

The Goulandris Natural History Museum/Greek Biotope-Wetland Centre (EKBY)

To:

Movement for the Protection & Restoration of the Great River of Rafina

Attn: Mrs E. Terzopoulou

Date: 12/5/2023

Protocol Number: 13731

Related: Your request dated 11/05/2023 regarding the intervention on 24/4/23 in the wetland of the Estuary of the Great Rafina Stream

The Estuary of the Rafina Stream, with code EL30501900 and an area of 59 ha, was included in the scientific documentation of the boundaries of wetlands of Attica carried out by the EKBY with the aim of compiling a List of Wetlands of the Region of Attica in accordance with what is defined in Law L. 3937/2011 on Biodiversity, and specifically in the provisions of articles 13 and 20, in the context of the Action "Increasing knowledge and awareness regarding the reconstitution and restoration of the wetlands of Attica", which was co-financed by the Financial Mechanism of the European Economic Area, Program "GR02-COMplete Management of Marine and Inland Waters", Special objective "Good environmental status in European marine and inland waters", with the beneficiary being the Region of Attica.

Then, based on the above scientific delineation documentation, the Estuary of the Rafina River (EL30501900) was included in article 54 "Protection of wetlands of Attica" of Law 4559/2018 (A' 142). To promote this provision, the Ministry of the Environment, the Region of Attica and the EKBY collaborated, starting with the protection of the Psatha Vilion wetland and the cancellation of the draft Presidential Decree that legalized building permits.

The said article 54 provides that: *"In the areas of priority A' wetlands of sub-case aa' of case c' of par. 2 of article 20 of Law 4277/2014 (A' 156), as they appear within their boundaries with a dotted line on the relevant original diagrams, which were considered by the Head of the Directorate of Topographic Applications and whose copy in photo reduction is attached as Appendix A' to this law, and until their delineation in accordance with the provisions of Law 3937/2011 (A' 60), it is prohibited to build, fill, carry out disturbing activities and any activity that degrades their ecological situation, as well as the issuing of building permits."*

This legislative regulation prohibits any activity that degrades their ecological status until they are delineated, with the issuance of individual Presidential Decrees, which as defined in said article 54, follows the provisions of the Law on Biodiversity (L. 3937/2011, A' 60) and does

not concern the provisions of Law 4258/2014 "Procedure of demarcation and regulation of issues for watercourses".

In addition, the Estuary of the Rafina River is included in the Register of Protected Areas, in the 1st Revision of the River Basin Management Plan of the aqueous compartment of Attica (EL 06) (Government Gazette 4672/B/2017), based on Article 6 of Presidential Decree 51/2007 (Government Gazette 54/A/8-32007)¹, which recognizes as Protected Areas those that have been characterized as needing special protection based on specific provisions of the current national and community legislation regarding the protection of surface and underground waters or the preservation of habitats and species directly dependent on water. According to the above, the Estuary of the Rafina River was added to the Register of Protected Areas, as a wetland included in the New Regulatory Plan of Athens-Attica (Law 4277/2014) at the 1st priority level for delineation, preparation of studies, financing of actions and protection projects, restoration, promotion and management. According to the same legislation (Appendix IX for Article 20, Paragraph 2c aa) the protection measures of priority A wetlands are defined as follows:

It is prohibited to build, fill, carry out disturbing activities and any activity that degrades their ecological situation. It is permitted to carry out ecological restoration interventions, to visit for the purpose of recreation and scientific research, and to fence particularly sensitive parts that need absolute protection. It is also possible to allow the formation of outdoor facilities for recreation and observation of biodiversity and the landscape. Visiting and educational infrastructures ensure equal access for people with special needs in these areas. Note: The interventions in question are permissible only to the extent that the procedures prescribed by environmental legislation have been followed.

The above provisions provide for the prohibition of interventions within the limits of the Rafina Estuary, so that the planning and implementation of projects do not cause degradation and irreversible effects on the wetland ecosystem, such as the deforestation of vegetation with heavy machinery, particularly during the breeding season. The implementation of the provisions is a self-evident legal and ethical principle that governs the modern European and national framework.

Dr. Eleni Fytoka
Responsible for the Inventory of Natural Areas
(Signature)

¹ Presidential Decree 51/2007 (Government Gazette 54/A/8-3-2007) "Definition of measures and procedures for the integrated protection and management of water in compliance with the provisions of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy".