

Format for the Aarhus Convention implementation report in accordance with Decision IV/4 (ECE/MP.PP/2011/2/Add.1)

The following report is submitted on behalf of Georgia in accordance with decisions I/8,II/10 and IV/4.

Implementation report

Please provide the following details on the origin of this report

I. Process by which the report has been prepared

Provide brief information on the process by which this report has been prepared, including information on which types of public authorities were consulted or contributed to its preparation, how the public was consulted and how the outcome of the public consultation was taken into account and on the material, which was used as a basis for preparing the report.

Answer:

VI report was sent by the Ministry of Environmental Protection and Agriculture of Georgia (hereinafter MEPA) to the government and other relevant institutions for its further development (25/06/2024).¹

26/10/2020 - draft report (reporting period 01/01/2021–30/07/2024) was disseminated electronically for the public comments (deadline 22/01/2025) through EIEC² and was uploaded on EIEC and MEPA websites with indication of deadlines for public comments (22/01/2025) and public hearings (24/01/2025). Report (English/Georgian versions) was submitted to the Aarhus Convention Secretariat on 28/01/2025.

II. Particular circumstances relevant for understanding the report

Report any particular circumstances that are relevant for understanding the report, e.g. whether there is a federal and/or decentralized decision-making structure, whether the provisions of the Convention have a direct effect upon its entry into force, or whether financial constraints are a significant obstacle to implementation (optional).

Answer:

Convention applies directly and can be used in the process of activities of all three branches of power. International agreement not in conflict with the Constitution of Georgia, Constitutional law and Constitutional

¹ Administration of the Government of Georgia (GoG); Ministry of Education, Science and Youth; Ministry of Culture and Sport; Ministry of Economy and Sustainable Development; Ministry of Defense; Ministry of Justice; Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs; Ministry of Regional Development and Infrastructure; Ministry of Finance; Ministry of Internal Affairs; Office of the State Minister for Reconciliation and Civic Equality; Autonomous Republic of Abkhazia; Autonomous Republic of Adjara; Environment Protection and Natural Resources Committee, and Agrarian Issues Committee, Parliament of Georgia; Tbilisi City Hall; all municipality city halls; National Statistics Service; Common Courts of Georgia; Constitutional Court; Public Defender.

² Legal Entity of Public Law (LEPL) Environmental Information and Education Center of MEPA, established on the basis of the Aarhus Centre Georgia in 2013.

agreement has prevailing legal force over national normative acts.³

The Ombudsman of Georgia notes that despite high legal guarantees, in general, more efforts are needed for effective enforcement of regulations.

III. Legislative, regulatory and other measures implementing the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8

List legislative, regulatory and other measures that implement the general provisions in paragraphs 2, 3, 4, 7 and 8 of article 3.

Explain how these paragraphs have been implemented. In particular, describe:

- (a) With respect to **paragraph 2**, measures taken to ensure that officials and authorities assist and provide the required guidance;
- (b) With respect to **paragraph 3**, measures taken to promote education and environmental awareness;
- (c) With respect to **paragraph 4**, measures taken to ensure that there is appropriate recognition of and support to associations, organizations or groups promoting environmental protection;
- (d) With respect to **paragraph 7**, measures taken to promote the principles of the Convention internationally:
 - (i) Measures taken to coordinate within and between ministries to inform officials involved in other relevant international forums about article 3, paragraph 7, and the Almaty Guidelines, indicating whether the measures to coordinate are ongoing;
 - (ii) Measures taken to provide access to information at the national level regarding international forums, including the stages at which access to information was provided;
 - (iii) Measures taken to promote and enable public participation at the national level with respect to international forums (e.g. inviting NGO members to participate in the Party's delegations in international environmental negotiations or involving NGOs in forming the Party's official position for such negotiations) including the stages at which access to information was provided;
 - (iv) Measures taken to promote the principles of the Convention in the procedures of other international forums;
 - (v) Measures taken to promote the principles of the Convention in the work programs, projects, decisions and other substantive outputs of other international forums;
- (e) With respect to **paragraph 8**, measures taken to ensure that persons exercising their rights under the Convention are not penalized, persecuted or harassed.

Answer:

(a) Georgian legislation is in compliance with major part of the requirements of the Convention. Everyone has the right to live in safe, healthy environment, access to natural resources and public areas, timely receive information on the state of the environmental, care for the environmental protection, participate in environmental decision-making. Considering interests of present and future generations, environmental protection and rational use of natural resources is ensured by the legislation.⁴ Any person who believes that his or her above-

³ According to the Constitution of Georgia (Article 4); Law of Georgia on International Agreements (1997, Article 6); and Law of Georgia on Normative Acts (2009, Article 7).

⁴ Constitution of Georgia (Article 29).

mentioned rights have been violated has the right to appeal to a higher administrative body or court. Following should be emphasized: Constitutional Court of Georgia stated⁵ that the Constitution defines special case of the right to receive information from the state. The foresaid Constitutional warranty creates the state obligation to provide any interested person with available environmental information. Besides, unlike the constitutional right to determine information availability, Article 29 of the Constitution defines the state obligation to collect/analyze environmental information regularly to ensure its availability to the public as required. It's evident that such obligations are interconnected substantially, since failure to collect/process such information will make effective application of human rights impossible. As stated by the Court, the state shall collect information on environmental condition/factors affecting it. It's important to ensure information availability on the state policy/plans/programs/legislation, which affect or might affect the environmental condition.⁶

According to the Law of Georgia on Environmental Protection:⁷

- citizen has the right to live in a healthy environment, obtain complete/objective/timely information on the state of his/her working/living environment;⁸

- to inform the public, SOER⁹ is approved once in four years; its publication is obligatory to ensure its public accessibility;

- to ensure environmental protection and sustainable development, environmental protection planning system is developed, including, among others, 5-year plan¹⁰ and long-term strategic plan.¹¹ One of the main functions of MESD¹² is to: elaborate country's Green Growth Strategy, participate in the development of its supporting state programs, provide information on sustainable development and public awareness-raising. A study was conducted to prepare the Green Growth Strategy and initial results are presented.¹³ Public involvement in the process will be ensured by legislation.¹⁴

Pursuant to the Law of Georgia "On Radiation Protection, Nuclear Safety and Security"¹⁵:

- ANRS¹⁶ functions include: providing information to the population on radiation protection, nuclear safety and security issues and raising awareness of those population whose activities are related to ionizing radiation sources;¹⁷

- physical person has the right to receive complete, objective and timely information about the radiological situation in their working and living areas, including nuclear or radiological emergencies;¹⁸

⁵ Decision N3/1/752.2018.

⁶ Decision of the Constitutional Court of Georgia №2 / 1/524 of April 10, 2013 on the case - Citizen of Georgia G.G. against the Parliament of Georgia, II-17 and II-20.

⁷ Adopted in 1996.

⁸ Article 6.

⁹ National Report on the State of the Environment, approves the Minister of Environmental Protection and Agriculture of Georgia (Article 14).

¹⁰ National Environmental Action Plan (Article 10).

¹¹ Sustainable Development Strategy (Article 10).

¹² The Ministry of Economy and Sustainable Development of Georgia.

¹³ In cooperation with the World Bank, MESD initiated the process in 2022; the initial results of the relevant study were presented in 2024.

¹⁴ GoG Resolution No. 629 (2019) on Approval of the Rules for the Development, Monitoring and Evaluation of Policy Documents (Article 9).

¹⁵ Adopted in 2023.

¹⁶ LEPL Agency of Nuclear and Radiation Safety of MEPA.

¹⁷ Article 11.

¹⁸ Article 15.

- national nuclear or radiological emergency response plan should, among others, address public information and communication issues.¹⁹

According to the Law of Georgia on Radioactive Waste:²⁰

- radioactive waste management is conducted transparently, implying the obligation to provide public access to information about the place/management of radioactive waste;²¹

- Georgian citizens/non-citizens and citizens of foreign countries have the right to obtain unclassified information about radioactive waste management, participate in public hearings on the arrangement/closure of radioactive waste storage/burial.²²

Physical/legal persons have the right to obtain complete/reliable/timely information from the public entities regarding the ambient air quality, its management and short-term action plans.²³ Public access to ambient air quality information is additionally defined.²⁴

Tbilisi City Hall service center delivers written application to corresponding structural units of the City Hall and informs the applicant.²⁵

Public institution shall provide public information (including electronically requested) immediately or no later than 10 days.²⁶

(b) According to the legislation, Citizen has a right to receive environmental and ecological education, and raise environmental awareness.²⁷ Unified system of environmental education is set up for public awareness-raising and training of specialists, which includes a network of educational institutions, training system and professional development of personnel.²⁸

To facilitate the abovementioned, the following activities were implemented with EIEC initiative/involvement:

- introduction of the “Pre-school Environmental Education Program” throughout Georgia;²⁹ a chapter on “Climate Change” and an eco-package for practitioners was added to the programme in 2022. The updated program is being gradually implemented across the country;

- manual³⁰ was elaborated, covering eight subjects including theory/activities/complex tasks for formal/non-

¹⁹ Article 49.

²⁰ Adopted in 2015.

²¹ Article 3.

²² Article 12.

²³ The Law of Georgia N5948, 2020 on the Amendment to the Law of Georgia on the Ambient Air Protection. The amendment is in effect from 01/09/2022.

²⁴ By the Technical Regulation on the Approval of Ambient Air Quality Standards (GoG Decree N383, 2707/2018).

²⁵ The Rule of Citizens’ Reception in the Tbilisi City Hall (2014), Article 6.

²⁶ The General Administrative Code of Georgia (1999), Article 40.

²⁷ The Law of Georgia on Environmental Protection, Articles 6.

²⁸ The Law of Georgia on Environmental Protection, Articles 8.

²⁹ 1468 educators/methodologists from about 1,600 preschool institutions were retrained in 2021-2024 (a total of 3430 have been retrained since 2019).

³⁰ “Education of Environmental and Agrarian Issues for Elementary Grade Teachers” (2021).

formal education, etc. Proposed activities are integrated in various school subjects. Country-wide trainings are conducted for elementary grade teachers;³¹

- to support the deficit environmental and agricultural professions, the “Green and Agro Scholarship Program” was introduced, within the framework of which scholarships are provided annually for students of professional, bachelor's and master's programs;³²

- professional training/retraining programs “Forest Inventory and Taxation”³³ and “Environmental Manager”³⁴ have been implemented since 2023;

- the following youth programs in the environmental and agricultural fields are implemented for schoolchildren: Eco-leadership school, Agro-school, Forestry school, Green camp - Climate Ambassadors, Volunteer’s network, in which more than 200 students participate annually. More than 2000 students participate in lecture-seminars on various environmental and agricultural issues each year;³⁵

- in accordance with legislative changes, trainings were conducted on various topics³⁶ to strengthen the capacities of the employees of the Environmental Supervision Department;³⁷

- Trainings on environmental legislation and administrative liability were conducted for administrative judges.³⁸

The renewal of professional qualifications has started since 2023. The modules “Occupational Safety and Health Protection” and “Environmental Protection and Waste Management Rules” were developed and are integrated into various educational standards. The “Basic Principles of Green Construction and Environmental Protection” have been included in the educational standards/modules as a result of learning. The updated professional educational standard for forestry has been approved. The professional educational programs for “Forestry”³⁹ and “Occupational Safety and Environmental Technologies”⁴⁰ are being implemented.

In the developed vocational standards, environmental protection is one of the main obligations. Waste management in construction, agrarian field and its related standards and programs is one of the mandatory goals/learning outcomes. Implementation of professional training/retraining certificate programs on environmental protection issues within the framework of formal education continues. A project⁴¹ is underway, the main goal of

³¹ The trainings have been held since 2021. More than 6400 teachers from 1,470 schools have completed the training "Environmental and Agricultural Education at School".

³² The Green Scholarship in 2022-2023 was awarded to 64 students; the Agro Scholarship in 2023 was awarded to 32 students. The scholarship is set at 500 to 1500 GEL.

³³ 27 forest taxators are trained.

³⁴ 40 persons are trained.

³⁵ 22904 persons were trained in environmental and agricultural fields.

³⁶ electronic system and use of equipment for controlling vehicle emissions on roads; legislative changes; effective communication and conflict management; administrative offense proceedings; environmental liability system; determination of remediation measures for significant damage to the environment; assessment and preparation of a remediation action plan; new regulations for the protection of ambient air; waste management. 173 employees were trained.

³⁷ The State Sub-agency Department of MEPA.

³⁸ 53 judges were trained.

³⁹ The program is implemented by 6 vocational educational institutions/colleges and 2 higher educational institutions. In total, 16 vocational educational programs in "Forestry" are implemented, including 5 secondary vocational educational programs, which integrate the learning outcomes of the secondary level of general education.

⁴⁰ The program is implemented by 8 state and private institutions.

⁴¹ The grant project "Short-term Programs in Vocational Education in the Forest Value Chain" is implemented by the Ministry of Education, Science and Youth of Georgia in cooperation with MEPA.

which is to implement professional training-retraining programs in forestry at vocational educational institutions.⁴²

In higher education, sectoral characteristics (sectoral standards) of higher education in forestry and environmental management were developed; work is underway on the sectoral characteristics of higher education in environmental science. Higher educational institutions implement different academic programs.⁴³

Various institutions actively participated in the mutual learning exercise, which aimed to accelerate the green/digital transition of key European industrial ecosystems and focused on 4 areas⁴⁴ in the participating countries.⁴⁵

Trainings and public consultations were held⁴⁶ regarding the draft law on Chemical Substances and Mixtures, developed in accordance with European regulations.⁴⁷

Updated National Waste Management Strategy (2016-2030) approved by the GoG⁴⁸ includes awareness raising direction.

(c) Georgian citizens have the right to associate in public environmental organizations.⁴⁹ Environmental NGOs are legal persons and have the same rights as other non-entrepreneurial (non-commercial) legal persons. Terms of registration of such legal persons are defined.⁵⁰ LEPL National Agency of Public Registry, operating under the jurisdiction of the Ministry of Justice of Georgia, carries out NGO registration and determines the registration deadlines and fees.⁵¹ The fee for registering a non-entrepreneurial (non-commercial) legal entity within one working day is 200 GEL,⁵² and under the expedited procedure, on the same day of filing the application - 400 GEL. Registration of changes in the identification data of the subject of the registered right and the object is free of charge within one working day, and on the day of filing the application - 75 GEL. If it is necessary to prepare an extract from the public register in English language, 26 GEL is added to the fee.

There is no national legal norm prohibiting NGOs' inclusion in the environmental decision-making government bodies. NGOs have the right to participate with consulting status in committee hearings, meetings held by legislative/executive authorities. MEPA ensures NGOs' involvement in environmental activities.

(d) English/Georgian versions of the Almaty Guidelines were delivered to the government institutions and

⁴² Vocational training-retraining programs were introduced in formal education in 2019. Currently, 6 legal entities and 4 educational institutions are implementing the following: Timber production and fire prevention measures, Timber production and forest protection works, Utilization of the main timber and non-timber forest resources, Environmental management, Forest inventory and taxation, Forest restoration-planting, Timber production, Climate-smart planning of agricultural activities, Implementation of forestry works, Waste management.

⁴³ Environmental engineering - 5 bachelor's, 8 master's, 1 doctoral programs; Geography - 5 bachelor's, 4 master's, 2 doctoral programs; Ecology - 6 bachelor's, 4 master's, 2 doctoral programs; Forestry - 2 bachelor's, 1 master's, 1 doctoral program; Forestry Sciences - 1 master's program.

⁴⁴ Overview and trends of industrial decarbonisation, Design and funding schemes for research and innovation in low-carbon technologies, Best practices for involving key players in the process and Overview of country strategy documents. The reports are available at: <https://projects.research-and-innovation.ec.europa.eu/en/statistics/policy-support-facility/psf-challenge/mutual-learning-exercise-industrial-decarbonisation>

⁴⁵ Austria, Belgium, Finland, Latvia, Lithuania, Portugal, Slovakia, Spain, Sweden, Turkey.

⁴⁶ 7 trainings, 3 public consultations.

⁴⁷ Classification, Labelling and Packaging (CLP), Registration, Evaluation, Authorization and Restriction of Chemicals (REACH).

⁴⁸ GoG Resolution No. 414 of 09/08/2022.

⁴⁹ In accordance with the "Law of Georgia on Environmental Protection" (Article 6).

⁵⁰ By the Civil Code of Georgia (1997), Article 29.

⁵¹ By the GoG Decree N509, 29/12/2011.

⁵² As of 30/07/2024, 1 USD is equivalent to 2.71 GEL.

relevant organizations, uploaded on MEPA and EIEC websites. GoG always supports public participation in global/regional environmental processes, promotes NGO involvement in official government delegations.

MEPA has a practice of promoting the principles of the Convention in various international forums.

(e) Legislation⁵³ ensures the rights provided under the Convention. Each person can apply to the court for protection of his/her rights,⁵⁴ including rights granted by the Convention. For detailed information, see Chapters XXVIII and XXX below.

IV. Obstacles encountered in the implementation of article 3

Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 3 listed above.

Answer:

For the better implementation of the abovementioned, systemic approach is needed towards civil servants capacity building. Certain improvement is evident in this direction, although activities, mainly trainings, aren't comprehensive and the results aren't sustainable due to frequent structural reforms and replacement of personnel.

One of the impeding factors is relatively low level of public awareness and environmental education, as the Ombudsman of Georgia also points out. Scarce human/financial resources still remain as an obstacle to implement activities in this direction.

V. Further information on the practical application of the general provisions of article 3

Provide further information on the **practical application of the general provisions of article 3**.

Answer:

Strategic Communications Department of MEPA ensures transparency/accountability of MEPA's activities before the public, - raising public trust towards MEPA, and promotion of public interest towards environmental protection. Head of the abovementioned department is designated⁵⁵ as the responsible person for provision of public information.

For the public awareness-raising and environmental education, the LEPL Agency of Protected Areas and its subordinate territorial administrations organize conferences, seminars, trainings and meetings for target groups on various environmental issues. Eco-educational events⁵⁶ are organized annually, involving more than 2000 participants⁵⁷ and about 200 educational institutions.⁵⁸ The number of users of the agency's Facebook page is about 146000.

The real-time information on air quality is continuously accessible to the public through Ambient Air Quality

⁵³ The Constitution of Georgia, the Law of Georgia on Environmental Protection, and General Administrative Code of Georgia.

⁵⁴ According to the Constitution of Georgia (Article 31),

⁵⁵ According to the General Administrative Code of Georgia (GACG), Article 36.

⁵⁶ 1568 lectures-seminars, 75 weekly events, 7160 eco-tours were held, 56 eco-camps, 72 greening and 270 cleaning actions were organized, 646 information meetings with the local population and other interested parties, and 63 other types of eco-educational activities were also conducted.

⁵⁷ 215877 participants, including 178340 pupils, 5360 students, 19664 teachers/lecturers, 29780 local residents and 3572 other interested persons.

⁵⁸ 174 institutions, including 452 schools, 45 universities, and 14 kindergartens.

Portal.⁵⁹ The portal allows the public to view hourly data from automatic stations and single measurement results. The portal provides health recommendations, air pollution mitigation measures, and information on pollutants and their impacts.

A video was prepared on the topic of Tbilisi solid waste management and posted on the "Tbilservice Group" Facebook page in 2023.⁶⁰

In order to reduce the consumption of single-use plastic, a feasibility study on its alternatives was conducted, a relevant report and recommendations were prepared. Meetings were held with stakeholders and the public on this issue.⁶¹

In order to improve the plastic waste management system, actions were taken⁶² to strengthen the capacity of stakeholders and raise public awareness⁶³ about modern plastic waste management practices.

Activities conducted with organization/participation of EIEC:

- annual trainings, including sustainable development and other environmental issues, for MEPA personnel capacity building;⁶⁴

- 8 thematic training modules were developed⁶⁵ and trainings were conducted⁶⁶ for all target groups; these issues were integrated into the master's program,⁶⁷ course on climate change was updated and course on DRR was updated at the bachelor's level;⁶⁸ 10 informational videos, brochures and posters,⁶⁹ as well as guides⁷⁰ were developed. Informational meetings, webinars and trainings were held for target groups on the above topics.⁷¹ Also, informational meetings were held with farmers and private sector representatives on the functions and purpose of agro-meteorological stations;⁷²

⁵⁹ air.gov.ge

⁶⁰ Prepared with the involvement of RECC Caucasus, Tbilisi City Hall, and Tbilservice Group LLC.

⁶¹ The activities are being implemented within the framework of the UNDP-funded project "Transitioning from Single-Use Plastics to Environmentally and Financially Viable Alternatives in Georgia" (2023-2024); 2 meetings were held.

⁶² Activities were carried out within the framework of the UNDP-funded project "End Plastic Pollution in Georgia" (2023-2024), the local implementer is the Caucasus Environmental Non-Governmental Organizations Network (CENN).

⁶³ Awareness-raising trainings on waste management were conducted for selected target groups - schools and local small businesses, who developed action plans focused on reducing single-use plastics.

⁶⁴ 52 trainings, 1603 participants.

⁶⁵ The actions were implemented within the framework of the project "Climate Change Disaster Risk Reduction in Georgia" (2018-2025), funded by the Green Climate Fund (GCF).

⁶⁶ Basic course on climate change disaster risk management and reduction; Importance and use of hydrometeorological and geological hazard and risk maps; Development and implementation of a climate change DRR and emergency management plan; Community-based disaster risk management and emergency management plans; Rules of conduct for persons with disabilities in climate change disaster risk reduction and emergency situations; Simulation training on rules of conduct during disasters using rescue equipment; Coverage of climate change disaster issues; Deficit environmental professions.

⁶⁷ In Georgian Institute of Public Affairs (GIPA).

⁶⁸ In Telavi State University.

⁶⁹ For youth, eco-clubs, universities and preschools.

⁷⁰ For school directors, local governments, universities and media.

⁷¹ Representatives of local governments and communities, MEPA (rangers, foresters, environmental supervision inspectors), the media, the private sector, community, NGO and PWD organizations, preschool institutions, schools, universities, colleges and research foundations, and youth. A total of 397 meetings were held.

⁷² Within the framework of the GCF project component "Expanding the Early Warning System for Multidimensional Hazards and Utilization of Climate-related Information in Georgia", the Rural Development Agency (RDA) held meetings with more than 300 farmers of 2 regions and representatives of the private sector.

- Awareness-raising activities are being carried out⁷³ on the forest sector and energy-efficient stoves/alternative fuels with the local population, self-government, schoolchildren and teachers of targeted municipalities;⁷⁴

- A green economy e-course⁷⁵ was developed, which aims to promote environmental democracy, accountability and civil society engagement in environmental and climate change decision-making processes. Also, to share best practices in environmental democracy at the international and local levels. Consultative, working and informational meetings were held with representatives of the media, private and public sectors;⁷⁶

- environmental informational/working meetings, public discussions with representatives of various sectors;⁷⁷

- public consultations and discussions were held on updated environmental legislation and regulations;⁷⁸

- informational/educational campaigns were conducted to promote environmental and agricultural education, awareness-raising, and public involvement in environmental decision-making;⁷⁹

- international environmental days celebrated through various educational-informational activities;⁸⁰

- Green competitions were conducted for different target groups;⁸¹

- Studies were conducted on environmental topics at the national level;⁸²

- Educational and informational materials/videos were prepared.⁸³

(A total of 15814 people participated in information meetings, competitions, events, public consultations and discussions);

- An environmental information portal⁸⁴ has been developed and operated, ensuring effective public information and participation in the decision-making according to the national legislation.⁸⁵

Forest and Land Use Atlas of Georgia,⁸⁶ which allows the observation-analysis of forest-related data at national/regional levels is publicly accessible.

⁷³ The activities are being implemented within the framework of the awareness-raising component of the project “Support to the Implementation of Forest Sector Reform in Georgia - ECO.GEORGIA” (2021-2028). The project is being implemented with funding from the GCF, the governments of Germany and Switzerland, and with a contribution from GoG.

⁷⁴ In total, 51 meetings were conducted.

⁷⁵ The course is free and accessible to all, available on the website <https://www.unclearn.org/>. The course was developed within the framework of the “Support to Georgia in the Development of Sustainable Public Procurement and Complementary Instruments” project of the “EU4 Environment” Programme (2019-2023).

⁷⁶ In total, 11 meetings were conducted.

⁷⁷ In total, 13926 participants.

⁷⁸ 1888 persons participated.

⁷⁹ 15 campaigns conducted.

⁸⁰ 30 Environment Days are celebrated early.

⁸¹ In total, 20 competitions were announced.

⁸² Four studies were conducted on the following issues: environmental awareness and education level, awareness about the forestry sector at the national level, the needs of employees of MEPA and its agencies, and the assessment of the implementation of preschool environmental education.

⁸³ 55 videos and 15 informational materials were developed.

⁸⁴ ei.gov.ge. The portal was launched on 01/07/2023.

⁸⁵ Environmental Assessment Code and the Law of Georgia on Environmental Liability (2021).

⁸⁶ <https://portal.mepa.gov.ge>

Trainings were conducted for MEPA, related state agencies, business and NGO representatives on relevant environmental issues. MEPA employees conducted permanent consultations with representatives of state agencies and industrial sector about procedures envisaged by Environmental Assessment Code, air and water protection related documentation/reporting.

In order to inform the public on environmental issues, MEPA regularly places information on its official website (the structural divisions of MEPA have also thematic websites), disseminates information on its Facebook page, as well as through media and news agencies. MEPA also has official YouTube and Twitter channels. The number of visitors to the Ministry of Environmental Protection and Natural Resources' Facebook page is increasing every year and is 1.3 million for the reporting period.⁸⁷

24-hour “Hotline-153” operates through which notifications on environmental violations are received and rapid responses carried out, citizens also receive the necessary information and consultation.

MEPA⁸⁸ receives regular notifications and questions from citizens through phone calls, Facebook and e-mail, responds immediately, and arranges citizens' communication with competent officials.

Within the framework of construction projects implemented by the Roads Department of Georgia, a State Sub-agency operating under the jurisdiction of the Ministry of Regional Development and Infrastructure of Georgia, environmental protection trainings are conducted for contractors and supervisory organizations. Also, in order to raise environmental education and awareness meetings were held with schoolchildren and a competition was held to create eco-club and one-year school action plan⁸⁹ in a school in a mountainous region.

The Ministry of Economy and Sustainable Development of Georgia cooperates with authorized higher educational institutions and business associations in Georgia to promote sustainable development, green economy, and raise awareness in this direction; seminars, conferences, and meetings are held.

The Law of Georgia on Civil Security (2018) stipulates the establishment of Expert Advisory Council with representatives of the scientific-research sphere and/or sectoral experts at the Emergency Management Service, aiming at the development of unified policy and national system, assessing relevant risks and planning preventive measures in the field of civil security. Trainings on the requirements for the prevention of, response to and behavior in emergency situations, and fire safety rules are conducted in kindergartens and schools in order to increase emergency preparedness and develop practical skills. Activities also include providing theoretical material and methodological assistance to relevant target groups. In coordination with the Emergency Management Service, the subject “Civil Defense and Security” has been introduced as a mandatory discipline in certain classes of educational institutions.

The document on the National Goals of General Education was updated and approved,⁹⁰ which envisages upbringing of an ecologically aware and environmentally conscious citizen who can adequately respond to the needs caused by climate change and link action with rational goals of personal, national, regional and global development. Based on the national goals of general education, all regulatory documents are created that ensure achievement of the school goals. The above-mentioned is the basic document, based on which the national curriculum will be revised and guidelines and teacher training programs will be developed.

⁸⁷ It was 229778 for the previous reporting period.

⁸⁸ Strategic Communications Department of MEPA.

⁸⁹ Greening activities, clean-up campaigns in the school and surrounding areas, and organizing intellectual games on environmental topics were considered in the action plan.

⁹⁰ Approved by the Parliament of Georgia on 12/06/2024.

National curriculums for different grades and other teaching/supporting materials cover intensive learning on disaster risks, preventive measures, behavior rules, etc., at local/national/international levels, as well as environmental protection, sustainable development and security.⁹¹

Activities implemented by the LEP NCTPD:⁹²

2021:

Training module "Education for Sustainable Development - Implementing Sustainable Development Principles in Teaching";⁹³

2022 – teachers' trainings:

- Training module "Education for Sustainable Development - Implementing Sustainable Development Principles in Teaching for Teachers";⁹⁴

- Training module "Sustainable Development Goals and Environmental Responsibility";⁹⁵

- Training on "Education for Sustainable Development - Implementing Sustainable Development Principles in Teaching" within the framework of the "Teach for Georgia" program.⁹⁶

2023:

- Training "Sustainable Development Goals and Environmental Responsibility in My Classroom";⁹⁷

- An interdisciplinary project "My Climate-friendly School" was prepared.⁹⁸

Sustainable development and climate change materials are systematically prepared and published on the LEP NCTPD portal.⁹⁹ Within the framework of the eTwinning program, a training module "Climate Change in My Classroom"¹⁰⁰ was prepared and a conference and workshops¹⁰¹ for teachers were held.

Within the framework of non-formal education, the project "Nature Activist"¹⁰² was implemented to promote the introduction and development of extracurricular activities in vocational educational institutions; within the framework of the project "Arrangement of Recreational Space" various works were carried out¹⁰³ on the territory of the college.

Various environmental activities were carried out¹⁰⁴ within the framework of the nationwide student festival

⁹¹ Subjects: Me and Society, Citizenship, Our Georgia, teacher's manual - Teaching Natural Disaster Mitigation with Interactive Methods (translated into English), natural science standard direction - Earth and the Environment.

⁹² LEPL National Center for Teacher Professional Development, operating under the jurisdiction of the Ministry of Education, Science and Youth of Georgia.

⁹³ 547 teachers were retrained, including 307 head teachers, 167 lead teachers, and 73 mentor teachers.

⁹⁴ 2803 teachers were trained, including 2028 head, 740 lead, and 35 mentor teachers.

⁹⁵ 665 teachers were retrained, including 564 senior and 101 lead geography teachers.

⁹⁶ 152 consultant teachers were trained.

⁹⁷ 148 consultant-teachers were trained under the program "Teach for Georgia".

⁹⁸ The project was piloted in 20 schools.

⁹⁹ <https://educationhouse.ge>

¹⁰⁰ The training module was prepared in 2021, 323 teachers were trained.

¹⁰¹ The conference was held in 2022, the workshop was held for 50 teachers.

¹⁰² The project was funded by the Vocational Skills Agency (2022-2023), aiming to raise awareness of environmental issues through training and conducting master classes for rangers in one Protected Area.

¹⁰³ Students and other beneficiaries carried out landscaping work, recreational and resting areas were organized.

¹⁰⁴ 29 university students presented social volunteer projects/activities based on mentoring trainings, including events showcasing tourism potential and the environment; meetings were held with schoolchildren on environmental topics;

“Studfest 2024” organized by the LEPL Youth Agency.¹⁰⁵ In 2021-2022, the LEPL Youth Agency, with the support of the European Union, implemented the European School Summer Camp project,¹⁰⁶ the educational module of which on the European Union and its regulations covered environmental topics, including current resolutions and conventions. Young people from Georgia, the Eastern Partnership countries and the European Union prepared final materials, which noted the abundance of environmental projects.

Regarding the issue of retraining judges on environmental and convention-related issues, the High School of Justice is responsible for the professional training of judges, where, among other subjects, environmental law issues are covered. In particular, the training module "EU Directives, Wildlife Crime and Environmental Legislation in Georgia" developed within the framework of the High School of Justice of Georgia covers the issues provided by the Aarhus Convention. The trainings aim to improve the qualifications of judges and court officials on existing international environmental standards.

EPNRD, A/R¹⁰⁷ of Adjara conducted over 20 various environmental awareness-raising activities for various target groups.¹⁰⁸

At the initiative and organization of the Ministry of Finance and Economy of the A/R of Abkhazia, information and awareness-raising campaigns and events were held¹⁰⁹ on various environmental topics.

Tbilisi Municipality City Hall ensures immediate placement of environmental information on its website and dissemination through media/social networks.

VI. Website addresses relevant to the implementation of article 3

www.mepa.gov.ge; www.mes.gov.ge; www.economy.ge; www.parliament.ge; www.eiec.gov.ge; emoe.gov.ge; tbilisi.gov.ge; air.gov.ge; wms.mepa.gov.ge; atlas.mepa.gov.ge; http://adjara.gov.ge/branches/default.aspx?gid=1; http://ajaraforestry.ge/

VII. Legislative, regulatory and other measures implementing the provisions on access to environmental information in article 4

List legislative, regulatory and other measures that implement the provisions on access to environmental information in article 4.

environmental events and awareness-raising activities were carried on waste separation; as well as awareness-raising meetings with the local population on the maintenance of endemic plant species, the Black Sea ecosystem, and coastal cleaning, etc.

¹⁰⁵ The Agency is operating under the Jurisdiction of the Ministry of Education, Science and Youth of Georgia.

¹⁰⁶ 100 youth representatives participated in the Summer Camp annually.

¹⁰⁷ Environmental Protection and Natural Resources Division, Autonomous Republic (A/R) of Adjara.

¹⁰⁸ Lectures, seminars, cleaning and tree planting campaigns, field trips to protected areas, etc. were held for students of public schools and the Student-youth Center.

¹⁰⁹ Greening and cleaning campaigns, public lectures, informative eco-lessons, seminars on climate change, a student conference, etc.

Explain how each paragraph of article 4 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
 - (i) Any person may have access to information without having to state an interest;
 - (ii) Copies of the actual documentation containing or comprising the requested information are supplied;
 - (iii) The information is supplied in the form requested;
- (b) Measures taken to ensure that the time limits provided for in **paragraph 2** are respected;
- (c) With respect to **paragraphs 3 and 4**, measures taken to:
 - (i) Provide for exemptions from requests;
 - (ii) Ensure that the public interest test at the end of **paragraph 4** is applied;
- (d) With respect to **paragraph 5**, measures taken to ensure that a public authority that does not hold the environmental information requested takes the necessary action;
- (e) With respect to **paragraph 6**, measures taken to ensure that the requirement to separate out and make available information is implemented;
- (f) With respect to **paragraph 7**, measures taken to ensure that refusals meet the time limits and the other requirements with respect to refusals;
- (g) With respect to **paragraph 8**, measures taken to ensure that the requirements on charging are met.

Answer:

GACG¹¹⁰ covers the requirements of article 4 of the Convention. All information held by the public authorities, and copies of the documents, containing such information shall be made available to the public unless the information represents state/commercial secret or contains personal data. Every person has the right to request the information.¹¹¹ Environmental information, also data on the hazards, which can represent the risk to human life/health, belongs to the category of information, classification of which is inadmissible.¹¹²

(a) According to GACG:

- (i) a person isn't obligated to indicate in the application reason/purpose for the information request;
- (ii) any person has the right to get acquainted with the information in the original. If there is a risk to damage the original document, the public authority is obliged to ensure the applicant's opportunity of getting acquainted with the document under supervision or provide the person with a fully certified copy;
- (iii) any person has the right to choose the format, if the public authority holds this information in various formats.

Every public institution has designated a civil servant responsible for ensuring access to public information and proactively publishing information.

Each public institution has designated a civil servant responsible for ensuring access to public information and proactively publishing information.¹¹³

¹¹⁰ General Administrative Code of Georgia (1999).

¹¹¹ GACG, Article 37.

¹¹² GACG, Article 42; the Law of Georgia on the State Secret (2015), Article 7.

¹¹³ GACG, Article 36.

(b) Time-limits for provision of information is stricter¹¹⁴ than presented by the Convention: a public institution shall immediately provide public information, including requested in electronic format, or provide it no later than within 10 days, if provision of information requires the following:

- obtain/process information from structural subdivision of a public agency located in other settled area or from another public agency;
- obtain/process of substantial volume of unrelated each-other documents;
- consultations with structural subdivision of a public agency located in other settled area or another public agency.

A public agency is required to make the information available in the existing format. It's not an obligation to create any information in response to the public request.¹¹⁵

(c) (i) According to GACG,¹¹⁶ refusal of provision of information by the administrative body is individual legal-administrative act that shall contain written justification.¹¹⁷

(ii) According to the GACG, confidential information is an information, which is stored in a public institution, as well as information received, processed, created or sent by a public institution or employee in connection with official activities, which contains personal data,¹¹⁸ state¹¹⁹ or commercial secrets.¹²⁰ The GACG defines the concept of professional confidentiality.¹²¹

Identity of civil servants from other public agencies,¹²² participating in the process of preparation of decisions by a public official is protected from disclosure by executive privilege.¹²³

Unless otherwise prescribed by the applicable legislation, commercial information shall be kept classified for an unlimited term.¹²⁴ Commercial secret shall be declared open if the grounds for classifying such information can no longer be invoked. Decision on classification of public information and extension of the term of classification is provided in the public registry.

(d) In case the determination of the issue requested by the application falls within the jurisdiction of another administrative body, the public institution is obliged to determine within 5 days which public institution has the function of having the requested information and forward the application to this institution. If such an institution is

¹¹⁴ GACG, Article 40.

¹¹⁵ See Sections XI and XIII below.

¹¹⁶ Article 41.

¹¹⁷ Article 53.

¹¹⁸ The concept of personal data and the relations related to their protection/processing are regulated by the Law of Georgia on Personal Data Protection (2012), according to which personal data is any information related to an identified or identifiable physical person.

¹¹⁹ Information classified as a state secret is defined by the Law of Georgia on State Secrets. Documents containing information classified as a state secret are marked with a secret stamp – a requisite that confirms the level of confidentiality of the information containing a state secret.

¹²⁰ A commercial secret is information about a plan, formula, process, method of commercial value, or any other information used to manufacture, prepare, process, or provide a service, and/or which represents a novelty or significant result of technical creativity, as well as other information the disclosure of which may harm a person's competitiveness.

¹²¹ Professional confidentiality is information that constitutes another person's personal data or commercial secret and that has become known to the person in connection with the performance of professional duties. Professional confidentiality cannot be information that does not constitute another person's personal data or commercial secret.

¹²² Except for officials, occupying state-political positions.

¹²³ GACG, Article 29.

¹²⁴ GACG, Article 31.

not found, the application must be returned to the applicant with appropriate justification within 5 days of submitting the application.¹²⁵

(e) GACG defines the list of:

- classified information,¹²⁶ namely, information secured in the public institution, related to the public institution or received/processed/created/sent by the public servant, which includes personal data, state and/or commercial secret; and

- Information, which shall not be classified.

Everyone has the right to know the information on the environment, as well as data on the danger, threatening their lives or health.¹²⁷

Legislation¹²⁸ defines the list of information which shall not be considered and cannot be classified as a state secret, including information on:

- natural disasters, catastrophes and other specific events, that have occurred/may occur and harm population safety;

- state of the environment, population health conditions, its living standard (including healthcare, social security), socio-demographic indicators, education and culture.

Therefore, legislation excludes from the outset the possibility of granting a confidential category to the environmental information, but foresees the general rule for exemption of non-confidential information from confidential and its publicity in case of the document containing confidential information, comprises as well the information that shall not be classified. In such cases, information developer shall exempt the information and make it available to protect personal data, commercial and state secrets. Upon exemption of classified information, any removable part of confidential public information as well as any separable part of the report of closed session of collegial public institution shall be published.¹²⁹

Legislation¹³⁰ defines the rules for classification/declassification of the state secret information, decision-making procedures, rights of appeal of decisions and responsible persons.¹³¹

Pursuant to EAC,¹³² information reflected in the EIA¹³³ report is public. If EIA report contains confidential information and/or personal data, defined by the national legislation, developer of activity shall indicate in the application about the classification of such information. MEPA shall, in accordance with applicable legislation, ensure classification of such information.¹³⁴

(f) Georgia sets stricter requirements regarding refusal on provision of information than the Convention. Public agency is obligated to provide written explanation to the applicant within 3 days, indicating the institution, which was consulted when making decision on refusal. Right and rules of appeal of such decision shall be

¹²⁵ Article 80.

¹²⁶ Article 2.

¹²⁷ Article 42.

¹²⁸ The Law of Georgia on the State Secret, Article 7.

¹²⁹ GACG, Article 33.

¹³⁰ The Law of Georgia on the State Secret, Sections 3 and 4.

¹³¹ GoG Decree N507 of 24/09/2015 on “the Approval of Normative Acts related to the Enactment of Law of Georgia on the State Secret”, Annex N4: “the list of authorized persons who have the competence to grant a state secret to the specific information”.

¹³² Environmental Assessment Code.

¹³³ Environmental Impact Assessment.

¹³⁴ Article 10.

indicated.¹³⁵

(g) No fee shall be established or some impediment created for obtaining a document, a copy of other materials, making a copy, or sending by the post, unless payment of necessary amount of money. Legislation¹³⁶ defines amount and rule of payment for making copies of public information.

VIII. Obstacles encountered in the implementation of article 4

Answer:

In general, public information is issued within 10 working days, but there're some cases, when due to complexity or large volume of information indicated time isn't sufficient to gather/provide the requested information. In such cases, according to the established practice in MEPA, a part of the information that can be prepared within the specified period is sent to the applicant within 10 days, as well as a written notification about the time schedule or immediate provision of the remaining information. The Public Defender of Georgia considers significant accession to the 2019 Council of Europe Convention on Access to Official Documents.

IX. Further information on the practical application of the provisions of article 4

Provide further information on the practical application of the provisions on access to information in article 4, e.g. are there any statistics available on the number of requests made, the number of refusals and their reasons for such refusals?

Answer:

All public institutions are obligated¹³⁷ to submit early reports on provision of the public information to the President, the Prime Minister and the Parliament of Georgia.¹³⁸

Statistics on responses to the public, including environmental information requests from government agencies:¹³⁹

MEPA:¹⁴⁰

Out of 471 applications, 289 were satisfied, 9 - partially satisfied, 155 - forwarded to relevant state agencies within its competence, 17 - rejected, requested the applicant to clarify the information in 1 case.¹⁴¹

EIEC:

Out of 44 requests, 37 were satisfied, 2 - not satisfied, 5 - forwarded to the relevant state agencies within the scope of their competence.

In addition to the official request for the public information:

- interested persons can receive information on activities of NEA¹⁴² through social network;
- EIEC and NEA combine environmental documentation in one system – on the website, thus

¹³⁵ GACG, Article 41. This information is published in Legislative Herald of Georgia.

¹³⁶ The law of Georgia on Charges for Copying of Documents (2005).

¹³⁷ GACG, Article 49.

¹³⁸ The reports are submitted on each December 10 and published in Legislative Herald of Georgia.

¹³⁹ Central offices, their subordinated agencies, etc.

¹⁴⁰ Only statistics on requests for environmental information are presented.

¹⁴¹ Due to unclearness of the requested information, the applicant was asked to clarify the issue, but the applicant did not respond.

¹⁴² LEPL National Environmental Agency of MEPA.

facilitating provision of information in a timely manner;

- NFA¹⁴³ developed "Request Public Information" service.¹⁴⁴ As a result, interested persons can receive information/documents on the State Forest Fund without justifying their interest;

- Through the "Request Public Information" service on the website of the LEPL National Forestry Agency, any interested person, without having to justify their interest, can obtain information/documents regarding issues of the State Forest Fund;

- LEPL National Food Agency receives inquiries through its e-mail and official Facebook page and provides requested information/documents.

MRDI:¹⁴⁵

- Out of 277 applications, 237 were satisfied, 5 - forwarded to the authorized administrative body within the scope of competence, 24 - not satisfied,¹⁴⁶ 11 are ongoing;

- LEPL Georgian Municipal Development Fund: out of 185 applications, 177 were satisfied, 8 are ongoing;

- Roads Department of Georgia: ¹⁴⁷ all 50 public information requests have been satisfied.

Committee on Environmental Protection and Natural Resources of the Parliament of Georgia: 123 applications for public information were fully satisfied by the Committee or forwarded to agencies within its competence, about which information was provided to the applicants.

A/R of Adjara - Department of Environmental Protection and Natural Resources under the jurisdiction of the Ministry of Agriculture of the Adjara Autonomous Region: all 5 requests for public information were satisfied.

At the municipal level, there is no active request for environmental information from the public; statistics on request and provision are not produced generally.¹⁴⁸ However, there are cases of violation of deadlines for providing information and negative decisions on providing information, which have not been recorded.

X. Website addresses relevant to the implementation of article 4

Give relevant website addresses, if available:

www.mepa.gov.ge; www.eiec.gov.ge; ei.gov.ge; <https://mepa.gov.ge/Ge/EiaAndSeaAnnouncements>;
<https://mepa.gov.ge/Ge/PublicDiscussion>; <https://mepa.gov.ge/Ge/FinancialAndMaterialResources>;
www.mrdi.gov.ge

XI. Legislative, regulatory and other measures implementing the provisions on the collection and dissemination of environmental information in article 5

¹⁴³ LEPL National Forest Agency of MEPA.

¹⁴⁴ Service was developed in 2019.

¹⁴⁵ The Ministry of Regional Development and Infrastructure of Georgia.

¹⁴⁶ Applications did not fall within the competence of MRDI and/or did not comply with the concept of public information as defined by the GACG.

¹⁴⁷ State Sub-Agency Roads Department of Georgia under the Ministry of Regional Development and Infrastructure of Georgia.

¹⁴⁸ Out of 57 municipalities, no information requests were received in 23; statistical information was received from 5 municipalities.

List legislative, regulatory and other measures that implement the provisions on the collection and dissemination of environmental information in article 5.

Explain how each paragraph of article 5 has been implemented. Describe the transposition of the relevant definitions in article 2 and non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
 - (i) Public authorities possess and update environmental information;
 - (ii) There is an adequate flow of information to public authorities;
 - (iii) In emergencies, appropriate information is disseminated immediately and without delay;
- (b) With respect to **paragraph 2**, measures taken to ensure that the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible;
- (c) With respect to **paragraph 3**, measures taken to ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public through public telecommunications networks;
- (d) With respect to **paragraph 4**, measures taken to publish and disseminate national reports on the state of the environment;
- (e) Measures taken to disseminate the information referred to in **paragraph 5**;
- (f) With respect to **paragraph 6**, measures taken to encourage operators whose activities have a significant impact on the environment to inform the public regularly of the environmental impact of their activities and products;
- (g) Measures taken to publish and provide information as required in **paragraph 7**;
- (h) With respect to **paragraph 8**, measures taken to develop mechanisms with a view to ensuring that sufficient product information is made available to the public;
- (i) With respect to **paragraph 9**, measures taken to establish a nationwide system of pollution inventories or registers.

Answer:

(a) (i) According to the national legislation,¹⁴⁹ “Environmental observation (monitoring) system is the unity of analysis/forecasting of information obtained after the observation over the state of the environment”. MEPA is responsible for coordination over the environmental monitoring system, results of which are publicly accessible.¹⁵⁰ MEPA within its competence and in cooperation with relevant state agencies is managing/coordinating registration, reporting/assessment of qualitative and quantitative indicators of the state of the environment.¹⁵¹

(ii) Entities to which licenses/permits are issued in the field of the environmental protection, and use of natural resources,¹⁵² also environmental decisions and decisions on prolongation of existing activity¹⁵³ shall comply with provisions of issued permits/licenses/decisions. License holders for the use of natural resources

¹⁴⁹ Law of Georgia on Environmental Protection.

¹⁵⁰ Article 27.

¹⁵¹ Article 26.

¹⁵² In accordance with the Law of Georgia on Licenses and Permits (2005).

¹⁵³ In accordance with the Environmental Assessment Code.

submit annual reports on performed activities, from which public information is available for the public upon request. Control over adherence to terms of licenses for use of natural resources,¹⁵⁴ permits, environmental decisions and decisions on prolongation of existing activity¹⁵⁵ and over licensing of the use of minerals¹⁵⁶ is carried out. Mine Sector Strategy¹⁵⁷ implies update of information databases, intensified measures in direction of geological data processing in order to ensure full availability to all interested persons. LEPL Mineral Resources National Agency is currently visualizing geoinformation data using an interactive map, with the aim of later embedding it on its website. In order to ensure proactive access to information on mineral extraction, the register of mineral extraction licenses is published and constantly updated. Currently, the register of mineral extraction licenses is published on the agency's website¹⁵⁸ and is updated quarterly.

For entities subject to environmental decision,¹⁵⁹ NEA¹⁶⁰ approves regulations for respective permissible discharge and possible emission norms, which are publicly available. NEA approves technical regulations of water extraction for the entities, which aren't subject to environmental decision and extracting water from surface water bodies; and for entities, whose operations cause pollutant release into ambient air - approves technical report of stationary sources on ambient air pollution and release of harmful substances. Public information is available upon request.

Legislation¹⁶¹ defines regular public accessibility to the updated information about concentration of harmful substances in ambient air,¹⁶² update frequency per harmful substance and, since 2027, obliges relevant government bodies to ensure timely availability of air quality forecast for the following day.

(iii) Information about hazards affecting human life and health, natural disasters and other incidents, which have already occurred/may occur in the future and threaten civil safety shall not be considered as confidential.¹⁶³

Legislation¹⁶⁴ defines issues of informing the Georgian citizens and others, residing on the territory of Georgia about civil safety. Also, obligation of the Electronic Communication Company and the Georgian Public Broadcasting,¹⁶⁵ during an emergency situation, when there is/may be a threat to human life and/or health, to ensure, at the request of Emergency Service, notification and provision of other information to Georgian citizens and others, residing on the territory of Georgia;¹⁶⁶ information provision to the population about emergencies during war and peace times.¹⁶⁷

¹⁵⁴ Except licences for use minerals or fossil.

¹⁵⁵ By the Environmental Supervision Department of MEPA.

¹⁵⁶ Since 2018, control on this direction is carried out by LEPL National Agency of Mineral Resources of the Ministry of Economy and Sustainable Development.

¹⁵⁷ Adopted in 2019.

¹⁵⁸ <https://www.namr.gov.ge>

¹⁵⁹ Entities, discharging surface water into sewage and release harmful substances in the ambient air.

¹⁶⁰ Since May 2022.

¹⁶¹ Law of Georgia N5948 dated 22/05/2020 on the Amendments to the Law of Georgia on Ambient Air Protection.

¹⁶² Data on exceeding limits of the level of concentration, alarm and notification thresholds, and health effects.

¹⁶³ GACG, Article 42; Law of Georgia on the State Secret, Article 7.

¹⁶⁴ Laws of Georgia on Civil Safety (2018) and on Radiation Protection, Nuclear Safety and Security (2023); GoG Decrees on the Approval of National Civil Safety Plan (2015) and on Technical Regulation on the Readiness for Nuclear and Radiation Emergencies and Response Plan (2019).

¹⁶⁵ GBP – public TV channel.

¹⁶⁶ The Law of Georgia on Civil Safety, Article 12.

¹⁶⁷ National Civil Safety Plan.

According to the legislation,¹⁶⁸ the National Nuclear or Radiological Emergency Response Plan must define the categories of preparedness for a nuclear or radiological emergency, the authorities of all persons involved in preparedness and response, and the measures to be taken by them. Plan defines principles/stages/standards of communication with the population.¹⁶⁹ Continuous provision of information to the population as one of the goals of the response to nuclear/radiologic emergency.¹⁷⁰ The holder of a nuclear and radiation activity authorization is obliged to ensure radiation protection, nuclear safety and security, preparedness for and appropriate response to a nuclear or radiological emergency, and to ensure public awareness of the above-mentioned issues that do not constitute a state or commercial secret.¹⁷¹

During emergencies, the Nuclear or Radiological Emergency Response Management Center of the LEPL Nuclear and Radiation Safety Agency operates 24/7.

Legislation envisages criminal responsibility for hiding/distorting information about emergencies/incidents at nuclear/radiation facilities, which could cause death or other severe outcome, and circumstances endangering human lives or health.¹⁷²

Emergency Management Service¹⁷³ publishes on its official website weekly data on fire and rescue operations carried out across the country, as well as statistics on emergency situations by year. Interactive map is developed by this Agency, showing different data necessary for planning fire-rescue operations and natural hazards' layers.

Citizens are informed about emergencies through public and private broadcasting companies and by vehicles equipped with "loudspeakers".

Additionally, legislation defines the following principles:¹⁷⁴

- ensuring preventive measures to avoid threats to the public health; clear definition of competences of the respective state bodies and effective coordination between them in the planning/implementation process of public health related activities;¹⁷⁵

- information shall be submitted to the Public Health Service by: all persons residing on the territory of Georgia about emergencies caused by violations of sanitary norms in production/technological processes;¹⁷⁶ and immediately by institutions¹⁷⁷ on any circumstances that may pose risk to the health and safety of population.

UWSC¹⁷⁸ provides information to the consumers about circumstances in the production/technological process, which may affect human health/safety.

(b) Public institution shall: ensure proactive publication of public information (placement on electronic

¹⁶⁸ Law on Radiation Protection, Nuclear Safety and Security.

¹⁶⁹ Chapter VI.

¹⁷⁰ GoG Decree N640, 24/12/2019 on Technical Regulation on the Readiness for Nuclear and Radiation Emergencies and Response Plan (Chapter V).

¹⁷¹ Article 2. The edition shall enter into force on 01/01/2026.

¹⁷² Criminal Code of Georgia (1999), Articles 233 and 247.

¹⁷³ Under the Jurisdiction of the Ministry of Internal Affairs of Georgia.

¹⁷⁴ Law of Georgia on Public Health (2007).

¹⁷⁵ Article 4.

¹⁷⁶ Article 5.

¹⁷⁷ The Ministry of Defense, the Ministry of Internal Affairs, Penitentiary Service, and the State Security Service (Article 35).

¹⁷⁸ United Water Supply Company of Georgia under the Ministry of Regional Development and Infrastructure.

resources) in case such information is of public interest;¹⁷⁹ place the information into the public register;¹⁸⁰ designate person responsible for proactive dissemination of information.¹⁸¹ “Names and office addresses of public servants or officials holding positions or being in charge of classifying public information, or public relations and provision of information to citizens” is added to the list of data which shall not be classified.¹⁸²

(c) Information on ongoing/completed activities is regularly published on the websites of MEPA and its subordinated agencies. National Environmental Agency uploads monthly newsletter “Brief Overview of Environmental Pollution of Georgia” on its website;¹⁸³ EIEC website regularly publishes an annual newsletter “On the Consequences and Forecast of Natural Geological Processes.”¹⁸⁴ To effectively disseminate environmental information, EIEC website has been updated to improve its flexibility and services, as well as to adapt it to PWD.

(d) SOERs¹⁸⁵ are uploaded on the websites of MEPA and EIEC websites.¹⁸⁶

(e) For timely dissemination of information stipulated in section 5 of paragraph 5 of the Convention, MEPA uses electronic networks of CENN,¹⁸⁷ RECC¹⁸⁸ and other electronic/media sources in addition to its own and LEPLs’ websites.

EIEC provides environmental information to interested persons via e-mail. New target groups and categories are added to the annually updated electronic database.¹⁸⁹ Information is disseminated to over 7000 requesters.

LEPL Legislative Herald of Georgia,¹⁹⁰ responsible for ensuring publicity of legal system, ensures state registry of normative acts, including international agreements; publication of normative acts, mandatory provision of individual legal acts, court decisions, along with official translations of normative acts and documents on its website; also,¹⁹¹ translation of decisions/rulings issued against Georgia by the European Court of Human Rights into Georgian and posting them on its website.

(f) National legislation contains no provisions offering incentives to enterprises operators in connection with article 6. MEPA regularly and timely informs entrepreneurs about legislative changes and obligations through environmental information management electronic system - “Notifications System”.

(g) Along with the mentioned information tools, practice of holding meetings with the public and other stakeholders is established at MEPA for discussions on its carried out activities and other significant issues.

(h) According to the legislation,¹⁹² consumer shall be given necessary/reliable/complete information about food/animal safety, animal/plant products, veterinary drugs, pesticides and agrochemicals that enables him/her to make right choice. Additional requirements are set for labeling all types of food products, circulating on

¹⁷⁹ GACG, Articles 27 and 28.

¹⁸⁰ Article 35.

¹⁸¹ Article 36.

¹⁸² According to the changes made in GACG in 2017.

¹⁸³ See Section XIII below.

¹⁸⁴ 2 newsletters were prepared during the reporting period: 2022-2023 and 2023-2024.

¹⁸⁵ National Report on the State of the Environment.

¹⁸⁶ 2001, 2002, 2003, 2004, 2005, 2006, 2007-2009, 2010-2013, 2014-2017, 2018-2021 SOERs are placed on the LEPL EIEC website, 2018-2021 SOER – on MEPA website.

¹⁸⁷ Caucasus Environmental NGO Network.

¹⁸⁸ Regional Environmental Centre for the Caucasus.

¹⁸⁹ Government, NGOs, schools, universities, colleges, teachers, news agencies, municipalities, etc.

¹⁹⁰ Under the jurisdiction of the Ministry of Justice of Georgia.

¹⁹¹ Defined by the Law of Georgia on International Agreements.

¹⁹² The Food/Animal Safety, Veterinary and Plant Protection Code (2012), Article 10¹.

the territory of Georgia, aiming to ensure protection of consumers' economic interests and possibility to make a choice.¹⁹³

(i) Electronic reporting system for data on emissions of harmful substances into the ambient air is connected to an interactive web-map,¹⁹⁴ which presents public information received within the framework of the state registration of emissions of harmful substances on the actual annual emissions from each stationary facility.

According to legislative amendments,¹⁹⁵ it has become mandatory for large enterprises¹⁹⁶ to maintain continuous instrumental self-monitoring systems of emissions and to provide self-monitoring results to the supervisory authority. An electronic system has been created at the Environmental Supervision Department of MEPA, where relevant enterprises are providing continuous reporting.¹⁹⁷

Georgia joined the International Radiation Monitoring Information System (IRMIS) of the International Atomic Energy Agency in 2024. Ionizing radiation indicators from environmental radiation background monitoring stations owned by the Nuclear and Radiation Safety Agency of MEPA are automatically supplied to the IRMIS system and reflected on an international map, which is available to any interested person.

Water Use State Accounting Electronic System operates in test regime on EIMP.¹⁹⁸ To increase the public access to information on water resources, Water Information System of Georgia¹⁹⁹ analogous to the European one²⁰⁰ was developed, which includes information on relevant national policy, legislation and other important issues, qualitative and quantitative data on water resources.

Online platform Forest and Land Use Atlas²⁰¹ provides access to respective information, transparency and supports monitoring of sector-related activities.

The draft law "On Chemical Substances and Mixtures" has been prepared in accordance with EU regulations.²⁰² The draft law envisages the creation of a register²⁰³ of chemical substances and mixtures, in which public information will be available to the public.

Respective unit²⁰⁴ A/R of Adjara conducts monitoring of ambient air, ground/surface waters and coastline water qualitative data. Laboratory survey results are issued at the request.

¹⁹³ Pursuant to the "Technical Regulation on Provision of Information on Food products to Consumers" GoG Decree N301, 01/07/2016; Regulations addressing product and labelling aspects concerning GMO (see detailed list in Chapter XXX below).

¹⁹⁴ map.emoe.gov.ge

¹⁹⁵ Law of Georgia No. 246-IV⁰⁶-X⁰³ of 02/03/2021 on Amendments to the Law of Georgia "On Protection of Ambient Air".

¹⁹⁶ In total 51 active enterprises.

¹⁹⁷ Currently 32 enterprises are included in the system.

¹⁹⁸ Environmental Information Management Portal.

¹⁹⁹ With the assistance of EU and European Environment Agency (EEA).

²⁰⁰ Water Information System of Europe (WISE).

²⁰¹ <https://atlas.mepa.gov.ge>

²⁰² Regulations on Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) N 1907/2006 and Classification, Labelling, and Packaging (CLP) N 1272/2008.

²⁰³ The register will contain the following: notifications on the classification and labelling of substances; classification, labelling and packaging of mixtures; and substances in articles (in accordance with Article 30(2) of the Waste Management Code); also information on registration of substances and intermediates, as well as substances in articles, issued authorization of substances and restricted substances.

²⁰⁴ Environmental Protection and Natural Resources Division.

With the expert assistance of the Aarhus Convention Secretariat, a review of the country's national legislative and institutional frameworks vis-à-vis the Protocol's provisions has been initiated. It is also planned to develop recommendations on the structure and management of the national PRTR.²⁰⁵

XII. Obstacles encountered in the implementation of article 5

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 5.*

Answer.

Although collection/dissemination of information is regulated, certain problems still remain, e.g., lack of data on air quality is a challenge due to insufficient air quality monitoring system and absence of air quality modeling and forecast systems. It should be noted that ambient air quality monitoring network is being gradually improved and brought in compliance with the legislative requirements and European directives. Namely, in 2021-2024, the number of automatic ambient air quality monitoring stations increased by 10 and includes 15 stationary and 3 mobile stations, one-time measurements were launched in 5 additional cities (30 cities in total). In the coming years, with the support of donor organizations, it is planned to further expand the network and create air quality modelling and forecasting systems.

Although informing the public about disaster risks is effectively conducted at local level in force majeure circumstances, there are cases when part of population doesn't possess information about risk zones of their residential houses or means of protection from anticipated hazard. Legislation shall be revised to regulate this issue. Also, there is a need for awareness raising and education for some part of the population on how to protect themselves from potential dangers. Ombudsman mentions also on certain gaps in defining exact rate of landscaping per capita in municipalities and its assessment standard, and considers this as precondition for the arrangement of adequate green urban areas to reduce risks caused by urban pollutant sources.

The Ombudsman notes that in certain years of the reporting period, the annual bulletins prepared by the LEPL NEA²⁰⁶ were not available electronically. This was due to inadequate website capacities, but the bulletins were distributed in printed form. Since 2023 electronic versions of the bulletins have been available.

NEA interconnects hydrological/meteorological/geological processes, coastal formation, and environmental pollution monitoring databases.

Environmental database interconnecting system of other government institutions isn't regulated appropriately yet. To facilitate receiving environmental information timely from public institutions, unified database of environmental information shall be elaborated. MEPA is working on this direction with relevant bodies.

Information availability in regions is relatively resolved: post office operates effectively, internet accessibility is increased,²⁰⁷ and thus information exchange is facilitated. However, in certain areas, there is a low quality of internet and/or problems with access to it in some high-mountainous villages.

The new national legislation²⁰⁸ regulates the issues of prevention, mitigation and remediation of significant

²⁰⁵ Protocol on Pollutant Release and Transfer Register.

²⁰⁶ LEPL National Environmental Agency of MEPA.

²⁰⁷ Share of households with internet access across Georgia: 2021 - 86.1%, 2024 - 91.5%.

²⁰⁸ The Law of Georgia on Environmental Liability (2021) was developed within the framework of harmonization with Directive 2004/35/EC.

environmental damage. This approach is fundamentally different from the existed one²⁰⁹ in Georgia before the adoption of this law. In particular, a person causing significant environmental damage will be obliged, instead of paying a penalty, to implement appropriate measures to remediate the damaged environment. According to the Polluter Pays principle,²¹⁰ instead of paying a penalty, an obligation to take environmental restoration measures has been introduced according to a specific plan-schedule. In addition, an Environmental Protection Programme²¹¹ has been created to prevent environmental damage, restore and improve the state of the damaged environment, and finance environmental research measures. Environmental Protection Programme Commission²¹² carries out its activities in compliance with the principles of publicity and transparency.²¹³ Regarding access to information on damage reimbursement, treasury payments with relevant codes are distinguished for institutions carrying out the state control over the environment and natural resources, based on which payable amounts are calculated. Information can be received from the Treasury at the request. In case of nonpayment, enforcement procedure is initiated on the basis of application of relevant entity, which investigates the violation.

According to the Ombudsman's position, it's necessary to improve easy public accessibility to environmental information by the Tbilisi municipal organs as it cannot be ensured by the existing website.²¹⁴ Also, since obtaining information on planned urban infrastructural changes often requires processing/analyzing specific and substantial amount of data, which requires special experience/skills, Ombudsman notes on the importance of introduction of relevant mechanisms.

XIII. Further information on the practical application of the provisions of article 5

Provide further information on the practical application of the provisions on the collection and dissemination of environmental information in article 5, e.g. are there any statistics available on the information published?

Answer:

Document processing electronic system operates in MEPA. The Strategic Communication Department of MEPA maintains a public information register containing information on the applicant's identity, the timeline for processing the case, the content of the request, and the results of the review. It also explains the grounds on which the request was partially granted or the applicant was denied.

Data transfer institutional system in the fields of hydrometeorology, geological processes, geo-ecology, engineering protection and environmental pollution exists. Two types of information – standard and specific - are

²⁰⁹ Previous approach was based on the principle of monetary compensation and imposed only a penalty (for illegal actions causing environmental damage) and a specific amount calculated for the damage caused to the environment. These funds were directed to the state budget and not directly to the restoration of the damaged environment.

²¹⁰ According to this principle, a person causing significant damage to the environment is obliged to restore the damaged environment (soil, water, protected species/natural habitats) to the state it was before the damage or to a state close to it, through appropriate remedial measures, at their own expense and responsibility, according to a plan agreed with the competent state agency.

²¹¹ Based on the Law of Georgia on Environmental Liability, the main articles of which entered into force on 01/07/2022.

²¹² The Environmental Program Commission consists of representatives of the legislative and executive authorities of Georgia and stakeholders, including environmental NGOs.

²¹³ Environmental Protection Program funds are managed by MEPA. The program is funded by the State budget of Georgia, as well as by the amounts paid as a result of monetary compensation for damage and 2% of the total cost of the measures determined by the cost estimate of the significant damage remediation plan.

²¹⁴ www.tas.ge.

prepared for users regarding hydrometeorological/geological and environmental pollution conditions. The following is predefined: standard hydrometeorological/environmental pollution information formats; list of government institutions, receiving standard information without submission of special request; timeframes and means of provision of information on regular hydrometeorological, geological hazards, geo-ecological risks and environmental pollution. Information related to the geological/geo-ecological risks is disseminated in two ways:

1. Processed information on geological hazard and possible risks for the next year along with appropriate measures is disseminated in the beginning of the year;²¹⁵

2. In each specific case of extreme activation of geological disasters, in force majeure circumstances.²¹⁶

Standard information on hydrometeorological, geological, environmental pollution and coastal zone protection preventive measures is disseminated to consumers free of charge. But for specialized and detailed information, prepared upon request of consumer on hydrometeorological, geological processes and feasibility of construction activities in coastal zones, certain payment is required.²¹⁷ Any information about environmental pollution is provided free of charge.

NEA²¹⁸ publishes geological hazards bulletin annually with attached risk-maps, describing a state for the reporting period and forecasts on expected geological risks for each region/municipality. The bulletin is disseminated among the relevant executive authorities at the central/local municipality levels to ensure their consideration in development plans. Information²¹⁹ is placed on the NEA's website. Informational hydrogeological report "Assessment of the Quantitative and Qualitative Characteristics of Georgia's Underground Fresh Drinking Water Resources (Analysis of the Current Situation, Forecast and Recommendations)" was published and posted on the LEPL Geological Survey website in 2021.²²⁰

NEA collects annually information about extracted/used water and the sewage discharged in surface waterbodies from water-users. After processing the information, the data summarized²²¹ within the context of activity fields, administration units and river basins is sent to GeoStat²²² to reflect its parts in annual publication,²²³ Which is accessible on GeoStat website along with information on both environmental indicators and environmental statistics.²²⁴ The data is updated annually and some of the indicators are available in different formats.

Internal information system "Inspector" is in service at Environmental Supervision Department of MEPA,

²¹⁵ Information is processed on the basis of regional geological yearly monitoring. Information bulletin is sent to the state institutions, heads of municipalities and all the interested institutions.

²¹⁶ Also, based on letters received from municipalities, agencies and citizens, situation is assessed through site visits, geological reports are prepared including causes of disasters and recommendations for protecting measures to be implemented, which are sent to the heads of municipalities immediately.

²¹⁷ Amount of payment depends on the type of rendered service.

²¹⁸ LEPL National Environmental Agency of MEPA.

²¹⁹ Monthly bulletin "Brief Review of Environmental Pollution in Georgia", "Annual on Capacity of Gamma-radiation Exposure Dose in Ambient Air in Georgia" (including 2018), "Ambient Air Pollution Annual in Georgia" (including 2022), "Surface Water Pollution Annual in Georgia" (including 2018).

²²⁰ The report was submitted to the relevant legislative and executive bodies.

²²¹ "Compilation of Main Indicators of Water Usage".

²²² National Statistics Office of Georgia.

²²³ "Natural Resources and Environmental Protection of Georgia".

²²⁴ Information concerns air pollution, climate change, water resources, protected areas, fertilizer and pesticide use, energy and transport, municipal waste, and environmental violations.

through which data on violations is collected/systematized/analyzed. Since 2021, an electronic system for continuous instrumental self-monitoring of emissions of harmful substances from stationary sources of pollution has been introduced, through which data is continuously received directly from sources of harmful substances emitted by large regulated objects polluting ambient air.

Based on the Environmental Information Management Portal, entrepreneurs²²⁵ carry out online reporting and other obligations established by the legislation, using a single-window principle. As a result, available, simplified electronic reporting procedures were elaborated for entrepreneurs; state control and accountability were improved.

Registration of waste management related activities, presentation of company's waste management plans and annual reporting are in place.²²⁶ Electronic registry of EPR²²⁷ has been launched.²²⁸

EIEC website includes information about 18 environmental topics with various documents, list of the institutions working in the environmental field is updating; public information is accessible through website; information shearing about ongoing environmental events is possible by e-mail.

UWSC²²⁹ website presents donor-financed project reports, preliminary ecological surveys, progress on construction activities and environmental monitoring.

The Committee on Environment and Natural Resources of the Parliament of Georgia proactively publishes information related to environmental issues on social media platforms and the Parliament's website in order to ensure transparency and stakeholder engagement.

XIV. Website addresses relevant to the implementation of article 5

*www.mepa.gov.ge; www.economy.ge; www.mrdi.gov.ge; www.eiec.gov.ge; www.geostat.ge;
www.matsne.gov.ge; map.emoe.gov.ge; emoe.gov.ge; www.atlas.mepa.gov.ge;
http://chemicals.ncdc.ge/Chemical/Registry/Web/; http://water.gov.ge/; nea.gov.ge.*

XV. Legislative, regulatory and other measures implementing the provisions on public participation in decisions on specific activities in article 6

List legislative, regulatory and other measures that implement the provisions on public participation in decisions on specific activities in article 6.

Explain how each paragraph of article 6 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
 - (i) The provisions of article 6 are applied with respect to decisions on whether to permit proposed

²²⁵ Holders of special lumber production licenses, round lumber mills, special licenses for fishery in the Black Sea. Since 2024, owners of equipment operating on substances covered by the Montreal Protocol in quantities of 3 kg or more, service personnel of these equipment, exporters, importers, and sellers are also reporting in this system.

²²⁶ Up to 500 companies are registered, up to 1,500 waste management plans have been agreed.

²²⁷ Extended Producer Responsibility.

²²⁸ Over 13,800 entrepreneurs are registered.

²²⁹ United Water Supply Company of the Ministry of Regional Development and Infrastructure.

activities listed in annex I to the Convention;

(ii) The provisions of article 6 are applied to decisions on proposed activities not listed in annex I which may have a significant effect on the environment;

(b) Measures taken to ensure that the public concerned is informed, early in an environmental decision-making procedure, and in an adequate, timely and effective manner, of the matters referred to in paragraph 2;

(c) Measures taken to ensure that the time frames of the public participation procedures respect the requirements of paragraph 3;

(d) With respect to paragraph 4, measures taken to ensure that there is early public participation;

(e) With respect to paragraph 5, measures taken to encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit;

(f) With respect to paragraph 6, measures taken to ensure that:

(i) The competent public authorities give the public concerned all information relevant to the decision-making referred to in article 6 that is available at the time of the public participation procedure;

(ii) In particular, the competent authorities give to the public concerned the information listed in this paragraph;

(g) With respect to paragraph 7, measures taken to ensure that procedures for public participation allow the public to submit comments, information, analyses or opinions that it considers relevant to the proposed activity;

(h) With respect to paragraph 8, measures taken to ensure that in a decision due account is taken of the outcome of the public participation;

(i) With respect to paragraph 9, measures taken to ensure that the public is promptly informed of a decision in accordance with the appropriate procedures;

(j) With respect to paragraph 10, measures taken to ensure that when a public authority reconsiders or updates the operating conditions for an activity referred to in paragraph 1, the provisions of paragraphs 2 to 9 are applied making the necessary changes, and where appropriate;

(k) With respect to paragraph 11, measures taken to apply the provisions of article 6 to decisions on whether to permit the deliberate release of genetically modified organisms into the environment.

Answer:

(a) Environmental Assessment Code (EAC) defines list of activities subject to EIA,²³⁰ represented through two Annexes of EAC, considering environmental impact risks and levels.

(i) Annex I activities are subject to EIA, considering significant effect on the environment;

(ii) For Annex II activities, screening procedure is established to determine whether the planned activity is subject to EIA or not.

(b) Based on the legislative amendments,²³¹ the Environmental Assessment Department of MEPA, which ensured the participation of the public/interested public in the decision-making process provided for by the Environmental Assessment Code and the availability of relevant information and public hearings for this purpose, was transferred to NEA in 2022. Accordingly, the documentation submitted for the purpose of screening, scoping

²³⁰ Environmental Impact Assessment.

²³¹ Amendment to the Environmental Assessment Code (17/03/2022).

and EIA procedures, information on public hearings and decisions made were posted on the NEA's website.²³² Since 2023, ensuring the above has become the competence of EIEC,²³³ for which the Public Participation Service in the Environmental Decision-Making Process was created.²³⁴ Accordingly, the documentation submitted for the purpose of screening, scoping and EIA procedures,²³⁵ information on public hearings and decisions made, and others, is placed on the EIEC Environmental Information Portal²³⁶ and sent to the relevant municipality/ies for publication.

In addition to the Environmental Information Portal, for the purpose of effective public information and its engagement, information about proceedings in MEPA is placed on the EIEC's official website, on its Facebook page, sent by e-mail to environmental NGOs, printed media, and also sent to up to 7000 subscribers. Information is also placed on all permitted locations in crowded places in the relevant municipalities.

(c) EAC defines deadlines (working days) for: decision-making:

Screening decision: no earlier - 10, no later - 15;

Scoping conclusion: no earlier - 26, no later - 30;

To issue an expedited scoping report - no later than 21;

Environmental protection decision: no earlier - 51, no later - 55.

Submission of public opinions/comments:

Screening documentation – 7;

Scoping documentation – 15;

EIA report – 40.

(d) No earlier than 10 and no later than 15 days from placing scoping applications, EIEC conducts public hearings on scoping, and no earlier than 25 and no later than 30 days - on EIA reports.

(e) EIA report shall cover assessment of informing the public and submitted opinions/comments at the scoping stage.

(f) Procedures for public hearings, participation and access to information are regulated.²³⁷ In case the project covers several municipalities and/or their administrative units, several public hearings are conducted. Information on public hearing on the scoping report is published at least 10 days prior to the hearing, and

²³² nea.gov.ge

²³³ Based on the amendment to the Environmental Assessment Code (22/02/2023).

²³⁴ The Service ensures: participation of the public/interested public in the decision-making, access to relevant information, and holding public hearings; participates in the public hearing of the draft strategic document and SEA report; publishes the results/documents of the subsequent analysis of the activity by the implementer of the activity; places information about the public hearing on the information board of the executive body and/or representative body of the relevant municipality; places the application of the implementer of the activity and attached documents on the relevant portal, and upon request, ensures the availability of their printed or electronic versions; places the information to be published according to the Environmental Assessment Code on the relevant portal; provides technical support for public hearings; communication with representatives of municipalities; prepares public hearing reports; makes statistics on public hearings.

²³⁵ For screening – within 3 working days, scoping and EIA – 5 working days.

²³⁶ Administrative proceedings materials have been available on the portal (ei.gov.ge) since 2017; information is being added.

²³⁷ By the Order (N2-94, 22.02.2018) of the Minister of Environmental Protection and Agriculture of Georgia on the Approval of the Rules for Public Hearings; Amendment to the Order N 2-94 of the Minister of Environmental Protection and Agriculture of Georgia of 22/02/2018 “On Approval of the Rules for Public Discussion”, Order of the Minister of Environmental Protection and Agriculture of Georgia (N2-476, 19/06/2023).

in case of EIA – no later than 20 days. Application on public hearing includes brief description of subject, format/time/place/rule of hearing, scoping/EIA reports, etc., information on availability of printed documents.

Public hearing is open – everyone can participate. Information on public hearings on the EIA reports is published on EIEC’s website; Environmental Information Portal; Facebook; in newspaper, widely distributed in relevant area and available for the public (if applicable); on information board/website of the relevant municipality’s executive/representative body; established areas of information dissemination, and nearest public places of implementation of activities subject to EIA. Representative of EIEC prepares public hearing report within 5 working days after hearing, specifying, among others, comments/opinions submitted during the hearing. Participant in the public hearing can submit comments on the report within 3 working days after its overview. In case of agreement, EIEC either confirms its correctness, or issues individual legal-administrative act in case of rejection of the comment, which can be appealed in the higher administrative body.

Documents on EIA, SEA and scoping,²³⁸ and screening²³⁹ procedures are uploaded at the Environmental Information Portal. Information/documentation required by EAC is also published on the portal.

Aquaculture zone is defined on the basis of stakeholders’ consultations and aquaculture permit is issued through public administrative proceeding, under which NEA ensures:²⁴⁰

- public access to the information on issuance of extensive aquaculture and aquaculture permits in marine waters;
- consideration of the public comments/opinions on the public hearings/consultation; public accessibility to decisions made;
- publication of ecological monitoring results.²⁴¹

(g) EAC defines means of electronic/written submission of public comments/suggestions to NEA, and verbally - during the public hearing.

(h) The comments/opinions expressed at the public hearing are reflected in the reports. NEA shall review the public comments/opinions, reflect public participation results in written justification of relevant decision under EAC, and inform the public about decision timely.

(i) NEA submits decisions to EIEC, which publishes decisions on Environmental Information Portal within 5 days, sends to the relevant municipalities for posting on information boards of executive/representative bodies. EIEC ensures availability of printed versions, upon requested.

(j) Replacement of production technology of activity, subject to environmental decision, by other technology and/or change of operational conditions, including production increase, is subject to screening decision.

(k) Release into the environment and placing on the market of Living Genetically Modified Organisms on the territory of Georgia is prohibited.²⁴²

XVI. Obstacles encountered in the implementation of article 6

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 6.*

Answer:

²³⁸ 2020-2023.

²³⁹ 2018-2023.

²⁴⁰ Pursuant to the Law of Georgia on Aquaculture (2020).

²⁴¹ Monitoring is conducted in accordance to the Law of Georgia on Agriculture.

²⁴² Pursuant to the Law of Georgia on Living Genetically Modified Organisms (2014), part II, chapter II.

In general, public participation in EIA discussions isn't intensive. The public is mostly interested in big projects. Following is notable at the local level: low public organization; law awareness on certain environmental issues, resulted in low interest in participation; interest towards only in big infrastructural projects, where, in some cases, it is difficult for the public to clarify in details; lack of trust; in some cases – improper/incorrect informed public; lack/weakness of organizations representing public interests in small settlements; etc., which was also indicated by the Ombudsman. In some cases, the inadequate quality of the EIA report also poses a challenge. Despite the Ombudsman's positive evaluation of EAC and the amendments made to it (2022) in terms of refining the threshold criteria for activities subject to EIA, considering the county's characteristics/reality, the Ombudsman points again to the need to continue actions in this direction.²⁴³ One EIA independent expert pointed out the need for some amendments to the Environmental Assessment Code. The Ombudsman notes that on hydropower plant projects energy-economic benefits aren't studied, public isn't comprehensively informed/involved, regulations aren't implemented effectively, and considers it important to provide the most comprehensive/in-depth answers to citizens' questions within the framework of public discussions, especially regarding big infrastructure projects.. Some NGOs believe that signing of memorandum between GoG and company before starting the EIA procedure cannot ensure public participation at the early stage. The following have to be noted in this regard: company shall look for the territory where project implementation is recommended considering energy-economic factors, EIA factors are evaluated also. Investment proposal is prepared only on the basis of the abovementioned. At the first stage, agreement is signed between GoG and company for feasibility study, which, before the starting the project, is submitted by the company to MESD.²⁴⁴ Based on positive evaluation and with GoG approval, detailed surveys²⁴⁵ are conducted. Furthermore, signing the memorandum doesn't mean that preliminary construction permits will be issued for any project upon signature. Besides, despite the energy-economical benefit of the project, construction permit isn't issued without EIA permit, for obtaining which one of the most important factors is public information at the early stage and their involvement in decision-making effectively through the public hearings. Additionally, to plan a long-term energy policy in the country, the "State Energy Policy of Georgia" and its annex "National Integrated Energy and Climate Plan" (2021-2030) were approved.²⁴⁶

XVII. Further information on the practical application of the provisions of article 6

*Provide further information on the **practical application of the provisions on public participation in decisions on specific activities in article 6**, e.g. are there any statistics or other information available on public participation in decisions on specific activities or on decisions not to apply the provisions of this article to proposed activities serving national defense purposes.*

Answer:

405 public hearings were conducted with participation of 5298 persons in decision-making on activities under EAC.

²⁴³ Including sand and gravel extraction in the activities subject to screening and changing the threshold (10 ha) set for urban development projects.

²⁴⁴ Ministry of Economy and Sustainable Development of Georgia.

²⁴⁵ Survey includes preparation of environmental-social impact assessment report, determination of project benefits to country's energy system, local infrastructure improvement, employment, etc.

²⁴⁶ Elaborated by the Ministry of Economy and Sustainable Development of Georgia, approved by the Parliament of Georgia on 07/06/2024.

Developer may be exempted from EIA for the specific activity, aiming at ensuring the state security or taking of urgent measures due to force majeure circumstances.²⁴⁷ Within 1 day after the decision, NEA submits legal act on exemption from EIA or refusal to exempt from it to EIEC, which, within 4 days after receiving the legal act, ensures its placement on the Environmental Information Portal and the information board of executive body and/or representative body of the relevant municipality. During the reporting period, 1 activity was exempted in accordance with the EAC.

Roads Department of Georgia (RDG),²⁴⁸ in accordance with the legislation,²⁴⁹ conducts public discussions/consultations with the local population and environmental organizations in the process of implementing infrastructure projects at the scoping and EIA stages, in terms of informing about possible environmental impacts and their mitigation measures, and conducts public hearings. During the reporting period, up to 40 public hearings were held. In addition, within the framework of infrastructural projects, the RDG constantly conducts consultations with project-affected and/or other interested parties and ensures their involvement in terms of environmental protection. All infrastructural projects implemented by the RDG have environmental management plans, on the basis of which thematic and site-specific plans are prepared.²⁵⁰

UWSCG²⁵¹ holds meetings with local stakeholders within the framework of existing and planned projects and ensures the provision of necessary information to them. In many cases, relevant persons of the company individually hold meetings with the population/stakeholders, where their rights are introduced. In addition, the company participates in public discussions in accordance with the activities subject to the EIA procedure.

Practice of consideration of the Aarhus Convention principles in the municipality development strategic plans also noted. E.g., one municipality has developed a medium-term development strategic document for 2024-2027 where, along with other environmental topics, strengthening of awareness raising and public involvement in the decision-making is included.

XVIII. Website addresses relevant to the implementation of article 6

www.mepa.gov.ge; www.mrdi.gov.ge; <https://mepa.gov.ge/Ge/EiaAndSeaAnnouncements>;
<https://mepa.gov.ge/Ge/PublicDiscussion>; <https://mepa.gov.ge/Ge/FinancialAndMaterialResources>

XIX. Practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment pursuant to article 7

List the appropriate practical and/ or other provisions made for the public to participate during the preparation of plans and programs relating to the environment. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

Answer:

SEA²⁵² is mandatory for elaboration of the strategic document and essential amendments thereto, which define

²⁴⁷ Pursuant to EAC (Article 16).

²⁴⁸ Operating under the jurisdiction of the Ministry of Regional Development and Infrastructure of Georgia.

²⁴⁹ EAC, Annex I, articles 11, 12 and 13.

²⁵⁰ Topsoil, waste, wastewater, ambient air quality, noise, biodiversity management plans, etc.

²⁵¹ United Water Supply Company of Georgia - LTD, operating under the jurisdiction of the same Ministry of Regional Development and Infrastructure of Georgia.

²⁵² Strategic Environmental Assessment.

future development frame for activities under EAC annexes I and II in defined areas.²⁵³ Strategic document, related to state security, implementation of urgent measures due to force majeure, or financial/budgetary issues, aren't subject to SEA.²⁵⁴ EAC ensures mechanisms for informing the public.

Legislation provides for the following:

Participation of interested public to determine remedial measures in the event of significant damage;²⁵⁵

Public participation in the processes of issuing a scoping decision and integrated environmental permit, conducting a public hearing, consideration of opinions/comments submitted by the interested public by EIEC when issuing an integrated environmental permit, the right to appeal the decision made by the administrative body;²⁵⁶

Public participation in the development of a river basin/basin district management plans.²⁵⁷ Based on the law, work is underway on draft GoG resolutions;²⁵⁸

Physical/legal persons have the right²⁵⁹ to present suggestions to executive bodies on the improvement of ambient air protection, participate in important discussion/decision-making, support implementation of relevant state and local programs.

Public hearing is conducted on mid-term plan of EPNRD,²⁶⁰ A/R of Adjara, aiming at submission/consideration of public comments.

Public discussions are conducted during the preparation of other environmental documents (e.g. NEAP,²⁶¹ SOER²⁶²) aiming at submission/consideration of public comments.

XX. Opportunities for public participation in the preparation of policies relating to the environment provided pursuant to article 7

Explain what opportunities there are for public participation in the preparation of policies relating to the environment.

Answer:

Public participation is mandatory in the development of policy documents.²⁶³

Within SEA procedure, the public is authorized to provide electronically written comments/suggestions on

²⁵³ Agriculture and forestry, fishery, energy, industry, transport, waste and water resources management, electronic communications, tourism, planning and spatial development.

²⁵⁴ EAC, article 21.

²⁵⁵ Law of Georgia on Environmental Liability, article 10.

²⁵⁶ According to the Law of Georgia on Industrial Emissions (2023, articles 6, 16, and 17), the purpose of which is to prevent or, where this is practically impossible, reduce and control emissions into ambient air, water and land as a result of industrial activities, as well as to prevent the waste generation.

²⁵⁷ Law of Georgia on Water Resources Management (2023, article 25). During the reporting period, the public participated in the development of 4 draft basin management plans, 6 working meetings were held.

²⁵⁸ "On the Procedure for the Development, Review and Approval of Basin Management Plans" and "On the Establishment and Rules of Operation of Basin Management Advisory and Coordination Councils".

²⁵⁹ Pursuant to the Law of Georgia on Ambient Air Protection.

²⁶⁰ Environmental Protection and Natural Resources Division.

²⁶¹ National Environmental Action Programme.

²⁶² State of the Environment Report.

²⁶³ GoG Decree N629 (2019) on Approval of the Rules for the Development, Monitoring and Evaluation of Policy Documents, article 9.

documents²⁶⁴ submitted to NEA. At the stage of discussion and issuance of the SEA recommendations, planning institution ensures public hearings on SEA report. Within 3 days of the SEA screening/scoping applications and registration of the SEA report, screening application and concept or draft of the strategic document is published on the websites of the respective institutions;²⁶⁵ EIEC ensures as well their publication on information boards of executive/representative bodies of relevant municipalities.

Deadlines for submission of public suggestions/comments (working days):

SEA screening documentation – 7;

SEA scoping documentation – 15;

SEA report – 40.

Public hearing on the SEA report is organized by the planning institution, and EIEC²⁶⁶ disseminating information at least 30 days prior to the public hearing. Within 5 days of hearings, the planning institution prepares public hearing report and submits to the respective institutions²⁶⁷ within the next 5 days.

Within 5 days from issuing SEA screening decision, scoping conclusion, recommendations on SEA report and draft strategic document, respective institutions²⁶⁸ publish scoping conclusions and concept of/draft strategic document on their websites; EIEC ensures as well their publication on information boards of executive/representative bodies of relevant municipalities.

SEA related documents issued by NEA:

screening decision - 15;

scoping conclusions - 14;

SEA recommendation - 6.²⁶⁹

Legislation establishes administrative rules on the review/approval of city building plans and rules on informing the interested person on city building activities.²⁷⁰ Public hearing procedures on the drafts/concepts of city building plans exist.²⁷¹

XXI. Obstacles encountered in the implementation of article 7

*Describe any **obstacles encountered** in the implementation of article 7.*

Answer:

²⁶⁴ Screening application and draft strategic document, scoping application and draft strategic document, SEA report and draft strategic document.

²⁶⁵ MEPA, the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs, and the planning institution.

²⁶⁶ Since 2023, and in 2021-2022, the information was disseminated by MEPA.

²⁶⁷ MEPA, and the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs.

²⁶⁸ MEPA, the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs, and the planning institution.

²⁶⁹ 2021 - 3 screening decisions, 3 scoping conclusions, 2 SEA recommendations; 2022 - 6 screening decisions, 3 scoping conclusions, 2 SEA recommendations; 2023 - 4 screening decisions, 6 scoping conclusions; 2024 - 2 screening decisions, 2 scoping conclusions, 2 SEA recommendations.

²⁷⁰ Spatial Planning, Architectural and Construction Activities Code of Georgia (2018), articles 43 and 57.

²⁷¹ Pursuant to the Decree N260, 03/06/2019 of the GoG on the Rules for the Development of Spatial Planning and City Building Plans (Section IV).

Except of spatial planning and development sector, the low rate of application of planning authorities for the SEA procedures should be noted, which indicates the need to strengthen awareness and capacity building of planning authorities in this regard.

The challenge is the inadequate quality of documentation submitted for the SEA procedures. The reason of these both the insufficient capacity of environmental consultants, as well as the absence of appropriate methodologies/guidance documents and a unified data system. To meet this challenge, SEA guideline was updated and Strategic Assessment Guideline for the Spatial Sector was prepared in 2023,²⁷² which is positively assessed by the Ombudsman of Georgia.

XXII. Further information on the practical application of the provisions of article 7

Provide further information on the practical application of the provisions on public participation in decisions on specific activities in article 7.

Answer:

Working groups were formed²⁷³ in 2022 to develop air quality management plans for the Central Zone, Tbilisi Agglomeration, and the Black Sea Zone, ensuring the involvement of stakeholders and civil society. Within the framework of these groups, plans for the Central Zone²⁷⁴ and Tbilisi Agglomeration²⁷⁵ were developed and approved, while the development of the Black Sea Zone plan is underway.

In addition to the public involvement in the development of the above-mentioned (see Chapter XIX) draft basin management plans, a pilot SEA is was conducted for one of the draft basin management plans, where stakeholder involvement was ensured.

APA²⁷⁶ disseminates the draft Protected Areas and Forest Management Plans for public review. During the reporting period, 13 public meetings were held on draft management plans, including 8 public discussions on PA's and 5 - on forests. In the process of establishing PAs, information and consultation meetings are held with the local population. Information meetings are held with representatives of the municipality to provide information on the Emerald Network and the process of developing Emerald Areas Management Plans.

Within the framework of the National Forest Program process, meetings are regularly held with the participation of stakeholders operating in the forest sector. Within the framework of the new Forest Code (2020), which provides for public participation in the decision-making related to forest management, active work is underway to improve the involvement of the population and stakeholders in the development of forest management plans.

Public participation is provided in the approval process of hunting/fishing management plans. Draft plans are placed on the MEPA website for public comments/proposals; public hearings are held. But the public doesn't participate, with a few exceptions, such as expressing opinions in various meetings/discussions/conversations. For the development of necessary mechanisms to regulate this situation, the

²⁷² Within the frame of "EU4Environment" programme.

²⁷³ Based on the Order N2-812 of the Minister of Environmental Protection and Agriculture of Georgia of 3110/2022.

²⁷⁴ GoG Decree N1431 of 07/08/2023 on the approval of the Ambient Air Quality Management Plan for the Central Zone for 2023-2025.

²⁷⁵ GoG Decree N1782 of 16/09/2024 on the approval of the Ambient Air Quality Management Plan for the Tbilisi Agglomeration for 2024-2026.

²⁷⁶ LEPL Agency of Protected Areas under the jurisdiction of MEPA.

process of developing a new legal framework on regulating hunting/fishing has begun. Two public hearings were held regarding the draft Law on Hunting.²⁷⁷ Additional discussions are planned before the draft law is submitted to the Parliament of Georgia. The final draft version of the National Concept for Sustainable Fisheries has been developed,²⁷⁸ and public discussions with the interested public are planned before its approval.

Sustainable land management programs were developed with the public and stakeholders' involvement.²⁷⁹ Publicity of information on the development of state programs for the management of windbreaks and access to pastures was ensured, and citizens were involved in this process, along with awareness-raising activities about the programs. This information was disseminated on the official website and Facebook pages of the Agency²⁸⁰ and MEPA's website.

With the support of the Council of Europe, a conceptual framework and guidelines for the effective participation of citizens and stakeholders in the planning (construction/rehabilitation) of green areas in Tbilisi were developed. Civic engagement group was established in 2021 for one of the Tbilisi parks' rehabilitation projects. In addition to field visits and surveys, the online platform "Geo Questionnaire"²⁸¹ was also used to study the citizens' needs. The purpose of the group was to conduct a public consultation with citizens and develop recommendations regarding the park rehabilitation. The report and recommendations developed by the civic engagement group were shared with the company that won the park rehabilitation project competition.

When announcing a competition for the development of a green space rehabilitation project, the Tbilisi City Hall Environmental Protection Department indicates in the ToR on obligation to organize at least two public hearings by the selected company in order to ensure citizen involvement.

SDGs Council was established and 4 Working Groups were set up representing by the government, civil, international, academic, and private sectors. Electronic system for the monitoring of SDGs implementation is public. SDGs (3) VNRs²⁸² were prepared with broad stakeholders' involvement.

XXIII. Website addresses relevant to the implementation of article 7

www.mepa.gov.ge; www.mof.gov.ge; www.matsne.gov.ge; sdg.gov.ge; www.mrdi.gov.ge

XXIV. Efforts made to promote public participation during the preparation of regulations and rules that may have a significant effect on the environment pursuant to article 8

Describe what efforts are made to promote effective public participation during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment. To the extent appropriate, describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

Answer:

National legislation²⁸³ ensures implementation of the provisions of article 8 of the Convention. Public

²⁷⁷ Final version of the draft la was elaborated in 2023.

²⁷⁸ In 2024.

²⁷⁹ State Program for the Inventory of Windbreaks (Field Protection) Strips (2021), State Program for the Restoration, Cultivation and Management of Windbreaks (2023), State Program for Access to State-Owned Pastures" (2021).

²⁸⁰ LEPL National Agency for Sustainable Land Management and Land Use Monitoring of MEPA.

²⁸¹ The platform was used in cooperation with the Polish Solidarity Fund PL Georgia.

²⁸² Voluntary National Report.

²⁸³ Constitution of Georgia, GACG, Law of Georgia on Environmental Protection and Environmental Assessment Code.

administrative proceeding is applicable for promulgation of individual legal-administrative act of administrative body if the abovementioned is directly considered by the legislation.²⁸⁴ Everybody has a right to submit written suggestions within 20 days.²⁸⁵ From the date of notice on issue of individual legal-administrative act or submission of draft individual legal-administrative act for the public consideration, each administrative body ensures publication of the draft normative acts, elaborated by them on their official websites. Publicity in the elaboration process of the draft normative acts is ensured by the issuing body, which receives public comments/suggestions.

XXV. Obstacles encountered in the implementation of article 8

*Describe any **obstacles encountered** in the implementation of article 8.*

Answer:

There're both active public participation in preparation of specific draft laws, and total unawareness. Interested public can participate in the development of draft laws. Initiatives often come from the public but not from the state agencies.

Some municipalities note on importance of developing a systematic approach towards capacity building of local government civil servants aiming at effective implementation of their obligations under the Aarhus Convention. Some progress has been made in this direction, but the measures and trainings conducted are not sufficient. The results are unsustainable due to the frequent structural reforms of public institutions and changes in staff. Also, scarce human and financial resources remain one of the factors hindering the effective implementation of activities.

XXVI. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 8

*Provide further information on the practical application of the **provisions on public participation in the field covered by article 8.***

Answer:

Administrative bodies often publish information/documents on their websites and disseminate them through NGOs. For draft laws and important legislative changes, MEPA uploads documents on its website and conducts public hearings, e.g.:

- According to the Waste Management Code, updated "Georgian National Waste Management Strategy 2016-2030" and "National Waste Management Action Plan 2022-2026" were approved.²⁸⁶ Active public hearings held during the elaboration of these documents, with participation of local/international experts, NGOs, Business Ombudsman Office and other interested parties; also, sectoral/consulting/working meetings, discussions with companies, and media tours were organized;

- 8 public hearings held on draft Law of Georgia on Biodiversity and, at NGOs request - 9 hearings together with working group. At this stage the draft law is submitted to the Parliament of Georgia for approval;

- A national policy document on Sustainable Pasture Management²⁸⁷ has been developed, on the basis of which

²⁸⁴ GACG.

²⁸⁵ Pursuant to GACG.

²⁸⁶ GoG Decree N414 of 09/08/2022.

²⁸⁷ In 2022.

preparation of a legislative package in the field of pasture management was started.²⁸⁸ Public discussions are planned in all regions;

- To receive opinions from the interested public, draft laws on the establishment of PAs are proactively disseminated and public discussions of the draft laws are held;

- In order to facilitate the implementation of the Extended Producer Responsibility (EPR), MEPA held large-scale meetings²⁸⁹ in 2022-2023 with both EPR organizations (PRO)²⁹⁰ and, jointly, with target groups and stakeholders,²⁹¹ including the private and NGO sectors. MEPA also conducted awareness-raising campaigns through the media and social networks.

In general, EIEC promotes public involvement in the process of reviewing draft legislative acts and strategic documents. In particular, 27 public discussions and consultations were organized in this direction.²⁹² Information about public discussions, along with the necessary documents, was disseminated through EIEC website and Facebook pages, and via e-mail, receiving notes/comments was ensured.

The Committee on Environmental Protection and Natural Resources of the Parliament of Georgia (the Committee) actively cooperates with NGOs, scientific sector, and experts in the process of developing environmental legislation. The committee has established 4 working groups²⁹³ in various areas, which, along with the government sector and specialists in the field, also include representatives of NGOs and the civil sector.

The Committee is actively working on the development of a Climate Change Framework Law. To ensure active involvement of stakeholders and the public, the Committee has guided the process through a different and a new approach - the submission of consultation documents, a Green Paper²⁹⁴ and a White Paper²⁹⁵ prior to the preparation of the draft law.

As a result of the joint work of the Committee, MEPA and an initiative group of 25,000 voters, amendments²⁹⁶ were adopted to control the visual emissions of vehicles on the roads.²⁹⁷

Laws²⁹⁸ on agriculture elaborated by the Agrarian Issues Committee of the Parliament of Georgia were prepared with the public involvement. Also, the committee is working on the draft Law of Georgia on Soil Protection, the preparation process of which also ensures the information and involvement of all interested parties. The Committee conducted annual report hearings of agencies of MEPA with participation of civil sector and

²⁸⁸ Preparation of a legislative package started in 2023.

²⁸⁹ In total 7.

²⁹⁰ PROs collect/process specific waste, such as: tires, oils, electrical and electronic devices, batteries and accumulators.

²⁹¹ Business Ombudsman, representatives of various ministries, business associations and the private sector.

²⁹² Public hearings: 2021 - 5 (131 participants); 2022 - 11 (543 participants, including 9 thematic public hearings on NEAP with 496 participants); 2023 - 4 (197 participants). Public consultations: 2022 - 1, 2023 - 6 (total 1069 participants).

²⁹³ Working group studying aspects of vehicle emissions and promoting the introduction of eco-transport; Working group working with the business sector on environmental protection and natural resource management issues; Working group studying environmental pollution in the Kvemo Kartli region; Working group studying forestry reform.

²⁹⁴ In 2023, the Committee published a Green Paper document to receive public comments and suggestions for their consideration in the Climate Law.

²⁹⁵ Based on the analysis of the Green Paper and the opinions/proposals received, a White Paper will be prepared, on the basis of which the Committee will develop a draft Climate Law with maximum involvement of the public.

²⁹⁶ Amendments aim to reduce air pollution by minimizing the movement of technically defective vehicles on the roads.

²⁹⁷ Implementation started in September 2024.

²⁹⁸ Law of Georgia on Agriculture and Rural Development (2024), Law of Georgia on Reduction of Food Losses and Waste and Food Donations (2023), Law of Georgia on Designations of Origin and Geographical Indications of Goods (2023) and Law of Georgia on Windbreaks (Field Protection) Zones (2021).

opportunity to submit opinions/comments.

XXVII. Website addresses relevant to the implementation of article 8

www.parliament.ge; www.mepa.gov.ge; www.eiec.gov.ge; air.gov.ge

XXVIII. Legislative, regulatory and other measures implementing the provisions on access to justice in article 9

List legislative, regulatory and other measures that implement the provisions on access to justice in article 9.

Explain how each paragraph of article 9 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

(a) With respect to **paragraph 1**, measures taken to ensure that:

(i) Any person who considers that his/her request for information under article 4 has not been dealt with in accordance with the provisions of that article has access to a review procedure before a court of law or another independent and impartial body established by law;

(ii) Where there is provision for such a review by a court of law, such a person also has access to an expeditious procedure established by law that is free of charge or inexpensive for reconsideration by a public authority or review by an independent and impartial body other than a court of law;

(iii) Final decisions under this paragraph are binding on the public authority holding the information, and that reasons are stated in writing, at least where access to information is refused;

(b) Measures taken to ensure that within the framework of national legislation, members of the public concerned meeting the criteria set out in **paragraph 2** have access to a review procedure before a court of law and/or another independent and impartial body established by law, to challenge the substantive and procedural legality of any decision, act or omission subject to the provisions of article 6;

(c) With respect to **paragraph 3**, measures taken to ensure that where they meet the criteria, if any, laid down in national law, members of the public have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of national law relating to the environment;

(d) With respect to **paragraph 4**, measures taken to ensure that:

(i) The procedures referred to in paragraphs 1, 2 and 3 provide adequate and effective remedies;

(ii) Such procedures otherwise meet the requirements of this paragraph;

(e) With respect to **paragraph 5**, measures taken to ensure that information is provided to the public on access to administrative and judicial review.

Answer:

(a) Pursuant to the legislation,²⁹⁹ any person may submit complaint to the higher public administrative body or court against a public authority if his/her right to access to information was violated. Final decision is mandatory for execution by a public institution. In case of refusal to issue information, a public institution is

²⁹⁹ According to GACG.

obligated, within 3 days from the date of adoption of a decision, to provide to the applicant written explanation of his/her rights and ways of appealing a decision, and indicate structural subdivision/public institution, consulted regarding refusal of information provision;³⁰⁰

Everyone has a right to appeal the decision made by the administrative body pursuant to GACG, if believes that his/her participation in decision-making wasn't ensured, or Georgian legislation was otherwise violated.

(b) GACG³⁰¹ regulates the right to appeal decision of an administrative body. Namely, interested party can apply with complaint to the administrative body with regard to decision/action of the administrative body. Administrative appeal is considered and decision is made by the administrative body, which issued legal-administrative act, if an official, superior to structural unit or public officer, who issued such act, exists. Administrative appeal submitted regarding the legal-administrative act, adopted by the head of administrative body, shall be considered by a superior administrative body. In this case, rules of consideration/proceedings of administrative appeals are established. Administrative body has to invite interested parties to participate in the process of consideration protection of own interests and conduct an open oral hearing.

(c) Legislation³⁰² regulates requirement of article 9, paragraph 3 of the Convention: any person has a right to apply to a superior administrative body or bring a case before a court if considers that his/her rights were violated, or by the decision/action of an administrative body his/her rights were restricted or incurred damage.

(d) Measures related to paragraph 4 of the Convention envisage guarantees regarding the right provided by legislation, namely APCG³⁰³ (court is authorized to render a temporary ruling prior to bringing of an action when there's a risk, that changing of existing circumstances may hinder realization of applicant's rights or realization of such rights shall become significantly complicated) and CPCG.³⁰⁴

(e) GACG³⁰⁵ regulates public administrative proceedings. Namely, issuance of an individual legal-administrative act through the public administrative proceeding, publishing of the notice regarding submission of documents for the public access, list of documents for the public access, rules for presenting opinions, drafting of individual legal-administrative and submit it for public access, etc. Legislation³⁰⁶ describes in detail submission of administrative complaint to an administrative body, review of and decision on the complaint, court appeal procedures by a citizen, if his/her rights to access to information and participation in decision-making were violated by an administrative body.

EAC³⁰⁷ defines provisions ensuring availability of any requested public information by environmental decision-making administrative body regarding to exercise of its authority.

Different state institutions, NGOs, IOs conduct public awareness-raising campaigns on access to justice.

XXIX. Obstacles encountered in the implementation of article 9

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 9.*

³⁰⁰ GACG, article 41.

³⁰¹ GACG, Chapter XIII.

³⁰² GACG, Administrative Procedure Code of Georgia (1999), Civil Procedure Code of Georgia (1997), and Criminal Procedure Code of Georgia (2009).

³⁰³ Administrative Procedure Code of Georgia (articles 29-31).

³⁰⁴ Civil Procedure Code of Georgia (Chapter XXIII).

³⁰⁵ Chapter IX.

³⁰⁶ Administrative Procedure Code of Georgia.

³⁰⁷ Article 33.

Answer:

Georgian legislation establishes rules for reviewing both complaints and lawsuits on environmental issues. Therefore, in practice, there are no clear barriers to the accessibility of environmental justice. However, several cases of failure to meet deadlines for consideration of claims filed to the court with regard to violation of access to environmental information right were registered, which is also pointed out by the Ombudsman, despite the fact that positively assesses the national legislation in terms of access to environmental justice. The Ombudsman also points out the low rate of use of measures to temporarily suspend/enforce the effect of an administrative act in environmental cases.

XXX. Further information on the practical application of the provisions of article 9

Provide further information on the practical application of the provisions on access to justice pursuant to article 9, e.g. are there any statistics available on environmental justice and are there any assistance mechanisms to remove or reduce financial and other barriers to access to justice?

Answer:

Practice of judges applying the Convention exists. Environmental legal disputes, registered in the Common Courts of Georgia:

City courts:³⁰⁸

- Tbilisi: 1100 materials on administrative offences;³⁰⁹ 24 cases - to the Boards of Criminal Law, and Investigation and Pretrial Affairs Sessions;³¹⁰

- Rustavi: 259 administrative offense cases, 17 criminal cases;³¹¹

- Kutaisi: 668 administrative offense cases, 43 criminal cases;³¹²

- Poti: 234 administrative offense cases, 31 criminal cases;

- 11607 administrative offense and 621 criminal cases in the field of environmental protection were filed in the regional courts of Georgia;³¹³

- Tbilisi Court of Appeal: 1415 cases on administrative offences;³¹⁴ 54 - criminal cases;³¹⁵

- Kutaisi Court of Appeal: 1484 administrative and 19 criminal cases were filed;³¹⁶

- Criminal Chamber of the Supreme Court of Georgia: 19 cases;³¹⁷

- 24 court cases are registered against MEPA, 22 of which are ongoing in the court of appeals, supreme and city courts; 1 was concluded in favour of MEPA, and one 1 discontinued due to the withdrawal of the lawsuit.

³⁰⁸ There are no segregated statistics in one city court.

³⁰⁹ Submitted to the Administrative Affairs Board by the Environmental Supervision Department of MEPA.

³¹⁰ Sentence was passed on 22 cases.

³¹¹ Review of 258 administrative cases has been completed, 1 is under review. Out of 17 criminal cases, 15 have been sentenced, 1 was returned to the prosecutor's office.

³¹² Review of 621 administrative and 37 criminal cases were completed.

³¹³ Statistics are based on information provided by 19 regional courts, 2 regional courts do not produce it.

³¹⁴ 1406 cases were reviewed, 9 are ongoing.

³¹⁵ Considering the balance of the previous year, 56 cases were reviewed.

³¹⁶ Considering the balance of the previous year, 1484 cases were reviewed.

³¹⁷ 17 cassation appeals were declared inadmissible, a verdict in 1 case was left unchanged, a verdict in 1 case was amended. There are no ongoing cases.

- Environmental Supervision Department:³¹⁸ 34077 environmental offences;³¹⁹
- National Agency of Mineral Resources:³²⁰ 3461 administrative offences cases.

Regarding the accessibility to the bi-level justice under the Convention, access to the court is beyond the municipality competence, only administrative proceedings fall within its competence. Administrative proceedings on environmental matters are conducted in accordance with APCG,³²¹ the provisions of which are fully in compliance with the Convention. According to the practice established in Tbilisi City Hall and pursuant to APCG, interested party, which may appeal administrative legal acts, is the person whose lawful interest is “directly affected by such administrative-legal act”. In number of cases, Tbilisi City Hall relies upon the definition of “interested party” as defined not by APCG, but by the Convention, which is broader and considers that general public can use this environmental right and control environmental decisions made at the municipal level.

SWMC³²² possesses appeal mechanism, namely, if citizen identifies issues/have questions, different type of connections is established.³²³ Besides, within particular programme,³²⁴ appeal’s consideration mechanism is established - any citizen may appeal to the company in case of violation of their environmental rights during implementation of infrastructural projects and request the response.

Survey on “Access to Environmental Information in Judicial Practice”,³²⁵ is a supporting document for Common Courts of Georgia.

Judge is independent in his/her actions,³²⁶ evaluates actual circumstances and makes decisions only in accordance with the Constitution of Georgia, principles/norms of international law, other laws and his/her belief. Thus, legislation³²⁷ defines persons, exempting from the court expenses payment in favor of the state budget, postponing/reduction of court expenses. Therefore, when considering specific cases, judge determines fee amount and its payment issue according to legally established procedure.

³¹⁸ Under the jurisdiction of MEPA.

³¹⁹ Department conducts registration/systematization/analysis of identified violations within its competence. From identified offences, 32632 were administrative and 1445 - with components of criminal offence. Protocols on administrative offences were sent to relevant court authorities, and cases with criminal offence components were sent to law enforcement agencies for further action.

³²⁰ Under the Ministry of Economy and Sustainable Development.

³²¹ Administrative Procedure Code of Georgia.

³²² Solid Waste Management Company under the Ministry of Regional Development and Infrastructure.

³²³ Officially: via Edocument (about 7-8 letters per month), via e-mail: info@waste.gov.ge (about 1-2 letters per month), by phone (additional cellphone is available in the period of publication of scoping conclusion, for citizens to submit comments), or company’s Facebook page (168 notifications received during the reporting period).

³²⁴ The Urban Service Improvement Investment Program, which ensures public involvement before starting the project at the stage of preparation of initial ecological survey.

³²⁵ In the Survey, prepared by the Center for Survey and Analysis of the Analytical Division of the Supreme Court of Georgia (2019), the Aarhus Convention is reviewed/analyzed together with the guarantees for access to environmental information within national legislative base and international standards, judicial practice; recommendations are provided.

³²⁶ Pursuant to the Organic Law of Georgia on Common Courts (article 7).

³²⁷ The Civil Procedure Code of Georgia and the Administrative Procedure Code of Georgia.

XXXI. Website addresses relevant to the implementation of article 9

<https://www.constcourt.ge/ka>; www.court.ge

XXXII. GENERAL COMMENTS ON THE CONVENTION'S OBJECTIVES

If appropriate, indicate how the implementation of the Convention contributes to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being.

Answer:

Georgia's accession to the Convention increased citizens' opportunity to control how the government protects environment, and contribute themselves to the environmental protection. General trend indicates to increased public activity that's respectively responded from the government institutions. However, it's important to increase public activity by their participation in particular cases and undertake appropriate measures, including through awareness-raising on environmental protection and sustainable development.

XXXIII. Legislative, regulatory and other measures implementing the provisions on genetically modified organisms pursuant to article 6 bis and Annex I bis

Concerning legislative, regulatory and other measures that implement the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis, describe:

(a) With respect to **paragraph 1 of article 6 bis** and:

(i) **Paragraph 1** of annex I bis, arrangements in the Party's regulatory framework to ensure effective information and public participation for decisions subject to the provisions of article 6 bis;

(ii) **Paragraph 2** of annex I bis, any exceptions provided for in the Party's regulatory framework to the public participation procedure laid down in annex I bis and the criteria for any such exception;

(iii) **Paragraph 3** of annex I bis, measures taken to make available to the public in an adequate, timely and effective manner a summary of the notification introduced to obtain an authorization for the deliberate release or placing on the market, as well as the assessment report where available;

(iv) **Paragraph 4** of annex I bis, measures taken to ensure that in no case the information listed in that paragraph is considered as confidential;

(v) **Paragraph 5** of annex I bis, measures taken to ensure the transparency of decision-making procedures and to provide access to the relevant procedural information to the public including, for example:

a. The nature of possible decisions;

b. The public authority responsible for making the decision;

c. Public participation arrangements laid down pursuant to paragraph 1 of annex I bis;

d. An indication of the public authority from which relevant information can be obtained;

e. An indication of the public authority to which comments can be submitted and of the time schedule for the transmittal of comments;

(vi) **Paragraph 6** of annex I bis, measures taken to ensure that the arrangements introduced to implement paragraph 1 of annex I bis allow the public to submit, in any appropriate manner, any comments, information,

analyses or opinions that it considers relevant to the proposed deliberate release or placing on the market;

(vii) **Paragraph 7** of annex I bis, measures taken to ensure that due account is taken of the outcome of public participation procedures organized pursuant to paragraph 1 of annex I bis.

Answer:

Release into the environment, placing on the market, import/re-export of living GMOs is prohibited on the territory of Georgia;³²⁸ public access to information and participation in respective decision-making is ensured;³²⁹ it's obligatory to create living GMOs unified register with information on contained use of GMOs only, which shall be placed on special webpage. List of the mandatory information for the register is defined.³³⁰ The functioning of the registry is related to the issuance of licenses for the contained use of GMOs. Since the law came into force, no applications for such licenses have been registered at MEPA.

Legislation³³¹ aims to:

- inform consumers about food/animal nutrition GMO, their GMO production;
- protect consumers' interests to have a free choice;
- define labeling rules of food/animal nutrition GMO and their GMO production, establish state control;
- support approximation/harmonization of national legislation with EU acquis and other international legislative norms in this field.

Respective government decrees³³² set requirements towards labeling on: the existence of GMO components, enabling consumers to make his/her choice when selecting-purchasing products; regulate relations between business operators, state control bodies and consumers.

LEPL National Food Agency³³³ carries out the authorization of genetically modified food and feed.

XXXIV. Obstacles encountered in the implementation of article 6 bis and annex I bis

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 6 bis and annex I bis.*

Answer:

Lack of relevant accredited testing-laboratories, qualified staff; information scarcity about the risk assessment methodology related to GMO-containing products and raw food materials.

³²⁸ According to the Law of Georgia on Living Genetically Modified Organisms (2014), articles 4 and 7.

³²⁹ Article 26.

³³⁰ Under the Regulation on Unified Register of Living GMOs approved by the Order N165, 2014 of the Minister of Environmental Protection and Natural Resources.

³³¹ Law of Georgia on Labeling of Food/Animal Feed GMOs and Their GMO Production (2014).

³³² GoG Decrees: N301, 2016 on the "Approval of Technical Regulation – Provision of Information to the Costumers about Food Products", N320, 07/07/2015 on "Approval of Rule of Labeling of Food/Animal Feed GMOs and Their GMO Production", "Requirements for Genetically Modified Food and Feed" (N 549, 16/11/2018), "Technical Regulation on the Traceability and Labeling of Genetically Modified Organisms on the Approval of the Traceability of Food/Animal Feed Produced from Genetically Modified Organisms" (N548, 16/11/2018); Guidelines "On the Use of Genetically Modified Microorganisms under Contained use/Controlled Conditions" and "On the Implementation of Risk Assessment when Working with Genetically Modified Microorganisms under Contained use/Controlled Conditions" (elaborated considering the requirements of relevant European directives, approved by the order of the Minister of Environmental Protection and Agriculture of Georgia, 2023).

³³³ Operates under the jurisdiction of MEPA.

XXXV. Further information on the practical application of the provisions of article 6 bis and annex I bis

Provide further information on the practical application of the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis, e.g. are there any statistics or other information available on public participation in such decisions or on decisions considered under paragraph 2 of annex I bis to be exceptions to the public participation procedures in that annex?

Answer:

Bio-production rules³³⁴ completely exclude the production of organic products using GMOs and products derived from them.

Pursuant to the DCFTA³³⁵ obligations, and in accordance with the EU Regulations and Recommendation,³³⁶ GoG approved the following normative acts:

- Requirements for Genetically Modified Food Products and Animal Feed;³³⁷
- Technical Regulation on Identification and Labeling of GMOs, Identification of GMO Produced Food/Animal feed;³³⁸
- Amendments to the Decree N548,16/10/2018³³⁹ on authorization of new GMO food/feed, risk assessment, notification, etc.

MEPA uploads the draft legislative amendments to the given issues for comments on its website, conducts public hearings for all interested parties. NGO sector is involved in the public informing process, participates in related conferences/meetings. National Center for Monitoring and Scientific Research of Manufacturing of GMO-containing products is established.

XXXVI. Website addresses relevant to the implementation of article 6 bis

Give relevant websites, if available, including websites for registers of decisions and releases related to genetically modified organisms:

Answer:

Information on GMOs/GMO-containing products is periodically published on the websites of MEPA and National Food Agency (www.nfa.gov.ge).

³³⁴ The Rules on bio-production, approved by the GoG Decree (N198, 30/072013), provide rules for labelling of food products for placing on the market, defining as “bio”, “eco”, “organic”, “ecologically clean”.

³³⁵ EU-Georgia Association Agreement, Deep and Comprehensive Free Trade Agreement (chapter 4 - Sanitary and Phytosanitary Measures).

³³⁶ Regulation (EC) N1830/2003 of the European Parliament and of the Council, Recommendation 2004/787/EC, regulation (EC)N°451829/2003.

³³⁷ N549, 16/10/2018.

³³⁸ N548, 16/10/2018.

³³⁹ Amendments to the Decree N 548, 16/10/2018, made in 2020, pursuant to the Regulation (EC) No 641/2004, relating to the rules of usage of Regulation (EC)N829/2003, in connection with authorization of new genetically modified food and animal feed, notification about accidental or technically unavoidable existence of genetically modified substance identified during existing product and risk assessment.

