

TIME RECEIVED	REMOTE CSID	DURATION	PAGES	STATUS
April 1, 2014 12:37:45 PM GMT+02:00	+41 22 7322150	170	6	Received
01/04 2014 12:30 FAX +41 22 7322150	GREEK MISSION GENEVA			001/008



PERMANENT MISSION OF GREECE  
GENEVA

Ref. No. 6171.2/41/633

### NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and, following the latter's Note Verbale, dated 28 January 2014, on the human right to safe drinking water and sanitation, has the honour to submit the attached contributions by the Greek National Commission for Human Rights and the Ministry of Interior.

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 31 March 2014

**To: The Office of the High Commissioner for Human Rights**  
**Special Rapporteur on the human right to safe drinking water and sanitation**  
**Sustainable Human Development Section**  
**Special Procedures Branch**  
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Att.: 5 pages

## **GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS**

### **1. Please indicate and describe a participatory process or processes in your country that are related to the human rights to water and/or sanitation.**

Participatory processes in Greece which are related to the human rights to water and sanitation can take various forms, ranging from information to consultation/designing policy and shared decision making. It should be noted that Greece has ratified the Aarhus Convention which establishes a number of rights of the public (individuals and their associations) with regard to the environment and provides for the right of everyone to receive environmental information that is held by public authorities, and the right to participate in environmental decision-making (Law 3422/2005). Greece has also implemented the EU Water Framework Directive (WFD), which places public participation at the center stage of water management as part of its integrated approach to water management.

Some more specific remarks should be made:

a) The provision of water supply and sewerage services, in Greece, is assured by state-owned and municipal enterprises of general interest, one in every region of the Greek State. The public character of these enterprises, generally crucial for the full enjoyment of the right to water and sanitation, also guarantees the participation of workers' representatives in the management of these enterprises. For example, according to art. 11 para 2 a) of the amended statute of EYDAP SA Athens Water Supply and Sewerage Company, the largest of its kind in Greece, 2 workers' representatives participate in the Board of directors.

b) According to the legislation for the protection and sustainable management of water resources in Greece (Law 3199/2003, art. 3, para. 2, and art. 6), which integrates the public participation requirements of the EU Water Framework Directive (2000/60/EC), the active involvement of interested parties is ensured through their representation to the National and Regional (in the 13 Regional Water Districts) Water Councils that are being developed as part of the administrative framework of the country. The National and the 13 Regional Water Councils are advisory boards in which all national and regional interested groups are represented, such as the involved organizations, NGOs, etc.

c) According to Laws 1650/1986 and 2742/1999, (27) Management Bodies were established in protected areas of Greece. Some of them were merged or abolished by Law 4109/2013 (OJG A 16). As a result, their number was reduced to (13). The Administrative Councils of these bodies are composed by representatives of central, regional and local authorities, representatives of local stakeholders groups, researchers and NGOs. Management Bodies are supported by the Third Community Support Framework and national funds. Moreover, the Natura 2000 Committee (provided under Law 2742/1999) consists of representatives from ministries, universities and NGOs.

d) According to article 75 of Law 3852/2010 (OJG A' 87) the Committee for Quality of Life in every Municipality is competent for environmental issues, discussed during sessions open to the public.

According to articles 76 and 178 of Law 3852/2010 (OJG A' 87) a Consultation

Committee in all Municipalities and Regional Administrations must be established by decisions of the local or regional council, where representatives of the local society, scientific unions, and trade unions take part. Their sessions are open to the public and the outcome is consultative to the local or regional council that takes the decisions on environmental matters. Apart from the abovementioned committees, online consultation is provided for by Law 3852/2010.

**2. Which authorities and organizations are involved in the design and facilitation of the process?**

**a) What are the costs of designing and facilitating the process? Who covers the costs?**

**b) What does the process seek to ensure-participation in legislative proposals, policy-making, budgeting, service provision or other measures?**

**c) At what level does the process take place-the national, local or international level?**

As far as the costs of the processes are concerned, they are supposed to be covered by the State/Municipalities. The Greek National Commission for Human Rights (GNCHR) wishes to stress that given the fact that participatory processes potentially demand a lot of money, their effective conduct is not always assured.

It should be also noted that the costs of the local referendum on the privatization of the water company of Thessaloniki (see answer to question 3), will not be covered by the municipalities. It is the civil society itself -nationally and internationally- that will contribute financially and in-kind.

As far as the other issues are concerned, please see answers to question 1.

**3. Has there been a history of mobilization in your country to ensure participation in decision-making? How has your government responded to people's demands for (increased) participation?**

As part of the Greek austerity program, the water companies of Athens and Thessaloniki are about to be privatized. The civil society, workers, community groups etc, have decided to organize a local referendum against the privatization in Thessaloniki, which will take place on 18 May 2014, along with the local elections.

Even though there is a legal provision for the referendum, the Greek state hasn't issued the, necessary for its proper implementation, presidential decree. It should be also noted that the referendum is not binding.

**4. Is there a legal or policy basis for participation? Specifically, is participation with respect to improving access to water and sanitation provided for in legislation, policy or practice in your country?**

Please see answers to questions 1 and 3.

**5. How have the geographical reach of participatory processes and the concerned individuals and groups been defined? How do processes ensure inclusiveness? How do processes seek to ensure that not just major stakeholders, but also concerned individuals can participate? Are certain individuals or groups meant to represent others? How does the system of representation work? What is the role of NGOs in these processes? Who do they represent, if anyone?**

Please see answer to question 1.

## MINISTRY OF INTERIOR

**2. Which Authorities and organizations are involved in the design and facilitation of the process?**

**a) What are the costs of designing and facilitating the process? Who covers the costs?**

*«The. Ministry of Interior, -within the framework of the National Policy on Roma, elaborated the Integrated Action Plan (IAP) for the social integration of Greek Roma. The JAP for 2002-2008 have planned in several Greek Roma settlements basic infrastructure projects e.g. water supply, sewerage and other sanitation facilities, in order to improve their living conditions. The program was funded from national resources of the Ministry of Interior. The approved budget amounts to 120 million €, projects of a total budget of 94 million € have been included and 62 million € have already been paid. This project is in phase of repayment of past financial obligations».*

**2. Which authorities and organizations are involved in the design and facilitation of the process?**

**c) At what level does the process take place- the national, local or international level?**

*"Concerning the general inclusiveness and access to participatory processes (and hence issues related to the management and hygiene of drinking water), the laws 3463/2006 ("Code of Municipalities and Communities ") and 3852/2010 set the following institutions and procedures:*

- **Consultation Committee:** *Municipal and Regional Councils are responsible to set up Consultation Committees,, in municipalities with over 10,000 inhabitants and regions, as an institution with consultative powers. It is composed of representatives of citizens of the productive classes (employers and employees), voluntary organizations and civil society (NGOs), academic institutions, various associations. representatives of local youth councils, etc. and is advisory. There is the potential for open participation and exchange of arguments with representatives of the local community and in particular:*
  - *provides opinion on municipal and regional council for critical issues*
  - *provides opinion on matters of general local interest referred to it by the city council of the mayor*
  - *examines local problems and development potential of the municipality and shall give an opinion to solve problems and exploit those opportunities*
  - *comments on the content of municipal regulatory decisions*

- *The institution of the supporters of Citizen and Business: new institution of internal mediation between citizens, operations and Local Authorities, to combat maladministration both in municipalities and regions. Its mission, beyond the early control of maladministration, is to ensure the impartiality of municipal authorities to improve services to citizens and businesses, and to decongest the mayor and other elected bodies of the municipality by the accumulation of demands and complaints of citizens.*
- *Mandatory posting of all decisions on the web: All decisions and actions of the collective bodies of Municipalities and Regions and all of their legal entities are posted on the internet, otherwise do not apply. Thereby ensuring full transparency, effective public scrutiny and makes possible the effective accountability of local and regional authorities.*
- *Council on Immigrant Integration: By decision of the Municipal Council a Council on immigration is established and operates within every municipality as an advisory body to enhance the integration of immigrants into the local communities and generally resolve any problem concerning the welfare of immigrants in municipality.*
  - *All meetings of corporate bodies, except for executive committees are public and, therefore, for each policy the citizen has the option to be informed.*
  - *Finally, in local community it is provided\:*
  - *The obligation for local authorities to promote popular participation of all citizens and residents to facilitate access to services and information and to consult with them on matters of general interest.*
  - *The citizens and residents can submit to local authorities individually or collectively, reports or questions about issues that interest them.*
  - *At least once a year the meeting of local community residents on issues that concerns them.*
  - *The residents of local community, may upon written request by at least one third of them, ask for a meeting of the local council, to discuss issues that concern them.*