

MEMO-COMPLAIN, to the Inspector General of Public Administration, against PPC R and any other competent authority for non compliance with the existence legislation with regard to the geothermal field exploitation to produce electrical energy,

Same MEMO-COMPLAIN submitted to Committee of EU for non compliance with the EU legislation.

NISYRIAN STUDIES SOCIETY
NON FOR PROFIT SOCIETY
UNDER THE PATRONSHIP OF HIS HOLINESS THE ECUMENICAL
PATRIARCH VARTHOLOMAIOS

AWARDED BY THE ACADEMY OF ATHENS

Athens September 29, 2017

MEMO-COMPLAIN

To: The Inspector General of Public Administration
Subject: Cases of maladministration and opaque procedures by PPC Renewables SA

1. The small border island Nisyros is a volcanic island, like Santorini. Because it is an important transit hub for migratory birds, and because it has very rich flora and fauna, has been described competently, NATURA 2000 site with code GR 167 and Special Protection Zone with code. GR 4210032.
2. In the 80s, Public Power Corporation (PPC) launched a program to identify high-enthalpy geothermal field on the island in order to produce electricity and has created two test drilling, which verify the existence of geothermal field.
3. Since 1997, when had become apparent adverse, intrusive and disastrous effects of the opening of the geothermal exploitation work in Milos island, since then, local communities and individuals from everywhere Nisyrian, motivated solely by feelings of love for their birthplace, started systematic research and concentration of scientific aspects on the effects of any exploitation of the geothermal field (high enthalpy) of the island. From the study of the data collected made clear undoubtedly that the case of Nisyros presents a particularity. If the exploitation of geothermal fields in other areas is a "clean" energy, this does not apply in the case of Nisyros, which is an active volcano, located on the Aegean volcanic arc, as analyzed by science-based positions, by specialists who have study for long periods the volcano of our island. Reported scientific data is available to any interested person and are registered in Chap. Ecology website of our Society, www.nisyriakesmeletes.gr, titled, "Scientists are sounding the alarm."
4. Ever since began the protests against PPC projects with very large number of publications in electronic and print media, with demonstrations, with resolutions of protest etc. Nevertheless, PPC / Renewable SA (Subsidiary PPC's company), never were interested to inform the people of Nisyros, no consultation sought with them, according to the provisions of: a) The UN Convention, adopted in Aarhus city in 1998, and ratified by Greece by Law no. 3422/05 and b) Directive 2003/35 of EU Parliament and EU Council. In contradiction of the provisions of the above legal texts, in 2011, without any

consultation or information of interested residents, a competition was announced to select a strategic partner for exploitation of geothermal field in Nisyros. Faced with this unacceptable, illegal and authoritarian action, the residents of the island and Nisyrian all over the world by the municipality on the head, reacted with demonstrations, protests resolutions etc. denouncing the authoritarian approaches by PPC. Please note that for Santorini, where have been invested huge amounts in tourism infrastructure, nothing has been planned for similar exploitation, despite holding the complete similarity in the creation of the two islands and the composition of the subsoil. Who is able to understand, understands.

5. In recent years, PPCR, constantly assures those concerned that without the consent of the people, will not proceed (reply to MP M. Consolas via parliament house, and personal assurances him in a meeting, successively publications, and commitment registered on their website, etc.). But Nisyrian found, with indignation and rage, that in June 19 this year, a new competition was announced for selection a strategic partner for exploitation of geothermal fields for electricity power in various islands including Nisyros. (Attached find relevant documents and the invitation).

As it was expected and in front of this unacceptable PPC Renewables behavior, which once again ignored the locals, Nisyrian, by unanimous resolution of the City Council, by hard mayor's protest letter and announcements by nisyrian societies, reacted and they will continue to react, considering among other things that PPC deluded them. (Attached find documents). PPC, after this new initiative, persists with provoke and delude us, emphasizing by his CEO, that will not proceed, without the consent of the people, whilst they have already advanced and indeed was shown interest from several parties. It's obvious that they count our endurance and in secret, will try to implement their plans.

6. The Nisyrian Studies' Society is a non-profit scientific Society, founded in 1961 and operating legally under its Articles of Association approved by No. 4774/1962 decision of the Athens Court of First Instance, as amended and is currently in force. Among its aims is "to raise public awareness in environmental protection in order to preserve the natural beauty and ecological harmony of Nisyros." In accordance with its Articles' commitment plays a key role in handling the issue of geothermal energy. Instead of the above, PPC Renewable never took note of our views expressed and not even replied to letters that occasionally sent to them, or in our communications, despite its obligation "to encourage the involvement of associations, groups and organizations involved in the protection of the environment".

7. Because, PPCR is included in Authorities and public companies which are controlled by your Authority in accordance with the provisions of Art. 1 par. 2 (a), in combination with provisions of Art. 2 par. 2 (a) of the Act. 3074/2002 (Gazette 296A / 02).

As, the repeated behavior of PPCR is in complete contradiction with the provisions of:

a) -The statement of the Preamble of the Convention of Aarhus (UN) 1998 (ratified by Greece by Law no. 3422/05 and therefore constitutes internal law and with the increased validity of Article 28 paragraph 1 of the Constitution), in conjunction with the provisions of par. 1b of Art. 6 of this Convention.

- Articles 3 (especially par. 4) up to 8 of the Convention. Worthy of attention are the provision of par. 8 of Article 6 of the Convention according to which "each Party shall ensure that in the decision due account of the outcome of public participation."

b) The Directive 2003/35 of EC and EP namely,

- Preamble of this Directive

- Articles 1, 2 (and specific par. C, according to which, "when making decisions, taking due account of the results of public participation") and par.3, 4, 5 and 6.

It is noted here that, in our view, the JMD 37111/2021 / 09.26.2003 (GG 1391B / 2003), and 9269/470/2007 (GG 286 B / 2007) by which the Directive was incorporated into Greek law are not equivalent, since provisions adopted by these express neither the letter nor the spirit of Directive 2003/35. Typical is the aforementioned provision of par. c of Art. 2 of the Directive, according to which, "when making decisions, taking due account of the results of public participation ... ", which, no matter how we looked, we did not find in any of the articles of these JMD. Even if there is such a provision, it is certain that it did not apply those responsible.

Since, by the letter and spirit of the Aarhus Conv., is clear the obligation of every Member State not only to ensure full information, and active public participation in consultations both, at the initial and in the next stages of the project, but also to take due account of the outcome of the consultations, i.e. the view of the people in making the final decision.

Since, PPCR, as is apparent from its practice over time, seeks to reassure us verbally, while in practice, the procedures go, (the same officials handle for a long time the case).

Since, even today, after the revelation of the new unacceptable effort to proceed with a call for exploitation of geothermal energy in some islands including Nisyros, still repeats and with their CEO's statements, the same meaningless and insincere positions on supposedly dialog force, which for decades they advance without ever raises starting consultation.

Since, recently, several competent persons try to reassure us, underestimating our intelligence that at first time, provided by being drafted bill, the public participation in decision-making in matters relation having on the environment (referred to above contradict their pleadings).

For these reasons

We denounce this PPC Renewables SA, and any other responsible public entities' policy and we call for your intervention, in order to be forced to finally comply with the provisions of the aforementioned legislation.

Attachments referred to the text.

For the Board of Directors

The President
Konstantinos Chartofylis

The Secretary Gen.
Erene Katsimatidou