

ganmar tebi Ti bara Ti
saqar Tvel os kanonis proeqtisa Tvis
„adgil obrivi TviTmmarTvel obis organoebis saqmianobaze saxel mwifo zedamxedvl obis
Sesaxeb-

1. „adgil obrivi TviTmmarTvel obis organoebis saqmianobaze saxel mwifo
zedamxedvel obis Sesaxeb- kanonis miRebis aucil ebl obis dasabuTeba

Aadgil obrivi TviTmmarTvel obis sistemis ganvitarebis erT-erT mniSvnel ovan
probl emas warmoadgens TviTmmarTv el obis organoebze saxel mwifo administraciul i
zedamxedvel obis ganxorciel ebis mkafio sakanonmdebl o regul irebis ar arseboba. Mmoqmedi
kanonmdebl obi T ar aris zustad gansazRvrul i saxel mwifo administraciul i
zedamxedvel obis organoebi, Tanamdebobis pirebi, maTi ufl ebamosil ebani, ar aris garkveul i
administraciul i zedamxedvel obis zomebi, maTi gamoyenebis wesebi, agreTve adgil obrivi
TviTmmarTvel obis ufl ebaTa garantiebi administraciul i zedamxedvel obis ganxorciel ebis
procesSi.

Yyovel ive es mniSvnel ovnad ganapiroebes adgil obriv doneze miRebul
gadawyvetil ebaTa arakompetenturobas da warmoSobs seriozul probl emebs adgil obrivi
TviTmmarTvel obis saval debul o - rogorc eqskl uziuri, aseve del egirebul i
ufl ebamosil ebemis ganxorciel ebis. Akanonmdebl obi T gansazRvrul ia, rom adgil obrivi
organoebis normatiul i aqtebis registracias axorciel ebs iusticiis saminstro da misi
teritoriul i organoebi. Kkanonis es moTxovna praqtikaSi cudad srul deba da xSiria
SemTxvevebi, rodesac sofl is, Temis, raionis Semadgenl obaSi Semaval i qal aqis sakrebul osa
Tu gamgeobis normatiul i aqtebis registracia saerTod ar xdeba. Pprobl emas warmoadgens
ara mxol od aqtebis jerovnad registracia, rac kanoni T aris dadgenil i, aramed am aqtebis
kanonirebaze kontrol is ganxorciel ebis sakanonmdebl o normebis praqtikul ad ar arseboba.

Ppraqtikul ad ar arsebobs norma, roml is mixedviTac Sesabamisi saxel mwifo
organoebi da Tanamdebobis pirebi ganxorciel ebdnen adgil obrivi TviTmmarTvel obis
organoTa gadawyvetil ebemis kanonierebasa, agreTve del egirebul ufl ebamosil ebaTa sferoSi
miRebul gadawyvetil ebaTa mizanSewonil obaze winaswar prevencias, ukanono
gadawyvetil ebemis da del egirebul i ufl ebamosil ebemis sferoSi aseve ara mizanSewonil i
gadawyvetil ebemis kontrol s da saWiroebis SemTxvevaSi gamoiyenebdnen kanonier zomebs aseT
gadawyvetil ebaTa administrirebisaTvis.

Asabol oo j amSi SeiZl eba iTqvas, rom saxel mwifo administraciul i zedamxedvel obis
arasakmarisi sakanonmdebl o regul ireba mniSvnel ovan probl emebs qmnis rogorc saxel mwifo
interesebis dacvis, aseve adgil obrivi TviTmmarTvel obis ufl ebaTa garantiebis
Tval sazrisiTac.

adgil obrivi TviTmmarTvel obis organoebis saqmianobaze saxel mwifos administraciul
zedamxedvel obas iTval iswinebs adgil obrivi TviTmmarTvel obis evropul i qartia, romel ic
ratificirebul ia saqarTvel os mier. kerZod, qartiis me-8 muxl is me-3 punqti adgens, rom
„dacul i unda iqnas Tanafardoba (saxel mwifo) zedamxedvel obis RonisZieebis masStabsa da
misi mier dasacavi interesebis mniSvnel obas Soris”. evropul i qartiit gacxadebul i
principi saxel mwifo RonisZieebisa da adgil obriv TviTmmarTvel obas Soris
TanafardobiTobis dacvis Sesaxeb niSnavs imas, rom mraval SesaZl ebel RonisZiebas Soris
arCeul i unda iqnas mxol od iseTebi, roml ebic TviTmmarTvel obas yvel aze nakl ebad
miayeneben zians (umciresi Carevis principi). garda amisa, am RonisZiebiT mosal odnel ma
zianma ar unda gadaaWarbos RonisZiebis gziT misaRwev Sedegs.

Qqartiis am principis Tanmimdevrul i gatareba aucil ebl ad gul isxmobs sakanonmdebl o
doneze adgil obrivi TviTmmarTvel obis saxel mwifo administraciul i zedamxedvel obis
mkafio daregul irebas.

2. adgil obrivi TviTmmarTvel obis organoebis saqmianobaze saxel mwifo
administraciul i zedamxedvel obis miznebi da ZiriTadi principebi

saxel mwifo administraciul i zedamxedvel obis miznebs unda warmoadgendes:

1) saerTo saxel mwifo da adgil obrivi interesebis erTianobis uzrunvel yofa.

2) adgil obrivi TviTmmarTvel obis organoebis saqmianobis kanonierebis uzrunvel yofa.

3) adgil obrivi TviTmmarTvel obis organoebisaTvis ufl ebamosil ebaTa
ganxorciel ebaSi xel Sewyoba.

saxel mwifo administraciul i zedamxedvel obis ZiriTad principebs unda
warmoadgendes:

1) adgil obrivi TviTmmarTvel obis evropul i qartiis me-8 muxl is me-3 punqtSi mocemul i umciresi Carevis principi;

2) administraciul i zedamxedvel oba unda ganxorciel des adgil obrivi TviTmmarTvel obis organoTa ufl ebebis dacviT;

3) nebayofl obiTi da eqskl uziuri kompetenciebis sferoSi administraciul i zedamxedvel oba unda xorciel debodes TviTmmarTvel obis organoebis normatiul i aqtebis kanonierebaze;

4) del egirebul ufl ebamosil ebaTa sferoSi administraciul i zedamxedvel oba unda xorciel debodes rogorc aqtebis kanonierebaze, aseve maT mizanSewonil obazec.

5) administraciul i zedamxedvel obis zomis gamoyeneba unda xdebodes administraciul i zedamxedvel obis organosa an Tanamdebobis piri administraciul i aqtis safuZvel ze.

3. administraciul i zedamxedvel obis zomebi da maTi gamoyenebis wesebi

kanonSi naTI ad unda iqnes mocemul i administraciul i zedamxedvel obis zomebi da maTi gamoyenebis wesebi zustad unda iyos reglamentirebul i. kanonproeqtis mixedvit administraciul i zedamxedvel obis zomebia:

1) adgil obrivi TviTmmarTvel obis organoebis winaswari konsul tireba. winaswari konsul tireba unda xorciel debodes adgil obrivi TviTmmarTvel obis organos iniciativiT da Sesazl oa Seexebodes TviTmmarTvel obis kompetenciaSi Semaval nebsmier sakiTxs. winaswari konsul tireba unda warmoadgendes administraciul i zedamxedvel obis organoebisa daTanamdebobis pirebis val debul ebas. winaswari konsul tirebis gamoyenebis, iseve rogorc prevenciis ZiriTadi daniSnul ebaa adgil obrivi organoebis daxmareba maT mier samarTl ebrivad gamarTul i da kompetenturi gadawyvetil ebebis misaRebad. winaswari konsul tirebis moTxovniT adgil obrivi TviTmmarTvel obis organos SeuZl ia mimarTos rogorc saxel mwifo rwmunebul s, aseve iusticiis saminstros teritoriul organos, xolo Tu sakiTxi Seexeba del egirebul ufl ebamosil ebas, maSin Sesabamis saminstrosac (saminstros teritoriul organos).

2) adgil obrivi TviTmmarTvel obis organoebis gadawyvetil ebaTa prevencia. gadawyvetil ebaTa prevencia imiT gansxvavdeba winaswari konsul tirebisagan, rom igi xorciel deba ara adgil obrivi TviTmmarTvel obis, aramed saval debul o wesiT, anda administraciul i zedamxedvel obis organos iniciativiT, Tu sakiTxi Seexeba del egirebul i ufl ebamosil ebebis sferos. Pprevencia SeiZl eba ganxorciel des ori motiviT – kanonierebis dacvis motiviT, Tu misaRebia adgil obrivi TviTmmarTvel obis organos normatiul i aqti, miuxedavad imisa, Tu ras Seexeba gadawyvetil ebis proeqti da mizanSewonil obis motiviT, Tuki sakiTxi Seexeba del egirebul i kompetenciebis sferos. Kkanonierebis dacvis motiviT prevencia saval debul oa da mas axorciel ebs iusticiis saminstros teritoriul i organo, romelic amzadebs samarTl ebriv daskvnas adgil obrivi TviTmmarTvel obis organoebis normatiul i aqtebis proeqtebze. mizanSewonil obis motiviT prevencia SeiZl eba ganxorciel des administraciul i zedamxedvel obis organos an zedamxedvel i Tanamdebobis piri – saxel mwifo rwmunebul is an Sesabamisi dargobrivi saminstros iniciativiT.

3) adgil obrivi TviTmmarTvel obis organoebis saqmianobis kontrol i.

adgil obrivi TviTmmarTvel obis organoebis saqmianobis kontrol i gul isxmobs am organoebis mier del egirebul i ufl ebamosil ebebis sferoSi Sesrul ebul i qmedebobis (administraciul i saqmiawarmoeba, gadawyvetil ebebis miReba, gadawyvetil ebebis aRsrul eba) kanonierebisa da mizanSewonil obis Semownebas.

amgvar kontrols unda axorciel ebdes saqarTvel os prezidentis saxel mwifo rwmunebul i da is saminstro, roml is gamgebl obis sferoSi Sedis ama Tu im konkretul i del egirebul i ufl ebamosil ebis ganxorciel ebis saerto koordinacia.

adgil obrivi TviTmmarTvel obis organoebis saqmianobis kontrol isas kanondarRvevebisa an del egirebul i ufl ebamosil ebis sferoSi aramizanSewonil i qmedebis aRmoCenis SemTxvevaSi administraciul i zedamxedvel obis organo (Tanamdebobis piri) val debul i unda iyos ganxorciel os adgil obrivi TviTmmarTvel obis organos gadawyvetil ebaTa administrireba an samarTl ebrivi reagirebisaTvis mimarTos samarTl damcav organoebis.

4) adgil obrivi TviTmmarTvel obis organoebis gadawyvetil ebaTa administrireba

adgil obrivi TviTmmarTvel obis organoebis gadawyvetil ebaTa administrireba SeiZl eba moxdes maSin, rodesac administraciul i zedamxedvel obis sxva zoma ukve gamoyenebul ia an gansakuTrebul i saWiroebisas, rodesac aSkaraa kanondarRveva an del egirebul i

ufl eba mosil l ebebis sferoSi saxel mwifosaTvis, agreTve moqal aqeebisaTvis aSkara zianis miyenebis safrTxe.

Aadministrirebisas Sesazl oa gamoyenebul i iqnas Semdegi Ronisziebani:

a) adgil obrivi TviTmmarTvel obis organos gadawyvetil ebebis SeCereba;

b) moTxovna adgil obrivi TviTmmarTvel obis organos mier gadawyvetil ebis miRebis Sesaxeb, Tu:

- gadawyvetil ebis miRebis Sesaxeb kanoniT dadgenil i val debul eba adgil obrivi TviTmmarTvel obis organos mier ar srul deba;

- darRveul ia sabiuj eto procesis kanoniT dadgenil i vadebi;

- gadawyvetil ebis miRebis gadaudebel i aucil ebl obis sxva SemTxvevebSi.

g) moTxovna adgil obrivi TviTmmarTvel obis organos mier gadawyvetil ebis Secvl is an gauqmebis Sesaxeb, Tu:

- administraciul i zedamxedvel obis organos (zedamxedvel i Tanamdebobis piris) mier adgil obrivi TviTmmarTvel obis gadawyvetil eba SeCerebul ia;

- axl ad armoCenil i garemoebani qmnian gadawyvetil ebis Secvl isa an gauqmebis samarTI ebriv safuZvl ebs.

Md) administraciul i zedamxedvel obis organoebis (zedamxedvel i Tanamdebobis pirebis) mier adgil obrivi TviTmmarTvel obis aqtebis sasamarTI oSi gasaCivreba.

4. adgil obrivi TviTmmarTvel obis samarTI ebrivi garantiebi administraciul i zedamxedvel obis ganxorciel ebis as

adgil obrivi TviTmmarTvel obis organos ufl eba unda hqondes administraciul i zedamxedvel obis organos (zedamxedvel i Tanamdebobis piris) administraciul i aqti administraciul i zedamxedvel obis zomis gamoyenebis Taobaze dadgenil i wesiT gaasaCivros zemdgom instanciaSi, agreTve sasamarTI oSi. administraciul i zedamxedvel obis zomis ukanonod gamoyeneba unda iwvevdes zedamxedvel i Tanamdebobis piris kanoniT dadgenil pasuxismgebl obas.