

Statement of the Position of Georgian NGOs on the Issues of Management and Regulation of the Harmful Chemical Substances in Georgia
(Draft)

Rapid growth of the chemical substances production and trade in this sector for the last decades and the possible risk associated with use of the harmful chemical substances, including the pesticides caused concern of the world community and official circles.

In this respect, the situation is especially deplorable in the countries where no infrastructure required for monitoring of import and use of these substances is available.

Though Georgia is a party to numerous conventions and international agreements regulating these issues, we, the NGOs of Georgia regard that the situation in this respect is deplorable in Georgia as well and therefore:

We are concerned about the numerous facts of import into Georgia using official legal ways of the harmful chemical substances including those, prohibited by the international conventions; about the fact of saturation of Georgian market with the untested harmful chemicals (pesticides) of doubtful origin and composition.

We regard that the old system of legislative norms for regulation and monitoring of the harmful chemical substances used for agricultural, domestic, cosmetic, industrial and other purposes has been dismantled and has not been replaced by the new one, as well as institutional and personnel training systems.

We would like to remind to the government of Georgia that the states, parties to the international conventions and agreements shall fulfil their international obligations and they bear responsibility for noncompliance with their international obligations associated with protection of human health, environment and conservation thereof;

Being convinced that Georgian state shall ensure proper fulfillment of the undertaken obligations to the international community in the sphere of regulation of the harmful chemicals and other substances circulating without restrictions;

Relying upon the principle recognized by the international conventions stating that each state shall have the sovereign right to prohibit import and placement of the dangerous and other wastes into its territory, we apply to the government and parliament of Georgia to unambiguously and positively prohibit import and reexport of the chemicals and wastes prohibited by the conventions and impose strict regulations on import and consumption of the other potentially dangerous substances.

We apply to international community to influence the Georgian government for overcoming of negligence in the sphere of regulation of the harmful chemicals and at the same time, provide financial, material and intellectual assistance for the purpose of drastic improvement of the existing situation within the shortest period possible;

We regard that legislative and economic promotion of development and replication of the wasteless technologies reasonable in environmental regard, recycling facilities, bio-farms and management systems would be reasonable.

Being aware in the increasing danger of the transborder transportation of harmful chemical substances and other dangerous wastes for human health and environment, as well as their uncontrolled consumption without understanding of the danger, we offer to the government of Georgia following recommendations:

- Developing a new legislative frame for regulation of the harmful chemicals and chemical substances harmonized with the European legislation and mechanisms for actual enforcement of these legislative norms;
- Regarding full exclusion of the conflict of interests, the rights and obligations should be clearly distributed between the state structures with the functions of regulation of the harmful chemical substances;
- Both, legislative and institutional basis of flexible testing, registration and monitoring system of the dangerous chemicals and chemical substances subjected to import into the country should be improved and activated to maximal possible extent;
- Coordinated action of all authorized state regulating structures should be achieved and all kinds of departmental interests should be excluded;
- Material and technological basis required for testing, approbation and monitoring of the dangerous chemicals and chemical substances should be established urgently;
- Approaches to the system of collection and dissemination of information about dangerous chemicals and chemical substances, as well as the compounds and materials containing thereof, should be drastically changed and as the landmark should be the goal of achieving of full and in-depth awareness of each individual and especially child dealing with the said substances;
- Common information base should be established with the information posted in the format clearly understandable for the wide population;
- The strictest regulations of marking and labeling the harmful chemicals and chemical substances or the compounds and materials containing thereof should be established, providing maximum information about harmful properties of such substances;
- Current regulations of storage, packaging and distribution of harmful chemicals and chemical substances should be reviewed and strict administrative and criminal

requirements for violation of these norms; such norms should be applicable to the users as well;

- Requirements, with respect of consumption of the harmful chemicals and chemical substances should be made stricter for the purpose of better awareness of the population;
- Government should investigate in details lawfulness of the harmful chemical substances imported into Georgia in 2010-2012 and apply the measures provided for by the law;
- To achieve full transparency of turnover of the harmful chemicals the codification system and mechanisms should be improved'
- Mechanisms necessary for implementation of monitoring of turnover of the harmful chemicals within the country should be introduced urgently;
- The system of study of the arable lands in Georgia for measuring of the soil and atmosphere pollution resulting from consumption of the harmful and other chemicals and permanent monitoring of these parameters;
- Unconditionally, without any reservations, urgently and unambiguously import of asbestos containing construction materials and other materials should be prohibited and simultaneously, the stocks available at the market should be utilized in full compliance with the regulations;
- List of the pesticides permitted for import into Georgia should be reviewed and their number should be minimized, taking into consideration their reasonability;
- Stocks of unused pesticides available on Georgia should be re-registered and transported to the countries of origin;
- Mechanisms for financial support to the farmers should be developed and adopted to allow them application of though expensive but effective and proven pesticides instead of cheap pesticides of low effectiveness of doubtful origin, causing significant damages both, with respect of pollution and crops protection;
- Strict obligatory legislative requirements dealing with recording, collection and utilization of the pesticides' packaging should be adopted;
- Significant steps should be made with respect of legislative and economic support to the bio-farms;
- Production and import of personal protection equipment for dealing with the chemical compounds should be supported in legislative and economic respects, for the purpose of achievement of their distribution at low prices;
- During current year government of Georgia should conduct special study in relation with environmental safety of the construction, repair and installation materials, as well as domestic articles, materials and substances sold in Georgia and relevant measures should be taken for publicity of the results of such study;
 - Movement of the "Greens" of Georgia "Friends of the Earth", Georgia
 - Agency for Development of Rural Communities

- Association of Ecologist Agrarians of Georgia –AEAG
- Biomonitoring Association
- Union “Green Way”
- Environment Protection League