

- In Samegrelo-Zemo svaneti region – 37 860 ha;
 - In Samtskhe-Javakheti region – 689 ha.
7. Have the auctions of 1 May 2007 and 7-8 October 2007 been cancelled? If so, can you provide the Committee with references for the Government's decision to cancel those auctions?

Answer:

On 1 May, 2007, the auction was held where 3 companies won. Hereby, we would like to inform that there were no auctions during the period of 7-8 October, 2007. Auctions were held on 7-8 October, but in 2008, where 3 companies won on 7 October, 2008 and 2 companies - on 8 October, 2008. These auctions were not cancelled.

Additionally to this, we would like to inform you, that on the claim of the association "Green Alternative" a legal procedure was carried out in the administrative colleague of Tbilisi city court. The Ministry of Environment Protection and Natural Resources of Georgia, Prime Minister of Georgia and the Ministry of Economic Development of Georgia were presented at the legal procedure as co-defendants. The claim was regarding the cancellation of the licenses issued on the results of auction held in the Ministry of Environment Protection and Natural Resources of Georgia on 1 May, 2007. In particular:

License #00628 (in Samegrelo-Zemo Svanety region); License #00627 (in Samtskhe-Javakheti region) and license 00624 (in Kakheti region).

According to the decision of administrative colleague of Tbilisi city court (25 September, 2008), abovementioned claim was dismissed. This decision was not appealed by the parties and, accordingly, it was entered into force.

8. Was the cancellation of the auction of special licenses (if confirmed) influenced by the Ombudsman's considerations which followed Green Alternative's appeal dated 6 November 2007?

Answer:

As it was mentioned above, these auctions have not been cancelled.

Additionally to this we would like to mention, that an Environmental Code of Georgia is under development, where all requirements of the Aarhus Convention will be reflected. Finalization and public hearings of the draft Environmental Code is planned by the late December 2009. It would be pointed out also that public hearings and consultation processes are being carried out during the preparation of this document.

Sincerely yours,

Alex Machavariani
First Deputy Minister

