

# **Project Developer and the Public for Better Decision-Making**

## **Task Force on Public Participation in Decision-Making Fifth Meeting**

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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

*Until 2007*

## **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](http://greenalt.org)) on construction of:**

- ✓ highway
- ✓ road
- ✓ railway
- ✓ transmission line
- ✓ HPPs
- ✓ mining activities
- ✓ forest sector
- ✓ Landfills

*practice shows that openness and participatory approach is a **precondition for successful decision***

*From 2015*

## **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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