



**“saqarTvel os, azerbaijanis respubl ikasa da Turqetis
respubl ikas Soris azerbaijanis respubl ikis, saqarTvel osa
da Turqetis respubl ikis teritoriebis gavl iT baqo-
Tbil isi-j eihanis ZiriTadi saeqsporto mil sadeniT
navTobis transportirebis Sesaxeb” xel Sekrul ebis
anal izi**

Tbil isi

dekember i

2002

**“saqarTvel os, azerbaijanis respubl ikasa da Turqetis respubl ikas
Sor is azerbaijanis respubl ikis, saqarTvel osa da Turqetis
republ ikis teritoriebis gavl iT baqo-Tbil isi-j eihanis ZiriTadi
saeqsporto mil sadeniT navTobis transportirebis Sesaxeb”
xel Sekrul ebis anal izi ganxorciel da asociacia “mwvane
al ternativas” mier proeqti “baqo-Tbil isi-j eihanis navTobsadenis
mSenebl obis proeqtis social uri monitoringi, proeqtis zegavl enis
qveS myofi adgil obrivi Temebis mier”.**

**asociacia “mwvane al ternativa” madl obas uxdis didi britaneTis
saqvel moqmedo organizacia “oqsfam”-s saqarTvel os warmomadgenl obas
gaweul i daxmarebisaTvis**

**avtori: merab barbaqaZe - iuristi,
“asociacia guta”-s (central uri da aRmosavl eT evropis da axal i
damoukidebel i qveynebis garemosdacviTi kanonmdebl obis asociacia)
sabWos wevri;
orhushis konvenciis, konvenciasTan Sesabamisobis komitetis wevri;
IUCN -is garemosdacviTi kanonmdebl obis komisiis wevri;
msofl io garemosdacviTi al iansis wevri**

**“saqarTvel os, azerbaijanis respublikasa da Turqetis respublikas
Soris azerbaijanis respublikis, saqarTvelosa da Turqetis
republikis teritoriebis gavliT baqo-Tbilisi-jehanis ZiriTadi
saeqsporto milsadeniT navTobis transportirebis Sesaxeb”
xel Sekrul ebis
analizi**

xel Sekrul ebis statusi:

saqarTvel os parl amentma, 2000 wl is 31 maisis #341-is dadgenil ebiT ratificireba gaukeTa stambol is 1999 wl is 18 noembris “saqarTvel os, azerbaijanis respublikasa da Turqetis respublikas Soris azerbaijanis respublikis, saqarTvelosa da Turqetis respublikis teritoriebis gavliT baqo-Tbilisi-jehanis ZiriTadi saeqsporto milsadeniT navTobis transportirebis Sesaxeb” xel Sekrul ebas danarTebTan erTad (SemdgomSi – samTavrobaTSoriso xel Sekrul eba). parl amentis dadgenil ebaSi miTiTebulia, rom am samTavrobaTSoriso xel Sekrul ebis romel imepirobis saqarTvel os konstituciasTan Seusabamobis SemTxvevaSi moqmedebs saqarTvel os konstitucia, ramdenadac am ukanasknel saqvs upiratesi iuridiuli Zal a saqarTvel os saerTaSoriso xel Sekrul ebebTan.

parl amentis dadgenil ebis es punqti srul SesabamisobaSia saqarTvel os konstituciis me-6 muxl is me-2 punqtTan, roml is mixedviTac saqarTvel os saerTaSoriso xel Sekrul ebas an SeTanxmebas, Tu igi ar ewinaaRmdegeba saqarTvel os konstitucias, konstituciur SeTanxmebas, aqvs upiratesi iuridiuli Zal a Sidasaxel mwifoebri normatiuli aqtebis mimarT. igive moTxovnaa dafiqsirebuli ‘saqarTvel os saerTaSoriso xel Sekrul ebebis Sesaxeb’ saqarTvel os kanonis me-6 muxl is me-2 punqtSi da normatiuli aqtebis Sesaxeb saqarTvel os kanonis me-19 muxl is pirvel punqtSi.”

samTavrobaTSoriso xel Sekrul ebis me-2 muxl is (I) punqtis mixedviT, “TiToeuli saxel mwifos mTavrobam val debul eba aiRosaxa saxel mwifoebis wiNaSe, rom droul ad da saTanado wesiT warudgenda am xel Sekrul ebas Tavis erovnul parl aments misi ratifikaciisa da/an damtkicebis miZniT, raTa amoqmedos igi, Tanaxmad saxel mwifos konstituciisa, rogorc am saxel mwifos upiratesi samarTlebrivi rejimi ZiriTadi saeqsporto milsadenis proeqtTan dakavSirebiT, misi Sida kanonmdebl obisa da saerTaSoriso samarTli is saval debul onormebis Sesabamisad.”

samTavrobaTSoriso xel Sekrul ebis am punqtidan cal saxad Cans, rom qveynis mTavrobas unda Seesrul ebina qveynis Sida kanonmdebl obis yvel a saval debul o moTxovna, dakavSirebuli am xel Sekrul ebis ratificirebasa da amoqmedebasTan.

saqarTvel os saerTaSoriso xel Sekrul ebebis Sesaxeb saqarTvel os kanonis me-15 muxl is me-2 punqtis mixedviT, saerTaSoriso xel Sekrul eba ratifikaciisaTvis parl amentSi unda wardgenil iqnes qarTul enaze.

es piroba am samTavrobaTSoriso xel Sekrul ebasTan mimarTebaSi mxol od nawil obriv iqna Sesrul ebuli, radgan xel Sekrul ebis zogierTi danarTis autenturi Targmani dRemde ar arsebobs da arc parl amentSi yofila wardgenil i ratificirebis momentSi.

kerZod, parl amentSi ratificirebis momentSi ar wardgenil a samTavrobaTaSoriso xel Sekrul ebis Semdegi danarTebi:

- 1) **xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan**, romel sac xel s aweren Turqetis respubl ikis mTavroba da proeqtis investorebi;
- 2) **"morgebiT Cabarebis"** xel Sekrul eba, romel sac xel s aweren **"morgebiT Cabarebis"** xel Sekrul ebis kontraqtori da proeqtis investorebi;
- 3) **samTavrobo garantia**, roml is mixedvi Tac Turqetis respubl ikis mTavroba iZl eva garantias "morgebiT Cabarebis" xel Sekrul ebis kontraqtorisaTvis angari Ssworebisa da am ukanasknel is mier moval eobebis Sesrul ebis Taobaze, rogorc amas morgebiT Cabarebis xel Sekrul eba iTval iswinebs; da
- 4) **xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan**, romel sac xel s aweren azerbaijanis respubl ikis mTavroba da proeqtis investorebi.

miuxedavad imisa, rom saqarTvel os parl amenti am danarTebis saerTod ar gacnobil a, parl amentma maTac gaukeTa ratificireba, radgan parl amentis Sesabamis dadgenil ebaSi cal saxadaa aRniSnul i, rom samTavrobaTaSoriso xel Sekrul eba ratificirebul ia danarTebTan erTad (e.i. yvel a danarTi ratificirebul ia).

"saqarTvel os saerTaSoriso xel Sekrul ebebis Sesaxeb" saqarTvel os kanonis 30-e muxl is pirvel i punqtis mixedviT, saqarTvel os saerTaSoriso xel Sekrul eba, roml is saqarTvel osaTvis saval debul od aRiarebaze Tanxmoba gamoxata saqarTvel os parl amentma, xel Sekrul ebis Zal aSi Sesvl is Semdeg, sagareo saqmeTa saministros wardginebiT ofical urad qveyndeba "parl amentis uwyebebSi".

samTavrobaTSoriso xel Sekrul eba ki ofical urad dRemde ar gamoqveynebul a.

samTavrobaTSoriso xel Sekrul ebis **muxl i II-is 1 (ii, iii) punqtis** mixedviT, TiToeul i saxel mwifos mTavrobam val debul eba aiRosxa saxel mwifoebis wiNaSe, rom samTavrobaTSoriso xel Sekrul ebis gaformebis Semdeg gaatar ebs yvel a aucil ebel zomas, "raTa droul ad da saTanado wesiT warmoadginos Sesabamisi sakanonmdebl o aqtebisa da kanonebis proeqtebi, roml ebic SeiZl eba aucil ebel i gaxdes am saxel mwifos konstituciis Sesabamisad xel Sekrul ebis asamoqmedebl ad, rogorc saxel mwifos Sidakanonmdebl obis Sesabamisad, upiratesi samarTl ebrivi rejimi, ZiriTadi saeqsporto mil sadenis proeqtis mimarT; aseve miRebs, SezRudvis gareSe, yvel a sakanonmdebl o aqts, romel ic aucil ebel ia am xel Sekrul ebis Sesabamisi debul ebebisaTvis kanonis Zal is misaniWebl ad, am saxel mwifos xel isuflebis organoebis im ufl ebamosil ebis Sesabamisad, romel ic maT sagadasaxado kanonmdebl obis sferoSi gaaCniat; da ixmars yvel a Rones, raTa uzrunvel yos, SeZl ebisdagvar ad mokl e vadaSi, am xel Sekrul ebis ratifikacia da/ an damtkiceba, agreTve, yvel a Sesabamisi kanonis miReba aseTi ratifikaciis da/ an damtkicebis win an paral el urad."

"saqarTvel os saerTaSoriso xel Sekrul ebebis Sesaxeb" saqarTvel os kanonis **me-19 muxl is pirvel i punqtis** mixedviT aseve gansazRvrul ia, rom saqarTvel os parl amenti saerTaSoriso xel Sekrul ebis saval debul od aRiarebis sakiTxis gadawyvetamde, saWi roebis SemTxvevaSi, ixil avs da Tavisi kompetenciis fargl ebSi iRebs gadawyvetil ebas saqarTvel os Sesabamis normatiul aqtSi cvl il ebebisa da damatebebis Setanis Sesaxeb. amave kanonis **me-15 muxl is me-4 punqtis** mixedviT aseTi cvl il ebebis Sesaxeb kanonproeqts saqarTvel os parl amentSi wardgens saqarTvel os prezidenti.

samTavrobaTSoriso xel Sekrul ebasTan dakavSirebul i cvl il ebebis Sesaxeb kanonproeqtebi saqarTvel os parl amentSi kanoniT gansazRvrul i wesiTa da vadaSi wardgenil i ar yofil a da Sesabamisad maT Sesaxeb parl aments ar umsjel ia. e.i. ar Sesrul da arc saqarTvel os kanonmdebl obis da arc samTavrobaTSoriso xel Sekrul ebis moTxovnebi.

aRsanisnavia, rom aseTi sakanomdebl o cvl il ebebis aucil ebl oba arsebobs da es saqarTvel os mTavrobas Sesanisnavad aqvs gaazrebul i, rac cal saxad dasturdeba **saqarTvel os prezidentis 2001 wl is 24 april is #151 brZanebul ebiT**, roml is **me-12 punqtiT**, saqarTvel os prezidentma dagvianebiT (samTavrobaTSoriso xel Sekrul ebis ratificirebidan daaxl oebiT 11 Tvis Semdeg) daaval a "saqarTvel os navTobis saerTaSoriso korporacia"-s, warudginos saqarTvel os prezidents winadadebebi, saqarTvel os Sesabamis sakanomdebl o da normatiul aqtebsa da sxva dokumentebSi, kaspiis auzis navTobisa da gazis transportirebis proeqtebis ganxorciel ebisatvis saWiro cvl il ebebis da damatebebis Sesaxeb.

miuxedavad zemoT aRnisnul i xarvezebisa, samTavrobaTSoriso xel Sekrul eba (iseve, rogorc yvel a misi danarTi) dReisaTvis saqarTvel os kanonmdebl obis ganuyofel i nawil ia, is ratificirebul ia parl amentis mier da gaaCnia upiratesi iuridiul i Zal a Sidasaxel mwifoebrivi normatiul i aqtebis mimarT. aqve unda aRiniSnos isic, rom am samTavrobaTSoriso xel Sekrul ebis debul ebebi ar SeiZl eba uSual od moqmedebdnen saqarTvel oSi, radgan **"saqarTvel os saerTaSoriso xel Sekrul ebebis Sesaxeb" saqarTvel os kanonis me-6 muxl is me-3 punqtis mixedviT, saqarTvel oSi uSual od moqmedeben mxol od oficial urad gamoqveynebul i iseTi saerTaSoriso xel Sekrul ebis debul ebebi, roml ebic adgenen konkretul i xasiaTis ufl ebebsa da moval eobebis da ar saWiroeben damazustebel i Sidasaxel mwifoebrivi normatiul i aqtebis miRebas.**

samTavrobaTSoriso xel Sekrul ebis struqtura:

samTavrobaTSoriso xel Sekrul eba Sedgeba preambuli sa da 12 muxl i sagan. gar da ami sa, mas gaaCnia 5 danarTi, roml ebic warmoadgenen mis ganuyofel nawil s.

xel Sekrul ebis I muxl Si mocemul ia terminTa ganmarteba. am muxl is mixedviT xel Sekrul ebis yvel a danarTi, iseve, rogorc yvel a is cvl il eba da damateba, romel ic momaval Si SeiZl eba erTobl ivad, weril obiT Seitanon saxel mwi foebma, warmoadgens am xel Sekrul ebis ganuyofel nawil s.

samTavrobaTSoriso xel Sekrul ebis danarTebis sia mocemul ia xel Sekrul ebis II muxl Si. es danarTebia:

1. **xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan**, romel sac xel s aweren saqarTvel os mTavroba da proeqtis investorebi;
2. **xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan**, romel sac xel s aweren Turqetis respubl ikis mTavroba da proeqtis investorebi;
3. **"morgebiT Cabarebis" xel Sekrul eba**, romel sac xel s aweren "morgebiT Cabarebis" xel Sekrul ebis kontraqtori da proeqtis investorebi;
4. **samTavrobo garantia**, roml is mixedviTac Turqetis respubl ikis mTavroba iZl eva garantias "morgebiT Cabarebis" xel Sekrul ebis kontraqtorisaTvis angari Ssworebisa da am ukanasknel is mier moval eobebis Sesrul ebis Taobaze, rogorc amas morgebiT Cabarebis xel Sekrul eba iTval iswi nebs; da
5. **xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan**, romel sac xel s aweren azerbaij anis respubl ikis mTavroba da proeqtis investorebi.

am danar Tebi dan yvel aze mni Svnel ovani dokumenti saqar Tvel osTan mimar TebaSi aris xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan, romel sac xel saweren saqar Tvel os mTavroba da proeqtis investorebi. aRsaniSnavia, rom xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan samTavrobaTSoriso xel Sekrul ebis safuZvel zea dadebul i, am ukanasknel is ganvrcobis da detal izaciis mizniT. samTavrobaTSoriso xel Sekrul eba afiqsirebs xel momwer saxel mwifoTa mier erTmaneTis winaSe nakisr zogad val debul ebebs, xol o xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan gacil ebiT ufro detal uria da aregul irebs urTierTobebs teritoriis mfl obel saxel mwifosa da navTobsadenis proeqtis investorebs Soris. xSir SemTxvevaSi, samTavrobaTSoriso xel Sekrul ebis muxl ebSi pirdapiraa miTiTebul i, rom am muxl ebis gamoyeneba unda moxdes mxol od maSin, Tu sxva ram ar aris gaTval iswinebul i xel Sekrul ebiT teritoriis mfl obel i qveynis mTavrobasTan.

xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan:

xel Sekrul eba teritoriis mfl obel i qveynis mTavrobasTan, Sesworebul da xel axl a Camoyal ibebul iqna 2000 wl is 28 april s, Tan erTvis 1999 wl is 18 noembris samTavrobaTSoriso xel Sekrul ebas da am ukanasknel is nawil s warmoadgens.

xel Sekrul eba Sedgeba 23 muxl isagan da gaaCnia sami danarTi.

muxl i 2, (ufl ebamosil eba), iTval iswinebs saqar Tvel os mTavrobis mier ufl ebamosil i warmomadgenl is daniSvnas.

“baqo-Tbil isi-j eihanis ZiriTadi saeqsporto mil sadenis proeqtis real izaciis Sesaxeb” saqar Tvel os prezidentis 2000 wl is 17 oqtombris # 455 brZanebul ebiT, saqar Tvel os mxaris warmomadgenl ad **“baqo-Tbil isi-j eihanis ZiriTadi saeqsporto mil sadenis proeqtSi”** daniSnul ia saqar Tvel os navTobis saerTaSoriso korporacia. saqar Tvel os prezidentis sagangebo rwmunebul s, saqar Tvel os navTobis saerTaSoriso korporaciis prezidents, giorgi Wanturias, ki imave brZanebul ebis safuZvel ze mieniWa ufl ebamosil eba, saqar Tvel os saxel iT xel i moaweros **“samTavrobaTSoriso xel Sekrul ebis”** danarTebis. saqar Tvel os navTobis saerTaSoriso korporaciis es ufl ebamosil eba kidev erTxel dadasturebul ia saqar Tvel os prezidentis 2001 wl is 24 april is # 151 brZanebul ebiT **“saqar Tvel os teritoriaze kaspis auzis navTobisa da gaxis erTian energetikul derefanSi transportirebis proeqtebis ganxorciel ebis, maTi koordinaciisa da am proeqtebSi saaqcio sazogadoeba “saqar Tvel os navTobis saerTaSoriso korporaciis” saqar Tvel os saxel mwifos ufl ebamosil warmomadgenl ad daniSvnis Sesaxeb”**.

muxl i 3, (xel Sekrul eba, vada da xangrZl ivoba), gansazRvra vs am xel Sekrul ebis moqmedebis vadas, aseve mi si gagrZel ebis da vadamde Sewyvetis pirobebs.

teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis sawyisi vadaa 40 wel i da xel Sekrul eba avtomaturad grZel deba kidev ori aTwl iani periodis ganmavl obaSi. garda amisa mil sadenis proeqtis monawil ebs survil isamebr SeuZl iaT gaagrZel on teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis moqmedebis vada, im pirobebSi, rodesac qveynis mTavrobas mni Svnel ovnad aqvs SezRudul i ufl eba wamoayenos damatebi Ti komerciul i sakiTxebi, raTa dai cvas Tavisi qveynis da mosaxl eobis interesebi.

qveynis mTavrobas aseve mni Svnel ovnad aqvs SezRudul i ufl eba vadamde Sewyvit os teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis moqmedeba, maSin, rodesac

ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis nebis mier dros SeuZl iaT am xel Sekrul ebis Sewyveta (**muxl i 3.2**).

teritoriis mfl obel i qveynis mTavrobastan xel Sekrul ebis **3.3 muxl is** mixedvit, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis ufl eba aqvT maqsimum 36 Tvis ganmavl obasi Seafferxon proeqtit gatval iswinebul i samusaoebis dawyeba. am vadis gasvl is Semdeg, qveynis mTavrobas aqvs 120 dRiani vada, raTa Sewyvit os xel Sekrul eba, xol o am vadis gasvl is SemTxvevasi qveynis mTavroba saerTod kargavs ufl ebas moitxovos xel Sekrul ebis Sewyveta.

aRsani Shavia, rom qveynis mTavrobis es ufl eba arc Tu advil ad gamosayenebel ia, radgan ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis yovel Tvis eqnebatimis saSual eba, rom Seferxebis mizevad saxel mwifo xel isufl ebis organota mier raime val debul ebis droul ad Seusrul ebl oba daasaxel on da moitxovon vadis gagrZel eba. garda amisa, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis SeuZl iaT 36 Tvi ani vadis ganmavl obasi Tundac formal urad "gadadgan nabijebi" saSual eebtan dakavSirebul i mSenebl obis dasawyebad (magal iTad Seadgi non proehti) da amis Sedegad Sewyvit on 36 Tvi ani vadis moqmedeba. aseT vitarebas xel Sekrul ebis vadamde Sewyvetis meqanizmi qveynis mTavrobas faqti urad aRar gaaCnia garda im SemTxvevisa, roca mTavroba miicnevs, rom ZiriTadi saeqsporto mil sadenis monawil eebma mniSvnel ovnad daar Rvies romel ime erToblivi an cal keul i val debul eba. **unda aRiniSnos, rom teritoriis mfl obel i qveynis mTavrobastan xel Sekrul ebis Sewyvetis motivis arsebobisasacki, qveynis mTavrobis mier xel Sekrul ebis Sewyveta mniSvnel ovan barierebtanaa dakavSirebul i.**

yovel ive es cal saxad metyvel ebs, rom xel Sekrul ebis moSl is sakiTxTan mimarTebasi teritoriis mfl obel i qveynis mTavrobastan xel Sekrul ebis mxareebi aratanabar pirobekSi arian Cayenebul i.

saqarTvel os mTavrobis atvis xel Sekrul ebis **me-3 muxl i** ar SeiZl eba CaiTval os efeqtur meqanizmad, roml is gamoyenebac SesaZl ebel i iqneba salWiroebis SemTxvevasi qveynis interesebis dasacavad. rac Seexeba ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis, maTTvis xel Sekrul ebis **me-3 muxl i** namdvil ad wadmoadgens im efeqtur meqanizms, romel sac isini gamoiyeneben nebis mier sadavo situaciaSi, raTa saqarTvel os mxare aiZul on wavides datmobebeze.

muxl i 4. (ufl ebaTa miniWebas), Seexeba saxel mwifo xel isufl ebis mier ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis atvis garkveul ufl ebamosil ebaTa miniWebas.

4.1 muxl is safuZvel ze saxel mwifo xel isufl ebam mianiwa ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis absoluturi da SeuzRudavi ufl eba da privilegia ganaxorciel on da aRasrul on proehti, warmarTon proeqtTan dakavSirebul i yovel gvari saqmianoba da isargebl on yvel axva ufl ebita da privilegit.

faqtiurad saxel mwifo xel isufl ebam gadasca ararezident iuridiul pirebs saxel mwifo teritoriis garkveul i nawil i, ise, rom winaswar arc ki ganusazRvravs konkretul ad ra nawil i gankarga.

radgan am xel Sekrul ebis xel moweris momentis atvis zustad dadgenil i iyo mxol od is ori wertil i, sadac navTobsadenma unda gadakvetos saqarTvel os sazRvrebi da aramTel i marSruti, arsebobs Teoriul i al batoba, rom navTobsadenma gaiaros dasaxlebul punqtebeze, istoriul, religiur da kul turul Zegl ebze (an mimdebare teritoriaze), dacul teritoriebeze da sxva teritoriebeze. aseve arsebobs imisal batoba, rom navTobsadenma gaiaros tyeebeze, tradiciul i saragebl obis saZovrebsa da satibebeze,

riTac mniSvnel ovnad dazaral deba adgil obrivi mosaxl eoba, xol o ZiriTadi saeqsporto mil sadenis proeqtis monawil eeb maT mi mar T ar eqneba T real uri val debul ebebi.

kompensaciebis sakiTxi aseT SemTxvevaSi mTavrobis mosagvarebel i iqneba (**ix. xel Sekrul ebis muxl i 7 (6)**), Tumca Znel ad dasaj erebel ia, rom mTavrobam, arsebul i mra val wl iani sabiuj eto krizisis gaTval siwinebiT, saTanadod SeZl os aseTi kompensaciebis gadaxda. nebi smier SemTxvevaSi Znel i iqneba real uri kompensaci is mi Reba, Tu dazaral deba meurneobis tradiciul i dargebi.

saxel mwifo mTavis kuTvnil miwaze ufl ebis gadacemasTan erTad ZiriTadi saeqsporto mil sadenis proeqtis monawil eeb mi ani Wa ufl eba awar moon mSenebl oba am miwaze, aseve neba darTon mesame pirs moaxdi non mudmi vi mi wi T sargebl oba, mi si dakaveba, fl oba da kontrol i, agreTve, amgvar miwaze da/an mi wisqveS samSenebl o samuSaoebis warmoeba.

faqtiurad, am muxl is safuZvel ze ZiriTadi saeqsporto mil sadenis proeqtis monawil eeb ukve miRebul i aqvT mSenebl obis nebarTva ise, rom Sesabamis saxel mwifo uwyebes arc ki ganuxil avT mSenebl obis konkretul i proeqtebi.

anu mSenebl obis konkretul i proeqtis saqarTvel os kanonmdebl obasTan Seusabamobis SemTxvevaSi Sesabamisi saxel mwifo uwyebebi ver gamoiCenen samarTl ian principul obas, rom ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma es ar ganxil on saxel mwifo xel is ufl ebis mier nakisri val debul ebebis Seusrul ebl obad an Sesrul ebis gaWi anurebad.

Sedegad, ZiriTadi saeqsporto mil sadenis investorebis an maT mier ufl ebamosil i mesame piri smier nawarmoebma mSenebl obebma SeiZl eba dauSvebl ad ucval on saxe bunebriv da kul turul garemos, xol o ufl ebamosil i saxel mwifo organoebi ki ver moaxdenen adeqvatur reagirebas. erTaderTi metnakl ebad efeqturi meqanizmi saqarTvel os xel is ufl ebisTvis am SemTxvevaSi aris me-2 danartis pirobebi, roml is mixedviTac kul turul i da istoriul i mniSvnel obis adgil ebi xel Seuxebel i unda darCes (**muxl i 2.3**). aseve es danarTi iZl eva saSual ebas, rom gzS-s (garemoze zemoqmedebis Sefasebis) safuZvel ze gansazRvrul iqnes damatebiTi pirobebi prioritetul i marSrutis derefanTan, gansazRvrul derefanTan da samSenebl o derefanTan dakavSirebiT (**muxl i 2.2**).

garda saxel mwifo miwaze ufl ebisa, saxel mwifo xel is ufl ebam ZiriTadi saeqsporto mil sadenis proeqtis TiToeul monawil es gadasca iseTi statusi da sakuTrebaSi miRebis ufl eba, saval debul o gasxvisebis ufl eba, saxel mwifos suverenul i ufl eba Camoartvas kerZo sakuTreba ful adi kompensaci is sanacvl od (eminent domain), eqspropriaci is ufl eba, agreTve, saxel mwifos sxva amgvari ufl ebebi, roml ebi c proeqtis xangrZl ivobis ganmavl obaSi, SesaZl ebl obas miscems ZiriTadi saeqsporto mil sadenis proeqtis TiToeul monawil es, uzrunvel yos, awar moos da gadauxados Sesabamisi pirs saTanado anazRaureba ar asaxel mwifo mi wis mi mar T miwaze ufl ebebis sanacvl od.

saqarTvel oSi erT-erT sakonstitucio ufl ebas sakuTrebis ufl eba warmo adgens. **saqarTvel os konstituci is 21 (3) muxl is** mixedviT aucil ebel i sazogadoebrivi saWiroebisaTvis sakuTrebis Camortmeva dasaSvebia kanoniT pirdapir gansazRvrul SemTxvevaSi, sasamarTl os gadawyvetil ebiT an organul i kanoniT dadgnil i gadaudebel i aucil ebl obis as da mxol od saTanado anazRaurebiT.

ZiriTadi saeqsporto mil sadenis mSenebl oba ar aris organul i kanoniT dadgenil i gadaudebel i aucil ebl oba, magram saqarTvel os kanoni **“aucil ebel i sazogadoebrivi saWiroebisaTvis sakuTrebis Camortmevis wesis Sesaxeb” (muxl i 2)**

adgens, rom aucil ebel i sazogadoebrivi saWiroebisTvis sakuTrebis eqspropriacia SeiZI eba moxdes nedl i navTobis, bunebrivi gazi sa da navTobproduqtebis mil sadenebis gayvani saTvis.

Sesabami sad, am SemTxvevaSi, sakuTrebis CamorTmeva dasaSvebia mxol od sasamarTI os gadawyvetil ebiT da saTanado anazRaurebiT. CamorTmevis procedura dadgenil ia kanoniT aucil ebel i sazogadoebrivi saWiroebisaTvis sakuTrebis CamorTmevis wesis Sesaxeb, roml is mixedviTac **konstituciis 21-e muxl iT** gaTval iswinebul i CamorTmevis (anu eqspropriaciis) ufl ebis miniWebaxdeba saqarTvel os prezidentis brZanebul ebis safuZvel ze da sasamarTI os gadawyvetil ebiT. eqspropriaciis Sesaxeb saqmeebi saol qo sasamarTI oebis gansjadia, xol o eqspropriaciis procedura moiTxovs sazogadoebis maqsimal urad informirebas, informaciis sajaro gamoqveynebis gziT. yovel ive amis gaTval iswinebiT, saqarTvel os **konstituciis 21-e muxl ze** dayrdnobiT eqspropriaciis yovel i konkretul i SemTxveva SeiZI eba gaxdes sasamarTI o ganxil vis sagani da mesakuTreebs mi ecemaT saSual eba, saWiroebis SemTxvevaSi, daicvan Tavianti ufl ebebi sasamarTI oSi.

4.1 muxl is (vii). safuZvel ze saxel mwifo xel isufl ebamianiwa ufl ebamosil eba ZiriTadi saeqsporto mil sadenis proeqtis monawil ebsa da maT mier gansazRvrul kontraqtorebs, yovel gvari sazRauris gareSe, saTanado xarisxisa da mocul obis im zedapirul i wyl ebiT sargebl obis ufl ebas, romel zedac manamde ar iyo dawesebul i raime SezRudva da romel ic saSual ebebTan axl os mdebareobs, saSual ebebis hidrostatikuri da sxva saxis testirebis Casatarebl ad, agreTve, ufl ebas amgvari testirebis dasrul ebis Semdeg gaitanon es wyal i zemoT miTitebul i saSual ebebis Sorixl os mdebare adgil ze.

pirvel rigSi unda aRiniSnos, rom es winaaRmdegobaSi modis saqarTvel os kanonTan **“wyl is Sesaxeb”**. kanonis mixedviT wyl is obieqtebiT special uri sargebl oba fasiانيا da warmoebs special uri licenziis safuZvel ze.

ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis mier wyl is obieqtebis gamoyeneba msgavsi formiT, saukeTeso SemTxvevaSi, mniSvnel ovnad SeuZRudavs adgil obriv mosaxl eobas am obieqtebiT saerTo wyal sargebl obis ufl ebas. uares SemTxvevaSi, ki saerTo wyal sargebl obis ufl eba adgil obriv Tems SeiZI eba saerTod aekrZal os (**ix. “wyl is Sesaxeb” kanonis 34-e muxl i**).

aseve mosal odnel ia, rom ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi pretenzias ganaxdadeben wyl is obieqtebis mimdebare teritoriaze, rac kidev ufro daazaral ebs adgil obriv mosaxl eobas. faqtiurad, adgil obrivi xel isufl eba uZI uri iqneba am SemTxvevaSi raime kontrol i awarmoos rogorc wyl is amoRebaze, ise gamoyenebul i (savaraudod dabinZurebul i) wyl is daRvraze ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis mier. yovel ive aman, SeiZI eba xel i SeuSal os adgil obriv mosaxl eobas meurneobis warmoebaSi, daabinZuros garemo da gaauaresos social uri mdgomareoba. amasTan aRsaniSnavia, rom adgil obrivi biujeti ver miRebs special uri wyal sargebl obisaTvis kanoniT gansazRvrul Tanxeb, rac aseve daazaral ebs adgil obrivi Temis interesebs.

teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis **muxl i 5** (samTavrobo garantiebi) adgens saxel mwifo xel isufl ebis mier gacemul garantiებს.

5.2 (iii) muxl is mixedviT saxel mwifo xel isufl ebam garantiamisca ZiriTadi saeqsporto mil sadenis proeqtis monawil eeb, “rom ar dauSvebs raime iseT qmedebas an umoqmedobas, romel sac SeiZI eba, Sedegad mohyves proeqtTan dakavSirebul i raime saqmi anobis Seferxeba, an gadadeba, an romel mac SeuZI ia raime sxva uaryofiTi Sedegi moutanos proeqts, an SezRudos proeqtis xel Sekrul ebebis safuZvel ze miniWebul i

ufl ebebi (maT Soris, raimiseTi qmedeba an umoqmedoba, ganxorciel ebul i uSiSr oebis, adami anTa j anmrTel obis, garemos dacvis, an usafrTxoebis mosazrebiT, romel sac SeuZl ia, pir dapi r an ar api r dapi r Sewyvi tos, aRkveTos an SezRudos navTobis di neba saSual ebebSi an saSual ebebis gamoyenebi T, gar da im SemTxvevebi sa, r odesac saSual ebebis Seufer xebel i eqspl uatacia, saswrafo teqniki Carevebis gareSe, gaumar TI ebel safrTxes uqmnis sazogadoebriv usafrTxoebas, kul turul memkvi dreobas, adami anTa j anmrTel obas an usafrTxoebas, anda garemos (aseT SemTxvevaSi, garemos dacvasTan dakavSirebiT, gamoyenebul unda iqnes is normebi da dadgenil i wesebi, roml ebi c amve xel Sekrul ebis me-3 danarTSia gansazRvrul i, xol o adami anTa j anmrTel obasTan, usafrTxoebasTan, sazogadoebriv usafrTxoebasTan da kul turul memkvi dreobasTan dakavSirebiT ki – saqarTvel os kanonmdebl obiT gaTval iswinebul i Sesabamisi normebi, romel SemTxvevebSic aseTi qmedeba an umoqmedoba mi zanSewoni l i xdeba, oRond im drois fargl ebSi, romel ic aucil ebel ia aseTi safrTxis aRmosafxvrel ad)“;

am muxl idan naTI ad Cans, rom proeqtis ganxorciel eba upirvel es prioriteta da miCneul i da xSir SemTxvevaSi uSiSr oebis, adami anTa j anmrTel obis, garemos dacvis, an usafrTxoebis mosazrebebic ki meore etapze gadadis saxel mwifo xel isufl ebisTvis.

msgavsi formul irebis xel Sekrul ebaSi dafiqsireba miuRebel ia da wi naaRmdegobaSi modis saqarTvel os konstituci asTan.

konstituci is 37-e muxl is mixedviT, yvel as aqvs ufl eba icxovros j anmrTel obisaTvis usafrTxo garem oSi da yvel a (maT Soris ZiriTadi saeqsporto mil sadenis proeqtis monawil eebic) val debul ia gaufrTxil des bunebriv da kul turul garemos. rac Seexeba uSiSr oebis, adami anis j anmrTel obis dacvis, garemos dacvis an usafrTxoebis moTxovnebis ugul ebel yofas, aseTi qmedeba (moqmedeba an umoqmedoba) zog SemTxvevaSi saqarTvel os sisxl is samar TI is kodeqsi T dasj adi qmedebis mi zezi c ki SeiZl eba gaxdes. ucnauria, rom msgavs qmedebaze faqtiur ad saxel mwifo xel isufl ebam ai Ro pasuxi smgebl oba, es maSin, r odesac konstituci isa da kanonmdebl obis Tanaxmad is piri qi T mowodebul i unda iyos dai cvas qveynis uSiSr oeba, moqal aqeta j anmrTel oba, aseve garemos dacvi sa da usafrTxoebis moTxovnebi .

arasakmar isad damaj erebl ad JRers formul ireba, rom es muxl i ar Seexeba im SemTxvevebs, r odesac saSual ebebis Seufer xebel i eqspl uatacia, saswrafo teqniki Carevebis gareSe, gaumar TI ebel safrTxes uqmnis sazogadoebriv usafrTxoebas, kul turul memkvi dreobas, adami anTa j anmrTel obas an usafrTxoebas, anda garemos. j er er Ti, aq l aparaki a Seufer xebel eqspl uataci aze da es gamonakl isi ar Seexeba sxva SemTxvevebs, magal iTad, r odesac saSual ebebis daproeqteba, mSenebl oba, testireba an droebi T eqspl uataciaSi gaSveba uqmnis safrTxes sazogadoebriv usafrTxoebas, kul turul memkvi dreobas, adami anTa j anmrTel obas an usafrTxoebas, anda garemos. gar da ami sa, xel Sekrul ebi dan gaugebar ia, Tu vi n da rogor unda Seafasos “gaumar TI ebel i safrTxe” da mi si zemoqmedebis xar isxi .

5.2 (vi.) muxl is mixedviT, saxel mwifo xel isufl ebam garantia gasca, rom “ar moi Txovs, pretenzi as ar ganacxadebs, an ar SezRudavs raim e ufl ebas mi waze, romel sac saxel mwifo xel isufl eba ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis ani Webs me-4.1 nawil is (ii), (iii) da (iv) qvepunqtebi s Sesabami sad“;

ami T saxel mwifo xel isufl ebam SeiZRuda kanoni T mi sTvis miniWebul i ufl ebebi. magal iTad, ufl eba imoqmedos efeqtur ad gadaudebel i aucil ebl obis dros (r odesac ekol ogiuri katastr ofis, sti qi uri ubedur ebis, epi demi is, epi zooti is gamo safrTxe eqmneba adami anTa sicocxl esa da j anmrTel obas, saxel mwifo an sazogadoebriv uSiSr oebas) da gamoiyenos “**sazogadoebrivi saWiroebisaTvis gadaudebel i aucil ebl obis sakuTrebi s CamorTmevis wesis Sesaxeb**” saqarTvel os organul i kanoni T mi sTvis

miniWebul i ufl ebebi.

me-5 muxl is Tanaxmad mTavrobis mier aRebul i val debul ebebisa da garantiabis Semdgomi ganmtkicebis mizniT, mTavrobam aseve aiRo val debul eba "droul ad mi iRos, weril obi T gamosces, an daaval os, gamoscen yovel gvari brZanebul eba, brZaneba, debul eba, wesi, ganmar teba, nebarTva, damtkiceba da Tanxmoba, rac saSual ebas miscems saxel mwi fo xel isufl ebas, droul ad Seasrul os yvel a is val debul eba, romel sac mas proeqtis xel Sekrul ebebi akisrebs". am iT mTavrobam SeizRuda imis saSual eba, rom saWi roebis SemTxvevaSi gamoavl inos principul oba da real urad daiavas mosaxl eobis da qveynis interesebi iseTi mniSvel ovani gadawyvetil ebebis miRebias, rogoricaa magal iTad garemosdacviTi nebarTvis gacema.

muxl i 6. (gancxadebebi da garantiabi) exeba xel Sekrul ebis mxareTa mier erTmaneTisaTvis micemul garantiabs.

6.2 (v) muxl is mixedviT mTavrobam misca garantia ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis, rom "saxel mwi fo xel isufl ebas ar gaucia da arc aris val debul i, gasces romel ime pirze raime ufl eba an privilegia, romel ic ar Seesabameba an wi naaRmdegobaSi a, an SeuZl ia SezRudos, an Seaferxos proeqtis romel ime monawil is mier im ufl ebebisa da privilegiebis gamoyeneba da sargebl oba, roml ebic aseTi proeqtis monawil es romel ime proeqtis xel Sekrul ebis safuZvel ze gaaCnia".

mTavrobas aseTi garantiis gacemis ufl eba ara hqonda im viTarebaSi, rodesac ZiriTadi saeqsporto mil sadenis proeqtis zusti marSrutijer kidev ar iyo gansazRvrul i, radgan marSrutis Teoriul ad SeiZl eba gaevl o iseT teritoriebze, rom konfli qtsi mosul iyo mesame pirTa mier kanonieri ufl ebebis gamoyenebasTan. magal iTad SeiZl eba SeizRudos adgil obrivi mosaxl eobis mier wyl is obieqtibiT, saTibebiT da/an misasvl el igzebiT tradiciul i an kanonis safuZvel ze mopovebul i sargebl obis ufl eba. am muxl idan ar SeiZl eba imis dadgena, Tu vin da rogor unda gansazRvros, rom ama Tu im piri mier moTxovni i ufl eba ar Seesabameba an wi naaRmdegobaSi a, an SeuZl ia SezRudos, an Seaferxos proeqtis romel ime monawil is mier TavianTi ufl ebebis da privilegiebis gamoyeneba.

am muxl is moTxovnebis gaTval iswinebiT faqtiurad nebismieri piri mokl ebul i iqneba saSual ebas mimarTos mTavrobas raime ufl ebis mopovebis mizniT interesis derefnis fargl ebSi, aTasobiT kvadratul kil ometrze.

muxl i 7. mTavrobis zogierTi val debul eba da Tanxmoba

Tanaxmad **7.1 muxl isa**, "mTavrobam Tanxmoba ganaxada da piroba dado, rom saswrafod mi iRebs mis xel Tarsebul yvel a zomas, raTa mi aRwios yvel a im kanonisa da brZanebul ebis ratifikacias, miRebas an damtkicebas, romel ic saqarTvel os kanonmdebl obidan gamomdinare saWi roa, an SeiZl eba gaxdes saWi ro am xel Sekrul ebisa da sxva proeqtis xel Sekrul ebebis pirobemis Zal aSi yofnisa da srul i masStabiT ganxorciel ebis aTvis, agreTve, gascems nebarTvebs, Seqmnis pirobebs da mxars dauWers yvel a im saqmianobasa da garigebas, romel ic proeqtis xel Sekrul ebebiT aris gaTval iswinebul i". am muxl iT mTavrobam ZiriTadi saeqsporto mil sadenis monawil eebis winaswar aRuTqva, rom isini mi iReben nebismieri saxis nebarTvas TavianT saqmianobaze. aseT pirobemSi ZiriTadi saeqsporto mil sadenis monawil eebis SeuZl iaT mi iRon garemosdacviTi an sxva saxis nebismieri nebarTva yvel a SemTxvevaSi, xol o mTavroba mokl ebul ia saSual ebas daiavas garemos da/an adgil obrivi Temis interesebi, ise, rom xel Sekrul ebis meore mxarem es ar mi iCnios xel Sekrul ebis pirobemis Seusrul ebl obad. saWi roebis SemTxvevaSi, am muxl is safuZvel ze ZiriTadi saeqsporto mil sadenis monawil eebis ufl eba aqvT moTxovon mTavrobas TviT sakanonmdebl o cvl il ebebis l obirebac ki da am gziT moqal aqeta kanonieri ufl ebebis SezRudva, Tu amas mi iCneven proeqtis ganxorciel ebis aTvis aucil ebel pirobad (magal iTad iseT SemTxvevaSi, rodesac

proeqtis ganxorciel eba winaaRmdegobaSi modis adgil obrivi fizikuri an iuridiul i pirebis mier kanoniT dacul i ufl ebebis ganxorciel ebasTan).

7.3 muxl is mixedviT, "ZiriTadi saeqsporto mil sadenis proeqtis monawil is an romel ime sxva proeqtis monawil is, romel sac ZiriTadi saeqsporto mil sadenis proeqtis monawil e daniSnavs, Txovnis SemTxvevaSi, saxel mwi fo xel isufl ebis Sesabamisi organo val debul ia, gasces srul i da saTanadod Sedgenil i sia yvel a im dokumentaciisa da moTxovnisa, romel ic aucil ebel ia ZiriTadi saeqsporto mil sadenis proeqtis monawil eebisa an romel ime sxva proeqtis monawil eebisaTvis, roml ebsac ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi daniSnaven, special uri l icenzi ebis, vizebis, nebarTvebis, sertifikatebis, order ebis, mowmobebis an Tanxmobebis mosapovebl ad ('saganacxado moTxovnebi -), roml ebic proeqtTan dakavSirebul i saqmianobisaTvis aris saWi ro... aseTi saganacxado moTxovnebis Sesrul ebis da/an dakmayofil ebis SemTxvevaSi, saxel mwi fo xel isufl eba val debul ia, prioritetul obis mixedviT, ocdaaTi (30) dRis ganmavl obaSi, magram ara umetes samoci (60) dRis ganmavl obaSi (es samocdRiani vada Zal aSi mxol od sagangebo situaci is SemTxvevaSi unda Sevi des) gasces aseTi l icenzi ebi, vizebi, nebarTvebi, sertifikatebi, order ebi da mowmobe bi, roml ebic ZiriTadi saeqsporto mil sadenis proeqtis monawil eebisa da maT mier daniSul i proeqtis sxva monawil eebis azriT, aucil ebel i an mi zanSewonil ia imi saTvis, rom maT SeZl on proeqtTan dakavSirebul i saqmianobis droul ad, saimedod da efeqturad ganxorciel eba, da/an proeqtis xel Sekrul ebebiT gaTval iswinebul i ufl ebebiT sargebl oba da val debul ebebis Sesrul eba".

7.6 da 7.7. muxl ebSi aseve dadasturebul ia, rom **7.3 muxl is** Zal iT saxel mwi fo xel isufl eba winaswar Tanxmobas acxadebs yvel a im saqmianobaze da/an qmedebaze, romel sac ganaxorciel eben ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi da maT mier daniSnul i kontraqtorebi.

7.3 muxl is mixedviT ZiriTadi saeqsporto mil sadenis monawil eebis da maT mier daniSnul pirebs SeuZl iaT 30 dRis (sagangebo situaciebis SemTxvevaSi ki 60 dRis) ganmavl obaSi miRon nebismieri saxis l icenzi ebi, vizebi, nebarTvebi, sertifikatebi, order ebi da mowmobe bi. gar emosdacvi T nebarTvebTan dakavSirebiT erTaderTi pi robaa dasmul i, rom nebarTvis gacema unda moxdes me-3 danarTis pi robebis Tanaxmad.

me-3 muxl i zRudavs sazogadoebriobis ufl ebas miRon monawil eoba gadawyvetil ebebis miRebis procesSi da aZl evs ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis saSual ebas, uprobl emod moaxdinon TavianTi interesebis l obireba proeqtis ganxorciel ebis procesSi (maT Soris adgil obrivi mosaxl eobis interesebis xarj ze).

xel Sekrul ebis **me-8 muxl i** exe ba gadasaxadebs. am muxl is mixedviT ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi, maTi afill irebul i pirebi da Sesabamisi ucxoel i muSa-mosamsaxureebi sargebl oben mniSvnel ovani sagadasaxado SeRavaTebiT. am SemTxvevaSi aRsaniSnavia is faqti, rom sxva sagadasaxado SeRavaTebTan erTad, isini ganTavisufl ebul i arian social uri gadasaxadebisaganac, rac niSnavs, rom proeqtis ganxorciel ebis procesSi akrefil i gadasaxadebi ar moxmardeba social urad dauvel i fenebis (pensionerebis, inval idebis, umuSevrebis) daxmarebas da sxva social uri probl emebis mogvarebas.

muxl i 9. (zianis an zaral is anazRaureba) akisrebs mTavrobas val debul ebas "ZiriTadi saeqsporto mil sadenis proeqtis monawil is ufl ebis - moiTxovos saxel mwi fo xel isufl ebisagan romel ime proeqtis xel Sekrul ebis mier saxel mwi fo xel isufl ebaze dakisrebul val debul ebaTa pirnaTl ad Sesrul eba," gasces ful adi kompensacia im zaral isa an zianisaTvis, romel ic gamowveul i iqneba **me-9 muxl Si** miTiTebul i mizezebiT (aRsaniSnavia, rom aseT mizezad SeiZl eba saxel mwi fo xel isufl ebis mxri dan ubral od

ar aswori gancxadebis gakeTebac ki iqnas miCneul i). zianis anazRaurebis val debul ebebs es muxl i mTavrobas uwesebs mar to ZiriTadi saeqsporto mil sadenis proeqtis monawil eebTan mi mar TebaSi, maSin, r odesac mesame pirebisTvis (magal iTad adgil obrivi mosaxl eobisTvis) zianis anazRaurebis Sesaxeb aq ar afer ia naTqvami.

rac Seexeba ZiriTadi saeqsporto mil sadenis proeqtis monawil eTa pasuxismgebl obas mesame pirebis (maT Soris adgil obrivi mosaxl eobis) mimarT, **10.2 muxl is** mixedvit "ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi pasuxs ageben mesame mxaris winaSe im zaral isa an zianisaTvis, romel ic aseT mesame mxares ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis mxridan proeqtis xel Sekrul ebebiT gaTval iswinebul i saqmianobis war mar Tvis normebis darRvevis Sedegad mi adga; oRond im pirobiT, rom: **(i)** ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi ar ageben pasuxs am xel Sekrul ebis pirobebis Sesabamisad, Tu zaral i an ziani gamowveul ia, an Sedegia proeqtis xel Sekrul ebis darRvevis da/an moval eobebis Seusrul ebl obis saxel mwifo xel isufl ebis mxridan; **(ii)** xel Sekrul ebaSi ar aris muxl i, romel ic zRudavs, an miznad isaxavs SezRudos ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis ufl ebebi, romel ime sxva piri s mimarT, aseT zaral Tan an zianTan dakavSirebiT."

ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis nebismier dros SeuZl iaT aicil on pasuxismgebl oba mosaxl eobisaTvis zianis anazRaurebis Sesaxeb, Tu am zianis gamowvevis mizezad miuTiTeben saxel mwifo xel isufl ebis mxridan romel ime xel Sekrul ebis Seusrul ebl obas.

aseT situaciaSi mosaxl eobis interesebi absol uturad daucvel ia. adgil obrivi mosaxl eoba ar aris am xel Sekrul ebebis mxare da ver mostXovs pasuxs saxel mwifo xel isufl ebas ZiriTadi saeqsporto mil sadenis proeqtis monawil eTa mimarT aRebul i val debul ebebis Seusrul ebl obisaTvis, iseve, rogorc ver mostXovs xel isufl ebas pasuxs im zianisaTvis, romel sac miReben ZiriTadi saeqsporto mil sadenis proeqtis monawil eTa mxridan proeqtis xel Sekrul ebebiT gaTval iswinebul i saqmianobis war mar Tvis normebis darRvevis Sedegad.

Sesabamisad zianis anazRaurebas aseT si tuaciaSi Tavsaari deben rogorc ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi, ise xel isufl eba. mosaxl eoba aseve mokl ebul ia imis saSual ebas, rom gansazRvros, daarRvies Tu ara ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma proeqtis xel Sekrul ebebiT gaTval iswinebul i saqmianobis war mar Tvis normebi. proeqtis xel Sekrul ebebi ar aris xel misawvdomi sazogadoebis farTo fenebisTvis. ufro metic, ar momxdara maTi oficial uri gamoqveynebac ki, rac kanonis saval debul o moTxovna iyo da Sesabamisad sazogadoebis warmomadgenl ebi mokl ebul ni arian SesaZl ebl obas, rom sasamar TI oSi saqmis war mar Tvis SemTxvevaSi apeli reba moaxdinon xel Sekrul ebis oficial ur teqstze.

mosaxl eoba aseve mokl ebul ia imis saSual ebas, rom gaarkvios, Tu visi mizeziT moxda xel Sekrul ebis darRveva, roml is Sedegadac ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma maT ziani miayenes. es sakiTxi xel Sekrul ebis mxareebis Soris davas Seexeba, aseTi davebis mogvareba ki saerTaSoriso arbitrajs eqvemdebareba da sakmaod rTul da xangrZl iv proceduras iTval iswinebs, romel ic mxol od xel Sekrul ebis mxareebis saTvisaa xel misawvdomi (ix. xel Sekrul ebis muxl i 17).

me-10 muxl i ar adgens zianis anazRaurebis moTxovnis ufl ebas mesame pirTa mxridan (maT Soris mosaxl eobis) Tu isini zians miReben ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis mxridan saqarTvel os kanonmdebl obis moTxovnaTa Seusrul ebl obis Sedegad, radgan aseT SemTxvevaSi **10.1 muxl is** mixedvit ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi pasuxismgebel ni arian ara TviT dazaral ebul Ta mimarT, aramed mxol od saxel mwifo xel isufl ebis winaSe.

teritoriis mfi obel qveynis mTavrobasTan xel Sekrul ebis **me-11 muxl is (usafrTxoeba)** Zal iT saqarTvel os xel isufi ebam misca ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis usafrTxoebis seriozul i garantiebi. maT Soris "miwaze ufi ebebis, saSual ebebis da yvel aseTi piri dacvis mizniT yovel gvari zaral isa an zianisagan, romel ic Sedegad mosdevs samoqal aqo oms, sabotaJs, vandal izms, bl okadas, revol ucias, amboxs, aj anyebas, samoqal aqo aSi il obas, terorizms, adami anis gatacebas, komerciul gamoZal vas, organizebul danaSaul sa da sxva amgvar destruciuil movl enebs." msgavs si tuaciebs, saerTaSoriso praqtikis gaTval iswinebiT rogorc wesi ganixil aven fors-maJorul garemoebebad, am xel Sekrul ebaSi ki isini aseTebad ar aris miCneul i da ufro metic, Tu aseTi garemoebebis dros dazaral debian ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi an maTi kontraqtorebi, maT saSual eba eqnebaT pasuxismgebl oba aseTi zianis anazRaurebaze daakisron saqarTvel os mxares (9.1 (l) muxl is safuZvel ze).

yvel a SemTxvevaSi, usafrTxoebis msgavsi garantiemis real urad uzrunvel yofa (Tu aseTi saerTod Sesazl ebel ia) seriozul danaxarjebTan iqneba dakavSirebul i, rac saqarTvel os mwiri biujetis gaTval iswinebiT, qveyanas mZime tvirTad daawveba. Sedegad SeiZl eba dazaral des saxel mwifo biujetis is punqtebi, roml ebic social uri probl emebisTvisaa gaTvl il i. aqve l ogikurad ibadeba kiTxva, moaxdiana Tu ara saqarTvel os xel isufi ebam saqarTvel osaTvis am xel Sekrul ebis (da TviT proeqtis) ekonomikuri momgebianobis real uri Sefaseba da gaTval iswinebul i iyo Tu ara am Sefasebisas yvel amosal odnel i xarjebi, romel Ta gawevac saqarTvel os mxares mouwevs am xel Sekrul ebisT nakisri yvel a val debul ebis saTanadod Sesrul ebis mizniT.

xel Sekrul ebis **me-12 muxl i** Seexeba garemos, j anmrTel obis, usafrTxoebisa da social uri garemos dacvas.

am muxl is mixedviT (**12.1, 12.3**) ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma aiRes val debul eba miRon yvel a aucil ebel i zoma, raTa Tavi danacil on iseti movl enebi, "roml ebic arsebiT zians ayeneben, an arsebiT risks uqmni an garemos an adami anTa j anmrTel obas da usafrTxoebas". amastan erTad, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma aiRes val debul eba, rom miuxedavad, proeqtis xel Sekrul ebis raime sxva pirobisa, romel ic exeba garemosadmi, adami anTa j anmrTel obisadmi an usafrTxoebisadmi miyenebul zaral san zians, raime faqtTan an movl enastan dakavSirebiT, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi, "bral eul obisa da mizezobriobis miuxedavad, val debul ni arian, miRon yovel gvari zoma zianis gamosaworebl ad da miwis nakveTis da sxva dazi anebul i obieqtis (obieqtis) Sesazl ebl obis fargl ebSi maqsimal urad aRSadgenad da maT mosayvanad uwindel , gamosayenebl ad vargis mdgomareobaSi, **me-12 muxl Si** da **me-3 danarTSi** gansazRvrul i normebsa da miRebul i wesebis Sesabamisad, da gaswion yovel gvari xarjebi, roml ebic aucil ebel ia aseTi zianis aRmosafxvrel ad".

es pirobebi uSual od akisrebs ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis pasuxismgebl obas, avariul i situaciebis dros operatiul ad miRon aucil ebel i zomebi, raTa Tavi danacil ebul iqnas da/an gamosworebul iqnas garemosaTvis da/an j anmrTel obisaTvis miyenebul i ziani.

garda amisa, mxareebi SeTanxmdnen, rom Tu aseTi zianis srul ad aRmofxvra SeuZl ebel ia, "ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi val debul ni arian, gadaxadon srul i, adekvaturi da samarTliani kompensacia yovel i aseTi aRmoufxvrel i zianisaTvis".

aRsani Snavia, rom xel Sekrul ebis Zal iT, msgavs si tuaciebSi kompensaciis gadaxdaze pasuxismgebl obis ZiriTadi saeqsporto mil sadenis proeqtis monawil eebisaTvis cal saxad dakisrebam miniSvnel ovnad unda gaumartivos mesame pirebs (magal iTad adgil obriv mosaxl eobas) kompensaciis miReba aucil ebl obis SemTxvevaSi.

saqarTvel os konstituciis **42-e muxl is 1 punqtis** mixedviT yvel a adami ans aqvs ufl eba Tav is ufl ebaTa da Tav is ufl ebaTa dasacavad mi mar Tos sasamar TI os. aRsani Snavi a, rom am SemTxvevaSi am muxl is gamoyeneba Sesazl ebel ia ara marto im ufl ebebTan mimarTebaSi, romel ic am xel Sekrul ebis safuZvel ze gaaCniaT mesame pirebs, aramed nebismieri sayovel Taod mi Rebul i an kanonmdebl obi T miniWebul i ufl ebis darRvevasTan mimarTebaSi. **saqarTvel os konstituciis 42-e muxl i** Sesazl ebel ia aRmoCndes erT-erTi yvel aze real uri garantia imisa, rom adgil obrivi mosaxl eoba da iuridiul i pirebi Sesazl eben dai cvan Tav ianTi interesebi proeqtis ganxorciel ebis procesSi.

teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis **me-18 muxl i (saoperacio kompania)** Seicavs Sromi T urTierTobebTan dakavSirebul sakmaod mniSvnel ovan debul ebebs.

me-18.2 muxl i erT-erTi yvel aze mniSvnel ovani muxl ia am xel Sekrul ebaSi, proeqtSi dasaqmebul saqarTvel os moqal aqeTa social uri dacvis Tval sazrisiT. kerZod, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi da nebismieri kontraqtori (maT Soris saoperacio kompania) **18.2 muxl is** mixedviT val debul ebas iReben, rom "saxel mwifos yvel a moqal aqe, romel ic proeqtTan dakavSirebi T iqneba daqiravebul i, samsaxurSi ai yvanon weril obi T gaformebul i Sromi Ti xel Sekrul ebis safuZvel ze, romel mac unda gansazRvros samuSao saaTebis raodenoba, Sromis anazRaur eba da xel fasze danamatebi, romel ic ergeba mosamsaxures, agreTve, dasaqmebis sxva pi robebi. Sromi T xel Sekrul ebebSi gansazRvrul i pi robebis Sesabamisad, aseTi muSa-mosamsaxureebi SeiZl eba ganawil ebul iqnen im samuSao adgil ebze, roml ebic mizanSewonil ad iqneba miCneul i maT dasaqmebasTan dakavSirebi T". amasTan, dasaqmebis yvel a programa da mi Rebul i praqtika, romel ic teritoriis fargl ebSi proeqtze "momuSave saxel mwifos moqal aqeebze vrcel deba - maT Soris iseTTan dakavSirebi T, rogori caa samuSao saaTebis raodenoba, Svebul ebis xangrZl ivoba, anazRaur eba, damatebi T mi cemul i saxsrebi da Sromis higienisa da usafrTxoebis teqniki s standartebi - ar unda iqnes imaze nakl ebad xel sayrel i, vidre saqarTvel os Sromis kanonmdebl obis normebi, roml ebic saxel mwifos moqal aqeebze vrcel deba."

teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis **me-18.3 muxl is** mixedviT "proeqtis saqmianobis saTanadod warmarTvisa da ganxorciel ebis mizni T, samuSaoebi T, aRWurvil obi T, masal ebis T, teqniki Ta da samuSao iar aRebi T, avtotransporti T, saTadaringo nawil ebis T, saqonl i Ta da maragebi T uzrunvel yofisas, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma da nebismierma kontraqtorma (nebismieri saoperacio kompaniis CaTvl i T) upi ratesoba unda mi ani Won qarTvel mimwodebl ebs im SemTxvevSi, rodesac aseTi qarTvel i mimwodebl ebis produqcia, momaragebis sxva wyaroebTan Sedar ebis T, yvel a ZiriTad sakiTxSi konkurentunariania fasis, xarixis da xel misawdomobis mxriv". es muxl i Zal ian mniSvnel ovania saqarTvel osTvis, mewarmebis ganviTarebis Tval sazrisiT, Tumca real uri efeqti Sesazl ebel ia arcTu ise mniSvnel ovan i yos am muxl Si Cadebul i SezRudvebis mi zezi T.

Tu gaviTval iswinebT im faqts, rom saqarTvel oSi arsebul i mZime sagadasaxado kanonmdebl obis gamo (romel ic mniSvnel ovanwil ad gamowveul ia saerTaSoriso safinanso institutebis pozici iT) xSirad adgil obrivi produqcia ufro Zviria, vidre importul i. Tu gaviTval iswinebT imasac, rom ZiriTadi saeqsporto mil sadenis monawil eebi sargebl oben mniSvnel ovani sabaJo da sagadasaxado SeRavaTebis T (maT Soris mil sadenis aTvis saWi ro saSual ebebis da masal ebis importze), advil ad mosal odnel ia, rom adgil obrivi produqcia aRmoCndes araknkurentunariani, fasis Tval sazrisiT. savaraudoa, rom yovel ive es miscems saSual ebas ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis da kontraqtorebs, **me-18.3 muxl iT** gaTval iswinebul i SezRudvebi T isargebl on da upi ratesoba mi ani Won ucxoel mimwodebel s. aqve gasaTval iswinebel ia is faqtic, rom Tvi T "qarTvel i mimwodebl is" ganmar tebac **18.3 muxl is** mixedviT ar aris bol omde mi saRebi.

“me-18.3 nawil is miznebisatvis, qarTvel i mimwodebel i niSnavs teritoriaze kanonierad moqmed samewarmeo, ekonomikur da sxva iurdiul erTeul s (saxel mwi fo iuridiul i erTeul is CaTvl iT), romel ic, manam “sanam igi SesTavazebS zemoaRniSnul nebismier momsaxurebas an saqonel s, oficial urad warudgens Tavs momaragebaze pasuximgebel proeqtis monawil es da garantias miscems, mas rom (i) igi aris teritoriaze registraciaSi gatarebul i, oficial urad daarsebul i da kanonierad moqmedi da (ii) aseTi mimwodebl i kompaniis sakontrol o aqciaTa oci (20%) procenti, pirdapir an arapirdapir, saxel mwi fos moqal aqeebs ekuTvnis”.

is, rom mimwodebl i kompaniis sakontrol o aqciaTa mxol od 20% ekuTvnis pirdapir an arapirdapir, saxel mwi fos moqal aqeebs, niSnavs, rom danarCeni 80% procenti (anu kontrol i) ekuTvnis ucxoel ebs. es ki, rbil ad rom vTqvaT, ar SeiZl eba iqnas ganxil ul i saqarTvel os moqal aqeta da adgil obriv mewarmeta interesebis maqsimal urad dacvad.

xel Sekrul ebis **me-19 muxl is** Seexeba fors-maJorul garemoebes. fors-maJorul garemoebetan mimar TebaSi sayuradReboa **19.7 muxl i**, roml is mixedvi Tac, “saxel mwi fo xel isuflebis im val debul ebasTan dakavSirebiT, romel ic gul isxmobs iseTi zaral is an zianis anazRaurebas, romel ic **me-9.1** nawil Si arweril i movl enebiTan mizezebiT aris ganpirobepul i, saxel mwi fo xel isuflebas ara aqvs ufl eba, gamoacxados fors-maJori aRniSnul i **me-9.1** nawil is (ii), (iii), (iv) da (v) qve-punqtebTan dakavSirebiT”.

es muxl i diskriminaciul ia saqarTvel osTan mimar TebaSi.

TviT fors-maJorul i garemoebes moqmedebis drosac ki, rodesac am garemoebes moqmedebis Sedegad saqarTvel os xel isuflebisatvis SeuZl ebel i iqneba zianis anazRaurebis val debul ebebis Sesrul eba, mas ar SeuZl ia isargebl os am val debul ebaTa Sesrul ebis Tundac droebiT (fors-maJorul i garemoebes moqmedebis vadiT) gadavadebiT, miuxedavad imi sa, rom saerTaSoriso pratikis gaTval iswinebiT saqarTvel os srul i ufl eba hqonda moeTxova da mieRo es SeRavaTi. **samarTl ianobisatvis aqve unda aRiniSnos, rom xel Sekrul ebis mxareebS ufl eba hqondaT SeTanxmepul iyvnen amgvar SezRudvaze.**

xel Sekrul ebis **me-20 muxl i (aRiarebebi)**, kidev erTxel adasturebs, rom saxel mwi fo xel isuflebamisaRebad mi iCnia rogorc samTavrobaTSoriso xel Sekrul eba, ise teritoriis mfl obel qveyanis mTavrobasTan xel Sekrul eba. garda amisa, **20.2 muxl Si** kidev erTxel xazi gaesva im faqts, rom “saqarTvel os arc erTma kanonma (mi si ganmar tebi sa da gamoyenebis proceduriebis CaTvl iT), arc amJamad arsebul ma da arc momaval Si miRebul ma, romel ic ewinaaRmdegeba am xel Sekrul ebis an romel ime sxva proeqtis xel Sekrul ebis pirobebs, ar unda SezRudos, Sel axos an uaryofiTi zemoqmedeba iqonos im ufl ebeze, roml ebic ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS an proeqtis sxva monawil eebS gaaCniaT, am, an romel ime sxva proeqtis xel Sekrul ebis safuZvel ze da arc erTma aseTma kanonma, mTl ianad an nawil obriv, ar unda Secval os, gaauqmos es xel Sekrul eba an romel ime sxva proeqtis xel Sekrul eba, an upiratesi Zal a iqonos masze”.

teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis **muxl Si 23.7** dafiqsirebul ia, rom “saxel mwi fo xel isufleba, erTis mxriv, da am xel Sekrul ebis sxva mxareebi, meore mxriv, val debul ni arian, uzrunvel yon an aiZul on sxvebi, uzrunvel yon yvel a im arasaj aro da kerZo xasiaTis monacemisa da informaciis konfidencial oba, romel sac TiToeul i maTgani miRebs, pirdapir an arapirdapir, meore mxarisagan an romel ime sxva Sesabamisi proeqtis monawil isa an proeqti dan.”

unda aRiniSnos, rom sajaro monacemebis ganmartebas xel Sekrul eba ar Seicavs, ramac Sesazl oa garkveul i probl emebi Seuqmnas sazogadoebriobis

warmomadgenl ebs informaciis miRebisas. am SemTxvevaSi, gamoyenebul unda iqnas, **saqarTvel os zogadi administraciul i kodeqsis** moTxovnebi, romelic am xel Sekrul ebisgan gansxvavebiTiZi eva sajaro informaciis ganmartebas da adgens informaciis gasaidumloebis safuzvl ebs da wess.

proeqtTan dakavSirebul i informaciis gaxsnil obis sakiTxsexeba saqarTvel os prezidentic, Tavis 2000 wl is # 455 brZanebul ebaSi, **“baqo-Tbil isi-j eihanis proeqtis real izaciis Sesaxeb”**. am brZanebul ebis me-7 muxl Si aRniSnulia, rom saqarTvel os prezidentma moiwona saqarTvel os navTobis saerTasoris korporaciis iniciativa “baqo-Tbil isi-j eihanis ZiriTadi saeqsporto mil sadenis” proeqtis ganvitarabis yvel a etapze arasamTavrobo organizaciebis, sazogadoebr iobis warmomadgenl ebis da masmediis mxridan damoukidebel i monitoringis ganxorciel ebis Sesaxeb, ritac uzrunvel yofil iqneba aRniSnuli proeqtis Riada gamWvirval ed ganxorciel eba da sazogadoebis saTanadod informireba, gansakutreb iT proeqtis ganxorciel ebis ekologiur aspeqtetan dakavSirebiT.

prezidentma amave muxl is mixedviT daaval a saqarTvel os aRmasrul ebel i xel isuflebis Sesabamis organoebis, uzrunvel yon proeqtTan dakavSirebul i informaciis xel misawvdomoba.

proeqtTan dakavSirebul i informaciis xel misawvdomobis sakiTxTan dakavSirebiT gansakutrebul i pasuxismgebl oba ekisreba saqarTvel os navTobis saerTasoris korporacias rogorc saqarTvel os mxaris warmomadgenel s iniciativa “baqo-Tbil isi-j eihanis ZiriTadi saeqsporto mil sadenis” proeqtSi.

aRsaniSnavia, rom saqarTvel os navTobis saerTasoris korporacia saqarTvel os **zogadi administraciul i kodeqsis 27-e muxl is a) punqtis** mixedviT sajaro dawesebul ebas warmoadgens, Sesabamisad masze vrcel deba informaciis TavisuflebasTan dakavSirebiT saqarTvel os zogadi administraciul i kodeqsis mesame Tavit sajaro dawesebul ebisatvis dadgenil i yvel a vadebul eba. aRsaniSnavia, rom saqarTvel os navTobis saerTasoris korporacia zogadi administraciul i kodeqsis mesame Tavis zog moTxovnas ar asrul ebs (magal iTad, ar awarmoebis sajaro reestr).

sajaro reestr aseve ar awarmoebis bevri sxva iseTi sajaro dawesebul eba, romlebsac aseve gaaCniaT Sexeba “baqo-Tbil isi-j eihanis ZiriTadi saeqsporto mil sadenis” proeqtTan. **Sedegad zaral deba sazogadoebr iobis warmomandgenel Ta ufl ebebi informaciaze.**

teritoriis mflobel i qveynis mTavrobasTan **xel Sekrul ebis danarTebi**

teritoriis mflobel i qveynis mTavrobasTan xel Sekrul ebas gaaCnia 3 danarTi da yvel a es danarTi warmoadgens mis ganuyofel nawil s.

xel Sekrul ebis danarTi 1 iZi eva xel Sekrul ebaSi gamoyenebul terminTa ganmartebas. aRsaniSnavia, rom am danarTSi mocemul i zogierTi terminis azrobrivi mniSvnel oba gansxvavdeba saqarTvel os kanonmdebl obiT igive terminisTvis micemul i ganmartebisgan, amitom es danarTi sakmaod mniSvnel ovania xel Sekrul ebis debul ebebi srul yofil ad gasarkvevad.

magal iTad, saqarTvel os kanonmdebl obis mixedviT termini “eqspropriacia” niSnavs, **saqarTvel os konstituciis 21-e muxl isa da “aucil ebel i sazogadoebrivi saWiroebisatvis sakuTrebis Camortmevis wesis Sesaxeb”** saqarTvel os kanonis

Sesabamisad, aucil ebel i sazogadoebrivi saWiroebisaTvis sakuTrebis CamorTmevas, CamorTmeul i qonebis saTanado kompensaci iT.

xel Sekrul ebis mixedviT ki, "eqspropriacia" niSnavs - nebismier nacional izacias an eqspropriacias, an romel ime aqts, romel sac nacional izaciis an eqspropriaciis msgavsi Sedegi moaqvs.

aRsani Snavia, rom xel Sekrul ebis me-4 muxl is mixedviT, im ufl ebaTa CamonaTval Si, romel Ta del egirebac saqarTvel os saxel mwifom moaxdina ZiriTadi saeqsporto mil sadenis proeqtis monawil eebze, cal-cal ke figurirebs rogorc eqspropriaciis ufl eba, ise kerZo sakuTrebis CamorTmevis ufl eba kompensaciis sanacvl od.

xazi unda gaesvas, rom ZiriTadi saeqsporto mil sadenis proeqtis ganxorciel ebis procesSi, kerZo sakuTrebis ufl ebis CamorTmeva nebismieri formiT, romel ic ar Seesabameba "aucil ebel i sazogadoebrivi saWiroebisaTvis sakuTrebis CamorTmevis wesis Sesaxeb" saqarTvel os kanoniT dadgenil eqspropriaciis wess, aris arakonstituciuri da Sesabamisad ar SeiZl eba gamoyenebul iqnas.

danarTi 2-is (miwaze ufl ebebi proeqtTan dakavSirebul teritoriaze) I muxl i, Seexeba miwaze ufl ebebs. muxl is 1.3 punqtSi ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi kidev erTxel adastureben, rom iReben val debul ebas "gascen anazRaureba miwis mfl obel ebsa da miwiT mosargebl eebze im nakveTebisaTvis, roml ebic samSenebl o derefnis nawil s warmoadgens an, roml ebic aseTi ufl ebebis gadacemisa da saqarTvel os Sesabamisi kanonmdebl obis safuZvel ze mudmivi miwis (adgil ebi, roml ebzedac an romel Ta qveSac aris ganTavsebul i saSual ebebi proeqtis ganxorciel ebis mTel manZil ze) nawil i xdeba".

samwuxar od anazRaurebis gacemisa val debul eba am SemTxvevaSi vrcel deba mxol od arasaxel mwifo miwaze, rac ni Snavs, rom saxel mwifos interesebi am sakiTxSi arasrul adadacul i.

danarTi 2-is I muxl is 1.5 punqtis mixedviT, "im saxel mwifo miwasTan dakavSirebiT, romel sac, rogorc samSenebl o derefnis da/an mudmivi miwis nawil s, exeba es xel Sekrul eba da, romel ic Zal aSi Sesvl is dRisaTvis sasofl o-sameurneo miznebi saTvis gamoyeneboda, imis gamo, rom amgvარი miwis gamoyeneba sasofl o-sameurneo miznebi saTvis proeqtis saqmianobis Sedegad SeuZl ebel i gaxda, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi val debul ni arian, gadauxadon saxel mwifo xel is ufl ebis Sesabamisi organos Tanxa, romel ic dadgenil i da gansazRvrul ia '**sasofl o-sameurneo daniSnul ebis miwis arasasofl o-sameurneo mizniT gamoyofisas sanacvl o miwis aTvis ebis Rirebul ebisa da miyenebul i zianis anazRaurebis Sesaxeb**' saqarTvel os kanonis (romel ic miRebul ia 1997 wl is 2 oqtombers da Zal aSi Sevida xel moweris dResve) **me-2 TavSi** da, romel ic sasofl o-sameurneo miznebi saTvis vargisi sanacvl o miwis nakveTebiT uzrunvel yofis xarj ebis asanazRaurebl ad iqneba gamoyenebul i".

es garkveul i SeRavaTia Cveni saxel mwifosTvis, roml is mosaxl eobis mniSvnel ovani nawil ic dReisaTvis sofl is meurneobas misdevs, Tumca saxel mwifo miwaze ufl ebebis daTmobasTan dakavSirebiT saqarTvel os interesebi srul ad mainc ar aris dacul i.

danarTi 2-is I muxl is 1.4 punqtis mixedviT xel Sekrul ebis mxareebi SeTanxmdnen, rom dawyebul i Zal aSi Sesvl is dRidan TxuTmeti (15) Tvis ganmavl obaSi, aranairi qonebrivi ufl eba saxel mwifo miwaze ar unda iqnes gagebul i rogorc qonebrivi ufl eba arasaxel mwifo miwaze, im mizeziT, rom saxel mwifo xel is ufl ebam i j ar iT, I licenzi iT, an sxva gziT gadasca araqonebrivi ufl eba romel ime iseT pirs, romel ic ar warmoadgens saxel mwifo xel is ufl ebas. magram, Tu ZiriTadi saeqsporto mil sadenis proeqtis

monawil eebS TxuTmetTvi ani vadis dasasrul s ar eqnebaT dadgenil i prioritetul i marSrutis derefani, miuxedavad nebi smieri gansazRvrebi sa, romel ic SeiZl eba mieces saxel mwi fo miwas da arasaxel mwi fo miwas (romel ic, sxva SemTxvevaSi, Zal aSi Sesvl is dRisaTvis arsebul gansazRvrebas Seesabameba), yovel gvari araqonebrivi ufl eba (ij arisa da l icenzi ebis CaTvl iT), romel ic saxel mwi fo xel isufl ebam aseT pirs gadasca, zemoT aRni Snul i TxuTmetTvi ani vadis gasvl is Semdeg Cai Tvl eba, rogorc arasaxel mwi fo miwa.

xel Sekrul ebis mixedviT, rogorc wesi saxel mwi fo miwa ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS TiTqmis upirobod gadaeca, xol o arasaxel mwi fo miwasTan mimarTebaSi ki ZiriTadi saeqsporto mil sadenis monawil eebS gaaCniaT mTel i rigi val debul ebani mis mesakuTreTa da mesame pirTa mimarT (maT Soris kompensaciis gadaxdis val debul eba). aRsanisnava, rom saxel mwi fos sakuTrebaSi arsebul i miwebis nawil i savsebiT kanonierad (magal iTad ij aris xel Sekrul ebis safuzvel ze) imyofeba kerZo pirTa sargebl obaSi. am SemTxvevaSi am miwis ZiriTadi saeqsporto mil sadenis monawil eTaTvis gadacema zemoqmedebas iqonebs mesame pirTa (anu miwiT mosargebl eTa) ufl ebebze am miwasTan dakavSirebiT. aseT situaciaSi mesame pirTa interesebis dacvis Tval sazrisiT ufro misaRebi iqneboda maT sargebl obaSi arsebul miwaze gavrcel ebul iyo arasaxel mwi fo miwisaTvis xel Sekrul ebiT dadgenil i reJimi (miuxedavad imisa, rom es miwa saxel mwi fo sakuTrebaa). **danarTi 2-s l muxl i pirvel i 1.4 punqti** am sakiTxs aregul irebs, magram garkveul i SezRudviT (am miwas arasaxel mwi fo miwad CaTvl ian mxol od 15 Tvis Semdeg xel Sekrul ebis Zal aSi Sesvl idan).

faqtiurad, am punqtis mixedviT TxuTmeti Tvis ganmavl obaSi yovel gvari kompensaciis gareSe SeiZl eba Seil axos im mesame pirTa ufl ebebi (maT Soris adgil obrivi mosaxl eobis), roml ebic srul iad kanonierad sargebl oben saxel mwi fo miwiT.

xel Sekrul ebis danarT 2-is me-2 muxl i (etapi pirvel i - mSenebl obis wina etapi) marSrutebis SerCevas da amasTan dakavSirebul sxva sakiTxebs Seexeba.

wi namdebare **muxl is 2.2(ii)** punqtis mixedviT, saxel mwi fo xel isufl ebam ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS misca "srul i Tavisufl eba isargebl on Sesabamisi da arakonfidencial uri informaciiT, romel sac saxel mwi fo xel isufl eba central ur, regionul , raionul da adgil obriv doneebze fl obs", maT Soris iseT sferoebSic ki roml ebsac aranairi kavSiri ara aqvs am proeqtTan (magal iTad informacia okeanografiis Sesaxeb). informaciiS gacemis msgavsi upirobo val debul eba ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS ar gaaCniaT arc saqarTvel os xel isufl ebasTan da arc saqarTvel os mosaxl eobasTan mimarTebaSi, rac aseve xazs usvavs im faqts, rom xel Sekrul ebaSi mxareTa interesebi araTanabradaa dacul i. samarTli anobisTvis unda aRiniSnos, rom garkveul i val debul ebebi garemosdacviT informaciasTan mimarTebaSi ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS mainc gaaCniaT (**magal iTad, 3.2 punqtis moTxovnebi**).

me-2 danarTis muxl i 2 cal saxad adasturebs, rom marSrutebis SerCevis sakiTxi saqarTvel os xel isufl ebam mTli anad ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS miando.

punqtebi 2.1. da 2.2. adastureben, rom ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi TviTon irCeven interesis derefans (10 kil ometris siganis zol i) da is mtkicdeba saxel mwi fo xel isufl ebisatvis Sesabamisi Setyobinebis gagzavniS safuzvel ze. anu faqtiurad aRar saWiroebs saxel mwi fos mier dadasturebas, rom saxel mwi fo Tanaxmaa am marSrutze. amis nacvl ad saxel mwi fo ixil avs interesis derefans, "saqarTvel os kanonmdebl obis Sesabamisi im debul ebebis gaTval iswinebiT, roml ebic exeba erovnul uSiSroebas, Tavdacvas, sazogadoebriv usafrTxoebas, samoqal aqo aviacias, kul turul memkvudreobas, saxel mwi fo proeqtebs (roml ebic saqarTvel os kanonmdebl obiT

gamocxadebul ia, rogorc sazogadoebrivad aucil ebel i) da sxva amgvar saki TxebS, raTa gansazRvr os da miawodos cnoba ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS im teritoriebis Taobaze, roml ebTan dakavSirebiTac maT mier moTxovnil i miwaze ufl ebebi, SerCeul i prioritetul i marSrutis derefnis fargl ebSi, an sxva nebi smieri gansazRvrul i derefnisa an samSenebl o derefnis fargl ebSi, roml ebic aRniSnul i prioritetul i marSrutis derefnisa moqceul i, garkveul pirobebs unda daeqvemdebaros, SeizRudos, an uaryofil iqnes".

saxel mwifom Tavidanve daikava pasiuri pozicia interesis derefnis arCevis umniSvnel ovanes saki TxSi, rac yovl ad dauSvebel i iyo saxel mwifo da sazogadoebrivi interesebis Tval sazrisiT. xel Sekrul ebis am punqtma misca imis garantia ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS, rom isini nebi smier SemTxvevaSi moaxer xebdnen Taviant mier arCeul i marSrutis l obirebas.

interesis derefnis da nebi smieri sxva derefnis SerCevis procesSi xel Sekrul ebis **me-2 danarTis 2.2. punqti** mainc iTval iswinebs garkveul damcav pirobebs, dakavSirebul s garemosdacvi T saki TxebTan.

Tumca samwuxarod unda aRniSnos, rom cudi Targmanis Tu gaparul i Secdomis gamo, xel Sekrul ebis qarTul i teqstis Sesabamisi muxl is azri kardinal urad gansxvavdeba ingl isuri teqstisagan.

kerZod, qarTul teqstSi naTqvamia: "aRiarebul ia, rom garemosaTvis miyenebul i zianis Sefasebis safuZvel ze, rogorc es gansazRvrul ia imave xel Sekrul ebis me-3 danarTSi, roml is damatebasac warmoadgens es danarTic, SesaZl ebel ia gansazRvrul iqnes damatebiTi pirobebi miwaze ufl ebebis Sesaxeb, prioritetul i marSrutis derefnanTan, gansazRvrul derefnanTan an samSenebl o derefnanTan dakavSirebiT". ingl isuri teqstis mixedviT ki nacvl ad "garemosaTvis miyenebul i zianis Sefasebis"-a, weria ESIA anu "garemoze zemoqmedebis Sefaseba". es ki srul iad gansxvavebul suraTsiZl eva. ingl isuri teqstis Sesabamisad es fraza ase JRers: "aRiarebul ia, rom garemoze zemoqmedebis Sefasebis safuZvel ze, rogorc es gansazRvrul ia imave xel Sekrul ebis me-3 danarTSi, roml is damatebasac warmoadgens es danarTic, SesaZl ebel ia gansazRvrul iqnes damatebiTi pirobebi miwaze ufl ebebis Sesaxeb, prioritetul i marSrutis derefnanTan, gansazRvrul derefnanTan an samSenebl o derefnanTan dakavSirebiT".

danarTi 2-is mixedviT (muxl i 2.2. iii) prioritetul i marSrutis (500 metriani zol i) derefnis SerCevac aseve ZiriTadi saeqsporto mil sadenis monawil eTa prioritelia da maT mxol od Sesabamisi Setyobinebis gagzavnis val debul eba gaaCniat saxel mwifos xel isufl ebis mi marT.

danarTi 2-is muxl i 2.3 mixedviT, gansazRvrul derefnans (100 metriani zol i) aseve ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi adgenen da Semdeg gaacnoben mas saxel mwifo xel isufl ebas.

gansazRvrul derefnanTan mimarTebaSi, **danarTi 2-is mixedviT (muxl i 2.3 ii)** ZiriTadi saeqsporto mil sadenis proeqtis monawil eebS aqvT aRebul i val debul eba, rom kul turul i da istoriul i mniSvnel obis adgil ebi xel Seuxebel i darCeba. samwuxarod, garemosdacviTi Tval sazrisiT mniSvnel ovan obieqtebs es SezRudva ar Seexeba, iseve, rogorc ar Seexeba adgil obrivi mosaxl eobisaTvis mniSvnel ovan iseT teritoriebs, rogoricaa magal iTad tradiciul i sargebl obis saTibebi, saZovrebi, wyl is obieqtebi, sakurorto adgil ebi da sxva.

danarTi 2-is me-3 muxl is mixedviT, samSenebl o derefnis (22 metriani zol i) marSruti da mil sadenis derefnis marSruti (8 metriani zol i) aseve ZiriTadi saeqsporto mil sadenis proeqtis monawil eTa mier SeirCeva.

bunebrivia, rom xel Sekrul ebis moTxovnebis gaTval iswinebiT, mSenebl obasTan dakavSirebul i nebismeri nebarTvis gacema mxol od formal uri proceduraRa iqneba da real urad aRar SeiZl eba CaiTval os qveynis da sazogadoebriobis interesebis dacvis saSual ebad.

arc interesis derefnis, arc prioritetul i marSrutis derefnis, arc gansazRvrul i derefnis, arc samSenebl o derefnis da arc mil sadenis derefnis marSrutis Secvl is moTxovnis ufl eba, xel Sekrul ebis safuZvel ze saqarTvel os mxar es ar gaaCnia, maSin, rodesac ZiriTadi saeqsporto mil sadenis monawil eebis sakuTari Sexedul ebisamebr SeuZl iaT Secval on marSrutis, ris Sesaxebac val debul i arian mxol od saqmis kursSi Caayenon saxel mwifo xel isufl eba.

danarTi 2-is me-3 muxl is safuZvel ze ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma miiRes sakmaod farTo ufl ebebi, mSenebl obis ganxorciel ebis Tval sazrisiT.

zogi maTgani sakmaod ucnaurad JRers da misi arsebobis aucil ebl oba xel Sekrul ebaSi yovl ad gaugebaria. magal iTad, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis gaaCniaT "xmle eTsa Tu zRvaze, yvel a aucil ebel i masal iTa da mowyobil obiT, Sesvl is ufl eba, raTa daamontaJon da aaSenon, xol o amis Semdeg i sargebl on, teqnukurad gamarTon, daiqvan, SeakeTon, Secval on, ganaaxl on, gaavrcon, gaafarTovon, Seamowmon, moxsnan, Secval on an gaauqmon saSual ebebi¹. . ." (**punqti 3.1 iv**). ZiriTadi saeqsporto mil sadeni Teoriul adacki ver gadakveTs saqarTvel os teritoriaze zRvas da Sesabamisad es muxl i zRvasTan mimarTebaSi absurdul ad JRers.

ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis **3.1 (viii) punqtis** safuZvel ze gaaCniaT ufl eba, "saqarTvel os kanonmdebl obis Tanaxmad, moi povon da moixmaron mSenebl obisatvis saWiros adgil obrivi masal ebi da gankargon proeqtis ganxorciel ebis warmoqmnili narenebi, rogorc mSenebl obis ganmavl obaSi, aseve mogvianebiT, SekeTebis, Secvl is, gamtarobis gazrdis, an gavr cobis mizniT ganxorciel ebul samuSaoTa procesi".

faqtiurad, xel Sekrul ebis am muxl iT dadasturebul ia, rom masal ebis mopovebis da narenebis gankargvis procesi, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi val debul i arian, rom Seasrul on saqarTvel os kanonmdebl obis moTxovnebi, rac garkveul wil ad iZl eva am procesi adgil obrivi mosaxl eobis da garemos dacvis interesebis gaTval iswinebis garantias.

samwuxarod, unda aRiniSnos, rom **danarT 2-is me-3 punqtis** moTxovnebi mniSvel onvad zRudavs mesame pirTa ufl eebis. maT dasWirdebaT ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis TanxmobiT gacemul i saxel mwifo xel isufl ebis Sesabamisi organos Tanxmobis miReba mTel i rigi moqmedebebis gasaxorciel ebl ad (maT Soris ubral od miwis gadasakveTadacki).

1. "saSual ebebi" niSnavs teritoriis fargl ebSi da/an teritoriis gavliT navTobis gadazidviseTvis gankuTvnil mil sadenis da mis ganStoebebs, yovel gvar miwisqveSa, miwieszeda damxmare mowyobil obas, yvel a saxis CasatvirT, gadmosatvirT, saqaC, sakompresoro, sazom, gamosacdel da gamzom mowyobil obas, sakomunikacio, tel emetriul da sxva amgvar saSual eebis, yvel a saxis gamSveb da mimReb mowyobil obas, yvel a mil sadenis da sxva Sesabamis mowyobil obebs, el eqtrosadenebis CaTvl iT, roml ebic gamoiyeneba nebismeri formis Txevadi an gazisebri sawwavis da/an el eqtroenergiis misawodebel i saqaCi sadgurebis saeqspl uataci od an sxva sistemebis moTxovnil ebebis dasakmayofil ebl ad, kaToduri dacvis aparaturasa da mowyobil obebs, yvel a saxis samonitoringo punqtebs, niSnul ebsa da damcav anodebs, yvel a saxis saporto, saterminal o, sasawyobo da sxva amgvar nagebobebis, navsayudel ebs da sxva amgvar obieqtebs da amgvarTan dakavSirebul material ur qonebas da aRWurvil obas, romel ic drodadro SeiZl eba aucil ebel i gaxdes zemoT CamoTvl il Tagan romel imes, am yvel as erTad saTanado funqcionirebiseTvis da, roml ebic agebul ia, damontaJebul ia, teqnukurad uzrunvel yofil ia, SekeTebul ia, gamocvl il ia, gafarTovebul ia, gavr cobil ia, kontrol deba da imarTeba ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis mier, an maTi saxel iT da warmoadgens maT sakuTrebas.

danarTi 2-is me-7 muxl i aseve saintereso mesame pirTa (maT Soris adgil obrivi mosaxel eobis) ufl ebebis dacvis Tval sazrisiT.

me-7 muxl is 7.2 punqtis mixedviT, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi val debul i arian "yvel a sacdel i saburRi samuSao, romel sac mSenebl obis dawyebamde Caatareben, Seasrul on mxol od miwis nakveTebis mfl obel Tan an mosargebl esTan moTaTbirebis Semdeg, mimdebare garemos Cveul i mdgomareobis minimal uri darRveviT, ise rogorc es praqtikaSi miRebul ia".

samwuxarod aq ar aris aRniSnul i, Tu ramdenad saval debul oa am TaTbirze dafiqsirebul i miwis nakveTis mfl obel isa da mesakuTris poziciis gaTval iswineba ZiriTadi saeqsporto mil sadenis proeqtis monawil eebisTvis, ris gamoc TaTbiris Catarebis val debul eba mxol od formal ur xasiaTs atarebs.

me-7 muxl is 7.3 punqtis mixedviT, "ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis akisriaT val debul eba, raTa samSenebl o derefnisa da/an mudmivi miwis mosazRvre nakveTebis mfl obel ebs, an mosargebl eebis Seatyobinon TavianTi ganzraxva samSenebl o derefansa da/an mudmiv miwaze samSenebl o samuSaoebis dawyebis Sesaxeb. mSenebl obis mizniT, mil ebis, transportisa da teqnikiis gadaadgil eba ganaxorciel on miRebul i praqtikiis mixedviT, im programiT, romel ic momij nave nakveTebis mfl obel ebsa da mosargebl eebis wi naswar unda gaeonos".

es muxl i aseve mniSvnel ovania adgil obrivi mosaxl eobisaTvis informaciis droul i miwodebis Tval sazrisiT, Tumca ZiriTadi saeqsporto mil sadenis proeqtis monawil eTa funqcia aqac mxol od informirebiT Semoifargl eba da ar atarebs saval debul o mniSvnel obas.

me-7 muxl is 7.4 punqtis mixedviT, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis gaaCniaT garkveul i val debul ebebi gzebis movl a-patronobasTan dakavSirebiT, rac xel s Seuwyobs satransporto infrastruqturis ganvitaribas da Sesabamisad Sedis adgil obrivi mosaxl eobis interesebSi. "ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma normal ur mdgomareobaSi unda SeinarCunon yvel a salwi romi sasvl el i gza, maT Soris, SeTanxmebis safuZvel ze, gaiyvanon droebiTi misasvl el i gzebi, maTTvis xel Sekrul ebiT uzrunvel yofil i da/an miRebul i samSenebl o derefnisa da/an mudmivi miwis momij nave im nakveTebis mfl obel Tan an mosargebl eTa gonivrul ad dasabuTebul i moTxovnis gaTval iswinebiT, romel Ta nakveTebzec gaivl is es misasvl el i gzebi. SeZl ebi sdagvarad, amgvari droebiTi misasvl el i gzebis gayvana unda SeTanxmdes mSenebl obis dawyebamde. mSenebl obis dasrul ebis Semdeg, real uri SesaZl ebl obis fargl ebSi, kerZo gzebi da misasvl el i bil ikebi moyvani unda iqnes imave mdgomareobaSi, ra mdgomareobaSi isini iyo samuSaoebis dawyebamde da maTi gamoyeneba SesaZl ebel i unda iyos, miwis mfl obel ebTan da miwiT mosargebl eebTan SeTanxmebul i pi robebis da amave dros, saSual ebaTa usafrTxoebis uzrunvel yofisa da proeqtis saqmianobis warmarTvis gaTval iswinebiT."

aRni Snul i moTxovnebis gaTval iswinebiT, misasvl el i gzebis gayvanis procesSi adgil obrivi macxovrebl ebis pozicia "SeZl ebisdagvarad" gaTval iswinebul i da dacul i iqneba.

7.5 punktis mixedviT, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis gaaCniaT garkveul i ufl ebebi da val debul ebebi, sakomunikacio saSual ebebis da misasvl el ebis mowyoba-SekeTebasTan dakavSirebiT. xel Sekrul ebis mixedviT, aRni Snul i mowyobil obebi unda iyos imgvari, rom xel i ar SeuSal os adgil obrivi mosaxl eobis mier nakveTebis saTanadod damuSavebas. es piroba Tavistavad garkveul ad icavs adgil obrivi mosaxl eobis interesebs. Tumca unda aRini Snos, rom imave punktis mixedviT, "Tu proeqtis saqmianobidan gamomdinare aucil ebl obis gamo momij nave teritoriis romel ime nakveTis nawil i mudmiv izol acias i aRmoCndeba da proeqtis saqmianoba (saSual ebaTa usafrTxoebis uzrunvel yofis CaTvl iT) ar iZl eva meore nawil Tan dakavSirebis da iq SeRwevis saSual ebas, proeqtis monawil eebi amaze pasuxs ar ageben da mTavroba val debul ia, proeqtis monawil eebis aaridos da daakmayofil os maT mimarT gamoTqmul i nebis mieri pretenzia".

am pirobis Zal iT, pasuxismgebl oba ZiriTadi saeqsporto mil sadenis proeqtis monawil eTa moqmedebebis Sedegad mosal odnel adgil obrivi mosaxl eobis ufl ebebis Sel axvaze da Sesabamis zianze, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis mier kvl av aridebul iqna da daekisra saxel mwi fo xel isufl ebas, rac aSkarad ar Sedis arc saxel mwi fo xel isufl ebis da arc adgil obrivi mosaxl eobis interesebSi.

teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis **danarTi 3** samSenebl o-saeqpl uatacio standartebsa da normebs Seexeba.

am danarTis muxl i 2 adgens teqnukur standartebs. am muxl is mixedviT, "mxar eebi Tanxmdebian, rom mil sadenTan dakavSirebul i saqmianobis procesSi gamoiyeneba is teqnikuri standartebs da normebs, roml ebic **me-3 danarTis me-2.2 nawil Sia** Camoyal ibebul i (am muxl Si Camoyel ibebul ia amerikis, kanadis da evropis qveynebis konkretul i organizaciebis standartebs da normebs) da, roml ebic mocemul viTarebas mi esadageba, an, im SemTxvevaSi, Tu gansazRvrul teqnukur standartebsi araferia aRni Snul i, an isini ar mi esadageba mocemul viTarebas, maSin gamoiyeneba saerTaSoriso aRiarebul i (kanadaSi, amerikis SeerTebul StatebSi an dasavl eT evropaSi) Tanamedrove teqnikuri standartebsi da normebs, am proeqtis msgavsi navTobis mil sadenebis proeqtebTan mimarTebsi".

Tavistavad dadebiTia is faqti, rom xdeba mowinave saerTaSoriso praqtikis ganzogadeba standartebsTan da normebTan mimarTebsi, magram samwuxar od aq arsebobs garkveul i niuansi, romel ic aucil ebl ad gasaTval iswinebel ia. rogorc wesi, am standartebs umravlesoba ar aris xel misawvdomi ara marto farTo sazogadoebriobisaTvis (Cvens qveyanaSi), aramed saqarTvel os Sesabamisi sajaro uwyebebisTvisac. probl emaa zogierTi am standartisingl isurenovani teqtis moZieba ki, xol o qarTul enovani versiebi saerTod ar arsebobs.

aRsaniSnavia, rom **me-3 danarTis 2.3 punktis** mixedviT, "im SemTxvevaSi, Tu mil sadenTan dakavSirebul saqmianobisa da saSual ebebis saTvis gansazRvrul i teqnikuri standartebs mopoveba, sxva gziT, maT Soris, el eqtronul i gziT, anu 'internetis-saSual ebiT ar aris Sesazl ebel i, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma unda uzrunvel yon aseTi standartebs (ingl isurenaze) nabeWdi da/an el eqtronul i variantis miwodeba da Senaxva Tavianti ofisebisaTvis saqarTvel oSi. ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis am xel Sekrul ebiT ar gaaCniaT araviTari val debul eba, rom es mopovebul i dokumentebi gaxadon sazogadoebis saTvis xel misawvdomi. rac Seexeba am dokumentebis saxel mwi fo organoebis saTvis gadacemas, **2.3 punktis** mixedviT, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebis ufl eba aqvT mTavrobisagan

Sesabamisi weri lobiTi Txovnis miRebis SemTxvevaSi, mxol od da mxol od rogorc keTil i nebis gamoxatul eba, miawodon Sesabamis saxel mwifo organos am standar tebis nabelWdi da/an el eqtronul i variantis erTi egzempl ari”.

teqnikuri standar tebi sa da normebi saucvel oba SeiZl eba gaxdes avar iis mi zezi, rasac SeiZl eba mohyves gar emosaTvis, aseve adami anebis sicocxl isa da j anmrTel obisaTvis safr Txis Seqmna.

am konkretul SemTxvevaSi es standar tebi da normebi ganekutvneba iseTi kategoriis informacias, roml is miRebis ufl ebac sazogadoebis warmomadgenl ebs gaaCni aT saqarTvel os konstituciis 37-e muxl is me-5 punqtis; **“garemos dacvis Sesaxeb saqarTvel os kanonis me-6 muxl is da aseve garemos dacviT sakiTxebTan dakavSirebul i informaciis xel misawvdomobis, gadawyvetil ebebis miRebis procesSi sazogadoebis monawil eobisa da am sferoSi marTI msajul ebis sakiTxebze xel misawvdomobis Sesaxeb” konvenciis (orhucis konvenciis) me-4 muxl is safuzvel ze.** Sesabamisad, saxel mwifo xel is ufl ebas es unda gaetval iswinebina xel Sekrul ebis xel moweris momentSi. kerZod, an winaswar moeZiebina da eTargmna xel Sekrul ebaSi miTiTebul i standar tebi da normebi, an xel Sekrul ebaSi mieTiTebina mxol od iseTi standar tebi da normebi, romel Ta sazogadoebriobisaTvis xel misawvdomobis uzrunvel yofac iqneboda Sesazl ebel i.

igive SeiZl eba iTqvas garemos dacviTi standar tebis Sesaxebac, roml ebic xel Sekrul ebis **me-3 danarTSia** gaTval iswinebul i, radgan garemos dacviT standar tebsa da normebTan mimar TebaSi c xel Sekrul ebis mxar eebis aseve saer TaSor iso praqtika aqvT ganzogadebul i.

kerZod **3.1 punqtSi** naTqvami a, “i mi saTvis, rom mi ni mumamde Seamciron garemosaTvis, maT Soris miwis zedapirisaTvis, miwis qveda fenebis, zRvis, haeris, wyar oebis, wyal sacavebis, tbebis, fl oris, faunis, l andSaftebis, ekosistemebisa da sxva bunebrivi resursebisa da simdidreebisaTvis potenciuri ziani, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi, mil sadensa da saSual ebebTan dakavSirebul i saqmianobis procesSi, val debul ni arian, gaiTval iswinon garemos dacvasTan dakavSirebul i standar tebi da normebi, roml ebic am, me-3 danarTSia Camoyal ibebul i, agreTve, is teqnikuri standar tebi da normebi, roml ebic sayovel Taod aris miRebul i saer TaSor iso Tanamegobrobis mier am proeqtis msgavsi navTobis mil sadenebis proeqtebTan mimar TebaSi, magram arc erT SemTxvevaSi ar SeiZl eba aseTi standar tebi da normebi im standar tebbe da normebze nakl ebad mkacri iyos, roml ebic msgavs proeqtebTan mimar TebaSi miRebul ia niderl andebSi (mTian da seismurad aqtiur regioneTan mimar TebaSi, agreTve im SemTxvevaSi, Tu niderl andebis ar aqvs miRebul i Sesabamisi standar tebi da normebi, gamoiyeneba avstriis standar tebi, Tuki amgvari arsebobs)”.

arc niderl andebis da arc avstriis garemos dacviTi standar tebi da normebi saqarTvel oSi sazogadoebriobisaTvis xel misawvdomi ar aris da Sesabamisad sazogadoebis warmomadgenl ebs maTi Sefasebis saSual eba ar gaaCni aT.

danarT 3-is 3.2 punqtis mixedviT, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma aiRes val debul eba, “saswrafod Seatyobinon mTavrobas yvel a sagangeboviTarebis, an sxva SemTxvevebis Sesaxeb (afeTqebebis, gaJonvebis an daRvris CaTvl iT), roml ebsac mil sadenTan dakavSirebul i saqmianobis procesSi aqvs adgili da, roml ebsac Sedegad mohyveba adami anTa seriozul i daSaveba an daRupva, anda mniSvnel ovani ziani garemos an qonebis mimarT, anda amgvaris safr Txes Seicavs”. garda amisa, “ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi val debul ni arian, Caabar on mTavrobas iseTi damatebiTi angariSebi, roml ebic saWiroa, raTa mTavroba mudmi vad saqmis kursSi iyos aseTi SemTxvevebis Sedegebisa da im zomebis Sesaxeb, roml ebic Semdgomi zaral is Tavidan asacil ebl ad da bunebaze mavne zemoqmedebis Sesamcirebl ad iqneba miRebul i”.

saqarTvel os zogadi administraciul i kodeqsis me-2 muxl is 1 punqtis m) qvepunqtis mixedviT, mTavrobis mier am gziT miRebul i informacia da dokumentacia saj ar o informaci as war moadgens da xel mi sawvdomi i qneba sazogadoebr i obi saTvis.

Sesabamisad, **3.2 punqtis** debul ebebi Seesabameba saqarTvel os kanonmdebl obis moTxovnebs, da am kanonmdebl obiT saqarTvel os moqal aqeebisatvis micemul Sesabamis garanti ebs. kerZod, **saqarTvel os konstituciis 37-e muxl is me-5 punqtis**, **garemos dacvis Sesaxeb saqarTvel os kanonis me-6 muxl is**, **saSiSi sawarmoo obieqt ebi s usafrTxoebis Sesaxeb saqarTvel os kanonis me-2 muxl is 1 punqtis** da **saqarTvel os zogadi administraciul i kodeqsis III Tavis moTxovnebs**.

me-3 danarTis me-3 muxl i ZiriTadi saeqsporto mil sadenis proeqtis monawil eTaTvis garemosdacviTi datvirTvis mqone mTel rig saval debul o procedurebs iTval iswinebs. am muxl is mixedviT, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi SeimuSaveben "garemos dacvis strategias", romel ic moicavs: kamerul Seswavl as, riskebis Sefasebas, garemos sawyisi mdgomareobis Seswavl as, garemos zemoqmedebis Sefasebas da navTobis daRvraze reagi rebis gegmas.

danarTi 3 aseve gZS-s procedurebsac Seexeba. am danarTis mixedviT gZS unda emyar ebodes evr okavSi ris 85/337/EEC di reqtavis princi pebs (romel Sic cvl il ebebi da damatebebi iqna Setani l i 97/11/EC di reqtavis safuZvel ze).

samwuxar od saqarTvel oSi dRemde ar arsebobs special uri kanoni gZS-s Sesaxeb, roml is SemuSavebac "**garemosdacviTi nebarTvebis Sesaxeb**" saqarTvel os kanonis Taobaze saqarTvel os parl amentis 1996 wl is 15 oqtombris dadgenil ebi s mixedviT 1998 wl is 1 invramde unda momxdariyo. samagierod, gZS-s Sesaxeb debul ebebs Seicavs sxva kanonebi. kerZod, "**garemos dacvis Sesaxeb**" saqarTvel os kanonis 37-e muxl i; "**saxel mwifo ekol ogiuri eqspertizis Sesaxeb**" saqarTvel os kanonis me-11 muxl i da garemosdacviTi nebarTvebis Sesaxeb saqarTvel os kanonis III Tavi. garda amisa, detal uri procedurebi gZS-sTan dakavSirebiT mocemul ia saqarTvel os garemosa da bunebrivi resursebis dacvis ministris 2002 wl is 16 maisis # 59 brZanebaSi "**garemoze zemoqmedebis Sefasebis Sesaxeb**" debul ebisa da magistr al uri mil sadenebis proeqtebis TandarTul i instruqiebis damtkicebis Taobaze.

am debul ebi s mixedviT, garemos zemoqmedebis Sefasebis procedura moicavs dagegmil i saqmi anobis konteqstSi pir dapi ri da arapi rdapi ri zemoqmedebis gamovl enas, aRweras da Sedegebis Seswavl as.

danarTi 3 iTval iswinebs garemos sawyisi mdgomareobis Seswavl is, garemos zemoqmedebis Sefasebis da navTobis daRvraze reagi rebis gegmis damtkicebas. TiToeul i am dokumentis dasamtkicebl ad xel Sekrul ebiT sakmaod detal uri proceduraa gaTval iswinebul i. kerZod, investoris mier dokumentis wardgenidan 30 dRis ganmavl obaSi garemos dacvis samini stros ufl eba aqvs gamoTqvas wer il obi Ti Seni Svnebi am dokumentTan mimar TebaSi, Tu am vadaSi Seni Svnebi ar iqneba miRebul i meore mxaris mier, dokumenti iTvl eba damtkicebul ad. dokumenti Cai Tvl eba damtkicebul ad aseve, Tu gamoTqmul Seni Svnebzepasuxis miRebidan 30 dRis ganmavl obaSi ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi damatebiT ar mi iReben Seni Svnebs mTavrobis gan pasuxebTan dakavSirebiT.

mTavrobas ufl eba aqvs ar daamtkicos garemos sawyisi mdgomareobis Seswavl a, garemos zemoqmedebis Sefaseba da/an navTobis daRvraze reagi rebis gegma. aseT SemTxvevaSi mxar eebseqnebaT 15 dRiani vada davis mosagvar ebl ad, wi naaRmdeg SemTxvevaSi dava gansaxil vel ad gadaecema arbi traJs.

msgavsi dokumentebis xel Sekrul ebaSi dadgenil i formiT damtkicebis wess saqarTvel os kanonmdebl oba ar iTval iswinebs. iseve, rogorc ar iTval iswinebs gzS-s saval debul o saj aro ganxil vas.

“garemosdacviTi nebarTvebis Sesaxeb” saqarTvel os kanonis me-15 muxl is mixedviT, gzS-s saj aro ganxil vis mowyoba investoris ufl ebaa da ara val debul eba. xel Sekrul ebis mixedviT ki gzS-s saj aro ganxil vis mowyoba saval debul o pirobas warmoadgens. Sesabamisad xel Sekrul ebis debul ebebi am SemTxvevaSi ufro metad iTval iswinebs sazogadoebr iobis interesebs, vidre saqarTvel os kanonmdebl oba. g.z.S.-s saj aro ganxil vis mowyobasTan dakavSirebiT me-3 danarTi special ur procedurebs adgens.

am procedurebiT, mixedviT sazogadoebr iobas ufl eba aqvs mi iRos informacia saSual ebebis funqcionirebis da ekologiuri aspektebis Sesaxeb. amasTan sazogadoebis warmomadgenl ebs ufl eba aqvT gamoTqvan TavianTi SeniSvnebi. garda amisa, sazogadoebis warmomadgenl ebs ufl eba aqvT mi iRon gzS da misi Semajamebel i angariSi qarTul enaze. yovel ive es Seesabameba garemosdacviTi nebarTvebis Sesaxeb saqarTvel os kanonis me-16 muxl is moTxovnebs.

xel Sekrul ebis **me-3 danarTiT**, gzS-s sazogadoebrivi ganxil viSTvis maqsimum 60 dRea gaTval iswinebul i. aRsaniSnavia, rom xel Sekrul ebis mixedviT, “mTavr obisaTvis warsadgen sabol oo Semajamebel angariSi asaxul i unda iyos imis damamtkicebel i faqtebi, rom ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma saTanadod, gonivrul obis fargl ebSi, gaiTval iwines sazogadoebis mxridan miRebul i SeniSvnebi (Tu saWiroa, garemoze zemoqmedebis SefasebaSi cvl il ebebis Setanis gzi Tac)”.

saqarTvel os kanonmdebl obis mixedviT, gzS, mxol od erT-erTi Semadgenel i nawil ia garemosdacviTi nebarTvis gacemisa. Tanaxmad saqarTvel os kanonisa **“garemosdacviTi nebarTvebis Sesaxeb”**, I kategoriis saqmianobisTvis garemosdacviTi nebarTvis miRebis procedura aris erTiani procesi, romelic iwyeba garemos dacvis saminstrosi investoris mier ganaxadis SetaniT da mTavrdeba garemos dacvis saminstros mier garemosdacviTi nebarTvis gamocemiT. ganaxadi, am kanonis mixedviT, unda Seicavdes dasabuTebul dokumentacias, investoris gancxadebas saqmianobaze nebarTvis misaRebad, saqmianobis teqnikur-ekonomikuri dasabuTebis proeqts da garemoze zemoqmedebis Sefasebis angariSs. saqmianobasTan dakavSirebul i dokumentaciis (anu ganaxadis) ganxil vis Semdeg saxel mwi fo ekologiuri eqspertizis daskvnis safuZvel ze da sazogadoebrivi azris gaTval iswinebiT, garemos dacvis saminstros 3 Tvis ganmavl obaSi iRebs gadawyvetil ebas garemosdacviTi nebarTvis gacemis Sesaxeb. I kategoriis saqmianobaze garemosdacviTi nebarTvis gacemis procesSi sazogadoebr iobis warmomadgenel Tasrul yofil i monawil eoba saqarTvel os kanonmdebl obis saval debul o moTxovnaa.

Tanaxmad, **saqarTvel os garemosa da bunebrivi resursebis dacvis ministris 2002 wl is 16 maisis #59 brZanebisa** “garemoze zemoqmedebis Sefasebis Sesaxeb” debul ebisa da magistral uri mil sadenebis proeqtebis TandarTul i instruqciebis damtkicebis Taobaze”, gzS-s sabol oo angariSi I kategoriis saqmianobaze, garemosdacviTi nebarTvis misaRebad investoris mier Setanil i ganaxadis erT-erTi aucil ebel i Semadgenel i nawil ia. Sesabamisad mxol od gzS-s ganxil vaSi sazogadoebis monawil eoba ar niSnavs, rom sazogadoebam monawil eoba mi iRo garemosdacviTi nebarTvis gacemis procesSi saqarTvel os kanonmdebl obiT dadgenil i wesiT. saqarTvel os kanonmdebl obis moTxovnebi am SemTxvevaSi gasaTval iswinebel ia Tu isini ar ewinaaRmdegeba xel Sekrul ebis moTxovnebs.

xel Sekrul ebis me-3 danarTis me-3 muxl is (3.1 (ii) punqti) mixedviT, miuxedavad imisa, rom garemosdacviT standartebsa da normebTan mimarTebaSi moqmedebs niderl andebis anavstriis standartebi da normebi, es ar gul isxmobs, rom moqmedebs am

qveynebis procedurebi. xel Sekrul ebis "mxareTa SeTanxmebi T, amasTan dakavSirebi T, moqmedebs maregul irebel i administraciul i struqturebi da procedurebi, maT Soris, saqarTvel os garemos dacvasTan dakavSirebul i nebarTvis gacemis wesi, romelic **me-7.3 nawil Sia** dadgenil i".

am muxl is mixedvi T, SeiZl eba davaskvnaT, rom garemosdacvi Ti nebarTvis gacema unda moxdes saqarTvel os garemosdacvi Ti nebarTvebis Sesaxeb kanonis mixedvi T, **xel Sekrul ebis 7.3 punqtis da me-3 danarTis** moTxovnaTa gaTval iswinebi T. 7.3 muxl i iTval iswinebs, rom msgavsi nebarTva unda gacemul iqnas 30 dRis vadaSi an sagangebo situaciebis dros 60 dRis vadaSi. es piroba winaarmddegobaSi modis arsebul kanonmdebl obasTan da kvecavs ara mar to saxel mwi fo xel isufl ebis ufl ebamosil ebas, aramed sazogadoebis warmomadgenel Ta ufl ebebs. magal iTad: saqarTvel os kanoni T garemosdacvi Ti nebarTvebis Sesaxeb (muxl i 7), saqarTvel os garemosa da bunebrivi resursebis saministroSi pirvel i kategoriis saqmianobisaTvis saqmianobis dasabuTebul i dokumentaciis ganxil vis vadaa 3 Tve (da ara 30 an 60 dRe). es vada nebarTvis gacemis proceduris moTxovnaTa gaTval iswinebi T aucil ebel ia gadawyvetil ebis miRebis procesSi sazogadoebr iobis monawil eobis uzrunvel sayofad.

kerZod, garemos dacvis saministro ganaxadis miRebidan 10 dRis ganmavl obaSi, sazogadoebis informirebis mizni T aqveynebs presaSi ganaxadTan erTad warmodgenil mokle anotacias, aseve informacias saqmianobis ganxorciel ebis sakiTxTan dakavSirebul i sajaro ganxil vis droisa da adgil is Sesaxeb. am informaciebis gamoqveynebis Semdeg 45 dRis ganmavl obaSi garemos dacvis saministro val debul ia miRos da ganxil os sazogadoebis warmomadgenel Ta mier weril obiTi saxis warmodgenil i SeniSvnebi. amasTan erTad garemos dacvis saministro val debul ia ganaxadis miRebidan 2 Tvis ganmavl obaSi moawyos saqmianobis ganxorciel ebis sakiTxTan dakavSirebul i sajaro ganxil va.

yovel ive amis gaTval iswinebi T 2-3 Tve aucil ebel ia, raTa pirvel i kategoriis saqmianobasTan dakavSirebi T nebarTvis gacemisas saTanadod uzrunvel yofil iqnas sazogadoebis monawil eoba gadawyvetil ebebis miRebis procesSi.

am vadis xel ovnurad Semcireba 30 dRemde, SeiZl eba ganxil ul iqnas rogorc informaciis xel misawvdomobaze da gadawyvetil ebis miRebis procesSi monawil eobaze sazogadoebis warmomadgenel Ta ufl ebebis xel yofa, anu, "**saqarTvel os konstituciis**" 37-e muxl is me-5 punqtis; "**garemos dacvis Sesaxeb**" saqarTvel os kanonis me-6 muxl is g) da v) punqtebs; "**garemosdacvi Ti nebarTvebis Sesaxeb**" saqarTvel os kanonis me-7 muxl is da aseve "**garemosdacvi T sakiTxebTan dakavSirebul i informaciis xel misawvdomobis, gadawyvetil ebebis miRebis procesSi sazogadoebis monawil eobisa da am sferoSi martl msajul ebis sakiTxebze xel misawvdomobis Sesaxeb**" konvenciis (orhusing konvenciis) me-6 muxl is moTxovnaTa darRvevaa.

yovel ive zemoTAaRniSnul i miuTitebs 2002 noemberSi, garemosdacvi Ti nebarTva kidev ufro seriozul i darRvevi T iqna gacemul i.

kerZod, xel Sekrul ebi T gaTval iswinebul i gZS-s damtkicebis procedura faqtiurad gaigivebul iqna garemosdacvi Ti nebarTvis gacemasTan da gZS-s damtkiceba moxda garemosdacvi Ti nebarTvi T. es seriozul i darRvevaa saqarTvel os kanonmdebl obis, sazogadoebr iobis ufl ebebis da Tvi T teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul ebis moTxovnebis.

teritoriis mfl obel i qveynis mTavrobasTan xel Sekrul eba ar gamoricxavs garemosdacvi Ti nebarTvis gacemis aucil ebl obas da am procesSi saqarTvel os

kanonmdebl obi T dadgeni l i procedur ebis dacvas, is mxol od adgens ami sTvi s SezRudul vadebs. garda amisa, xel Sekrul ebaSi ar sad ar aris naTqvami, rom garemos sawyisi mdgomareobis Seswavl is, garemos zemoqmedebis Sefasebis an navTobis daRvraze reagirebis gegmi s damtkiceba unda moxdes garemos dacvi Ti nebar Tvi T.

xel Sekrul eba uSvebs imis al baTobasac, rom es dokumentebi cal -cal ke iqnas damtkicebul i da ara erTi dokumentiT. garda amisa, am dokumentebis dasamtkicebl ad saqarTvel os mTavrobas ramodenime Tviani vada aqvs da SeuZl ia isini garkveul SemTxvevaSi saerTod ar daamtkicos.

nebarTvebis (maT Soris garemos dacvi Ti nebarTvis) gasacemad ki saqarTvel os mTavrobas 30 dRe gaacnia da mas ufl eba ara aqvs uar i Tqvas am nebar Tvis gacemaze.

xel Sekrul ebis am moTxovnebis da saqarTvel os kanonmdebl obi T dadgeni l i wesebis gaTval iswinebi T, mas Semdeg, rac saqarTvel os mTavroba daamtkicebda garemos sawyisi mdgomareobis Seswavl as, garemos zemoqmedebis Sefasebas da navTobis daRvraze reagirebis gegmas, ZiriTadi saeqsporto mil sadenis monawil eebis garemos dacvi Ti nebar Tvis misaRebad unda SeetanaT sul yofil i ganaxadi (TandarTul gZS-s sabol oo angariSTan da sxva dokumentebTan erTad) garemos dacvis samini stroSi.

xel Sekrul ebis 7.3 punqtis mixedviT, garemos dacvis samini stro s 30 dRis ganmavl obaSi unda gaeca garemos dacvi Ti nebarTva da am periodSi SeZl ebis dagvarad uzrunvel eyo sazogadoebriobis monawil eoba gadawyvetil ebis miRebis procesSi (rac saqarTvel os kanonmdebl obis saval debul o moTxovnaa). nacvl ad amisa, saqarTvel os prezidentis daval ebiT gasca garemos dacvi Ti nebarTva 30 dRiT adre. Sesabamisad mTavrobam am Tavisi moqmedebi T daukarga sazogadoebriobis warmomadgenl ebs imis kanonieri ufl eba, rom srul yofil i monawil eoba mieROT garemos dacvi Ti nebar Tvis gacemis dros gadawyvetil ebis miRebis procesSi.

danarTi 3-is me-4 muxl i adamianis janmrTel obisa da usafrTxoebis standarteb s Seexeba. muxl is mixedviT, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi val debul ni arian, gaiTval iswinon adamianTa janmrTel obisa da usafrTxoebis is standartebi da normebi, roml ebsac icavs saerTaSoriso Tanamegobroba, proeqtis msgavs navTobis mil sadenis proeqtebTan mi mar TebaSi.

me-3 danarTis me-5 muxl i social uri Sedegebis Sefasebas Seexeba. muxl is mixedviT, proeqtTan dakavSirebul i saqmianobis ganxorciel ebis procesSi, ZiriTadi saeqsporto mil sadenis proeqtis monawil eebi val debul ni arian, yovel i SesaZl o Rone ixmaron, raTa minimumamde Semcir des potenciuri negatiuri zegavl ena mimdebare dasaxl ebebsa da iq mcxovreba kuTvnil qonebaze.

muxl i SesaZl ebel ia sakmaod efeqturad iqnas gamoyenebul i adgil obrivi mosaxl eobis mier, ZiriTadi saeqsporto mil sadenis monawil eebis mxridan maTi ufl eebis Sel axvis aRsakveTad.

me-3 danarTis me-5 muxl i aseve iTval iswinebs social uri zemoqmedebis Sefasebis (szS) ganxorciel ebas, roml is Sedegebic ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma unda gaiTval iswinon saSual eebis ZiriTadi adgil mdebareobis SerCevissas. garda amisa, proeqtTan dakavSirebul i saqmianobis procesSi ZiriTadi saeqsporto mil sadenis proeqtis monawil eebma drodadro unda imsj el on saxel mwifo xel is ufl ebasTan erTad imaze, Tu ra zegavl enas axdens mimdinare proeqtis saqmianoba szS-is Tval sazrisiT. es pirobebi garkveul wil adaval debul eben xel Sekrul ebis mxareeb s, proeqtis ganxorciel ebis as Seiswavl on da gaiTval iswinos social uri aspeqtebi.

xel Sekrul ebis me-3 danarTis 6.5 punqtis mixedviT, "samSenebl o samuSaoebis

war moebi sa da mi waze ufl ebebi T sargebl obis procesSi SesaZI ebel ia, aRmoCeni I iqnes gaqvavebul i namar xi sagnebi, monetebi, antikvarul i an sxva faseul i nivTebi. aseTi sagnebis mi kuTvnebis saki Txi unda gadawydes saqar Tvel os kanonmdebl obis Sesabami sad".

erTi SexedviT, es piroba garkveul wil ad mowodebul ia, rom saqar Tvel om dai cvas Tavisi kul turul i memkvidreoba, magram xel Sekrul ebaSi aRniSnul i sagnebis mi kuTvnebasTan dakavSirebul i zomebi ar aris kul turul i memkvidreobis dacvis sakmarisi piroba.

kul turul i memkvidreobis dacvis Sesaxeb saqar Tvel os kanonis 36-ე მუხლის მე-5 პუნქტის მიხედვით, მსგავსი ნივთების ადრეობის შემთხვევაში დაუპირისპირდება სამსახურის საფუძვლები და ხდება შესაბამისი ტერიტორიის შესავალი არქეოლოგიის მიერ. ეს საკითხი საკმაოდ მნიშვნელოვანია საყარ Tvel os kul turul i memkvidreobის დაცვის ტვალ საზრისით, რადგან მსგავსი ნივთების ადრეობა, როგორც ვისი ნიშნავს, რომ იმ ტერიტორიაზე შესაძლოა არსებობდეს სამეცნიერო, kul turul i da/an istoriul i Tval sazrisiT მნიშვნელოვანი ობიექტები, რომლებიც შესაძლოა დაიკაოს, დაზიანდეს ან განადგურდეს მსახურის საფუძვლები შემთხვევაში.

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