



MEDASSET

Mediterranean Association
to Save the Sea Turtles

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To:

Barcelona Convention, Mr. Larbi Sbaï, Chair of the Compliance Committee
Bern Convention, Mr. Jan Plesnik, Chair of the Standing Committee
European Commission, Mr. José Manuel Barroso, President of the European Commission
Mr. Janez Potočnik, Commissioner for the Environment
Mrs. Maria Damanaki, Commissioner for Maritime Affairs and Fisheries

Athens, 9 July 2014

Our Ref. 24406

Re: Greek draft law threatens protection of coastal areas

We are writing to bring to your attention our objections to a draft bill that will be placed before the Greek Parliament and the legislative process behind it. Once enacted, the law will critically undermine all efforts for Mediterranean coastal protection and sustainable development in Greece.

On 17 April 2014, a one-month public consultationⁱ was launched by the Greek Ministry of Finance on a draft law titled "Delineation, management and protection of the seashore and beach". MEDASSET participated in the online public consultation and submitted comments.ⁱⁱ The proposed law:

- Creates an unscientific, poorly planned and fragmented framework for the delineation and definition of the seashore and beach zone.
- Allows beach concessions for the development of business activities on the entire beach area, leaving no undeveloped space.
- Legalises existing illegal constructions on the coast, allows more constructions, reduces the no-construction zone to 10 metres without substantial assessment of impacts on the natural environment.
- Allows dredging and filling of beaches, shores and nearshore waters for permanent constructions and commercial uses without solid reference to sound environmental criteria.
- Makes no provision for protected areas. Critical habitats, such as nesting beaches of the endangered loggerhead sea turtle (*Caretta caretta*), will be opened up to poorly planned development.
- Ignores European Union (EU) law, the Barcelona Convention and its Protocols, and the Bern Convention provisions for the protection of coastal ecosystems and integrated management of the coastal zone (ICZM).ⁱⁱⁱ Ignores adaptation strategies and recommendations to reduce vulnerability of the coasts to climate change risks, such as erosion to which Greece is especially vulnerable.

MEDASSET has expressed its objection to the draft law through a letter^{iv} to the Greek Ministers of Finance, Environment and Tourism, requesting that the draft bill be withdrawn and not be submitted to the Greek Parliament for voting.

This law will have an impact on an astounding number of citizens and on a vast surface of the Greek territory and habitats. Dozens of Greek environmental NGOs, associations of architects, lawyers, engineers, archaeologists, scientists and academics, together with over 150.000 citizens who signed an online petition, have expressed their objection to the law. Local authorities and key national research institutions – experts and

Protecting marine biodiversity in the Mediterranean since 1988

Non Profit Organisation. Established by the 3187/93 Decision of the Athens' Court of First Instance
Member: MIO/ECSDE & Greek Herpetological Society. Partner to UNEP/MAP - Permanent Observer-member of the Bern Convention.
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partners of numerous EU-funded ICZM projects - stated they were not involved in the drafting of the law. We wish to underline that millions of Euros have been invested in European and international projects to identify ICZM best practices, to develop law- and policy-making guidelines, provide capacity building for member states and contracting parties such as Greece for the implementation of the relevant laws, Protocols and agreements. The Greek government is apparently making no use of these investments and capacities.

Articles in the press report that, regardless of widespread nationwide objections, the Ministry will submit the draft law to the Greek Parliament in the next days. If these intentions materialise, the responsible Ministry of Finance therefore:

- Deals with public consultation as a formality. Comments submitted do not seem to be taken into account and no further consultations with stakeholders and experts are being held.
- Refrains from providing information that would enable public participation in decision-making. No official information has been made available regarding the draft law revision and decision-making process, despite the statement made on 13 May 2014 by the Minister of State that an official position on the draft law, based on the consultation results, would be communicated after the European elections (25 May 2014).
- Undermines the importance of coastal policy- and law-making, if, as articles in the press report, the law is hastily scheduled for voting during the current summer recess session of the Greek Parliament when 2/3 of parliamentarians are on vacation.

We recognize that this draft law is linked to the Economic Adjustment Programme (EAP) through which Greece has committed to accelerate land ownership registration, adopt land use legislation, and improve spatial management and planning.^v As a key actor in relation to the EAP, we urge the European Commission to ensure that the EAP is implemented in line with the EU's environmental acquis and that the EAP is not used by the Greek government as a justification to weaken environmental legislation in order to accommodate coastal investments that do not comply with environmental criteria. In fact, we believe that the passing of this law will undermine economic recovery in the long-term by destroying the prime competitive asset of the Greek tourism sector: clean seas and unspoilt coasts.

MEDASSET strongly supports the European Commission, the Barcelona Convention and the Bern Convention as key actors leading the effort to protect the Mediterranean's biodiversity and tackle the coastal squeeze^{vi} by encouraging sustainable development through ICZM. Your leading role in promoting environmental protection as a driver for economic success, rather than a barrier, is crucial to today's tough financial conditions.

MEDASSET urges the European Commission, the Barcelona Convention and the Bern Convention, within the responsibility to ensure that member states and contracting parties keep in line and implement existing laws and agreements, to guide the Greek government to deal with the protection and sustainable use of coasts in a responsible, well-planned and participatory manner.

We look forward to receiving your prompt reply addressing our concerns and recommendations.

Yours sincerely,



Lily Venizelos
MEDASSET President
Member of IUCN-Species Survival Commission: Marine Turtle Specialist Group
UNEP Global 500 Laureate

Cc:
Bern Convention Secretariat
United Nations Environment Programme Mediterranean Action Plan (UNEP/MAP) Coordinating Unit

ⁱ Public consultation website <http://www.opengov.gr/minfin/?p=4692>

ⁱⁱ Available in Greek via the public consultation website and <http://medasset.org/images/stories/articles/news-and-media/pressreleases/comments-aktes-may2014.pdf>

ⁱⁱⁱ EU and international law that is disregarded by the proposed draft law:

- Bern Convention on the Conservation of European Wildlife and Natural Habitats
- Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (1976) and its:

- United Nations Environment Programme Mediterranean Action Programme
- Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean
- Protocol on Integrated Coastal Zone Management in the Mediterranean
- Guidelines for Integrated Coastal Zone Management in the Mediterranean
- Good Practical Guidelines for Integrated Coastal Area Management in the Mediterranean

EU law:

- European Parliament and Council Recommendation concerning the implementation of Integrated Coastal Zone Management in Europe (2002/413/EC, Chapter II-Principles)
- European Council Decision 2010/631/EU adopting the decision to ratify the Protocol on Integrated Coastal Zone Management
- Habitats Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora
- Directive 2008/56/EC of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)
- Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for the Community action in the field of water policy
- Proposal for a Directive of the European Parliament and of the Council establishing a framework for maritime spatial planning and integrated coastal management (COM(2013) 133 final; adopted by the European Parliament P7_TA-PROV(2014)0449; pending Council adoption)

^{iv} Dated 23/6/2014, Ref: 24404. Available in Greek at <http://medasset.org/images/stories/articles/news-and-media/pressreleases/letter-aktes-june2014.pdf>

^v See Second Economic Adjustment Programme for Greece (March 2012); and its Fourth Review (Occasional Papers 192, April 2014)

^{vi} See <http://www.eea.europa.eu/media/newsreleases/the-squeeze-on-europe2019s-coastline-continues>

Founded in 1988, MEDASSET is an international environmental non-governmental organisation (NGO) registered in the UK and in Greece. MEDASSET plays an active role in the study and conservation of sea turtles and their habitats throughout the Mediterranean, through scientific research, environmental education, lobbying and raising public awareness. Since 1988 MEDASSET is a Partner to the Mediterranean Action Plan (MAP) of UNEP and a Permanent Observer-member of the Bern Convention at the Council of Europe. In 2009, MEDASSET was awarded Partner status for the implementation of UNEP/MAP's Action Plan for the Conservation of Marine Turtles in the Mediterranean