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Statement Concerning the Draft Law on Amendments to Some Legislative Acts of Georgia

The draft law has been submitted to the Parliament of Georgia, offering new rules and procedures for the removal of endangered animal and plant species from the environment.

We acknowledge that current legislation fails to provide protection and sustainable use of nature and needs amending. But, unfortunately, not only will the amendments offered by the draft law fail to settle the existing problems, but they will further aggravate – the state of biodiversity will further aggravate, while the progress and international recognition achieved in the development of protected areas will melt into thin air. Let us focus on several important issues, which are not in line with modern principles of sustainable development and which contradict Georgia's international commitments and EU directives. In particular, the draft law envisages:

- Extraction of endangered species for commercial purposes;
- Hunting in the protected areas, including in the National Parks;
- Legalization of the possibility of destruction of habitats of rare and endangered species.

Simultaneously, the procedures of issuing hunting permits, the rules of determining the extraction quotas and areas are absolutely unclear; compensation for environmental damage caused by illegal extraction of Red List and other hunting species is actually abolished; the liability for controlling the Red List species is imposed on the Ministry of Environment Protection, which has no relevant resources for it. Neither does the given draft law envisage its financial and structural strengthening.

The adoption of the given draft law in its submitted form will sharply aggravate an already unfavorable situation:

- Legalization of extraction of Red List species for commercial purposes will threaten these species with extinction;
- National Parks, which already occupy small areas throughout the country, will actually lose the function of wildlife reservoirs; even theoretical chances of propagation and conservation of the species of small population size will be destroyed at all;
- Irreparable harm will be caused to the ecotourism and educational functions of National Parks; number of ecotourists will automatically decrease that will have a negative impact on the employment opportunities and incomes of the population living in close vicinity of National Parks.

Thus, the goals of the draft law contradict the goals of those laws, which are planned to be amended. The essence of National Parks and Red List is conservation of nature instead of gaining a direct financial profit.

Legalization of hunting on the Red List species and in National Parks is the same as to make a decision to sell the gold kept in the National Museum at a price of metal citing that the sum paid by visitors is less than the income received from their sale, while keeping of exhibits costs the state too much.

Approval of the draft law in its submitted form will hit a strong blow to the country's image, because it contravenes the commitments undertaken by Georgia before the international community. It will definitely cause the delay of multi-million investments allocated by donor countries and financial institutions on nature conservation. Ultimately, it will have an impact on the amount of investments in other spheres.

Along with reduction of investments, the submitted amendments will lead to extremely unfavorable political consequences. Initiating of the draft law, which obviously contravenes the EU legislation, ahead of the Eastern Partnership Summit, will create additional barriers to our country on its way towards integration into the European Union, especially when the submitted amendments were developed without the involvement of all stakeholders.

We reaffirm the necessity of making amendments to the legislation related to protection and use of biological resources of Georgia. At the same time, we believe that the submitted draft should be improved in line with modern principles of sustainable use so that not to pose a threat to Georgia's unique ecosystems, to take the interests of all stakeholders into consideration, not to harm the country's political image and not to reduce investments.

According to the Convention on Biological Diversity, as well as the Ramsar¹ and Bonn² Conventions, Environmental Impact Assessment (EIA) is a universal tool of conservation and sustainable use of biological diversity; the Conventions determine the mechanisms for integration of biodiversity conservation issues into national legislations. Settlement of the problems persisting in our country through using these mechanisms is acceptable from environmental, political and economic points of view. On the basis of the above mentioned, we offer to discuss the possibility of making relevant amendments to the Georgian legislation regulating Environmental Impact Assessment.

Simultaneously, let us submit our detailed remarks and comments on the mentioned draft law. We ask you to discuss our proposals during the committee hearings. We also ask you to ensure our participation in the hearings. Let us thank you in advance for cooperation.

Respectfully,

Irakli Matcharashvili

Biodiversity Program Coordinator

Annex: 8 pages

¹ The Ramsar Convention - The Convention on Wetlands of International Importance, especially as Waterfowl Habitat – is in force in Georgia by decree No 201 dated April 30, 1996 of the Parliament of Georgia.

² The Bonn Convention – The Convention on the Conservation of Migratory Species of Wild Animals – is in force in Georgia by decree No 136 dated February 11, 2000 of the Parliament of Georgia.

Sent to the Georgian Parliamentary Chairman; members of the parliamentary bureau; committees and fractions; Ministry of Environment Protection; Agency of Protected Areas; Ministry of Energy and Natural Resources.