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## ENVIRONMENTAL POLICIES AND PRACTICE IN GEORGIA: SOME INDICATIONS TO CONSIDER ON THE WAY TO SUSTAINABILITY

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**Abstract.** *The significance of environmental governance is increasing worldwide, and Georgia is no exception. This article uses wide-ranging sources to provide comprehensive qualitative and quantitative data to discuss the most important aspects of environmental policy directions in Georgia. The results of the study show that: (a) it is crucial to increase public awareness about the importance of climate change and environmental protection; (b) introducing environmental and climate-related goals and objectives and green budgeting principles in national priorities is as important as implementing them effectively into practice; and (c) the practice of regulatory impact assessment needs further development in Georgia, especially in the environment and climate-related areas. Finally, the paper concludes that the lack of historical data is the main limitation for the current research, and proposes that scientific and practical work continues in the future to further explore the relationships between the country's environmental policies and aspects of sustainable development on both an individual and public level.*

**Keywords:** *Climate change; Environmental governance; Environmental protection; Regulatory Impact Assessment; Green budgeting.*

**Reikšminiai žodžiai:** *klimato kaita; aplinkos valdymas; aplinkos apsauga; reguliavimo poveikio vertinimas; ekologiškas (žalioji) biudžetas.*

### Introduction

The importance of environmental and climate change policies has grown in recent decades following ecological challenges, biodiversity loss and increasing environmental pollution, which cause social, healthcare and economic losses worldwide. It is estimated that 51 countries around the world will lose 10–20% of their Gross Domestic Product

(GDP) by the end of this decade as a result of an ecosystem crisis (Taylor 2021). Between 1980 and 2020, economic losses equal to €487 billion were recorded in the 27 member states of the European Union (EU) due to climate-related events (EEA 2023). According to Eurostat, in the same 27 EU member states, heat, floods and hurricanes caused economic losses amounting to €145 billion during the last decade (Ellerbeck 2022). Environmental pollution is directly related to the deterioration of human health and wellbeing (WHO, n.d.), which has significant costs for society and the economy. Studies show that the Environmental Kuznets Curve (EKC) – according to which environmental damage increases at the initial stage of economic development, and damage decreases in economically rich countries – is not confirmed in practice (Wang and Lu 2019; Almeida et al. 2017), and having proper environmental policies and practices is equally important in all countries, irrespective of their level of economic development. Studies further reveal that the level of public education is related to the correct perception of environmental issues (Kassouri and Altıntaş 2020), and that institutional, cultural and environmental factors are perhaps more important than the wealth of nations in determining the choice in favour of sustainable development (Dietz, Rosa and York 2012).

Numerous global platforms and international treaties have been created to tackle the current ecological challenges that the world faces (such as the UN Sustainable Development Goals (SDGs), the Paris Agreement, Association Agreements with European Union, etc.). In accordance with the international agenda, the significance of environmental governance in Georgia is also increasing, and the country has set goals and is striving to achieve sustainability in all areas of development. This issue is particularly important for Georgia considering the current ecological challenges in the country. The damage caused by air pollution in Georgia exceeds \$1 billion annually, which is approximately 6.2% of the country's GDP (World Bank 2020). In 2017, the total volume of greenhouse gas (GHG) emissions in Georgia was 17.8 megatons, which was 11% more than the 2011 level (National Statistics Office of Georgia, n.d.). It is also important to note that Georgia ranks 103rd in the world in the Environmental Performance Index, with a total of 39.1 points (Wolf et al. 2022). Moreover, the latest Ecological Footprint results show a biological deficit for Georgia at the level of –1.06 (Global Footprint Network 2022), putting the country in 105th place in the world in terms of ecological sustainability.

The objective of this paper is to study the legal and institutional frameworks working towards climate change resilience and green transition management in Georgia. Georgia has started to implement environmental and climate change policy principles at the legislative and policy levels. However, it is equally important to put these principles into practice and ensure effective and efficient implementation. On the way to sustainable development, it will be essential for the country to: support and increase public awareness of environmental issues; enhance the ex-ante and ex-post regulatory impact assessment system and integrate high-quality environmental analysis within public policymaking; and implement green budgetary principles into practice. To this end, all respective stakeholders, state and non-state actors, and interested parties should ensure that proper institutional frameworks are established and the environmental and climate change governance system is effectively implemented in practice.

## Materials and methods

This research uses comprehensive secondary data sources and both quantitative and qualitative data analysis. The sources employed can be grouped into three categories.

(a) Reviewing existing literature, theoretical frameworks and best practice – international best practice was examined within this study, as part of which scientific articles, methodologies and guidelines as well as the assessments and indices of international organizations were used to enrich the analysis.

(b) Studying regulations, laws and examining strategy and policy documentation – wide-ranging types of laws, regulations and general legislative documentation (orders, resolutions, etc.) were scrutinised for this research. Various kinds of strategic and policy documents (international frameworks, official governmental documents) were explored and comprehensively studied.

(c) Quantitative data collection and analysis – general economic and environmental statistical data was collected from the National Statistics Office of Georgia (n.d.), and budgetary information was gathered through publicly available budgetary documentation from the Ministry of Finance of Georgia (MoF).

Within this study, it was decided to present the results for Georgia and build an analysis in four core directions: (i) legislative framework; (ii) the regulatory impact assessment (RIA) system; (iii) strategy and policy directions; and (iv) budgeting and financing. The rationale behind choosing this classification is that all four directions, both separately and together, provide the most important foundations for ensuring an effective system for environmental governance in the country. The first foundation is laid by a proper legislative framework, where laws and regulations ensure that fair rules are established for everyone in society and the commitments and responsibilities of state representative bodies in the process are outlined. RIA is then separately analysed in this article as it is believed to have a special role in modern evidence-based public policymaking, especially for Georgia which is a newcomer to the RIA system. Next, the international sustainability agenda as well as national strategy and policy documents are significant to consider for environmental policy analysis as they provide the main milestones, goals and objectives, visions and actions of the country for the medium- and long-term future. Lastly, all the actions and measures envisaged by environmental programs and projects necessarily need budgeting (efficient budgeting, to be precise) and financing. Therefore, introducing the core budgetary data in this study serves the purpose of stressing the importance of relevant fiscal policy in environmental governance in Georgia.

## Results and discussion

Sustainable development in today's terms can be an indicator of wellbeing and welfare in societies, as it encompasses all the main directions of human development in three broad fields: economic, social and environmental. It is difficult to agree on a common definition of happiness or wellbeing that is acceptable to everyone; however, ongoing global challenges make it clear that this is not determined by economic factors alone

(OECD 2015). Today, countries agree that the balance of social, environmental and economic aspects is the main principle of sustainable development. Therefore, the ultimate goal of development should be the welfare economy, because this makes both the ecosystem and people part of the development process (Fioramonti 2016), and the effectiveness of state policy decisions should be evaluated in relation to public welfare (Helliwell et al. 2023).

Methodology on the application, measurement and evaluation of general wellbeing concepts (including diverse economic, social and environmental aspects) is constantly developing. Several international and national models and indices measuring the general level of human development and wellbeing in countries already integrate environmental components in their assessments. For example, an ecological component was recently added to the Human Development Index (UNDP 2022). Moreover, the “implementation of agreements related to environmental protection” appeared in the Global Competitiveness Index (GCI) for the first time in 2019 (Schwab 2019). Approaches are also changing at the national level, and environmental impacts are gaining more importance there. For example, selected environmental components (air quality and GHG emissions) are among the determinants of Australian national welfare indicators (AIHW 2021). In addition, according to the UK’s National Wellbeing Dashboard (ONS UK, n.d.), public wellbeing is assessed in ten areas, including such aspects as personal wellbeing and the environment.

In parallel with global developments, the importance of climate and environmental issues in Georgia is also increasing, although there are still some challenges at the public and policy levels. Among the barriers and gaps identified for the effective implementation of climate change mitigation measures, the lack of public awareness and low level of interest on the part of research and academic institutions in environmental issues are mentioned in the country’s report (MEPA 2019a). According to a recent public opinion survey in Georgia (WFD 2022), climate change is generally important for the Georgian population; however, this is more at the global and national level (75% and 69%, respectively) than personally (59%). Only 8% of survey respondents “chose the introduction of state regulations as the most important way to dramatically limit climate change”; although a total of 88% of respondents “supported the introduction of the climate change law and relevant regulations”.

Some environmental policy and government indications for Georgia to consider on the way to sustainability are presented below in four selected directions: (i) the legislative framework; (ii) the RIA system; (iii) strategy and policy directions; and (iv) budgeting and financing.

### *Legislative framework*

The Constitution of Georgia (Parliament of the Republic of Georgia 1995) establishes that the state takes care of environmental protection and the rational use of natural resources. This document has a separate chapter devoted to “the right of environmental protection”, according to which: “Everyone has the right to live in a healthy environ-

ment. Everyone has the right to timely receive complete information about the state of the environment. Everyone has the right to take care of the environment". According to the Constitution, issues such as (a) the environmental monitoring system and (b) the legislation of land, minerals and natural resources belong only to the special governance of the highest state bodies of Georgia.

The Constitution defines the main roles and responsibilities of various branches (legislative, executive etc.) and levels of the government (central, autonomous republic and local governance). On the legislative side, Parliament is the highest representative body of the country, determines the main directions of the country's domestic and foreign policy (including environmental protection and climate change issues), and controls the activities of the Government of Georgia. The Ministry of Environmental Protection and Agriculture (MEPA) of Georgia is the executive government body responsible for the implementation of state policy in the areas of environmental protection and climate change, environmental assessment affairs, and promoting the introduction of sustainable development and green economy principles in the country. The powers of the MEPA are executed by the Ministry itself and numerous state agencies presented as different LEPLs (Legal Entity under Public Law) under the MEPA. Environment- and climate-related issues are executed not only at the central state level, but also at the levels of autonomous republics and local governments (municipalities). According to the Local Self-Government Code of Georgia (Parliament of Georgia 2014), among the responsibilities/powers of the municipalities are the following environment-related issues: (1) the management of natural resources of local importance, including water, forest and land resources; (2) the development and approval of municipal spatial planning plans, master plans and detailed development plans; (3) municipal waste management; (4) the provision of water supply and drainage and the development of the melioration system of local importance; and (5) participation in the development of the plan for the restoration and planting of the windbreak (field protection) strip. Using the examples of several Georgian municipalities, it is observed that on average 10–12% of annual budgetary expenditures are allocated to environmental and climate-related programs.

The Law on Environmental Protection (Parliament of Georgia 1996) is the main body of law in the field. This law defines the main principles of environmental protection and presents provisions regarding economic mechanisms in this field. Two other core laws were adopted in recent years regarding environmental protection, namely: the Environmental Assessment Code (Parliament of Georgia 2017b) and the Law on Environmental Responsibility (Parliament of Georgia 2021b). The former regulates issues related to strategic documents and public or private activities which may have a significant impact on the environment, human life and/or health after implementation. The scope of this Code includes the procedures of environmental impact assessment, strategic environmental assessment, cross-border environmental impact assessment, public participation in the relevant decision-making process, and procedures of conducting expertise. The latter was adopted in order to legally regulate issues related to harming the environment in accordance with the "polluter pays principle". In addition to the abovementioned, there are other laws/normative acts regulating special environment-related issues, such as for-

est management, systems of protected areas, atmospheric air protection, waste management, the windbreak (field protection) strip, land and the sustainable management of agricultural land, energy and water supply, renewable energy sources and energy efficiency, energy efficiency in buildings, and others.

### *Regulatory impact assessment system*

The Regulatory Impact Assessment (RIA) system is a component of better regulation and an important element of evidence-based policy-making. It has a special role in modern public management systems and within the sustainable development agenda, as the RIA system provides a framework for analysing different aspects of impact, including the spectrum of impact in three wide areas: economic, social and environmental (European Commission 2009). Thus, a well-functioning RIA system should ensure a framework in the country which is decisive for achieving the SDGs. RIA is new for Georgia, although it has been on the agenda of developed countries since the second half of the last century (Renda 2011). At present, 47% of the world's economies conduct RIAs (World Bank 2018), including all highly developed nations (OECD 2022).

The RIA system has been formalised in Georgia since 2019–2020, although some provisions regarding planning and designing the RIA system in the country have been mentioned in different strategy and policy documents for a number of years. Back in 2014, a note appeared in the Association Agreement between Georgia and the EU (2014) stating that “the Parties agree to cooperate in promoting regulatory quality and performance, including through exchange of information and best practices on their respective regulatory policies and regulatory impact assessments”. In January 2020, Government Resolution No. 35 on the approval of the RIA methodology went into force. Hence, RIA became mandatory in Georgia for the respective draft laws initiated by the Government, and a separate unit (Economic Policy and Regulatory Impact Assessment Division) responsible for conducting RIAs was created in the Ministry of Economy and Sustainable Development (MOESD). The aforementioned Resolution indicates that an RIA is required if legislative amendments are made to the selected 20 laws. At first glance, it can be seen from the specifics of these listed laws that the country's approach to the implementation of RIAs is more focused on business and the economy, which was also mentioned in the “Georgia 2020” strategy document (Government of Georgia 2014) as well as in respective Government programs (Government of Georgia 2013–2021) and in the medium-term Basic Data and Directions (BDD) budgetary framework documents (MoF 2014–2022): “The Government of Georgia will improve the Regulatory Impact Assessment (RIA) system, the purpose of which is to assess the impact of both new legislative initiatives and existing legislative acts on the business environment”. The most recent government program – “Building European State 2021–2024” (Government of Georgia 2021) – and the BDD document of the country for 2023–2026 (MoF 2022) note that: “The Regulatory Impact Assessment (RIA) tool will be expanded, which will allow us to analyse the impact of each policy decision on the economy in advance, in order to avoid possible negative consequences”. As mentioned above, the Resolution gives a list of 20 diverse laws, which

are mostly business and economy-focused regulatory acts. However, the list also includes the Georgian Law on Environmental Protection (Parliament of Georgia 1996). The Government's RIA methodology also indicates that the intervention selected as a result of an RIA should be feasible – it should be in line with the government's program and other strategic documents, including the SDGs.

As the data (published RIA reports) shows, RIAs in general (and specifically those regarding environment-related issues) were more actively implemented in practice before 2020. An RIA on the reform of social forest cutting was prepared in 2018 (Parliament of Georgia 2018). In addition, an RIA on the Law of Water Resources Management (ISET-PI 2017), an RIA of the Draft Law of Georgia on Biodiversity (ISET-PI 2018) and an RIA on the Draft Law on Windbreaks (ISET-PI 2019) were also prepared in previous years. The COVID-19 pandemic coincided with a period of RIA formalisation in Georgia, and this undoubtedly affected the practical implementation of RIAs in the country. The pandemic also affected the global impact assessment system (OECD 2020). It should be taken into account that the environmental effects of the pandemic were multifaceted and heterogeneous (EEA 2020), posing major challenges to sustainable development. It is thus important to rebuild impact assessment practice and continue ex-ante and ex-post analysis in public policymaking.

### *Strategy and Policy Directions*

Georgia has joined various international platforms setting long-term SDGs in the directions of climate change and environmental protection. In 2015, Georgia undertook commitments under the United Nations' 2030 Agenda to implement all seventeen SDGs and respective targets (adjusted for Georgia). Moreover, Georgia is a member of both rounds of global climate change actions initiated by the United Nations Framework Convention on Climate Change (UNFCCC). In particular, Georgia ratified the Kyoto Protocol in 1999 and the Paris Agreement in 2017. Following the ratification of the Paris Agreement in 2017, Georgia developed several strategic policy documents, among which three are the most important and inter-related.

- The Climate Change Strategy 2030 (MEPA 2021a), which presents the country's goal of reducing GHG emissions in total and in seven development sectors, specifically: energy generation and transmission; transport; buildings; industry; agriculture; waste management; and forestry.
- Georgia's updated Nationally Determined Contribution (NDC) (MEPA 2021b), which further notes that Georgia makes (a) an unconditional commitment to reduce total GHG emissions by 35% by 2030 and (b) a conditional commitment to reduce GHG emissions by 50–57% for the same period.
- The Fourth National Environmental Action Program of Georgia for 2022–2026 (NEAP 4) (MEPA 2022), which presents environmental and climate change policy objectives in several directions, such as: environmental governance, water management, waste management, biodiversity and protected areas, forest management, climate change, environmental education/awareness raising, etc.

According to the Association Agreement between Georgia and the EU (2014), cooperation between the parties is important within both the environmental protection and climate change directions. The Association Agreement indicates that the parties reaffirm their commitment to achieving the objectives of the UNFCCC and the Kyoto Protocol. The Association Agreement focuses on the implementation of activities in the direction of environmental statistics and cooperation between the parties to integrate environmental protection issues not only in environmental policy, but also in other policy areas.

Environmental protection and climate change issues are reflected in state strategy and policy documents. The Government's 2021–2024 Program Toward Building a European State (Government of Georgia 2021) presents several reforms that the country plans to implement in order to improve the environmental situation. The same reform directions are also mentioned in the medium-term budgetary framework of the country, called BDD. BDD 2023–2026 (MoF 2022) indicates that the state aims to develop a Georgian taxonomy of sustainable financing, the purpose of which will be to clearly define which business activity, program or project can be considered to be resource-efficient, energy-efficient, green, sustainable and inclusive. It is also worth mentioning that Georgia's Sustainable Finance Taxonomy (President of the National Bank of Georgia 2022) was elaborated in 2022, providing a classification system for commercial banks to identify economic activities that deliver on key climate, green, social, or sustainability objectives.

Several sector-specific strategy and policy documents for Georgia address mainstream issues that are important for environmental protection and climate change. One of them is the SME Development Strategy of Georgia 2021–2025 (MOESD 2021), which outlines the need for a "green growth strategy" in the country. This, together with the "green growth concept", should be designed to determine the possible directions of the green economy. Another document is the 2021–2027 Strategy of Agriculture and Rural Development of Georgia (MEPA 2019b), which presents country policy goals in several directions, among which are the sustainable use of natural resources, the preservation of ecosystems and climate change adaptation.

BDD 2023–2026 further indicates that state and municipal policies concerning the preservation and improvement of the ecological conditions in specific areas should be consistent with each other, taking into account economic feasibility and environmental efficiency. It is also worth mentioning that, in addition to the commitments made at the central level, local self-governments in Georgia also participate in international platforms for the achievement of environmental goals. For example, in total, 27 municipalities in Georgia have become signatories of the Covenant of Mayors since 2010 (Energy Efficiency Centre of Georgia 2023), and one third of them have submitted required action plans so far.

### *Budgeting and financing*

Several significant legislative changes have been made in Georgia in recent years regarding the state budgetary financing of climate and environmental protection.



- Amendments were made to the Law of Georgia on Environmental Protection (Parliament of Georgia 2017a), and it was determined that it is not permitted to reduce state budgetary allocations for environmental measures under the respective classification code, compared to the previous year.
- In the same amendment project (Parliament of Georgia 2017a), a temporary rule for financing environmental measures was introduced. This rule indicates that before commitments under the Association Agreement are fulfilled, the annual state budgetary allocations in the program codes related to environmental measures should be increased by at least 5% compared to the previous year.
- Amendments were made to the Budget Code of Georgia (Parliament of Georgia 2021a), and the Environmental Program implemented by MEPA within state budgetary assignments became the subject of special financing rule from the state budget: “Within the allocations of MEPA, the Environmental Program for the planned budget year is financed at least by the amount of funds received in the state budget in the last budget year in the cases stipulated by the Law of Georgia on Environmental Responsibility”.

It is necessary to mention that the Green Budget Guideline (Parliament of Georgia and CENN 2021) was prepared in 2021 for Georgia. This document presents the main principles of green budgeting as defined by the OECD framework, analyses Georgian state budgetary documents from an environmental perspective, and issues recommendations for various public agencies.

In parallel to these legislative changes, it is important to observe the changes that state budgetary assignments have undergone in the directions of the environment and climate change in recent years. Compared to 2018, state budgetary assignments have almost doubled, reaching GEL 116 million in 2021 in the field of environmental protection in Georgia (MoF 2018–2021). The tendency for the current year is also positive in this regard. The largest share (60% in total) of state environmental funding in 2023 is taken up by two sub-programs: 1. the protection of biodiversity and landscapes; and 2. waste collection, recycling and disposal (MoF 2022). The financing of environmental protection accounted for, on average, 0.65% of total budgetary assignments and 0.17% of nominal GDP in 2018–2020. In the same period, these indicators were equal to 1.7% and 0.7%, respectively, for OECD countries (OECD, n.d.).

## Conclusions

1. The ecological challenges that the world faces today are important not only from the environmental protection and social points of view, but also from a directly economic perspective. Therefore, it is necessary to integrate ecological components into each country's development agenda. The damage that the world, including Georgia, receives as a result of ecological degradation is significant and increasing. Georgia's scores are low in terms of two international assessments (the Environmental Performance Index and the Ecological Footprint) which measure the environmental sustainability of countries. This highlights the significance of integrating environmental and climate change-

related issues into the sustainable development agenda, reflecting them in national priorities and effectively implementing them in practice.

2. Taking into consideration the social and economic situation of the population in Georgia, it is important to take into account the fact that environmental issues may not be as significant a priority for the Georgian population as social and economic matters. Hence, it is crucial to ensure that the awareness of the general public is increased regarding the importance of climate change and environmental protection issues in connection with the country's sustainable development, as well as regarding individual welfare and wellbeing.
3. The advancement of the practice of impact assessment when it comes to regulations and government interventions is of the utmost importance. Georgia is a newcomer to the widely known RIA system, but it should be remembered that the timing of RIA formalisation in Georgia (2020) coincided with the COVID-19 pandemic, and this undoubtedly affected the effective implementation of the reform in practice. The RIA system is an important element of evidence-based policy decisions, so widening the scope of RIAs in general – and particularly with regard to environmental and climate change-related regulations – is necessary.
4. It is important to ensure the effective and efficient budgeting of environmental and climate-related programs. Applying green budgeting principles into practice means not only having a proper amount of financing for environmental directions, but also ensuring that all budgetary programs (especially capital/investment programs which have significant environmental impacts) are viewed from an environmental perspective.
5. Environmental and climate policy issues are novel for Georgia in public life and policy discussions, and relevant historical data is not yet available to discuss these matters in more detail. This can be considered the main limitation of the current study. Future works will be required to continue in this direction to demonstrate the scientific value and practical implications of environmental policies in Georgia in relation to personal wellbeing and in line with the global sustainable development agenda.

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## APLINKOS POLITIKA IR PRAKTIKA SAKARTVELE: KELETAS POŽYMIŲ, Į KURIUOS REIKIA ATSIŽVELGTI SIEKIANT TVARUMO

**Anotacija.** *Aplinkos valdymas tampa vis reikšmingesnis visame pasaulyje ir Sakartvele. Straipsnyje, aptariant svarbius aplinkos politikos pokyčių Sakartvele aspektus, naudojami plataus spektro šaltiniai, išsamūs kokybiniai ir kiekybiniai duomenys. Tyrimo rezultatai rodo, kad (a) itin svarbu didinti visuomenės informuotumą apie klimato kaitos ir aplinkos apsaugos svarbą; b) su aplinka ir klimatu susijusių tikslų ir uždavinių, taip pat*

*ekologiško (žaliojo) biudžeto sudarymo principų įtraukimas į nacionalinius prioritetus yra toks pat svarbus kaip ir veiksmingas jų įgyvendinimas praktikoje; c) Sakartvele reikia toliau plėtoti reguliavimo poveikio vertinimo praktiką, ypač su aplinka ir klimatu susijusiose srityse. Galiausiai darbe daroma išvada, kad istorinių duomenų trūkumas yra pagrindinis dabartinių tyrimų apribojimas, ir siūloma tęsti mokslinius ir praktinius darbus ateityje – toliau tirti ryšius tarp šalies aplinkosaugos politikos ir darnaus vystymosi aspektų individo ir visuomenės lygmeniu.*

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