



National Policy Dialogues on IWRM in EECCA with UNECE as a key strategic partner



MINISTRY OF ENVIRONMENT PROTECTION OF GEORGIA
DEPARTMENT OF INTEGRATED ENVIRONMENTAL MANAGEMENT

EUROPEAN UNION WATER INITIATIVE NATIONAL POLICY DIALOGUE COMPONENT FOR EASTERN EUROPE,
CAUCASUS AND CENTRAL ASIA

The First meeting of the Steering Committee of the National Policy Dialogue on Integrated
Water Resources Management in Georgia

11 June 2012, Tbilisi, Georgia
Radisson Blu Iveria Hotel Conference Hall

Concept for a New Water Law of Georgia

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Current Legal and Institutional Setup



Existing Legal Framework

Current Water Law of Georgia of 16 October, 1997 (CWL) suffers from extremely unworkable character because of nominal and questionable legal validity of the most of its provisions

Water Law of Georgia of 1997

As amended by the Laws of Georgia of 06/30/2000 (N465), 05/07/2003 (N2192), 05/08/2003 (N2279), 06/06/2003 (N2365), 09/16/2004 (N445), 12/29/2004 (N863), 12/28/2005 (N2569), 05/25/2006 (N3161), 12/05/2008 (N624), 12/11/2009 (N 2296), 03/23/2010 (N 2805), 03/20/2012 (N5917) and 05/08/2012 (N6164)



- The CWL mainly provides for protection and use of surface inland waters and practically leaves out of legal regulation groundwater and coastal waters
- Georgia's legislation has continued its further evolution since adoption in 1997 of the CWL, however, practically no effort has been made to insure consistency of the latest water linked legislation to basic principles and provisions of the CWL



The main legislative changes were brought in Georgia's environmental law with the Tax Code of Georgia of 2004, Law on Licenses and Permits of 2005 and amendments of 2011 related to reorganization of the government. Despite the above mentioned fundamental changes, the CWL has not been amended to bring it to conformity to the Tax Code and the Law on Licenses and Permits as well as to significant environmental and other sectoral laws that have been adopted since 2004.



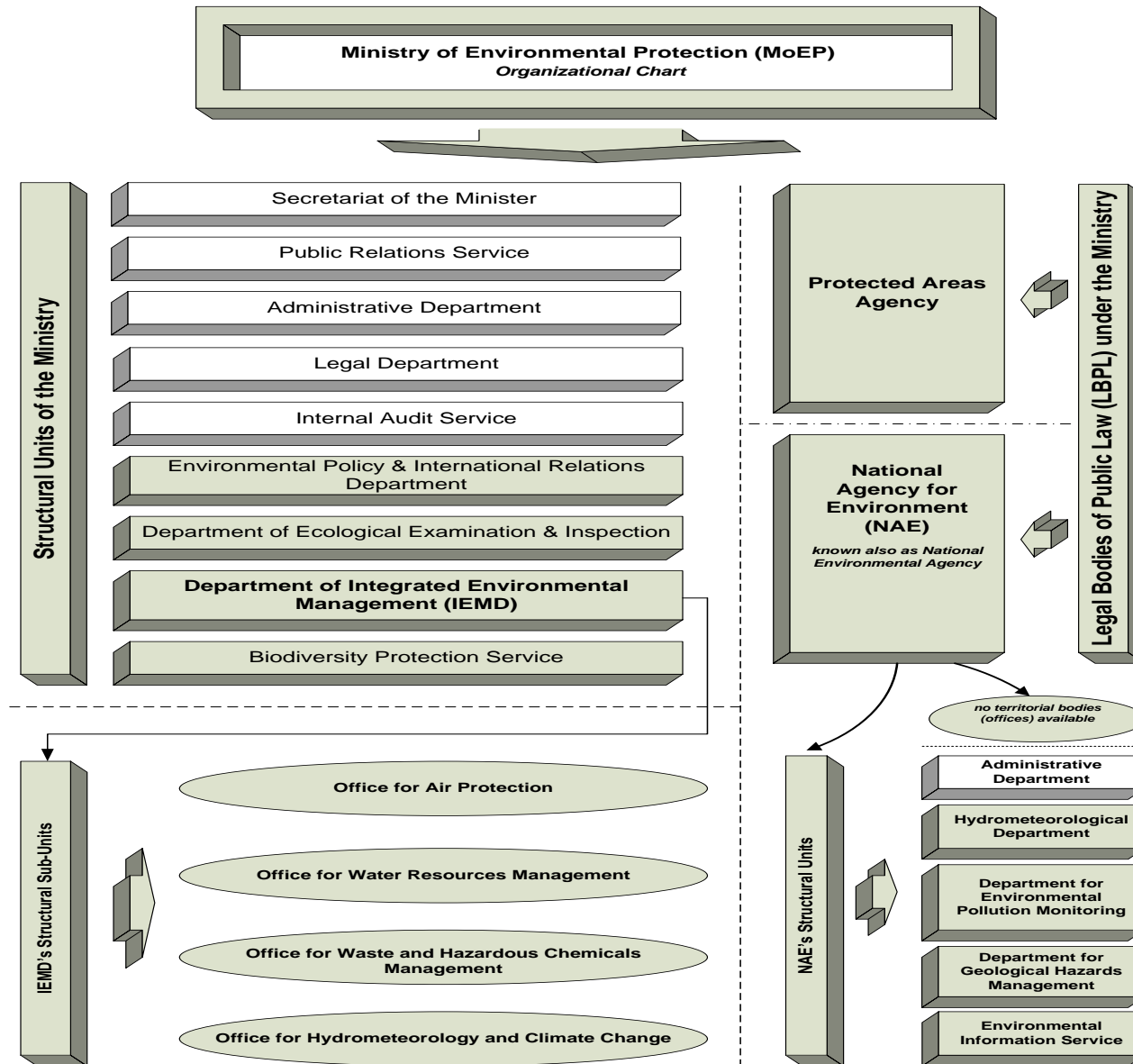
- The above mentioned makes the CWL very unpredictable, with weak legal linkage to other sectors of law and fails to provide sufficient notice of applicable requirements, making it difficult to evaluate compliance
- On a whole, Georgia's water related legislation is inconsistent, contradictory and fragmented through the wide range of legal acts



Development of the new framework water law (NFWL) will serve for strengthening of legislative and institutional frameworks for integrated water management, which would allow for more strategic and long-term governance of water resources

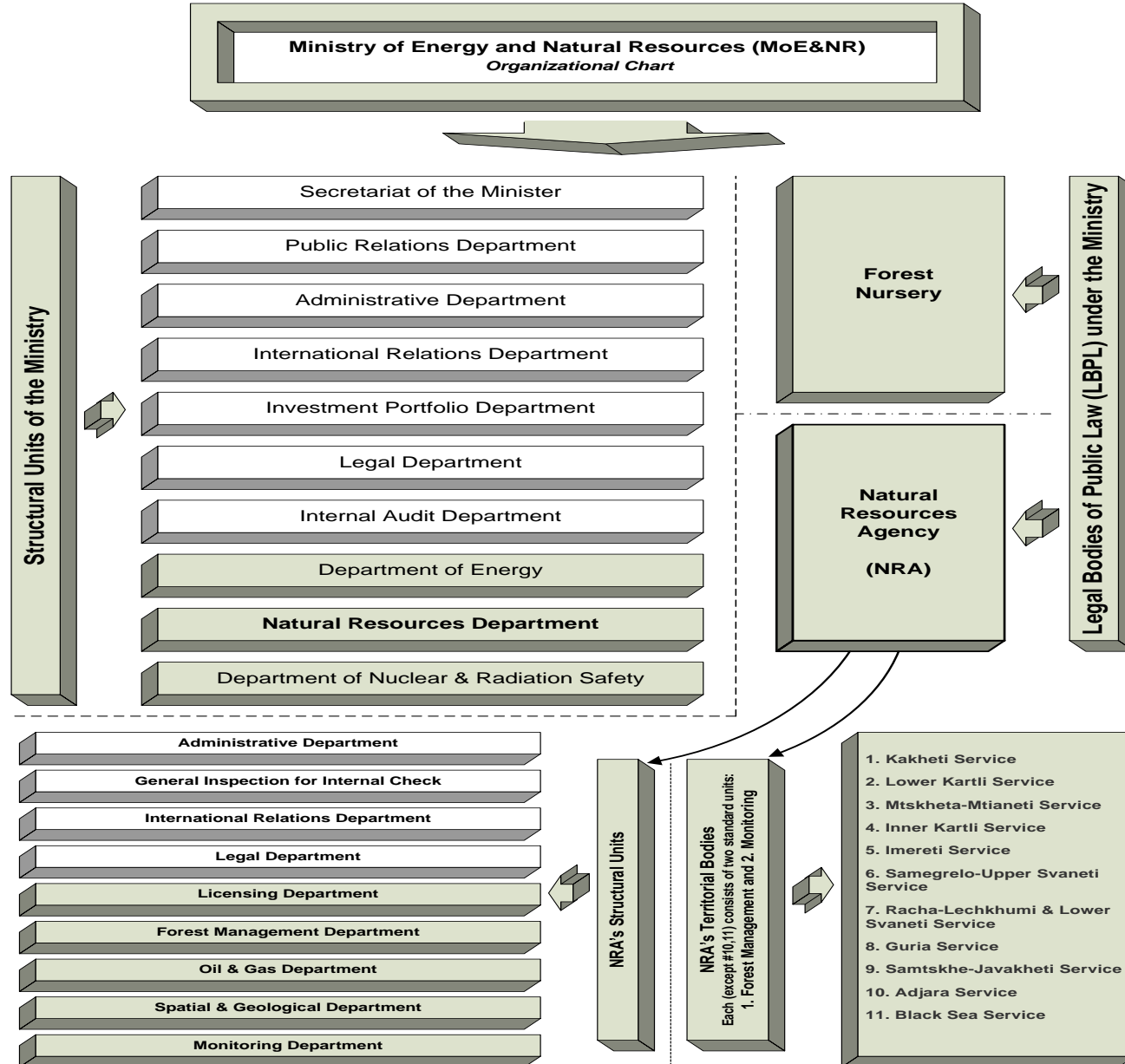


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Environmental and economic importance of water resources and current situation in water sector



From 2004, the newly elected government in Georgia considerably intensified its efforts to optimize the management of potable water resources and increase the funding of municipal infrastructure, both from state budgetary resources and international donor assistance



Problems and priorities



Problems

Absence of effective pollution prevention and water extraction control mechanisms

Poor conditions of municipal wastewater systems

Priorities : Long-term Goals and Short-term Targets

The long-term goal is set to ensure safe water quality and adequate water quantity for human health and aquatic ecosystems. To achieve this goal it is necessary to reach the following four short-term targets.

Target 1 – Establishment of effective water management system

Target 2 – Establishment of effective pollution prevention and water extraction control mechanisms – upgrading permitting system

Target 3 – Reduction of water pollution from untreated municipal wastewater

Target 4 – Reduction of pollution from diffuse sources in agriculture



Need for changes in current system of water resources management /water sector



Although the country has made significant progress in improving access to drinking water, rehabilitation of water supply and partially wastewater (sewage) collection systems particularly in the largest urban areas – the current water resources management is lacking in consistency, efficiency and integrity with other sectors and therefore needs overall reorganization in both institutional and regulatory aspects



The best way for the further reform and developments is to build up the new system on internationally accepted criteria, principles and policies in the field of integrated water resources management



Benefits:

- Elimination of poverty
- Development of equal opportunities
- Democratization
- Decentralization



Convergence/harmonization with EU water legislation and new partnership opportunities and priorities with EU



The most effective solution is to design the integrated water resources management system in accordance with that of EU water legislation - since water and water pollution have been always among the priority environmental concerns in the EU



EU Water Law:

The Framework Legislation

Water Framework Directive (2000/60/EC)



Water Quality Objective oriented Legislation

The Bathing Water Directive

Drinking Water Directive

The Freshwater Fish Directive



Emission-Control oriented Legislation

The Urban Waste Water Treatment Directive

The Nitrates Directive

The Dangerous Substances Directive

Integrated Pollution Prevention and Control (IPPC) Directive



Diffuse source emission control oriented

Plant Protection Products Directive

Biocides Directive

Marketing and Use of Dangerous Substances
Directive



Flood risk prevention oriented

Floods Directive

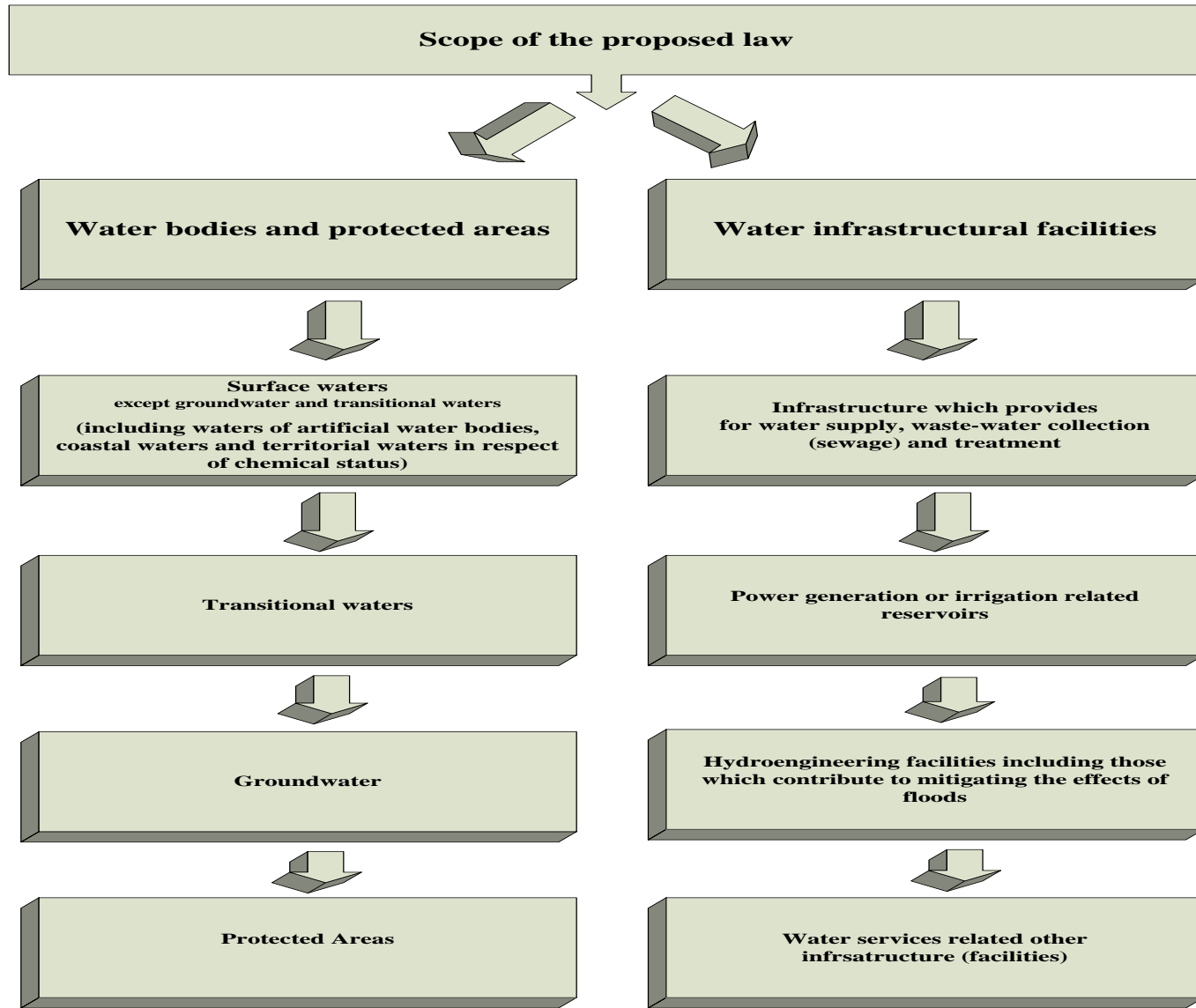


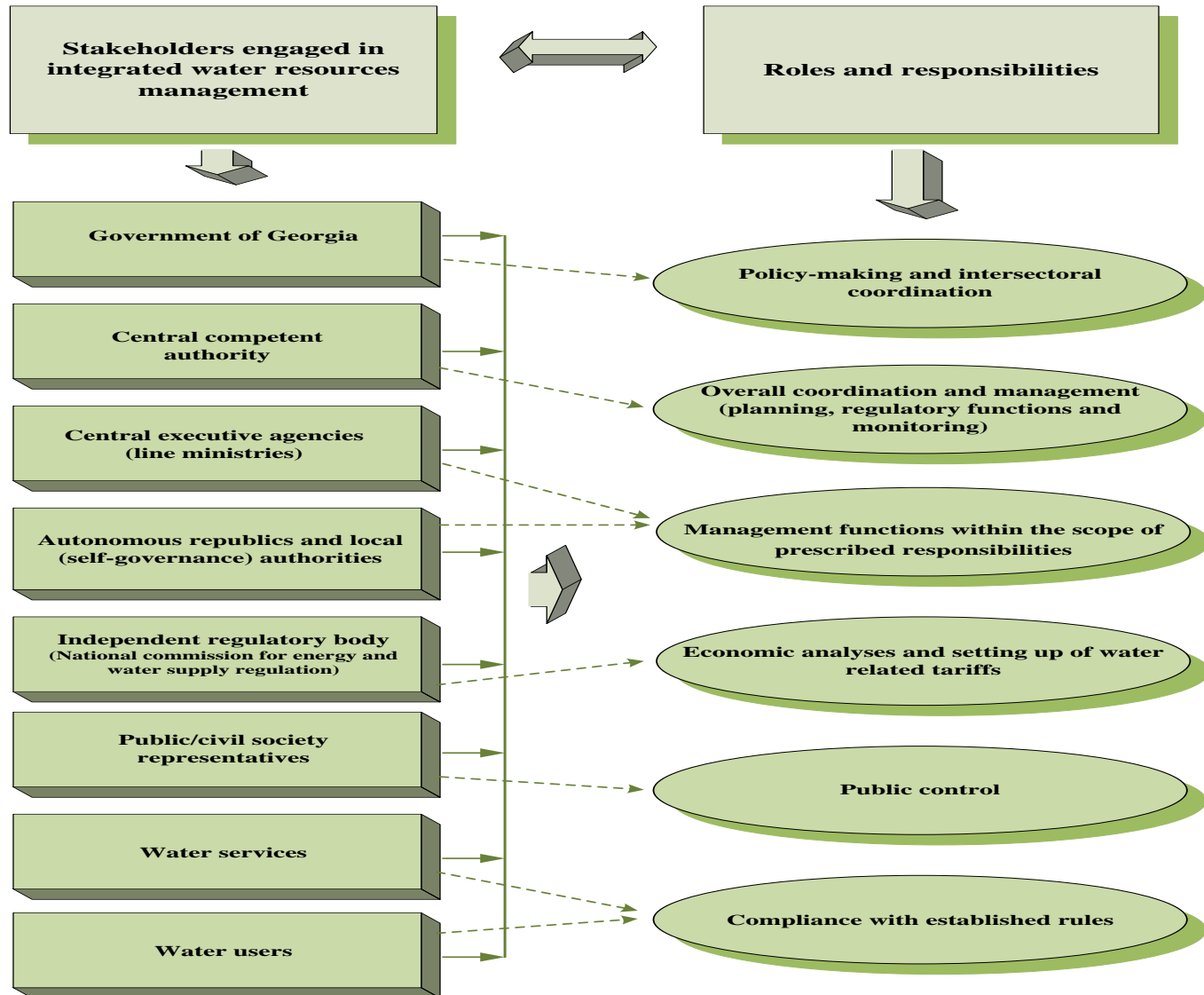
Foreseen structure and content of the proposed law – the NFWL

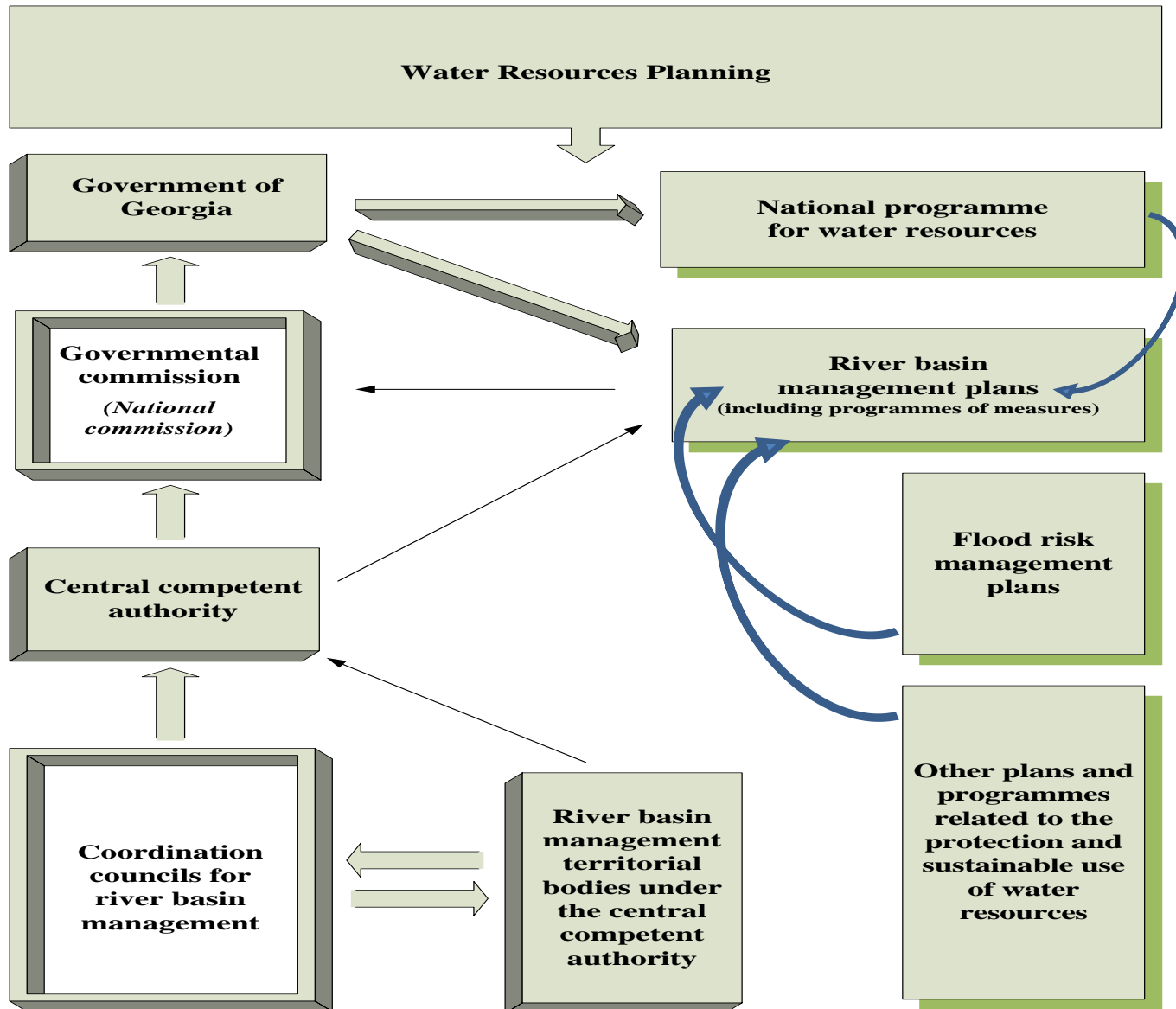


Scope of the NFWL

- Surface waters
- Transitional waters
- Groundwater
- Coastal waters
- Territorial waters









Proposed structure of the NFWL

SECTION 1 : GENERAL PART

SECTION 2 : PRINCIPAL PART

Sub-section : Water bodies and related use rights

Sub-section : Water infrastructural facilities and water users



Sub-section : Water use

Sub-section : Framework for water resources planning and management (planning and management of water resources use and protection)

Sub-section : Drinking water



Sub-section : Protection of water resources (Water pollution control)

Sub-section : Supervision, control /Inspection and enforcement

Sub-section : Monitoring

Sub-section : Harmful effects of water



Sub-section : Financial aspects

Sub-section : Access to justice and information

Sub-section : International cooperation

Sub-section : Liability

SECTION 3 : TRANSITIONAL PART

SECTION 4 : FINAL PART



Expected changes in current legislation (supplementary amendments to relating laws)



Introduction of the NFWL will evolve taking measures necessary to comply with this NFWL in terms of termination or promulgation of amendments to a number of existing legal acts (laws)



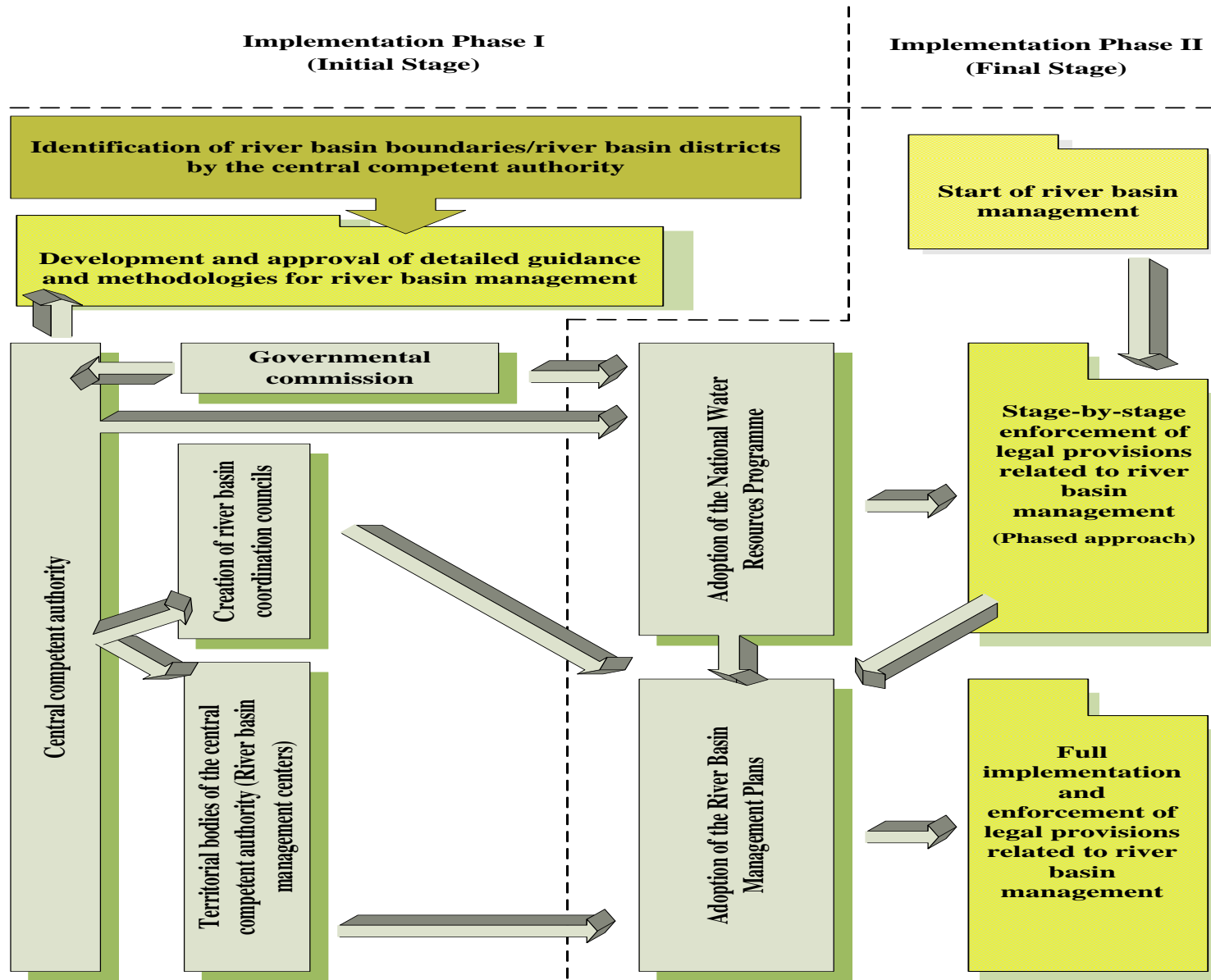
**Legal, institutional and financial issues of
transitional character related to phased
enforcement of the NFWL :
Integration of a step-by-step approach**



Transitional part of the NFWL will integrate step-by-step implementation approach relating to practical aspects of implementation and full enforcement.

The NFWL will provide for implementation programme of the law. The programme should allow sufficient time to give all actors and stakeholders affected to adjust to the changes and meet requirements of the NFWL.

The most important elements of the implementation programme will be administrative, institutional, financial and technical measures aimed at phased enforcement (step-by-step enforcement) of the law.





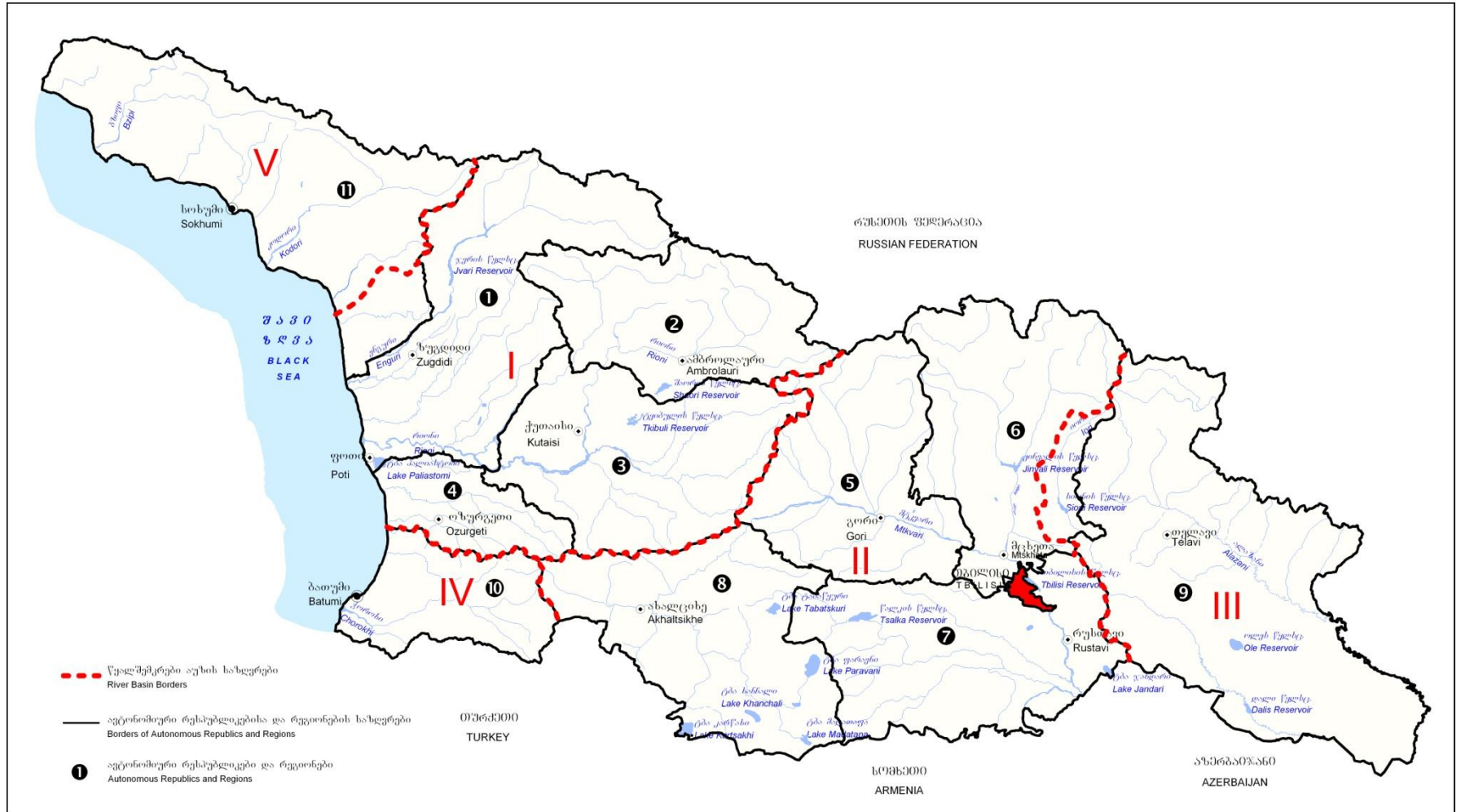
Example : Proposed River Basin Districts of Georgia

River Basins: I – Rioni-Enguri River Basin / II – Kura River Basin / III – Alazani River Basin
IV – Chorokhi River Basin / V – River Basin of Abkhazian Watersheds

Regions and Autonomous Republics: 1. Samegrelo-Upper Svaneti 2. Racha-Lechkhumi 3. Imereti 4. Guria
5. Inner Kartli 6. Mtskheta-Mtianeti 7. Lower Kartli 8. Samtskhe-Javakheti
9. Kakheti 10. Adjara Autonomous Rep. 11. Abkhazia Autonomous Rep.



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Thank you for your attention!