Chemicals and Product-related Decision-making

Eighth meeting of the Task Force on Public Participation in Decision-making under the Aarhus Convention

8 October, 2018, Geneva
Safe Management of Chemicals & Product Related Activities

- Protects human life, health, property and the environment
- Prevents risks to human health and the environment
- Reduces environmental pollution
- Ensures safe product on the market

Public should have necessary, reliable and complete information about product to be able to make a choice.

Public authority has to ensure effective public participation in chemicals & product related activities to guarantee the better decision.
National State Institutions

- Ministry of Environmental Protection and Agriculture of Georgia
  - Chemicals Management Division
  - Environmental Supervision Department
  - LEPL National Environmental Agency
  - LEPL National Food Agency (NFA)

- Ministry of Internally Displaced Persons from Occupied Territories, Labor, Health and Social Affairs of Georgia

- Ministry of Finance of Georgia

- Ministry of Internal Affairs of Georgia

- Emergency Management Service

- State Security Service
  - Interagency Coordinating Council for Countering Chemical, Biological, Radiological and Nuclear (CBRN)
Main National Legal Framework

- Law on **Pesticides and Agrochemicals** (1998)
- Law on **Licenses and Permits** (2005)
- **Product Safety** and Free Movement Code (2012)
- **Food/Animal Feed Safety**, Veterinary and Plant Protection Code of Georgia (2012)
- Government Decree N 427 on Rule of **Labeling of Pesticides and Agrochemicals** (2013)
- Law on **Labeling of GMOs** Designated for Food/Animal Feed Product and GM Product Produced from them (2014)
- **Waste** Management Code (2015)
- Governmental Decree N 263 on Rule of Import and Export of Certain **hazardous chemicals** and Pesticides and Implementation of Prior Informed Consent Procedure (2016)
Main National Policy Framework

- Third **NEAP** - National Environmental Action Programme of Georgia (2017-2021)
- 2016-2030 **Waste Management** National Strategy and 2016-2020 National Action Plan
- Strategy for **Agriculture Development** (2015-2020)
Main International Instruments

- **Vienna Convention** for the Protection of the Ozone Layer and Montreal protocol on Substances that Deplete the Ozone Layer (1995)
- **SPS Agreement** (WTO) on the Application of Sanitary and Phytosanitary Measures (2000)
- **Stockholm Convention** on Persistent Organic Pollutants (2006)
- **Minamata Convention** on Mercury (under ratification)
- **SAICM** (Strategic Approach to Sound Management of Chemicals, 2006)
- **AA** (EU-Georgia Association Agreement, 2014)
AA - alignment with EU Acquis

- Regulation of Import and Export of Chemicals (2019)
- **CLP Regulation** on Classification, Labeling and Packaging of Chemical Substances and Mixtures (2020-2021)
- Regulation on Ozone-depleting substances (2019-2029)
- **Paints Directive** on the limitation of emissions of volatile organic compounds (2019-2023)
- **EU Industrial Emissions Directive** (2018-2026)
- **SEVESO Directive** on the Control of Major Accident Hazards Involving Dangerous Substances (2018-2019)
- **SPS related acquis** (2015-2027)
Access to Information

Official web sites of Government Institutions
  - Documents, news, projects, other activities

DCFTA portal (dcfta.gov.ge)
  - Access to draft normative acts and submission of comments

Labeling
  - Labels should be **firmly placed** on, it can’t be easily removed
  - Information should be **complete, clear and visible**:
    - Product name, type, weight/volume
    - Classification
    - List of ingredients/food additives
    - Pictograms and symbols
    - Country of origin, manufacturer, packager, distributor; name, address, importer/exporter
    - Date of issue and expiry date, storage period
    - Terms and conditions of safe use and storage, actions after the product exp. date
    - Instructions of use
    - Safety warnings, etc.
Public Participation

In legislation – regulated by the national legislation, Aarhus Convention

In strategic documents, projects – regulated by the Environmental Assessment Code (June, 2017)

Objectives of the Code:

- Ensure citizen’s right to receive a complete, objective and timely information
- Ensure PP in environmental decision-making at all stages of decision-making - Screening, Scoping, EIA
- Consider ecological, social and economic interests of the state and interest of the public in decision-making

Code establishes wider and effective PP procedure:

- Participation at the early stage - Scoping and Screening procedures are introduced
- Wider and effective PP - Scoping, Screening, EIA
- Improved and expanded list of activities, that requires PP
- Government responsibility to organize and conduct public hearings
- Comments may be submitted in each phase in written and electronic forms, and verbally at the hearings
- Public hearing is open - everyone can participate
## Main Challenges and Needs

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<thead>
<tr>
<th>Challenges</th>
<th>Needs</th>
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<tbody>
<tr>
<td>• No <strong>framework legislation</strong> on chemicals management</td>
<td>• <strong>Improvement</strong> of respective national legislation</td>
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<td>• No full <strong>alignment</strong> with EU legislation</td>
<td>• <strong>Development</strong> of unified register/database of imported, used and exported hazardous chemicals</td>
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<td>• Insufficient capacity for <strong>identification</strong> of chemicals</td>
<td>• <strong>Elaboration</strong> of the Standard Operating Procedures (SOPs)</td>
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<td>• Lack of chemicals and product related <strong>information</strong></td>
<td>• <strong>Increase</strong> technical capability of laboratories to monitor the quality and composition of chemical and food products</td>
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<td>• Insufficient <strong>monitoring</strong></td>
<td>• <strong>Trainings</strong> for the staff working at chemical sites</td>
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<td>• Lack of <strong>knowledge</strong> on safety measures of the staff working at chemical sites</td>
<td>• <strong>Awareness raising</strong> on harms caused by chemicals, law quality products and harmful food additives</td>
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<td>• Lack of public <strong>awareness and civil liability</strong> on safe utilization and storage of chemical and products</td>
<td>• Promotion of chemical and product <strong>safety culture</strong></td>
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Ongoing and Planned Activities

**Ongoing (2017-2023)**

**Elaboration of Law/by-laws on:**

- **Chemicals Management** *(CzDA funded project 2018-2019)*
- **Classification, Labeling and Packaging** of Substances and Mixtures *(CzDA funded project, 2020-2021)*
- **Major Accident Prevention**, its by-laws and methodological guidelines *(EU funded Twinning project, 2018-2019)*
- **EPR** for specific waste streams *(EU funded project, 2017-2019)*
- **PCB-Free Electricity Distribution** *(GEF/UNIDO funded project, 2018-2022)*
- Amendments to the Law on **Pesticides and Agrochemicals** and its by-laws *(USAID/CzDA funded project, 2018-2023)*
- Ratification of **Minamata Convention** *(in process)*

**Planned (2018-2022)**

**Harmonization with EU directives, regulations and recommendations on:**

General and child **product** safety, safety of **toys**, safer **cosmetics**, household **chemicals**, **biocides**, **pyrotechnics** regulations, etc.

**Changes at national legislation on:**

Chemicals emissions standards for furniture and construction **materials**, packaging for **child products**, IHR-requirement on response of emergency situations caused by chemicals, collection and dissemination of information on **hazardous chemicals**, etc.
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