The High Court of Justice of the Balearic Islands (*TSJB*) has issued an order denying the injunction requested by an association of businesses and individuals that use Estany des Peix which would have involved suspending the initial approval of anchorage rules at the lake.

The order highlights the fact that the public has a particularly salient interest in ensuring the rules are enforced. As for the reasons for rejecting the requested precautionary measures, the TSJB states that "the defendant's safeguarding of the natural surroundings of Estany des Peix comes before the interests -clearly economic in nature- of parties which rent watercraft anchored in these waters".

The TSJB considers that "the general and public interest resides in the interests defended by the Administration, since the Natural Space Use and Management Plan (*PRUG*) prohibits the boat rental activities that the appellant association intends to continue in the event the requested precautionary measure were applied. As a matter of fact, the previously approved and presently challenged precautionary measure is designed to guarantee the environmental protection of Estany des Peix".

The court notes that "protection of areas in the EU's Natura 2000 Network has an unquestionable impact on general interests, because this means that what the Administration seeks to preserve in light of its ecological significance remains in jeopardy". "The private interests defended by the appellant association -for instance, adversity faced by owners of boats that anchor in these waters- do not have the same level or rank of the general and public interests in preserving this important environmental site", the text states.

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Communications Office
Consell de Formentera