

ACCESS RESTRICTED

Civil Society Report on the Implementation of
the Aarhus Convention in Georgia, 2021–2024



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2025



List of Abbreviations

CSO	Civil Society Organisation
EIA	Environmental Impact Assessment
EPRC	Economic Policy Research Centre
FARA	Foreign Agents' Registration Act
GACG	General Administrative Code of Georgia
GDI	Georgian Democratic Initiative
GYLA	Georgian Young Lawyers' Association
HPP	Hydropower Plant
IDFI	Institute for Development of Freedom of Information
ISFED	International Society for Fair Elections and Democracy
LEPL	Legal Entity of Public Law
LLC	Limited Liability Company
MDF	Media Development Foundation
MEPA	Ministry of Environmental Protection and Agriculture
NGO	Non-governmental Organisation
OECD	Organisation for Economic Co-operation and Development
PDO	Public Defender's Office of Georgia
PPP	Public-Private Partnerships
SEA	Strategic Environmental Assessment
TI	Transparency International
UNDP	United Nations Development Programme

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Introduction

This shadow report has been prepared by civil society organisations to complement Georgia's Aarhus Convention National Implementation Report, submitted by the Ministry of Environmental Protection and Agriculture (MEPA) for the 2021–2024 reporting cycle. While the official report provides an overview of the relevant legal and institutional framework, this document aims to supplement it with an independent, practice-oriented assessment, highlighting implementation challenges and systemic gaps as observed by local stakeholders.

The last comprehensive shadow report on the Aarhus Convention in Georgia was submitted by the Civil Society Organisation (CSO) Green Alternative in 2014. Since then, Georgia has undergone substantial legal and institutional reforms, including the adoption of the Environmental Assessment Code (2017) and numerous sectoral amendments intended to strengthen environmental governance. However, the practical operation of these reforms has not been systematically reviewed. The Public Defender's Office (PDO) prepared a brief alternative report for the 2017–2020 cycle, but it was limited in scope. Against this background, the present report seeks to provide an updated account of how these reforms function in practice and to identify persistent and emerging gaps in the effective implementation of the Aarhus Convention.

This report was prepared by the Social Justice Center, a Georgian CSO engaged in environmental rights, social justice, and democratic governance, with the support of Arnika, an environmental organisation based in the Czech Republic. The findings draw extensively on reports and studies published by Georgian CSOs, media investigations, official government documents, court proceedings, and other legal and institutional sources.

As part of the preparation process, a consultative meeting was held in September 2025 with local stakeholders, including CSOs, media organisations, experts, and community members active in environmental movements, to discuss preliminary findings and validate the report's content. In October 2025, a draft version was circulated among participants for comments. Written and oral feedback was received from the Sabuko and Green Alternative organizations and was incorporated into this final version.

Despite these efforts to ensure stakeholder involvement, it must be noted that the increasingly repressive political environment in Georgia has constrained broader civic engagement. Many organisations operate under conditions of intimidation and resource scarcity, hindering smooth communication, information sharing, and the extent of stakeholder participation in this process. Consequently, while this report provides an updated and detailed account of the current situation, it does not claim to cover all areas or all challenges comprehensively. Rather, it seeks to highlight key systemic trends and representative cases illustrating the persistent barriers to the effective implementation, application, and enforcement of the Aarhus Convention in Georgia.

General Legislative and Institutional Framework

Legal Framework

The right to a healthy environment, along with the rights to access environmental information and to participate in environmental decision making, is guaranteed under Article 29 of the Constitution of Georgia. In addition, Article 18 of the Constitution safeguards the right to fair administrative proceedings and access to public information, while Article 31 guarantees the right of access to the courts and to a fair trial.

The legal framework for environmental protection in Georgia is primarily established by the Law on Environmental Protection and is further complemented by the Laws on Environmental Liability, Licenses and Permits, and Environmental Assessment Code.

Access to public information, including environmental information, is primarily regulated by the General Administrative Code of Georgia (GACG), particularly Chapter III. Appeal procedures against the decisions of public authorities are governed jointly by the GACG and the Administrative Procedural Code. Sanctions for environmental violations are prescribed under both the Code of Administrative Offences and the Criminal Code of Georgia.

Additionally, sector-specific laws include:

- Law of Georgia on the system of protected areas
- Law of Georgia on the protection of atmospheric air
- Georgian Forest Code
- Law on Industrial Emissions
- Law of Georgia on radioactive waste
- Law of Georgia on waste management
- Law of Georgia on the food safety, veterinary, and plant protection code
- Law of Georgia on Subsoil
- Law of Georgia on the Management of Water Resources
- Law of Georgia on Spatial Planning, Architectural, and Construction Activities

The Aarhus Convention, as an international agreement, has primacy over domestic laws and bylaws and is directly applicable.

Institutional Arrangements

Georgia is a representative democracy where environmental governance operates through a multi-tiered institutional framework encompassing the legislative, executive, and judicial branches, as well as local self-government bodies. The Parliament of Georgia, as the supreme legislative authority, shapes state policy, including environmental and sustainable development priorities, and exercises oversight of the Government's implementation of environmental legislation.

The judicial system consists of the Common Courts City/District Courts, the Appellate Court, and the Supreme Court, which hear civil, administrative, and criminal cases, and the Constitutional Court, which reviews the constitutionality of legal norms, including environmental legislation.

At the national level, the Government of Georgia, headed by the Prime Minister, is responsible for coordinating and controlling the activities of ministries, ensuring the implementation of state-targeted programmes, and adopting unified policies in environmental protection, natural resource management, and ecological security. The Government also oversees the rational use of natural resources and management of state property.¹

The Ministry of Environmental Protection and Agriculture of Georgia (MEPA) is the lead body responsible for environmental governance and the implementation of the state's environmental policy. Its mandate encompasses a broad range of thematic areas, including ambient air quality, water management, biodiversity, climate change, waste management, forestry, land and soil protection, and radiation safety. MEPA is also responsible for the Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) systems, which form key mechanisms for public participation in environmental decision making under the Aarhus Convention.²

MEPA's key functions include:

- the development and implementation of environmental policies and strategies;
- management and monitoring of the use of natural resources (excluding oil and gas);
- oversight of protected areas and biodiversity conservation;
- collection, systematisation, and dissemination of environmental data, including hydrometeorological, geodynamic, and resource-related information;
- administration of environmental monitoring systems and environmental information platforms;
- coordination of disaster risk management within its competence.

Several specialised Legal Entities of Public Law (LEPLs) and state sub-agencies operate under MEPA, serving as key institutions responsible for environmental decision making, data generation, and information dissemination:

- The LEPL National Environmental Agency is responsible for the collection, analysis, and dissemination of environmental monitoring data, including air, water, soil, and meteorological parameters, studying the impacts of climate change, developing adaptation and mitigation measures, and contributing to disaster risk management as well as issuing licences for hunting reserves and fishing activities.³

¹ Law of Georgia on the Structure, Powers and Procedure for the Activities of the Government of Georgia, 2004, available at: <https://matsne.gov.ge/document/view/2062?publication=49> (accessed 11 October 2025).

² Government Resolution No. 112 on Approval of the Statute of the Ministry of Environmental Protection and Agriculture of Georgia, 2018, available at: <https://matsne.gov.ge/ka/document/view/4093329?publication=19> (accessed 11 October 2025).

³ Order No. 2-978 of the Minister of Environmental Protection and Agriculture on Approval of the Statute of the LEPL National Environmental Agency, 2023, available at: <https://matsne.gov.ge/document/view/6016861?publication=2> (accessed 11 October 2025).

- The Department of Environmental Supervision – oversees compliance with environmental legislation and takes appropriate enforcement measures.⁴
- The LEPL Environmental Information and Education Centre – ensures public access to environmental information and participation in environmental decision making, conducts staff training and capacity-building programmes, and promotes public awareness.⁵
- The LEPL Agency of Protected Areas, National Forestry Agency, National Wildlife Agency, Agency of Nuclear and Radiation Safety, and National Agency for Sustainable Land Management and Land Use Monitoring – carry out sector-specific management.

Other ministries also play significant roles in environmental governance:

- The Ministry of Economy and Sustainable Development (MESD) develops and implements policies related to sustainable economic growth, energy, tourism, transport, and spatial planning. It also coordinates initiatives on the transition to a green economy, energy efficiency, and resource efficiency. Through its subordinate agencies (e.g. the Technical and Construction Supervision Agency, State Agency of Oil and Gas, and Spatial and Urban Development Agency), MESD influences environmental decision making in infrastructure development and resource extraction.⁶
- The Ministry of Infrastructure (Moi) manages infrastructure development, including water supply, sewerage systems, and road construction, which have direct environmental implications.⁷
- The Ministry of Regional Development of Georgia oversees regional development planning, the strengthening of local governance, and coordination between state and municipal bodies. It plays a role in integrating environmental and socio-economic considerations into regional planning processes.⁸
- The Ministry of Culture of Georgia is responsible for the protection and management of cultural heritage, including the prevention of environmental impacts on cultural sites.⁹

At the local level, municipalities exercise authority over the management of local natural resources, including water, forests, and land, and are responsible for spatial planning, municipal waste management, infrastructure maintenance, and permitting construction within their

⁴ Order No. 26 of the Minister of Environmental Protection and Agriculture on Approval of the Statute of the Sub-Agency of the Ministry – Department of Environmental Supervision, 2013, available at: <https://matsne.gov.ge/ka/document/view/1916843?publication=23> (accessed 11 October 2025).

⁵ Order No. 2-742 of the Minister of Environmental Protection and Agriculture on Approval of the Statute of the LEPL Environmental Information and Education Centre, 2018, available at: <https://matsne.gov.ge/ka/document/view/4286574?publication=5> (accessed 11 October 2025).

⁶ Government Resolution No. 70 on Approval of the Statute of the Ministry of Economy and Sustainable Development of Georgia, 2016, available at: <https://matsne.gov.ge/ka/document/view/3190898?publication=32> (accessed 11 October 2025).

⁷ Government Resolution No. 133 on Approval of the Statute of the Ministry of Infrastructure of Georgia, 2025, available at: <https://matsne.gov.ge/ka/document/view/6486949?publication=5> (accessed 11 October 2025).

⁸ Government Resolution No. 134 on Approval of the Statute of the Ministry of Regional Development, 2025, available at: <https://matsne.gov.ge/ka/document/view/6486992?publication=3> (accessed 11 October 2025).

⁹ Government Resolution No. 131 on Approval of the Statute of the Ministry of Culture of Georgia, 2025, available at: <https://matsne.gov.ge/ka/document/view/6484820?publication=0> (accessed 11 October 2025).

territories. Municipal governments thus hold important responsibilities for implementing environmental policies and ensuring local-level environmental information management and public participation.

Local self-government is organised through:

- the Municipal Council (Sakrebulo) – the representative body responsible for adopting local regulations and development plans;
- the Mayor – the executive authority responsible for implementing local policies and managing municipal services;
- the General Assembly of the Settlement – a participatory mechanism that enables citizens to engage directly in local governance;
- the Civil Advisory Council – a consultative body supporting the Mayor’s decision making.

In the capital, Tbilisi, environmental and urban governance is managed by the Tbilisi Government, the Tbilisi Mayor, and District Gamgebelis, who oversee local environmental management, waste systems, and construction permits.¹⁰

Although the **autonomous republics of Adjara and Abkhazia** maintain their own legislature and government, the overarching legislative framework applies uniformly across their territories.

¹⁰ Local Self-Government Code of Georgia, 2014, available at: <https://matsne.gov.ge/document/view/2244429?publication=78> (accessed 11 October 2025).

Article 3: Environmental Education and Awareness

Despite Georgia facing a wide range of environmental challenges, public awareness of environmental matters in the country remains limited, which in turn hinders the effective exercise of environmental rights.¹¹ State initiatives to raise awareness are sporadic and tend to focus narrowly on pollution prevention campaigns rather than on building understanding of environmental legislation or strengthening the ability of the public to exercise their rights.¹²

Mechanisms for informing the private sector about new laws and regulations are also often ineffective. For example, companies have reported not being adequately informed about the adoption of the Law on Environmental Liability in 2021.¹³

The Legislative Herald of Georgia provides an online platform for the publication of normative acts. However, secondary normative acts, such as government resolutions and ministerial orders, are only available in consolidated (updated) form upon payment of a fee. This significantly restricts public access to a substantial body of environmental regulations adopted through secondary legislation.¹⁴

The shortage of qualified staff within environmental institutions remains a major obstacle to effective environmental governance in Georgia. Frequent restructuring of environmental authorities has eroded institutional memory and capacity, while low financial incentives and the absence of systemic training contribute to high staff turnover and a persistent lack of qualified personnel.¹⁵ These deficiencies in expertise are not limited to administrative bodies: the judiciary also lacks specialised knowledge in environmental law, which has a negative effect on the quality of court judgments in environmental cases.

At the local level, municipalities, despite their seemingly broad competences in managing local resources, play only a limited role in environmental management. This is due to unclear legislative responsibilities, insufficient consultation by central authorities, and the absence of clear mandates in environmental governance. These shortcomings are compounded by the lack of dedicated staff, inadequate financial resources, and limited technical capacity, leaving

11 Institute of Social Studies and Analysis, “Assessing the Level of Environmental Education and Awareness in Georgia,” 2022, available at: <https://bit.ly/492Kfjt> (accessed 11 October 2025).

12 OECD, “System of Enforcement of Environmental Legislation in Georgia: Current Situation and Recommendations,” 2023, available at: <https://bit.ly/4nkZgDr> (accessed 11 October 2025).

13 *Ibid.*

14 Sabuko, Review of the Legislation and Practice Regarding the Management of Natural Resources, 2024, available at: <https://www.sabuko.org/wp-content/uploads/2024/09/REPORT-LOW-geo.pdf> (accessed 11 October 2025).

15 OECD, “System of Enforcement of Environmental Legislation in Georgia, Current Situation and Recommendations,” 2023. Sabuko, “Forest Governance Assessment in Georgia,” 2024, available at: https://www.sabuko.org/wp-content/uploads/2025/04/Goog_governance.pdf (accessed 11 October 2025).

local government bodies ill-equipped to fulfil their role in environmental protection and public participation.¹⁶

Protection of Environmental Defenders

Persecution of Environmental Organisations

During the reporting period, the ability of associations and activists to advocate environmental rights freely has deteriorated sharply. In 2024, the Parliament of Georgia adopted the so-called “Foreign Agents’ Law”, which obliges organisations receiving more than 20% of their funding from abroad to register as “defenders of the interests of a foreign power”. Closely mirroring legislation adopted in Russia, which ultimately led to the dismantling of independent media and civil society, this law effectively stigmatises the majority of Georgian CSOs as “foreign agents”. Beyond stigmatisation, the law confers sweeping monitoring powers on state authorities. Its vague and overly broad provisions enable officials to demand access to financial records and internal documentation, including sensitive personal data on journalistic sources and beneficiaries. Despite disproportionately harsh sanctions for non-compliance, ranging from heavy administrative fines to criminal liability and imprisonment, hundreds of organisations have refused to register under this authoritarian law.¹⁷

Notably, even prior to the adoption of the “Foreign Agents’ Law”, government officials regularly employed hostile rhetoric against environmental defenders, branding them as “enemies of national interests” in attempts to discredit their activism. This pattern was particularly visible during opposition to large-scale infrastructure projects, such as the Namakhvani hydropower plant (HPP).¹⁸

16 Green Alternative, “Climate Change and Local Self-Government in Georgia: Preparedness Assessment and Needs,” 2024, available at: <https://bit.ly/42YqPer> (accessed 11 October 2025).

Sabuko, “Forest Governance Assessment in Georgia,” 2024, available at: https://www.sabuko.org/wp-content/uploads/2025/04/Goog_governance.pdf (accessed 11 October 2025).

17 Radio Liberty Georgia, “We Will Not, in Any Form, Register in the Demeaning Registrar – Statement of NGOs and Media Organisations,” 2024, available at: <https://www.radiotavisupleba.ge/a/32920559.html> (accessed 11 October 2025). Stoppersecution.org, “Russian’ Foreign Agents Law in Georgia Adopted Despite Widespread Protests,” 2024, available at: <https://stop-persecution.org/russian-foreign-agents-law-in-georgia-adopted-despite-widespread-protests> (accessed 11 October 2025).

18 Pirveli Arkhi, “Irakli Kobakhidze: The Namakhvani HPP Project Was Well-Organized, but Protests Took Place, Strategic Facility Was Blocked with Foreign Funding and the Country Might Face Multi-Million Damages,” 2 December 2024, available at: <https://cutt.ly/ZrOrdZj> (accessed 11 October 2025).

Social Justice Center, “Statement: Attack on Environmentalists by Authorities Has Become a Dangerous Trend,” 2023, available at: <https://cutt.ly/RrOrfoOY> (accessed 11 October 2025).

The adoption of this legislation has marked a profound setback for Georgia's democratic development and aspirations towards European integration. The massive sustained protests that followed were met with violent police suppression, while individual activists and organisations became targets of government-orchestrated harassment campaigns.¹⁹

Following the contested parliamentary elections of October 2024, the ruling party Georgian Dream introduced additional restrictive measures that further undermine freedom of speech and association. Among these, two legislative packages were passed in April 2025:

- Amendments to the Georgian "Law on Grants", requiring foreign donors to obtain government approval before funding any individual or organisation in Georgia;
- The Law on Foreign Agents' Registration Act (FARA), establishing a registry of "agents of a foreign principal". Although presented as a copy of the 1938 U.S. FARA, the profoundly different historical and legal contexts render such a comparison misleading and inappropriate.²⁰

These legislative initiatives were followed by the enforcement of the repressive measures. Starting from June 2025, the authorities initiated several waves of legal proceedings against CSOs. In June 2025, the Anti-Corruption Bureau required seven CSOs (the Civil Society Foundation, Economic Policy Research Centre (EPRC), International Society for Fair Elections and Democracy (ISFED), Media Development Foundation (MDF), Social Justice Centre, Sapari, and Transparency International Georgia (TI Georgia)) to disclose extensive legal, financial, and personal records covering the period from January 2024 to June 2025.²¹ Throughout September 2025, similar information requests were sent to approximately 30 additional organisations. In early October 2025, the Bureau further expanded its activities by targeting two political platforms, requesting comprehensive financial data concerning these movements and their members.²²

On August 11, 2025, the Bureau launched inspections against the six CSOs (the Civil Society Foundation, ISFED, MDF, Social Justice Centre, Sapari, and TI Georgia), alleging failure to register as "foreign agents" under FARA and suggesting possible criminal liability for non-compliance. To substantiate these claims, the Bureau adopted an arbitrary interpretation of "political activity", extending it to CSOs' public commentary on political developments. Such a sweeping

¹⁹ [Stoppersecution.org](https://stoppersecution.org), "Russian' Foreign Agents Law in Georgia Adopted Despite Widespread Protests," 2024.

²⁰ Social Justice Center, "Amendments to the Law 'On Grants' Aim to Destroy Georgian Civil Society," 2025, available at: <https://cutt.ly/r7ytXi3> (accessed 11 October 2025).

[Civil.ge](https://civil.ge), "In Details: Foreign Agents' Registration Act," 2025, available at: <https://civil.ge/ka/archives/667170> (accessed 11 October 2025).

²¹ Social Justice Center, "Authoritarian Laws Are Now Being Used Against Us – But We Remain Steadfast in Our Fight for Human Rights!," 2025, available at: <https://cutt.ly/Dr7yjiMN> (accessed 11 October 2025).

²² [Civil.ge](https://civil.ge), "Two Political Platforms Became the Target of the Anti-Corruption Bureau," 2025, available at: <https://civil.ge/ka/archives/705303> (accessed 11 October 2025).

Radio Liberty Georgia, "Anti-Corruption Bureau Already Requests Information from 30 Organisations – NGOs Consider the Bureau's Demands as Repression," 2025, available at: <https://www.radiotavisupleba.ge/a/33536858.html> (accessed 11 October 2025).

GYLA, "The 'Georgian Dream' Has Started a New Stage of Repressions Against Civil Society, Targeting up to 30 Georgian Non-Governmental Organizations," 2025, available at: <https://bit.ly/47bBFAj> (accessed 11 October 2025).

application of the law directly contradicts the standards of the U.S. FARA, which does not require foreign-funded CSOs to register solely on the basis of political expression unless their activities are directed or controlled by a foreign principal.²³

On 25 August 2025, the Prosecutor's Office of Georgia froze the bank accounts of seven non-governmental organisations (the Civil Society Foundation, ISFED, Social Justice Centre, Sapari, Georgian Democratic Initiative (GDI), ISFED, Democracy Defenders) within the framework of an ongoing investigation alleging "sabotage", "aiding foreign organisations in hostile activities", and "mobilising funds for activities directed against the constitutional order and national security foundations of Georgia". These allegations are linked to the organisations' legitimate activities, including providing legal and practical assistance to individuals participating in peaceful pro-European demonstrations, including the victims of police ill-treatment and unlawful detention.²⁴

Against this background, the organisations targeted by these repressive measures have been engaged in numerous legal battles at both the domestic and international levels. As they struggle to maintain their operations, the capacity of environmental defenders, already operating in precarious conditions, to promote environmental rights has been significantly undermined. The overt hostility of government representatives toward CSOs effectively precludes genuine consultation and meaningful stakeholder participation in environmental decision-making processes.

Suppression of Environmental Activism

In addition to the broader attacks on CSOs, there is an increasing trend of repressive measures targeting environmental defenders in an effort to suppress their activism. Protest participants and government critics have been subjected to a range of repressive actions, including unlawful detentions, SLAPP lawsuits, criminal prosecutions, smear campaigns, and unfair dismissals, as well as verbal and physical violence.²⁵

In 2022, Varlam Goletiani, a leader of the protest movement against the Namakhvani HPP, was dismissed from the Kutaisi Traditional Music School, a decision which, according to Goletiani, was linked to his environmental activism.²⁶

In 2023, the police detained 11 demonstrators, including Varlam Goletiani, on charges of petty hooliganism. They had gathered in front of the MEPA building to protest the issuance of licences to hunt in the Racha forests.²⁷

²³ Social Justice Center, "Georgian Dream' Continues Its Persecution of Civil Society Organizations – Social Justice Center Publishes the Written Explanation Submitted to the Anti-Corruption Bureau," 2025, available at: <https://bit.ly/47kWadX> (accessed 11 October 2025).

²⁴ Social Justice Center, "Despite Asset Freezes and Repressions, Georgian NGOs Will Continue Our Work," 2025, available at: <https://bit.ly/4hudoZj> (accessed 11 October 2025).

²⁵ Social Justice Center, "Government Approaches to Environmental Resistance – Neglect, Discreditation and Repression," 2025, available at: <https://cutt.ly/yr7ytQ7n> (accessed 11 October 2025).

²⁶ *Ibid.*

²⁷ *Ibid.*

In 2023, Tea Godoladze, head of the Institute of Earth Sciences at Ilia State University, was targeted by a government-backed disinformation campaign seeking to discredit her professional assessment of the landslide in Shovi.²⁸ In the same year, Godoladze was charged with an unfounded allegation of violence against her ex-partner, of whom she herself had claimed to be a victim. Fearing criminal sanctions, Godoladze left Georgia in January 2025.²⁹

Protesters opposing the construction of tourist attractions in the protected territory of the Balda Canyon have faced persistent smear campaigns, alongside verbal and physical assaults by company representatives throughout their long-term protest.³⁰ In July 2024, one of the protest leaders, Indiko Bzhalava, was detained on unsubstantiated charges of allegedly threatening the spouse of an individual associated with the company.³¹

In June 2024, an activist from Zodi was assaulted by unidentified individuals shortly before a planned demonstration against mining activities in the area.³² In December 2024, Eliso Janashia, an environmental activist from Poti who had organised pro-European demonstrations, was attacked by an individual she recognised as a supporter of the ruling party.³³

The authorities have accused local residents of unlawfully acquiring ownership of land that had been privately owned and historically used by them, using such allegations to suppress community opposition and to facilitate the transfer of land for economic purposes. This was the case in the village of Shkmeri, where the National Agency of Mineral Resources issued mining licences in 2021 without ensuring public participation, the decision was met with strong community resistance. Instead of engaging with the affected population in an open and participatory process, the state authorities initiated criminal investigations against local residents who had lawfully confirmed ownership of their land between 2018 and 2020. Several individuals were subsequently prosecuted on allegations of fraudulent registration.³⁴

28 Social Justice Center, “Social Justice Center Expresses Solidarity with Tea Godoladze,” 2023, available at: <https://cutt.ly/HrOrdwgh> (accessed 11 October 2025).

29 Social Justice Center, “Government Approaches to Environmental Resistance – Neglect, Discreditation and Repression,” 2025.

30 Sabuko, “Assessment of Forest Management in Georgia,” 2024, available at: <https://www.sabuko.org/wp-content/uploads/2025/01/Brochure.pdf> (accessed 11 October 2025).

Social Justice Center, “Government Approaches to Environmental Resistance – Neglect, Discreditation and Repression,” 2025.

31 Social Justice Center, “Social Justice Center Responds to the Release of Indiko Bzhalava,” 2024, available at: <https://cutt.ly/LrOrfVgM> (accessed 11 October 2025).

32 Tabula, “Activist Kote Abdushelishvili Was Attacked,” 2024, available at: <https://cutt.ly/grOrdmeb> (accessed 11 October 2025).

33 [Stoppersecution.org](https://www.stop-persecution.org/georgian-activist-eliso-janashia-assaulted-in-her-hometown), “Georgian Activist Eliso Janashia Assaulted in Her Hometown,” 2024, available at: <https://www.stop-persecution.org/georgian-activist-eliso-janashia-assaulted-in-her-hometown> (accessed 11 October 2025).

34 Sabuko, “Assessment of Forest Management in Georgia,” 2024, available at: <https://www.sabuko.org/wp-content/uploads/2025/01/Brochure.pdf> (accessed 11 October 2025).

Social Justice Center, “Government Approaches to Environmental Resistance – Neglect, Discreditation and Repression,” 2025.

The Chiatura case illustrates the multifaceted nature of the reprisals faced by protest participants.

Environmental and social concerns stemming from mining activities in Chiatura have become a persistent source of tension, prompting continuous protests by local communities and environmental activists since 2019. Residents report that the intensive operations of Georgian Manganese LLC, which has held the licence for manganese extraction since 2006, have hollowed out the ground beneath villages, caused water pollution, depleted wells, and destroyed homes, infrastructure, and agricultural land. In 2022, approximately 20 houses collapsed in the village of Itkhvisi, while residents of Shukruti continue to live under the constant threat of similar damage.³⁵

Despite the severity of these impacts, no comprehensive assessment has been undertaken to evaluate the effects of mining on local livelihoods and the environment, nor have fair and adequate compensation schemes been developed to address the damage caused. A commission was established in 2022 to evaluate the destruction in Itkhvisi; however, its work was carried out behind closed doors, without the participation of local stakeholders. The commission's conclusion, attributing the collapse of houses in Itkhvisi to cumulative factors, including Soviet-era mining, remains highly disputed.³⁶

In 2021, large-scale protests, including hunger strikes, compelled the company to promise damage evaluation and compensation, yet only a fraction of households received partial or inadequate payments. Protests resumed in 2024 and continue to this day, escalating to extreme forms such as hunger strikes and sewing together of lips. The unfair reorganisation process, which resulted in the dismissal of hundreds of miners, combined with the company's refusal to provide adequate remuneration to workers, has added a severe economic dimension to the already pressing environmental concerns of local communities.³⁷

Rather than addressing the grievances of residents, the state and the company have responded with repressive measures against protesters. Protest leaders and participants have faced criminal prosecutions, seizures of property, dismissals from employment, smear campaigns, and physical assaults. In July 2024, three protesters were charged under Article 226 of the Criminal Code for allegedly disrupting mining operations, and faced up to three years in prison. In August 2024,

³⁵ PDO, Annual Report 2022, available at: <https://www.ombudsman.ge/res/docs/2023120411211781277.pdf> (accessed 11 October 2025).

Social Justice Center, "Social Justice Center and Green Alternative Assess Ongoing Developments in the Village of Shukruti, Chiatura Municipality," 2019, available at: <https://cutt.ly/krOrsDpf> (accessed 11 October 2025).

Social Justice Center, "It Is Alarming That Georgian Manganese's Responsibility for Itkhvisi Is Not Reflected in the Geological Report," 2022, available at: <https://cutt.ly/erOrsnX9> (accessed 11 October 2025).

Social Justice Center, "Social Crisis in Chiatura: Wage Arrears to Miners Must Be Compensated Immediately," 2025, available at: <https://cutt.ly/XrOrss8T> (accessed 11 October 2025).

³⁶ PDO, Annual Report 2022.

³⁷ [Stoppersecution.org](https://stop-persecution.org/persecution-of-environmental-defenders-from-a-georgian-mining-village), "Persecution of Environmental Defenders from a Georgian Mining Village," 2024, available at: <https://stop-persecution.org/persecution-of-environmental-defenders-from-a-georgian-mining-village> (accessed 11 October 2025).

a subcontractor initiated civil lawsuits against 30 villagers, claiming nearly EUR 2 million in damages, while courts ordered seizures of property to secure these claims. Between June and September 2024, five miners were dismissed from their jobs for participating in protests. Protesters have also been physically attacked by company representatives seeking to forcibly reopen mine entrances. In parallel, disinformation campaigns have sought to delegitimise the protests, portraying them as orchestrated by CSOs and “radical opposition forces”, echoing the government’s broader rhetoric depicting CSOs as a threat to national interests. In April 2025, tensions between protesters and the company director escalated into a physical confrontation, resulting in the detention of four protesters on criminal charges of “organising group violence” under Article 225 of the Criminal Code. Since 1 May, these individuals have remained in detention (still at the time of publication of this report – November 2025), with criminal proceedings ongoing.³⁸

These cases illustrate the serious and escalating risks faced by environmental defenders in Georgia for exercising their rights to protest and to participate in environmental decision making. Such reprisals not only endanger individual activists and organisations but also create a broader chilling effect, aimed at deterring civic engagement and suppressing further environmental initiatives.



Destroyed House in Itkhvisi, Chiatura. (Photo: Radio Liberty)

³⁸ *Ibid.*

Social Justice Center, “Kutaisi City Court Will Review the Continuation of the Pre-Trial Detention Against Detainees from Chiatura on June 12,” 2025, available at: <https://bit.ly/3Jw2ANZ> (accessed 11 October 2025).



Protest by Shukruti residents over mining impacts in Chiatura. (Photo: OC Media)

Access to Environmental Information (Article 4)

Provision of Environmental Information upon Request

The legal framework governing the provision of environmental information is, in general, adequate and consistent with the standards established under the Convention. Applicants are not required to provide justification for their requests and may access the information in its original form or receive a copy in a format of their choosing. No fees are charged for access, other than the reasonable cost of reproducing the requested documents (Articles 10, 37, and 38 of the GACG).

According to the GACG, public authorities are required to provide public information without delay, and in any case no later than ten days (Article 40.1). Information classified as a commercial, professional, or state secret, as well as information containing personal data, is exempt from disclosure (Article 10). The classification of environmental information is expressly prohibited (Article 42 "a"). Moreover, an administrative body is obliged to separate the exempt information from the remainder and ensure the disclosure of the non-exempt portion of environmental information (Article 33). A public authority is obliged to issue a written decision when refusing to provide public information and to inform the applicant of the applicable time limits and procedures for appeal (Article 41.2).

Although the legal framework formally guarantees the right of access to environmental information, existing legislative gaps, combined with challenges in practical implementation, often lead to violations of the right guaranteed under Article 4 of the Aarhus Convention.

A major structural weakness in the system for providing environmental information is the absence of effective supervisory mechanisms to ensure that public authorities comply with their obligations. Georgia does not have an independent body dedicated to the protection of the right of access to information. MEPA does not hold a mandate to oversee state bodies' compliance with their obligations to provide environmental information. While the PDO conducts general oversight of the state's adherence to freedom of information principles, it has acknowledged that its broad mandate, coupled with limited institutional capacity, hinders its ability to conduct effective and comprehensive monitoring in this regard. As a result, judicial review remains the only available mechanism for addressing non-compliance; however, this process is lengthy, resource-intensive, and does not provide an effective remedy in practice.³⁹

The statutory duty of public authorities under Article 49 of the GACG to report annually to the President, Parliament, and Government on such requests has proved largely ineffective. This ineffectiveness stems from the absence of any mechanism to verify the accuracy of the data

³⁹ PDO, Special Report on Challenges Related to the Proper Realisation of the Right to Access to Public Information, 2025.

provided, the lack of a standardised reporting format, and the resulting difficulty in aggregating results. These shortcomings, and the overall ineffectiveness of the reporting mechanism, have also been explicitly highlighted by the Parliamentary thematic study group established to review its practical functioning.⁴⁰ Moreover, the Institute for Development of Freedom of Information (IDFI) identified significant shortcomings in the 2023 reports, including clear inaccuracies in the statistical data submitted by public authorities. For instance, the Agency of Protected Areas reported full compliance with all 35 requests for public information, despite the fact that at least one request submitted by IDFI itself had gone unanswered.⁴¹

Systemic Failure of Public Authorities to Respond to Requests

There are no consolidated statistics on the provision of environmental information, which prevents a comprehensive assessment of the overall situation and the identification of systemic trends. Nevertheless, the available data clearly demonstrates that the principal obstacle to effective access is the widespread failure of public authorities to respond to requests.⁴² Where responses are issued, they are frequently incomplete and rarely address the requests in their entirety.

In the course of preparing this report, requests for information were submitted to 29 Common Courts concerning cases related to refusals to provide environmental information, as well as challenges to EIAs, SEAs, and decisions on environmental permits. The findings demonstrate serious deficiencies in practice: only 14 of the 29 courts responded within the legally prescribed time frame, six of which involved refusals to provide information. The predominant justification for refusal was the alleged lack of human and technical capacity to compile and systematise the requested data, particularly in the absence of established statistical systems for such classifications. A similar pattern was observed at the municipal level, where only 27 out of 64 municipalities provided a response within the legal deadline to requests concerning public participation and access to information.

IDFI has documented a pronounced negative trend in recent years in the compliance of public authorities with their obligations to provide access to information, with a sharp decline observed since 2022. That year, only 33% of public information requests received fully satisfactory responses, and merely 35% were addressed within the legally mandated timeframe, while 58% remained unanswered. This deterioration is particularly evident within MEPA and its ten subordinate agencies. Out of 25 requests submitted by IDFI to the Ministry, only two were fully satisfied,

⁴⁰ Parliamentary Committee on Human Rights and Civil Integration, Conclusion of Thematic Study Group on the Effectiveness of Parliamentary Control Over Submission of Reports on Accessibility of Public Information by Public Bodies, 2022, available at: <https://bit.ly/3LbiIVG> (accessed 11 October 2025).

⁴¹ IDFI, "Results of Monitoring the Accuracy of the December 10th Reports from Public Institutions," 2023, available at: <https://bit.ly/3WpCGyw> (accessed 11 October 2025).

⁴² PDO, Special Report on Challenges Related to the Proper Realisation of the Right to Access to Public Information, 2025.

GYLA, "Access to Environmental Justice: Six Case Studies," 2024, available at: <https://cutt.ly/pr7tonzk> (accessed 11 October 2025).

while 23 went unanswered, an 88% reduction in the provision of public information compared to the previous year, representing a serious setback in transparency. Similarly, the Department of Environmental Supervision, the National Environmental Agency, the Agency of Protected Areas, the National Wildlife Agency, the National Agency for Sustainable Land Management and Land Use Monitoring, the Agency of Nuclear and Radiation Safety, the Agency of Mineral Resources, and the Environmental Information and Education Centre all failed to respond to any of the 22 requests submitted by IDFI in 2022.⁴³

This negative trend has been confirmed by the PDO and environmental organisations, which note that while access to such information was already problematic prior to 2022, since 2022 the authorities have either provided brief and inadequate responses or effectively altogether ceased responding to information requests, rendering the submission of such requests pointless in practice.⁴⁴

Unsubstantiated Rejections

Public authorities frequently interpret and apply legal provisions in a manner that results in unsubstantiated refusals to provide access to public information.

One of the most frequently invoked grounds for refusing to provide environmental information is the assertion that fulfilling a request would impose an “unreasonable administrative burden”. In practice, authorities often neglect their obligation to separate and disclose non-confidential information, instead claiming that the depersonalisation or redaction of data would create such a burden. In addition, requests are frequently rejected on the basis that their fulfilment would require coordination among multiple public entities, consultation with other authorities, the consolidation of dispersed documents, or the processing of large volumes of information.⁴⁵

CSOs have reported instances in which MESD has limited access to environmental information by applying an unduly restrictive interpretation of what constitutes environmental information.⁴⁶ Moreover, the scope of the exemptions for the disclosure of public information is not always interpreted narrowly, nor applied with due regard to the overriding public interest in the disclosure of environmental information.⁴⁷

⁴³ IDFI, “Access to Public Information in Georgia,” 2022, available at: https://idfi.ge/ge/access_to_public_information_in_georgia_2022_ (accessed 11 October 2025).

⁴⁴ PDO, Special Report on Challenges Related to the Proper Realisation of the Right to Access to Public Information, 2025.

Social Justice Center, Government approaches to environmental resistance – neglect, discreditation and repression, 2025

⁴⁵ PDO, Special Report on Challenges Related to the Proper Realisation of the Right to Access to Public Information, 2025.

⁴⁶ UNDP and German Cooperation, “Access to Environmental Justice in Georgia,” 2023, available at: <https://www.undp.org/ka/georgia/publications/environmental-justice> (accessed 11 October 2025).

⁴⁷ PDO, Special Report on Challenges Related to the Proper Realisation of the Right to Access to Public Information, 2025.

Notably, access to certain categories of environmental information had been restricted by the legislation itself. In particular, Government Resolution No. 515, which governs decision-making procedures for energy projects falling outside the scope of public-private partnerships (PPP), provided for the possibility of classifying a company's application for the implementation of such projects, together with any related documentation, upon the company's request. This provision allowed for classification to be granted without due consideration of the reasons justifying the exemption and the application of the public interest test. Following a constitutional complaint filed by the Social Justice Center, in October 2025 the Constitutional Court invalidated the provision, finding that it violated the right of access to public information as guaranteed under Article 18 of the Constitution. However, the Court found it unnecessary to make a further assessment of the provision's compliance with the specific right to receive environmental information under Article 29, thereby avoiding clarification on whether the information in question qualified as environmental information.⁴⁸

There is also a consistent pattern of authorities withholding access to environmental information of significant public interest, such as the operations of large enterprises in the mining sector and large-scale HPP projects, as illustrated by the cases described below.⁴⁹

In November 2022, the environmental CSO Green Alternative requested public information from the LEPL National Agency of Mineral Resources seeking documentation related to mining licences, including that of Chiatura Manganese LLC, as well as information on risk assessment methodologies applied in the mining sector. The Agency partially fulfilled the request after a delay of more than three months and only following referral of the matter to a higher authority. The portion of the request concerning the correspondence of the Agency with Georgian Manganese and related official documents remains unresolved.⁵⁰ MEPA likewise refused to provide correspondence and any official documents related to Georgian Manganese, and further declined to review the complaint submitted by Green Alternative.⁵¹ Both refusals have been pending judicial review since 2023.

The Department of Environmental Supervision failed to disclose information on complaints and notifications of alleged illegal mining activities in the municipalities of Chiatura and Oni, as well as the measures taken in response. The 2022 request remains pending judicial review since 2023.⁵²

⁴⁸ Government Resolution No. 515, 2018, available at: <https://matsne.gov.ge/ka/document/view/4356735?publication=6> (accessed 11 October 2025).

Constitutional Court of Georgia, Decision N1/12/1694, 2025, available at: <https://www.constcourt.ge/ka/judicial-acts?legal=18485> (accessed 11 October 2025).

⁴⁹ UNDP and German Cooperation, "Access to Environmental Justice in Georgia," 2023

⁵⁰ Green Alternative, "Green Alternative Demands Release of Public Information," 2023, available at: https://greenalt.org/disputes_complaints/court_claim_nam_public_information/ (accessed 11 October 2025).

⁵¹ Green Alternative, "Green Alternative Demands Release of Public Information Related to the Activities of LLC Georgian Manganese," 2023, available at: https://greenalt.org/disputes_complaints/court_claim_moe_gm/ (accessed 11 October 2025).

⁵² Green Alternative, "Green Alternative Demands Release of Public Information Related to the Activities of the Department of Environmental Supervision," 2023, available at: https://greenalt.org/disputes_complaints/court_claim_des/ (accessed 11 October 2025).

In 2023, the Department of Environmental Supervision declined a request submitted by the media organisation “Mtisambebi” for data on ambient air, water, and soil pollution in Chiatura Municipality. The refusal was justified on the basis that the requested data was excessively voluminous, that its depersonalisation would require considerable effort, and that certain elements of the information formed part of the case files of an ongoing criminal investigation, the disclosure of which had been deemed inappropriate by the investigative authorities.⁵³

Proactive Dissemination of Environmental Information

Processing, Updating, and Ensuring an Adequate Flow of Environmental Information

The flow of environmental information among different authorities is not adequately ensured, resulting in the fragmentation of data across multiple governing bodies.⁵⁴ A unified, centralised database for consolidating environmental information does not yet exist. The challenges in terms of accessibility of environmental information are highlighted in the Fourth National Environmental Programme as well. According to the document, such information is scattered across various entities that own or produce it, with no effective mechanisms in place to consolidate the data on a single platform.⁵⁵ The persistent fragmentation of data results in insufficient accessibility of environmental information. Furthermore, although progress has been made in developing various online information portals, the data made available through these platforms is often incomplete and/or outdated.

For example:

- The Forest and Land Use Atlas (atlas.mepa.gov.ge), intended to provide transparent spatial data on forests and land use, is rarely updated and technically unreliable. Key features, such as maps showing forest cover change and land degradation, are currently unavailable because of technical faults. Even previously available information is now missing from the website, including data on licences for the use of mineral resources.⁵⁶
- The Geographic Information Portal (portal.mepa.gov.ge) offers only limited data and no longer displays thematic forest cover maps.⁵⁷
- The Water Information System of Georgia (wis.mepa.gov.ge) provides no quantitative data on water resources, while qualitative data is limited and available for only up to 2018.

⁵³ PDO, Special Report on Challenges Related to the Proper Realisation of the Right to Access to Public Information, 2025.

UNDP and German Cooperation, “Access to Environmental Justice in Georgia,” 2023.

[Mtisambebi.ge](https://mtisambebi.ge), “‘Mtis Ambebi’ is Submitting a Complaint to the Court to Request the Provision of Conclusions Regarding Air Pollution in Chiatura,” 2023, available at: <https://mtisambebi.ge/news/item/1620> (accessed 11 October 2025).

⁵⁴ UNDP and German Cooperation, “Access to Environmental Justice in Georgia,” 2023.

⁵⁵ MEPA, Fourth National Programme on Environmental Activities for Years 2022–2026, 2022, available at: <https://mepa.gov.ge/Ge/PublicInformation/34047> (accessed 11 October 2025).

⁵⁶ Sabuko, “Forest Governance Assessment in Georgia,” 2024.

⁵⁷ *Ibid.*

Government agencies' efforts to disseminate environmental information proactively remain inconsistent and largely inadequate. Many institutions do not update the information published on their official websites regularly, resulting in significant gaps and outdated content. In numerous cases, the disclosure of environmental information occurs only following court proceedings, rather than through proactive measures. Furthermore, systemic delays in the collection, processing, and publication of environmental data significantly undermine the timeliness and relevance of the information made available to the public.

For instance:

- The Environmental Supervision Department has not issued an annual report since 2023, and the most recent publicly available inspection report on industrial emissions and waste management dates to 2022.⁵⁸ Departments' statistics regarding illegal mining were disclosed only for a limited three-month period in 2024.⁵⁹
- The annual statistical report on the environment and natural resources has not been updated since 2023.⁶⁰
- Until 2023, the Annual Geological Bulletin on the Results of Natural Disasters and Geological Processes ("Geological Bulletin") was not proactively published and could only be obtained upon request. In 2023, the National Environmental Agency refused to provide the Bulletin even upon a request from Green Alternative, releasing it only after a court appeal. While the Bulletins are now being published, they appear with significant delays and are placed in a section of the website which is hard to locate for the public.⁶¹
- The National Environmental Agency started releasing monthly bulletins on environmental pollution in 2023, after court proceedings were initiated by Green Alternative.⁶² However, the releases have been significantly delayed, and the latest available bulletin is from August 2025.⁶³
- The National Report on the State of the Environment for 2018–2021 was adopted only in 2023.⁶⁴

⁵⁸ <https://des.gov.ge/Ge/WasteManagementControl?page=5&pageSize=9>

⁵⁹ <https://des.gov.ge/Ge/StatisticsofIllegalExtraction>

⁶⁰ <https://www.geostat.ge/ka/single-categories/109/sakartvelos-bunebrivi-resursebi-da-garemos-datsva>

⁶¹ <https://nea.gov.ge/Ge/Departments/Geology>.

Information Provided by Green Alternative.

⁶² Green Alternative, "Legal Disputes," 2023, available at: https://greenalt.org/disputes_complaints/mwvane-alternativa-garemos-mdgomareobis-shesakheb-informacia-itkhovs/ (accessed 11 October 2025).

⁶³ <https://nea.gov.ge/Ge/Departments/Polution/Biulettins>.

Information Provided by Green Alternative.

⁶⁴ MEPA, National Report on the State of the Environment 2018–2021 available at: <https://mepa.gov.ge/Ge/Reports?page=3&pageSize=9> (accessed 11 October 2025).

Data Availability and Accessibility

Mechanisms for collecting and analysing environmental data remain outdated and inadequate. The responsible agencies often lack the technical capacity and equipment required for effective field and laboratory inspections, which undermines the production of reliable environmental information.⁶⁵ Furthermore, even where data is produced, public access is hindered by the non-user-friendly formats in which such information is published. Environmental data released by public authorities is often presented in highly technical or fragmented formats, making it difficult for the general public to interpret, analyse, and use effectively.

Substantial data gaps exist across multiple areas, including:

Geological Data and the Use of Mineral Resources

The collection, storage, and accessibility of geological data, as well as technical capacity for data analysis, remains limited. There is no geological map that would provide a complete picture of the country's mineral resources.⁶⁶ Existing geological databases are outdated, and their integration remains a significant technical challenge. In practice, data fragmentation often leads to incomplete and inconsistent information concerning project areas and the ecosystems subject to impact assessments in the studies that are submitted and documentation.⁶⁷

The availability of information on licences for the use of mineral resources has been problematic for years. In 2023, the agency rejected all five requests from Green Alternative to access the licence registry. At present, the registry is available only as a raw Excel table, which is not user-friendly and provides limited information regarding the identity of the licence holder and the location, area, and duration of the licence. Moreover, it does not indicate the date of the last update.⁶⁸

Weak supervision in the mining sector has further undermined the availability and accessibility of environmental information. Before institutional restructuring in 2025, the Agency of Mineral Resources, which operated under MESD, was responsible for supervising mining licences. The Agency's mandate focused narrowly on verifying compliance with licence conditions, leading to inspections that addressed technical and procedural requirements rather than assessing broader environmental impacts. As a result, enforcement data reveals that most fines imposed related to procedural breaches, such as operating without the required documentation, rather than substantive environmental harms. The frequency of inspections was also very low, with only 184 inspections in 2021 and 191 in 2022, despite there being more than 4,000 active licences. This

⁶⁵ OECD, "System of Enforcement of Environmental Legislation in Georgia, Current Situation and Recommendations," 2023.

⁶⁶ Social Justice Center, "Participation of Local Community in Decision-Making Process Concerning Exploitation of Mineral Resources," 2022, available at: <https://cutt.ly/8r7t3mP4> (accessed 11 October 2025).

⁶⁷ Ministry of Environmental Protection and Agriculture of Georgia, Georgian National Energy Policy Document, 2024, available at: <https://cutt.ly/er7t2Lok> (accessed 11 October 2025).

⁶⁸ <https://www.namr.gov.ge/licenses?scrollTo=license-transfer-application-samples>.

Information Provided by Green Alternative.

inadequate oversight produced fragmented and unreliable information, restricting public access to meaningful environmental data on the impacts of mining activities. Frequent institutional restructuring has further disrupted continuity, hindering consistent data collection and long-term transparency in the sector.⁶⁹

While the law requires mining licence holders to submit annual reports on compliance with licence conditions, this obligation remains limited in scope. It neither accounts for the dynamic and evolving nature of mining operations nor provides a comprehensive assessment of their environmental impacts. Furthermore, the enforcement of this reporting requirement is insufficient. For instance, a study by Green Alternative found that, out of 128 sand and gravel extraction licence holders, 40 failed to comply fully with the reporting obligations. Finally, information contained in these reports, as well as data on companies' compliance with licence conditions and related law enforcement activities, is made available to the public only upon request, and such requests are frequently delayed, denied, or only partially fulfilled.⁷⁰

Hydrological Data

Although the hydrological monitoring system in Georgia has expanded in recent years, the available data on the country's water resources, including renewable freshwater, remains severely insufficient. The lack of comprehensive and reliable information, inadequacy of monitoring mechanisms, and incomplete databases make it impossible to assess the trends or evaluate changes in the quantitative status of hydrological resources.⁷¹

Forest Governance

Information on forest use agreements, concessions, and monitoring results is not published proactively. Forest management plans for state-managed forests are rarely made publicly accessible. The National Forest Agency has failed to respond to public information requests from CSOs seeking access to forest management plans and related documents, even after administrative complaints were filed. The management plans that are available are written in highly technical

69 Green Alternative, "Challenges in the Mining Sector – A Short Review," 2024, available at: https://greenalt.org/app/uploads/2024/11/georgia_mining-sector-challenges_2024_ge.pdf (accessed 11 October 2025).

Social Justice Center, "Shortcomings in Legislation and Practice of State Oversight on Mining Activities," 2022, available at: <https://cutt.ly/6r7t3KHf> (accessed 11 October 2025).

Law of Georgia on Licences and Permits, Articles 21(3) and 21(6), available at: <https://matsne.gov.ge/document/view/26824?publication=118> (accessed 11 October 2025).

OECD, "System of Enforcement of Environmental Legislation in Georgia: Current Situation and Recommendations," 2023.

70 Social Justice Center, "Shortcomings in Legislation and Practice of State Oversight on Mining Activities," 2022.

Green Alternative, "Challenges in the Mining Sector – A Short Review," 2024.

71 MEPA, Fourth National Programme on Environmental Activities for Years 2022–2026, 2022, available at: <https://mepa.gov.ge/Ge/PublicInformation/34047> (accessed 11 October 2025).

National Report on the State of the Environment, 2018–2021, (p. 59), at: <https://eiec.gov.ge/En/NationalReports>, (accessed 11 October 2025).

Sabuko, "Challenges of Planning and Implementing Infrastructural Projects in Georgia," 2023, available at: https://www.sabuko.org/wp-content/uploads/2024/01/policy_paper_sabuko_online_review_eng.pdf (accessed 11 October 2025).

language, making them inaccessible to communities that are affected and limiting public understanding and engagement.⁷²

Although Georgian legislation requires the establishment of a Forest Information and Monitoring System (FIMS) to consolidate data on forest accounting, use, restoration, research, and inspections, the system has not yet been implemented by MEPA.⁷³

Impacts of Climate Change

The impacts of climate change are not adequately studied.⁷⁴ Instead of regular and comprehensive assessments of climate risks, evaluations are carried out sporadically and primarily in connection with specific infrastructural projects or planned activities. Existing assessments tend to be broad and lack sufficient detail in terms of sectoral and geographical specificities. As a result, significant data gaps persist, which hinder the development and effective implementation of adaptation measures.⁷⁵

Environmental Pollution

The existing monitoring and supervisory mechanisms do not provide a comprehensive picture of the state of the environment and pollution levels, including information on industrial emissions and air and water pollution.

The current system of environmental permits in Georgia lacks provisions for the regular revision of permits and the continuous assessment of the environmental impacts of industrial activities.⁷⁶ Environmental permit documents are often dispersed across multiple government bodies and departments, creating challenges for effective oversight. This fragmentation hinders the ability to perform timely, up-to-date assessments of emissions and their environmental effects.⁷⁷

While the Law of Georgia on Industrial Emissions, adopted in 2023, introduces an integrated permit system that promises to improve the regulatory and participatory framework for environmental oversight, its full implementation has been significantly delayed as the major provisions of this law will not come into force until September 2026.

There is no publicly accessible PRTR database on industrial emissions as required by the PRTR protocol to the Aarhus Convention.⁷⁸

72 Sabuko, "Forest Governance Assessment in Georgia," 2024.

73 *Ibid.*

74 Green Alternative, "Climate Change and Local Self-Government in Georgia: Preparedness Assessment and Needs," 2024.

75 *Ibid.*

76 OECD, "System of Enforcement of Environmental Legislation in Georgia, Current Situation and Recommendations," 2023.

77 *Ibid.*

78 *Ibid.*

Air Pollution

In 2023, Arnika conducted two studies on air pollution in Georgia, identifying industry, transport, and energy as the main anthropogenic sources of air pollution. The studies found Tbilisi and Rustavi to be among the most affected areas, with elevated concentrations of nitrogen dioxide (NO₂) and particulate matter (PM₁₀). In Rustavi, PM₁₀ concentrations exceeded the 24-hour limit value on more than half of the days in the year, indicating a particularly serious level of air pollution.⁷⁹

The National Air Quality Monitoring Network, consisting of only 15 automated stations (Mestia – 1; Akhaltsikhe – 1; Batumi – 2; Zugdidi – 1; Tbilisi – 6; Rustavi – 2; Kutaisi – 2),⁸⁰ remains severely insufficient to ensure comprehensive national coverage. Notably, most stations are situated in major cities, thus providing limited representation at the national level, with no data available from smaller towns, villages, or remote rural areas.⁸¹

In addition to the gaps in data collection, data availability regarding pollution levels is not adequately ensured. While the development of an air quality monitoring portal (air.gov.ge) making daily and monthly monitoring results available is a welcome step, aggregated annual air quality reports have not been published since 2020, which restricts the public's ability to understand long-term air quality trends and their implications.⁸²

Furthermore, there are serious shortcomings in the state supervision of heavy polluters. The number of inspections carried out by the Department of Environmental Supervision remains limited, and inspection results are not made publicly accessible. For instance, despite Rustavi being among the cities most affected by air pollution, in 2024 only one enterprise was targeted for a planned inspection.⁸³

Existing self-monitoring mechanisms likewise fail to provide a reliable source of information, as such data is not made publicly available. In response to the recommendation of the civic platform “Gavigudet” to ensure public availability of self-monitoring reports on emissions, MEPA stated that such disclosure could infringe commercial secrecy and emphasised that no such obligation was envisaged under the current legislation.⁸⁴ Furthermore, compliance by companies with the

79 Arnika, “Air Pollution in Georgia as Seen from Space,” 2023, available at: <https://arnika.org/en/publications/air-pollution-in-georgia-as-seen-from-space> (accessed 11 October 2025).

Arnika, “Assessment of the State Air Quality Monitoring in Georgia,” 2023, available at: <https://arnika.org/en/publications/assessment-of-the-state-air-quality-monitoring-in-georgia> (accessed 11 October 2025).

80 https://air.gov.ge/reports_page

81 Arnika, “Assessment of the State Air Quality Monitoring in Georgia,” 2023.

82 https://air.gov.ge/reports_page?station=ORN01&report_type=monthly&date_from=2025-07

83 Gavigudet, “How Was the Air Quality Management Plan Implemented in the First Half of 2024?,” 2024, available at: <https://gavigudet.org/reports/rogor-shesrulda-2024-tslis-pirvel-nakhevarshi-haeris-khariskhis-marthvis-gegma/> (accessed 11 October 2025).

84 Gavigudet, “How Was the Air Quality Management Plan Implemented in the First Half of 2024?,” 2024.

obligation to submit self-monitoring reports remains limited, as many either submit their reports belatedly or fail entirely to submit them.⁸⁵

To compensate for the weak state air quality monitoring system and to enhance public access to environmental information, the Tbilisi-based NGO Green Pole, in partnership with Arnika, established the AirGe community monitoring network based on the principles of citizen science. The initiative, unique in the South Caucasus region, expanded to include 100 monitoring stations across 11 cities by the end of 2024, despite ongoing political instability.⁸⁶ However, the initiative faced resistance from MEPA, which attempted to persuade donors to withdraw funding, claiming that civic air pollution monitoring activities were illegal under Georgian law.

Water Pollution

According to its 2025 monitoring results, the PDO identified the population's lack of adequate information on water quality as a significant problem, stemming from the failure of existing mechanisms and practices to ensure effective access to such information. The PDO underscored that the population is unaware of which state agencies are responsible for water quality and where to access relevant information, while municipalities themselves lack awareness of the right to water. The PDO further noted the difficulties encountered in obtaining environmental information from municipalities during the preparation of this report.⁸⁷

State control over drinking water quality is exercised by the National Food Agency within an annual risk-based programme, including inspections, sampling, and laboratory testing. Since 2020, however, these inspections have focused exclusively on centralised water supply systems, leaving rural areas not connected to such systems without any quality control. Furthermore, although the number of water samples taken annually has increased (470 in 2022, 520 in 2023, and 850 for 2024), these figures remain insufficient to provide adequate coverage of the entire country. In addition, despite the legal requirement for water suppliers to hold the appropriate licences, many suppliers operate without them, hindering effective monitoring of their compliance with existing regulations.⁸⁸

These shortcomings in quality monitoring are compounded by problems with data availability. The results of the state monitoring are published only in raw Excel tables covering multiple food categories, without clear regional breakdowns, which prevents the public from obtaining even a generalised picture of water quality trends across municipalities. Importantly, the Agency informs the public only when non-compliance with specific indicators defined by the technical regulations is detected.⁸⁹

⁸⁵ OECD, "System of Enforcement of Environmental Legislation in Georgia, Current Situation and Recommendations," 2023.

⁸⁶ Arnika, "Citizen Science to Fight Dirty Air: Georgia's Network of Pollution Monitoring Reaches a Hundred Stations," 2025, available at: <https://cutt.ly/Wr7yySJa> (accessed 11 October 2025).

⁸⁷ PDO, Special Report on the Realisation of the Right to Water in Georgia, 2025, available at: <https://www.undp.org/sites/g/files/zskgke326/files/2025-06/undp-georgia-pdo-report-right-to-water-eng.pdf> (accessed 11 October 2025).

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

The monitoring system for underground water quality is likewise inadequate, with only a limited number of monitoring stations operating across the country.⁹⁰

Disaster Preparedness/response

In recent years, the increasing frequency and severity of natural disasters have exposed critical deficiencies within Georgia's emergency response system. Insufficient environmental data, the absence of comprehensive early warning mechanisms, poorly-designed evacuation plans, and ineffective communication strategies have left affected communities vulnerable and ill-prepared to respond to crises.⁹¹

Shovi Tragedy

In August 2023, intense storms triggered a catastrophic mudflow in Shovi, Racha, resulting in the deaths of 33 people and the complete destruction of the resort. The tragedy raised serious and legitimate questions as to whether its devastating consequences could have been prevented through adequate risk assessment, preparedness, and timely response, an issue that remains under investigation.⁹²

According to the LEPL National Environmental Agency, no early warning system was in place to predict the disaster. Authorities had not considered installing an alarm system in the Bubistskali river valley near Shovi, claiming that historical records contained no evidence of adverse glacial or geodynamic processes in the area. In the absence of prior human fatalities, the Agency dismissed eyewitness reports of recurring floods as insufficient grounds for conducting a comprehensive study of the hydrometeorological and geological conditions. The Agency has further denied receiving any formal notification concerning potential hazards near the Bubistskali gorge.⁹³

This position stands in sharp contrast to documented evidence of risks in the area. Floods in 2017 and 2020 had already caused significant infrastructure damage, and local residents had repeatedly raised concerns with the authorities. However, the response of the local municipality remained largely reactive, limited to mitigating damage rather than assessing underlying risks or adopting preventive measures.⁹⁴

⁹⁰ OECD, "System of Enforcement of Environmental Legislation in Georgia, Current Situation and Recommendations," 2023.

PDO, Annual Report 2024, available at: <https://www.ombudsman.ge/res/docs/2025091211433999093.pdf> (accessed 11 October 2025).

MEPA, Fourth National Programme on Environmental Activities for Years 2022–2026, 2022, available at: <https://mepa.gov.ge/Ge/PublicInformation/34047> (accessed 11 October 2025).

⁹¹ Social Justice Center, "Civil Society Organizations Demand Effective Investigation of Natural Disasters in Shovi and Guria," 2023, available at: <https://cutt.ly/ErOrpKEH> (accessed 11 October 2025).

⁹² PDO, Annual Report 2023, available at: <https://www.ombudsman.ge/res/docs/2024052911382931838.pdf> (accessed 11 October 2025).

⁹³ *Ibid.*

⁹⁴ *Ibid.*

Geological bulletins from 2020–2022 further underscore the authorities’ negligence. The 2020 bulletin classified the Shovi resort as a high-risk zone, citing seasonal erosion processes. The 2021 and 2022 bulletins likewise identified mudslide activity as a threat to Shovi’s infrastructure and recommended continuous monitoring of geodynamic processes. Despite this, there is no evidence that either central or municipal authorities coordinated additional studies or established enhanced monitoring systems in the area.⁹⁵ Notably, since the geological bulletins were not publicly available at the time of the tragedy, Green Alternative published a segment from the 2021 Geological Bulletin that highlighted the geological risks in the area and the absence of an early warning system. As a result, the organisation was accused by the Speaker of Parliament of spreading misinformation.⁹⁶

Under Georgian legislation, the national civil security system is designed to ensure coordination between central and local bodies in implementing comprehensive emergency measures. Relevant authorities are required to develop and maintain emergency management plans. Yet no such plan was identified for either the Racha region or Oni Municipality. Moreover, Oni Municipality confirmed the absence of a “security passport” for 2023, a mandatory document outlining risk assessments and preventive measures for potential emergencies.⁹⁷

Serious concerns have also been raised regarding the adequacy of the rescue operation. Air support was mobilised only on the day after the disaster, with the authorities vaguely asserting that night deployment would have endangered rescuers. Ultimately, the operation failed to locate or save any individuals trapped in the landslide zone.⁹⁸

The Shovi tragedy thus exposed systemic deficiencies in Georgia’s disaster risk governance. In particular, it highlighted the absence of adequate risk assessments for glacier valleys, the lack of effective warning and alarm systems, and the outdated or non-existent policy framework for disaster risk reduction. The most recent national policy document in this field covered the period 2017–2020, and no updated national strategy or action plan has been adopted since the revision of civil security legislation in 2017.⁹⁹

These shortcomings are acknowledged even in official reporting. The Fourth National Programme on Environmental Activities notes that Georgia still lacks a mechanism for delivering early warnings directly to at-risk populations. It further observes that risk assessment and evidence-based planning remain absent in relation to natural hazards, and that many high-risk locations have not yet been fully identified.¹⁰⁰

⁹⁵ *Ibid.*

⁹⁶ Sakartvelos Ambebi, “Papuashvil Attacks Experts that Call into Question Shovi Disaster Report,” 8 August 2023, available at: <https://www.sakartvelosambebi.ge/en/news/papuashvil-attacks-experts-that-call-into-question-shovi-disaster-report> (accessed 11 October 2025).

Information Provided by Green Alternative

⁹⁷ PDO, Annual Report 2023

⁹⁸ *Ibid.*

⁹⁹ *Ibid.*

¹⁰⁰ PDO, Annual Report 2023.

MEPA, Fourth National Programme on Environmental Activities for Years 2022–2026, 2022.

Participation in the Decision-making Process (Article 6)

EIA Procedure

The Code on Environmental Assessment establishes the procedures for Environmental EIAs and SEAs, which are designed to evaluate the environmental impacts of proposed projects and policy documents. Both the EIA and SEA procedures provide mechanisms for public participation. Order N2-94 (2018) of the Minister of Environmental Protection and Agriculture on “Approval of the Rules of Public Discussion” further specifies the detailed rules for public participation. The Code on EIAs distinguishes between activities that, by default, require an EIA (Annex I) and those that are subject to a screening procedure to determine whether an EIA is necessary (Annex II).

List of Activities

The system establishing predetermined thresholds for activities subject to the screening procedure is overly rigid and does not allow for case-by-case assessment. This creates a risk of projects bypassing an EIA altogether, thereby significantly limiting opportunities for public participation, even in cases where projects are likely to have substantial environmental impacts. For example, the application of a ten-hectare threshold for urban development projects to be subject to a screening procedure prevented the Batumi Riviera project from undergoing such a procedure, despite the project’s significant environmental impacts.¹⁰¹

Moreover, the legislation lacks clear screening criteria for biodiversity impacts, resulting in the exclusion of activities that may have significant environmental consequences, such as small HPPs with a capacity below 2 MW.¹⁰²

In addition, sand and gravel extraction activities are categorically excluded from the screening procedure, regardless of their potential environmental impacts.¹⁰³ This is of particular concern given that the majority of mining licences relate to sand and gravel extraction and that current extraction practices are causing serious environmental damage.¹⁰⁴

¹⁰¹ PDO, Annual Report 2022.

¹⁰² Sabuko, “Forest Governance Assessment in Georgia,” 2024.

¹⁰³ Sabuko, “Challenges of Planning and Implementing Infrastructural Projects in Georgia,” 2023.

¹⁰⁴ Green Alternative, “Challenges in the Mining Sector – A Short Review,” 2024.

Exemptions

The Environmental Assessment Code also establishes grounds for exemption from the EIA procedure. These include activities related to state security or those arising from urgent necessity caused by a force majeure situation. While such exemptions are not illegitimate in principle, it is crucial that the authorities apply them narrowly. In practice, these exemptions are typically invoked for road construction projects. In at least one documented case, the urgency of proceeding without an EIA has been justified by the risk of potential natural disasters in the area, an approach that is counterintuitive, as precisely such projects require a thorough EIA to assess and mitigate the associated risks.¹⁰⁵

Requirement to Inform the Public in an Adequate, Timely, and Effective Manner

While the legislative framework for informing the public during EIA procedures is generally adequate, significant shortcomings persist that hinder the possibility of meaningful and effective public participation.

The requirement to hold public participation in the municipality nearest to the project area is overly rigid, as it fails to account for distance and limited transportation options, factors essential to ensuring meaningful participation.¹⁰⁶ For example, the public hearing for the construction of the Namakhvani HPP was convened in Tskaltubo Municipality, nearly 50 kilometres from the affected area. For local residents, the distance, requiring an estimated two or three hours of travel, combined with limited transportation options, significantly restricted their ability to participate effectively.¹⁰⁷

The format of notifying local populations about planned activities remains inadequate. Reliance on online publication is insufficient, as many rural communities lack internet access. Similarly, posting information on municipal notice boards does not ensure effective outreach, as these are seldom consulted by residents. As a result, affected communities are often left uninformed about projects with potential environmental impacts.¹⁰⁸

Moreover, even when planned activities affect regions densely populated by ethnic minorities, information related to public participation and relevant documentation is not consistently

¹⁰⁵ Social Justice Center, “Environmental Impact Assessment – Safeguarding Development in Georgia?,” available at: <https://socialjustice.org.ge/en/products/garemoze-zemokmedebis-shefaseba-usaftrkho-ganvitarebis-garanti-sakartveloshi> (accessed 11 October 2025).

¹⁰⁶ PDO, Annual Report 2021, available at: <https://www.ombudsman.ge/res/docs/2022070612391254904.pdf> (accessed 11 October 2025).

UNDP and German Cooperation, “Access to Environmental Justice in Georgia,” 2023.

GYLA, “Access to Environmental Justice: Six Case Studies,” 2024, available at: <https://cutt.ly/pr7tonzk> (accessed 11 October 2025).

¹⁰⁷ GYLA, “Access to Environmental Justice: Six Case Studies,” 2024, available at: <https://cutt.ly/pr7tonzk> (accessed 11 October 2025).

¹⁰⁸ UNDP and German Cooperation, “Access to Environmental Justice in Georgia,” 2023.

provided in minority languages. This significantly limits the ability of affected communities to exercise their right to participate in decision making. For example, in the case of issuing a copper and gold mining licence in Mushevani, Kvemo Kartli, where the majority of the affected population is ethnic Azeri, information on public discussions was not consistently disseminated in the Azeri language, and neither the EIA reports nor related documents were made available in Azeri.¹⁰⁹

Poor Quality of EIA Reports

The recurring opposition of local communities and activist groups to large-scale infrastructure projects and long-term licences for the use of natural resources reflects widespread public mistrust in environmental decision making and highlights the ineffectiveness of existing participatory mechanisms. A key driver of this mistrust lies in the poor quality of EIA studies, which often fail to provide a reliable basis for informed decision making.

Fragmented, insufficient, and outdated environmental data frequently results in incomplete or misleading assessments of projects' environmental impacts. In hydropower development, for example, hydrological potential continues to be assessed on the basis of outdated Soviet-era data on Georgia's water balance, leading to decisions based on obsolete and unreliable information.¹¹⁰

The inadequacy of these assessments is further compounded by the lack of technical expertise involved in the preparation of reports. Reviews of EIA documentation demonstrate that experts often spend only limited time in the field and, in some cases, conduct studies during periods that are unsuitable for meaningful environmental assessment.¹¹¹

Under current law, an EIA may be prepared either by the project developer or by a consultant hired by them. There are no legal requirements for the independence, qualification, or certification of EIA experts, creating a high risk of conflict of interest and poor-quality reports. The expert commission that reviews EIA reports largely consists of representatives from decision-making authorities, undermining the objectivity of evaluations.¹¹²

Critical elements of environmental assessment are often omitted from the EIA reports. Alternatives to the proposed activity are either not considered or addressed only formally, with a focus on economic benefits rather than environmental consequences. Cumulative impacts are routinely ignored. Further shortcomings include the absence of robust cost–benefit analyses and the failure to account adequately for biodiversity and ecosystem services.¹¹³

¹⁰⁹ *Ibid.*

¹¹⁰ Sabuko, "Challenges of Planning and Implementing Infrastructural Projects in Georgia," 2023.

¹¹¹ *Ibid.*

¹¹² Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹¹³ Sabuko, "Challenges of Planning and Implementing Infrastructural Projects in Georgia," 2023.

Sabuko, Review of the Legislation and Practice Regarding the Management of Natural Resources, 2024.

GYLA, "Access to Environmental Justice: Six Case Studies," 2024.

The formalistic and superficial nature of the EIA process is further demonstrated by the fact that some reports even contain copy-pasted text from other assessments.¹¹⁴

The Fourth National Environmental Programme itself acknowledges the poor quality of EIA and SEA reports as a systemic challenge in environmental governance. It notes that many assessments are not based on adequate studies, contain inconsistencies regarding planned activities, and provide insufficient descriptions of actual environmental conditions.¹¹⁵

In many cases, companies have been granted permits to commence activities despite serious omissions and poor-quality assessments. Environmental decisions have even been issued where companies failed to submit documents required under the scoping report or relevant legislation. Authorising activities without adequate information on their environmental impacts leaves the key concerns of affected communities unanswered, particularly regarding the environmental and social consequences of proposed projects.¹¹⁶

Moreover, the monitoring and post-project analysis legally required to assess compliance with environmental conditions and to evaluate actual impacts are almost never implemented in practice. Although Article 17 of the Environmental Assessment Code mandates the publication of follow-up analyses on the Environmental Information Portal, no such documents have been made public to date.¹¹⁷

The shortcomings outlined above severely undermine the credibility of the EIA system, erode public trust, and prevent meaningful public participation in environmental decision making.

Other Factors Hindering Public Participation

Additional gaps in both legislation and practice further hinder the possibility of meaningful public participation.

Screening decisions typically rely solely on information submitted by applicants, without independent verification of its accuracy or adequacy or a comprehensive evaluation of potential impacts. Consequently, the exclusion of activities from the EIA procedure is often based on unreliable and unverified data.¹¹⁸

¹¹⁴ Sabuko, "Challenges of Planning and Implementing Infrastructural Projects in Georgia," 2023.

Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹¹⁵ MEPA, Fourth National Programme on Environmental Activities for Years 2022–2026, 2022.

¹¹⁶ PDO, Human Rights and 10-Year Practice of Development Projects, 2022.

UNDP and German Cooperation, "Access to Environmental Justice in Georgia," 2023.

GYLA, "Access to Environmental Justice: Six Case Studies," 2024, available at: <https://cutt.ly/pr7tonzk> (accessed 11 October 2025).

¹¹⁷ Sabuko, "Assessment of Forest Management in Georgia," 2024.

¹¹⁸ GYLA, "Access to Environmental Justice: Six Case Studies," 2024.

Several factors undermine the assessment of a project’s environmental impact as a whole. When projects are updated, EIAs typically address only the proposed modifications rather than reassessing the project in its entirety, thereby overlooking cumulative effects.¹¹⁹

In addition, some companies deliberately submit applications for environmental permits in a fragmented manner – known as salami-slicing tactics – to circumvent the EIA procedure.¹²⁰ This practice, observed in sectors such as road construction, mining, and hydropower development, allows investors to divide projects artificially into smaller components, concealing their full environmental impact.¹²¹

The scope of EIAs also remains inadequate, as assessments often exclude critical aspects such as associated infrastructure, the extraction of construction materials, and waste disposal. In certain cases, companies are even required to prepare separate EIAs for these activities, further fragmenting the process and preventing a comprehensive evaluation of environmental impacts.

These practices deprive the public of the opportunity to evaluate the full scale of environmental impacts, thereby preventing informed assessments and undermining effective participation in decision making.

Sector-specific Challenges

Energy Projects

The general framework for concluding agreements between the Government and investors in the energy sector is established by the Law on PPP, which requires such agreements to be concluded only after a project has undergone the EIA procedure. However, Government Resolution No. 515 creates an alternative framework that bypasses the PPP Law by allowing investors to submit project proposals directly to the Ministry before EIA procedures are carried out. No clear criteria exist to determine which framework applies to a specific project, creating legal uncertainty and enabling selective use. Between 2019 and 2021, the majority of energy projects were agreed under this alternative framework.

Agreements concluded pursuant to Resolution No. 515 typically predetermine the project’s location, key parameters, and government obligations, including land transfer and assistance in obtaining permits. The submission of proposals and the decision-making process under this framework are closed to the public. Agreements reached between the Government and investors are not disclosed, effectively excluding the public from this stage of decision making.

¹¹⁹ Sabuko, “Challenges of Planning and Implementing Infrastructural Projects in Georgia,” 2023.

GYLA, “Access to Environmental Justice: Six Case Studies,” 2024.

¹²⁰ UNDP and German Cooperation, “Access to Environmental Justice in Georgia,” 2023.

¹²¹ *Ibid.*

Although an EIA procedure and environmental permit are still required before activities may commence, the fact that major project specifications are already predetermined deprives the public of any meaningful opportunity to influence the decision. Such non-transparent arrangements, combined with the failure to involve the public at an early stage of decision making, reduce the EIA process to a mere formality.¹²²

In 2022, the Social Justice Center submitted a constitutional complaint challenging legal provisions that limit participation in decision making on energy projects at an early stage, when all options are still open. In October 2025, the Constitutional Court rejected the complaint, reasoning that subsequent EIA procedures ensured public participation rights sufficiently. In doing so, the Court took a formalistic approach and neglected the substantive arguments about the need for early public participation in decision making.¹²³



Construction Site of the Namakhvani HPP (Photo: Social Justice Center)

The Namakhvani Hydropower Plant (HPP) – one of the largest and most controversial hydro-power initiatives in recent years – sparked unprecedented public resistance during 2020–2021.¹²⁴ The project has come to exemplify systemic flaws in Georgia’s environmental governance and decision-making processes.

¹²² Social Justice Center, “Public Private Partnership, Namakhvani HPP and Development of Energy Projects in Georgia”, 2022, at: <https://socialjustice.org.ge/ka/products/sajaro-da-kerdzo-tanamshromloba-namakhvanhesi-da-energetiku-li-proktebis-ganvitareba-sakartveloshi#> (accessed 11 October 2025);

Sabuko, “Challenges of Planning and Implementing Infrastructural Projects in Georgia,” 2023.

¹²³ Constitutional Court of Georgia, Decision N1/12/1694, 2025.

¹²⁴ Social Justice Center, “Flaws, Violations, and Unjustified Privileges: The History of the Namakhvani HPP Project,” 2021, available at: <https://cutt.ly/erOratup> (accessed 11 October 2025).



Protesters opposing the Namakhvani HPP face police restrictive measures (Photo: Social Justice Center)

In 2020, the Namakhvani HPP project was granted an environmental decision (permit) despite the company's failure to provide all the documents required under the scoping report. Instead of rejecting the application, the Ministry allowed the company to submit the missing documentation at a later stage, undermining the legality of the permit process.¹²⁵

The Namakhvani HPP project envisaged the construction of a large-scale HPP on the Rioni River, with a total capacity of 324 MW, spanning the territories of Tskaltubo and Tsageri Municipalities. Prior to the issuance of mandatory environmental permits, the Government transferred ownership of more than 571 hectares of land in the Rioni Gorge to the company "Enka Renewables". This transaction effectively undermined the purpose and credibility of the subsequent EIA and permit procedures.¹²⁶

Critics have consistently highlighted significant shortcomings in the EIA process. Substantial concerns were raised regarding the project's potential geological, ecological, and fiscal risks, which remained unaddressed. CSOs repeatedly requested access to one of the legally required documents, the Ministry of Finance's assessment of the fiscal risks, but received no adequate

¹²⁵ GYLA, "Access to Environmental Justice: Six Case Studies," 2024.

¹²⁶ GYLA, "Access to Environmental Justice: Six Case Studies," 2024.

[Mtisambebi.ge](https://mtisambebi.ge/news/ecology/item/1303), "The Story of Namakhvani HPP – What Is the Main Problem?", 13 May 2021, available at: <https://mtisambebi.ge/news/ecology/item/1303> (accessed 11 October 2025).

response from the authorities. It was eventually revealed that the document did not exist, underscoring both the lack of transparency and the failure to comply with legal requirements.¹²⁷

The process of public participation was also organised in a deficient manner, as outlined above. Beyond issues of accessibility, the attendees were not afforded a genuine opportunity to pose questions, and when concerns regarding the project's socio-economic and environmental impacts were raised, they were either addressed inadequately or entirely disregarded during the proceedings.¹²⁸

The opposition to the project was marked by continuous and large-scale protests. For more than 130 days, activists maintained an encampment near the project area, demanding the cessation of the project. On multiple occasions, the police were deployed, and several demonstrators were detained. Attempts to mediate between the protesters, government officials, and company representatives, as well as efforts to initiate an independent evaluation of the project, ultimately proved unsuccessful. In September 2021, the company announced its withdrawal from the agreement, leading to the indefinite suspension of the project.¹²⁹

The environmental decision, as well as the procedures for public participation, have since been formally challenged by the CSOs Social Justice Center and Green Alternative.

Forest and Protected Areas

Shortcomings in Georgia's legislative framework, compounded by persistent gaps in its application, have resulted in a systemic failure to ensure public participation, transparency, and accountability in forest governance.

Almost all key forest management decisions, including forest classification, termination of forest status, and the allocation of forest areas for special use (such as hunting, fishing, or tourism) or special purposes (such as infrastructure development and mineral extraction) sometimes extending for up to 50 years, are made through simplified administrative procedures that exclude meaningful public participation. Although the law requires public auctions for the allocation of forest areas for special use, such announcements do not constitute public involvement in decision making and nor do they ensure that the public is adequately informed.¹³⁰

Legislation also provides that the selection of forest areas for special use should be guided by a forest management plan and/or an annual action plan, which are subject to public consultation.

¹²⁷ GYLA, "Access to Environmental Justice: Six Case Studies," 2024.

PDO, Human Rights and 10-Year Practice of Development Projects, 2022, available at: <https://cutt.ly/Ar7t4pov> (accessed 11 October 2025).

¹²⁸ *Ibid.*

¹²⁹ PDO, Human Rights and 10-Year Practice of Development Projects, 2022, available at: <https://cutt.ly/Ar7t4pov> (accessed 11 October 2025).

¹³⁰ Sabuko, "Forest Governance Assessment in Georgia," 2024. Forest Code of Georgia, Articles 18 (8), 44, 68 (2).

In practice, however, forests are often allocated without approved management plans or under plans lacking clear delineation of the areas concerned. This practice undermines environmental and social safeguards and effectively excludes the public from participation. Similarly, while protected area management plans are legally required to undergo public administrative procedures, the majority of protected areas lack valid management plans and operate either under temporary regulations or without them altogether, precluding public participation. Furthermore, adjustments to existing plans are not subject to public administrative procedures.¹³¹

Case of Racha Forests

In 2022, the National Environmental Agency granted “HG Capra Caucasica” a 49-year licence to establish a private hunting reserve and conduct related forestry activities over 104,000 hectares in the Racha-Lechkhumi and Kvemo Svaneti regions, approximately one-third of Racha’s forest cover spanning the Oni, Lentekhi, and Ambrolauri municipalities.¹³² Before announcing the auction for the licence, the Agency consulted with local municipalities and received their approval to proceed. However, these approvals were issued without any consultation with the local population. The Government’s decree authorising the issuance of the licence and the licence itself were adopted without considering the position of MEPA, which had required an impact assessment for the Emerald Network territory. Instead, the company was instructed to submit the assessment after the licence had already been granted.¹³³ The order announcing the auction was also adopted in violation of existing regulations, which require that areas to be licensed through auction be selected on the basis of an approved forest management plan and/or annual action plan. Information about the auction was not published on the official website of the National Environment Agency, and the licence decision was issued through simplified administrative proceedings, without any opportunity for public participation. Moreover, the National Environmental Agency, and subsequently its higher authority, MEPA, refused to provide Green Alternative with access to the decisions concerning the licence and related administrative materials.¹³⁴ In response, civil society mobilised under the “We Protect Racha” campaign, which evolved into a broad protest movement involving local residents and environmental activists.¹³⁵

¹³¹ *Ibid.*

¹³² *Ibid.*

¹³³ *Ibid.*

¹³⁴ *Ibid.*

Green Alternative, “Green Alternative Demands Release of Public Information on the Sale of a Hunting Farm License in Racha-Lechkhumi and Kvemo Svaneti,” 2022, available at: https://greenalt.org/disputes_complaints/court_hunting_licence/ (accessed 11 October 2025).

Social Justice Center, “Revoke the Hunting License Issued for Forests in Racha and Ensure the Right to Peaceful Assembly of Protest Participants,” 2023, available at: <https://cutt.ly/ErOraBM3> (accessed 11 October 2025).

Mtisambebi.ge, “Occupation of Racha Forests – Journalistic Investigation,” 2023, available at: <https://cutt.ly/2r7t7eFa> (accessed 11 October 2025).

Radio Liberty Georgia, “Questions Around Racha Forests,” 2023, available at: <https://t.ly/EXdoy> (accessed 11 October 2025).

¹³⁵ Green Alternative, “#WeProtectRacha – Schedule of Meetings in Racha Villages: Sign the Demand!,” 2024, available at: <https://greenalt.org/vicavtrachas-shekhvedrebis-ganrigi-rachis-soflebshi-moawere-kheli-motkhovnas/> (accessed 11 October 2025).



Forests of Racha (Photo: Social Justice Center)

The decisions to announce the auction and issue the licence were appealed in court by Green Alternative on both substantive and procedural grounds. In particular, it was argued that the decisions were taken without appropriate assessment of environmental impacts, in a non-transparent manner, and in a way that excluded the public from the decision-making process.¹³⁶ Moreover, Green Alternative initiated legal proceedings against the National Environmental Agency, and subsequently its higher authority – MEPA – for refusing to provide access to decisions concerning the licence and related administrative materials.¹³⁷ A separate claim was submitted by CSOs to the Prosecutor’s Office regarding alleged misconduct and conflict of interest by the former Mayor of Oni in connection with the approval of the auction.¹³⁸

Following sustained public pressure and legal action, the government revoked the licence in November 2023, citing the company’s failure to fulfil its obligations. However, the government decree defining the licence conditions remains in force, as the court proceedings challenging its legality are still pending.¹³⁹

¹³⁶ [Publika.ge](https://publika.ge/rachis-tyeebis-gadacemis-saqmeze-licenziis-gauqmebis-motkhovnit-sasamartlos-mimartes/), “Court Appealed to Annul License in Racha Forests Transfer Case,” 2024, available at: <https://publika.ge/rachis-tyeebis-gadacemis-saqmeze-licenziis-gauqmebis-motkhovnit-sasamartlos-mimartes/> (accessed 11 October 2025).

¹³⁷ [Publika.ge](https://publika.ge/rachis-tyeebis-saqmeze-garemos-dacvis-saministros-winaaghmddeg-sasamartlos-mimartes/), “Appealed Against Ministry of Environment in Racha Forests Case,” 2023, available at: <https://publika.ge/rachis-tyeebis-saqmeze-garemos-dacvis-saministros-winaaghmddeg-sasamartlos-mimartes/> (accessed 11 October 2025).

¹³⁸ Green Alternative, “Green Alternative Demands Release of Public Information on the Sale of a Hunting Farm License in Racha-Lechkhumi and Kvemo Svaneti,” 2022.

Sabuko, “Forest Governance Assessment in Georgia,” 2024.

¹³⁹ Green Alternative, “Appeal to the General Prosecutor of Georgia Regarding the Illegal Transfer of Forest in Racha,” 2023, available at: <https://greenalt.org/mimartva-saqartvelos-generalur-prokurors-rachashi-tyis-ukanonod-gadacemis-she-sakheb/> (accessed 11 October 2025).

¹³⁹ Sabuko, “Forest Governance Assessment in Georgia,” 2024.

Case of Balda Canyon

In 2022, the Agency of Protected Areas leased 24,130 square metres of the Balda Canyon Natural Monument to Kanioni 350 LLC for the development of tourist infrastructure under a 40-year agreement. The project envisages the construction of tourist pathways and attractions within the canyon, an area designated as a protected natural monument. Despite the canyon's cultural and recreational significance for the Balda community, local residents were entirely excluded from the decision-making process.¹⁴⁰



Balda Canyon (Photo: Social Justice Center)

Like many other protected areas managed by the Agency, the Balda Canyon Natural Monument lacks an approved management plan and is instead governed by Temporary Regulations. Under Article 22 of the Law of Georgia on the System of Protected Areas, the public is entitled to participate in decisions concerning the creation and development of protected areas and related documentation. However, in this case, no such opportunity was provided, and the decision to lease the territory was made through a simplified administrative procedure, without any public consultation or prior disclosure.¹⁴¹

¹⁴⁰ Sabuko, "Position of Sabuko on Infrastructure Project Planned on the Territory of Balda Canyon Nature Monument," 2023, available at: <https://www.sabuko.org/pozitsia-baldis-kanonis-sheakheb/> (accessed 11 October 2025).

Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹⁴¹ *Ibid.*



Local movement to Protect Balda Canyon (Photo: OC Media)

The public only became aware of the project in 2023, after the company began fencing off parts of the canyon and restricting local residents' access.¹⁴² It later emerged that the company had illegally enclosed adjacent forest lands managed by the National Forestry Agency and commenced construction without authorisation. Although the company was fined, the National Forestry Agency subsequently granted Kanioni 350 LLC an additional 1,761 m² of forest for "special use", also without public involvement, further eroding public trust.¹⁴³

Local residents and environmental activists have since protested the planned activity, raising concerns about the potential adverse impacts of the planned activities on the ecosystem and biodiversity of the Balda Canyon. Such impacts were not assessed before the construction project was permitted.¹⁴⁴

The protests have been met with intimidation and reprisals as outlined above. Despite these pressures, community members, supported by CSOs such as the Social Justice Center, filed a court case challenging the legality of the lease. Substantive hearings on the case have not commenced yet, raising concerns regarding access to justice.

¹⁴² Social Justice Center, "Local Residents and the Social Justice Center Demand Suspension of Ongoing Works at the Balda Canyon," 2023, available at: <https://cutt.ly/5rOrseWC> (accessed 11 October 2025).

¹⁴³ Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹⁴⁴ Sabuko, "Position of Sabuko on Infrastructure Project Planned on the Territory of Balda Canyon Nature Monument," 2023.

Sabuko, "Forest Governance Assessment in Georgia," 2024.

Mining Sector

The population has no role in the process of issuing mining licences and often becomes aware of planned activities only once company representatives begin fieldwork. Mining licences are generally issued through public auctions, under simplified administrative proceedings that do not provide adequate mechanisms for public participation. According to established practice, before issuing a licence, the Agency of Mineral Resources consults with other administrative bodies and local municipalities. A letter from the municipality confirming approval of the planned activity is considered a form of public consultation. In some cases, the company's obligation to inform the public about the planned activity is included in the licence itself; however, this measure is ineffective, as the licence has already been issued by that stage.¹⁴⁵

For mining projects that fall under the EIA Code, environmental impact assessment proceedings take place only after the issuance of a mining licence, at which stage public participation is formally ensured. However, because the public is excluded from the early stages of decision making, when the licence is granted and key decisions regarding the project's parameters, location, and methods are already determined, the subsequent participation process becomes a mere formality.¹⁴⁶ This lack of early involvement frequently results in tensions and protests between local communities and the companies.

Two large-scale mining projects in Georgia, manganese mining in Chiatura and copper and gold mining in Bolnisi, have been the focus of public attention and criticism for many years, primarily because of their negative environmental, social, and cultural heritage impacts. Decisions regarding these projects and the activities of the companies involved are non-transparent, leading to numerous environmental disputes.¹⁴⁷

Case of RMG

The issuance of an environmental permit for copper and gold extraction in Mushevani, Kvemo Kartli, in 2022, illustrates this problem. The report of the EIA that was carried out stated that the extraction area had already been determined by the terms of the licence and could not be altered. The company further emphasised in the EIA report that no alternative activity was possible in the area, as the extraction plan and payment terms had already been agreed with the relevant authorities, and disregarding these terms would result in liability for violating the licence conditions. In this case, the National Environmental Agency clearly endorsed the company's position, as it proceeded to approve the activity.¹⁴⁸

¹⁴⁵ Social Justice Center, "Participation of Local Community in Decision-Making Process Concerning Exploitation of Mineral Resources," 2022, available at: <https://cutt.ly/8r7t3mP4> (accessed 11 October 2025).

¹⁴⁶ *Ibid.*

¹⁴⁷ Green Alternative, "Challenges in the Mining Sector – A Short Review," 2024

¹⁴⁸ Social Justice Center, "Residents of Mushevan Village in Bolnisi Protest Open-Pit Mining and Appeal to the Authorities," 2022, available at: <https://cutt.ly/krOrakmH> (accessed 11 October 2025).

Spatial and Urban Planning

At the legislative level, matters related to land use planning in Georgia are relatively well regulated. The Law of Georgia on Spatial Planning, Architectural, and Construction Activities establishes the institutional responsibilities and authorities for land use planning across the national, regional, and local levels, ensuring adherence to the principle of hierarchy. A significant shortcoming in the spatial planning framework is that the National Spatial Plan, despite being the highest-level planning document, is adopted through simplified administrative procedures that provide no meaningful opportunity for public participation.¹⁴⁹



Chaotic constructions in Batumi. (Photo: Batumelebi.ge)

The Law provides public administrative proceedings for lower-level spatial plans and urban construction plans. However, in practice, notification of the public is limited and ineffective. Announcements are published exclusively online, while notifications regarding detailed construction plans are displayed only on physical information boards. Reliance on these singular modes of communication does not adequately guarantee that the public is informed of decision-making processes, particularly in rural areas where internet access is limited, and among elderly persons and persons with disabilities who face additional barriers to participation.¹⁵⁰ Furthermore, the

¹⁴⁹ Green Alternative, "Possibilities for Public Participation in Decision-Making Process on Spatial Planning and City Construction Plans in Georgia," 2021, available at: https://greenalt.org/app/uploads/2021/07/public_participation_in_spatial_planning_georgia_june2021_geo.pdf (accessed 11 October 2025).

Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹⁵⁰ Green Alternative, "Opinions and Proposals on the Assessment of the State of Citizen Engagement in Municipal Activities," 2021, available at: https://greenalt.org/app/uploads/2021/09/sakomiteto_mokvleva_moqalaqeta_chartuloba_mcvane_alternativa.pdf (accessed 11 October 2025).

legislation does not require the authorities to inform the public of how their comments or inputs were considered, thereby undermining transparency and accountability.¹⁵¹

In practice, decisions on spatial planning and urban development projects are frequently adopted hastily and without transparency. In cities such as Batumi and Tbilisi, a consistent pattern has emerged in which the cultural, social, and environmental impacts of projects are overlooked and the public is excluded from decision making. This has led to chaotic urban development, widespread public protests, and numerous legal disputes.

Construction at the Former Hippodrome

In October 2020, the Mayor of Tbilisi announced a plan to establish a “central park” on the territory of the former hippodrome, covering 36 hectares. Although presented as a “green” initiative, information released by the City Hall indicated that the project would substantially transform the natural landscape by replacing existing vegetation with buildings, paved surfaces, parking areas, and decorative plants. This approach contradicted long-standing public demands to preserve the area’s natural environment and maintain it as an ecological and recreational space.¹⁵²

Construction was announced to begin just days after the public statement, without any prior consultation, in contravention of the Environmental Assessment Code, which requires a screening procedure for urban development projects exceeding ten hectares to determine whether an EIA is necessary and to ensure public participation in the decision-making process. Despite this, works commenced shortly after the announcement. The Green Alternative appealed to MEPA to address the illegal activities and suspend the project; however, the Ministry failed to take any action.¹⁵³

The decision triggered protests from local residents, while the Tbilisi City Hall refused to disclose documentation related to the project and failed to ensure public participation despite repeated requests.¹⁵⁴ In January 2022, the Social Justice Center initiated legal proceedings challenging the irregularities in the project’s approval and requested the suspension of the construction works. The Tbilisi City Court declined the request for interim measures, and the dispute over the legality of the construction remains ongoing.¹⁵⁵

¹⁵¹ Green Alternative, “Possibilities for Public Participation in Decision-Making Process on Spatial Planning and City Construction Plans in Georgia,” 2021, available at: https://greenalt.org/app/uploads/2021/07/public_participation_in_spatial_planning_georgia_june2021_geo.pdf (accessed 11 October 2025).

¹⁵² Green Alternative, “It Is Illegal to Build a Park on the Territory of the Former Hippodrome Without Public Consultation and Proper Assessment,” 2020, available at: <https://cutt.ly/Zr7ye4jt> (accessed 11 October 2025).

¹⁵³ Green Alternative, “Green Alternative Demands Suspension of Illegal Activities of Tbilisi City Hall on the Territory of Former Hippodrome,” 2020, available at: <https://cutt.ly/Qr7yrd4E> (accessed 11 October 2025).

¹⁵⁴ Social Justice Center, “Tbilisi City Hall and Architectural Service Illegally Classify Documentation Related to ‘Central Park’ to Be Constructed on the Territory of the Former Hippodrome,” 2021, available at: <https://cutt.ly/lr7yrOL1> (accessed 11 October 2025).

¹⁵⁵ Social Justice Center, “Social Justice Center Addresses the Court to Suspend the Illegal Activities at the Former Hippodrome,” 2022, available at: <https://cutt.ly/Ar7yr8fm> (accessed 11 October 2025).



Construction of a new park on the site of the former hippodrome in Tbilisi. (Photo: Radio Liberty)

This case exemplifies broader systemic shortcomings in urban environmental governance in Tbilisi, marked by deregulation, opaque decision-making processes, and persistent neglect of public participation obligations, resulting in the ongoing degradation and privatisation of green and public spaces.

Road Construction Projects

In recent years, several large-scale road infrastructure projects have been actively implemented. Owing to their scope and location, many of these projects directly affect the rights and living conditions of residents in nearby settlements. The concerns expressed by the local population include structural damage to homes, geological risks, adverse effects on agricultural activities, noise and air pollution, and overall deterioration of living conditions as well as insufficient public information and participation during project planning, and inadequate protection of cultural heritage. As with other large infrastructure or energy projects, public distrust regarding the reliability of EIAs remains high.¹⁵⁶ One of the largest recent infrastructure projects is the construction of several segments of the Rikoti Pass, a key part of the E60 highway. Initiated in 2018, the project was divided into four sections, with EIAs conducted separately for each. This fragmented approach failed to account for the project's cumulative environmental impacts. Local residents now live in constant fear of landslides and mudflows, which, according to independent experts, have been triggered by construction activities based on inadequate EIAs. Expert assessments have highlighted, among other issues, insufficient evaluation of the hydrological risks arising from alterations to the banks of the Rikotula River and improper management of construction waste.¹⁵⁷

¹⁵⁶ PDO, Human Rights and 10-Year Practice of Development Projects, 2022.

¹⁵⁷ Green Alternative, "Road on Rikoti Pass – Visible and Invisible Danger Spots," 2024, available at: <https://greenalt.org/blogs/gza-rikotis-ugheltekhlize-safrtkhis-khiluli-da-ukhilavi-kerebi/> (accessed 11 October 2025).

Plans, Programmes, and Policies (Article 7)

Strategic documents in many key sectors are either entirely absent or outdated, leaving decision-making processes fragmented and lacking transparency. This absence of strategic planning means that projects are often advanced without a coherent policy framework and without providing the public with the opportunity to participate in shaping relevant priorities.

Although the EIA legislation formally provides for the use of SEAs in the preparation of policy documents, this mechanism remains largely underutilised.¹⁵⁸ The Strategy for the Mining Sector in Georgia, for example, was adopted in 2019 without any public participation, and despite repeated requests from CSOs, no SEA has been carried out. As a result, strategic planning in the mining sector, one of the most environmentally and socially impactful areas, continues to remain closed to the public.¹⁵⁹

Similarly, the majority of hydropower projects were initiated in the absence of an adopted energy strategy, which was only finalised in 2024. The process leading to the draft energy policy in 2022 illustrates the systemic shortcomings in ensuring participation: CSOs were not informed in a timely or transparent manner and only became aware of the document's publication by coincidence. By that time, a mere two weeks remained for the submission of comments, severely limiting meaningful engagement.¹⁶⁰

¹⁵⁸ Sabuko, "Challenges of Planning and Implementing Infrastructural Projects in Georgia," 2023.

¹⁵⁹ Green Alternative, "Challenges in the Mining Sector – A Short Review," 2024.

¹⁶⁰ Green Alternative, "Comments and Position on Draft Georgian Energy Policy," 2022, available at: https://greenalt.org/app/uploads/2022/07/GA_comments_energy_police_project.pdf (accessed 11 October 2025).

Regulations and Rules (Article 8)

Public participation in the adoption of rules and regulations on environmental matters remains limited. Most amendments to secondary legislation are adopted without any form of public hearing, depriving stakeholders of the opportunity to contribute to the decision-making process. While draft bills are published on the Parliament's website, mere online publication cannot be considered sufficient to ensure that the public is adequately informed or able to participate effectively.¹⁶¹

Legislative processes regulating various environmental issues are often conducted through expedited procedures, thereby excluding meaningful public participation. For instance, in June 2022, the Parliament adopted amendments to the Code of Spatial Planning, Architectural, and Construction Activities through an expedited procedure, just one week after the bill's initiation. These amendments enabled arbitrary decision making in the issuance of construction permits and the approval of urban development plans in Batumi. Despite widespread public criticism that the amendments would exacerbate the problem of chaotic urban development in Batumi and repeated requests from environmental CSOs and experts to be involved in the discussion of the proposed bill, the authorities failed to ensure adequate public participation in the legislative process.¹⁶²

¹⁶¹ Sabuko, Review of the Legislation and Practice Regarding the Management of Natural Resources, 2024, available at: <https://www.sabuko.org/wp-content/uploads/2024/09/REPORT-LOW-geo.pdf> (accessed 11 October 2025).

Green Alternative, "Challenges in the Mining Sector – A Short Review," 2024.

Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹⁶² Social Justice Center, "Amendments to Code on Spatial Planning Will Increase the Scope of Chaotic Constructions in Batumi," 2022, available at: <https://cutt.ly/sr7yeloq> (accessed 11 October 2025).

Access to Justice (Article 9)

Legal Framework

A refusal by a public authority to provide environmental information, as well as a breach of the rules on public participation, may be challenged in the same manner as any other administrative decision, first through an administrative appeal to a higher authority. If the higher body rejects the complaint, the decision may then be subject to judicial review. Where no higher administrative body exists, the complaint may be submitted directly to the court. Screening, scoping, and environmental decisions may be challenged directly before the court.¹⁶³ Administrative complaints are not subject to any fees (Article 41.2 of GACG). The charges for filing a complaint to a court are 100 GEL before the court of first instance, 150 GEL before the appellate court, and 300 GEL before the Supreme Court.

Practical Barriers to Accessing Environmental Justice

While the court fees themselves are relatively modest, the costs of legal representation and expert assessments can be significant, thereby creating a substantial barrier to access to justice.¹⁶⁴ Environmental CSOs have played a crucial role in representing the interests of local communities in environmental disputes.¹⁶⁵ However, because of their limited financial and human resources, their ability to provide legal representation is often restricted to major strategic cases. Moreover, the climate of persecution of environmental CSOs and activists creates an additional layer of difficulty for those seeking to protect the environment, further complicating their access to justice.

The Legal Aid Service, an independent public body, is mandated to provide free legal assistance to citizens, including in environmental disputes. However, because of limited resources, the Service primarily represents beneficiaries belonging to especially vulnerable social groups. According to the 2022 data, the Legal Aid Service handled 122 environmental cases related to water pollution, illegal fishing, hunting, and logging, predominantly representing individuals accused of violations of environmental law rather than victims of environmental harm. The Service's lawyers generally lack specialisation in environmental law, which constrains their ability to engage effectively in complex environmental litigation.¹⁶⁶

Identifying an expert with the necessary qualifications in the relevant field, coupled with a willingness to engage in legal proceedings, also presents a significant challenge.¹⁶⁷

¹⁶³ Code on EIAs, Article 46.6

¹⁶⁴ GYLA, "Access to Environmental Justice: Six Case Studies," 2024.

¹⁶⁵ Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹⁶⁶ UNDP and German Cooperation, "Access to Environmental Justice in Georgia," 2023.

¹⁶⁷ *Ibid.*

Delayed Justice

The absence of segregated and consolidated statistics on cases related to access to environmental information, public participation, and violations of environmental law makes it difficult to assess broader trends in environmental justice.¹⁶⁸ Nevertheless, CSOs and media organisations consistently report a clear pattern of significant delays in the review of complaints, both on substantive and procedural matters.¹⁶⁹ The excessive length of judicial proceedings remains a systemic barrier that undermines the effective exercise of the right to access to justice in environmental matters.

Administrative bodies are legally granted one month to review a complaint, with the possibility of extension for an additional month. In practice, these time frames are frequently violated, particularly by local government bodies, which are the addressees of the most common appeals concerning contested construction permits and zoning decisions. In at least one documented case, a local municipality responded to a complaint only after four months, well beyond the statutory time limit.¹⁷⁰

Although the official time frame for reviewing complaints before city and district courts is between two and five months, in practice the average duration exceeds two years. At the appellate level, proceedings typically last between 17 and 19 months.¹⁷¹ Available reports indicate that the duration of environmental disputes can be significantly longer, as illustrated by the examples below.

- In 2023, the media platform [Mtsambebi.ge](https://www.mtsambebi.ge) reported that more than 20 ongoing complaints initiated in 2020–2021 concerning the authorities' refusal to provide environmental information had not proceeded to a single hearing during the past 18 months.¹⁷²
- Of the six environmental cases reviewed by GYLA in its 2024 report, judgments were delivered in only two, while the remaining cases are still pending despite having been submitted two, three, and even five years ago. For example, appeal proceedings concerning the Namakhvani HPP project, mentioned above, have been ongoing since 2020, and no preparatory hearing has been scheduled to date.¹⁷³
- Beyond the Namakhvani case, the Social Justice Center has reported at least six additional environmental cases that have been pending for more than three years without a single hearing being held.¹⁷⁴

¹⁶⁸ *Ibid.*

¹⁶⁹ GYLA, "Access to Environmental Justice: Six Case Studies," 2024.

Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹⁷⁰ UNDP and German Cooperation, "Access to Environmental Justice in Georgia," 2023.

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ GYLA, "Access to Environmental Justice: Six Case Studies," 2024.

¹⁷⁴ Including litigation regarding: Namakhvani HPP; Nenskra HPP; Construction on Shartava and Kipshidze streets in Tbilisi; Construction permit for the "central park" at the former Hippodrome in Tbilisi; Mining licence in Shkmeri and construction permit of Batumi "Ambassador" hotel – in UNDP and German Cooperation, "Access to Environmental Justice in Georgia," 2023.

The process of reviewing the constitutionality of legal acts by the Constitutional Court of Georgia is likewise lengthy.¹⁷⁵ The issue of delayed judgments has been a consistent concern for domestic CSOs, with some cases remaining unresolved for over eight years.¹⁷⁶ As regards the cases concerning the right to a healthy environment under Article 29 of the Convention, two complaints submitted in 2022 are still pending a decision on admissibility.¹⁷⁷

Quality of the Judicial Review

Another challenge specific to environmental justice is the absence of judges who specialise in environmental law. This gap frequently results in narrow and overly formalistic interpretations of environmental regulations, with insufficient attention given to substantive environmental arguments.¹⁷⁸

The low rate of successful environmental complaints further deepens the sense of limited judicial protection.¹⁷⁹ The majority of disputes are resolved in favour of the companies and administrative bodies.¹⁸⁰ According to data for the period 2018–2022 that was analysed, out of 46 complaints concerning EIA procedures, 12 were decided in favour of MEPA, while the remaining cases were still pending resolution at the time of the report’s publication in October 2023.

In addition, the low rate of approval for requests to suspend challenged administrative acts or to apply interim measures aimed at preventing irreparable environmental harm often renders legal proceedings ineffective.¹⁸¹ The courts require applicants to provide solid evidence demonstrating the imminence of potential harm. Moreover, refusals to approve such requests are often cursory, reflecting a tendency to prioritise economic interests over environmental considerations by default.¹⁸²

175 Sabuko, “Forest Governance Assessment in Georgia,” 2024.

176 Social Justice Center, The problem of delays in the consideration of cases by the Constitutional Court of Georgia, 2021, available at: <https://cutt.ly/Hr7QnnX1> (accessed 11 October 2025).

177 Constitutional Complaint No. 1724, 2022, available at: <https://www.constcourt.ge/ka/judicial-acts?legal=14062> (accessed 11 October 2025).

Constitutional Complaint No. 1690, 2022, available at: <https://www.constcourt.ge/ka/judicial-acts?legal=13493> (accessed 11 October 2025).

178 UNDP and German Cooperation, “Access to Environmental Justice in Georgia,” 2023.

GYLA, “Access to Environmental Justice: Six Case Studies,” 2024.

179 *Ibid.*

180 *Ibid.*

Sabuko, “Forest Governance Assessment in Georgia,” 2024.

181 UNDP and German Cooperation, “Access to Environmental Justice in Georgia,” 2023.

GYLA, “Access to Environmental Justice: Six Case Studies,” 2024.

182 GYLA, “Access to Environmental Justice: Six Case Studies,” 2024.

These concerns are further compounded by the broader systemic problem of a lack of judicial independence in the country.¹⁸³ Taken together, these shortcomings weaken public confidence in the judiciary's ability to safeguard environmental rights.

Weak Monitoring and Enforcement

In addition, sanctions for breaches of environmental law are disproportionately low and inadequately enforced, thereby failing to serve as an effective deterrent against non-compliance.¹⁸⁴ Criminal sanctions are most frequently applied to minor offences (e.g. illegal logging and fishing), with offenders often belonging to socially vulnerable groups, rather than to large companies responsible for major environmental violations and damage.¹⁸⁵

Monitoring mechanisms for detecting violations of environmental law remain ineffective, both in legislation and in practice.¹⁸⁶ Reported cases of citizens' requests for field assessments being neglected by the Agency of Mineral Resources erode public trust in oversight institutions.¹⁸⁷

Cement Production in Kaspı

The operations of Heidelberg Cement Georgia, one of the largest cement producers in the country, illustrate the persistent legal and practical deficiencies in the enforcement of environmental legislation, as well as the weak deterrent effect of existing sanctions.

Heidelberg Cement Georgia, which is closely linked to the leadership of the ruling political party, operates several production facilities across Georgia, including in Kaspı, Rustavi, and Poti. The company's activities have been associated with significant environmental harm, particularly in Kaspı, where the plant is located in the very centre of the town, in close proximity to residential areas. Local residents have repeatedly reported severe dust and noise pollution. According to a 2023 study by Arnika, concentrations of nitrogen dioxide (NO₂) within a ten-kilometre radius of Kaspı were found to be considerably elevated, underscoring the ongoing air quality concerns.¹⁸⁸

¹⁸³ Rule 9.2 Communication from the Social Justice Center for the supervision of the execution of the case of Bakradze v. Georgia (No. 20592/21), 2025, available at: [https://hudoc.exec.coe.int/#%7B%22execidentifier%22:%5B%22DH-DD\(2025\)564E%22%5D%7D](https://hudoc.exec.coe.int/#%7B%22execidentifier%22:%5B%22DH-DD(2025)564E%22%5D%7D) (accessed 11 October 2025).

¹⁸⁴ UNDP and German Cooperation, "Access to Environmental Justice in Georgia," 2023.

Social Justice Center, "Shortcomings in Legislation and Practice of State Oversight on Mining Activities," 2022.

OECD, "System of Enforcement of Environmental Legislation in Georgia, Current Situation and Recommendations," 2023.

Sabuko, "Forest Governance Assessment in Georgia," 2024.

¹⁸⁵ UNDP and German Cooperation, "Access to Environmental Justice in Georgia," 2023.

¹⁸⁶ OECD, "System of Enforcement of Environmental Legislation in Georgia, Current Situation and Recommendations," 2023.

¹⁸⁷ Green Alternative, "Challenges in the Mining Sector – A Short Review," 2024.

¹⁸⁸ Arnika, "Air Pollution in Georgia as Seen from Space," 2023.

The company was granted its initial permit for cement production in 2009, despite its failure to submit the full set of mandatory documentation. The permit was issued on the condition that these documents would be submitted at a later stage. However, the first inspection to verify compliance was conducted only in 2016, seven years later, revealing that the company had still not met the required standards. A subsequent inspection in 2017 confirmed the ongoing non-compliance, for which the company was fined GEL 15,000.¹⁸⁹

Similarly, in 2016, when Heidelberg Cement Georgia applied for a permit to introduce a new cement production technology, the authorities again issued a conditional permit requiring the company to submit missing documentation, including monitoring plans for air and noise pollution, and a waste management plan at a later date. The company again failed to comply, resulting in a fine of GEL 5,000, followed by GEL 15,000 in 2020 and GEL 45,000 in 2021. These fines, however, represent an insignificant amount relative to the company's revenue, and therefore fail to serve as an effective deterrent for continued non-compliance.¹⁹⁰

The company has further persistently violated noise regulations. In 2020, following numerous complaints from local residents that noise levels exceeded the legal limit of 40 dB by approximately 13 dB, the court imposed a fine of GEL 5,000. Nevertheless, the excessive noise levels persisted. In 2021, when measurements indicated a noise level of 44 dB, the Environmental Supervision Department declined to impose further sanctions, reasoning that the applicable limit was that indicated in the company's own EIA documentation rather than the technical regulation, a position that effectively prioritised the company's self-reported data over legally established standards.¹⁹¹

Moreover, in 2019, a labour inspection found that the company stored raw materials in open areas, posing significant health risks because of potential wind dispersal, and yet no sanctions were imposed. In 2022, inspection protocols made no reference to the continued open storage of raw materials, despite independent journalistic investigations confirming that the practice persisted. The Labour Inspection Department also refused to disclose photographs taken during its inspection, further undermining public access to environmental information and accountability.¹⁹²

Overall, the case of Heidelberg Cement Georgia exposes systemic weaknesses in environmental governance in Georgia, including the issuance of conditional permits without subsequent oversight, infrequent and ineffective inspections, the lenient and non-transparent approach of environmental supervision, and sanctions too weak to deter continued violations.

189 Green Alternative, "Heidelberg Cement Georgia: Company Profile," 2022, available at: <https://greenalt.org/library/haidelbergcement-gorgia-kompaniis-profil-2022/> (accessed 11 October 2025).

190 *Ibid.*

IFact.ge, "Cement Production in Georgia – The Law Is Meant to Be Broken," 2021, available at: <https://ifact.ge/en/cement-production-in-georgia/> (accessed 11 October 2025).

Radio Liberty Georgia, "Interests of Ivanishvili and Cement Business – How Heidelberg Harms the People and the Environment," 2022, available at: <https://cutt.ly/mr7toylv> (accessed 11 October 2025).

191 *Ibid.*

192 Radio Liberty Georgia, "Interests of Ivanishvili and Cement Business – How Heidelberg Harms the People and the Environment," 2022.

Concluding Remarks

The findings of this shadow report demonstrate that, despite the adoption of important legislative reforms since 2017, the effective realisation of environmental rights in Georgia remains severely constrained in practice. Structural weaknesses, poor institutional capacity, and a rapidly deteriorating civic environment have eroded the foundations of environmental democracy and undermined the country's ability to meet its obligations under the Aarhus Convention. The growing wave of community mobilisations and protests against major infrastructure and development projects, including those related to hydropower and mining and forest concessions, clearly illustrates the deficiencies of Georgia's participatory mechanisms. Inadequate consultation, lack of access to information, and failure to address legitimate local concerns have resulted in widespread public mistrust and escalating social tensions revealing a widening gap between formal legal guarantees and their implementation in practice.

The findings of this report reveal that Georgia's progress is at risk of reversal as a result of the shrinking space for civil society, weak implementation of environmental law, and limited public participation in key environmental decisions. Restoring compliance with the Convention's spirit and obligations will require political will, institutional reforms, and constructive engagement with civil society. International partners and the Aarhus Convention bodies should continue to monitor, support, and engage with Georgian institutions and civil society to ensure that the principles of access to information, public participation, access to justice, and protection of the defenders of the environment are fully realised in practice.



About us



Arnika (The Czech Republic)

Arnika is a Czech non-governmental organisation that has been uniting people striving for a better environment since 2001. Its mission is to protect nature and foster a healthy environment for future generations both in Czechia and globally. In its work, Arnika relies on open discussion of problems, public participation in decision making, and scientific evidence-based solutions. Arnika advocates less waste and toxic pollution, conservation of wild rivers and diverse nature, and environmental justice for local communities.

More information:

<https://arnika.org/en/countries/georgia>



Social Justice Center

Social Justice Center is a Georgian left-wing civil society organisation that has been working on human rights and social justice since 2012. The organisation aims to identify the structural reasons for economic, social, and political inequality and to share critical knowledge while contributing to the transformation of the existing order via democratic means. Social Justice Center has actively supported local communities in advancing their environmental rights and has consistently advocated transparency and meaningful public participation in environmental governance.

More information:

<https://socialjustice.org.ge/en>

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