Project Developer and the Public for Better Decision-Making

Task Force on Public Participation in Decision-Making
Fifth Meeting

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Geneva, Switzerland

Ministry of Environment and Natural Resources Protection of Georgia
Content

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Public Participation in Environmental Decision-Making in Georgia

- Until 2007
  2007 - 2015
  from 2015 -

Two Cases:

✓ **Decision-maker** conducts public hearings

✓ **Project developer** conducts public hearings
Law on Environmental Permit (1996)

- List of activities requiring public participation is **wider** than Aarhus Convention (Annex I)

- **Adequate time** (max 90 days) for public consultations

- **Public authority** conducts public hearings (at the MENRP)

- **No screening & scoping**
Law on Environmental Impact Permit

- **List of activities** requiring public participation is shorter than Aarhus Convention (Annex I)

- **Shorter time** (max 60 days) for public consultations than last years

- **Developer of activity** conducts public hearings (at the place of activity)

- **No screening & scoping**
Obligations of Project Developer (1)

What should be published in central and local newspapers:

- **Aim** & specification of planned activity
- **Address** where the public familiarizes with the documentation
- **Deadline** for submission of comments
- **Time and place** of public hearing

*MENRP publishes information & documentation on planned project on its website [www.moe.gov.ge](http://www.moe.gov.ge)*
Obligations of Project Developer (2)

- **Receive** public comments before/during public hearing
- **Prepare** the protocol of public hearing
- **Provide** written justification for refused comments
- **Submit** all documents to MENRP

*MENRP attends public hearings and signs the protocol*
Positive Aspects

- **More involvement** of local population

- **Direct contact** with local population
  
  *(depends on project developer)*

- **Better acquaintance** with public concern
  
  *(avoids expected conflict)*

- **More interest/need** in arranging adequate public participation
  
  *(depends on public’s activity)*
Obstacles

- Low public participation
- More public interest mainly towards large projects
- Lack of public’s responsibility to participate
- Weak community-based civil society organizations

but when public was duly informed and involved in the process, the level of participation was higher

- Lack of feedback from decision-maker (MENRP)
- Weak participation from MENRP in regions
Role of the public

Advocacy campaigns conducted by NGO Green Alternative (greenalt.org) on construction of:

- highway
- road
- railway
- transmission line
- HPPs
- mining activities
- forest sector
- Landfields

practice shows that openness and participatory approach is a precondition for successful decision
Law on EIA and SEA (under development)

- **List of activities** in compliance with Aarhus Convention (Annex I)
- **Transparency** of EIA procedures
- **Public involvement** in all EIA stages
- **2 public hearings**: project developer and MENRP
- **Screening & scoping**
- **New mechanisms** for SEA

“Strategic Ecological and Social Assessment of Energy Sector Development”

Pilot project will be carried out for SEA implementation

Adoption of the law is expected in late 2015
Future plans of MENRP

- Full information on EIA&SEA-related activities & documents are on the EIEC web-site

- **EIEC** is involved in all activities related to the public participation

- EIEC conducts respective trainings

- MENRP is establishing “**platforms**” in different environmental sectors, including **private sector**
Recommendations (1)

- Ensure public **involvement at the early stage** to avoid additional time and finances in case of public protest

- Reply to all public comments to gain with its confidence

- Project developer’s **engagement in public participation** process to know public concerns well

- Project developer and the public **should know project related environmental and social risks** well considering the fact: in some regions public has more interest in social aspects than environment and health issues
Recommendations (2)

- Prepare **cost-benefit analysis** on inadequate public involvement

- Exchange **good practices** on successful decisions

- **Raise awareness** of decision-makers, project developers, and the public on:
  - Their rights, obligations, participation procedures
  - Public as a source for additional valuable information

- **Change the attitude** from negative to positive – *we aren’t barriers for each other, we are partners!*
Thank You

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