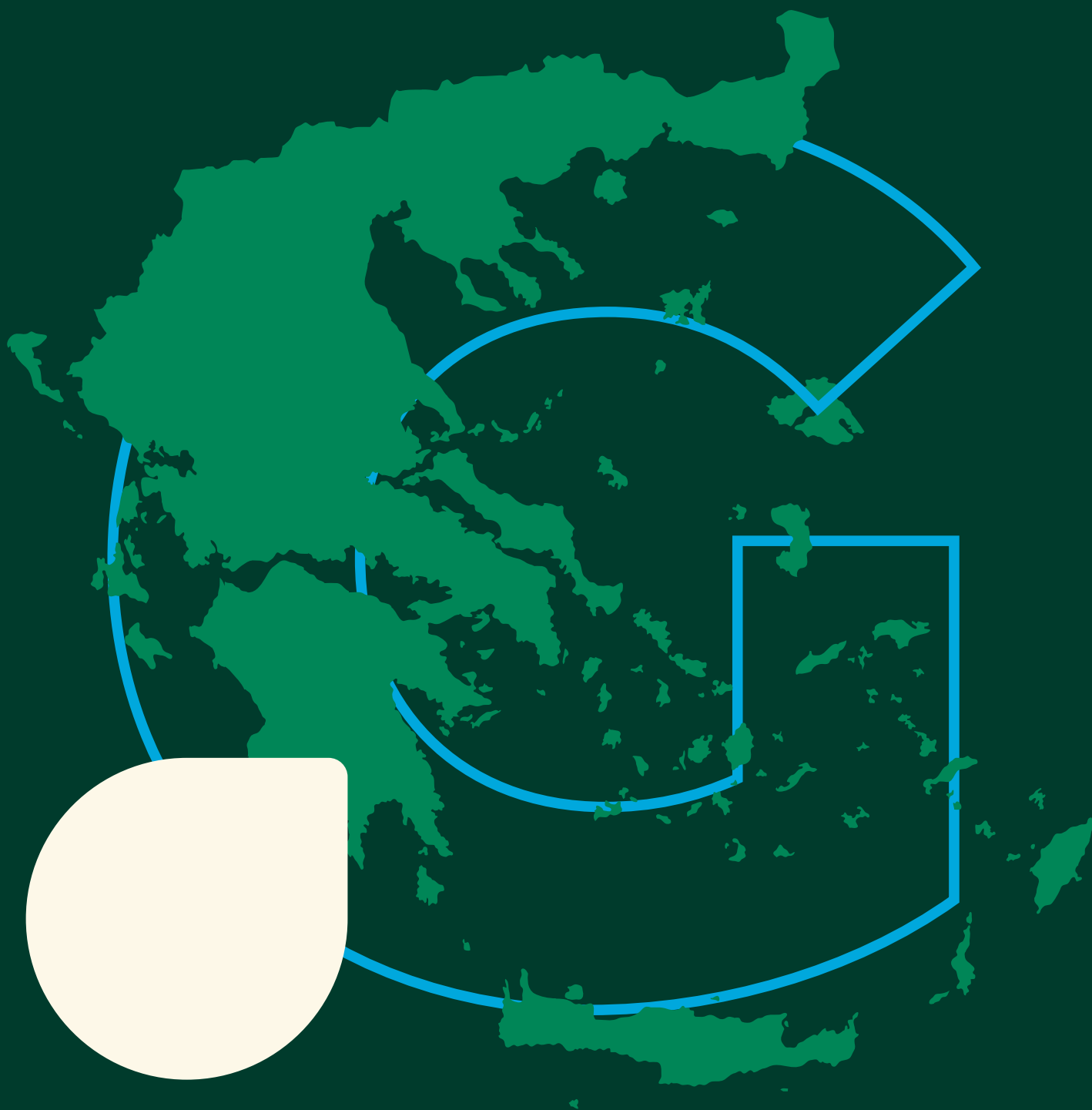


REAL DEAL country profile

Greece



**REAL
DEAL**

RESHAPING CITIZENS'
DELIBERATION FOR THE
EUROPEAN GREEN DEAL



Overview

1

Greece, the Hellenic Republic, is a unitary parliamentary republic. The Government is comprised of 300 members led by the Prime Minister. Greece also has a President as Head of State with limited powers. Greece is a country of 10.2 million population, a coastal state situated in the southeast of Europe. It includes within its border over 1,000 islands. Greece ratified the Aarhus Convention in 2005 through Law 3422/12-12- 2005.

The Ministry of Environment, Energy and Climate Change is the most relevant state department in regards to sustainability. Within their remit is the monitoring and prevention of harm to nature and ecosystems. The link between quality of life and nature such as air pollution is noted as a priority as well as adaptation to climate change and environmental governance. The Ministry of Environment, Energy and Climate Change is also tasked with embedding sustainability into the economy and management of natural resources in accordance with international law.

Since 1 January 2011, governance in Greece is comprised of seven decentralised administrative areas, thirteen regions and 325 municipalities. Decentralised administrative areas are responsible for decision making within their region. The regions and municipalities are two tiers of local governance. Regions devise and implement policies at regional level with due regard to national and European policies. Municipalities are responsible for local issues in line with principles of improving quality of life for residents.

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2

Dimensions of environmental governance

Within the Greek 1975 Constitution, Article 24 asserts that the protection of the environment is the responsibility of the state, that there is a right to culture connected to the environment and to ownership of natural resources.

There are multiple legislative provisions pertaining to environmental protection in Greece. The laws have not been found in English language but are available in Greek. Summaries of the laws in English language have been used for the purposes of this research. These include Law 3937/2011 relating to biodiversity protection, Law 4014/2011 requires environmental impact assessment studies to be conducted, Law 4042/2012 regulates waste disposal mechanisms nationally.

Law 4269/2014 (amended in 2016) reforms the planning frameworks to ensure adherence to environmental sustainability principles. Law 4495/2017 launched a new legal framework on monitoring the building environment. Law 4759/2020 updated the previous law from 2017 and includes regulations for renewable energy projects within urban and spatial planning.

The most recent and most relevant climate law was passed in May 2022. Law 4936/2022 (GG A/105/27.05.2022) This law sets targets for reductions in emissions The legislation sets interim targets for Greece to cut greenhouse emissions by at least 55% by 2030 and by 80% by 2040 before achieving zero-net emissions by 2050.

Article 5A of the Greek Constitution stipulates that individuals have a right to information.



It also encourages the country to cut dependence on fossil fuels, including weaning off indigenous lignite or brown coal - once the main source of energy - in electricity production from 2028 onwards. This target might be brought forward to 2025, taking into account security of supplies. The law requires national plans to be formulated and implemented but there is criticism that the law focuses excessively on energy supply, rather than energy use reduction strategies. The law amends previous laws to clarify waste regulation, introduce administrative sanctions for potential harm to humans and the environment by industry, formalises employment within the National Environment and Climate Change Organisation and the Ministry for Climate Change and Civil Protection, provides for protection of natural resources and increases resources for day-to-day innovations to map and respond to climate change issues.

2.1

Transparency (access to information)

Article 5A of the Greek Constitution stipulates that individuals have a right to information, subject to limitations based on criminal activity. There is explicit reference to the provision of information which is available online.

Further, Administrative Procedure Code” (Law N. 2690/1999(A 45) regulates requests from the public for any information from public service sources. There is special provision for requesting and receiving any information held by public services relating to an individual, but this is limited by breaches of privacy of other individuals. Any refusal to provide relevant information should be in line with the legal provisions restricting access to certain information and the rationale for refusal must be provided within a month of submitting the request for information.

Article 10 of the Constitution also obliges relevant authorities to respond to requests for information and provision of documentation within a maximum of a 60-day period. Where these requests are unlawfully denied, financial compensation must be paid.

The Greek National Action Plan for Open Government was devised in collaboration with civil society organisations and seeks to increase public participation in government. The plan relates to government department having processes in place for open access to listed information relating to that department.



2.2

Participation

Municipalities are responsible for consultation with the public and stakeholders.

In line with the Aarhus Convention, Greece introduced laws on compulsory public consultation on all legislative proposals under Law 4622/2019. While there is a dedicated online consultation mechanism facilitated through an open portal organised by the government, submissions on laws can be made by any person in any manner. Further, where a law is proposed in Parliament, a report on the public consultation process must be included.

There is further public participation embedded in the mechanisms for Environmental Impacts Assessments and Strategic Environmental Assessments, as provided for in the above outlined legislations. Stakeholder and public participation in the decision making is also ensured by national legislation.

Despite Greece having historical connections to citizens assembly style mechanisms of government, there has been no reference to a nationally organised processes relating to environment in Greece currently. At municipality level in Athens, in collaboration with private stakeholder Impact Hub, Athens municipality has facilitated public consultation on how the area is affected by climate change and how to prioritise actions to address it.

2.3

Access to Justice

The Greek justice system is based on the 1975 Constitution and is comprised of two branches; the administrative branch and civil/criminal branch. Cases relating to the environment may be relevant under both branches.

The Constitution under Article 10 outlines a right of individuals to petition courts on civil and criminal matters, with due process to be respected.

Greece has been taken to the European Court of Justice on multiple occasions due to the failure to adequately implement European Directives related to waste management and more recently to adequately regulate Environmental Impact Assessments. No domestic litigation relating to the environment since 2010 was found during the preparation of this profile.



2.4

Compliance assurance, accountability, and effectiveness

A complaint was made to the Aarhus Monitoring mechanism relating to a Greek power company which were using highly polluting lignite mines and large combustion plants. WWF sought information about the licencing and regulation of this company for their activities, but information was withheld on the basis of public safety as well as intellectual property issues. Another case related to WWF seeking a copy of the report of a Special Committee which was tasked with conducting research in on shale gas/black shale formations and bituminous shales in Greece. After much delay WWF sought the Director General to compel the Special Committee release the report, but this was not within their remit. Finally, an insufficient and incomplete version of the report was released.

The most recent Environmental Implementation Review is from 2019. The review indicates that while there are good policies in place to address waste management, biodiversity and wastewater pollution, actions must be taken to realise the aims of these policies. There remains a gap in plans to address health implications and deaths arising from air pollution. The review is critical of the lack of practical information provided to farmers regarding their obligations towards nature in their work.

Greece utilised their national statistics infrastructure - The Hellenic Statistical System (ELSS) - to develop a set of indicators to monitor progress on the realisation of the Sustainable Development Goals. These indicators were formulated in a consultative manner. These indicators have been useful in shaping government agenda by identifying gaps to be addressed in national laws and policies.

At domestic level, environmental NGOs have experience of seeking access to information relating to licencing of power plants and significant delays to the provision of information which was fragmented and unsatisfactory.

The OECD performance review of Greece from 2020 notes that while some progress has been made at reducing emissions issues remain with waste management.

Considering the criticisms of the climate law, and the failure to incorporate the suggestions made by civil society organisations to address the shortcomings, the effectiveness of public participation on laws is questionable. Engagement with civil society organisations in the preparation of the 2018 VNR has been criticised. Further, WWF have submitted to the UNECE that environmental policies have been adopted without public consultation. Instead, technical committees were established to draft a plan relating to limiting emissions from large combustion plants.



3

Institutional context

The financial crisis of 2010 to 2013 has resulted in decreased financial investment in environmental governance. Migration is a significant issue among politicians and civil society organisation activities. Agriculture, fisheries, transport, and tourism are central to economic stability for the country. Greece has experienced first-hand the dangers of increasing global temperatures. The municipality of Athens in particular is attempting to provide solutions and strategies to protect from the harms of heatwaves through evidence-based policies relating to health risks and planning trees and other nature-based solutions to capture heat.

The Greek National Commission for Human Rights is the National Human Rights Institution, and it is considered to serve as a bridge between civil society and national government administration. The GNCHR includes the environment as a thematic area to monitor but the most recent position statement relating to the environment dates back to 2014. This position notes the right to water and outlines the Commission's recommendations on safeguarding this right.

The Ministry for Climate Crisis and Civil Protection was introduced in 2004. The website is predominantly in Greek language but information in English indicates that it has within its remit the organisation and coordination of preventative and responsive actions to climate related emergencies at national level. It must also utilise scientific data to coordinate emergency responses and restoration in the aftermath of emergency.

The Natural Environment and Climate Change Organisation is a national body supervised by the Ministry of Environment and Energy. It provides technical expertise on environmental and sustainable development issues and supports the Ministry's reporting obligation to the European Commission and the Environmental Agency. It also has a role in raising awareness among the public of environmental issues.

Greece has experienced first-hand the dangers of increasing global temperatures.



4

Role of Civil Society

The Greek National Action Plan for Open Government was devised in collaboration with civil society organisations and seeks to increase public participation in government. The plan relates to government department having processes in place for open access to listed information relating to that department.

Greek civil society related to environmental has been recognised by VNR in 2018 as requiring significant support to perform effectively. In order to address this, a project, “Civil Society Network in the Context of UN’s Sustainable Development Goals in Greece,” is funded under the Active citizens fund in Greece by the Hellenic Foundation for European and Foreign Policy (ELIAMEP) and their international partner, the Icelandic Human Rights Center (ICEHR).

The Active citizens fund in Greece is supported through a € 13.5 m grant from Iceland, Liechtenstein and Norway as part of the EEA Grants 2014 – 2021. The programme aims to develop the sustainability and capacity of the civil society sector in Greece, and to strengthen its role in promoting and safeguarding democratic procedures, active citizenship and human rights. The Fund Operator for the Active citizens fund in Greece is Bodossaki Foundation in consortium with SolidarityNow.

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