



NGOs Call on Parliament Not to Support Delegation of Environmental Decision Making Process to LEPL National Environmental Agency

On June 6, 2021, a package of legislative changes was initiated by the members of the Parliament of Georgia, which should include changes in several laws in force in the field of environmental protection. Among them, the most important change concerns the Law of Georgia on "Environmental Assessment Code".

According to the draft law "On Amendments to the Code of Environmental Assessment" (07-3 / 86/10), institutional change is planned: full transfer of the

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Department of Environmental Assessment within the Ministry of Environment and Agriculture to the LEPL National Environmental Agency and full delegation of powers to make environmental decisions and recommendations on strategic documents to the LEPL National Environmental Agency.

Delegating decision-making authority from the Ministry of Environmental protection and Agriculture to the LEPL National Environmental Agency on issues directly related to the country's development, public safety and the proper exercise of basic human rights is an opportunity for the Ministry to avoid political responsibility. However, the transfer of this power to the National Environmental Agency increases the risk of conflict of interest and corruption, as this agency has its own commercial interests.

According to the explanatory note to the draft law, the purpose of this change is to simplify the administration of the environmental decision-making process. In particular, this change should address the problems associated with limited access to information, lack of human and material resources, and tight deadlines for decision-making. However, it should be emphasized that solving the named problems does not require an institutional change that substantially changes the current environmental decision-making order in the country and can be solved by other means.

Apart from the above, the explanatory note does not indicate any other circumstances that would justify the need for such a change; Similar legislation and practices of other countries have not been studied and discussed, which would make it possible to assess whether it is justified to delegate environmental decision-making powers to such bodies of the National Environmental Agency; No environmental or other organizations and experts with relevant knowledge and experience were invited to work on the draft law to assess the current environmental challenges in the country and suggest appropriate ways to address them.

Consequently, the proposed institutional change is not properly substantiated and its alleged negative consequences are completely ignored.

In this context, we call on the Parliament of Georgia not to support such an institutional change, as it threatens the current legal and institutional order in the country and will negatively affect the development of the country in the future.

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Georgian Young Lawyers Association (GYLA)

Green Alternative

The Greens Movement of Georgia / Friends of the Earth Georgia

Social Justice Center (Former EMC)

Society for Nature Conservation (Sabuko)