



Strasbourg, 22 August 2023

T-PVS/Files(2023)51

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

43rd meeting

Strasbourg, 28 November - 1 December 2023

Complaint on stand-by: 2021/08

**Possible threat to Rioni River from the
Namakhvani Hydropower Project
(Georgia)**

- REPORT OF THE COMPLAINANT -

*Document prepared by
Association Green Alternative, Nature Conservation Georgia, CEE Bankwatch Network*

Mr. Mikaël Poutiers - Secretary of the Bern Convention
 Mr. Eoghan Kelly - Project Coordinator
 Ms. Nadia Saporito - Project Officer

Subject: Complaint No. 2021/08 - Possible threat to Rioni River from the Namakhvani Hydropower Project (Georgia).

DEAR MR. POUTIERS,
 DEAR MR. KELLY,
 DEAR MS. SAPORITO,

Hereby we send an update by the complainant relevant to the Complaint No. 2021/08 - Possible threat to Rioni River from the Namakhvani Hydropower Project.

No progress on the permanent cancellation of the project

Construction of the Namakhvani project has stopped in the last year, but the environmental and other permits are still valid. After the termination of the construction contract by the project promoter Enka, Georgian government leaders promised to build Namakhvani and other large energy projects with more active state involvement. None of the permits were cancelled so far. Namakhvani project was included in the draft of the National Energy and Climate Plan (NECP) that became subject to [Strategic Environmental Assessment](#) scoping process in December 2022. 430 MW of “regulating hydros” are planned to be built between 2024 and 2030 - the capacity of the two Namakhvani plants. Despite initial consent from the Government the civil society had no participation in the working groups created for the preparation of the NECP.

Objective 1.5: Increase the share of final energy consumption from renewable energy sources (target of 27,4% by 2030)

Description: The JSC Georgian Energy Development Fund (GEDF), managed by the Ministry of Economy and Sustainable Development (MoESD), supports the development of renewable energy capacity by: 1) carrying out preliminary research works, 2) conducting preliminary feasibility assessment of projects, 2) conducting preliminary environmental impact assessments, and 4) finding investors and attracting their interest in existing projects. Until 2024, GEDF will provide support for the following hydro power plants (above 13 MW)[1]:

- [Kirnati](#) - 51.25 MW
- [Khobi](#) - 46.7 MW
- [Mtkvari](#) - 53 MW
- [Mestiachala 1](#) - 20 MW
- [Stori 1](#) - 20.03 MW
- [Samkhuristskali 2](#) - 26.28 MW
- [Metekhi 1](#) - 36.73 MW
- [Ghebi](#) - 14.34 MW
- [Chiora](#) - 14.15 MW
- [Zoti](#) - 44.31 MW

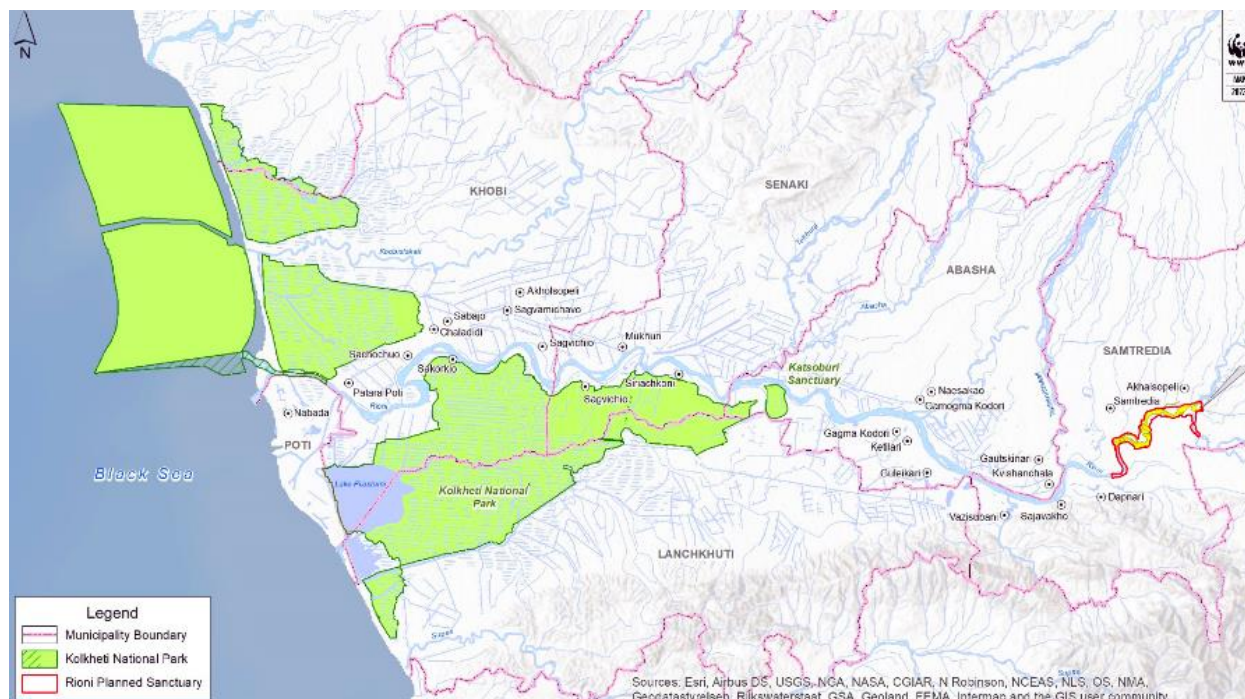
Results to be achieved	Regulating hydros:
	2030 – 430 MW
	2050 – 1 GW
	Run-of-river hydros:
	2030 - 230 MW
	2050 - 230 MW
	Total capacity of 5,510 MW in 2050

Draft NECP document

There is no information if there is an ongoing arbitration procedure between Enka and the government. The arbitrary process is related to cancelling the contract. Cancellation of the contract means returning to state all project-related documentation. It does not necessarily mean cancelling the permits. But if a new developer would produce new documentation, the project should be assessed from the beginning. Additionally, the Namakhvani documentation is conditional, meaning that it should be subject to international revision if the project is activated.

Part of Rioni river delta protected, but sturgeon spawning ground remain unprotected:

In July 2022, the government added part of the Rioni river delta to Kolkheti National Park. The newly protected areas add just over 670 hectares to the park's existing 45,000 hectares. This is a step forward in the protection of sturgeons, but the most critical habitat - the sturgeon spawning grounds, remain unprotected. This is still a violation of the obligations to the Bern Convention and the own documents Georgia has adopted - National Biodiversity Strategy and Action Plan (NBSAP) and Strategy and Action Plan of the Development of Protected areas of Georgia. Moreover, the 670 hectares are not added to the Emerald Network.



Expanded area (shaded green) and unprotected spawning grounds (in red) of Kolkheti National Park, © WWF-Caucasus

Namakhvani project used by the ruling party in a campaign to promote law against Georgian NGOs

In March 2023, the ruling party Georgian Dream tried (unsuccessfully) to push forward a law that would declare foreign agents NGO that receives funding from abroad. The law was not approved after massive protests in the country. Georgian Dream parliamentary faction head Mamuka Mdinardze referred to the Namakhvani case in early March when the party was promoting its the "foreign agent" legislation. *"Do you remember the campaign against Namakhvani HPP? We all have information that there were Russian interests, huge Russian finances directed to obstruct the construction of Namakhvani HPP."*

The move against the Namakhvani protesters was a "primitive" attempt by the ruling party to make the bills seem like they would apply to Russian, not just Western, money. Dato Chipashvili for Green Alternative gave an interview to the media regarding the problem.

Concerned about the lack of protection of large rivers leading to insufficiency of the Emerald Network in Georgia in the Alpine and Black Sea biogeographical regions, aware of the lack of strategic planning for hydropower development in Georgia, aware of the possibility to resume the construction of Namakhvani hydropower project, we call for the cancellation of all permits of the project and protection of the whole Rioni river in the Emerald Network.

Best regards,

David Chipashvili – Complainant

On behalf of Green Alternative, Nature Conservation Georgia, CEE Bankwatch Network