

SECOND NATIONAL REPORT OF GEORGIA

ON THE IMPLEMENTATION OF THE UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION

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II. Summary

Georgia, small mountainous country¹ at the eastern coast of the Black Sea, signed the United Nations Convention to Combat Desertification (UNCCD) in 1994. In 1999, the Parliament of Georgia ratified the Convention, and on 21 October 1999, Georgia became the Party to the UNCCD.

From an economic point of view, currently Georgia represents a typical country with an economy in transition and a set of associated problems. Difficulties are exaggerated with the political disturbances; these plagued the country in early 90s, shortly after it had restored independence, and catastrophic results have not passed away so far.

Country is still in a stage of development of its legislation. Despite the fact that after adoption of the new Constitution in 1995 and several hundreds of new laws of which approximately 50 are directly related to the environmental and relevant fields (environmental protection, natural resources management, land use and agricultural practices) - today Georgia's environmental legislation is a confusing mixture of laws and especially regulations (sub-laws) and technical standards based on heterogeneous legislative and judicial provisions adopted on the one hand from the legislation of the western countries – especially that of European Union, and on the other hand from former Soviet legislation. This is one of the main obstacles on the way to integrated sustainable strategy and policy development, implementation and enforcement in Georgia.

Presently, the economy of the country is in such a state, that it is not realistic to expect comprehensive problem solving environmental national investment programs. At the same time, the environmental problems are so huge, that foreign support, as well as domestic investment possibilities, can only stimulate and facilitate a process of economic and institutional reforms. In connection with this it is very important to identify priority directions of the environmental (including desertification issues) institutional and legal system at the early stage of the development. These priorities will be directly related to the sectors of national economy and environment.

At present, the state is poor and the environment is not as valued as it should be. It is difficult to get funds from the state budget for environmental and sustainable natural resources management purposes. There are no central environmental or nature conservation funds, neither on the national nor on the regional and municipal levels. Complete perception of the specific situation in Georgia is necessary in order to work out and implement realistic policies that warrant sustainable development strategy of the country.

“The Program for Social-Economic Recovery and Economic Growth of Georgia” was approved through the Decree N 89 (10.03.2001) of the President of Georgia. “The Indicative Plan for Social and Economic Development for the years 2001-2005” was approved shortly through the Order N 513 (25.05.2001) of the President of Georgia. These documents embrace other sector plans and programs already existing, and include implementation of projects on “Protecting the Soil from Erosion” and “Improving the Soil Fertility” as parts of agricultural sector development

¹ Population – 4.5 millions (census 2002), area – 69700 km².

programme, as well as some measures envisaged by National Environmental Action Plan (approved in year 2000). However, as the practice shows, implementation of such major plans depends on many factors and is not always realistic.

The main environmental policy document in Georgia (that should address also problems of desertification) is the National Environmental Action Programme (NEAP), with the 5-year span. The first NEAP, prepared under the auspices of the MENRP, was approved through the Decree of the President of Georgia in May 2000. It identifies priority environmental problems in the country and proposes short and medium term institutional and regulatory changes and investment actions to address the problems. Numerous ministries, departments, scientific institutions, non-governmental organizations, local and foreign environmental experts have contributed to the process of the NEAP development.

Desertification problems are addressed in the section of NEAP devoted to Agricultural Land Use. According to the NEAP *“the main environmental problem associated with Georgian agriculture is soil erosion. Soil erosion is caused mainly by poor agricultural practice, such as development of steep slopes; deforestation of mountains; overgrazing; irrigation leading to washing away of topsoil. In recent years practically no means for fighting soil erosion have been deployed since no funds have been available...”*

Desertification in the eastern part of Georgia has intensified due to overgrazing and climatic changes (reduction of rainfall) in the region. About 3000 ha has been eroded including Shiraki, Eldari, Iori, Taribana, Natbeuri, Naomari, Ole and Jeiran-chel valleys, the ridges, plateau and the major part of the south slope of Kakhети ridge.

Vast areas are salinated. In particular, 59200 ha are strongly salinated, while for 54340 ha salination is moderate. About 15000 ha of humus-sulfate soils need reclamation.”

To alleviate the problems related to soil erosion and desertification the NEAP proposes to enable investment projects and institutional changes. However, these proposals are rather of a general nature.

Since 1998, Georgia has developed environmental sector specific strategies such as “Initial National Communication under UNFCCC” (includes also draft adaptation strategies for expected changes in climate. Adopted in 1999), “Biodiversity Strategy” (development started in 1997), “Forestry Strategy” (development started at 1998). Yet, No sector-specific strategy or action plan for combating desertification has been developed so far in Georgia. With the support of UNCCD Secretariat, country is to finalize its first NAP in 2002.

In 1999, the Ministry of Environment and Natural Resources Protection (MENRP) formulated draft proposal for the establishment of the National Coordinating Body on UNCCD. After the consultations with relevant agencies, the President of Georgia issued Decree N 282 (15.07.2001) “On the Establishment of the Permanent State Commission on the Implementation of the United Nations Convention to Combat Desertification” (PSC). The Commission is consist of representatives of relevant governmental agencies and academic institutions. PSC doesn't include non-governmental representatives due to some limitations imposed by legislative provisions for such a commissions. Charter of PSC envisages leading role of the MENRP within the State Coordinating Commission. Presently, the National Focal Point (NFP) to the UNCCD is the staff member of the Ministry of Environment and Natural Resources Protection, working as the Head of the Division of Environmental Policy.

Scientific Advisory Board (SAB) is created under the aegis of PSC. SAB has 24 members, among them 15 doctors of science. SAB constitution and regulation are approved through the order of the Minister of Environment and Natural Resources Protection.

Due to the overall problems in the country's economy and governmental budget the MENRP funding is quite limited. Material resources and means for communication are not adequate too.

In cooperation with governmental as well as scientific establishments and NGOs, with the support of UNCCD Secretariat, MENRP and NFP in 2000-2002 undertook several activities on CCD. In 2000, first awareness-raising meeting on the upcoming preparation of NAP was held at the MENRP by the initiative of the national Focal Point. About 20 state agencies and scientific institutions attended the meeting. Awareness campaign on the desertification issues was first launched also in 2000, under the program "Institutional Capacity Building of NFP" through the assistance of UNCCD Secretariat. The text of Convention and many informational materials were translated into Georgian. To identify the level of public awareness and possible ways for informational campaign, local NGO was contracted to carry out the sociological survey of 300 local residents from the territories affected/threatened by desertification, with some interesting results mentioned below:

- Local population awareness on the desertification threats proved to be medium;
- Correlation between the awareness and education level of respondents was high;
- Water resources deficiency, forest logging, climate changes and weak administration/management were named among the reasons of desertification;
- Public expectations were pessimistic, with the "extinction and ecological catastrophe" anticipated unless the government (sic!) intervenes to improve agricultural water availability, forest protection, availability of energy (natural gas and electric power), and state of eroded soil;
- Social activity of women was found high (also due to the high ratio of men unemployment).

Another NGO launched PA campaign, including:

- Series of articles in central/local newspapers;
- Documentary film "Desertification" shoot locally and aired through central (under the Channel I program "Equilibrium"; repeated 3 times) and local TV stations;
- Leaflet on the desertification, prepared with the view of local problems and distributed in more than 20 communities through 3-day informational campaign.

Still, measures to raise awareness and educate local populations and authorities are presently limited to short-term (mostly NGO) campaigns with narrow tasks. Mass media opportunities are downgraded due to the failures of power supply to remote regions and inability of locals to pay for relatively expensive newspapers.

Activities targeting specific categories are various; e.g. scientific and academic circles were routinely informed and addressed during the draft NAP preparation process; mass media and individual journalists played key role in awareness campaigns. Despite of some concerns, gender issues in general still are not perceived as a problem in Georgia. E.g., women representation in PSC is one-third; however, both PSC Chair and NFP are presently women.

The preparation of the first NAP of Georgia started in 2000. Its draft was developed through active involvement of all the stakeholders dealing with the problems of desertification including governmental departments, academic institutions, NGOs, local governmental bodies of the regions threatened or affected by desertification. On the final stage, NAP will be submitted to the President of Georgia for the final approval.

In Georgia draft laws and regulations in the field of environmental protection are routinely published and publicly debated. The new Administrative Code of Georgia (1999) boosted the right of public to have an access to any information (except the information containing state or commercial secret) that is possessed by any governmental institution. The ratification of UN ECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters by Georgian Parliament (11.02.2000) made a step further in this direction.

NGOs have been actively involved in the development of various environmental documents (including also draft NAP, with its final version prepared by the NGO "NACRES"). However, the participation of local population is often facing difficulties; local NGOs still lack necessary expertise as well as funding to facilitate the process, while national NGOs mostly didn't manage to develop operational branches outside big towns.

NGOs have already built the practice of networking on specific sector problems, as well as the mechanisms of nominating and authorizing representatives to certain institutions. These mechanisms were enacted also in the NAP development process and will be maintained afterwards.

Local government can be involved through routine governmental channels, as well as through newly emerged (however, still weak) organizations with horizontal linkages (e.g. the Association of Sakrebulo²).

It will take significant efforts to keep the level of information exchange with local communities high. Still, measures to raise awareness and educate local populations and authorities are presently limited to short-term (mostly NGO) campaigns with narrow tasks. Mass media opportunities are downgraded due to the failures of power supply to remote regions and inability of locals to pay for relatively expensive newspapers.

First of all, the real understanding and interest to the problem has to be developed locally; practical and pragmatic approaches like, for instance, pilot projects on agricultural practices improvement, could serve as good stimuli for the dissemination of interest in population groups. Activities targeting specific categories are various; e.g. scientific and academic circles were routinely informed and addressed during the draft NAP preparation process; mass media and individual journalists played key role in awareness campaigns. Despite of some concerns, gender

² "Sakrebulo" (literally – "the assembly") – elective board with local governance power in Georgia.

issues in general still are not perceived as a problem in Georgia. E.g., women representation in PSC is one-third; however, both PSC Chair and NFP are presently women.

There was no commitment taken so far by governments of international partners in regard to involvement in the process of NAP preparation and implementation. Nevertheless, the activities of foreign partners in interrelated sectors of Georgian economy (such as biodiversity conservation, land resources management, forestry management, agricultural practice improvement, etc.) indicate the possibility for future expansion of these activities onto desertification-related affairs as well. There is a significant potential for establishment of efficient linkages to the desertification issue within the framework of some ongoing and planned bi- and multilateral projects.

Activities in the field of combating desertification definitely took place in past, including soviet-time measures designed to combat land degradation and erosion. These measures were targeting usually quite narrow objectives (e.g. to comply with certain standards on structural development of certain types of arable lands); their implementation was considered as the responsibility of single governmental structure alone (e.g., Ministry of Agriculture) and, for this reason, only regulatory instruments were usually employed. Not surprisingly, the results of such a policy seemed to be at least mixed and their positive effects (if any), being not supported locally, disappeared as soon as the regulatory framework changed in line with fundamental re-structuring of governance system in 90s.

Of course, the summarization and evaluation of that experience needs to apply new approaches, in light of the principles of sustainability.

In international context, bilateral agreements of Georgia with its neighboring Armenia and Azerbaijan on the protection of environment include clear provisions on cooperation in regard to "sensitive transboundary ecosystems". Both of agreements emphasize the importance of regional collaboration in joining efforts to solve regional and global environmental problems. Some projects have already addressed transboundary cooperation. For instance, UNDP-GEF project "Conservation of Arid and Semi-Arid Ecosystems in the Caucasus" was implemented by the NGO "Noah's Ark Centre for Recovery of Endangered Species (NACRES)" in the southeast part of country and some transboundary areas too. Project objective was to protect arid and semi-arid ecosystems from degradation through sustainable management of natural resources. To achieve this objective the project looked at: identification of the agricultural practices that favor the protection of the ecosystems and key species; management of transboundary ecosystems with active participation of land users; increasing the public awareness and information. Rich material and data acquainted through this project activities were utilized fully while preparing the draft NAP.

It should be mentioned also that following the decision of its Advisory Council, desertification was declared as a major priority area for the activities of the New Regional Environmental Center for Caucasus (NREC Caucasus³) for the year 2002.

³ Established in 2000 through the agreement between Georgia and European Commission. Located in Tbilisi, Georgia. Serves all three south Caucasian countries, with all parties signed its charter. USA supported NREC Caucasus establishment through separate agreement with Georgia. Several activities, especially small grant programmes, launched in 2001 via the support of TACIS and bilateral donors – USA, Switzerland, Denmark, etc.

Therefore, local capacity building complemented with the transboundary cooperation whenever feasible, should be considered as a vital element of NAP. With the privatization and land tenure reform approaching the final stage, local governments and populations possess more power in natural resources management; unfortunately, this not always implies that the responsibilities are also recognized and acknowledged.

The process of the NAP development can considerably benefit from “overlapping” activities in bordering sectors of environment protection. Nevertheless, consultation and coordination process between three Conventions (UNCCD, UNFCCC and Convention on Biodiversity Conservation) is not formalized and takes place only occasionally.

As for financing, Georgia has very limited sources of internal funding and – unfortunately – even worse lack of adequate management. Revenues from so-called "ecological" taxes that are imposed on the harmful substances emissions/discharges, fuel retail and natural resources use, should be spent on the environment protection; in practice, it never happens. The government has not determined specific mechanisms to ensure financing for combating desertification. Moreover, it would be naïve to expect that government will allocate sufficient funds from internal resources to combat desertification, even if it had these funds included in budget (e.g., earmarking the revenues from “ecological taxes”) – too often in Georgia budget promises fail to turn into something real.

The use of private funds is problematic for several reasons, including the limited capacity of internal private financial institutions, as well as the issue of an important competitor - nationwide social priorities (salaries and pensions arrears are very high in state-owned sector).

Local offices of UNDP, WB, TACIS, USAID, etc, as well as bilateral donors (governments of France, Germany, the Netherlands, Norway, UK, Denmark, others) provide very important source of external special funding for environment; yet their availability for locals (outside big towns) is still low, and requirements for project design are higher than the local capacity in most areas and districts.

The UNCCD secretariat assisted financially for the process of the preparation of first Georgian NAP. Internal sources of the MENRP and other institutions have added in-kind contribution (space, facilities, etc.), as budgetary funds are extremely limited.

Although information systems on desertification at the national level do not exist, several agencies (e.g. Ministry of Agriculture and Food, State department of Statistics, etc.) collect data that could be used for relevant indicators, if these indicators would in turn exist. The problem is that even the data that was gathered is not properly used. Raw data is of no use for decision-making, and there is no mechanism for data processing to transform it into useful information. An access to information is also troublesome for main actors, as the data is dispersed and often not communicated to other agencies at all, or subjected to “payments for services”.

Again, it is the NAP on combat desertification that should address these issues first time in Georgia. With the assistance of UNCCD Secretariat and partner countries, and with the motivation and commitment from the NCB and NFP along with other actors, the NAP is expected not to fail expectations.

III. Strategies and Priorities Established Within the Framework of Sustainable Development Plans and Policies

III.1 NATIONAL DEVELOPMENT PLANS

“The Program for Social-Economic Recovery and Economic Growth of Georgia” was approved through the Decree N 89 (10.03.2001) of the President of Georgia. “The Indicative Plan for Social and Economic Development for the years 2001-2005” was approved shortly through the Order N 513 (25.05.2001) of the President of Georgia. These documents embrace other sector plans and programs already existing, and include implementation of projects on “Protecting the Soil from Erosion” and “Improving the Soil Fertility” as parts of agricultural sector development programme, as well as some measures envisaged by National Environmental Action Plan (approved in year 2000). However, as the practice shows, implementation of such major plans depends on many factors and is not always realistic.

III.2 NATIONAL ENVIRONMENTAL ACTION PLANS AND POLICIES

III.2.1 NATIONAL ENVIRONMENTAL ACTION PROGRAMME (NEAP)

The main environmental policy document in Georgia (that should address also problems of desertification) is the National Environmental Action Programme (NEAP), with the 5-year span. The first NEAP was prepared under the auspices of the Ministry of Environment and Natural Resources Protection (MENRP), by the financial assistance of the World Bank. The President of Georgia approved the document in May 2000. It identifies priority environmental problems in the country and proposes short and medium term institutional and regulatory changes and investment actions to address the problems.

Numerous ministries, departments, scientific institutions, non-governmental organizations, local and foreign environmental experts have contributed to the process of the NEAP development.

Priorities were identified through consultations conducted under the auspices of the Ministry of Environment and Natural Resources Protection and it included all interested parties. The working draft of the National Environmental Action Programme was sent to all parliamentary committees and political groups, the Ministries, numerous governmental institutions and NGOs. Comments and recommendations provided by these mentioned organizations have been taken into account in this document.

The National Environmental Action Programme is based on a number of scientific studies and official reports dealing with issues such as: public health in relation to the environment, waste management, management of water resources, air quality, environmental issues related to agriculture, industry, energy, municipal land use planning, the Black Sea and coastal zone management, climate changes, depletion of the ozone layer, biodiversity, forestry, environmental education and awareness, environmental legislation and institutional aspects. The Program identifies the means for step-by-step protection of the environment and improvement of its quality in deteriorated areas; it sets short and medium term objectives for management and institutional development in the field of environmental protection and sustainable use of natural

resources. The Programme includes enhancing the role of communities in the sphere of environmental protection by promotion of involvement of the public and NGOs in the decision making process.

Desertification problems are addressed in the section of NEAP devoted to Agricultural Land Use. According to the NEAP “the main environmental problem associated with Georgian agriculture is soil erosion. Soil erosion is caused mainly by poor agricultural practice, such as development of steep slopes; deforestation of mountains; overgrazing; irrigation leading to washing away of topsoil. In recent years practically no means for fighting soil erosion have been deployed since no funds have been available...

Desertification in the eastern part of Georgia has intensified due to overgrazing and climatic changes (reduction of rainfall) in the region. About 3000 ha has been eroded including Shiraki, Eldari, Iori, Taribana, Natbeuri, Naomari, Ole and Jeiran-chel valleys, the ridges, plateau and the major part of the south slope of Kakheti ridge.

Vast areas are salinated. In particular, 59200 ha are strongly salinated, while for 54340 ha salination is moderate. About 15000 ha of humus-sulfate soils need reclamation.

To alleviate the problems related to soil erosion and desertification the NEAP proposes to enable investment projects and institutional changes described in the section VII.2 below.

III.3 OTHER ENVIRONMENTAL STRATEGY DOCUMENTS

Over the last three years Georgia has developed environmental sector specific strategies such as “Initial National Communication under UNFCCC” (includes also draft adaptation strategies for expected changes in climate. Approved in 1999), “Biodiversity Strategy” (development started in 1997), “Forestry Strategy” (development started at 1998). All of those documents address the problem of desertification in some extent.

No sector-specific strategy or action plan for combating desertification has been developed so far in Georgia. With the support of UNCCD Secretariat, country is finalizing its first NAP, expected to be approved in 2002.

IV. Institutional Measures Taken to Implement the Convention

IV.1 ESTABLISHED AND FUNCTIONAL COORDINATION BODY

Georgia signed the United Nations Convention to Combat Desertification in 1994. The Parliament of Georgia ratified the Convention in June 1999. The Convention entered into force for Georgia on 21 October 1999.

IV.1.1 THE PERMANENT STATE COMMISSION ON THE IMPLEMENTATION OF THE UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION

In 1999, the Ministry of Environment and Natural Resources Protection (MENRP) formulated draft proposal for the establishment of the National Coordinating Body on UNCCD. After the consultations with relevant agencies, the President of Georgia issued Decree N 282 (15.07.2001) "On the Establishment of the Permanent State Commission on the Implementation of the United Nations Convention to Combat Desertification" (PSC). The Commission is consist of representatives of relevant governmental agencies and academic institutions. PSC doesn't include non-governmental representatives due to some limitations imposed by legislative provisions for such a commissions. Charter of PSC envisages leading role of the MENRP within the State Coordinating Commission.

According to Georgian legislation, the President of the country is entitled to establish inter-sectoral commissions with special responsibilities. Legal status of such a commissions gives them the power to establish consultation framework for the specific purposes and to issue decisions and recommendations. PSC does not have any resources and funds of its own, and its mandate does not cover actual management of finances. Its main objectives are:

- Coordination of activities for the implementation of the UNCCD provisions;
- Facilitation of the decision-making process;
- Elaboration of a long-term strategies;
- Ensuring of the cooperation on all levels between societal sectors.

PSC may create working groups under its own aegis and assign detailed tasks to those. Key sectors such are environment protection, agriculture, economy, land use, urbanization, forestry, science, etc., have their representatives in PSC. Within its competency, PSC enjoys the right to issue decisions obligatory to agencies represented in PSC (12 ministries and governmental institutions).

Names of PSC members are personally referred in the text of the Decree N 282. State and other agencies were asked to nominate their representatives for the draft Decree, which was then issued by President of Georgia. It takes the same way (through another Decree of the President) to change any, or nominate new, member of PSC.

Among 16 members of PSC, 14 are governmental representatives. 5 of 16 are women. PSC is to meet at least twice per year. Each meeting is to be called, organized and supported by the MENRP. Meetings agenda is developed through the proposals to the Chair of the Commission (Minister of Environment and Natural Resources Protection of Georgia). Extraordinary meetings could be called if necessary.

PSC is supervised by the President of Georgia.

Scientific Advisory Board (SAB) is created under the aegis of PSC. SAB has 24 members, among them 15 doctors of science. SAB constitution and regulation are approved through the order of the Minister of Environment and Natural Resources Protection.

The Ministry of Environment and Natural Resources Protection is assigned a key role in the process of UNCCD implementation as well as in PSC work. It maintains the function of PSC secretariat and data repository.

IV.1.2 THE MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES PROTECTION - ITS RESOURCES AND FUNCTIONS

The primary functions of the MENRP are as follows:

- To develop policies and regulations in the area of environmental protection and rational, sustainable use of natural resources;
-
- To provide environment quality monitoring;

In 2002, MENRP had about 500 employees, of these about 80 in the central office, about 250 - in regional and local departments of the ministry.

Departments and units subordinated to MENRP conduct several functions, e.g. development of environmental policy, resource management and environmental control, examination of EIAs and issuance of environmental permits, enforcement of environmental law. Along with regional and local units of the MENRP, the responsibility for environmental control (e.g. pollution of environment, illegal wood harvesting, unauthorized fishing, hunting, etc.) rests within the Ecological Police department subordinated to the Ministry of Interior.

Two scientific and research institutes operate within the Ministry of Environment and Natural Resources Protection: the **Institute of Environmental Protection** is responsible mainly for organizing scientific research in the area of rational use of natural resources, the avoidance of negative anthropogenic impacts on the environment, and the development of environmental control and monitoring technologies. It also provides training for governmental environmental institutions. The **Institute of the Black Sea Ecology and Fisheries** is responsible for organizing scientific research on marine biodiversity and rehabilitation of fish reserves.

IV.1.2.1 FINANCIAL RESOURCES OF THE MINISTRY OF THE ENVIRONMENT AND NATURAL RESOURCES PROTECTION:

Government budget provides the main source of funding for MENRPs activities. There are also several projects carried out by the MENRP financed through the grants of International

Financial Institutions, international programmes (UNDP; UNEP, TACIS) and donor countries. Most of those projects are of technical assistance.

Due to the overall problems in the country's economy and governmental budget the MENRP funding is quite limited. In 2001, about 0.4 million USD was planned to be allotted to the MENRP, while actual funding was just about 0.2 million USD. This caused problems to finance some projects and even to pay salaries to the MENRP personnel. In general, financial state of the MENRP is poor, effectively limiting its autonomy to develop and implement projects.

IV.1.2.2 MATERIAL RESOURCES AND MEANS FOR COMMUNICATION

Central office of the Ministry of Environment and Natural Resources Protection is relatively equipped with office technology, such as personal computers, fax and copy machines. Internet connection is in use, however, not available to all staff - mainly due to the financial problems. Labs for monitoring water and air quality are poorly equipped, limiting capacity to effectively monitor the environment.

The Capacity Building Project (financed by the Government of the Netherlands and UNDP) equipped regional departments of the MENRP with computers and staff was trained in their use. Communication between central office and regional departments has also improved, although not sufficiently.

IV.1.2.3 OTHER GOVERNMENTAL AND ACADEMIC INSTITUTIONS

The following government departments assist the Ministry of Environment and Natural Resources Protection to develop and implement the policy:

- Ministry of Economy, Industry and Trade;
- Ministry of Health and Social Affairs;
- Ministry of Urbanization and Construction;
- State Department of Geodesy and Cartography;
- State Department of Geology;
- State Department of Land Resources and Land Cadastre;
- State Department of Reserves, Protected Areas and Hunting Grounds;
- State Department of Standardization, Metrology and Certification (Sakstandarti);
- State Department of Statistics;
- State Department of Forestry;
- Main Department of Ecological Police of the Ministry of Interior.

IV.1.2.4 SCIENTIFIC AND ACADEMIC INSTITUTIONS

Many academic and scientific establishments possess the capacity to work on environmental problems. Some of them are listed below:

- Tbilisi State University:

- Department of Ecology
- Department of Geography and Geoinformation
- Agrarian University of Georgia:
- Georgian Academy of Sciences:
 - Institute of Geography
 - Institute of Hydrometeorology
 - Institute of Water Resources and Environmental Engineering
 - Institutes of Mountain Forestry
 - Institute of Plant Protection
 - Institutes of Soil Science, Agrochemistry and Reclamation
 - Institute of Zoology
 - Institute of Economics

IV.1.2.5 NON GOVERNMENTAL ORGANIZATIONS

Relatively many NGOs are involved in environmental activities in Georgia. Most of those were set up locally, except local branches of some international non-governmental organizations, e.g. WWF. Most of NGOs are concerned specifically with domestic environmental problems and development of environmental legislation. They work independently and may collaborate with international agencies, such as the World Bank, GEF, UNDP, the Eurasia Foundation, TACIS, etc. In the development of the Action Plan and Strategy for Biodiversity Protection, the Black Sea Rehabilitation and Protection Plan as well as the NEAP a special coalition of NGOs was formed to provide co-coordinated support.

As the result of the multi-stakeholder procedures undertaken to prepare first National Action Plan to Combat Desertification (presently under consideration), its final draft was prepared by Georgian NGO “Noah's Ark Centre for Recovery of Endangered Species (NACRES)” in close cooperation with NFP.

IV.1.3 NATIONAL FOCAL POINT (NFP) FOR UNCCD

Acting NFP for UNCCD was designated in Georgia in 1997, well before to the ratification of UNCCD by Georgian Parliament (23.06.1999) and played a key role in accession process. After the ratification, the Ministry of Foreign Affairs formally appointed the NFP. Presently, the NFP is the staff member of the Ministry of Environment and Natural Resources Protection, working as the Head of the Division of Environmental Policy.

In 1997, with the support of UNCCD Secretariat, the Focal Point organized the seminar on Public Awareness on CCD and its Implementation in Georgia (Telavi 21-24 April, 1997) that became first major event in Georgia related to the desertification problem. Number of governmental departments, NGOs, academic institutions, local government, local community and mass media representatives participated in the workshop.

In 1999, the NFP through the assistance provided by the UNDP/UNSO initiated the network of institutions to combat desertification in Georgia. The network consists of 27 different governmental and non-governmental organizations and academic institutions. The network is designed to support information and experience exchange between the institutions and to support the decision-making process on policy issues to combat desertification.

April 20, 2000, first awareness-raising meeting on the upcoming preparation of NAP was held at the MENRP by the initiative of the national Focal Point. About 20 state agencies and scientific institutions attended the meeting. Purpose of the meeting was to inform the different institutions on the initiation of the NAP development by the Ministry of Environment and Natural Resources Protection; also, to define possible roles and contribution of the institutions in the NAP development process. The Minister of the Environment chaired the meeting. Two days later, the separate meeting was held at the MENRP for NGOs on the same topic.

In 2000, the program "Institutional Capacity Building of NFP" was launched through the assistance of UNCCD Secretariat. Several activities were undertaken (see IV.2.1 below).

IV.2 NAP AS PART OF THE NATIONAL ECONOMIC AND SOCIAL DEVELOPMENT PLAN

Prior to its accession to the UNCCD in 1999, Georgia had developed neither the separate NAP on desertification nor the clear framework for incorporation of desertification-related issues into other general or sector plans.

First NAP is planned to be formally approved in 2002. Its draft is developed with the financial assistance of the UNCCD Secretariat.

The Ministry of Environment and Natural Resources Protection and NFP involved a number of governmental ministries and agencies as well as academic and research institutions in the NAP development. Some governmental agencies that participate in the process are as follows:

1. Parliament of Georgia: Committee on Environment Protection and Natural Resources;
2. Ministry of Agriculture
3. Ministry of Economy
4. Ministry of Environment and Natural Resources Protection
5. Ministry of Finance
6. Ministry of Foreign Affairs;
7. Ministry of Health and Social Welfare
8. Ministry of Refugees' Affairs
9. Ministry of Urbanization and Construction
10. State Chancellery;

11. State Department of Geology;
12. State Department of Land Management
13. State Department of Reserves, Protected Areas and Hunting Grounds;
14. The Office of Presidents Representative in Kakheti Region
15. The Office of Presidents Representative in Qvemo Kartli Region
16. Scientific institutions such as:
 - Institute of Botany
 - Institute of Zoology
 - Institute of Geography
 - Institute of Soil Science
 - Institute of Hydrometeorology
 - Institute of Environmental Protection
 - Institute of Biochemistry
 - Institute of Forestry, etc. (see also IV.1.3 above)

The NAP is developed through active involvement of all the stakeholders dealing with the problems of desertification including governmental departments, academic institutions, NGOs, local governmental bodies of the regions threatened or affected by desertification. This outline does not differ much from the way of drafting of other sector plans. On the final stage, NAP will be approved through the Decree of the President of Georgia. After the NAP is approved, any other development plans - national or local - should take into consideration its provisions. However, as the past experience shows, this synergy between different plans is not easy to achieve, mainly due to the weakness of inter-sectoral communication and inefficiencies of management.

Provisions of the draft NAP are incorporated into the draft Poverty Reduction and Economic Growth Programme (in development since 2001), which is considered as a major strategic document in the medium term. The President approved interim PREGP in late 2001.

IV.2.1 PUBLIC PARTICIPATION

It is an established practice in Georgia that draft laws and regulations in the field of environmental protection are published and publicly debated. Since 1999, when the new Administrative Code of Georgia was adopted, the right of public to have an access to any information (except the information containing state or commercial secret) that is possessed by any governmental institution is legally and procedurally guaranteed. The ratification of UN ECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters by Georgian Parliament (11.02.2000) made a step further in this direction.

The MENRP has weekly meetings with NGOs to discuss environmental problems, new issues of environmental policy and developments. NGOs have been actively involved in the development of various environmental documents. However, the participation of local population

is often facing difficulties; local NGOs still lack necessary expertise as well as funding to facilitate the process, while national NGOs mostly didn't manage to develop operational branches outside big towns.

Awareness campaign on the desertification issues was first launched in 2000, under the program "Institutional Capacity Building of NFP" through the assistance of UNCCD Secretariat. The text of Convention and many informational materials were translated into Georgian. To identify the level of public awareness and possible ways for informational campaign, local NGO was contracted to carry out the sociological survey of 300 local residents from the territories affected/threatened by desertification, with some interesting results mentioned below:

- Local population awareness on the desertification threats proved to be medium;
- Correlation between the awareness and education level of respondents was high;
- Water resources deficiency, forest logging, climate changes and weak administration/management were named among the reasons of desertification;
- Public expectations were pessimistic, with the "extinction and ecological catastrophe" anticipated unless the government (sic!) intervenes to improve agricultural water availability, forest protection, availability of energy (natural gas and electric power), and state of eroded soil;
- Social activity of women was found high (also due to the high ratio of men unemployment).

Another NGO launched PA campaign, including:

- Series of articles in central/local newspapers;
- Documentary film "Desertification" shoot locally and aired through central (under the Channel I program "Equilibrium"; repeated 3 times) and local TV stations;

Leaflet on the desertification, prepared with the view of local problems and distributed in more than 20 communities through 3-day informational campaign.

Still, measures to raise awareness and educate local populations and authorities are presently limited to short-term (mostly NGO) campaigns with narrow tasks. Mass media opportunities are downgraded due to the failures of power supply to remote regions and inability of locals to pay for relatively expensive newspapers.

Activities targeting specific categories are various; e.g. scientific and academic circles were routinely informed and addressed during the draft NAP preparation process; mass media and individual journalists played key role in awareness campaigns. Despite of some concerns, gender issues in general still are not perceived as a problem in Georgia. E.g., women representation in PSC is one-third; however, both PSC Chair and NFP are presently women.

IV.3 INSTITUTIONAL FRAMEWORK FOR COHERENT AND FUNCTIONAL DESERTIFICATION CONTROL

IV.3.1 MEASURES ADOPTED TO ADJUST OR STRENGTHEN THE INSTITUTIONAL FRAMEWORK

The establishment of PSC was a major step towards the creation of both the forum for coordination of activities inside the government and the framework for multi-stakeholder involvement. Tasks that were assigned to the PSC (see IV.1.1 above) make it a key player in strategic decision-making, at the same time strengthening the capacity and influence of the MENRP inside the government.

IV.3.2 MEASURES ADOPTED TO STRENGTHEN EXISTING INSTITUTIONS AT THE LOCAL AND NATIONAL LEVEL

PSC is entitled to issue recommendations on overall strategy to strengthen existing institutions at the local and national level, so that local level initiatives are developed and implemented by local organizations and bodies. Some of those recommendations are also included in draft NAP, scheduled for the medium-term implementation.

IV.4 COHERENT AND FUNCTIONAL LEGAL AND REGULATORY FRAMEWORK

IV.4.1 ANALYSIS OF THE LEGISLATION ON ENVIRONMENT AND RELATED FIELDS

IV.4.1.1 INSTITUTIONAL FRAMEWORK AND LEGISLATION IN THE FIELD OF ENVIRONMENTAL PROTECTION, NATURAL RESOURCES MANAGEMENT, LAND USE AND AGRICULTURAL PRACTICES

After the time when First National Report was prepared in 2000, no major changes were introduced in institutional framework and legislation in the field of environmental protection, natural resources management, land use and agricultural practices. Despite the fact that after adoption of the new Constitution in 1995 and several hundreds of new laws of which approximately 50 are directly related to the environmental and relevant fields (environmental protection, natural resources management, land use and agricultural practices)- today Georgia's environmental legislation is a confusing mixture of laws and especially regulations (sub-laws) and technical standards based on heterogeneous legislative and judicial provisions adopted on the one hand from the legislation of the western countries – especially that of European Union, and on the other hand from former Soviet legislation. This is one of the main obstacles on the way to integrated sustainable strategy and policy development, implementation and enforcement in Georgia.

Presently, the economy of the country is in such a state, that it is not realistic to expect comprehensive problem solving environmental national investment programs. At the same time, the environmental problems are so huge, that foreign support, as well as domestic investment possibilities, can only stimulate and facilitate a process of economic and institutional reforms. In connection with this it is very important to identify priority directions of the environmental (including desertification issues) institutional and legal system at the early stage of the development. These priorities will be directly related to the sectors of national economy and environment. At present, the state is poor and the environment is not as valued as it should be. It

is difficult to get funds from the state budget for environmental and sustainable natural resources management purposes. There are no central environmental or nature conservation funds, neither on the national nor on the regional and municipal levels. Complete perception of the specific situation in Georgia is necessary in order to work out and implement realistic policies that warrant sustainable development strategy of the country. This specificity can be expressed as follows:

The country is in transition from centrally planned economic system to market economy and is on the way to liberal democracy. The country is in the process of formation and is facing complicated internal and foreign political, legal, economic and social problems;

The standard of life lags significantly behind compared with the one in Western developed countries and catastrophic fall of that can be noticed during the past nine years;

The fall in production and in the level of life is closely related to energy crisis, which has existed for several years;

Georgia is not a typical southern developing country - just a few years ago it had a significant level of industrial activities along with comparatively high level of welfare. Inherited economic potential (skillful labor force, technologies, enterprises, buildings, infrastructure, etc.) still exists with its positive and negative features;

Georgia has significant amount of local renewable and non-renewable natural resources.

Proceed from the above conditions to achieve sustainability introducing emergency measures and working out of long-term environmental protection and sustainability strategy is necessary.

The brief overview of legislation is attached in Annex I below.

IV.4.1.2 INVOLVEMENT OF GENERAL PUBLIC AND LOCAL POPULATION IN DECISION MAKING PROCESS

Article 37 of the Constitution of Georgia includes within its scope both environmental rights and rights relating to health. In relevant part it states:

3. Everyone has the right to live in a healthy environment and use natural and cultural surroundings. Everyone is obliged to protect the natural and cultural surroundings.

4. The state guarantees the protection of nature and the rational use of it to ensure a healthy environment, corresponding to the ecological and economic interests of society, and taking into account the interests of current and future generations.

5. Individuals have the right to complete, objective and timely information on their working and living conditions.

The right to freedom of speech, thought, conscience, religion and belief is guaranteed by Article 19 (1) of the Constitution. In addition Article 16 states that everyone has the right to free personal development. Finally, Article 24 (1) in part provides that every individual has the right to express and disseminate his opinion orally, in written or any other form.

The right to information is also covered under Article 24 of the Constitution, which states in pertinent part:

Every individual has the right to receive freely and to disseminate information

Georgia enacted a modern framework environmental protection law in 1996. At the same time two other laws with significance to public participation were also enacted in the Law on Ecological Permission (1996) and the Law on State Ecological Expertise (1996).

The flurry of laws adopted in 1996-1999 introduced public participation provisions in environmental legislation for the first time. In October of that year the laws on ecological permission, including provisions on permitting, environmental impact assessment, access to information and public participation in decision-making, and the law on State Ecological Expertise, were adopted. The process was completed by the passage of the Law on Environmental Protection in December 1996. The Law on Protected Areas, also passed in 1996, Wildlife Law of 1996 and Water law of 1997 include some provisions granting rights to the public as well.

The Law on Environmental Protection, Art. 6, states:

A citizen, notwithstanding his/her nationality, social and financial state, language, gender, political affiliation and religious belief, the place of residence, education and profession, has the right to receive the full, objective and timely information about the state of environment, and his/her working and living environment;

...

Citizens have the right to take part in investment decision-making processes and to provide control on implementation of decisions in the field of environmental protection and utilization of natural resources, especially if their vital interests are concerned.

Citizens have the right to unite in environmental non-governmental organizations Environmental NGOs have the right: ... to organize meetings, demonstrations, and petitions and to come up with a proposition to conduct a referendum.

Environmental NGOs and citizens have the right to appeal to the Court in the case of violation against this Act and other environmental laws.

The Law on State Ecological Expertise states that one of the main principles of state ecological expertise is that the process of undertaking an expertise is open, the public is free to participate, and its opinion will be taken into account.

The Law on Environmental Protection, together with the Law on State Ecological Expertise and the Law on Ecological Permission, establishes various opportunities for public participation.

Although legal authority of local governments in Georgia is relatively limited, they still enjoy important power over the land tenure according to the Organic Law on Local Self-Governance and Governance (1997): article 8e assigns “decision-making on the land tenure issues on the subordinated territories” to the local government. Along with that, “organization, maintenance and expansion of water supply and amelioration systems” also are handed to the local

government (Ibid, 8k). Not surprisingly, resources required to fulfill these tasks are usually far more than these available for the local authorities.

About 25% of arable land (mostly these are plots of a better conditions) is presently privatized. However, average size of those privatized plots is quite small – less than 1 ha. This will cause difficulties to any land management policy implementation.

Local government – both legislative and executive - is entirely elected, except big cities where city mayors are appointed by higher level authorities. Local population can participate in decision-making process at the local level (“sessions of the local government should be held open and public” – Ibid, 17.2): although this opportunity is not always in use.

It is noted that despite the real progress achieved during the last 6 years, big portion of environmental legislation still lacks concrete mechanisms for implementation and enforcement and remains declarations of goodwill. Penalties for violations of environmental laws remain unrealistically low. Moreover there is a lack of coordination among the many bodies responsible for various aspects of environmental protection. Economic pressures and opportunities for illegal export have caused the deforestation of large stretches of land with little governmental interference. Implementation of the public participation provisions found in the framework law as well as in the Århus Convention will encounter practical obstacles for next several years at least.

IV.4.2 MEASURES TO ADOPT CURRENT LEGISLATION OR INTRODUCE NEW ENACTMENT

Georgian legislation does not fully address specific legal requirements of the UNCCD, especially on technical standards and enforcement level. Thus it should be emphasized that actions for approximation of national legislation to the UNCCD have to be included in the NAP.

The priority actions could be as follows:

1. Preparation of draft laws concerning desertification issues
2. Preparation of amendments to existing legislation
3. Preparation of draft regulations (sub-laws) and technical standards concerning desertification issues
4. Preparation of draft projects on institutional arrangements and development of the agencies dealing with desertification issues

Finally the NAP process will review existing legislation and institutional framework and recommend measures to adopt current legislation or introduce new enactment, which will ensure coherent and functional legal and regulatory framework for proper and comprehensive implementation of the UNCCD requirements in Georgia.

V. Participatory Process in Support of the Preparation and Implementation of the Action Programme

V.1 EFFECTIVE PARTICIPATION OF ACTORS INVOLVED IN DEFINING NATIONAL PRIORITIES

Existing mechanisms ensure in some extent effective participation of actors and stakeholders in defining national priorities and participatory process in support of the preparation of the action programme. These mechanisms should be based on the whole spectrum of awareness and participation approaches that presently aren't fully in use.

The issues of participation of governmental agencies, scientific institutions and NGOs were briefly discussed in chapter IV above. There is no specific document related to a strategy of communication and public awareness on desertification, although the draft NAP does address these issues. Awareness raising and information dissemination is carried out in connection with specific events.

Mass media plays a key role in the process. Through the press conferences, briefings and press releases, the MENRP facilitates informational support for developing public opinion on important environmental concerns.

Experience of information campaigns on the desertification issues was addressed in IV.2.1 above. NGOs have already built the practice of networking on specific sector problems, as well as the mechanisms of nominating and authorizing representatives to certain institutions. These mechanisms will be enacted also in the NAP development process and maintained afterwards.

Local government can be involved through routine governmental channels, as well as through newly emerged (however, still weak) organizations with horizontal linkages (e.g. the Association of Sakrebulo⁴).

It will take significant efforts to keep the level of information exchange with local communities high. First of all, the real understanding and interest to the problem has to be developed locally; practical and pragmatic approaches like, for instance, pilot projects on agricultural practices improvement, could serve as good stimuli for the dissemination of interest in population groups.

⁴ "Sakrebulo" (literally – "the assembly") – elective board with local self-governance power in Georgia.

VI. Consultative Process in Support of the Preparation and Implementation of National Action Programmes and Partnership Agreements with Developed Country Parties and Other Interested Entities

First NAP is expected to be adopted in several months. Nevertheless, the activities of foreign partners in interrelated sectors of Georgian economy (such as biodiversity conservation, land resources management, forestry management, agricultural practice improvement, etc.) indicate the possibility for future expansion of these activities onto desertification-related affairs as well. There is a significant potential for establishment of efficient linkages to the desertification issue within the framework of some ongoing and planned bi- and multilateral projects.

For instance, UNDP-GEF project “Conservation of Arid and Semi-Arid Ecosystems in the Caucasus” was implemented by the NGO “Noah's Ark Centre for Recovery of Endangered Species (NACRES)” in the southeast part of country and some transboundary areas too. Project objective was to protect arid and semi-arid ecosystems from degradation through sustainable management of natural resources. To achieve this objective the project looked at: identification of the agricultural practices that favor the protection of the ecosystems and key species; management of transboundary ecosystems with active participation of land users; increasing the public awareness and information. Rich material and data acquainted through this project activities were utilized fully while preparing the draft NAP.

It should be mentioned also that following the decision of its Advisory Council, desertification was declared as a major priority area for the activities of the New Regional Environmental Center for Caucasus (NREC Caucasus⁵) for the year 2002.

⁵ Established in 2000 through the agreement between Georgia and European Commission. Located in Tbilisi, Georgia. Serves all three south Caucasian countries, with all parties signed its charter. USA supported NREC Caucasus establishment through separate agreement with Georgia. Several activities, especially small grant programmes, launched in 2001 via the support of TACIS and bilateral donors – USA, Switzerland, Denmark, etc.

VII. Measures Taken or Planned, within the Framework of National Action Programmes

VII.1 ADEQUATE DIAGNOSIS OF PAST EXPERIENCES

VII.1.1 SYNTHESIS AND EVALUATION OF ACTIVITIES UNDERTAKEN IN THE FIELD OF COMBATING DESERTIFICATION

Soviet-time measures designed to combat land degradation and erosion were targeting usually quite narrow objectives (e.g. to comply with certain standards on structural development of certain types of arable lands); their implementation was considered as the responsibility of single governmental structure alone (e.g., Ministry of Agriculture) and, for this reason, only regulatory instruments were usually employed. Not surprisingly, the results of such a policy seemed to be at least mixed and their positive effects (if any), being not supported locally, disappeared as soon as the regulatory framework changed in line with fundamental re-structuring of governance system in 90s.

On the other hand, the research conducted in past - since 1950s - in Georgia by scientific institutions had generated some interesting results. Addressing rather the small isolated parts of the problem of desertification (e.g. cloudburst process studies) than the desertification issue as a whole, research in past was sometimes apparently concentrated onto excessively technocratic approach; still the experience is extensive enough to be worth to review. Besides, a lot of geographical, geological, climatological, hydrological and other data was gathered through the decades of work; yet most of this data needs to be rearranged (at least, filed in electronic worksheets...) to become fit for modern data processing.

Of course, the summarization and evaluation of that experience needs to apply new approaches, in light of the principles of sustainability. In this case it could help in advancing NAP process. While all institutions with relevant knowledge participate in NAP preparation, the capacity of most of those institutions needs to be improved to correspond with present requirements.

Most recent effort to assess some of pressing aspects of the issue was undertaken through the development of the First National Communication of Georgia to the UNFCCC in 1999⁶. Identifying the vulnerability of ecosystems and sectors, the Communication suggests some measures to mitigate adverse effects on country economy and environment that were considered in NAP drafting process.

VII.2 ESTABLISHED TECHNICAL PROGRAMMES AND FUNCTIONAL INTEGRATED PROJECTS TO COMBAT DESERTIFICATION

VII.2.1 INVENTORY, ADAPTATION AND INTEGRATION OF PROJECTS UNDERWAY WITHIN THE NAP PROCESS

The NEAP (see III.2.1 above) recommends developing the following:

⁶ Prepared by the Center on Climate Research of MENRP, under the assistance of GEF-UNDP.

“In order to ensure rational use of land resources the following requirements are envisioned:

-Demonstration programme in Best Agricultural Practice, which will afterwards be widely introduced elsewhere;

-Introduction of barriers to soil erosion (windbreaks, perennial vegetation, terracing, engineered structures for fighting erosion, etc.)”:

“A National Programme for Soil Protection should be developed to:

Provide a detailed description of the current state and trends in the soil degradation process, using GIS;

Create a picture of natural and anthropogenic processes that promote degradation of soil, and set out actions for mitigation;

Define practicable investment actions taking account of the actual economic and financial situation in Georgia.

Preparation of a manual on Best Agricultural Practices should be a significant component of the National Soil Protection Programme, to enable farmers to choose and introduce advanced methods (biological methods for pest control, contour ploughing, crop rotation, organic fertilizers, terracing, better use of agrochemicals, etc), taking into account the climatic and geographic peculiarities of the regions. The farmers must be suitably trained. The guidelines should be prepared and training implemented with technical assistance and support from UNEP/IRPTC, FAO, IPPC, UN/ECE and other international organizations”.

VII.2.2 IDENTIFICATION OF NEW ACTIONS AND PLANNED MEASURES

As regards to the institutional measures, the establishment of the PSC (see IV.1.1 above) became first formal step in NAP development. Other measures include the establishment of institutional framework for the NAP drafting - through the formation of working groups on particular issues. Broad dissemination of information and request for feedback from governmental institutions, NGOs, scientific community, local population and other stakeholders was carried out during the preparation process.

VII.2.3 SPECIFIC ACTIONS TO STRENGTHEN THE NATIONAL CAPACITY TO COMBAT DESERTIFICATION, IN PARTICULAR AT THE LOCAL LEVEL.

Legal framework of natural resource management in Georgia is based on several laws and regulations, including the Framework Law on Environment Protection (see Annex D). Most of those in turn employ several principles that link to the UNCCD principles too. For instance, the Law on Environmental Permits ensures the participation of population and local community in decision-making process on the early stages of project development - however, only for high-scale (so-called Category I and II) projects. As for international agreements, Georgia is to implement also Århus Convention that Georgian Parliament ratified in 2000. It could be argued that such a provision of law works only in case of duly expressed concern of stakeholders other than beneficiaries; as this is not always a case, the participation of locals faces usual obstacles

like the low activity of potentially affected stakeholders, and high transaction costs for their involvement.

In international context, bilateral agreements of Georgia with its neighboring Armenia and Azerbaijan on the protection of environment include clear provisions on cooperation in regard to "sensitive transboundary ecosystems". Both of agreements emphasize the importance of regional collaboration in joining efforts to solve regional and global environmental problems.

Therefore, local capacity building, complemented with the transboundary cooperation whenever feasible, should be considered as a vital element of NAP.

VII.3 ACTION PROGRAMMES IMPLEMENTED IN COMPLIANCE WITH PRIORITY FIELDS SET OUT IN THE CONVENTION

No special measures have been identified and taken in recent years to combat desertification. National infrastructure that was designed to moderate an effect of droughts and dry seasons (e.g. irrigation infrastructure, special artificial cloudburst missile installations) is mostly abandoned or non-operational; moreover, its design is so outdated that sometimes even confronts the sustainability principles.

Agricultural development activities involve some considerations towards the sustainable soil use; however, no special attention is drawn to the desertification per se.

VII.4 LINKAGE ACHIEVED WITH SUB-REGIONAL AND REGIONAL ACTION PROGRAMMES (SRAP & RAP)

So far, there are no special actions and measures taken at the sub-regional and regional levels and at the SRAP and RAP levels. Such activity is envisaged to start along with the NAP implementation process. National scientific and technical institutions participate actively in regional and international networks on environmental issues. The decision of the New Regional Environmental Center for Caucasus (NREC Caucasus) to declare desertification as a major priority area for the activities of for the year 2002 has demonstrated the high priority of the problem in South Caucasus region.

VII.5 EFFECTIVENESS OF MEASURES IN LOCAL CAPACITY BUILDING

With the privatization and land tenure reform approaching the final stage, local governments and populations possess more power in natural resources management; unfortunately, this not always implies that the responsibilities are also recognized and acknowledged.

The decentralization process is still under way. According to the legislation, natural resources of a local importance are fully managed locally, and resources of a national importance are managed through the central-local cooperation channels. Yet even with more rights allocated at the local level, the population lacks the proper knowledge on the problem as well as its possible solutions. Hence the efficiency and validity of measures undertaken are often not adequate.

VII.6 PARTNERSHIP AGREEMENTS APPLIED

Although no formal partnership agreements exist, the degree of internal partnership activities is anyway fair - mainly because the MENRP handles several interrelated issues (e.g. biodiversity issues, climate change and desertification) at the same time and - in some extent - with an involvement of the same personnel and experts.

As it was already mentioned, the process of the NAP development considerably benefited from “overlapping” activities in bordering sectors of environment protection (see VI above, VII.1.1 above). Nevertheless, consultation and coordination process between three Conventions (UNCCD, UNFCCC and Convention on Biodiversity Conservation) is still not formalized and takes place only occasionally.

VIII. Financial Allocations from National Budgets in Support of Implementation as well as Financial Assistance and Technical Cooperation

VIII.1 ADOPTED FINANCIAL MECHANISMS

VIII.1.1 MEASURES TO FACILITATE THE ACCESS OF LOCAL ACTORS TO EXISTING SOURCES OF FUNDING.

Revenues from so-called "ecological" taxes in Georgia that are imposed on the harmful substances emissions/discharges, fuel retail and natural resources use - all go to the local budgets. In accordance with legal requirements, this money should be spent on the environment protection; in practice, it never happens - funds are very scarce and local governments prefer to divert them to other purposes, such is the social spending.

By the way, these revenues are not negligible at all - conservative estimation of tax base gives a figure about 30-40 millions GEL (13-17 millions of USD). With the clear focus on local problems and transparent plans for expenditures, local budgets could allocate some funds to combat desertification at least in some regions

The use of private funds is more problematic for several reasons, including the limited capacity of internal private financial institutions, as well as the issue of an important competitor - nation-wide social priorities (salaries and pensions arrears are very high in state-owned sector).

There is no list of existing sources of funding; local offices of UNDP, WB, TACIS, USAID, etc, as well as bilateral donors (governments of France, Germany, Netherlands, Norway, UK, others) provide very important source of external special funding for environment; yet their availability for locals is still low, and requirements for project design are higher than the local capacity in most areas and districts.

VIII.2 NAP FINANCING

As far as the preparation of first Georgian NAP is concerned, UNCCD secretariat provided financial assistance for the process. Internal sources of the MENRP and other institutions also were mobilized, but these almost entirely come as in-kind contribution (space, facilities, etc.) as budgetary funds are extremely limited.

Global Mechanism has not been contacted yet. An opportunity to involve international partners was already briefly discussed in chapter VI above.

VIII.3 MOBILIZATION OF TECHNICAL COOPERATION IDENTIFICATION OF PRIORITY NEEDS IN TECHNICAL ASSISTANCE

One of the outcomes of the NAP preparation will be an assessment of the needs for technical cooperation and its specific areas (technical, scientific, NGOs, CBOs, etc.) and their prioritization as well as the plan formulated for the request of technical cooperation

VIII.4 OPERATIONAL MECHANISMS FOR MONITORING AND EVALUATION

Despite that the MENRP is in charge for the monitoring activities, the gathered information is very inadequate in terms of both quantity and quality. It could be stated that in general, the system of monitoring and evaluation needs to be reorganized and supplied with at least minimal funds, equipment and training.

Although information systems on desertification at the national level do not exist, several agencies (e.g. Ministry of Agriculture and Food, State department of Statistics, etc.) collect data that could be used for relevant indicators, if these indicators would exist. The problem is that even the existing data is not used. Raw data can not be of any use for decision-making, and there is no mechanism for data processing to transform it into an useful information. An access to information is also troublesome for main actors, as the data is dispersed and often not communicated to other agencies at all, or subjected to “payments for services”.

Again, it is the NAP on combat desertification that should address these issues first time in Georgia.

Annex I

Brief Overview on Legislation

The Law of the Georgian Republic on State Power (6 November 1992) defined the authorities in Georgia, their structure and the procedures of their operation until a new Constitution of 1995 was adopted. The Constitution is based on the Georgian Constitution of 1921.

According to the new Constitution of 1995 the Georgian Parliament is the highest representative body of state power in Georgia.

There are 16 Permanent committees of the Georgian Parliament; among them the Committee for Environmental Protection and Natural resources and the Committee on Agriculture. Parliamentary committees have the right to demand submission of documents, written resolutions, report data and other required materials related to issues within their competence from governmental authorities and public organizations. Compliance with this requirement is compulsory. In cases of violation of law, committees develop recommendations and submit them to governmental authorities and public organizations.

The Government of Georgia is the highest executive body of state power in Georgia. The Government monitors the operation of ministries and other authorities within its sphere of competence. The head of the Government is the President of Georgia.

The Government consists of the following environment related agencies:

MENRP

Ministry of Economy, Industry and Trade

Ministry of Health and Social Issues

Ministry of Food and Agriculture

Ministry of Urbanization and Construction

Other relevant independent executive bodies according to Law on Structure of Executive Branch of State Power (2000) include:

State Department of Land Resources Management

State Department of Geology

State Department of Forestry

State Department of Standardization, Metrology and Certification

State Department of Tourism

State Department of Reserves, Protected Areas and Hunting Grounds

State Department of Geodesy and Cartography

According to the Law on Local Self-Governance and Governance of 1997 local bodies of government and administration in regions and districts (local and municipal authorities) are a composite part of state power of Georgia. Within the sphere of their competence they ensure

settlement of all issues of local significance (including environmental and natural resources issues) and exercise administration of corresponding administrative territorial units.

The local body of government in a district is the "Assembly" while the administrative body is the "Board". Georgia is divided into 14 regions and 69 districts, and the districts are divided into 950 municipalities.

Georgia includes two autonomous republics: Abkhazian Autonomous Republic and Adjarian Autonomous Republic.

The district (local) and municipal authorities undertake the following main responsibilities:

Ensure enforcement of laws and other acts of the Georgian Parliament, decrees and orders of the Government of Georgia, acts of central administrative authorities and their own decisions on the subordinate territory;

Regulate the activities of enterprises, institutions and organizations of local and municipal significance, subordinate government authorities;

Implement measures aimed at environmental protection and rational use of natural resources.

Decisions taken by local and municipal bodies of government and administration within their competence are binding on all enterprises, institutions and organizations located on the territory within their competence, as well as for officials and individuals.

In terms of environmental protection and sustainable natural resources management it has to be mentioned that MENRP is responsible for environmental protection and natural (including water) resources management; Ministry of Food and Agriculture for irrigation and land reclamation; State Department of Forestry for forest resources management; State Department of Department of Reserves, Protected Areas and Hunting Grounds for management of all protected areas and State Department of Land Resources Management for management, cadastre and protection of land (soil) resources.

Georgia is a part to following international environmental multilateral agreements:

CONVENTION ON THE PROTECTION OF THE BLACK SEA AGAINST POLLUTION (1994)

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (1995)

CONVENTION ON BIOLOGICAL DIVERSITY (1995)

MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (1996)

VIENNA CONVENTION FOR THE PROTECTION OF THE OZONE LAYER (1996)

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (1996)

CONVENTION ON WETLANDS OF INTERNATIONAL IMPORTANCE ESPECIALLY AS WATERFOWL HABITAT (1996)

BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL (1999)

CONVENTION ON LONG - RANGE TRANSBAUNDARY AIR POLLUTION (1999)

CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS (1999)

UN CONVENTION TO COMBAT DESERTIFICATION (1999)

CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISION- MAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS (2000)

The Georgian legislation directly related with desertification issues consists of the following important legal acts:

1. Law of 1995 on Pest control
2. Law of 1995 on Soil protection
3. Law of 1996 on Protected Areas
4. Law of 1996 on Private property on agricultural lands
5. Law of 1996 on Mineral deposits
6. Law of 1996 on Environmental permits
7. Law of 1996 on State ecological expertise
8. Law of 1996 on Environmental protection
9. Law of 1996 on Wildlife
10. Law of 1997 on Local and municipal authorities
11. Law of 1997 on a Cost of substitution of agricultural lands
12. Law of 1997 on Water resources
13. Law of 1997 on Land reclamation (melioration)
14. Law of 1998 on Management of non-agricultural lands
15. Law of 1998 on Pesticides
16. Law of 1999 on Protection of Air from Pollution
17. Forestry Code of 1999
18. Decree of the President of Georgia #20 (13 January, 1997) on “The First Phase of the Reform in the Sphere of Melioration and Water Management”
19. Decree of the President of Georgia # 171 (7 April, 1997) on “Agrarian Policy Conception of Georgia”
20. Decree of the President of Georgia #527 (22 September, 1997) on ”State Programme of Integrated Development of Land Melioration”
21. Decree of the President of Georgia #493 (22 August, 1998) on “The First Phase Measures related to Prevention of Soils from Erosion”
22. Decree of the President of Georgia #341 (30 May, 1999) on “1999-2005 State Programme of the Protection of Soils from Erosion”
23. Decree of the President of Georgia # 26 (28 January, 2000) on “Approval of Main Directions of the National Food Programme”
24. Decree of the President of Georgia # 282 (15 July 2001) “On the Establishment of the Permanent State Commission on the Implementation of the United Nations Convention to Combat Desertification”

The primary purposes and objectives of the major framework environmental law in Georgia - "Law on Environmental Protection" (1996) are:

- To ascertain principles and criterion of legitimate relationship in the field of the environmental protection;
- To secure human rights – as it is stated in the Georgian Constitution – in the field of environmental protection. In particular - to live in safe for life nature environment, utilize nature and cultural environment;
- To ensure environmental protection and efficient utilization of nature resources by the state - in conformity with ecological and economical interests of safe for life environmental society, and taking into account interests of our present and future generation.
- To preserve biological diversity, rare, endemic and extinction representatives of flora and fauna, coastal marine eco-regions and ensure ecological equilibrium.
- To preserve and secure unique landscapes and ecosystems.
- Officially ensure solution of overall and regional problems in the field of environmental protection.
- To ensure adequate condition for sustainable development of country.
- To preserve and protect safe for human nature – environment.
- Officially secure environment from destructive impact.
- Officially ensure preservation and progress of capabilities of environment.
- To ensure consistency of unification of ecological, economical, and social interests of society.
- Officially ensure management of utilization of nature resources taking into consideration potential capabilities and sustainable development of environment.

Georgian national, local and international/transboundary legal framework and institutional arrangements in the field of environmental protection and natural resources management requires precise and detailed approach with consideration of all factors which could affect the problem solving capacity of existing institutions and legislative framework.

The main problem in the field of the national and international legal framework and institutional arrangements is inadequate balance between the legal framework and the institutional development level. Other problems also are related with balanced development of laws and regulations (sub-laws).

In general the following problems could be cited:

- Lack of experience of local experts in law making
- Absence of detailed regulations (sub-laws) and technical standards
- Institutional weakness of executive agencies and especially local and municipal authorities