or from diffuse pollution;
  - Monitor intensive livestock farming to make practices comply with environmental and phytosanitary legislation; improve animal conditionality control systems, especially circuits of elimination, treatment of purines, and discharges of all kinds are needed;
  - Encourage the collection of leached water from agriculture and establish circular

- systems, after treatment with specific elimination of nitrates and phosphates, to be used in the fields again;
- Recover the traditional landscape by creating effective natural plant barriers with indigenous plants and green belts to restore the health of the soil and increase biodiversity, in addition to using terraced stone, wetlands and bushes that retain excess water from irrigation and rain , eliminate nutrients, absorb water runoffs and prevent erosion;
  - Apply Nature-Based Solutions in the agricultural areas of the Mar Menor basin, through the creation of natural vegetation patches, green hedges and wetland recovery in the vicinity of the lagoon shore, in order to increase the capacity of the basin to retain and remove nutrients, absorb runoff and prevent erosion in major rainfall events;
4. Requests that the Spanish competent authorities put an end to the spills and pollution of heavy metals in the mining mountain range by taking measures to:
- Seal the existing ponds and mining wells, in an stable and sustainable manner, resulting from the mining activity in the Sierra de La Unión in a stable and sustainable way, as their discharges pollute the Mar Menor;
  - Recover the mining mountains landscape to cushion and retain contaminated land and run-off;
  - Commence operations to restore and recover areas with heavily damaged and polluted soils;
  - Monitor the quantity of lead in the blood of the inhabitants of the area. Without limiting the control to lead and including other heavy metals;
5. Urges the Spanish competent authorities to put an end to urban discharges and spills by developing measures to:
- Improve, review and monitor the sanitation network of coastal towns, modernising or replacing those sections that are obsolete and/or deteriorated;
  - Collect and treat rainwater, separating it from the sewage system and entering it into a reuse circuit;
  - Modernise treatment plants and build more where they are needed.
  - The sewerage and wastewater treatment network must be adapted to the population fluctuations that characterise this region;
  - Apply Sustainable Urban Drainage Systems measures, such as permeable soils, rain gardens and the increase of green areas, in order to reduce runoff in major rainfall events and its polluting power, as well as to improve the climatic and environmental comfort of urban areas.
6. Asks the Spanish competent authorities to put in place all necessary measures to avoid the flooding and filling of the Mar Menor due to run-off or torrential rainfalls, including measures to:
- Create green infrastructure, such as a green belt around the coastal lagoon, with autochthonous protective vegetation based on biodiversity and phytoremediation;
  - Plant vegetable barriers along the course of dry ephemeral river beds and other

features that can serve as environmental corridors, widening the width of the plantations in the most flooded areas;

- Restore the natural drainage network to recover the environmental balance of the lagoon;
- Renovate the impulsion system of the Rambla del Albujón, incorporating the necessary desalination and denitrification systems as the water captured by this system currently is not suitable for irrigation, nor can it be discharged into the Mediterranean because it does not meet environmental requirements due to its high concentration of nitrates;
- Recover the original channel and functionality of ephemeral streams and different public hydraulic areas; create meanders where the flow is more intense to slow down the speed of the water; recover and establishing wetlands, especially in the headwaters, and collect water for its use and cushion the flow from entering the Mar Menor;
- Provide protection to the singularities of the territory of the Mar Menor basin to preserve the dedication of funds to the Mar Menor, its landscape and its cultural heritage.
- Renaturalise the Rambla del Albujón, restoring natural wetlands currently transformed into irrigated agricultural areas so as to restore the dry ephemeral riverbed capacity to retain and eliminate nitrates coming from it;

7. Requests that the Spanish competent authorities monitor urban and civil infrastructure development with measures to:

- Monitor the general urban planning of the towns and cities of the Mar Menor basin to comply with environmental legislation;
- Draft, approve and implement the Land Management Plan for the Mar Menor catchment area, provided for in the Law on the Protection of the Mar Menor, adopted in July 2020 by the Murcia Regional Assembly;
- Audit the residual water treatment plants and systems for all towns and cities of the Mar Menor which dump into the lagoon, establishing immediate and medium-term actions to be taken by local and regional authorities.
- Duly monitor the construction works and activities that need a licence;
- Sanction all illegal activity and illegal construction, promoting a return to legality and the restoration of altered areas;
- Adapt the integral urban planning of the municipalities of Campo de Cartagena to bring it into line with the provisions of the Land Management Plan for the Mar Menor catchment area;
- Stop the construction of inappropriate and excessive infrastructure and prevent, study and eliminate the effect of infrastructure being built on the east side of La Manga that may impede the natural exchange of the Mar Menor with the Mediterranean Sea.

8. Urges the Spanish competent authorities to take the necessary measures concerning the direct use or exploitation of the Mar Menor, specifically to:

- Regulate navigation through a specific plan for nautical uses and practices in the Mar Menor;

- Implement the legislation that allows the regeneration of the species of the fauna of this sea (especially those that are in danger of extinction), as well as the control, surveillance and elimination of invasive species;
  - Prevent and control inappropriate anchoring of vessels that damage the seabed;
  - Monitor and sanction fishing without a licence with fines;
  - Recover the dune systems of La Manga;
  - Restrict the use of machinery that damages the seabed.
9. Requests that the Spanish competent authorities urgently react concerning the aquifer by taking measures to:
- Improve the quality of the aquifer in keeping with the Spanish Government's declaration in July 2020 of there being a risk that a sound chemical status would not be achieved, necessitating the adoption of a series of measures to reduce the pollution of the groundwater body;
  - Reduce the load of fertilisers in the watershed;
  - Consider, based on scientific evidence, the possibility of establishing mechanisms that reduce the quantity of water entering the aquifer so it is balanced with that of the Mar Menor;
  - Facilitate sustainable extraction from the aquifer to recover and reuse water, without increasing the total resources allocated to the various users of water, or new irrigation areas, or increasing the number or size of livestock farms;
  - Build infrastructure that allows sustainable groundwater abstraction with a holistic and integrated approach;
  - Reduce fertiliser loading in the catchment by setting more stringent limit values and more effective mandatory good agricultural practices to reduce nutrient leaching;
  - Study how the exchange between the Mediterranean Sea and the Mar Menor has been modified by human activity and its effect on the lagoon, so as to identify the most appropriate actions in this respect. Study the effect of sport marinas inside and closely outside Mar Menor on its degradation and impulse measurements accordingly;
  - Prohibit introduction of organisms and organic and inorganic material that could definitely alter the biological heritage of the Mar Menor;.
10. Urges the Spanish competent authorities to find a common ground of understanding to take the following measures at institutional level to:
- Make the existing Scientific Inter-institutional Committee for the protection of the Mar Menor a real independent and autonomous body that, based on science, can advise the different public administrative bodies on the priorities and measures to take concerning the preservation of the lagoon;
  - Commit to the fact that shared or overlapping competences prioritise the common good and the recovery of the Mar Menor and do not lead to inaction;
  - Develop, set in motion and implement the measures provided for in the Law on the Mar Menor, adopted by the Murcia Regional Assembly in July 2020.
  - Coordinate among public administrative bodies of different levels to make the most effective use of all economic resources devoted to the recovery of the

- lagoon, avoiding unnecessary duplications, contradictory actions or forgotten sectors stemming from the different levels of decision-making;
- Follow up, ease, protect and develop on the legislative initiative to grant legal personality to the Mar Menor.
  - Implement and abide by the legislative granting Mar Menor and its basin status of a legal person recognizing its right to exist and develop naturally and its rights to protection, conservation and restoration;
  - Comply without delay with the governance commitments for the protection of the Mar Menor specified in regional legislation, in particular the implementation of the Mar Menor Council to include social participation and the Scientific Advisory Committee;
  - Prepare all the necessary resources for the forthcoming and immediate entry into force of the Law recognising the legal personality and rights of the Mar Menor lagoon and its basin.

### **Actions in the context of the European Directives:**

The following recommendations are also made to the European institutions:

11. Requests the European Commission to continue to take appropriate measures in order to ensure that the actions of the Spanish authorities fully comply with the Nitrates Directive, especially in relation to the Mar Menor area, and with regard to its decision of 2 December 2021 to refer Spain to the Court of Justice of the European Union for failing to take sufficient action on nitrates pollution;
12. Urges the European Commission to assist national, regional and local authorities in addressing shortcomings in the implementation of EU law, in particular the Nitrates Directive, given that the Commission has already launched a formal infringement procedure against Spain, as well as the Habitats Directive; calls on the Commission, considering the urgency of the matter of Mar Menor, to act without further delay and to demand that the situation be promptly remedied;
13. Calls on the European Commission to ensure that the ‘polluter pays’ principle, which guides EU environmental policy, is applied at the various levels of administration and responsibility;
14. Requests that the European Commission, regarding the Water Framework Directive, encourage the Spanish authorities to continue to tackle illegal water extractions and polluting spills from surrounding agricultural areas to improve the status of the lagoon, particularly those extractions and spills that further increase the levels of nitrates in the Mar Menor quaternary aquifer through irrigation, as this is by far the most significant contributor to the degradation of the Mar Menor;
15. Urges the European Commission to monitor whether the Spanish authorities set sufficiently detailed and quantified conservation objectives and the necessary measures to comply with the Habitats Directive and nature conservation in the Mar Menor area;

16. Encourages the European Commission to continue to make financial resources available for the conservation and restoration of the Mar Menor through the different investment and development funds, in close coordination with the Spanish authorities;
17. Requests that the European Commission ensure that the allocation of EU funding relies on science-based measures and monitor the correct expenditure of EU-funded projects. In this regard, it also calls on the European Commission to take into account the modification of CAP funds and aid to Fruit and Vegetable Producers' Organisations (FVPOs) in order to support a transition to less polluting and more environmentally friendly agriculture, preventing these funds from reaching companies that carry out agricultural or livestock farming practices that are at the root of the pollution of the Mar Menor;
18. Requests that the Committee on Budgetary Control investigate the allegations – which were detailed several times during the mission – on the potential misuse of EU money used for projects in the area that have contributed to the further deterioration of the Mar Menor;
19. Urges the European Union to promote the public purchase of organic farming products, so that they are promoted in the menus of schools, colleges, hospitals and residences, as well as in food banks;
20. Requests that the European Union extend the range of sampling controls for European funds (agriculture, livestock, aquaculture, and the environment);
21. Requests that penalties for non-compliance with European regulations on the environment, especially on pollution by nitrates, be paid directly by those responsible for action or omission;
22. Calls for the appointment of an EU Green Prosecutor who specialises in environmental issues by an extension of European Public Prosecutor Office's mandate;
23. Encourages the achievement of zero discharge through compliance with the regulations for the protection of the ecosystem, the use of nature itself to help (e.g. through green infrastructure), the promotion of the sustainable and circular economy, health tourism that respects the environment, and the implementation of the legal personality of the coastal lagoon and its basin;
24. Encourages, through the use of European funds, the collection and grinding of pruning remains for later reuse the soil, to avoid illegal burning.

In relation to the petitions:

Recommendation:

25. The petitions n° 0886/2016, n° 1168/2016, n° 1095/2018, n° 1059/2019, n° 1331/2019 and n° 0756/2020 should be kept open;
26. The Committee on Petitions will return to the matter, within a reasonable timeframe, to evaluate the progress and to follow up with Spanish national and regional authorities

and the European Commission on the steps taken to rectify the condition of the lagoon.

## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	25.10.2022
<b>Result of final vote</b>	+ : 23 - : 2 0 : 4
<b>Members present for the final vote</b>	Alex Agius Saliba, Marc Angel, Margrete Auken, Alexander Bernhuber, Tamás Deutsch, Francesca Donato, Agnès Evren, Gheorghe Falcă, Ibán García Del Blanco, Peter Jahr, Radan Kanev, Cristina Maestre Martín De Almagro, Ana Miranda, Dolors Montserrat, Emil Radev, Sira Rego, Yana Toom, Loránt Vincze, Michal Wiezik, Tatjana Ždanoka, Kosma Złotowski
<b>Substitutes present for the final vote</b>	Karolin Braunsberger-Reinhold, Angel Dzhambazki, Maite Pagazaurtundúa, Anne-Sophie Pelletier, Stefania Zambelli
<b>Substitutes under Rule 200(2) present for the final vote</b>	Pietro Bartolo, Eider Gardiazabal Rubial, Marcos Ros Sempere

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

23	+
NI	Tamás Deutsch, Francesca Donato
PPE	Alexander Bernhuber, Karolin Braunsberger-Reinhold, Agnès Evren, Gheorghe Falcă, Peter Jahr, Radan Kanev, Dolors Montserrat, Emil Radev, Loránt Vincze
Renew	Maite Pagazaurtundúa, Yana Toom, Michal Wiezik
S&D	Alex Agius Saliba, Marc Angel, Pietro Bartolo, Ibán García Del Blanco, Eider Gardiazabal Rubial, Cristina Maestre Martín De Almagro, Marcos Ros Sempere
Verts/ALE	Margrete Auken, Ana Miranda

2	-
ECR	Angel Dzhambazki, Kosma Zlotowski

4	0
ID	Stefania Zambelli
NI	Tatjana Ždanoka
The Left	Anne-Sophie Pelletier, Sira Rego

	Corrections to votes
+	Tatjana Ždanoka
0	

Key to symbols:

+ : in favour

- : against

0 : abstention