Ministry *of* Justice *of* Georgia

HOW REGULATORY IMPACT ASSESSMENTS CAN INCLUDE SUSTAINABLE DEVELOPMENT GOALS

გერმანიის თანამშრომლობა
DEUTSCHE ZUSAMMENARBEIT

Implemented by:
giz Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

THE 2030 AGENDA

An environmentally sound global economy with decent working conditions for all, and a society free from hunger, poverty and inequality - the 2030 Agenda for Sustainable Developments is certainly the most ambitious undertaking the international community has ever embarked on. The Agenda revolves around 17 Sustainable Development Goals(SDGs) with a total 0t 169 targets. The SDGs are based on the Following five overarching principles that make the 2030 Agenda truly innovative.

Universally applicable
to achieve sustainable development, every country needs to develop or change. The 2030 Agenda therefore applies universally to all countries of the world - developing countries, emerging economies and industrialised nations alike.

Leave on one behind
All humans beings should be able to lead a decent life free from hunger and poverty. In the future, no one should be left behind or excluded from social development.

Integrated golas
The SDGs are by definition integrated and invisible, and balance the tree dimensions of sustainable development: economic, social and environmental.

Shared Responsibility
The Agenda aims through partnerships to preserve the world's vital natural resources and promote prosperity and peace. Goverments,business, civil society groups, citizens, and the scientific and academic community will all play their part in this.

Accountability
Implementation of the Agenda will be reviewed at the national, regional and global levels. Regular progress reports will be published.

GIZ AND THE SDGs

Some eighteen months after the 2030 Agenda was adopted, implementation is in full swing around the world. GIZ's orientation towards international cooperation for sustainable development means the company is very closley aligned with the 2030 Agenda and is helping achieve its SDGs. This includes supporting BMZ and other German federal ministries in implementing the 2030 Agenda in developing countries, emerging economies and industrialised nations - and delivering results.
GIZ can also operate on behalf of other clients and co-financiers to implement the 2030 Agenda.

The 2030 Agenda and the SDGs provide a frame of reference for GIZ's work around the world.

SUSTAINABLE DEVELOPMENT GOALS

GOAL 2
ZERO HUNGER

GOAL 3
GOOD HEALTH AND WELL-BEING

GOAL 4
QUALITY EDUCATION

GOAL 5
GENDER EQUALITY

GOAL 6
CLEAN WATER AND SANITATION

GOAL 7
AFFORDABLE AND CLEAN ENERGY

GOAL 8
DECENT WORK AND ECONOMIC GROWTH

GOAL 9
INDUSTRY, INNOVATION AND INFRASTRUCTURE

GOAL 10
REDUCED INEQUALITIES

GOAL 11
SUSTAINABLE CITIES AND COMMUNITIES

GOAL 12
RESPONSIBLE CONSUMPTION AND PRODUCTION

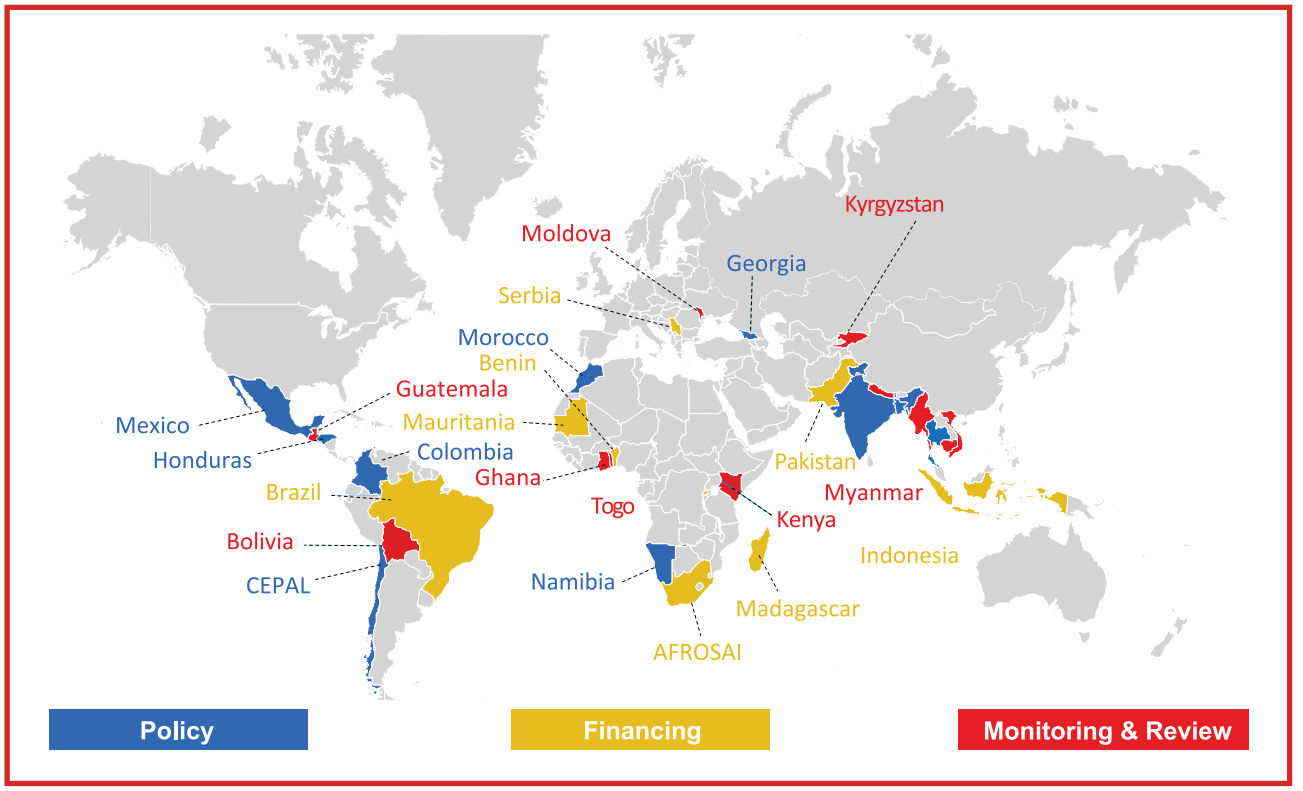
GOAL 13
CLIMATE ACTION

GOAL 14
LIFE BELOW WATER

GOAL 15
LIFE ON LAND

GOAL 16
PEACE, JUSTICE AND STRONG INSTITUTIONS

GOAL 17
PARTNERSHIPS FOR THE GOALS



Background

The 2030 Agenda is the new guiding principle in German development policy. GIZ's orientation towards international cooperation for sustainable development means the company is closely aligned with the 2030 Agenda and is helping to achieve its goals. But how can we translate the 2030 Agenda into concrete approaches? With the 2030 Implementation Initiative, which is realised by the GIZ on behalf of the BMZ, partner countries are supported in beginning the implementation of the 2030 Agenda as quickly as possible. The initiative enables GIZ to gather valuable experience in the implementation of the 2030 Agenda at an early stage. Feasible and sustainable approaches to the implementation and review are drawn up, thus providing impetus for German DC.

What is supported?

Alongside the adaptation of development planning to the 2030 Agenda and an effective sustainability architecture, the mobilisation of financing as well as a strong monitoring and review mechanism are central to the successful implementation of the 2030 Agenda. This is where the 2030 Implementation Initiative comes in and supports the engagement of pioneering member states. Here structural and transformative approaches are used in three areas: policy, financing and monitoring and review.

Concrete cooperation

With around 58 million euros, the BMZ promotes measures with 26 partner countries. The measures focus on the countries: Bangladesh, Benin, Bolivia, Brazil, Honduras, Indonesia, Kyrgyzstan, Myanmar, Ghana, Guatemala, Moldova, Cambodia, Nepal, Georgia, Mexico, Namibia, Serbia, Vietnam, Pakistan, Madagascar, Mauritania and Togo. In Georgia, the Ministry of Justice is receiving support for reforms to integrate the 2030 Agenda requirements into regulatory impact assessments (RIA).

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Find out what the idea behind RIA+ is and gain insights into the RIA practice and the status of implementation of the 2030 Agenda in Georgia.

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HOW REGULATORY IMPACT ASSESSMENTS CAN INCLUDE SUSTAINABLE DEVELOPMENT GOALS

From RIA to RIA+ – The Georgian Experience

Background

Integrating the 2030 Agenda requirements into Georgian RIA practice is a project selected by the '2030 Implementation Initiative' of the Federal Ministry of Economic Cooperation and Development (BMZ) and implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH together with the Ministry of Justice of Georgia and the Administration of the Government of Georgia. The Initiative Programme aims to support BMZ's partner countries in the kick-off phase of 2030 Agenda implementation, assisting them in shifting their policies towards sustainable development. Support is geared, inter alia, towards establishing an institutional and strategic framework for sustainable development, including monitoring and review structures. With Georgia currently developing a national framework for regulatory impact assessments (RIAs)[1], the project focuses on RIA as an instrument in legal drafting that can foster 2030 Agenda implementation at national level. The key objective of the project is to integrate the sustainable development approach of the 2030 Agenda into future Georgian RIA practice. So far, eleven pilot impact assessments that refer to the requirements of the 2030 Agenda have been conducted in Georgia with the support of the project. This handbook summarises findings and lessons learned, with the intention of offering hands-on guidance to RIA practitioners on how to integrate the 2030 Agenda into RIA practice.

Readership

The Handbook is written for those in public office responsible for initiating RIA processes (mainly ministry staff and parliamentarians), for experts supporting RIA processes (e.g. in academia) and for those engaging or seeking to engage with RIA processes (e.g. civil society and the private sector).

Partners/acknowledgements

The Handbook is the result of close cooperation and joint efforts made under the Legal approximation towards European standards in the South Caucasus programme by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, the Administration of the Government of Georgia represented by the SDG Secretariat and the Office of the Parliamentary Secretary in their role as institutional custodians for the effective implementation of the 2030 Agenda and establishment of RIA practice, and the Public International Law Department of the Ministry of Justice of Georgia, the main body responsible for providing a legal framework and strengthening institutions conducive to sustainable development.

Valuable and constructive suggestions were provided through the involvement of the RIA practitioners' community in Georgia, including academics, consultancies, public servants and individual experts. Great appreciation is extended to the members of the RIA+ Community of Practice, the International School of Economics at Tbilisi State University (ISET), the Policy and Management Consulting Group (PMCG) and representatives of academia for their active involvement in interviews and assistance in collecting information during the development of this Handbook.

[1]See USAID, Recommendations on RIA National Framework of Georgia, 2015.

Regulatory impact assessment is first and foremost a methodology which involves a systematic appraisal of the social, economic and environmental impacts of proposed regulations and other kinds of policy instruments before they are adopted. RIA is now almost universally practised by members of the Organisation for Economic Cooperation and Development (OECD) and the European Union (EU) as an effective way for 'better regulation', i.e. improving the efficiency, transparency and accountability of regulatory decision-making.[2]

Practically speaking, an impact assessment is a set of logical steps to be followed when policy proposals are prepared. Preparation should be based on facts rather than assumptions about the future. The EU states in one of its own guidelines: 'Impact assessment is a key tool to ensure that Commission initiatives and EU legislation are prepared on the basis of transparent, comprehensive and balanced evidence.' And it wisely adds that: 'Impact assessment is an aid to political decision-making, not a substitute for it.' [3]

In order to fully inform the legislator, the assessment may use a variety of different methods and tools, such as cost-benefit analysis, cost-effectiveness analysis, multi-criteria analysis, statistical analysis and modelling,[4] and it may be based on surveys. As such, it systematically combines different qualitative and quantitative methods for data collection, research and analysis. As a rule, it also requires public consultation to ensure the responsiveness, transparency and accountability of legislative processes and their outcomes. The overall objective of the assessment is to guide policy-making by delivering the arguments for and against the various options open to the decision-maker and the legislator. Given the different methods and tools it offers to achieve better regulation, RIA has also been used as a vehicle for integrating the environment,[5] gender or other aspects into the preparatory work of the legislative process.

As practitioners have pointed out, RIA is not just a cost-benefit analysis. RIA is a cumulative learning process which 'may lead to a more conceptual form of learning which slowly enlightens policy-makers by feeding in new information, ideas and perspectives. (...) At the very simplest, RIA can help properly define the [legislative] problem, go through the policy options, work through a simple check list of pros and cons, make some reasonable assumptions, and validate these with stakeholders.'[6]

[2]C. Adelle, S. Weiland, J. Dick, D. González, J. Marquart, G. Rots, J. Wübbeke and I. Zasada, 'Regulatory Impact As-sessment: A Survey of Selected Developing and Emerging Economies', Public Money & Management, 36(2), 2016, pp. 89-96.
[3]European Commission, Impact Assessment Guidelines, SEC(2009) 92, 15 January 2009, p. 4.
[4]For example, see the Guidelines on implementation of RIA methodology of the EU-Georgia Legislative Impact As-sessment, Drafting and Presentation Project.
[5]For example, see Klaus Jacob, Sabine Weiland, Johanna Ferretti, Dirk Wascher and Daniela Chodorowska, Integrat-ing the Environment in Regulatory Impact Assessments, OECD, 2011.
[6]C. Adelle, D. Macrae, A. Marusic and F. Naru, 'New Development: Regulatory Impact Assessment in Developing Countries – Tales from the Road to Good Governance', Public Money & Management, 35(3), 2015, pp. 233-238.

RIA Plus 2030 Agenda (or RIA+) offers the opportunity to integrate otherwise separate assessments into one comprehensive but targeted assessment framework.

By adopting the 2030 Agenda for Sustainable Development, all member states of the United Nations have committed to accelerating economic, social and environmental development for their peoples. To this end, they have agreed to achieve the 17 Sustainable Development Goals (SDGs) and adhere to a set of principles to attain this goal. This includes ensuring that policies across economic, social and environmental areas support rather than contradict each other (integrative approach).

One obvious way to do this is to check how any planned regulations contribute to the SDGs and to make sure that those who prepare 'regulatory alternatives' take the SDGs into account from the very beginning.Conceptually, RIA and the 2030 Agenda are two different things: RIA is first and foremost a methodology and the 2030 Agenda is a political commitment. As will be explained in more detail in Chapter II.3, the principles that underpin both RIA and the 2030 Agenda overlap in many ways. The main function of a traditional RIA is to understand what kind of action will be best suited to fulfilling the legislator's specific objectives. The 2030 Agenda helps understand the broader implications of the regulation. Combining the two as RIA+ means that legislators systematically ask questions such as:

- What are the economic, social and environmental effects of this regulation and what positive or negative impacts does it have on one or more of the SDGs?
- Is the regulation in line with the country's existing international obligations and does it have an effect on other countries?
- How does the regulation affect those left furthest behind?
- Who will be responsible for implementing the regulation and what do they need so that they can do their job?
- How have non-governmental stakeholders been consulted at the drafting stage and how will they be consulted in the future monitoring of the regulation?

A RIA+ allows the legislator to ask some or all of these important questions at the earliest possible moment in the policy-making process.

Georgia is in an ideal position to align the RIA process with implementation of the 2030 Agenda since both the introduction of RIA and the adaptation of the SDGs to the national context are still at an early stage. The government is consolidating its national SDG framework and at the same time preparing to institutionalise RIA in legislative and decision-making processes.

Georgia is one of the first countries worldwide to systematically integrate Agenda 2030 requirements into the RIA process. This Handbook consolidates the lessons learned from piloting a first set of RIA+ processes by identifying the challenges RIA practitioners have come across and illustrating ways they have been (or could be) addressed.

IDEA

RIA+ fosters a more strategic use of regulation. It involves a move from a focus purely on policy efficiency towards the use of better regulation as a driver of the transformative, long-term goals of the 2030 Agenda.

THE GEORGIAN CONTEXT

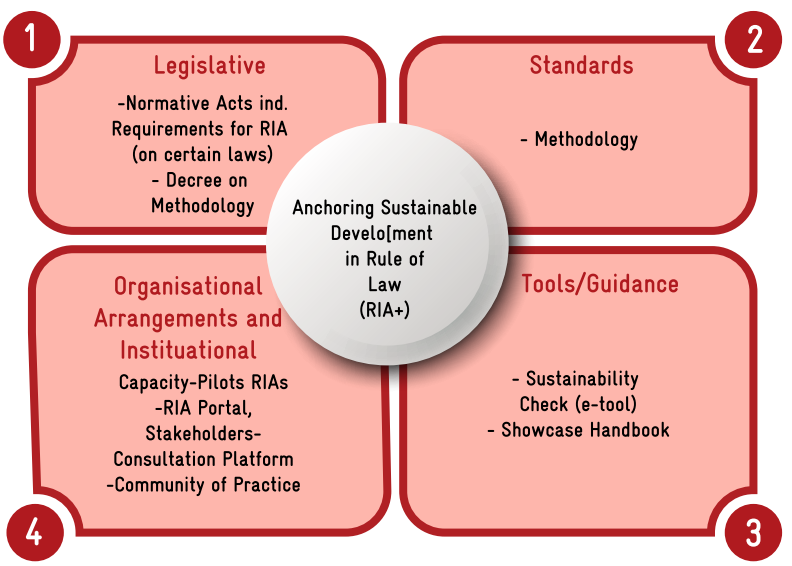
RIA IN GEORGIA

Over the past ten years, Georgia has paved the way for the introduction of a RIA system for its law-making process. This was triggered in part by Georgia's Association Agreement with the EU, in which parties agreed 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' (Art. 225 AA, 2014/494/EU).

The regulatory impact assessment instrument was perceived to be one of the essential means to render law-making more effective and coherent and to improve the quality of regulations in the framework of EU-Georgia cooperation by taking an evidence-based policy-making approach.

Furthermore, a rigorous approach of RIAs, thanks to monitoring and evaluation (M&E), assists governments in measuring the actual benefits of their regulations for different stakeholder groups.

To date, the RIA system[7] in Georgia includes legislative provisions, standards and tools as well as measures to develop institutional capacity.



The Ministry of Justice has a custodian role in the establishment of a legislative base for a sound RIA framework. In this regard, the Ministry, together with the Administration of the Government, is preparing the relevant amendments to the Law on Normative Acts that will establish legal requirements for conducting RIAs on legal acts in Georgia. In the preliminary phase, RIA will be legally required for a certain set of regulations.
The amendments will be followed by a decree on RIA methodology.

[7]RIA system here means: preparatory elements undertaken by the government in cooperation with different partners and stakeholders in order to introduce RIA as an integral part of the law-making process in Georgia up to the beginning of 2019

In order to ensure coherent practice in conducting RIAs in Georgia, it is necessary to formulate certain standards that lay out how a RIA should be conducted. The standards will describe what is required in terms of format, content and scope. In order to develop these standards, guidelines on RIA methodology are being drafted. These guidelines provide an overview of key RIA procedural and analytical steps, qualitative and quantitative impact assessment methods and RIA reporting requirements.

As mentioned above, RIA is not new in Georgia. Indeed, a significant number of RIAs have already been conducted by public servants, local research institutes and consultancies or NGOs, accompanying the legal drafting process for specific regulations, often with donor support. Alongside these initial RIAs, tools and guidance are being developed to support the pioneering RIA practitioners. The purpose of the present Handbook and a forthcoming online 'sustainability check' tool is to align RIA with the 2030 Agenda.

However, the practice of conducting RIAs is still in its early stages in Georgia, and the law-making apparatus lacks key competencies and capacities to carry out RIAs. For the establishment of a long-term and systematic RIA framework, further organisational arrangements will be made to ensure that assessments are conducted by the relevant authorities and subsequent quality checks are carried out. The first institutional capacity development efforts include the implementation of pilot RIAs supported by bilateral donors, such as Germany (GIZ) and the USA (USAID). In order to accelerate the professional development of civil servants and develop well-established RIA practice in the country, a Community of Practice (CoP) of national public personnel was set up. By conducting ex ante and ex post evaluations and holding a number of fit-for-purpose training sessions and workshops, the CoP has contributed to the development of robust assessments and quality-check practice, with sustainable development as their bottom line. In addition, a web-based RIA portal is being developed to facilitate dialogue among RIA practitioners on issues pertaining to this topic.

THE 2030 AGENDA IN GEORGIA

In September 2015, the 193 member states of the United Nations adopted the 2030 Agenda for Sustainable Development which includes 17 Sustainable Development Goals (SDGs). The 2030 Agenda presents a global consensus of historic significance and a new, overarching framework for international cooperation.

The Government of Georgia has committed to implementing this ambitious global agenda and was one of the first countries to present a Voluntary National Review on the implementation of the SDGs at the UN's annual High-level Political Forum (HLPF) in New York in 2016.

The EU is strongly committed to the 2030 Agenda[8]. In its 2015 review of the European Neighbourhood Policy (ENP), the Commission stated its intention to engage with partners in the framework of the 2030 Agenda[9]. It is therefore expected that EU domestic and external policies, including the European Neighbourhood Policy, will increasingly be influenced or driven by the framework of the 2030 Agenda and the SDGs.

At national level, the Government of Georgia is developing the Georgian **SDG Matrix** which nationalises all 17 SDGs. So far, 90 out of 169 global targets and 204 out of 232 global indicators have been adapted for the Georgian SDG Matrix. The development of the matrix has drawn on various strategic and multi-sectoral development documents, especially:

- EU-Georgia Association Agenda.
- Social and Economic Development Strategy 'Georgia 2020.
- National Strategy for the Protection of Human Rights in Georgia.

[8]See EU Council Conclusions of June 2017, paras 17-19.
[9]See Review of the European Neighbourhood Policy (ENP) 2015, p. 3: 'The adoption by the UN General Assembly of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs) and the EU's strong support for its implementation have provided a new transformative political framework in which to engage with partners. Furthermore, this review is being closely coordinated as part of the broader work on the EU Global Strategy on Foreign and Security Policy. With these and other measures, the EU will seek to reinforce the ENP as a framework for relations with all partners in the future.'

- Public Administration Reform Roadmap and Action Plan 2015-2016.
- Open Parliament Action Plan 2018-2019 under the Open Government Partnership.

Consultations are being held on Georgia's SDG matrix with civil society, the private sector and development partners, prior to its endorsement by the government. Upon endorsement, the SDG targets and indicators will be integrated into Georgia's Annual Governmental Work Plan and in every sectoral policy document adopted by the government.

To support implementation, monitoring and coordination of the 2030 Agenda in Georgia, the Government of Georgia established the SDG Council which is chaired by the Head of the Administration of the Government and co-chaired by the UN Resident Coordinator in Georgia. The Council includes line ministries and the National Statistical Office (Geostat) as well as representatives from the private sector, academia and civil society.

The latter three do not have voting rights. The Council has four working groups: Social Inclusion; Economic Development; Democratic Governance; and Sustainable Energy and Environmental Protection. While the Council makes political decisions, the working groups provide directions in their thematic area and coordinate the work of relevant institutions to collect data and integrate the SDGs into national policy documents. One mechanism for monitoring progress on the SDGs will be a central electronic system, along with a website with data on all goals and targets.
The electronic monitoring tool and the website will support the distribution of up-to-date information about the performance of public agencies on all relevant SDG targets. The Council is supported by an SDG Secretariat, hosted by the Administration of the Government.

The role of the Ministry of Justice of Georgia in the 2030 Agenda implementation process is a key one – just as the rule of law plays a key role in achieving sustainable development. The Ministry of Justice is actively involved in reforming the national legislative framework and in establishing strong and effective institutions that abide by the rule of law and human rights. Further, in the national SDG Matrix, the Ministry of Justice has clearly defined responsibilities across several SDG areas, including SDG 16 (peace, justice and strong institutions) as well as target areas under SDG 1 (eradication of poverty), SDG 3 (good health and well-being), SDG 4 (quality education), SDG 5 (gender equality) and SDG 10 (reduced inequalities). Thus, the Ministry plays a promoting role in creating a legislative environment and framework that is conducive to sustainable development.

THE ADDED VALUE OF INTEGRATING THE 2030 AGENDA INTO RIA (= RIA+)

Both RIA and 2030 Agenda have common features: they seek impact and sustainability, oblige governments to be transparent and accountable and let citizens participate in the bigger decisions of state and public interest. Last but not least, they both heavily depend on facts and figures, on public and private contributions and on public discussion.

2030 Agenda as a new assessment framework	RIA as a tool and process
Purpose	
Ensure the quality and sustainability of states' national agendas when pursuing the SDGs, enable measurement, comparison and cooperation among different states and involve civil society	Ensure the quality and sustainability of a national regulation and make the legislative drafting process more transparent, participatory and accountable.
Approach	
The 2030 Agenda will be a compass for aligning countries' plans with their commitment to set nationally-relevant targets (prioritised and sequenced) for nationally adapted and inclusive SDGs that are achievable, yet ambitious. Local-level authorities and local civil society should be involved. 'Ensure responsive, inclusive, participatory and representative decision-making at all levels' (16.7).	Set policy objectives (if they are not already established), identify several options for the implementation of a regulation, analyse likely impacts for each option and compare options and their real-life impacts on citizens in different areas (social, economic, environmental, administrative and others). Conduct public consultation and then identify indicators of progress and outline M&E.

Guiding principles	
'2030 Agenda principles' work together in order to reconcile global economic progress and social justice, while respecting the earth's environmental limits	'Better regulation principles' mark the quality of legislation, assessing the extent to which it is evidence-based, proportionate, comprehensive, coherent, transparent, fair, realistic, etc.
Universality: the 2030 Agenda is valid as a reference framework for all countries, but legitimate national priority setting is accepted, which means that the speed of development will vary.	International obligations, such as ratified conventions, EU directives and other international standards, represent a reference framework for national regulation.
Leave no one behind: focus on vulnerable groups in society and address discrimination and unjustified inequality	Stakeholder analysis and adherence to foundational laws: depending on the political and economic system of a state, RIA analyses respect for human rights, eradication of social and economic inequalities and freedom of civil society organisations (CSOs).
Integrated approach: social, economic and environmental aspects are in fact interdependent factors (spill-over effects, synergies and trade-offs). The SDGs constitute a reference framework for RIA (dashboards and scoreboards). When looking at a regulation's contribution to SDG achievement, the interlinkages and interactions between goals and targets should also be taken into account. 'No SDG shall be implemented at the expense of another.'	Sustainability is a core element of the RIA process; economic, social and environmental impacts are analysed.
Shared responsibility: the state, civil society and the private sector should contribute to SDG achievement, according to their capacities and opportunities, and cooperate with each other at all levels.	RIA identifies interested stakeholders and target groups and analyses their probable compliance with the new regulation. The government can, of course, involve the private sector for public services and other tasks.
Accountability/monitoring and review: measurable progress and mutual learning between states; multi-level approach for reviews (national, regional and international); scoreboards and dashboards; and the HLPF.	RIA is also responsible for outlining the monitoring and evaluation of a new regulation. Although domestic impact is usually in the foreground, SDG achievement and transnational aspects are likewise important.

As the above shows, both the 2030 Agenda and RIA want us to consider what effect political decisions will have in the future. They both want us to make use of a participatory process to ensure good long-term or, in other words, sustainable outcomes.

Traditional RIAs are already supposed to pay attention to the interplay of various legal statutes and reciprocal effects across economic sectors and social life. However, the 2030 Agenda helps the legislator to integrate various aspects of sustainability more systematically into RIA, for example, by checking impacts on one or more SDGs and by identifying the links between the different SDGs. Moreover, the universal application of the 2030 Agenda means it might turn 'better regulation' into 'better international relations for better regulation', by looking at the possible transnational impact of any new regulation and at its contribution to the solution of global challenges.[10]

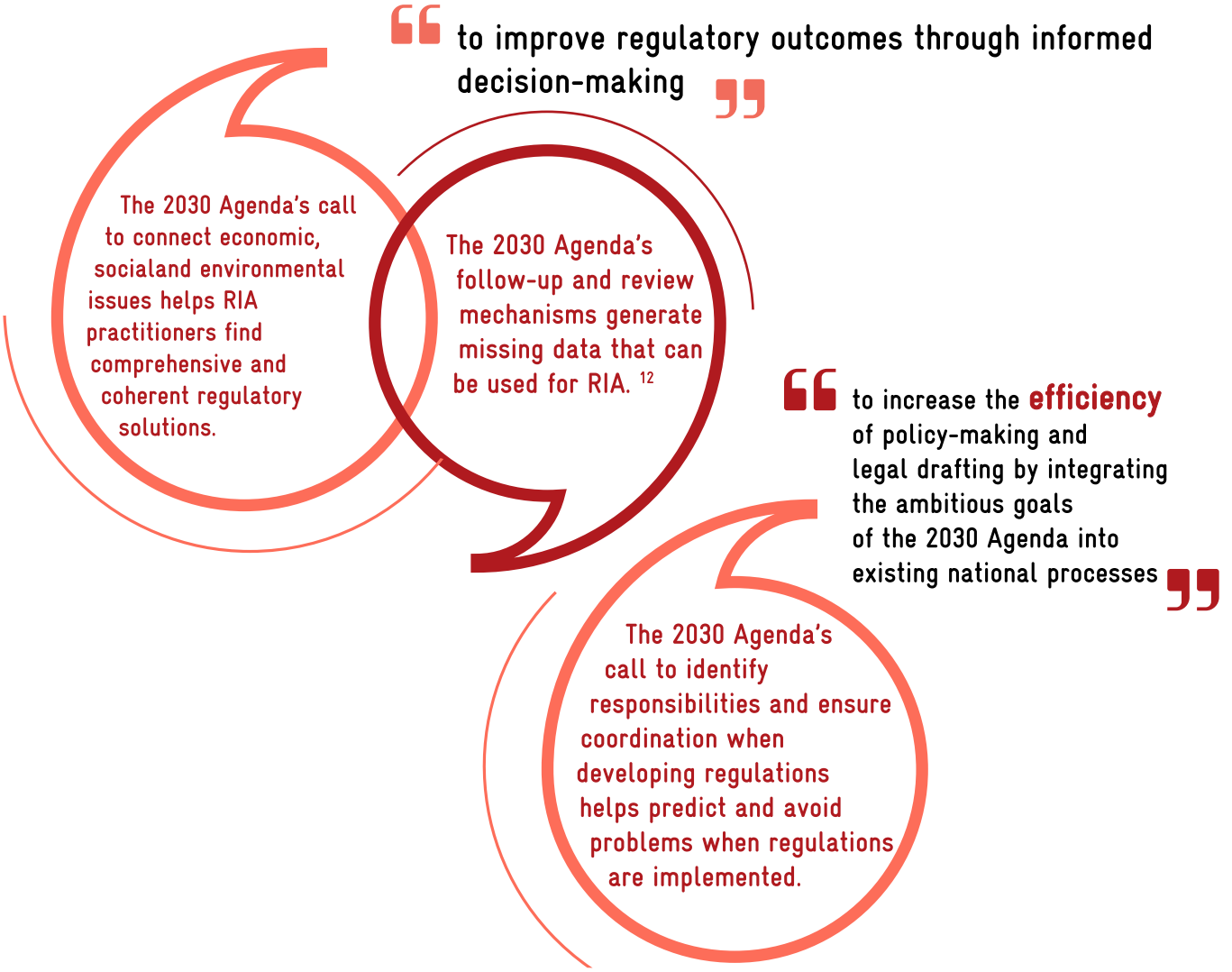
Thus, RIA+ fosters a more strategic use of regulation. It involves a move from a focus purely on policy efficiency towards the use of better regulation as a driver of the transformative, long-term goals of the 2030 Agenda.[11]

Overall, the aim of integrating 2030 Agenda into RIA (RIA+) can be summarised as three-fold:

> "to increase quality, integrity and trust in policy-making and legislative processes"

[10] The 2030 Agenda has triggered new initiatives and boosted existing ones to support global cooperation on key challenges. See, for example, in relation to SDG 16, the Open Government Partnership (OGP) Initiative and global alliances, such as the 16+ Forum, Pathfinders for Peaceful, Just and Inclusive Societies and the Global Alliance for Reporting Progress on Promoting Peaceful, Just and Inclusive Societies.

[11] Lorenzo Allio, Interim report on embedding Agenda 2030 in standard RIA practices in Georgia, pp. 6-7.



In practical terms, RIA+ means that in a regulatory impact assessment ,[13]

1) policy options will be developed in light of feasibility criteria and domestic policy objectives as well as according to their relevance to SDG achievement by the nation concerned; this in-cludes refined problem definition for all three dimensions of the 2030 Agenda and subsequent scenario setting taking into account the SDGs;

2) The impact of a regulation will be assessed against a nationally adapted reference SDG framework with concrete targets and indicators as well as against the better regulation criteria; assessing impact will involve state and private actors; and coordinated cooperation between national institutions and international players will gain momentum;

3) The comparison of options will draw the drafters' attention to the 2030 Agenda principles, for example, by including criteria on shared responsibility and the 'leave no one behind' principle in the multi-criteria analysis;

4) The monitoring and evaluation of a new regulation will make use of the country's progress reports on the SDGs; indicators will therefore be chosen in light of the SDGs, and databases and statistics will have to include information from entities outside public administration, such as research centres, universities, civil society organisations, churches and the private sector.

[12] OECD in its Introductory Handbook for Undertaking Regulatory Impact Analysis of 2008 states, that 'without good data, RIA will contribute relatively little to good policy-making'. This implies that more time and resources shall be invested in collecting data.
[13] See Section IV.2 for more details on how the 2030 Agenda can be integrated into each RIA step.

INTEGRATION

The 17 Sustainable Development Goals form the core of the 2030 Agenda, together with 169 targets and 232 indicators.
The content of these 17 SDGs reflects the complex reality in which we live.
The 2030 Agenda also includes guidance on how it should be implemented which can be summarised in five key principles: Integrated approach, Universality, Leave no one behind, Shared responsibility and Accountability.
The integration of the 2030 Agenda into RIA moves along these principles.

INTEGRATING KEY PRINCIPLES OF THE 2030 AGENDA INTO RIA – PRACTICAL INSIGHTS

The 17 Sustainable Development Goals form the core of the 2030 Agenda, together with 169 targets and 232 indicators. The content of these 17 SDGs reflects the complex reality in which we live. Moreover, the Preamble of the 2030 Agenda names five 'areas of critical importance' in which action should be taken: People, Planet, Prosperity, Peace and Partnership. These areas, the so-called '5 Ps', illustrate the interdependencies between the goals. The 2030 Agenda also includes guidance on how it should be implemented which can be summarised in five key prin-ciples:

- Integrated approach;
- Universality;
- Leave no one behind;
- Shared responsibility;
- Accountability.

The following sub-chapters intend to explain each key principle in detail, illustrate their rele-vance to increasing the sustainability of state regulation through RIA+ and give concrete exam-ples from pilot RIAs on how they have been applied in practice.

INTEGRATED APPROACH AND THREE DIMENSIONS OF SUSTAINABILITY

The 2030 Agenda recognises that global challenges are closely interlinked, emphasising that the 17 SDGs are integrated and indivisible. The idea is that no goal should be implemented at the expense of another. The integrative character of the agenda has two aspects: firstly, the social, economic and environmental dimensions of sustainability as mutually dependent factors are given equal importance; secondly, the 2030 Agenda takes into account the numerous interactions between the 17 goals and the 169 targets.[14] There are synergies between many SDGs and their targets, but there are also trade-offs.

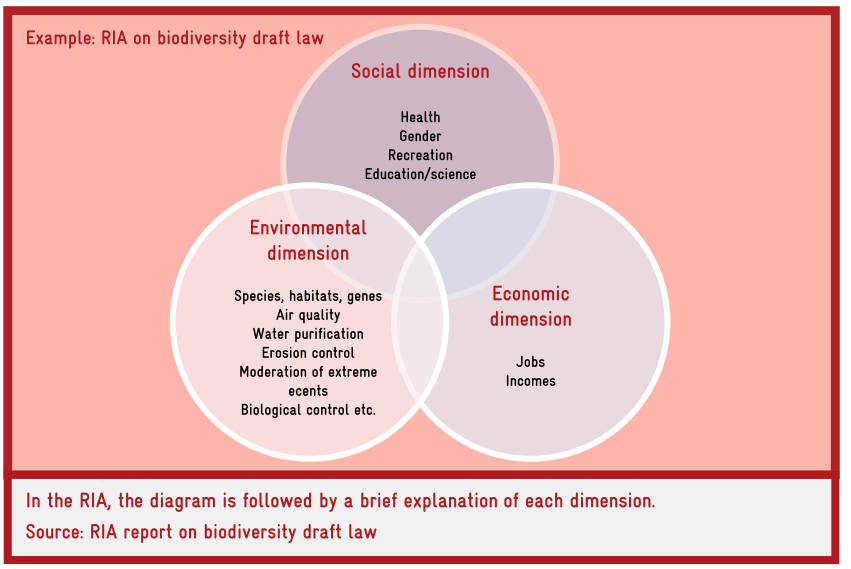
In legislative drafting, it is crucial to ensure that a new regulation that advances one SDG will not negatively affect the achievement of other SDGs.[15] Therefore, RIA+ tries to connect and balance the different pillars of sustainable development (environmental, social and economic) and the interlinkages between the goals. Policy-makers need to make use of positive interactions (synergies) between many of the goals. Conflicts that will inevitably arise between the goals should be addressed through structured and inclusive dialogue. Where needed, alternatives should be identified when developing and comparing regulatory options. As a result, RIA+ helps law-makers follow a context- and conflict-sensitive approach and the do-no-harm principle.
There are two aspects that deserve a closer look:

1.1 The three dimensions of sustainable development: the 2030 Agenda gives equal consideration to the social, economic and environmental dimensions of sustainability as causally interdependent factors. In other words, it recognises that each dimension depends, to a greater or lesser degree, on the others. Negative interactions between the dimensions should be avoided, while positive synergies should be harnessed. For RIA, this means:

- Identifying economic, social and environmental dimensions and determining how they are connected

[14] '[The SDGs] are integrated and indivisible and balance the three dimensions of sustainable development: the economic, social and environmental.' (Agenda 2030, Preamble)
[15] 'This is in line with the longstanding theory and methods of development cooperation, such as the do-no-harm approach developed for conflict sensitivity by Mary B. Anderson in 1999.

When defining the problem and assessing impacts, determine which dimensions are affected and how they are connected. This helps identify potential implementation issues.



In the RIA, the diagram is followed by a brief explanation of each dimension.
Source: RIA report on biodiversity draft law

In some cases, just two of the dimensions may be considered relevant. This is fine. However, it is useful to at least briefly check all three dimensions to avoid missing interlinkages and connections.

Example: RIA on draft law on vocational training (TVET)

- The Ministry of Health reviewed all three dimensions and found the law could better target professions with a strong effect on the environment (e.g. chemical industry).
- As a result, they plan to liaise with the Ministry of the Environment and environmental NGOs to find ways to ensure employers in these professions increase the awareness of trainees on their contribution to environmental protection

Example: RIA on windbreaks draft law

- Windbreaks are rows of trees or bushes planted to slow wind and prevent soil erosion. They are at risk of being cut down for firewood or destroyed by cattle grazing.
- The RIA team reviewing the draft law to protect windbreaks stressed that the main objectives are protecting the environment and increasing economic growth in agriculture.
- By assessing the social dimension, however, colleagues found that those who destroy windbreaks often do so simply to survive and that fining them might have no effect or cause other, potentially worse, problems. The team concluded that the law needed to provide alternatives for those people ('otherwise, they will teach us a lesson').

Considering both short- and longer-term effects

When assessing impact, it is critical to consider which effects will happen immediately and which will happen later as they can reinforce or neutralise each other.

Example: RIA draft low on consumer protection

- The RIA team identified the concern that consumer protection can affect a business's competitiveness in the short term.
- However, they also found that, as consumer protection is a key EU policy, improving it in Georgia will also improve market access by Georgian businesses in the medium and long term.

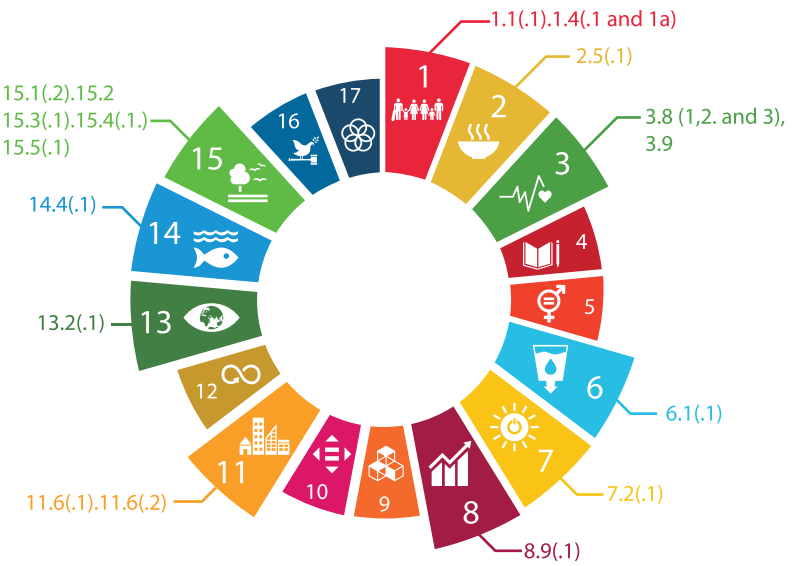
1.2 Sustainable Development Goals:

the SDGs are the core content of the 2030 Agenda. Georgia has committed to achieving them through national strategies and policies. For RIA, this means:

Identifying relevant SDGs and targets in the Georgian SDG Matrix

When identifying the objectives of a regulation, identify in the National SDG Matrix the most relevant SDGs and targets that the regulation seeks to contribute to. Not every regulation will address all SDGs, which means that not all SDGs are relevant in all cases.

Example: RIA on biodiversity draft law



The graph comes with a brief explanation of why highlighted goals and targets are considered crucial.

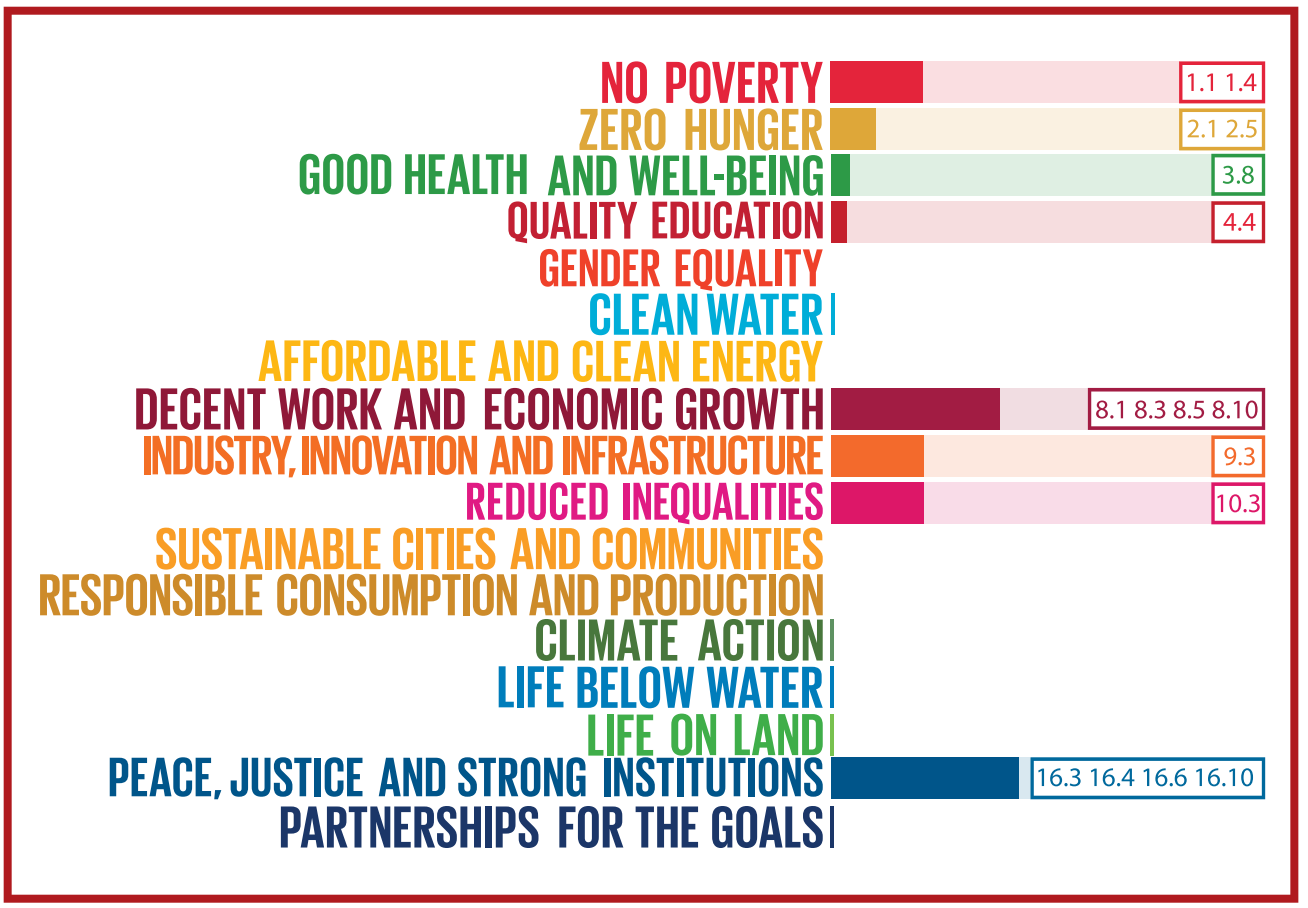
Source: RIA report on biodiversity draft law

Using the SDGs as a checklist for unintended side effects

When assessing the impacts of different options, it is important to check how they will impact positively or negatively on each relevant SDG. The SDGs help widen the view and check for the unintended side effects of a regulation.

Example: RIA on insolvency draft law

The RIA illustrates the 'relative magnitude of impact the Draft Law is expected to have on each of the 17 Goals and set of global targets it will help achieve in the coming years'.



Source: RIA report on insolvency draft law

Example: Ex post RIA on profit tax reform

- The objective of the law is to increase investment and economic growth (SDG 8). It has already improved Georgia's score in the World Bank's Ease of Doing Business Index.
- When reviewing the SDGs, the RIA team noticed that they had no information on the expected social ('trickle-down') effects, e.g. more employment and higher salaries. They decided to verify that the law and related measures – such as increasing fuel prices to finance the law – are not leading to increased poverty (SDG 1) or inequality (SDG 10).

Including relevant Georgian SDG indicators in the M&E plan

Using indicators from the Georgian SDG Matrix means that data on SDG progress – the collection of which the government will prioritise – can be used for future monitoring and evaluation of the regulation.

Example: Ex post RIAs on the civil service law and on the public internal financial control draft law

- Both laws seek to improve the rule of law, reduce corruption and develop effective, accountable and transparent institutions (SDG 16). Georgia is developing SDG 16 indicators, e.g. by piloting the collection of household data to measure the 'proportion of population who believe decision-making is inclusive and responsive' (indicator 16.7.2).

- Using such SDG 16 indicators in the M&E frameworks of both laws will provide the relevant ministries with data on the impacts of these laws over time.

Example: Ex ante RIA on insolvency proceedings

- The RIA team proposed SDG indicators from Georgia's SDG Matrix to measure the achievement of the objectives of the law.

OBJECTIVE	INDICATOR	RESPONSIBILITY
Improve business enabling environment	-Doing Business Resolving Insolvency Score and Ranking -World Bank Governance Indicators (Georgian indicator SDG 16.6.1) -Number of insolvency applications (#)	Ministry of Economy and Sustainable Development

UNIVERSALITY

Many phenomena, such as consumer behaviour, infectious diseases and climate change, have an impact not only in a given country but also globally. States therefore decided to make the 2030 Agenda universal in scope, and all countries, irrespective of their income levels and development status, have committed to contributing towards global sustainability in all its dimensions. [16]

[16] [This Agenda] is accepted by all countries and is applicable to all, taking into account different national realities, capacities and levels of development and respecting national policies and priorities. These are universal goals and targets which involve the entire world, developed and developing countries alike.' (2030 Agenda, para. 5)

Thus, the Agenda is applicable in all countries, in all contexts and at all times. Being both universal and context-specific, the 2030 Agenda is a great opportunity to develop innovative solutions that are tailored to the local context while also addressing global problems, making the 2030 Agenda relevant for all countries and societies. Every person and every society is called on to consider the impact of their own actions on global issues and global common goods, such as illegal arms trading, illegal financial flows, human trafficking, pollution of the oceans and climate change. Solutions have to be found at both the national and the international level.

With the principle of universality, the distinction between donor and recipient countries loses its relevance because all countries need to cooperate on equal terms to achieve the global goals. Each country bears responsibility for defining its contributions to achieving the 2030 Agenda within the limits of its national capacities, policies and level of development. National planning processes, policies, strategies and new regulations should be aligned with the implementation of the 2030 Agenda and with international laws and obligations.
The principle of universality has two important aspects which matter for RIA.

2.1. Effects between countries: the 2030 Agenda applies to all countries because sustainable development can only be achieved by all countries collectively. Countries are also increasingly considered to have extraterritorial obligations. The purpose of the 2030 Agenda is to encourage joint contributions for the global common good and the protection of global public assets. For RIA, this means:

- Consider impacts of the regulation in other countries

  When defining the problem, first, check for negative effects abroad, e.g. effects of a regulation concerning waste management on cross-border water and air quality and, second, check for positive effects abroad that may, in turn, have positive or negative effects domestically.

2.2 Normative alignment: the 2030 Agenda requires countries to implement the Agenda in a manner that is consistent with their rights and obligations under international law. For RIA, this means:

- Consider the country's relevant international legal commitments

  When defining the objectives, check what international legal commitments Georgia has with regard to the regulation and which the regulation should therefore contribute to. This could include international legal obligations under human rights or environmental treaties or under Georgia's Accession Agreement with the EU.

Example: RIA on biodiversity draft law

- The RIA report lists all international conventions related to biodiversity that Georgia is a member of as well as the EU Accession Agreement.
- It assesses why a new regulation is needed to comply with the requirements of these conventions and the EU Accession Agreement.

LEAVE NO ONE BEHIND (LNOB)

The 2030 Agenda seeks to benefit all people and commits to leaving no one behind. The basic assumption is that sustainable development can only be achieved if no one is left behind.

In accordance with this principle, all countries – whether high- or low-income, stable or fragile and affected by violence and conflict – have committed to achieving progress also, and first of all, for those who are particularly vulnerable or marginalised, for example, because they face discrimination or lack a voice and power.[17] This principle is one of the most significant innovations of the 2030 Agenda, compared to the SDGs' predecessors, the Millennium Development Goals (MDGs). It requires efforts to address the structural causes of disadvantage and discrimination and promote the effective participation of vulnerable people and groups in political, social and economic processes. To do so, policy-makers need more local and disaggregated data to analyse outcomes and track progress. For any regulation, there are several interrelated approaches [17]:

(1) promoting the most disadvantaged people first, by eliminating discrimination and empowering them to make use of their rights (targeted approach);
(2) promoting equal opportunities and human rights for all (universal approach);
(3) creating a conducive environment for the realisation of individual rights (enabling approach).

For RIA, this means we are asked to:

- Identify the most vulnerable

  When defining the problem and developing options, identify those people who are most affected by the regulation and check whether these groups are vulnerable in Georgia and why (e.g. traditionally discriminated against or not included in decision-making). These could be entire population groups (e.g. older people, persons with disabilities or ethnic minorities) or parts of otherwise well-off groups (e.g. female employees or members of a majority ethnic group living in remote areas).

- Assess how the regulation would affect them positively or negatively

  When assessing impacts, check how those groups will be (positively or negatively) affected by each policy option. There may be groups that are not (very) vulnerable yet but may become (more) vulnerable as a result of one of the policy options. New regulations should not exacerbate existing inequalities or create new inequalities.

[17] We emphasize the responsibilities of all States … to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status.' (2030 Agenda, para. 19); '[W]e wish to see the Goals and targets met for all nations and peoples and for all segments of society. And we will endeavour to reach the furthest behind first.' (para. 4).

[18] These approaches are based on different concepts on how to implement LNOB in practice, see: ODI, An integrated approach to leave no one behind, 2016; Bond, Leave no one behind: How the development community is realising the pledge, 2018; United Nations Committee for Development Policy, Leaving no one behind, 2018.

Example: RIA on draft law on vocational training (TVET)

- In its LNOB assessment, the Ministry of Education found that they had not considered street children and refugees sufficiently. This was partly because these groups fall under the mandate of another ministry.
- The RIA team decided to liaise with relevant ministries to ensure the establishment of catch-up programmes and outreach efforts (e.g. offering language courses or vocational training in English).

Example: RIA on vaccination draft law

- One of the options for the law is to make vaccination a requirement for preschool or primary school.
- When defining the problem, the RIA team found it had little information on the families that do not vaccinate their children but assumed that they included families with a low level of education. When assessing impacts, the team reflected on the risk that the requirement could leave such children even further behind, by keeping them out of school.

Example: RIA on insolvency proceedings

- When assessing the social impacts of the proposed draft law, the RIA team considered it positive that some vulnerable people, such as employees of an insolvent company, would be better protected as they would be made preferential creditors.
- However, they found that the draft law did not increase overall protection of the economically active population as it did not effectively address the issue of consumer bankruptcy. As a result, the team suggested introducing additional regulations in this respect.

SHARED RESPONSIBILITY AND MULTI-STAKEHOLDER PARTNERSHIPS

The principle of shared responsibility recognises that implementing the Agenda and achieving the SDGs is not merely a matter for governments but that all actors in society need to work together to achieve sustainable development .[19]The 2030 Agenda therefore calls for multi-stakeholder partnerships to increase cooperation between the different actors at local, regional, national and international level and to use the Agenda's goals and principles as a strategic vision shared by all stakeholders for promoting sustainable development. In addition, cooperation between governmental and non-governmental actors in the drafting of a regulation promotes constructive relationships between state and society as well as social inclusion. For RIA, this means we should:

[19] 2030 Agenda, para 41

• Identify who is responsible and who has a strong influence

When defining the problem, and especially when developing and comparing options, identify who is officially responsible for the situation and for the implementation of the regulation and who else may have a strong influence.

• Identify what those responsible need so that they can act

When developing and comparing options, consider whether those responsible have the necessary means to implement the regulation. This may go beyond financial resources and include the need for human resources, information, authority or coordination. Note that for regulations with a focus on improving public administration, this may be the main focus of the RIA (e.g. ex post RIAs on the civil service law and on the public internal financial control law).

Example: RIAs on draft laws on biodiversity, social cuts and consumer protection

- These RIAs identified issues such as unclear responsibilities, overlapping mandates and a lack of competencies and coordination between government bodies.
- The RIA on the consumer protection law found that low empowerment of a key au-thority was an issue in all identified options, revealing an overall high risk of failure.

ACCOUNTABILITY

With the 2030 Agenda, governments have confirmed that they are first and foremost accountable to their citizens.[20] Unlike the Millennium Development Goals (MDGs), the 2030 Agenda comes with a system to review progress. Countries have committed to reporting on their efforts and results at national, regional and global level. At the global and regional level, reviews are organised annually by the UN and/or regional institutions. At the national level, countries have promised to organise regular and inclusive reviews themselves. The findings of the review at national level form the basis for regional and global reviews. Although the UN has no authority to impose sanctions for non-implementation of the 2030 Agenda, the review mechanism ensures a 'soft' form of accountability. Apart from its intrinsic value, accountability also makes it more likely for people to support a policy and trust the government.

To measure progress, high-quality, accessible, up-to-date and disaggregated data is required at national level. Both the 2030 Agenda and RIA meet similar challenges when they try to measure impact or track progress. Common challenges are:

- Inadequate data: under the 2030 Agenda, states have committed to collecting data on topics on which no data has so far been systematically collected at national level.
- Inadequate national statistics systems: in some countries, data collection is not guaranteed due to technical, legal or capacity bottlenecks.

[20] To support accountability to our citizens, we will provide for systematic follow-up and review at the various levels.' (2030 Agenda, para. 47)

- Sensitive data and data protection: it can be difficult to collect qualitative data of a po-litically sensitive nature, and it may be necessary to protect personal data. At the same time, governmental institutions do not always enjoy the same level of trust and legitimacy, and data can be misused.

Under the 2030 Agenda, states have committed to making review processes 'open, inclusive, participatory and transparent for all people' (2030 Agenda, para. 74d). Monitoring and evaluation have therefore become an integral part of regulation.

For RIA, this means:

- Using a variety of data to underpin the regulation

  When defining the problem and assessing impacts, make sure a mix of governmental and non-governmental as well as qualitative and quantitative data is used. Statistical data and findings based on perception should both be used but treated separately from one another.

- Involving stakeholders systematically and transparently

  When defining the problem and assessing impact, identify stakeholders from all parts of society systematically, talk to those most affected by the problem and by the policy option and ask them about the costs and benefits of the regulation, expected results and any data they may have.

Example: RIA on biodiversity draft law

- The RIA report identifies stakeholders using the interest/influence matrix, and the RIA team consulted stakeholders from all four quadrants.
  The RIA on the consumer protection law found that low empowerment of a key authority was an issue in all identified options, revealing an overall high risk of failure.

- It also highlights that transparency, consultation and public access to data will be essential for the implementation of the law.

- Making information publicly available

  When developing an M&E plan, make sure the RIA report states that it will be publicly available and that monitoring will involve non-governmental stakeholders.

EXPERIENCE

Since 2016, several RIA teams have piloted the integration of the 2030 Agenda into their RIA processes. RIA teams were faced with challenges along the way, both in terms of the content of the analysis, as well as the process of conducting a RIA+.

Challenges included, among others, data availability, identifying and consulting those left behind and engaging stakeholders.

Lessons learned from these pilot RIAs shall serve as ideas on how to tackle these challenges in the future.

THE GEORGIAN RIA+ EXPERIENCE

Since 2016, several RIA teams have piloted the integration of the 2030 Agenda into their RIA processes. This part of the Handbook presents key lessons they have learned.

Lessons learned: What are the typical challenges and the possible solutions when drafting a RIA+ report?

1.1 Content

a. Linking the RIA with the SDGs and Georgia's SDG Matrix

- Challenges: several RIA teams had problems when considering all the SDGs; they found it a time-consuming and unsatisfactory exercise. Few of them have referred to Georgia's SDG Matrix.

- Possible solutions:
  - For problem definition, focus only on the three dimensions and how they are connected (see III.1.1); do not go through all the SDGs.
  - For setting objectives, review Georgia's SDG Matrix and identify only the most relevant goals and targets (see III.1.2).
  - For the M&E plan, integrate at least one national SDG indicator (see III.1.2).

b. Identifying positive and negative impacts

- Challenges: most RIA+ reports identify only positive effects on the SDGs. Time frames are rarely discussed.
- Possible solutions:
  - For impact assessment, use all 17 SDGs as a checklist for unintended negative side effects and assess how positive and negative impacts may be connected (see III.1.2).
  - For impact assessment, consider both short and longer-term effects as they might reinforce or neutralise each other (see III.1.1).

c. Dealing with data availability and quality

• Challenges: one of the greatest challenges for RIA teams is the lack of relevant data and time constraints for conducting specific research. This is particularly common in the case of data required to assess the situation of vulnerable groups.

• Possible solutions:

- For problem definition and impact assessment, check whether other line ministries have relevant data or whether previous RIAs on related topics contain relevant data. However, ensure that data availability does not drive the analysis – in other words, it is important to also encourage the production of the required data.
- For problem definition and impact assessment, collaborate with academia and CSOs to obtain proxy data or preliminary information.
- For problem definition and impact assessment, consult the forthcoming website www.sdgtoolkit.dea.gov.ge/public with progress data on all SDGs.
- For the M&E plan, include indicators that will trigger the production of the required data in the future.

Example: RIAs on draft laws on profit tax reform and on consumer protection

- Both RIA teams lacked data to assess the social impacts of the planned or existing law.
- As part of the RIA+ process, both teams planned to obtain preliminary data from non-governmental sources, e.g. trade unions, associations of unemployed persons and con-sumer protection associations. For the draft law on consumer protection, a social survey on selected topics was conducted.

d. Including the 2030 Agenda in multi-criteria analysis (MCA)

• Challenges: several RIA teams made a laudable effort to include aspects of the 2030 Agenda in their MCAs, e.g. by including the criterion 'effect on SDGs'. However, this criterion will not yield clear results as it does not distinguish between different SDGs and between positive and negative impacts.

• Possible solutions:

Choose a specific criterion such as 'positive effect on SDG x', 'negative effect on SDG y', 'positive effect on vulnerable groups', 'negative effect on vulnerable groups', 'negative effect abroad' or 'clear responsibilities for implementation'.

State explictly what the criterion will measure and what kind of data will be used to do so.

Example: RIA on insolvency draft law

- The RIA team used multi-criteria analysis to compare options and chose the criterion 'distributional effect' to 'assess the effect of the option on the most vulnerable parts of society' for each policy option.

e. Identifying responsibilities for implementation

• Challenges: most RIAs did not systematically identify responsibilities for implementation and related capacity issues and thereby neglected a typical risk of regulatory failure.

• Possible solutions:

For developing and comparing options, identify who is responsible and who has a strong influence on implementation and what they need so that they can act (see III.4).

f. Identifying those left behind

- Challenges: few RIAs address the situation of those traditionally left behind and the regulatory impact on them; if mentioned, they are often just referred to as 'vulnerable groups', i.e. without identifying any specific groups. This makes the development of effective policy options for these groups almost impossible.
- Possible solutions:
  - If related to data availability, see c.
  - Liaise with the line ministry and the National Statistical Office (Geostat) to flag the need for (more) disaggregated data.
  - Organise focus groups with representatives of groups you assume are left behind to obtain at least some qualitative data to underpin or refute your assumptions.

1.2 Process

g. Identifying and prioritising stakeholders

- Challenges: many RIAs do not make it clear how stakeholders are identified or prioritised. When the stakeholder interest/influence matrix is used, it tends to favour those who already have a voice (= influence) in policy processes. This can distort the impact assessment and contradicts the principle of leaving no one behind.
- Possible solutions:
  - During the development of this Handbook, non-governmental actors suggested the following ways to identify key stakeholders: the study of similar cases, including from other countries; informational interviews; and short desk studies.
  - During the development of the Handbook, reviewers discussed the possibility of modifying the traditional interest/influence matrix which was initially developed for private sector product marketing. To reflect the 'leave no one behind' principle, a good option is to replace the term 'influence' with 'affectedness'.
  - In any case, always justify why certain stakeholders were identified and prioritised and clearly label which opinion came from which stakeholder group.

h. Engaging stakeholders

- Challenges: some RIA teams find it difficult to deal with critical stakeholder feedback. It's important to find a balance between stakeholder expectations with regards to integrating their feedback and relevance of their feedback. Stakeholders should not feel as if they were consulted purely as a formality. The practice regarding the level and formats of engagement differs from institution to institution. There is no unified guidance yet.
- Possible solutions:
  - Review existing national or international standards for public consultation and decide which level of engagement to use (e.g. ladder of participation including inform – consult – collaborate). One useful standard is the Council of Europe's Code of Good Prac-tice for Civil Participation in the Decision-Making Process.21
  - During the development of this Handbook, non-governmental actors have suggested mixing different formats of engagement to balance their advantages and disadvantages, e.g. public online consultation which allows comments or voting, consulta-tions with representative organisations and focus groups with affected individuals.

[21] See illustrative brochure (2009) and official guidelines (2017).

i. Ensuring ownership

- Challenges: those supporting RIAs find that legal drafters are not always interested and engaged in the RIA process. At the same time, not all ministries feel equally empowered to contribute to RIAs as they feel their issues (e.g. social) are less relevant than others (e.g. economic) in a RIA.
- Possible solutions:
  - Ensure the engagement of senior colleagues in several ministries at an early stage and for at least part of the RIA process.
  - Carefully analyse how the regulation affects the three dimensions (see III.1.1) and who will be responsible for its implementation (III.4) as this will provide you with arguments for a range of line ministries to get engaged in the RIA.
  - Over time, establish teams in all ministries and engage legal drafters in the RIA process from early on, i.e. before a draft law exists.

j. Integrating the 2030 Agenda principles into the RIA report

- Challenges: RIA teams found that a separate 2030 Agenda chapter can make aspects of the 2030 Agenda more visible and easier to draft (e.g. it can be drafted after the RIA report). However, this practice can mean that few people actually read the chapter. It can also defeat the purpose of considering 2030 Agenda principles throughout the assessment.
- Possible solutions:

  Integrate 2030 Agenda principles throughout the RIA report and highlight the principles or related terms where they are discussed.

  Integrate 2030 Agenda principles throughout the RIA report and include a brief summary or box at the beginning or end of the RIA report which offers an overview of all principles and page references to where each principle is addressed.

Example: Ex post RIA on employment mechanism draft law

- This RIA report includes in its introductory chapter an overview of the steps in which the SDGs have been considered.

Example: RIA on forest code

- In this RIA, the 2030 Agenda is introduced in the executive summary by highlighting the 2030 Agenda principles that the RIA team considers most relevant for the implementation of Forest Code, such as LNOB, Integrative Approach and Shared Responsibility. It also mentions how they are addressed in the RIA document, namely in problem definition, impact assessment, comparing options (qualitative/cost-benefit/multicriteria) and stakeholder consultations.

Example: RIA on insolvency proceedings

- This RIA introduces the 2030 Agenda in the executive summary as the overall approach to the RIA. The RIA team acknowledges its share of responsibility in the implementation of the 2030 Agenda, mentions the five principles and explains that a number of them have been used in several stages of the study, namely when analysing impacts, comparing options and when defining M&E indicators.

Lessons Learned: How have the results of RIA+ reports been used?

Producing a high-quality, evidence-based RIA report is an important learning exercise for the involved national actors is itself. The main purpose of RIA is, however, to inform and guide the policy-making process. This is not always as easy and obvious as it may seem. Therefore, it is important to bear in mind that the quality of a RIA report is largely dependent on the report production process. Timely involvement of the relevant stakeholders is essential in order to test the assumptions made. Analysing reliable data or producing new datasets will influence the quality of the recommendations too.
In many cases, the pilot RIAs were conducted in parallel to a legislative text being produced. Therefore, the results and insights from the RIA process directly and continuously informed the legal drafters. Drawing on the experience of the pilot RIAs, the results of the RIA+ reports have been used the following ways:

Public Presenttion of RIA Report | Briefing of Legal Drafters on Results | Parliamentary Discussions | Integration into Strategic Planning | Review and Adaption of Law | Report Accessible on Website

The RIA conducted on the windbreaks draft law:

Due to the close coordination between the RIA team and the parliamentary committee in charge of legal drafting, the findings of the RIA were used to formulate specific changes in the text of the draft law. Further, the results of the RIA were presented at a parliamentary sitting in order to encourage transparent decision-making.
Importantly, the inclusive stakeholder process allowed the regulators to gain new perspectives and insights from key stakeholders, particularly from marginalised groups. After identifying marginalised groups affected by the draft law, the Ministry of Environmental Protection and Agriculture met with them (e.g. farmers and shepherds) and started to think about incentive mechanisms for these groups in order to prepare for the smooth implementation of the upcoming law.

The RIA on the draft forest code:

The RIA analysis was discussed with partners and experts. The RIA results will now be applied at relevant stages of the Parliamentary Sessions to determine future state policies on sustainable forest management.

The experience of mainstreaming the 2030 Agenda requirements were discussed during a Lessons Learned workshop, where participants identified added value and challenges of including 2030 Agenda principles into the assessments, such as comprehensiveness and constituency of the reform and understanding of the context where no one shall be left behind. This paved the way to discussing is-sues pertaining to sustainable development that need to be carefully considered in future RIAs to come.

The RIA draft law on consumer protection:

RIA report will accompany the draft law when it is submitted to the parliament planned in February 2019. The report will be publicly discussed and findings and recommendations of the analysis will be tabled as a topic of discussion during parliamentary hearings.

The retrospective analysis (ex post evaluation) of the implementation of financial management and control (FMC):

The results of ex-post evaluation were presented at the public discussion with the active involvement of public officials. They will now be reflected in the Strategy of the Ministry of Finance of Georgia 2020/21.

The drafting team considered the 2030 Agenda principles of Accountability and of Shared Responsibility as the most relevant for this draft law. Applying these principles showed that only Ministries had begun implementing FMC through pilot projects, but that no effort has been made towards assisting local governances/mayors in municipalities to this end. It also revealed that upper level man-agers are not ready to delegate responsibilities to subordinated employees, which as a consequence undermines the shared responsibility principle.

TOOLS

Want to conduct a RIA+? Discover ready-to-use tools as guidance and inspiration for a smooth start into sustainable policy-making.

RIA+ CHECKLIST

RIA+ Checklist

The RIA+ Checklist proposes guiding questions to check the integration of 2030 Agenda principles for each RIA step:

Problem Definition | Setting Objectives | Developing Options | Analysing Impacts | Comparing Options | M&E

This checklist shall merely serve as an example. The more of the principles are checked and re-checked in each RIA step the better. However, a more limited approach (RIA+ light) suited to the content and extent of the RIA is fine as well.

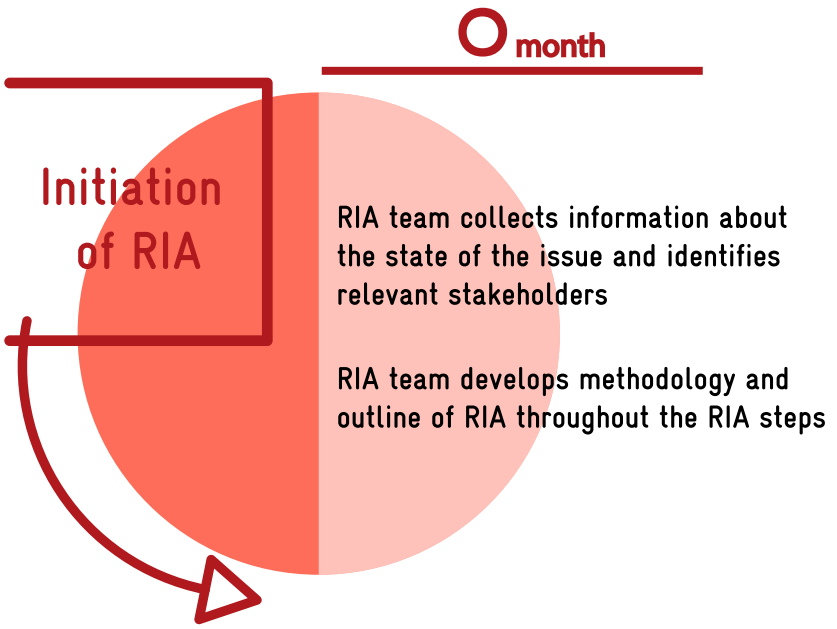
I. Problem Definition	
1. What is the underlying root cause of the problem? What are the economic, social, and environmental dimensions of the problem? Which problem should be addressed most importantly?	Integrated Approach
2. Which SDGs could be affected by the regulation? Do you see inter-linkages between SDGs? Can you discover conflicting interests? (Refer to the Georgian SDG Matrix)	Integrated Approach
3. Is the problem only domestic or is it linked to a situation abroad (external)? Are there international commitments, e.g. conventions, which should be taken into account?	Universality
4. Who are those most affected and why? Are some people suffering more than others? If yes, why?	Leave No One Behind
5. Who would be responsible to work on the problem? Do the various stakeholders have different views on the problem?	Shared Responsibility
6. Which data is used (governmental/non-governmental/qualitative/quantitative)? Is this data reliable, can it be verified? Are there contradictions asking for clarification?	Accountability
7. Are those most affected by the problem being consulted? Have their remarks been taken into consideration?	Accountability
II. Setting Objectives	
1. What are the most relevant SDG targets (see Georgian SDG Matrix) that the policy should seek to contribute to? Is it necessary to find compromises and accept trade-offs? Do you see possible synergies?	Integrated Approach
2. What does the national policy suggest? Do international legal commitments influence the setting of objectives? If yes, can both be reconciled?	Universality

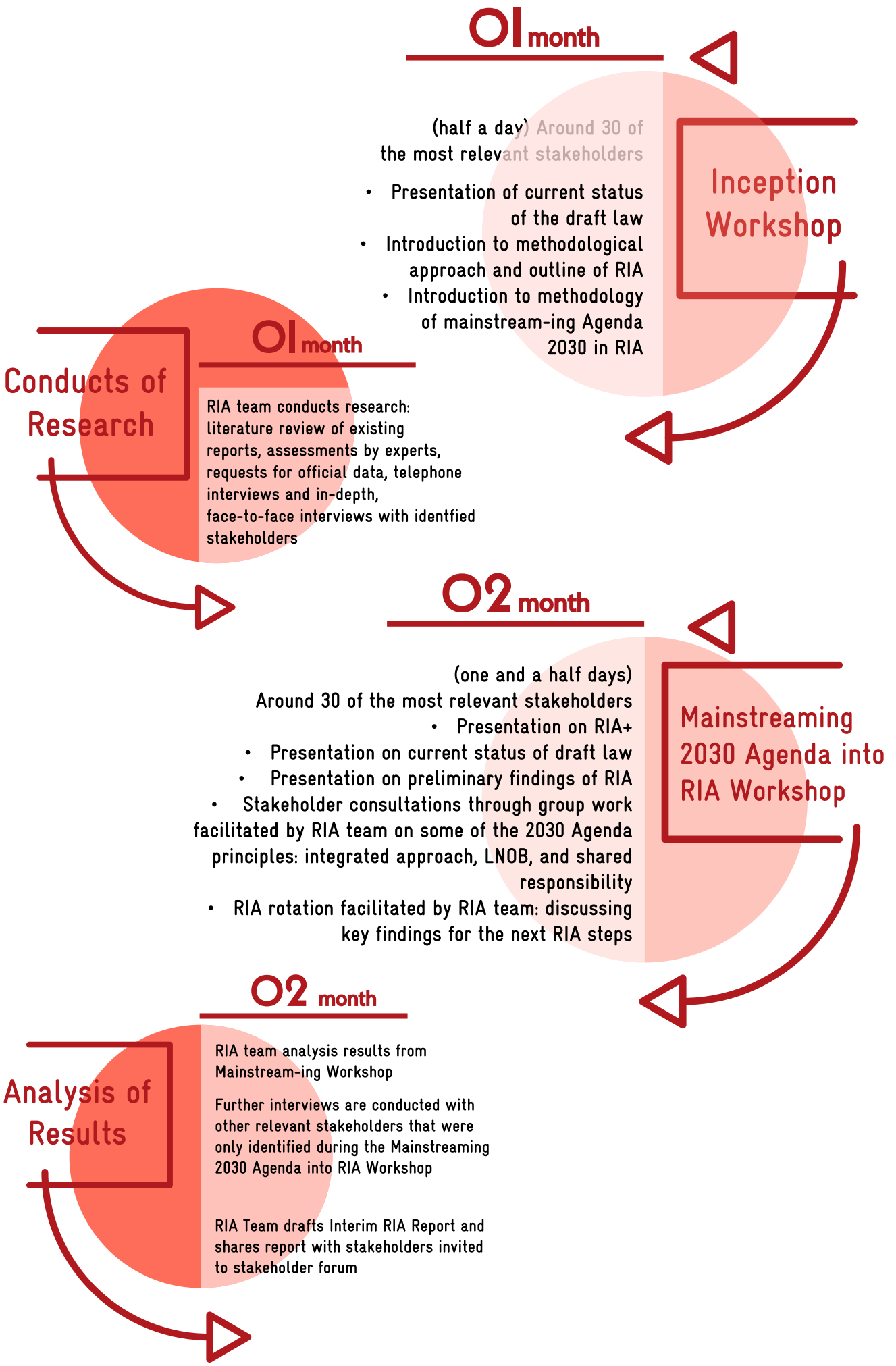
3. Should the policy seek to address inequality, discrimination or violation of human rights? Would the approach be suitable to meet the needs of the most disadvantaged in society?	Leave No One Behind
III. Developing Options	
1. Is there an option which pays tribute to more than one SDG?	Integrative Approach
2. Does each option clarify responsibilities and is it provided for that those who are responsible can act?	Shared Responsibility
3. Can you see options which involve both state and society? Can these options further be developed and supported by an alliance of state and non-state actors?	Shared Responsibility
IV. Analyzing Impacts	
1. How does each option impact positively or negatively on the relevant SDGs? (quick check of all relevant SDGs)	Integrative Approach
2.What are the short-term and longer-term impacts to be expected? Are the imbalances in the kinds of impacts in view of all dimensions of sustainable development? How can they be justified?	Integrative Approach
3. Does any of the options have negative or positive effects abroad	Universality
4. How does each option impact positively or negatively on those left behind (especially vulnerable groups of society)?	Leave No One Behind
5. Could any of the options lead to new marginalized people? Could any of the options be harmful to social cohesion?	Leave No One Behind
V. Comparing Options	
1. Which option has the most positive and the fewest negative impacts on SDGs?	Integrative Approach
2.Which option reconciles best conflicting interests and appears to be most sustainable?	Integrative Approach
3. Which option has the fewest negative effects abroad? Which one will be supported by the international community?	Universality
4. Which option works for the whole of the population and addresses marginalization at the structural level	Leave No One Behind
5. Which option states responsibilities most clearly? Which option will be supported and carried by most stakeholders?	Shared Responsibility

VI. M&E	
1. Which SDG indicators (from the Georgian SDG Matrix) can be included in the M&E plan? Would additional indicators be needed to examine progress regarding the 2030 Agenda? option has the most positive and the fewest negative impacts on SDGs?	Integrative Approach
2.Which option reconciles best conflicting interests and appears to be most sustainable?	Universality
3. Does the M&E plan measure effects on those left behind? Will it use official and non-official data alike?	Leave No One Behind
4. Does the M&E plan state who is responsible for which result and by when?	Shared Responsibility
5. Will the M&E plan be publicly accessible? Will it be publicly discussed? Will civil society be involved in the monitoring processes?	Accountability

Roadmap for stakeholder consultations and workshop design

This roadmap is based on the RIA on the windbreaks draft law. It was conducted from September 2018 to February 2019. The roadmap merely serves as an example of a RIA process. The layout, timeline and content can be freely adapted to fit the needs and capacities of each RIA.
This RIA was particularly exemplary in terms of well-integrated stakeholder consultation. This is a continuous process; consultations can be conducted during all the RIA stages and in different forms (questionnaires, online surveys, phone interviews, personal interviews, focus group discussions, public discussion forums, workshops, etc.). The best form of stakeholder
consultations will depend on the scope of the RIA, the financial and human resources required to conduct it and how the specific stakeholders can best be reached. Not all stakeholders are always identified right from the start. Some might only be identified during the consultation process. Thus, for meaningful stakeholder consultations, it is key to stay flexible and remain open to further consultations whenever necessary.




01 month
Inception Workshop
(half a day) Around 30 of the most relevant stakeholders
• Presentation of current status of the draft law
• Introduction to methodological approach and outline of RIA
• Introduction to methodology of mainstream-ing Agenda 2030 in RIA
01 month
Conducts of Research
RIA team conducts research: literature review of existing reports, assessments by experts, requests for official data, telephone interviews and in-depth, face-to-face interviews with identfied stakeholders
02 month
Mainstreaming 2030 Agenda into RIA Workshop
(one and a half days)
Around 30 of the most relevant stakeholders
• Presentation on RIA+
• Presentation on current status of draft law
• Presentation on preliminary findings of RIA
• Stakeholder consultations through group work facilitated by RIA team on some of the 2030 Agenda principles: integrated approach, LNOB, and shared responsibility
• RIA rotation facilitated by RIA team: discussing key findings for the next RIA steps
02 month
Analysis of Results
RIA team analysis results from Mainstream-ing Workshop
Further interviews are conducted with other relevant stakeholders that were only identified during the Mainstreaming 2030 Agenda into RIA Workshop
RIA Team drafts Interim RIA Report and shares report with stakeholders invited to stakeholder forum

03/04/05 months

Stakeholder Forum

(one and a half days)
Around 50 of the most relevant stakeholders with a stronger focus on NGOs and civil society

- Short overview of RIA interim report
- Sessions on 2030 Agenda, validation of as-sumptions, cost-benefit analysis, multi-criteria analysis and M&E plan
- Sessions start with a short presentation on the chapter in the report and are followed by group discussions facilitated by the RIA team
- Plenary presentation of results from sessions and open discussion

03/04/05 months

Evaluationof Stakeholder Forum

RIA team evaluates results and feedback from Stakeholder Forum

RIA team meets with selected stakeholders from the Ministry and the Parliament to discuss with them in detail how they can integrate the results of the RIA

RIA team drafts final RIA report

06 month

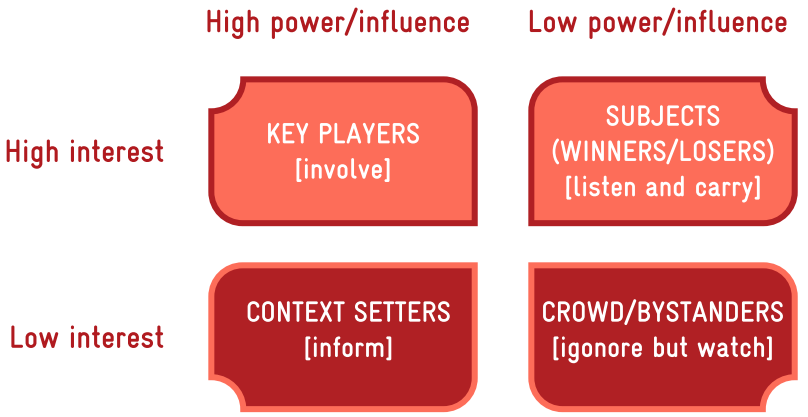
Presentation of RIA report

(half a day)
Around 30-50 stakeholders

- Brief presentation on the final RIA results
- Q&A session with stakeholders
- Panel discussion

STAKEHOLDER IDENTIFICATION MATRIX BASED ON THE PRINCIPLE OF 'LEAVE NO ONE BEHIND'INTRODUCTION:

As mentioned in Chapter IV. (see under 1.2 g), many RIA teams have used a matrix for stakeholder identification which distinguishes between high/low power or influence and high/low interest. It is sometimes referred to as the 'Mendelow Matrix'.

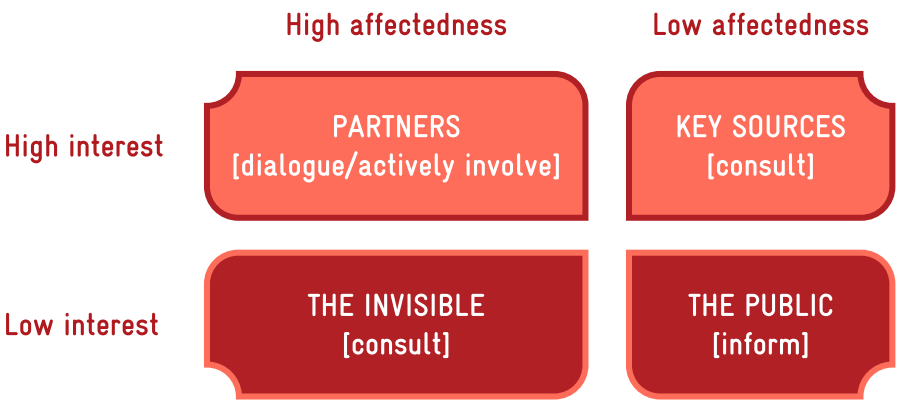


Originally, this matrix was developed by the private sector to identify key actors in marketing, e.g. when launching a product. In this context, it makes a lot of sense to focus on those that have the power and interest to support a product.

The same could be said in the public sector when a specific programme has been designed and needs to be launched effectively. In other words, the matrix can be very useful for ensuring effective implementation processes.

Regulatory impact assessments seek to assess a situation before the stage of implementation, in order to design or adjust a policy that will later be implemented. In this process, the 2030 Agenda calls on policy-makers to consider the situation and consult with those that are traditionally "left behind" – which are by definition those with less power and less influence. With the Mendelow matrix, these actors would be deliberately not consulted. So, from a 'Leave no one behind' perspective, one can argue that the selection of stakeholders needs to be the reverse: priority needs to be given to those with low power or influence.

When discussing this in the Georgian RIA Community of Practice, RIA teams came up with ideas on how to modify the traditional interest/influence matrix. One option that garnered particular support, was to replace the term 'power/influence' with 'affectedness'. Prioritising those that are affected ensures that those consulted can relate to and provide useful information on the questions to be assessed. The 'Leave no one behind'- adjusted matrix then looks as follows:



To fully reflect 'Leave No One Behind', it is important to make sure that those identified as highly affected include stakeholders with low power and to clearly indicate which opinion came from which stakeholder group.

LIST OF PILOT RIAS

The following RIAs have been conducted with the support of the project Integrating the 2030 Agenda requirements into Georgian RIA practice.

Name of RIA	Institution in charge	Content of assess-ment	Public availability
RIA on the establishment of an employment mechanism	Committee of the Parliament of Georgia on Human Rights and Civil Integration	System for promoting employment and state's role therein	Public presentation
RIA on the draft law on biodiversity	Ministry of Environ-mental Protection and Agriculture of Georgia	Major positive and negative impacts of the draft law on biodiversity to ensure sustainable use of natural resources	Public presentation
RIA on the draft forest code	Committee of the Parliament of Georgia on Environmental Protection and Natural Resources	Sustainable forest use and social cuts	Public presentation
Ex post evaluation on the profit tax reform	Finance and Budget Committee of the Parliament of Georgia	Effect of the amendments to the tax code on investments, employment, boosting entrepreneurship and GDP growth.	Not yet finalised
RIA on the draft law on insolvency proceedings	Ministry of Justice of Georgia	New profession of insolvency practitioners; rights of creditors; new time limits and deadlines; consumer bankruptcy; risks of corruption and Georgia's standing in the IFC/WB Survey "Doing Business Report" under Resolving Insolvency index	No public presentation yet

Name of RIA	Institution in charge	Content of assess-ment	Public availability
Ex post evaluation on the public internal financial control law	Ministry of Finance of Georgia	Extent of implementa-tion and effect of the financial management	Public presentationyet finalised
		and control system envisaged by the chapter two of the law on public internal financial control	
RIA on the draft law on vocational education	Ministry of Education, Science, Culture and Sport of Georgia	Hindered potential of lifelong learning addressed by the draft law	Public presentation
RIA on the draft law on consumer protection	Committee of the Parliament of Georgia on European Integration	Review of commercial practice; access to information; withdrawal from the contract; legal guarantee; enforcement mechanism	Public presentation
RIA on the draft law on windbreaks	Agrarian Committee of the Parliament of Georgia	Rehabilitation and management of windbreaks	No public presentation yetyet finalised
RIA on company draft law	Ministry of Justice of Georgia	Increase of the effectiveness of the set of rules and practices for fostering better access to finance, and harmonization of the draft with the EU company law.	Public presentation
Ex-post evaluation on law on civil service	Civil Service Bureau	Deficiencies related to the implementation of the law on civil service that demonstrate institutional or legal gaps	Not yet finalised

Annexes

List of interviews conducted

Stakeholder group	Names	Interview dates
	-Noberto Pignatti -Phatima Mamardashvili	
	PMCG -Ketevan Babiashvili	25 September 2018
Universities	- Ana Khurtsidze - Kety Gujaraidze	26 September 2018
Ministry of Justice	- Zurab Zanikidze - Nino Rukhadze	27 September 2018
Administration of the Government	- Natia Mikeladze - Anna Kvernadze	1 November 2018
NGO Community	Workshop: 10 participants from NGO sector in Georgia across all three dimensions of sustainability	1 November 2018
Community of Practice	Workshop: 40 participants from the public sector including Ministry of Econo-my, Minis-try of Health, Ministry of Finance, Parlia-ment of Georgia	August 2018 – February 2019

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From RIA to RIA+ – The Georgian Experience

Project: Integrating the 2030 Agenda requirements into Georgian RIA practice
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