

# Public Participation in Decision-making

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27th meeting of the WGP to the Aarhus Convention

26-28 June 2023, Geneva



## Main national legislation

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- **Constitution** of Georgia /1995/
- Law of Georgia on **Environmental Protection** /1996/
- General **Administrative Code** of Georgia /1999/
- **Environmental Assessment Code** of Georgia /2017/
- Rule of **Public Hearing** /2018/
- Number of related laws, regulations, ministerial orders, *etc.*

## PPDM - main responsible institutions

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Ministry of Environmental Protection and Agriculture of Georgia - **MEPA**

**Planning authority** - an administrative or other competent body, responsible for preparation of strategic document

*Environmental Assessment Department* of MEPA – organizing, conducting public hearings

## PPDM – government responsibilities

## To ensure:

- Timely, efficient, adequate **access to information** on the planned activity
  - ✓ Information on public hearing is placed on MEPA's website, widely circulated newspaper, *if any*, website and/or information desk of municipality, places established for information dissemination (*bus stops, schools, pre-school institutions, trade centres, post offices and any other places of public gathering*), at the territory nearest to the planned activity
- Effective **public hearing** - *held at a public place nearest to the activity, MEPA & municipality represent, open - everyone can participate*
- Possibility to **submit comments** - *written & oral*
- **Consideration of comments** - *all Q/A are provided in the official documents*
- Informing the public about **decision**
- **Basis** / reasons of decisions

Public has a right to **appeal** decision made by an administrative body



# PPDM procedure

- **Screening** - to determine the need to perform EIA / SEA
- **Scoping** - to determine the list of information to be obtained & studied for EIA / SEA, and the means to include this information in the EIA / SEA reports
- **EIA** - to identify potential impacts on the environment of planned activity (*motor road, railways, HPPs, mining, etc.*)

## ***Annex I*** – activates are subject to EIA

***Annex II*** – activities are subject to Screening to determine need for EIA

- **SEA** - to study & forecast possible impact on the environment & human health with the implementation of the strategic document (MEPA & MOH)

*Agriculture / Forestry / Fishery / Energy / Industry / Transport / Waste / Tourism / Water / E-communications / Planning & Spatial planning*

	Screening	Scoping	EIA / SEA reports
<b>Publish information</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Access to documents</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Public comments</b>	<b>7 days</b>	<b>15 days</b>	<b>40 days</b>
<b>Public hearing</b>	N/A	<b>X – EIA</b> N/A - SEA	<b>X</b>
<b>Publish EIA decision / SEA recommendation</b>	<b>5 days</b>	<b>5 days</b>	<b>5 days</b>



## Example – environmental decision on HPP /27.06.2022/

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### Public participation at administrative proceeding stage of HPP construction & exploitation *in 2 municipalities*

**Information** on public hearing was disseminated/placed according to the legislation separately in 2 municipalities

*additionally*

was placed on the Environmental Information & Education Centre's /EIEC/ website and disseminated within over 6000 e-mail subscribers

**Public hearings** (4) were conducted in:

- Administrative bodies of 2 municipalities
- 2 villages of each municipality

MEPA, municipalities, developer and consulting companies, NGO, media, business sector, local population and interested public - **167 participants** in total

## Result - great majority of participants supported the project

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### *Reasons*

- Adequate **consideration** of environmental, social & economic factors in project
- Qualified **experts**
- Procedures in full **compliance with national legislation**

*additional important aspects for the public & locals to support the project:*

- Company's active work at the **early stage** to receive & **consider all opinions** properly
- Timely provision of comprehensive **information**
- **Consideration** of relevant suggestions - changes (*technical*) made in the project on the basis of comments
- Company's initiative to establish environmental and social **advisory council**, including the local population
- Implementation of related **social projects**
- Receive qualified & adequate **feedback** from responsible bodies

# Main challenges & lessons learned

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## General challenges

- Lack of **quality of EIA** documentation
- Lack of involvement / **role of municipalities & developers** in public participation, *also*
- Lack / weakness of **organizations** representing public interests in small settlements

## Lessons learned

- Communication with the public at the **earliest stage**
- Active **co-operation** with the public
- Provide adequate **feedback** to the public

*Need for advancing permanently public participation mechanism*



*In order to:*

- **Strengthen** public participation segment
- Develop more **effective & flexible mechanism** for public participation

**New Function** of the Environmental Information and Education Centre (**EIEC**) will be **PPDM** - *Since 1 July 2023*

**PPDM Service** is created, responsible on public participation

*to ensure:*

- Public participation procedure in decision-making provided by Environmental Assessment Code
- All public participation procedure under MEPA - *planned*
- More effective implementation of the Aarhus Convention principles (EIEC's main responsibility)

- **One particular unit** for public participation procedure
- All information in **one place**
- Specific environmental **web portal**, that will ensure more effective & higher standard of public participation - *ongoing*
- **Monitoring & evaluation** of public participation procedure
- Preparation of **recommendations**
- Support **meaningful public participation** - *EIEC works on environmental democracy & human rights, EE, ESD – different activities, trainings, awareness-raising campaigns, etc.*



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