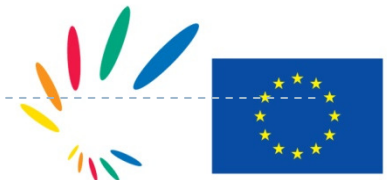




Financing and legal framework in Epirus-Greece

Tallinn seminar November 2011





Legislation on risk mitigation (1)

-General plan for civil protection “Ksenokratis”

(GG B no 423/10-4-2003)

(Ministerial decision) It refers to all kind of risks and has a multilayer approach (prevention, crisis management, recovery)

-General frame for Spatial Planning and Sustainable Development

(GG A no 128/3-7-2008)

Mitigation of risks resulting from insufficient spatial planning

-Regional frame for Spatial Planning and Sustainable Development in the Region of Epirus

(GG B 1451/6-10-2003)

(Ministerial decision) Mitigation of risks resulting from insufficient spatial planning

-General Spatial Plan for the Municipality of Igoumenitsa

(GG TAAP no 575/31-2-2010)

(Decision of the General Secretary of the Decentralized Administration of Epirus)

Mitigation of risks resulting from insufficient spatial planning





Legislation on risk mitigation (2)

-Protection of the environment

(GG A no 160/18-10-1986 and GG A no 91/25-4-2002)

Mitigation of risks related to natural environment

-Protection and Management of Water Resources

(GG A no 280/9-12-2003)

Risks related to the quality/proper use/efficiency of water resources

-Founding and operating industries in the frame of sustainable development

(GG A no 68/11-3-2005)

Industrial risks (concerning environment, workers, inhabitants)

-Measures against risks due to accidents related to dangerous substances

(GG B no 376/19-3-2007)

(Joint Ministerial decision) Risks related to the exposure to dangerous substances (environment and people)





Legislation on risk mitigation (3)

-Production of Electrical Energy from conventional and renewable resources

(GG A no 135/1985 and GG A 168/1994)

Risks concerning environment/people due to the operation of plants producing electrical energy

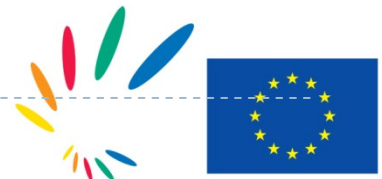
-Amendments on previous laws concerning the operation of gas stations

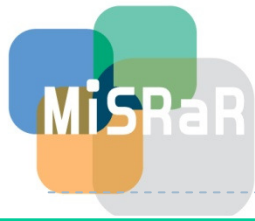
(GG A 16-6-2006)

Risks related to accidents at gas stations

-Defining the way of installing LPG tanks (GG B 22-6-2009)

(Ministerial decision) Risks related to the accidents in LPG tanks





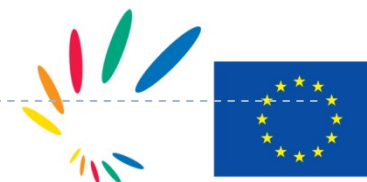
Public institutions-Responsibilities and mandates (1)

Public institution	Responsibilities/mandates
Regions	Spot the areas of high risk relevant to natural and technological disasters in order to define the mitigation measures that should be taken.
Municipalities	Take mitigation measures for all kind of risks within their area
Regions, Municipalities	Make proposals for spatial planning that should take into consideration: quality of life, protection of places of natural beauty, biodiversity, environment, prevention of man made/natural disasters, climate change
Municipalities (service of urban planning)	Give permits for any kind of construction. Perform inspections. Give fines
Ministry of Environment	Give permits concerning environmental issues: Industry category A (potentially very dangerous for the environment), plants producing electricity



Public institutions -Responsibilities and mandates (2)

Public institution	Responsibilities/mandates
Regions (Department of Environment)	Give permits concerning environmental issues: Industry category B (potentially average danger for the environment). Perform inspections. Propose fines (final decision by the President of the Region)
Environmental Inspection (consists of people working in the Ministry of Environment, Regions, Municipalities)	Perform inspections. Propose fines and penalties (final decision by the president of the Region, G. Secretary of the Decentralized Administration or Minister of Environment)
Ministry of Environment	Maintain a net work of sensors for measuring the pollution in the air/water





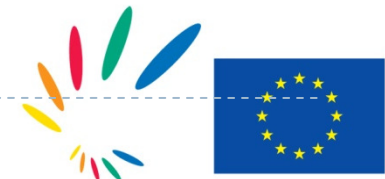
Public institutions -Responsibilities and mandates (3)

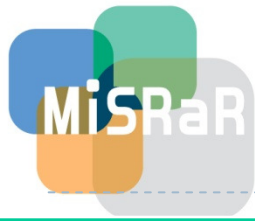
Public institution	Responsibilities/mandates
Decentralized Administration (Department of Water Resources)	Propose measures preventing future lack of water. Check the quality of water. Put prohibitions to works that affect water resources Give permits for the use of water. Give fines (final decision by the G. Secretary of the Decentralized Administration).
Regions (Department of Development)	Give permits for the operation of industries. Inspect if the buildings are safe for this kind of industry, power of the installed equipment, safety of the workers/inhabitants. Give fines
Ministries (environment, development, health), G. S. of Civil Protection, local fire brigade, General Chemical State Laboratory)	Approve the plans submitted by an industry that uses/produces dangerous substances in order to start operating.



Public institutions -Responsibilities and mandates (4)

Public institution	Responsibilities/mandates
Regions (Department of Transports)	Give permits for the operation of Gas/LPG stations. Perform inspections.





Legal responsibilities of private companies and civil society (1)

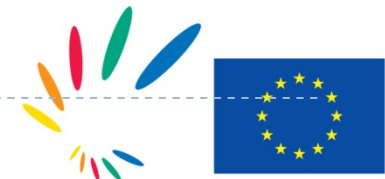
Private entity	Responsibilities
Any kind of company/individuals	Study by a civil engineer for the construction of a building (in accordance with the safety regulations)
Owners of gas/LPG stations	They have to follow certain rules during the construction of their facilities, the installation and operation of the equipment and the installation of their fire protection systems (preconditions in order to be given permits)
Industry/individuals	Study for the use of water. The study should include all environmental parameters and mitigation measures taken if it refers to the use of water for industrial reasons.
Industry	All the industries are subject to inspections for their compliance with the regulations according to which they were given permits. The industries cat A/B should make studies of environmental impact/environment (precondition to get permits).





Legal responsibilities of private companies and civil society (2)

Private entity	Responsibilities
Industries using/producing dangerous substances	<p>Take all the necessary measures for the protection of the environment and the people working there.</p> <p>Be able to prove that: they have taken into consideration all possible kinds of accidents, they have taken all the necessary measures to prevent them, they have trained and equipped their staff for cases of emergency.</p> <p>A policy for preventing accidents, a study for the safety measures that will be taken and plans in cases of emergency are preconditions in order to be given permits.</p>





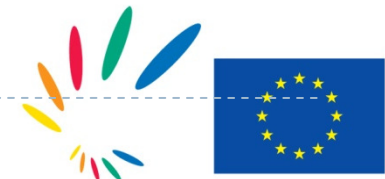
Different indicative budgets in relation to mitigation (public and private)

Budget	Risk
Budget of the Igoumenitsa Port Authority S.A.	Floods
Budget of the Igoumenitsa Port Authority S.A.	Fires
Budget of the Region of Epirus for works/projects (Centralized funding)	Floods
Budget of the Region of Epirus for works/projects (Centralized funding)	Diseases spread by mosquitoes
Budget of the Ministry of Environment	Destruction of forests



What is the estimated amount of these budgets?

- Igoumenitsa Port Authority S.A.: Prevention of floods (maintenance/cleaning of drain system, draining ditches) 10.000 euros yearly (0,2 % of a total budget of 4.806.000 for all the expenditures of the authority)
- Igoumenitsa Port authority: Prevention of fires (maintenance of fire protection systems) 4.000 euros yearly (0,08% of a total budget of 4.806.000 for all the expenditures of the authority)
- Budget of the Region of Epirus for works (Centralized funding) : Prevention of floods (the following amounts refer only to the Regional Unit of Thesprotia) 110.000 euros for one year (2,4% of a total budget of about 4.500.000 euros)
- Budget of the Region of Epirus for works (Centralized funding) : Prevention of diseases due to mosquitoes (the following amounts refer only to the Regional Unit of Thesprotia) 30.000 euros for one year (0,6% of a total budget of about 4.500.000 euros)
- Budget of the Ministry of Environment: Forest protection 16.000.000 euros for one year (8,4% of a total budget of 190.716.000 euros)



Who decides on these budgets?

- **Budget of the Igoumenitsa Port Authority: Management Board of the Port Authority**
- **Budget of the Region of Epirus for works/projects (Centralized funding) : the council of the Region (the overall amount is decided by the Ministries of Interior and Economy and the council makes the distribution to works)**
- **Budget of the Ministry of Environment for forest protection: the Parliament**



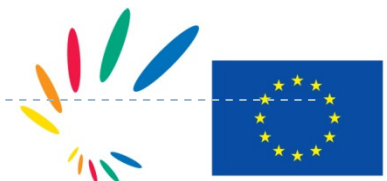
Finding financing from other institutions (1)

-In some cases two or more organizations have the same responsibilities e.g. both municipalities and regions should do works for the mitigation of floods.

-If the area of responsibility is the same, there are cases where the necessary works are co financed by both organizations (case A)

-However the most common case is that the Municipalities and the Region cooperate and the Region finally manages to finance the necessary works without the participation of the Municipalities (case B)

There are examples of case A at the moment in the Region of Epirus for irrigation works. Moreover, there are mitigation measures materialized under case B





Finding financing from other institutions (2)

Examples of mitigation:

-The region of Epirus materializes works for protection against floods in the municipality of Filiates.

Total budget 50.685 euros.

-The region of Epirus constructs a wall that will prevent the soil from the mountain side to come down to the road outside the village Argyrotopos in Thesprotia.

Total budget (including the creation of a new bridge) 40.673 euros.





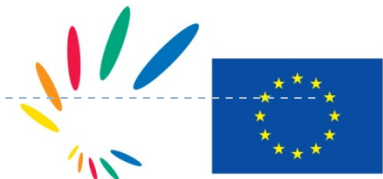
Public Private Partnership (PPP) for financing mitigation

Example I: legal obligation

The tanks in the gas stations should be underground and within a protective shell (concrete)

Example II: agreement between a company and a public organization

The “Igoumenitsa Port Authority S.A.” owned a big area along the coast line. The area was used as a park. The Municipality of Igoumenitsa reached an agreement with the port authority according to which the port authority had to pay the expenditure for the maintenance/cleaning of the drainage system in that area.





Best practices on making use of legal mandates of other public institutions (1)

Two cases

- A public organization asks directly an other organization to get involved due to its responsibilities/mandates. (Case A)
- A public organization asks from a special inspection committee to perform an inspection. The committee usually consists of people working in more than one organizations. (Case B)

Example: case A

-In some cases representatives of the Municipalities reported to the Department of Health of the regional unit of Thesprotia (ex-Prefecture) the existence of situations that could put in danger public health (e.g. leaks in cesspools).

-The department of Health made reports about the problem and the potential danger for public Health and informed the individuals which were responsible that the report would be sent to the district attorney if the problem wasn't solved.

- In most of the cases the problem was solved without the involvement of the D.A. All the other cases were sent to justice.





Best practices on making use of legal mandates of other public institutions (2)

Example: case B

-Residents of the area of Paramithia (Thesprotia) complained to the Department of Environment of the Prefecture (now Regional Unit) that a factory farm was polluting the environment.

-The Department of Environment proposed the relocation of the facilities according to certain rules and within a strict dead line.

-Although the new facilities were created the live stock wasn't transferred there within the dead line. The department of environment called the committee for environmental inspection (staff from the department of environment, decentralized administration and the municipality where the facilities were located). The committee inspected the facilities and proposed a fine which was approved by the Prefect. The owner of the facilities raised an objection to the fine.

-The Prefecture and the owner were compromised. The fine was withdrawn and the live stock was transferred to the new facilities within 10 days.





THANK YOU FOR YOUR ATTENTION

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