



 **GEORGIA**

DEVELOPING STRATEGIC ENVIRONMENTAL ASSESSMENT AND ENVIRONMENTAL IMPACT ASSESSMENT SYSTEMS IN GEORGIA

SEA | EIA



IN GEORGIA

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WHAT IS SEA?

Strategic Environmental Assessment (SEA) is an efficient tool to integrate environmental and health considerations into plans, programmes as well as to policies and legislation alongside with the economic and social considerations. More specifically, SEA is an instrument to:

- Inform the decision-making through a robust assessment of the likely environmental and health consequences, and of their relationship with the objectives and development proposals of the plan/programme; identification of development alternatives; and outcomes of the consultations
- Enable consultations with governmental agencies as well as public in the preparation of plans, programmes and policies, including, if relevant, a transboundary aspect
- Ensure that the results of assessment and debate are taken into account during decision-making and implementation.

WHAT IS PROTOCOL ON THE SEA?

The UNECE Protocol on SEA to the Convention on Environmental Impact Assessment (EIA) in a Transboundary Context (Espoo Convention) provides requirements for a harmonized SEA procedure. This procedure comprises the determination of the scope of an environmental report and its preparation, the carrying out of public participation and consultations, and the taking into account of the environmental report and the results of the public participation and consultations in a plan or programme (Article. 2.6, Protocol on SEA).

BASIC FACTS

The Protocol on SEA:

- Was adopted in 2003 in Kiev
- Has been in force since 2010
- Is open to all member States of the United Nations
- Has 28 Parties (as of 30 March 2016)

SEA PROCEDURE SET BY THE UNECE
PROTOCOL ON SEA

01 Scoping



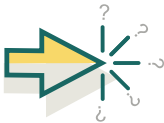
02 Environmental Report



03 Consultations



04 Decision-making



05 Monitoring

WHAT ARE THE
BENEFITS OF SEA?

When properly implemented, the SEA should:

- Provide for a higher level of environmental and health protection
- Help to prevent costly mistakes
- Increase the efficiency of decision-making and thus strengthen governance
- Facilitate the identification of new opportunities for development
- Increase capacity to adapt to climate change.

For more information about the Protocol on SEA and the UNECE Secretariat please visit:

http://www.unece.org/env/eia/sea_protocol.html

<https://www.facebook.com/UNECEpage>

WHAT IS EIA AND THE ESPOO CONVENTION?

What is EIA?

Environmental Impact Assessment (EIA) is a systematic process to identify, predict and evaluate the environmental and health effects of proposed specific actions and projects such as establishing of a new transport corridor, laying pipelines, or building new power station.

EIA is “a national procedure for evaluating the likely impact of a proposed activity on the environment” (Article 1(vi), Espoo Convention).

What is the Espoo Convention?

The Espoo Convention is a Convention on Environmental Impact Assessment in a Transboundary Context (the Espoo Convention). It requires that EIA be carried out for certain types of activities planned usually by one Party, which are likely to have a significant environmental impact within an area under the jurisdiction of another Party. It specifies what has to be considered at an early stage of planning and it lays down the obligation of countries to notify and consult each other and the public. It requires that all comments received from the public and authorities, as well as the findings of the assessment, are taken into account when deciding on the planned activity.

BASIC FACTS

Espoo Conventon:

- Was adopted in 1991 in Espoo (Finland)
- Has been in force since 2010
- Has 45 Parties (as of 30 March 2016)

WHAT ARE THE BENEFITS OF EIA?

When efficiently carried out, EIA can result in several benefits:

- It may help the project proponent to identify project alternatives (alternative locations or technology, for example) and mitigation and compensatory measures that reduce the environmental and/or health impact of the project. Suggestions may come from the EIA experts, as well as from the public and other consultees.
- It provides opportunity for public involvement in the project design, promoting understanding between the community and developer. It may also support good governance in the longer term: for example, public hearings as part of an EIA process “provide important indirect benefits that can contribute to the capacity for democratic governance and an active civil society” (Almer, H.L., & T.M. Koontz, 2004)

For more information about the Espoo Convention and the UNECE Secretariat please visit:

<http://www.unece.org/env/eia/eia.html>

<https://www.facebook.com/UNECEpage>

Since 2013 the UNECE Secretariat with the funding from the EaP GREEN Programme has supported the Ministry of Environment and Natural Resources Protection of Georgia in developing its national environmental assessment system in line with the Espoo Convention, the Protocol on SEA and relevant EU Directives (Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment and Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment).

TECHNICAL ASSISTANCE TO DEVELOP NATIONAL EIA AND SEA LEGISLATIVE FRAMEWORK

- Reviewing legislative and institutional frameworks for the application of EIA and SEA procedures by the international consultants and the UNECE Secretariat (September 2013 – August 2014).

UNECE supports Georgia and other five countries of the EU's Eastern Neighbourhood* in developing and applying SEA/EIA systems (including legislation) in the framework of the EaP GREEN programme.

* EU's Eastern Neighborhood countries:

- Armenia
- Azerbaijan
- Belarus
- Georgia
- the Republic of Moldova
- Ukraine

SUPPORT TO ESTABLISHING SEA AND EIA SYSTEMS IN LINE WITH THE ESPOO CONVENTION AND THE PROTOCOL ON SEA IN GEORGIA

- Drafting an Environmental Assessment Code to introduce national EIA and SEA schemes (August 2013 – October 2015). This activity was based on the results of the reviews and involved extensive expert support, numerous meetings of the national working group on drafting the law, consultations with the national stakeholders and broad involvement of civil society. Currently, the draft Environmental Assessment Code is undergoing inter-governmental consultations before submission to the Parliament in autumn 2016
- Carrying out an awareness raising campaign to support adoption of the draft Code, including the high level round-table “Benefits of introducing modern environmental impact assessment and strategic environmental assessment systems in Georgia” (5 December 2015), as well as preparation of introductory video and brochure on SEA benefits
- Drafting recommendations for practical application of SEA procedure according to the Environmental Assessment Code (March – November 2016). The recommendations aim at clarifying the roles and

The legal drafting process included:

- 3 public hearings
- 1 high level meeting and discussion
- internal working group meetings
- 3 meetings with the Ministry of Labour Health and Social Affairs of Georgia (more is planned)
- 2 discussions with the Prime Minister during preparatory of the Economic Council
- submission of Environmental Assessment Code to the Government of Georgia (at least second submission is also planned)
- informal meetings with the international experts (6 informal consultations via skype)
- 3 formal meetings of working group and international experts
- informal meetings with all the Ministries of Georgia
- additional public hearing prior to submission to the Parliament of Georgia in autumn 2016

responsibilities of the main actors to be involved in SEA processes, namely, environmental and health authorities, planning agencies and institutions, the public, SEA practitioners, and decision-makers. After the Code enters into force, the SEA recommendations can be converted into the formal SEA Guidance document to substantiate provisions of the legislative framework for SEA.

- Support to the development of the guidelines for practical application of the EIA procedure under the Environmental Assessment Code (June – December 2016).

PILOT APPLICATION OF THE SEA PROCEDURE TO THE NATIONAL WASTE MANAGEMENT STRATEGY AND ACTION PLAN (July – December 2015)

Besides analysing likely affects related to the Strategy and Action Plan and suggesting its optimization from environment and health point of view, the SEA pilot tested the SEA procedure as stipulated by draft Environmental Assessment Code. The SEA pilot allowed to follow and document the SEA procedure, that encompassed all SEA stages (i.e. scoping, preparation of the environmental report, public consultations etc.). The public meeting on the scope of SEA was organized to present the preliminary findings of the SEA scoping stage and obtain feedback from the stakeholders, while the final public consultation meeting aimed at presenting and discussing main SEA findings and conclusions.

NATIONAL TRAINING PROGRAMME WITHIN THE PILOT PROJECT

The national SEA team supported by the UNECE international experts conducted regular coaching sessions throughout the SEA pilot project as well as two comprehensive training workshops on scoping and baseline analysis (August 2015) and impact assessment and mitigation measures (September 2015). At these events, the national SEA experts and the planners got familiar with the procedural aspects of SEA, the roles of various authorities and civil society in the SEA process, methods and tools applicable to the level of strategic planning, and approaches to preparation of SEA report.



REGIONAL EXPERIENCE EXCHANGE AND TRAINING EVENTS

- The study tour in the Czech Republic on the application of SEA at national level in the urban planning, waste management, and energy sectors took place on 1-5 December 2014. Five Georgian experts learned about the Czech SEA system and discussed challenges and success factors on introducing the national SEA system in Georgia.
- A regional conference on developing SEA legislative frameworks (November 2, 2015, Kakheti, Georgia). Five national experts exchanged experience in drafting SEA / EIA legislation and discussed barriers on adoption of the legislation with their colleagues from Armenia, Azerbaijan, Belarus, Kazakhstan, the Republic of Moldova, the Russian Federation, and Ukraine.
- Regional “Training of Trainers” workshop on the design and delivery of training events on SEA (November 3 – 6, 2015). Five national experts enhanced their knowledge on SEA and gained useful training experience. Now they are able to further support the development of the SEA system in Georgia and provide national and local level introductory trainings on SEA for various stakeholders.
- In 2017 Georgian experts are invited to take part in the EaP regional conference on the lessons learned from the practical application of SEA in EaP countries (spring 2017) and the follow-up training of trainers event (subject of availability of funds).



NATIONAL LEVEL TRAINING WORKSHOPS

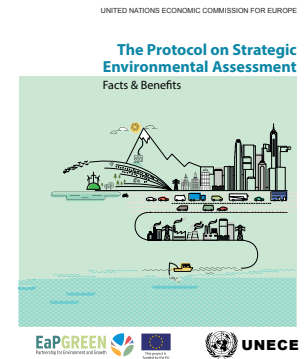
- A specific training programme on scoping in SEA and quality control of SEA documentation has been designed and is being delivered in 2016 (April and October 2016). The target audience for these training events are environmental and health authorities.
- The training workshop for sectoral authorities is scheduled to take place in October 2016. The event will introduce the SEA procedure using the recommendations for the implementation of the Environmental Assessment Code as a basis, as well as it will disseminate the lessons learned and experiences gained through the implementation of the SEA pilot project.



AWARENESS RAISING ACTIVITIES

Since the beginning of the EaP GREEN programme in Georgia, the information materials on SEA and EIA developments were regularly developed and disseminated in order to raise awareness of national stakeholders about SEA and EIA. In particular,

- Georgian version of the video to promote SEA was prepared and demonstrated during all relevant meetings and events in the country, as well as promoted through online media and national TV.
- Brochure dedicated to SEA benefits was published in Georgian language and disseminated among relevant stakeholders.
- All events, including workshops, training, high-level meetings were covered by national media.
- High-level officials of the Ministry of Environment and Natural Resources Protection of Georgia regularly participated in talk-shows, TV and radio programmes dedicated to SEA development and importance in Georgia.



EaP GREEN CONTRIBUTED TO PREPARATION OF THE MAIN ELEMENTS FOR THE WELL-FUNCTIONING ENVIRONMENTAL ASSESSMENT SYSTEM

EaP GREEN contributed to preparation of the main elements for the well-functioning environmental assessment system, including:

- A new draft Environmental Assessment Code that introduces EIA and SEA schemes in line with the requirements of relevant EU Directives, the Espoo Convention and its Protocol on SEA
- Legally defined public participation procedure relevant to the requirements of the Aarhus Convention
- Draft guidance/recommendations on practical application of SEA and EIA procedures as stipulated by a new draft Environmental Assessment Code
- Trained staff at the Ministry of Environment and Natural Resources Protection of Georgia capable of coordinating EIA and SEA procedures in accordance to a new draft Environmental Assessment Code
- Several trained national practitioners that are capable to assist the national planning authorities in carrying out SEA procedures
- Ground prepared for the ratification of the Espoo Convention and its Protocol on SEA by Georgia and for fulfilling several obligations under the EU – Georgia Association Agreement.

All EaP GREEN activities also contributed to 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.

The pilot project on SEA in Georgia helped to test and demonstrate challenges and opportunities of practical implementation of the draft Environmental Assessment Code. A group of experts have developed special recommendations to improve National Waste Management Strategy and Action Plan and make the proposed documents more balanced in terms of its environmental and health impacts. Most importantly, the SEA pilot project was useful to test the effectiveness of specific articles of Environmental Assessment Code on SEA and identify procedural shortcomings.

EaP GREEN facilitated legislative and institutional reforms of the environmental assessments systems

in Georgia. A significant progress was achieved as described above. However, this is only the first step in the right direction, further support is needed to sustain the initiated reforms and to prepare the country to the regular application of SEA and EIA procedures for development plans, programmes and projects.

After the SEA system is established in the country, all plans and programmes with likely significant effects on environment and/or health will become subject to SEA procedures. SEA is a powerful tool for fostering the country progress towards sustainability, and therefore its effective application will support countries in moving towards green economy and sustainable development.

National Focal Point of EaP GREEN in Georgia

Ms. Nino TKHILAVA, Head of Environmental Policy and International Relations Department, Ministry of Environment and Natural Resources Protection of Georgia

National Focal Point for Administrative Matters regarding the Espoo Convention and its Protocol on SEA

Ms. Tamar SHARASHIDZE, Head of Environmental Impact Permits Department, Ministry of Environment and Natural Resources Protection of Georgia

The UNECE Project implementation partner in Georgia - Georgia's Environmental Outlook (GEO)

For more information about the EaP GREEN please visit:
<http://www.green-economies-eap.org/countries/georgia/>

For more information on SEA/EIA component within the EaP GREEN please refer to:
http://www.unece.org/env/eia/about/eap_green.html

ABOUT THE EaP GREEN PROGRAMME

The overall aim of the EaP GREEN project is to support six countries of the European Union Eastern Partnership (EaP) – Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine – in decoupling economic growth from environmental degradation and resource depletion. More specifically, the EaP GREEN aims to:

- Mainstream sustainable consumption and production (SCP) into national development plans, legislation and regulatory frameworks with a view to providing a sound legal basis for future policy development in line with the regional and international agreements and processes and consistent with existing EU acquis in the relevant policy areas
- Promote the use of Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) as essential planning tools for environmentally sustainable economic development
- Achieve a shift to a green economy through the adoption of sustainable consumption and production practices in selected economic sectors (manufacturing, agriculture, food production and processing, construction)

The EaP GREEN is structured around three components:

- Governance and financing tools
- SEA and EIA: accompanying SCP policy implementation
- Demonstration projects

EaP GREEN supports the partner countries' commitment to move towards a green economy as stated in the Joint Declaration of the Warsaw Eastern Partnership Summit and in the Declaration of the Seventh "Environment for Europe" Ministerial Conference held in Astana (September 2011). Its objectives are consistent with the agreed vision in the outcome document of the Rio+20 Summit.

The UNECE assistance within EaP GREEN focuses on three main directions:

1. Revision of existing national regulatory and legislative frameworks, including legislative reviews of SEA and, as appropriate, of EIA, legal drafting for SEA legislation and subregional overview
2. Capacity-building on SEA/EIA procedures, including national and subnational level training on SEA; development of national guidance documents; coordination and experience-sharing events; piloting SEAs
3. Strengthening of administrative capacities through the above-mentioned legislative reviews, training workshops, pilot projects, and facilitation of a policy dialogue.

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2016

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
Project partner in Georgia: Georgia's Environmental Outlook