

THE NECESSITY OF NEW REGULATIONS ON THE COUNTRY'S WATER RESOURCES

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Introduction

The desire of the international Community to establish as a universal Day of the Environment the 5th of June (placing emphasis on the marine resources (oceans and seas) of the Earth) and as the Water International Day the 23rd of March, is on the one hand the best possible proof of the immense importance of water resources for human life on Earth, as well as for every other kind of life and on the other hand it demonstrates the anxiety of people concerning the consequences of the not so wise management of this natural good called water.

In order to elaborate these thoughts we include the “position” of the United Nations on the matter, which is expressed through the Secretary General of the UNO, who has underlined the necessity for protecting the Planet’s water resources and characterized the seas and oceans as “one of the most productive resources of the Planet, which until now have been used as waste bins”.

Beyond these declarations, we should indicate the sensitization of hundreds of Ecological Organizations on the matter, many of which, like in the case of the US (more than 100), call for the immediate taking of measures for the application of programs on the protection of the water resources of our Planet, given the fact that, daily enormous water masses are threatened by pollution, as it is certified by various State Reports (e.g. China points out the direct danger of pollution threatening seven large rivers and lakes and the ground water resources of the Country).

It must be noted at this point, that pessimistic Researchers underline the fact that in the forthcoming 21st century the major problem will be the lack of water resources, since it is calculated that during the year 2000 a.d. only 77% of the urban and 89% of the rural populations will have at their disposal enough water supplies.

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The legal framework on Water Protection

L. 1739/1987 On the water resources management and other provisions is a basic statute which is of a “Greek origin” (in other words beyond any International Treaties- bilateral or multilateral- which have been countersigned by our Country) and “based on them” regulates matters on water resources.

It is generally believed that the legislative regulation on this matter has been delayed, for reasons that cannot be stated in this text, due to the lack of space. On the contrary, other relative matters have been partly taken care of in terms of legislation, but not based on a concrete philosophy and a particular political direction.

In this particular statute, notions which “come round” to be regulated are the notions of “water resources” and of the “use of water resources” including in it the social and financial dimension of the matter. Moreover, one of the problems highlighted is the lack of national networks for collecting water resources data.

From the most special approaches and regulations we refer here to the following elements placing emphasis on those related to action planning.

The definition of the water resources is understood as:

- a. Quantitative: the calculation and definition of the various natural sizes of water resources, like for instance water supplies, levels, inclinations, masses, equilibrium.
- b. Qualitative: the definition of the physicochemical and biological substance of the water resources and its comparison to the quality models, which prevail each time.
- c. Local: to locate the above mentioned quantitative sizes and qualitative parameters, in areas which are determined by the Agencies in charge.
- d. Temporal: The definition of the above mentioned sizes and parameters in periods of time which are determined by the Agencies in charge according to case.

In addition, the water resources management is considered by the provisions of this law as the system of measures and actions, which are essential for the fullest possible satisfaction of water needs for any use, and more importantly :

- a. The regulation of the natural supply of water in relation to its demand, in areas where there is a water shortage or when a temporary or permanent exhaustion of water resources is expected.
- b. Measures for the prevention of the exhaustion of water resources and the best

possible management of the abundance of water that could cause distractions due to floods or due to other causes.

- c. The dealing with current or future gaps between demand and supply.
- d. Avoidance or smoothing of the clashes between equal or competitive uses.
- e. The Country's Development Programs should determine demand in relation to water uses.
- f. Maintenance of high water quality in relation to its destination of use.
- g. Coordination of activities concerning Research development, use and protection of water resources.

Having as a target the best possible "management" of this issue of the (non marine) resources, the Country has been divided into fourteen "water" districts: West Peloponnese, East Peloponnese, North Peloponnese, West Sterea Ellas, Epirus, Attica, East Sterea Hellas and Euboea, Thessaly, West Macedonia, Central Macedonia, East Macedonia, Thrace, Crete, and Aegean Islands.

We should make clear that, "water districts" are territories which are geographically defined by insular areas that include complete hydrographic networks, with the same hydrologic conditions as possible.

Among the other provisions of L. 1739/1987 emphasis is placed on the water resources "development" program of the Country, based on which the Ministry of Industry and Technology is responsible for the organization and the submission of water resources development Programs. In these Programs, the activities of the agencies of the Public sector and of the Municipal Enterprises of Water Supply and Sewage, L. 1069/1980, are also included.

These Programs can be grouped into four categories:

National long-term programs which last for more than five years.

National middle-term, which include important works at the national level and last from two to five years.

Middle term programs per water district.

Programs of special purposes.

The duration of each Long-term program is determined by a co-decision of the Ministers of the Interior, National Economy, Agriculture, Environment, Physical Planning and Public Works, Industry and Technology.

The National long-term water resources development program is organized by the Central Service of the Ministry of Industry and Technology based on the propositions offered by the responsible according to category of use Authorities and Agencies of research, it is submitted for consultation to the Ministerial Water Committee (D.E.YD.) and it is approved by the Ministers of the Interior, National Economy, Agriculture, Environment, Physical Planning and Public Works and Industry and Technology.

The National middle-term and per water district Programs are organized simultaneously and are included in the middle-term Programs of socioeconomic development of L. 1622/1986 as the modified law is valid each time.

The National middle-term water resources development Program is organized by

the Central Service of the Ministry of Industry and Technology based on the propositions offered by the responsible according to category of use Authorities and Agencies of research, as well as of the regional Services of water resources management and is submitted for consultation to the Ministerial Water Committee (D.E.YD.). Moreover, a consultation is submitted by the regional Water Committees (P.E.YD.) to D.E.YD., which is relative to the proposition of the regional water resources Services, within the bounds of the national midterm Program specialization, which is carried out by the Central Service of the Ministry of Industry and Technology, taking under consideration the relative ones belonging to the Middle-term regional Programs of socioeconomic development of L.1622/1986. This Program is submitted for consultation to P.E.YD. and is approved by the responsible Ministers. The per water district approved Programs are held responsible on each effusion basin or other water area by the regional water resources Services. Then, these specialized Programs are submitted for approval to P.E.YD.

Last but not least, the special Programs like for example Programs on the removal of debris and grit etc., are those which are not included in the above mentioned Programs. These are submitted to D.E.YD. and are approved by the Ministers in charge.

General estimations

From the above mentioned, it is clear that the water resources issue, at least at the national dimension, must be confronted at various levels, taking under consideration many parameters.

A. The Institutional level: this level is defined by the International and Bilateral Treaties which have been signed by the Country and also by the National Legislation, which contrary to the regulations of the above mentioned Treaties has the capability of detailed regulations according to case.

B. The Social level

C. The Financial level

D. The Technological level

E. The Environmental protection level.

We emphasize, that L. 1739/1987 has wisely connected the Programming on matters of (non marine) water resources to the relative Development Programs of L. 1262/1982. But until today the materialization of these coordinated efforts hasn't been achieved, given the fact that the provided under the L. 1262/1982 (and L. 1622/1986) Long-term, Middle-term and Annual Development Programs of the Country, have never been organized until today.

Given the complete application of the relative regulations of L. 1739/1987 from the State's side, all hopes are set on Local Structures (Organizations of Local Government Prefectural Government), especially since the OTA based on L. 2218/1994 have among other things the responsibility to construct, conserve and run, "systems of water supply, irrigation, sewage and flood control works" and of course under the "pressure" of sensitized active Citizens the OTA will have to adopt more cautious and logical policies and measures on the water resources issue, which is a vital and irreplaceable element.