

# 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 staff.

**THANK YOU FOR YOUR ATTENTION**

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