



PROJECT:

EastMed Pipeline Project



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	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment	DOCNo: PERM-GREE-ESIA-A01_0002_0_Annex1A	
		REV. :	00
		PAGE :	2 OF 33

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	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment		DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A
			REV. : 00 PAGE : 3 OF 33

Table of Contents



ANNEX 1A	Legislative and Regulatory Framework	5
1A.1.	INTRODUCTION	6
1A.2.	NATIONAL FRAMEWORK	6
1A.2.1.	Introduction	6
1A.2.2.	Main Environmental Permitting Legislation in Greece.....	9
1A.2.3.	Environmental Permitting Approval Process	10
1A.3.	INTERNATIONAL FRAMEWORK	24
1A.3.1.	International Conventions	24
1A.3.2.	Financial Institutions	25
1A.3.3.	European Union Legislation	30

List of Figures

Figure A-1	Environmental and Social Impact Assessment Process	12
Figure A-2	EIA process flow, based on EIA Directive.	33



List of Tables

Table A-1	Statutory Advisory Stakeholders for Group 11, A.1 Projects (Based on L. 4014/2011, MD 11764/653/2006 and JMD 1649/2014)	7
Table A-2	Main National Legislation Register	13
Table A-3	International Conventions and Agreements Signed/Ratified by Greece Applicable to the ESIA of the EastMed Pipeline Project.	24
Table A-4	EBRD Performance Requirements	26



	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment	DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A	
		REV. :	00
		PAGE :	4 OF 33

Abbreviations

Abbreviation	Description
MEE	Ministry of Energy and Environment

	<p align="center">EASTMED PIPELINE PROJECT</p>					
	<p align="center">EastMed Greek Section – Environmental and Social Impact Assessment</p>	<p>DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A</p> <table border="1"> <tr> <td>REV. :</td> <td>00</td> </tr> <tr> <td>PAGE :</td> <td>5 OF 33</td> </tr> </table>	REV. :	00	PAGE :	5 OF 33
REV. :	00					
PAGE :	5 OF 33					

ANNEX 1A LEGISLATIVE AND REGULATORY FRAMEWORK

	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment	DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A	
		REV. :	00
		PAGE :	6 OF 33

1A.1. INTRODUCTION

This Annex briefly discusses the legal framework under which the Project will be conducted and the environmental regulatory requirements that will apply to Project activities.

This ESIA has been prepared to comply with national Greek legislation, international environmental and socioeconomic requirements, with specific regard to those of the European Union Legislative Framework, and in alignment with performance requirements of the European Bank for Reconstruction and Development (EBRD). In addition, the importance of the Espoo Convention on Environmental Impact Assessment in a Transboundary Context is acknowledged for the EastMed Pipeline Project.

The national legal framework, applicable international and European requirements and various international agreements to which Greece is a party are summarised below.

1A.2. NATIONAL FRAMEWORK

1A.2.1. Introduction



In order to implement new projects such as the EastMed Pipeline Project, an environmental permitting process consisting of the preparation of an Environmental Impact Assessment Study (EIA Study) and Environmental Terms Approval (ETA) Decision (AEPO in Greek) are required¹.

Prior to preparing the ESIA for the EastMed Pipeline Project, a Preliminary Identification of Environmental Requirements (PIER – which corresponds to Scoping Report of the EIA Directive) was provided in July 2021 to Greek authorities for consideration. Although this step is optional under Greek legislation, it supports the competent authority to provide guidelines/directions on various issues of the ESIA (after receiving feedback from relevant stakeholders).

The ESIA for the EastMed Pipeline Project in Greece follows national Greek legislation and has been prepared to comply with Law 4014/2011 – the framework law for environmental permitting. The following sections provide a detailed description of the legal basis for preparing the ESIA and makes reference to the environmental permitting approval process.

Taking into account Article 2 paragraphs 4, 5 and 11 and Article 3 paragraph 3 of Law 4014/2011, Article 2 paragraph 2 of MD 11764/653/2006 and Annex B of JMD 1649/45/2014 as well as the



¹ For the Project an Environmental and Social Impact Assessment Study has been developed. Through the entire document the term ESIA should be considered equivalent to EIA.

	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment		DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A
			REV. : 00 PAGE : 7 OF 33



characteristics of the Project itself and its area of influence, a list of advisory bodies was compiled and is presented in Table A-1.

Table A-1 Statutory Advisory Stakeholders for Group 11, A.1 Projects (Based on L. 4014/2011, MD 11764/653/2006 and JMD 1649/2014)

Jurisdiction	Stakeholder	Department	Role and Responsibility*
National	Ministry of Environment and Energy	Directorate of Environmental Permitting (DIPA)	Competent Authority
		Directorate of Spatial Planning	Opinion Provider
		Directorate of Forest Protection	Opinion Provider
		Directorate of Natural Environment and Biodiversity Management, Department of Biodiversity and Protected Areas	Opinion Provider
		Directorate of Hydrocarbons, Facilities Department	Opinion Provider
	Ministry of Defence	General Staff of National Defence (GEETHA) / C2 / Directorate of Infrastructure and Environmental Protection (DYPO)	Opinion Provider
	Ministry of Shipping & Island Policy	Directorate of Port and Building Infrastructure	Opinion Provider
	Ministry of Rural Development and Food	Directorate of Spatial Planning and Environmental Protection	Opinion Provider
		General Directorate of Fisheries / Directorate of Fisheries and Fishery Resources Management	Opinion Provider
		General Directorate of Fisheries / Directorate of Aquaculture	Opinion Provider
	Ministry of Culture and Sports	General Directorate of Restoration, Museums and Technical Works	Opinion Provider
		Directorate of Byzantine and Post-Byzantine Antiquities	Opinion Provider
		Directorate of Prehistoric and Classical Antiquities	Opinion Provider
		General Directorate of Antiquities and Cultural Heritage / Ephorate of Marine Antiquities	Opinion Provider
			Directorate of Waters

	EASTMED PIPELINE PROJECT	
	EastMed Greek Section – Environmental and Social Impact Assessment	

Jurisdiction	Stakeholder	Department	Role and Responsibility*
Peripheral /Decentralised Administration	Decentralised Administration of the Aegean	Directorate of Rural Affairs	Suggestion Provider
		Department of Environment and Spatial Planning	Suggestion Provider
	Decentralized Administration of Peloponnese - Western Greece and Ionian	Directorate of Waters of Western Greece	Suggestion Provider
		Directorate of Waters of Peloponnese	Suggestion Provider
		Directorate of Rural Affairs of Western Greece	Suggestion Provider
		Directorate of Rural Affairs of Peloponnese	Suggestion Provider
		Department of Environment and Spatial Planning of Peloponnese	Suggestion Provider
		Department of Environment and Spatial Planning of Western Greece	Suggestion Provider
	Decentralised Administration of Crete	Directorate of Forest Coordination and Inspection	Suggestion Provider
		Directorate of Waters	Suggestion Provider
		Directorate of Rural Affairs	Suggestion Provider
		Department of Environment and Spatial Planning	Suggestion Provider
	Decentralised Administration of Epirus - Western Macedonia	Directorate of Forest Coordination and Inspection	Suggestion Provider
		Directorate of Waters	Suggestion Provider
		Directorate of Rural Affairs	Suggestion Provider
		Department of Environment and Spatial Planning	Suggestion Provider
	Management Bodies of Protected Areas	Management Body of Parnon, Moustos, Mainalo and Monemvasia	Suggestion Provider
		Management Body of Kotychi - Strofyliia	Suggestion Provider
		Management Body of Messolonghi - Akarnanian Mountains Lagoon	Suggestion Provider
		Management Body of Amvrakikos Gulf-Lefkada	Suggestion Provider



	EASTMED PIPELINE PROJECT	
	EastMed Greek Section – Environmental and Social Impact Assessment	

Jurisdiction	Stakeholder	Department	Role and Responsibility*
Regional (Regional Administration)	2nd Level Local Government Organizations	Directorate of Environment and Spatial Planning of the Region of the South Aegean	Suggestion Provider
		Directorate of Environment and Spatial Planning of the Region of Crete	Suggestion Provider
		Directorate of Environment and Spatial Planning of the Region of Peloponnese	Suggestion Provider
		Directorate of Environment and Spatial Planning of the Region of Western Greece	Suggestion Provider
		Directorate of Environment and Spatial Planning of the Region of Epirus	Suggestion Provider
		Directorate of Agricultural Economy of the Region of the South Aegean	Suggestion Provider
		Directorate of Agricultural Economy of the Region of Crete	Suggestion Provider
		Directorate of Agricultural Economy of the Region of Peloponnese	Suggestion Provider
		Directorate of Agricultural Economy of the Region of Western Greece	Suggestion Provider
		Directorate of Agricultural Economy of the Region of Epirus	Suggestion Provider
*The Opinion Providers usually ask for the support, through relevant suggestion, of the peripheral and/or regional stakeholders			

1A.2.2. Main Environmental Permitting Legislation in Greece

The main national legislation regarding environmental permitting is listed below:

- Law No 4014/2011** - It sets the framework for the environmental permitting procedure. This law includes provisions for the Preliminary Identification of Environmental Requirements Phase (PIER) corresponding to Scoping Phase, Environmental Impact Assessment Phase, which includes natural and anthropogenic environment, timeline of permitting procedure, classification of projects, contents of ESIA related reports, public consultation and disclosure. It also includes

	EASTMED PIPELINE PROJECT	
	EastMed Greek Section – Environmental and Social Impact Assessment	

provisions for including other permits, such as Intervention to Forest Areas permit in the Environmental Terms Approval;



- **Ministerial Decision 1958/2012** - It categorises all activities for public and private projects. This MD was modified numerous times and has been codified by MD 37674/2016 (HGG B' 2471/2016). According to this MD, EastMed is characterised as class A1 projects (Group 11 'Transportation of energy, fuels and chemical substances', s/n 1 'Fuel pipelines of national importance or under European or international networks and associated facilities');
- **Ministerial Decision 170225/2014** - It provides the exact structure and content of the various environmental studies (e.g. PIER, ESIA, Appropriate Assessment) for the various project classes. Additional content is provided for projects under special provisions (e.g. subject to Industrial Emissions Directive);
- **Ministerial Decision 11764/653/2006** - It sets the framework for public access to civil authorities for the provision of environmental information in accordance with the provisions of Council Directive 2003/4 / EC "On public access to environmental information and repealing Council Directive 90/313 / EEC". Replacement of no. 77921/1440/95 of joint ministerial decision (795 / B); and
- **Joint Ministerial Decision 1649/45/2014** – It specialises the procedure based on which (a) civil authorities provide opinion, (b) the public is informed and (c) the interested public participates in the public consultation during environmental permitting of Category A projects.

1A.2.3. Environmental Permitting Approval Process

According to Law 4014/21.09.2011, the Environmental Permitting Process is as follows (see Figure A-1):

1. A Preliminary Identification of Environmental Requirements (PIER) is optionally submitted by the proponent to the MEE²;
2. The MEE examines the completeness of the submitted PIER Study and, if the Study complies with the legal requirements, then it forwards the study to authorities for consultation;
3. The Owner of the project may, on its own initiative and at its own expense, publicise (disclose) the PIER results to the public and the interested public regarding the technical characteristics of the project and its possible major impacts on the environment;
4. Competent authorities respond with their opinion on PIER;
5. MEE reviews and assesses the opinions of competent authorities;

² Ministry of Energy and Environment

	EASTMED PIPELINE PROJECT EastMed Greek Section – Environmental and Social Impact Assessment	 DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A REV. : 00 PAGE : 11 OF 33
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6. MEE prepares its positive or negative opinion on PIER;
7. After the opinion on the PIER (or at the start of the permitting process in case no PIER is submitted), an ESIA Report is submitted to the MEE;
8. The MEE examines the completeness of the submitted ESIA Report and if the report complies with the legal requirements, it forwards the report to the authorities for consultation (authorities are defined by JMD 1649/45/2014);
9. A public disclosure procedure is also conducted (procedures according to MD 11764/653/2006 and JMD 1649/45/2014);
10. Consultatory responses and public opinions are sent to the competent authority (MEE/DIPA);
11. MEE assesses and takes into consideration authorities' opinions and public comments;
12. MEE prepares the decision on Environmental Terms even if all competent authorities have not expressed opinions in time; and
13. The engagement of the Environmental Permitting Council is established in case of contradictory responses during consultation, or if authorities whose views are considered significant have not replied.

Figure A-1 presents a flow chart of the ESIA process phases, distinguishing the phases headed by the Project Owner (highlighted in red) from the phases headed by DIPA (highlighted in green).

Table A-2 presents the main Greek Legislation (laws and legislative decrees) applicable to EastMed Pipeline Project.

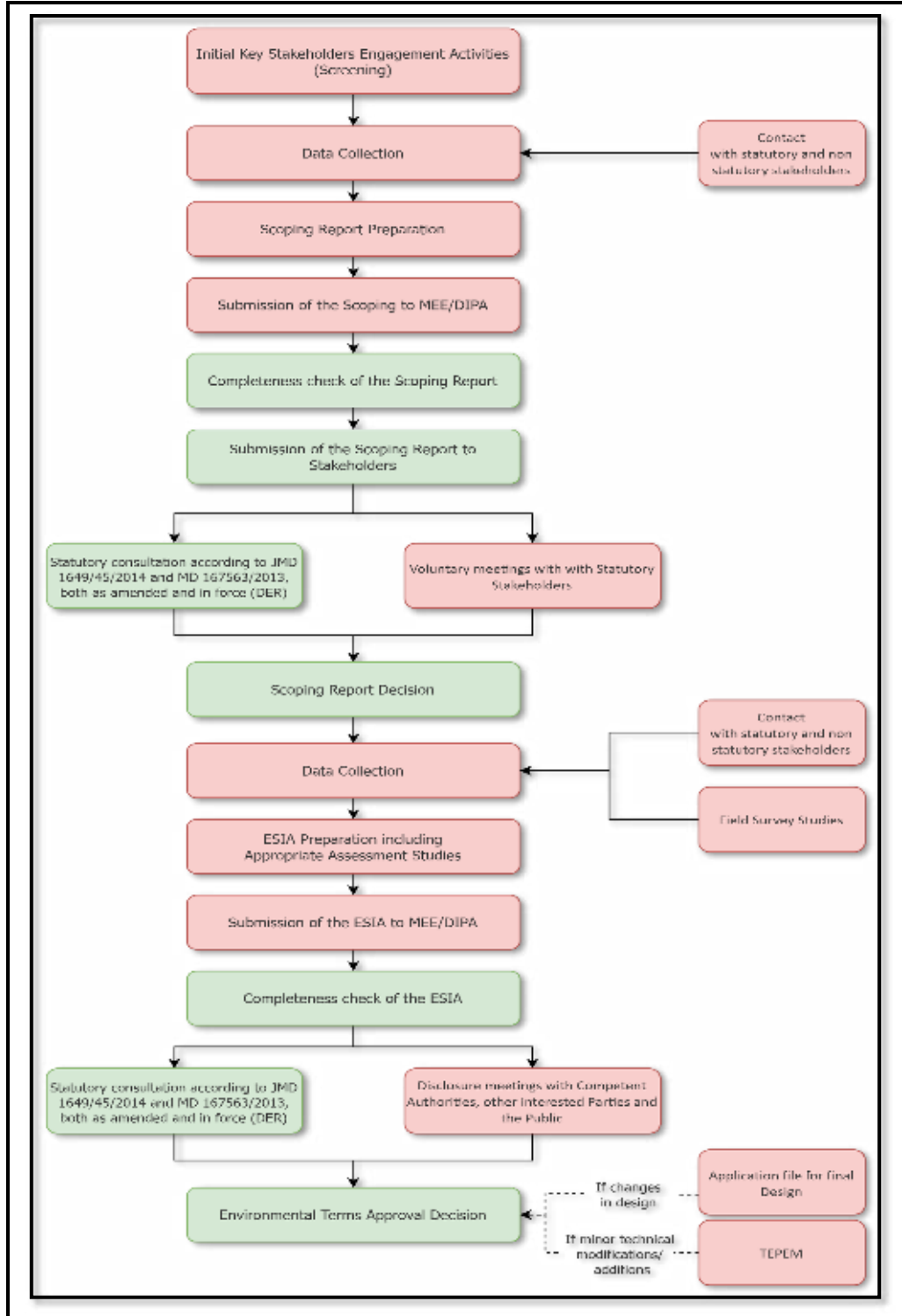


Figure A-1 Environmental and Social Impact Assessment Process

Table A-2 Main National Legislation Register

Title	Project Component		Legislation Reference	Comments/Relevance to Project
	Construction	Operation		
Environmental licensing of projects and activities	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	L. 4014/11	General legal framework for environmental procedures
Espoo Convention on protection of the Environment in Transboundary Projects	<ul style="list-style-type: none"> • Pipeline 	N.A.	L. 2540/97	Espoo Documentation
On ambient air quality regarding NOX, SO2, PM10, PM2.5, Benzolium, Pb, CO (Directive 2008/50/EC)	N.A.	<ul style="list-style-type: none"> • Main Stations 	JMD 14122/549/E.103/2011	Applicable to Compressor Station Design and Modelling studies
Industrial Emissions Directive (2010/75/EU)	N.A.	<ul style="list-style-type: none"> • Main Stations 		Applicable to emissions from Compressor Stations
Establishing a framework of rules, measures and procedures for the integrated prevention and control of environmental pollution from industrial activities, in compliance with the provisions of Directive 2010/75 / EU "On Industrial Emissions (Integrated Pollution Prevention and Control)" of the	N.A.	<ul style="list-style-type: none"> • Main Stations 	JMD 36060/1155/E.103	Emissions from Compressor Stations

European Parliament and of the Council of 24 November 2010				
Measures to improve ambient air quality according to Directive 2008/50/EC	<ul style="list-style-type: none"> • Main Stations 	<ul style="list-style-type: none"> • Main Stations 	JMD 29457/1511/2005	Applicable to Compressor Station Design and Modelling studies
On environmental protection from industries	<ul style="list-style-type: none"> • Main Stations 	<ul style="list-style-type: none"> • Main Stations 	PD 1180/81	Applicable to Compressor Station Design and Modelling studies
Noise limit of site equipment according to 2005/88/EC	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	JMD 9272/471/2007	Limits to be referenced in ESIA.
Definition of threshold values of certain pollutants, group of pollutants or their indicators in groundwaters	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	MD 1811/11	Applicable to Compressor Station Design . Also for any accidental leakage from pipeline construction.
Health regulation for sewage and industrial liquid wastes	<ul style="list-style-type: none"> • Pipeline; and 	<ul style="list-style-type: none"> • Main Stations 	JMD E1b/221/1965	Applicable to Compressor Station Design. Also for

	<ul style="list-style-type: none"> Main Stations 			Hydraulic Tests during construction. Possible limits will be defined according to Regional Water Management Plans.
Definition of Environmental Quality Standards (EQS) for Priority Substances and certain other pollutants in surface waters, according to Dir 2008/105/EC	<ul style="list-style-type: none"> Pipeline; and Main Stations 	<ul style="list-style-type: none"> Main Stations 	HGG 1909/B/8-12-10	Applicable to Compressor Station Design. Also for Hydraulic Tests during construction.
Measures and Terms of Treated Wastewater Reuse	<ul style="list-style-type: none"> Pipeline 	<ul style="list-style-type: none"> Main Stations 	JMD 145116/2011	Applicable to Compressor Station Design. Also for Hydraulic Tests during construction.
Classification of public and private works into categories	<ul style="list-style-type: none"> Pipeline; and Main Stations 	N.A.	MD 1958/2012 and its amendments	ESIA elaboration and licensing procedures
Procedures for Environmental Permitting according to Law 4014/11	<ul style="list-style-type: none"> Pipeline; and Main Stations 	N.A.	MD 167563/2013	ESIA licensing procedures

Amendment of L.1650/86 for the Protection of the Environment	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	L. 3010/2002	ESIA elaboration and licensing procedures
Ratification of European Directive 2003/35/EC regarding Public Consultation and Disclosure (Aarhus Convention)	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	L. 3422/2005	ESIA licensing procedures. Applicable to Public Consultation and Disclosure
Judicial processes to protect the public against administrative acts or omissions regarding the disclosure of information and participation during the ESIA process	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	JMD 9269/2007	ESIA licensing procedures. Applicable to Public Consultation and Disclosure
Protection of indigenous flora and fauna	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	PD 61/81	Protection status to be taken into consideration during Project development, ESIA elaboration and licensing procedures
Ramsar Convention ratification	<ul style="list-style-type: none"> • Pipeline; and 	N.A.	L. 191/74	Protection status to be taken into

	<ul style="list-style-type: none"> Main Stations 			consideration during Project development, ESIA elaboration and licensing procedures
Ratification of Bern Convention on protected endangered species	<ul style="list-style-type: none"> Pipeline; and Main Stations 	N.A.	L. 1335/83	Protection status to be taken into consideration during Project development, ESIA elaboration and licensing procedures
Bonn Convention on endangered migratory species	<ul style="list-style-type: none"> Pipeline; and Main Stations 	N.A.	L. 2719/99	Protection status to be taken into consideration during Project development, ESIA elaboration and licensing procedures
Conservation of natural habitats and of wild fauna and flora (Habitats Directive)	<ul style="list-style-type: none"> Pipeline; and Main Stations 	N.A.	JMD 3318/98	Protection status to be taken into consideration during Project development, ESIA elaboration and licensing procedures



Conservation of wild birds (Birds Directive)	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	JMD 414985/85	Protection status to be taken into consideration during Project development, ESIA elaboration and licensing procedures
Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive)	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	JMD 37338/1870/2010	Protection status to be taken into consideration during Project development, ESIA elaboration and licensing procedures
Biodiversity Conservation	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	L. 3937/11	Protection Status to be taken into consideration during Project development, ESIA elaboration and licensing procedures
Greenhouse gas emission allowance trading system in compliance with 2003/87/EC "Establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC.	N.A.	<ul style="list-style-type: none"> • Main Stations 	JMD 54409/2632/2004	Limited greenhouse gas emissions produced during operation of the Compressor Stations

Adoption of IPPC Directive	N.A.	<ul style="list-style-type: none"> Main Stations 	JMD 15393/2002	Depending on the thermal power of Compressor Station.
National and regional waste management plan	<ul style="list-style-type: none"> Pipeline; and Main Stations 	<ul style="list-style-type: none"> Main Stations 	JMD 50910/03	Waste Management Plan to be elaborated. ESIA to follow legal requirements.
Hazardous waste management, amending JMD 13588/725/2006 and JMD 24944/1159/206 on hazardous waste management plan guidelines	<ul style="list-style-type: none"> Pipeline; and Main Stations 	<ul style="list-style-type: none"> Main Stations 	JMD 8668/07	Waste Management Plan to be elaborated. ESIA to follow legal requirements.
Management of used packaging	<ul style="list-style-type: none"> Pipeline; and Main Stations 	<ul style="list-style-type: none"> Main Stations 	L. 2939/01	ESIA to follow the legal requirements.
Used lubricants waste management	<ul style="list-style-type: none"> Pipeline; and Main Stations 	<ul style="list-style-type: none"> Pipeline; and Main Stations 	PD 82/04	Waste Management Plan to be elaborated. ESIA to follow legal requirements.



Management of construction and excavation wastes	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	JMD 36259/10	Requirement for Building Construction License. ESIA to follow legal requirements.
Water resources management according to Water Framework Directive	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	PD 51/07	ESIA to follow legal requirements.
L. 3208/2003 (G.G. 303/A/24.12.03), “on protection of forest ecosystems”, amending L.998/1979	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	L. 3208/03	First cooperation with forest authorities to be followed after the issue of Environmental Terms for taking the necessary crossing permit.
Law 3335/2005 "control of the distribution and storage of oil products - resolving issues of the Ministry of Development"	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	L. 3335/05	First cooperation with forest authorities to be followed after the issue of Environmental

				Terms, for taking the necessary crossing permit.
Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC	N.A.	<ul style="list-style-type: none"> Main Stations 	JMD 172058/2016	No Seveso III installation
Ratification of the "European Convention on the Protection of the Archaeological Heritage" (Valletta Convention)	<ul style="list-style-type: none"> Pipeline; and Main Stations 	N.A.	L. 3378/2005	ESIA to follow legal requirements.
Protection of antiquities and cultural heritage	<ul style="list-style-type: none"> Pipeline; and Main Stations 	N.A.	L. 3028/02	Possible limitations and restrictions by Ephorates. ESIA to follow legal requirements.
Contents of the Environmental Terms Approval for projects and activities of A' class of MD 1958/13-01-2012, according to ar.2 of L.4014/2011	<ul style="list-style-type: none"> Pipeline; and Main Stations 	<ul style="list-style-type: none"> Pipeline; and Main Stations 	MD 48963/2012	ESIA to follow legal requirements.
Determination of measures, limits and methods for assessing and managing environmental noise, in compliance	<ul style="list-style-type: none"> Pipeline; and 	<ul style="list-style-type: none"> Pipeline; and Main Stations 	MD 13586/724/2006	ESIA to follow legal requirements.

to 2002/49/EC "relating to the assessment and management of environmental noise"	<ul style="list-style-type: none"> • Main Stations 			
Ratification of European Landscape Convention	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	L. 3827/2010	ESIA to follow legal requirements.
National Plan for Sustainable Development	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	JMD 6876/4871/2008	Possible limitations, restrictions or complementarity/ synergies imposed by development planning on National level.
Improvement of investment environment - Nea cooperate structure - Signs - Real Estate Brokers - Regulation of shipping, ports and fishing issues and other provisions	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	N.A.	L. 4072/12	The Project Owner is obliged to signing a MoU for Archaeological Surveys with the Central Archaeological Authority. Procedures to commence during ESIA Permitting

	EASTMED PIPELINE PROJECT			
	EastMed Greek Section – Environmental and Social Impact Assessment			DOC No: PERM-GREE-ESIA-A01_0002_0_Annex1A
				REV. : 00
		PAGE : 23 OF 33		

Operation of Electricity and Natural Gas Market, Research, Production and transportation networks of Hydrocarbons and other provisions	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	L. 4001/2011	The law describes the frame for the Independent Natural Gas Systems permit, which the project needs to obtain.
Protection of the environment through criminal law - Compliance with 2008/99/EC "On the protection of the environment through criminal law"	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	<ul style="list-style-type: none"> • Pipeline; and • Main Stations 	L. 4042/2012	Protection of the Environment

	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment		DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A
			REV. : 00 PAGE : 24 OF 33



1A.3. INTERNATIONAL FRAMEWORK

1A.3.1. International Conventions

The main conventions and agreements which Greece has signed and/or ratified, with reference to the scope of this ESIA, are summarised in Table A-3.

Table A-3 International Conventions and Agreements Signed/Ratified by Greece Applicable to the ESIA of the EastMed Pipeline Project.

Convention name	Ratified by Greece
Ramsar Convention on Wetlands (1971)	ND 191/1974
International Regulations for Preventing Collisions at Sea 1972 (COLREGs)	L.93/1974
Safety of Life at Sea (SOLAS)	L.1045/1980
European Convention on the Protection of Archaeological Heritage	L.1127/1981
International Convention on the Protection of the World Cultural and Natural Heritage	L.1126/1981
International Convention for the Prevention of Pollution from Ships (MARPOL)	L.1269/1982
Bern Convention (1976): Conservation of European Wildlife and Natural Habitats	L.1335/83
CITES (1975): Convention on Trade in Endangered Species of Wild Flora and Fauna - Albania	L. 2055/92
Convention on Biodiversity (Biological Diversity) (1992)	L.2204/94
UN Climate Change Convention	L. 2205/94
Espoo Convention (1991): Convention on Environmental Impact Assessment in a Transboundary Context	L. 2540/97
Convention on the Transboundary Impacts from Industrial Accidents	L.2546/97
Bonn Convention or CMS (1979); Convention on the Conservation of Migratory Species of Wild Animals	L. 2719/99
Kyoto Protocol on Climate Change	L.3017/02
Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean	L.3022/2002
Aarhus Convention (Convention on Access to Information (1998), Public Participation in Decision making and Access to Justice in Environmental Matters)	L.3422/05
European Convention on the Protection of Archaeological Heritage (revised)	L.3378/2005

	EASTMED PIPELINE PROJECT	
	EastMed Greek Section – Environmental and Social Impact Assessment	



Convention name	Ratified by Greece
Convention on the Protection of Intangible Cultural Heritage	L.3521/2006
Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean sea and contiguous Atlantic Area	L.3568/2007
International Convention for the Control and Management of Ships' Ballast Water and Sediments	L.4470/2017
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter	L. 1147/1981
The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal	L. 3835/2010
The Oil Pollution Response: OPRC Convention and Trilateral Agreement	L. 2252/1994
Paris Agreement	L. 4426/2016
Barcelona Convention	L. 855/1978
Horizon 2020	-
Agenda 21 of the United Nations Conference on Environment and Development	L. 4622/2019
The Convention on the Protection of the Underwater Cultural Heritage	L. 3022/2002

1A.3.2. Financial Institutions

IGI POSEIDON S.A. has adopted the EBRD Performance Requirements (PR) as the main international standards for Environmental and Social compliance during execution of Project activities. The EBRD PR make inter-alia reference to other international best practice guidelines such as those of the International Finance Corporation (IFC) and World Bank.

The EBRD promotes environmental and sustainable development in the full range of investments and activities. EBRD categorises each project to determine the nature and level of environmental and social investigation, information disclosure and stakeholder engagement required according to nature, location, sensitivity and scale of the project and the significance of its potential adverse future environmental and social impacts. The EastMed Pipeline Project is classified as Category A³ according

³Category A projects are those which could result in potentially significant adverse future environmental and/or social impacts which at the time of categorisation cannot be identified or assessed and which require an environmental and social impact assessment process.

	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment		DOCNo: PERM-GREE-ESIA-A01_0002_0_Annex1A
			REV. : 00 PAGE : 26 OF 33

to EBRD criteria, and as such, a special, formalised participatory assessment process is required according to EBRD standards.



The process includes:

- A comprehensive Environmental and Social Impact Assessment in compliance with PR 1 Environmental and Social Appraisal and Management and PR 10 Information Disclosure and Stakeholder Engagement;
- An examination of the technically and financially feasible alternatives and the rationale for the alternative selection;
- Also addressing PRs 2 and 4, the ESIA should identify the issues related to potential risks related to community health, safety and security, as well as labour and working conditions;
- An assessment of involuntary resettlement issues according to PR 5 Land Acquisition, Involuntary Resettlement and Economic Displacement;
- The sustainable use of natural resources and the protection of biodiversity must be considered as instructed by PR 6; and
- An assessment of impacts on cultural heritage according to PR 8 Cultural Heritage.



A summary of the EBRD’s Performance Requirements is presented in Table Table A-4.

Table A-4 EBRD Performance Requirements.



No	Name	Short Description
PR1	Environmental and Social Appraisal and Management	<p>This PR recognises the importance of an integrated assessment to identify the environmental and social risks and impacts associated with projects and the client’s management of environmental and social performance throughout the life of the project. A successful and efficient environmental and social management system (ESMS) promotes sound and sustainable environmental and social performance and can lead to improved financial, environmental and social outcomes. It is a dynamic, continuous process, initiated and supported by management, and involves meaningful communication between the client, its workers, the local communities affected by the project and, where appropriate, other stakeholders.</p> <p>This PR outlines the responsibilities of the client in the process of assessing potential environmental and social risks and impacts associated with the project, and developing and implementing procedures for managing and monitoring these risks and impacts.</p>
PR2	Labour and Working Conditions	<p>This PR recognises that, for clients and their business activities, the workforce is a valuable asset and that good human resources management and a sound worker-management relationship based on respect for workers’ rights, including freedom of association and the right to collective bargaining, are key ingredients to the sustainability of business activities.</p>

	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment		DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A
			REV. : 00 PAGE : 27 OF 33



No	Name	Short Description
PR3	Pollution Prevention and Abatement	<p>This PR outlines a project-level approach to climate impacts and greenhouse gas emissions, resource management and pollution prevention and control. It builds on the mitigation hierarchy, the principle that environmental damage should as a priority be rectified at its source, and the “polluter pays” principle. The project-related risks and impacts associated with resource use, and the generation of waste and emissions need to be assessed in the context of project location and local environmental conditions. Appropriate mitigation measures, technologies and practices should be adopted for efficient and effective resource use, pollution prevention and control and avoidance, minimisation and reduction of greenhouse gas (GHG) emissions.</p> <p>This PR also recognises the emerging concept and practice of circular economy and or resources recovery where usable and valuable products can be created or derived from what has been previously viewed as waste. This PR recognises the importance of using best available techniques and good international practice to optimise resource use and efficiently prevent and control pollution.</p>
PR4	Community Health, Safety and Security	<p>This PR recognises the importance of managing health, safety and security risks to workers, project-affected communities and consumers associated with project activities in accordance with the hierarchy of risk control. By providing workers with safe, healthy and secure working conditions, clients may create tangible benefits, such as enhancement of the efficiency and productivity of their operations.</p> <p>Project activities, equipment, and infrastructure may increase the potential for worker and community exposure to health, safety and security risks, including those associated with mobilisation, construction, commissioning, operation, maintenance, decommissioning or closure, reinstatement and the transport of goods and services.</p> <p>The client has the primary responsibility to provide safe and healthy conditions for their workers and informing, instructing, training, supervising and consulting workers on health and safety. Workers have the responsibility to cooperate actively with their employer and take care of their own health and safety and the health and safety of others.</p> <p>While acknowledging the role of relevant authorities in protecting and promoting the health and safety of the public, the client has the duty to manage health, safety and security risks to project-affected communities.</p>
PR5	Land Acquisition, Involuntary Resettlement and Economic Displacement	<p>This PR addresses impacts of project-related land acquisition, including restrictions on land use and access to assets and natural resources, which may cause physical displacement (relocation, loss of land or shelter), and/ or economic displacement (loss of land, assets or restrictions on land use, assets and natural resources leading to loss of income sources or other means of livelihood). The term “involuntary resettlement” refers to both of these impacts and the processes to mitigate and compensate these impacts.</p>

	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment		DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A
			REV. : 00 PAGE : 28 OF 33

No	Name	Short Description
		<p>Resettlement is considered involuntary when affected persons or affected communities do not have the right to refuse land acquisition or restrictions on land use, other assets and natural resources, even if compulsory acquisition is used only as a last resort after a negotiated process.</p> <p>Application of this PR is consistent with the universal respect for, and observance of, human rights and freedoms, specifically the right to private property, the right to adequate housing and to the continuous improvement of living conditions.</p> <p>Unless properly managed, involuntary resettlement may result in long-term hardship and impoverishment for affected persons and communities, as well as environmental damage and adverse socioeconomic impacts in areas to which they have been displaced. The client shall consider feasible alternative project designs and sites to avoid or minimise land acquisition or restrictions on land use, other assets and natural resources while balancing environmental, social, and financial costs and benefits, paying particular attention to gender impacts and impacts on vulnerable persons. Where it cannot be avoided through design, displacement shall be minimised and appropriate measures to mitigate adverse impacts on affected persons and host communities shall be carefully planned and implemented.</p>
PR6	Biodiversity Conservation and Sustainable Natural Resource Management	<p>This PR recognises that the conservation of biodiversity and sustainable management of living natural resources are fundamental to environmental and social sustainability.</p> <p>This PR recognises the importance of maintaining the core ecological function of habitats, biodiversity and ecosystem services. All ecosystems support a complexity of living organisms and vary in terms of richness, abundance and importance of species.</p> <p>The objective of biodiversity conservation and sustainable management of living resources must be balanced with the potential for utilising the multiple economic, social and cultural values of biodiversity and living natural resources in an optimised manner.</p>
PR7	Indigenous Peoples	<p>This PR recognises that indigenous peoples are social groups with identities and livelihoods that are distinct from dominant groups in national societies. They may be among the most marginalised and vulnerable segments of the population. Their economic, social and legal status may limit their capacity to defend their rights to and interest in lands and resources (both natural and cultural). This, combined with their economic and spiritual dependence on these lands and resources, may make them particularly susceptible to any adverse impacts of projects. This PR also acknowledges that indigenous peoples have unique knowledge and abilities and are potential partners in sustainable development, both contributing to and benefiting from the planning and implementation of project-related activities.</p> <p>This PR recognises that governments play a central role in safeguarding the rights of indigenous peoples. It outlines the responsibilities of the client to assess the potential for a project to impact indigenous peoples, to engage</p>

	EASTMED PIPELINE PROJECT	
	EastMed Greek Section – Environmental and Social Impact Assessment	

No	Name	Short Description
		<p>meaningfully with affected indigenous peoples and, under certain circumstances outlined in this PR, to obtain their free, prior and informed consent (FPIC). This PR also lays out client obligations to collaborate with affected indigenous peoples in planning and implementing measures to avoid, minimise, mitigate and compensate for adverse effects and share project benefits</p>
PR8	Cultural Heritage	<p>This PR recognises the importance of cultural heritage for present and future generations. The aim is to protect cultural heritage and to guide clients to avoid or mitigate adverse impacts on cultural heritage in the course of their business operations. The clients are required to be precautionary in their approach to the management and sustainable use of cultural heritage.</p> <p>Both tangible and intangible cultural heritage are important assets for economic and social development and are an integral part of the continuity of cultural identity and practices (including traditional skills, knowledge, beliefs and/or minor dialects and languages).</p> <p>In pursuing these aims of protection and conservation, this PR is guided by applicable international conventions and other instruments. It also recognises the need for all parties to respect the laws and regulations that pertain to cultural heritage that could be affected by a project and the obligations under relevant international treaties and agreements ratified by host countries. These laws may be on cultural heritage or antiquities, planning or building permits, conservation areas, protected areas, and other laws and regulations governing the built heritage, or laws relating to the protection of cultures of indigenous peoples. Detailed requirements for protecting indigenous peoples are in PR 7.</p>
PR9	Financial Intermediaries	<p>This PR recognises that financial intermediaries (FIs) are a key instrument for promoting sustainable financial markets and provide a vehicle to channel funding to the micro, small and medium-sized enterprise sector. FIs include a variety of financial service providers including, inter alia, private equity funds, banks, leasing companies, insurance companies and pension funds.</p> <p>The nature of intermediated financing means that the FIs will assume delegated responsibility for environmental and social assessment, risk management and monitoring as well as overall portfolio management. The nature of delegation may take various forms depending upon a number of factors, such as the type of finance provided. The effectiveness of FI environmental and social risk management will be evaluated and monitored on a continuous basis throughout the project life-cycle.</p>

	EASTMED PIPELINE PROJECT	
	EastMed Greek Section – Environmental and Social Impact Assessment	

No	Name	Short Description
PR10	Information Disclosure and Stakeholder Engagement	<p>This PR recognises the importance of an open and transparent engagement between the client, its workers, worker representatives, local communities and persons affected by the project and, where appropriate, other project stakeholders as an essential element of good international practice and corporate citizenship. Such engagement is also a way of improving the environmental, social and overall sustainability of projects. In particular, effective community engagement, appropriate to the nature and scale of the project, promotes sound and sustainable environmental and social performance and can lead to improved financial, social and environmental outcomes, together with enhanced community benefits.</p> <p>Stakeholder engagement is central to building strong, constructive, and responsive relationships which are essential for the successful management of a project's environmental and social risks and impacts. It is an inclusive and on-going process which is most effective when initiated at an early stage of the project and is an integral part of the assessment, management and monitoring of environmental and social risks and impacts of the project.</p>

Prepared by: ASPROFOS, 2021. Source: ERBD's Environmental and Social Policy 2019.



1A.3.3. European Union Legislation

The Environmental Impact Assessment (EIA) was introduced for the first time in Europe in 1985 by EIA Directive (85/337/EEC) and represents a key instrument for European Union environmental policy.

The EIA involves a wide range of public and private projects presented in Annexes I and II of the EIA Directive. Whilst Annex I contains a list of projects for which the EIA is mandatory, Annex II defines those categories of projects whose ESIA is optional and at the discretion of the community member states.

The EIA Directive of 1985 has been amended three times:

- Directive 97/11/EC brought the EIA Directive in line with the UN ECE Espoo Convention on EIAs in a Transboundary Context. The 1997 Directive widened the scope of the EIA Directive by increasing the types of projects covered and the number of projects requiring mandatory environmental impact assessment (Annex I). It also provided for new screening arrangements, including new screening criteria (included in Annex III) for Annex II projects, and established minimum information requirements; and

	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment		DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A
			REV. : 00 PAGE : 31 OF 33



- Directive 2003/35/EC sought to align EIA Directive provisions with the Aarhus Convention on public participation in decision-making and access to justice in environmental matters; and
- Directive 2009/31/EC amended Annexes I and II of the EIA Directive, adding projects related to the transport, capture and storage of carbon dioxide (CO₂).

The initial Directive of 1985 and its three amendments have now been codified by Directive 2011/92/EU of 13 December 2011. Directive 2011/92/EU was amended in 2014 by DIRECTIVE 2014/52/EU (for detailed information please refer to Review of the EIA Directive⁴).

The amended EIA Directive (**2014/52/EU**) entered into force on 15 May 2014 to simplify the rules for assessing the potential effects of projects on the environment. It is in line with the drive for smarter regulation, so it reduces the administrative burden. It also improves the level of environmental protection, with a view to making business decisions on public and private investments more sound, more predictable and sustainable in the longer term. The main amendments are as follows:

- Member states now have a mandate to simplify their different environmental assessment procedures;
- Timeframes are introduced for the different stages of environmental assessments: screening decisions should be taken within 90 days (although extensions are possible) and public consultations should last at least 30 days. Member states also need to ensure that final decisions are taken within a "reasonable period of time";
- The screening procedure, determining whether an EIA is required, is simplified. Decisions must be duly motivated in the light of the updated screening criteria;
- EIA reports are to be made more understandable for the public, especially in regard to assessments of the current state of the environment and alternatives to the proposal in question;
- The quality and the content of the reports will be improved. Competent authorities will also need to prove their objectivity to avoid conflicts of interest;
- The grounds for development consent decisions must be clear and more transparent for the public. Member states may also set timeframes for the validity of any reasoned conclusions or opinions issued as part of the EIA procedure; and
- If projects do entail significant adverse effects on the environment, developers will be obliged to do what is necessary to avoid, prevent or reduce such effects. These projects will need to be monitored using procedures determined by the member states. Existing monitoring arrangements may be used to avoid duplication of monitoring and unnecessary costs.

⁴ <https://ec.europa.eu/environment/eia/review.htm>

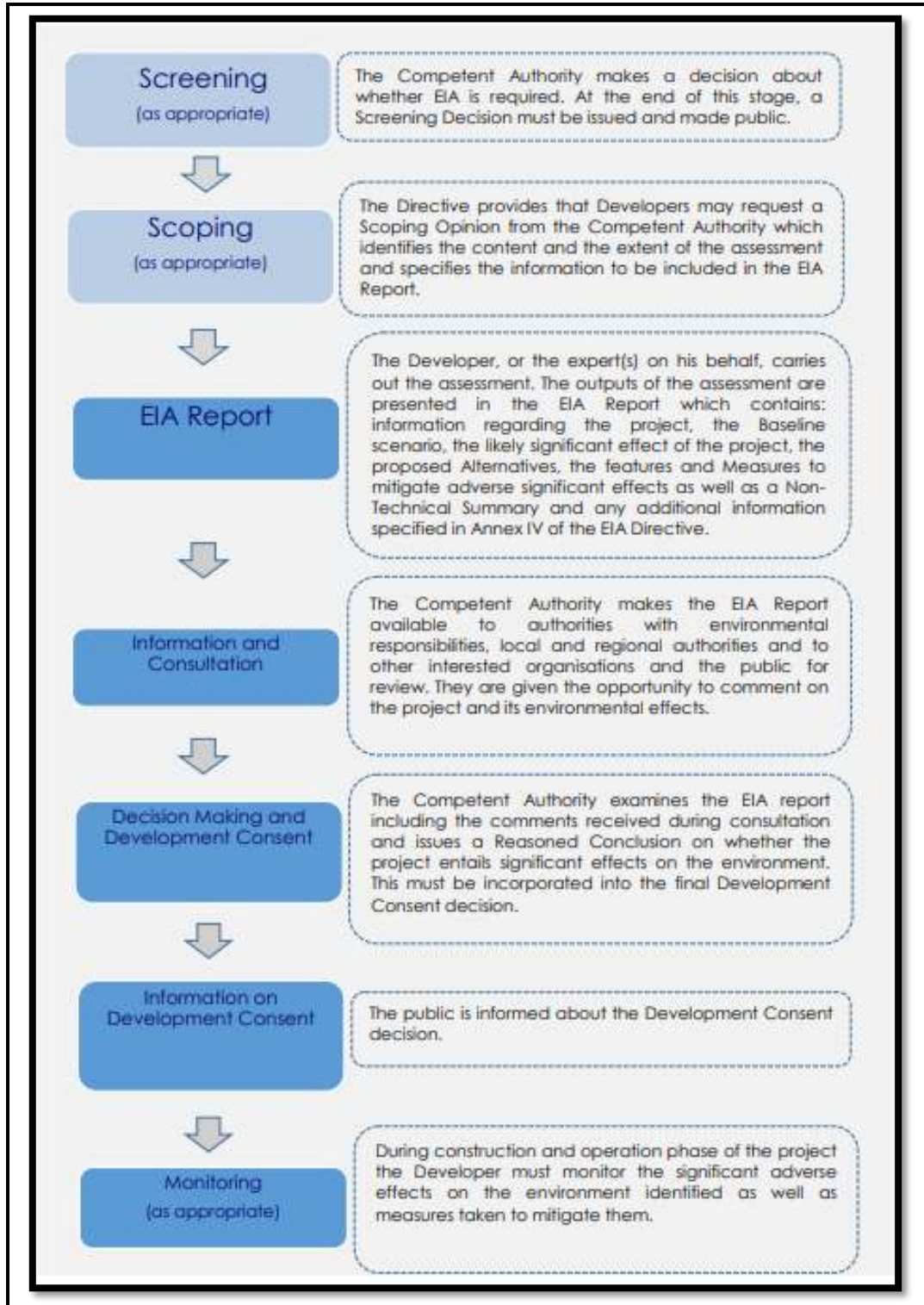
	EASTMED PIPELINE PROJECT		
	EastMed Greek Section – Environmental and Social Impact Assessment	DOCNo: PERM-GREE-ESIA- A01_0002_0_Annex1A	
		REV. :	00
	PAGE :	32 OF 33	

The EIA Directive has been incorporated into national legislation with the JMD 5688/12-3-2018 (HGG 988/B/21-3-2018) and JMD 1915/24-01-2018 (HGG 304/B/2-2-2018) (amending L. 4014/2011), L. 4519/2018 (HGG 25/A/20-2-2018) (regarding the Protected Areas' Management Bodies).

The EastMed Pipeline Project falls under Annex I, clause 16 (pipelines for the transport of gas, oil or chemicals with a diameter of more than 800 mm and a length of more than 40 km) of the EIA Directive and is therefore required to submit a Mandatory EIA. Therefore, also under EU legislation, the Project must be evaluated by an EIA study prior to authorisation.

Although specific procedures may vary significantly among different member states, the principal phases of the EIA Process are common to the European Community.

Figure A-2 presents a flow chart of the EIA process phases, based on the EIA Directive.



Reference: EIA guidance – EIA report. Retrieved from ec.europa.eu

Figure A-2 EIA process flow, based on EIA Directive.