



sasamarTI oebi~, romel Ta organizacia da kompetencia ukve gansazRvrul ia kanoniT. Tuki gul dasmiT gavecnobiT kanonproeqts erTobl iobaSi, martivad davrwundebiT im garemoebaSi, rom komisia swored sasamarTI os ufl ebamosil ebis matarebel i organoa. magal iTisTvis ikmarebs Tundac kanonproeqtis ramdenime muxl Si moxseniebul i terminebi: muxl i 18.2.b. `sasarcel o moTxovnis gareSe~; muxl i 18.2.d `axl ad aRmoCeni an axl ad gamovl enil garemoebebTan~; muxl i 18.6. `gadawyvetil ebebi saval debul oa saqarTvel os mTel teritoriaze~; muxl i 18.7.a `mtkicebul ebebi~; `adgil ze daTval iereba~; muxl i 18.8. `saqmis ganxil va mimdinareobs samoqal aqo saproceso kanonmdebl obiT dadgenil i wesiT~; muxl i 27.9. `gascemen saaRsrul ebo furcel s-. sakiTxi arsebitia da mis swor gadawyvetaze didwil adaa damokidebul i restituciis procesis warmarTva da miRebul i gadawyvetil ebebis l egitimuroba. sabol ood unda ganisazRvros komisia iqneba sasamarTI os ufl ebamosil ebis matarebel i organo (e.w. kvazisasamarTI o) Tu iqneba administraciul i organo.

sagangebod SevCerdebiT kanonproeqtis me-9 muxl ze. am muxl is me-2 punqtSi moxseniebul i: `qarTuli mxare~; `osuri mxare~ da `saerTaSoriso organizacia~ konkretul ad unda ganimartos kanonproeqtis me-2 muxl Si (terminTa ganmartebebi), winaaRmdeg SemTxvevaSi rCeba saSual eba, rom am erTis SexedviT araarsebiti sakiTxebis gadawyvetel obam Seaferxos da sadavo gaxados komisiis kompl eqtaciis procesi; Sesabamisad restituciis procesis, dasawyisSive daviT dawyeba vfiqrobt dadebit gavlenas ar iqonebs komisiisadmi ndobasa da am komisiis mier miRebul gadawyvetil ebebe.

imis gaTval iswinebit, rom kanonproeqtiT regul acias eqvemdebareba qonebrivi (maT Soris uzrav qonebasTan dakavSirebul i) sakiTxebi kanonproeqtiT mowesrigebul i unda iyos SemTxvevebi, rodesac: a) uzravi qoneba saerTod ar aris registrirebul i (magram obieqturad arsebobs), b) uzravi qoneba gasxvisebul ia da mas hyavs keTil sindisieri, sajaro reestrSi registrirebul i SemZeni-mesakuTre, g) uzrav qonebaze registrirebul ia konkretul i piris sakuTrebis ufl eba – saqarTvel os kanonmdebl obis Sesabamisad Tuki uzrav qonebaze sakuTrebis ufl eba registrirebul ia sajaro reestrSi, es qoneba samarTI ebrivad warmoadgens am piris sakuTrebas; Sesabamisad Tuki dadgeba am qonebis izul ebit gadadgil ebul i pirisaTvis gadacemis (dabrunebis) sakiTxi, misi mowesrigeba unda moxvdes ukve arsebul i kanonmdebl obis moqmedebis sferoSi, kerZod: saqarTvel os konstituciis 21-e muxl i; saqarTvel os organul i kanoni `sazogadoebrivi saWiroebisaTvis gadaudebel i aucil ebl obisas sakuTrebis CamorTmevis wesis Sesaxeb- da saqarTvel os kanoni `aucil ebel i sazogadoebrivi saWiroebisaTvis sakuTrebis CamorTmevis wesis Sesaxeb-, amdenad, aRni Snul i SemTxvevisaTvis sakuTrebis CamorTmeva (samarTI ebriv enaze zemoaRni Snul SemTxvevas swored es termini ewodeba) unda ganxorciel des sasamarTI os gadawyvetil ebit da saTanado sazRauriT. rogorc SegviZl ia davinaxoT sakiTxis sabol oo gadawyvetisaTvis sakmarisi ar iqneba mxol od kanonproeqtiT gaTval iswinebul i komisiis gadawyvetil ebis arseboba.

sakiTxis mniSvnel obidan gamo mdinare da kanonproeqtSi gaTval iswinebul i meqanizmebis gaTval iswinebit mi gvaCni a, rom

kanonproeqtTan erTad warmodgenili da ganxiluli unda iyos sxva kanonproeqtebic, kerZod: a) administraciul samarTal darRvevaTa kodeqsSi damatebebis Setanis Sesaxeb (komisiis mier daj arimebasTan dakavSirebiT); b) uzenaes sasamarTl os Sesaxeb- kanonSi cvl il ebebi (komisiis gadawyvetil ebis saqarTvel os uzenaes sasamarTl oSi gasacivrebasTan dakavSirebiT); g) administraciul saprocesi da samoqal aqo saproceso kodeqsebSi cvl il ebebis Setanis Sesaxeb (komisiis gadawyvetil ebis gasacivrebas ganxil vis procedurebTan dakavSirebiT); d) saarsrul ebo warmoebis Sesaxeb kanonSi cvl il ebebis Setanis Taobaze (komisiis mier gacemuli saarsrul ebo furcl is safuzvel ze gansaxorciel ebeli aarsrul ebis RonisziebebTan dakavSirebiT); e) sazogadoebrivi saWiroebisaTvis gadaudebeli aucil ebl obisas sakuTrebis Camortmevis wesis Sesaxeb organul kanonSi da/an aucil ebeli sazogadoebrivi saWiroebisaTvis sakuTrebis Camortmevis wesis Sesaxeb kanonSi cvl il ebebis Setanis Sesaxeb; v) saerto sasamarTl oebis Sesaxeb kanonSi cvl il ebebis Setanis Sesaxeb (komisiis gadawyvetil ebis saqarTvel os uzenaes sasamarTl oSi gasacivrebasTan dakavSirebiT).

es gaxlavT is arsebiti sakiTxebi, roml ebze yuradRebis gamaxvil ebac saWi rod CavTval eT kanonproeqtze msjel obisas, sxva terminologiuri an sakanonmdebl o teqniki xarvezebis sakiTxebis gamoswordeba SesaZl ebel ia misi ganxil vis procesSi.

migvacnia, rom kanonproeqtis (zemoarNi Snul sxva kanonproeqtebTan erTad) ganxil va da miReba dRes saqarTvel os saxel mwifos gansakuTrebul interess warmoadgens; miRebis SemTxvevaSi kanons eqneba rogorc samarTl ebrivi, aseve politikuri datvirTva, roml is safuzvel zec warimarTeba konfliqtis mowesrigebis procesi - Sesabamisad Tuki masSi mocemuli sakiTxebi samarTl ebrivad ar iqneba gamarTuli, es gamoiwvevs TviT procesis Seferxebas an saTaves daudebs axal konfliqts (davebs) sazogadobis SigniT, dazaral ebul moqal aqeta Soris.

kanonproeqtiT mocemuli koncefcia mxardaWeras da gadaudebel miRebas saWiroebs da es procesi unda warimartos maqsimal uri saaroobis uzrunvel yofiT, raTa sazogadobas, dazaral ebul moqal aqeebs hqondeT saSual eba gaecnon koncefcias da warmoadginon winadadebebi (saubarია konkretul praqtikul sakiTxebze, roml ebic SesaZl ebel ia ver xvdebodes kanonproeqtis regulaciis sferoSi) - kanonproeqtis am wesiT ganxil va miReba Tavidanve ganapirobebs kanonisadmi da am kanoniT dadgenili restituciis procedurebisadmi sazogadobis mxardaWerasa da ndobas.