TRANSPOSITION OF THE ENVIRONMENTAL LIABILITY DIRECTIVE (ELD) IN GEORGIA

Ministry of Environmental Protection and Agriculture of Georgia
ELD TRANSPOSITION PROCESS IN GEORGIA

❖ The law of Georgia ”On Environmental Liability” was adopted by the Parliament of Georgia on March 3, 2021;

❖ The first draft law “On Environmental Liability” has been prepared in 2016 and it went through major changes and modifications over the years.
ELD TRANSPOSITION PROCESS IN GEORGIA

❖ **Main challenges:**

➢ Completely new system of Environmental Liability;
➢ Long consultations with the business sector and other stakeholders;
➢ Need for capacity building for enforcement authorities.
ENVIRONMENTAL LIABILITY IN GEORGIA BEFORE ELD

❖ Administrative Offences Code of Georgia:

➢ Administrative sanctions for environmental offences (still in force);
➢ Monetary compensation for environmental offences – quantified by methods as defined by the rules on compensation.
NEW REQUIREMENTS FOR THE PRIVATE SECTOR

✓ Remediation of environmental damage instead of the monetary compensation;
✓ Introducing strict environmental liability for the operators carrying out particularly dangerous activities defined by Annex II of the law;
✓ Mandatory financial guarantee (insurance or bank guarantee) before the start of the activities listed in Annex II.

❖ Several public hearing and consultations have been held with various stakeholders, as well as business sector before the adoption of the law.
NEED FOR CAPACITY BUILDING

❖ EU-funded project “Support to implementation of the environmental provisions of the EU-Georgia Association Agreement”:

➢ Draft by-laws prepared;
➢ Workshop for enforcement authorities on determining significant environmental damage and selection of remediation activities.

❖ UNDP support for finalization of the draft laws and capacity-building
NEED FOR CAPACITY BUILDING

❖ Plans to strengthen the authorities responsible for the enforcement of the environmental liability legislation:

➢ Expert support (workshops, consultation);
➢ Establishment of a new responsible department and recruitment of new stuff.
THANK YOU FOR YOUR ATTENTION

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