

**Legislative base of Georgia on
distribution of duties between
competent bodies for public
information and participation in context
of the Convention on Transboundary
effects of Industrial accidents**

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In Georgia legal basis in field of prevention of industrial accidents, preparedness for them and liquidation of their consequences are covered by such specific laws as:

- “About protection of the environment “;
- “About dangerous chemical substances ”;
- “About safety of dangerous industrial Objects “;
- “ About the state ecological examination ”;
- “ About licenses and sanctions ”, etc.

Through these laws such essential items are determined as:

- Development of the plans of measures directed on reduction or the prevention of harmful effects on environment and liquidation of possible consequences of accidents on industrial enterprises;
- Carrying out of actions for prevention of emergency situations while using dangerous chemical substances, and liquidations of effects of accidents according to preliminary developed plans of safety;
- The obligatory account of dangerous chemical substances in enterprises;
- Urgent transfer of the information on accidents to the respective state bodies;
- The notification and transfer of the information to the affected countries in case of accidents;
- The information availability on dangerous chemical substances;

The system is created on the basis of the legislation :

- Development and acceptances of norms of technical safety;
- Application of emergency plans in enterprises;
- issue of the sanction for installations, which activity is connected to risk for large accidents;
- Regulations for chemical substances and definitions for various procedural restriction, connected to maintenance of chemical substances safe storage, transportation and use;

The specified legislation enables:

- On technological processes to identify dangerous productions, kinds of works and dangerous industrial objects;
- To define categories of productions and their scales and the importance on influence on an environment;
- To define degree and class of danger of chemical substances;
- To create the uniform State register of dangerous chemical substances containing the data on their life cycle, manufacture, transportation and consumption;

- Proceeding from the legislation, power in sphere of industrial safety are redistributed between such State organizations as:
- The ministry of Environment Protection and Natural resources;
- The state Inspection on Technical Supervision;
- The ministry of Work, Health and Social protection;
- Department of emergency situations and Civil defense and Public service of Fire-prevention Safety of the Ministry of Internal Affairs;

Department of emergency situations
(Ministry of Internal Affairs) carries out the
Point of Contact functions within the
UNECE Industrial Accidents Notification
System.

It is to be noted, that Georgia has not signed the Convention. However, the certain works are conducted, in particular :

- For last years, the project “ Development and introduction of actions for the prevention of emergencies in Kura River basin” is carried out and some seminars on this item are led;
- It is accepted “The Resolution on the project results of Group within the framework of a final seminar ”;
- It is developed and issued “The International plan of the prevention and the notification about danger in Kura River basin“;

- The text of the Convention is available in Georgian language and after acceptance will be accessible to competent bodies at national, regional and local levels, and also to other interested parties;
- In the near future the website for placement of the information and the supervising materials devoted to prevention of industrial failures and realization of the Convention will be created;

Georgia cooperates with the North Atlantic Treaty Organization (NATO) within the framework of process " Partnership for peace ", in particular in the field of an environment, by prevention of acts of nature and industrial accidents, preparedness for them and liquidation of their consequences, and also strengthening safety services.

As far as the public information and participation in concerned in process of the decision acceptance regarding environment, Georgia is a Party to the Aarhus Convention and the requirements of this Convention are adjusted both the general laws- “the General administrative code“, and such special laws in nature protection sphere, as:

The law " About the population and territory protection in emergency situations of natural and manmade character ";

- The law " About industrial safety of dangerous objects";
 - The law " About dangerous chemical substances ";
 - The law " About water "
 - The law " About licenses and sanctions ",
 - And also Decisions of the Government.
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- On the basis of these laws the information on an environmental state and the information concerning emergency situations, cannot be attributed to a category of the state secrets.

- Within the framework of the national legislation for granting the ecological information to the public:
- A website is created by the ministry which is updated regularly and where information on planned and carried out work are published;
- the special communication service with the public and with mass-media is created in the ministry;
- System " Code " in which all legislative and sub-legislative statutory acts are published, including the issued orders of the Ministry of Environment Protection and Natural Resources;

- By the Ministry of Justice it is monthly issued information bulletin of sub-legislative statutory acts;
- Annually the Ministry of Environment Protection and Natural Resources publishes “ the National report on an environmental state in the country “ which also is placed on a website of the Ministry;
- “The National plan of action on environment protection“ which is issued and is developed and placed also on a website. In it basic policy and strategy are covered the in the field of environment preservation;

- It is created Caucasian Environmental Nongovernmental Organizations Network (CENN);
- The National plan of reaction in emergency situations by natural and manmade character “ which mainly, takes into account the coordinated interaction of all state bodies is developed and authorized “;
- It is regularly carried out public considerations of projects of an estimation of influence on an environment of construction, reconstruction and reequipment of technological processes of industrial, power and other enterprises.

- Announcements for public considerations are published in the central and local press of areas in which realization of projects is planned.
- While decision-making the remarks, comment, concerns of the public are taken into account to the highest possible degree.
- For example it is necessary to note, that in the last time the participation of representatives of the public and nongovernmental organizations have been considered and accepted the decision on construction of such objects as an oil pipeline to the Baku - Tbilisi - Djeihan, the Southern - Caucasian gas main, laboratories of biological safety within the framework of the program “ Decrease in biological danger “, the oil terminal in Kulevi, etc.

- As the information it is necessary to note, that in June of the current year the law “ About public health ” in which in order to maintenance of safe conditions of life of the population and preservation of the environment on central and regional levels functions of the ministries and departments are differentiated is accepted. One of chapters is devoted to a safety issue of chemical substances, technological processes, including dangerous. The law will promote substantially the settlement of such items as manufacture, the reference, delivery, realization, storages, application and recycling of chemical substances, amplification of the control and the account of dangerous technological processes.

- Actually, it is being finished the work on the law “ About the water basin resources management “ which acceptance will enable to raise a system effectiveness of water resources management, including the sphere of prevention of their pollution as a result of industrial accidents and allow more effective public participation in decision-making on basin and subbasin levels as in everyone water basin management - the consultative Council will be created.
- Proceeding from above stated it is necessary to conclude, that in Georgia basis of the legal base necessary for performance of the primary goals of the Convention, as a whole are created. However, its practical application needs to be improved.

In this connection:

- 1. It is necessary to strengthen work on specification of the list of dangerous plants and productions in which dangerous chemical substances are produced, handled or stored.**
- 2. It would be rather useful in this sphere to prepare in Russian the informational supervising documentation having the vital value for implementation of the Conventions.**

3. It is necessary to assist in cadastre of dangerous industrial objects preparation and establishments of dangerous kinds of activity, in creation of uniform database and the plan on connection to the Convention, in development of standards of safety and an estimation of the risks, supervising principles in the field of management of safety, and also in preparation of employees of directive bodies and the personnel of industrial objects for realization of these supervising principles.

4. It is necessary to carry out more intensity work on attraction of the public to the decision of questions of preservation of the environment, and also the questions connected to the prevention of industrial accidents, preparedness for them and liquidations of their consequences.