Public Participation on Fisheries Normative Acts

Aarhus Convention WGP-23
Thematic session on public participation in decision-making
26-28 June 2019
Geneva
Regulatory framework in Georgia

Protection of biodiversity and marine living resources

- Law on **Environmental Protection** (1996)
- **Animal** Law (1996)

Draft laws

- Draft law on Biodiversity

International obligations

- Convention on the Protection of the Black Sea Against the Pollution, *joined in 1993*
- UN Convention on the Law of the Sea (UNCLOS), *joined in 1996*
- FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels, *joined in 1994*
- EU-Georgia AA (Fishery and Maritime Governance), DCFTA (Trade and SD) (*in force since 2016*)
Regulatory framework

On PP

- General Administrative Code of Georgia (1999)
- Regulation of the Parliament of Georgia (2018)

Fisheries regulations – Ministerial Orders, Government Decrees on

- Approval of Technical Regulations for Fishery and Fish Stock Protection (2013)
- Rules for the Development and Approval of the Management Plans for Fisheries Activities in Inland Waters (2011)
PP procedures

Regulation of the Parliament of Georgia

*PP with consulting status in the PC hearings*

- Draft law is placed on the Parliament’s [website](#)
- Public can provide [comments](#)
- If specific/actual issues, [thematic group](#) could be appointed for its review
- All stakeholders, including concerned persons, are invited to the [hearings](#)
- Information is placed on the Parliament’s website 1 week before hearings

*Administrative bodies*

- Often publish information on their official [websites](#)
- [Disseminate](#) information on draft laws and projects through NGOs as well
- MEPA conducts public [hearings](#) on draft laws regularly (LEPL EIEC)
PP in fishery regulation

PP is considered in the approval of fishery MPs – for protection of fish and hydrobionts stock, restocking, sustainable use and improvement of their habitats

- Project developer submits MP for approval to LEPL NEA
- NEA publishes MP on its website - 3 calendar days
- Public can submit their comments - 15 calendar days
- NEA reviews public comments - 5 calendar days
- NEA arranges hearing with involvement of the project developers - 5 calendar days
- NEA approves MP - 30 calendar days from submission, or
- Returns MP with comments to the project developer - 30 calendar days from submission
- Project developer considers comments, and
- Submits MP to NEA for approval - within 3 months, with the same procedure
PP - practical example

- Public expressed its concern on fishery regulatory framework (MPs)
- Intensive Public consultations were conducted

Result – *amendments to the fishery normative act, 2016*

- MP for fishery was *revised* and simplified
- Fishing *simplified* technically
- Fishing area was *expanded*
- Fishing in *traditional fishing* areas was allowed
- *Fishing security* points were improved
### Challenges, needs & actions

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<th>Challenges</th>
<th>Actions</th>
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<tr>
<td>• Separate legislative acts</td>
<td>➢ Update national legislation <em>(planned)</em></td>
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<td>• Unreported &amp; unregulated fishing</td>
<td>➢ Development of respective legislation <em>(planned)</em></td>
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<td>• Legislation on aquaculture</td>
<td>➢ Draft law on aquaculture</td>
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<td>• Controlling, monitoring &amp; data collection</td>
<td>➢ Improvement of controlling, monitoring &amp; national data collection systems <em>(ongoing)</em></td>
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#### Needs

- More intensive international cooperation

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*Ensure & encourage adequate & active PP*
Nino Gokhelashvili
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