



GYLA Presents to the Parliament of Georgia the Opinions on Amendments to the Environmental Assessment Code

According to the bill "On Amendments to the Environmental Assessment Code" (07-3/86/10), initiated by members of the Parliament of Georgia on June 6, 2021, several amendments are to be introduced to the "Environmental Assessment Code".

Of these, the intended institutional changes are particularly important: the environmental decision-making process and decision-making powers should be delegated from the Ministry of Environment and Agriculture to the LEPL National Environment Agency, which is neither properly substantiated nor any possible negative consequences assessed - issues concerning conflicts of interest and corruption;

As per the bill, all those entities that were required to apply to the Ministry to obtain permission to continue their current activities until June 1, 2019, have been extended this obligation completely unjustifiably and unreasonably until January 1, 2022. The

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draft law unjustifiably expands the range of persons that fall within the scope of the amendment, and also covers the activities that were initiated prior to January 1, 2018, instead of June 1, 2015.

The amendments proposed by the draft law are also related to the procedure for screening of activities and changes in environmental decisions, some of which should be positively assessed; however, even so, there are a number of problems that need to be addressed.

The amendments are also introduced to the activities specified in the annexes to the Code. Several changes related to the adjustment of the scope/limits of the activities defined in the annexes are highly appreciated. Nevertheless, despite a number of recommendations, sand and gravel extraction under the bill, which has a serious impact on the environment, is still not subject to an environmental impact assessment, which cannot be considered otherwise but a negative aspect. In addition, the amendment to the second annex of the Code should be negatively evaluated, according to which the environmental impact of the arrangement of recreation/leisure areas (including sports, play, camping, swimming, urban gardening) in the built environment as a result of landscape construction will no longer be assessed. This change is completely unfounded and will obviously entail negative consequences.

The following document presents the views prepared by the Georgian Young Lawyers' Association regarding the draft law, discussing in detail the expected changes and any possible adverse consequences.