

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, such as agriculture and fishing, with tertiary activities such as nature-based tourism, and to protect the ecological integrity of the ecosystem in the context of blue growth and the Green Deal. Without structural and consistent measures, none of this will be possible, at least at the desired levels of quality.

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 has been lacking 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.

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 related to the Mar Menor, and specifically, to adopt, without further delay, all the necessary measures to comply with the Nitrates Directive and the Habitats Directive, taking into account the fact that the Commission has launched infringement procedures against Spain and other Member States;
2. Requests that the Spanish competent authorities continue their efforts to tackle illegal water extraction and polluting spills from surrounding agricultural areas in order to comply with the Water Framework Directive;
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 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;
 - Reduce the use of agrochemical resources in the form of fertilisers and phytosanitary products;
 - Strengthen monitoring systems in order to reduce water pollution by nitrates from agricultural sources;
 - 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 return systems, after treatment, to be used in the fields again;
 - Recover the traditional landscape by creating effective plant barriers with indigenous plants and green belts to restore the health of the soil and increase biodiversity, in addition to returning to terraced stone and bushes that retain excess water from irrigation and rain.
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;

- 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.
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.
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 an autochthonous protective forest based on biodiversity and phytoremediation;
 - Plant vegetable barriers along the course of boulevards, 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 Albuñón, as the water captured by this pumping 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 of the boulevards; 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.
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;
 - Duly monitor the construction works and activities that need a licence;
 - Sanction all illegal activity and illegal construction;
 - Develop integral urban planning for the Campo de Cartagena;
 - Stop the construction of inappropriate and excessive infrastructure and study 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, for example, by allowing only electric/solar motor boats, sailboats or rowing boats, and promoting and funding their adaptation;
 - 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;
 - 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;
 - Reduce the load of fertilisers in the watershed;
 - Consider, based on scientific evidence, the possibility of decoupling the aquifer from the Mar Menor until the groundwater level is restored through other mechanisms and is balanced with that of the Mar Menor;
 - Facilitate the drainage of the aquifer to recover and reuse water;
 - Build infrastructure that allows water to be extracted from the groundwater and lowered below sea level, channelling and treating this water and brine, eliminating nutrients, reusing the water without spilling it into the lagoon and recovering the water by incorporating it into the public water domain, as provided for in the Zero Discharge Plan;
 - Consider, based on scientific evidence, the possibility of increasing the exchange of waters with the Mediterranean and extract the sludge from the bottom of the Mar Menor to avoid the irreversible collapse of the system;
 - Reduce the hydraulic gradient in the area leading to 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;
 - 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 on the legislative initiative to grant legal personality to the Mar Menor.

Actions in the context of the European Directives:

The following recommendations are also made to the European institutions:

11. Urges the European Commission to take appropriate measures to ensure that the actions of the Spanish authorities fully comply with the Nitrates Directive, especially in relation to the Mar Menor area;
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; 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. 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;
14. 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;
15. 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;
16. 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;
17. 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;
18. 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;
19. Requests that the European Union extend the range of sampling controls for European funds (agriculture, livestock, aquaculture, and the environment);

20. 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;
21. Calls for the appointment of an EU Green Prosecutor who specialises in environmental issues;
22. 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;
23. 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:

24. 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.
25. The Committee on Petitions will return to the matter within a reasonable timeframe to evaluate progress and follow up with Spanish authorities and the European Commission on the steps taken to rectify the condition of the lagoon.