

**EaPGREEN**  
Partnership for Environment and Growth



## **FINAL ROUND-TABLE MEETING ON THE DEVELOPMENT OF A NEW LAW ON EIA AND SEA IN GEORGIA**

**23 – 24 September, 2015**

**Venue: Conference Hall at the Ministry of Environment and  
Natural Resources Protection of Georgia**

**Address: 6 Gulua Street, 0114 Tbilisi, Georgia**



Prepared by Ms. Irma Melikishvili,  
the EaP GREEN national team leader on the EIA/SEA Component

### **Meeting report**

September, 2015

The EaP GREEN programme is funded by the European Union and other donors, and is jointly implemented by the four partner organisations: OECD, UNEP, UNECE and UNIDO.

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## 1. Background information

Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) effectively promote sustainable development by mainstreaming environment into national and local plans, programmes and projects for economic development. EIA and SEA are well-established, practical and efficient planning and environmental governance tools/systems set out in the UNECE Convention on Environmental Impact Assessment in a Transboundary Context (the Espoo Convention) and its Protocol on SEA.

Georgia is not yet a Party to the Espoo Convention and the Protocol on SEA. It started to recognise EIA and SEA as a tools for sustainable development in the region, but both instruments are still rarely applied in the country. This is due to a number of challenges and reasons, including insufficient legislative and institutional framework for SEA, as well as low level of awareness of SEA and its benefits among public authorities responsible for preparation of plans and programmes, and lack of understanding of the roles and responsibilities of various authorities in the SEA process.

In responses to these challenges the Ministry of Environment Protection of Georgia in cooperation with the UNECE Secretariat is undertaking a number of steps to develop a national system to apply EIA and SEA procedures according to the provisions of the Convention and the Protocol, including:

- Improving its legislative and institutional framework to fully comply with the Convention and the Protocol;
- Defining roles and responsibilities of various authorities in the EIA and SEA processes;
- Building national and local capacities, developing practical experience and national guidelines in application of the EIA and SEA procedures in line with the both treaties and relevant EU legislation;
- Raising awareness and common understanding of the EIA and SEA benefits at national and local levels and in different sectors, including the benefits of public participation and the consultation of relevant authorities.

These activities have been implemented since 2013 in the framework of the EU funded programme 'Greening Economies in the Eastern Neighbourhood' (EaP GREEN). The EaP GREEN aims to help the Government of Georgia to establish an integrated policy framework for the transition to a green economy through: reforming policy instruments, adopting new analytical tools, improving access to finance, supporting capacity development, and rolling out pilot projects in the public and private sectors. The activities in Georgia are implemented in the several stages.

At the first stage of the EaP GREEN carried out from September 2013 to August 2014, the UNECE launched the legal support, including reviews of legislative and institutional frameworks for the application of EIA and SEA procedures in Georgia. The results of the reviews were discussed with the national stakeholders during the national roundtable meetings. The second phase extended from August 2014 to September 2015 and focused on drafting a new legal framework on EIA and SEA – i.e. Environmental Assessment Code. Experts from the Ministry of Environment of Georgia worked closely with the UNECE international consultants on the new legislation. To this end, EaP GREEN supported

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organisation of several internal drafting group meetings, consultations with national authorities and the public.

This report presents the proceedings and the conclusions of the final round-table discussion on the outcomes of the drafting process of a new 'Environmental Assessment Code'. The round-table meeting took place in Tbilisi, on 23-24 September. It was organized by the Ministry of Environmental and Natural Resources Protection of Georgia and UNECE with support of the Legal Entity of Public Law Environmental Information and Education Center.

Thirty-five participants attended the meeting including representatives of the Ministry of Environment and Natural Resources Protection, the Ministry of Economy and Sustainable Development, the Ministry of Infrastructure and Regional Development, the Ministry of Agriculture, the Ministry of Energy, the Ministry of Health and Social Affairs, the representative of the EU delegation to Georgia, national and international experts. The members of the Law drafting group from the Ministry of Environment and Natural Resources Protection of Georgia and two UNECE consultants supported the meeting.

## **2. Purpose and objectives of the meeting**

The purpose of the final round-table meeting were:

- to present and discuss the draft 'Environmental Assessment Code' (the Code), and
- to obtain the feedback from the participants on its relevance to the Georgian economic system
- to discuss compliance of the Draft Code with the provisions of the Espoo Convention and its Protocol on SEA and the EU Directives.

The participants were invited to take part in the discussions about the provisions of the draft Code and prepare suggestions and recommendation for its further improvement.



### **3. Minutes of the meeting**

The meeting was opened by Ms. Maia Bitadze, the Deputy Minister of the Environment and Natural Resources Protection of Georgia, who emphasized the importance of the new draft Code and thanked the UNECE and the EU Commission for the technical and financial support in support of drafting a new law on EIA and SEA.

The opening session was followed by the presentation of the international expert - Mr. Jerzy Jenroska, who discussed the compliance of a new draft law with the EU directives, the Espoo Convention and its Protocol on SEA and other international treaties.

Ms. Irma Melikishvili, the EaP GREEN EIA/SEA Team Leader in Georgia presented the EaP GREEN programme, including past, current and future activities in Georgia as well as the results achieved until May 2015.



Significant part of the workshop was devoted to the presentations on the parts of the draft Code presented by the national expert – Mr. Ucha Dzimistratishvili. He provided the review of the Code article by article. Participants had the possibility to ask questions and express their opinions or comment on particular paragraphs of the draft Code. They also expressed their concerns on particular issues regarding a new draft law, including the timeframe for the EIA and SEA procedures, timeframes and proposed means for public participation, list of activities covered by the Code

#### **4. Further steps**

The recommendations obtained during the meeting will be taken into account in the next version of the draft Code that will be presented to the national stakeholders at the public hearing meeting scheduled to take place in Tbilisi on 12 October, 2015. Ms. Maia Bitadze indicated that the Ministry plans to submit the draft law to the parliament of Georgia for adoption at the spring session in 2016.



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## **Annex 1: Agenda**

### **GREENING ECONOMIES IN THE EASTERN NEIGHBOURHOOD (EAP GREEN PROGRAMME)**

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#### **AGENDA**

Georgia has been developing a draft Environmental Assessment Code to introduce the EIA and SEA procedures following the international standards since August 2014 in order to fulfill the obligations of the Association Agreement between the EU and Georgia signed on 27<sup>th</sup> of June 2014. According to the Association Agreement Georgia took the commitment to approximate its national legislation related to Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) to the EU Directives, the UNECE Convention on the Environmental Impact Assessment in a Transboundary Context (the Espoo Convention) and its Protocol on SEA.

The aim of the round table meeting is to review the draft Environmental Assessment Code and prepare relevant recommendations for further improvement of the draft.

The meeting will gather representatives from the sectoral ministries and authorities, in particular those responsible for economics, industry, energy, transport, agriculture, tourism, mining, forestry, and health, as well as the representatives and specialists from civil society organizations, donor agencies/international financial institutions, and environmental authorities as well as national and international experts who have been involved in the preparation of a new law.

The meeting is organized by the Ministry of Environment and Natural Resources Protection of Georgia with support of the Secretariat to the UNECE Secretariat to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on SEA in the framework of the EU funded programme 'Greening Economies in Eastern Partnership' (EaP GREEN).



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### Day 1. September 23

13:00 – 14:00	<b>Welcome Lunch and Registration of Participants</b>
14:00 – 14:15	<b>Opening of the Meeting and Welcome Speech</b>  <i>Mr. Gigla Agulashvili, Minister of Environment and Natural Resources Protection of Georgia</i> <i>Ms. Maia Bitadze, Deputy Minister, Ministry of Environment and Natural Resources Protection of Georgia</i>
14:15 – 15:15	<b>Compliance of a new law on EIA and SEA -“Environmental Assessment Code” with the provisions of the Espoo Convention, its Protocol on SEA and the requirements and of relevant EU Directives</b>  <i>Presentation by Dr. Jerzy Jendroska, International Consultant to UNECE followed by Questions/Answers session</i>
15:15 – 15:45	<b>Introduction of the EaP Green Programme activities in Georgia: results achieved and future plans</b>  <i>Presentation by Ms. Irma Melikishvili, National Consultant to UNECE, followed by Questions/Answers session</i>
15:45 – 16:15	<i>Coffee Break</i>
16:15 – 16:40	<b>Review of Environmental Assessment Code – Part I: General Provisions</b>  <i>Presentation by Mr. Ucha Dzimistarishvili, National Consultant to UNECE, followed by Questions/Answers session</i>
16:40 – 17:30	<b>Review of Environmental Assessment Code – Part II: Procedure of issuance of Environmental Impact Permit</b>  <i>Presentation by Mr. Ucha Dzimistarishvili, National Consultant to UNECE, followed by Questions/Answers session</i>
17:45 – 18:00	<b>Final Remark and closure of the meeting</b>

### Day 2. September 24

9:30 – 10:00	<b>Registration of Participants</b>
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10:00 – 10:20	<b>Summary of Day 1: Participants’ feedback and expectations for Day 2</b>  <i>Facilitated discussion by Ms. Irma Melikishvili, National Consultant to UNECE</i>
10:20 – 11:10	<b>Review of Environmental Assessment Code – Part III: Strategic Environmental Assessment</b>  <i>Presentation by Mr. UchaDzimistarishvili, National Consultant to UNECE, followed by Questions/Answers session</i>
11:10 – 11:30	<i>Coffee Break</i>
11:30–12:00	<b>Review of Environmental Assessment Code – Part IV: Public Participation in Decision Making</b>  <i>Presentation by Mr. UchaDzimistarishvili, National Consultant to UNECE, followed by Questions/Answers session</i>
12:00 – 13:00	<b>Review of Environmental Assessment Code – Part V: Transboundary Procedure</b>  <i>Presentation by Mr. UchaDzimistarishvili, National Consultant to UNECE, followed by Questions/Answers session</i>
13:00 – 14:00	<b>Lunch</b>
14:00 – 14:25	<b>Review of Environmental Assessment Code – Part VI: Expert Commission</b>  <i>Presentation by Mr. UchaDzimistarishvili, National Consultant to UNECE, followed by Questions/Answers session</i>
14:25 – 14:35	<b>Review of Environmental Assessment Code – Part VII and Part VIII: Transitional and Final Provisions</b>  <i>Presentation by Mr. UchaDzimistarishvili, National Consultant to UNECE, followed by Questions/Answers session</i>
15:45 – 16:00	<b>List of bylaws/secondary legislation to be developed</b>  <i>Presentation by Mr. UchaDzimistarishvili, National Consultant to UNECE</i>
16:00 – 16:30	<i>Coffee Break</i>

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16:30 –17:15	<p><b>Discussion:</b></p> <ul style="list-style-type: none"> <li>• Future steps toward the adoption and the implementation of the law - public consultations, submission of the law to the Parliament</li> <li>• Planned institutional and administrative reforms for the implementation of the law including Strategic Environmental Assessment procedure</li> </ul> <p><i>Discussion facilitated by Ms. Tamar Sharashidze, Head of Environmental Impact Permits Department, Ministry of Environment and Natural Resources Protection of Georgia</i></p>
17:15 –17:45	<b>Final remarks and questions</b>
17:45 – 18:00	<b>Closure of the meeting</b>



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This project is  
funded by the EU



## Annex 2: List of Participants

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