

**Information provided by the Government of Georgia regarding the Human Rights
Council resolution 40/14**

2. Please identify noteworthy and globally significant examples of good practice towards ensuring children's rights through a healthy environment, including good practices to mitigate childhood exposure to harmful levels of air pollution and hazardous substances, such as pesticides or other toxic chemicals

Air pollution and exposure to toxic substances, together with other types of environmental harm contribute to disease, disability and early mortality throughout their life. In addition, climate change and the loss of biodiversity threaten to cause long-term effects that will blight children's lives for years to come. Making matters worse, children are often not able to exercise their rights, including their rights to information, participation and access to effective remedies.

Environmental protection and its impact on health have become an increasing priority for the Government of Georgia.

Introduction of active lifestyle programs in schools is a key for children's ultimate involvement. The Health Care sector in conjunction with the Educational sector is ready to assume a leading role in cause of popularization of physical activity, although full involvement of population, including children, requires multidisciplinary efforts.

It should be noted that in Georgia many schools are located near the highways, exposing students and school personnel to traffic emissions and impacts of constant noise and vibration. According to World Health Organization, a health promoting school "is one that constantly strengthens its capacity as a healthy setting for living, learning and working."

As a result of strengthening efforts in this direction the "National Environment and Health Action Plan for 2018-2022 (NEHAP2)" has been approved by the Government of Georgia in 2018. The main principle of NEHAP is to realize fundamental right of the people - to live in a safe environment, and also the action plan is in relation to Parma and Ostrava Declarations commitments. NEHAP -2 contains five 5 Strategic objectives and among them is N3 - the impact of ambient and indoor air pollution on human health assessed and implemented measures to reduce the harmful effects, which itself has some midterm objectives (MTO) which has crosscutting issues due to children's right live in a healthy environment:

MTO 3.4. – Health risks due to fuels combustion (wood, gas, kerosene, etc.) for heating and cooking in households and children's educational institutions are assessed

- Health risks due to fuels combustion (wood, gas, kerosene, etc.) for heating and cooking in households and children's educational institutions are assessed by relevant indicators

MTO 3.5. – Child care facilities, kindergartens, schools and public recreational settings are tobacco smoke-free

- Tobacco consumption in public places is completely prohibited by law
- National survey on tobacco smoking in child care facilities, kindergartens, schools and public facilities

MTO 4.3 The risk of child-rearing hazardous chemical substances in schools and kindergartens is estimated and reduced to 2020

- Establishment of the system for the monitoring and control of air pollution by hazardous chemical substances in school and kindergarten.

According to WHO recommendations chemical safety is achieved via implementation of all measures for chemical substances. It includes all (natural and synthetic) chemicals as well as all the stages of exposure to chemical substances throughout their extraction, synthesis, industrial production, transportation and utilization. Despite the delay in manufacturing industry development, chemical substances management issues are highly topical, requiring introduction of effective regulatory mechanism and state agencies' coordination scheme. In Georgia, the major shortcoming for chemical substances management is lack of required information resources.

In NEHAP there are following Strategic Interventions regarding chemical safety, in particular – management of hazardous substances, such as pesticides or other toxic chemicals:

MTOs and strategic interventions about Children's safety:

MTO 4.3 - The risk of hazardous chemical substances in children in schools and kindergartens is estimated and reduced by 2020.

4.1.4. Harmonization of the EU legislation and introduction of European recommendations for general child consumer products safety to ensure consumer products safety „Child Product Safety Guide Potentially dangerous products“.

4.1.5. Harmonization of the legislation and introduction of European Directives on children's toys to ensure consumer products safety (Directive 2009/48/EC the European Parliament and of the Council of 18 June 2009 the safety of toys).

MTO 4.3 The risk of child-rearing hazardous chemical substances in schools and kindergartens is estimated and reduced to 2020.

4.3.1 Establishment of the system for the monitoring and control of air pollution by hazardous chemical substances in school and kindergarten.

MTOs and strategic interventions about management of toxic chemicals:

MTO 4.4 - Development of National Program for the assessment and management of asbestos developed by 2019.

MTO 4.6 - The measures to reduce the impact of radon on the population are planned and implemented by 2020.

MTO 4.1 The relevant legislation in the field of chemical substances is harmonized with the Association Agreement and multilateral environmental treaties:

4.1.3. Harmonization of EU legislation and introduction of the production safety directive in general for ensuing safety of consumer products. Directive 2001/95 / EC of the European Parliament and the Council of 3 December 2001 on general product safety.

4.1.7. Harmonization of the EU legislation and introduction of European Directives on cosmetic-perfume products safety to ensure consumer products safety Safer cosmetics for Europeans Regulation (EC)No 1223/2009 on cosmetic products.

4.1.9. "Prohibition of use of leads in paints" according to WHO recommendations to ensure consumer products safety

MTO 4.4. Development of National Program for the assessment and management of asbestos is developed by 2019

4.4.1. Development of asbestos national profile in accordance with WHO recommendations (identification of the needs / deficiencies).

4.4.2 Development of the national program for elimination of asbestos related diseases.

According of the NEHAP 4th Strategic Objective: Prevention of morbidity caused by exposure to chemical substances Georgia should prohibit use of leads in paints" according to WHO/UNEP recommendations to ensure consumer products safety.

Nationally representative study measuring blood lead levels (BLL) among children 2-7 years of age was conducted in Georgia in September-December 2018 in the framework of the Multiple Indicator Cluster Survey (MICS) by the National Statistics office with technical and financial support from UNICEF, the National Center for Disease Control and Public Health (NCDC) and Italian Institute of Health. During the study, venous blood samples were collected from 1578 randomly selected children across Georgia, providing nationally representative indicators of prevalence of lead exposure.

On April 19, 2019 Georgian Government published an Order for “Early detection and management measures for toxic effects of lead in children” which underlines the competences of several agencies in implementing the relevant actions, specifically, Ministry of Health of Georgia which is authorised to create long term Lead Poisoning Prevention program. The programme development is in progress.

Annually, in October, NCDC Conducts International Campaign on Lead Poisoning Prevention (with a focus on lead paint) in Georgia, with the slogan: “Say no to Lead Paint”. In the scope of the “Lead week” different activities are held, including activities for raising awareness of government authorities and legislators, the private sector, manufacturers, consumers, workers, trade unions and health-care providers about the

toxicity of lead in paints and the availability of high quality technical and safer alternatives.

3. What legal and other measures are in place to ensure that the activities of companies do not damage the environment, either domestically or in other countries? What are the main gaps and challenges experienced in this regard?

When private or other types of companies endanger or harm the environment, the applicable legislation provides for penalties, in particular under the Administrative Code of Georgia and the Code of Waste Management for offenders, both basic and additional administrative penalties are provided. The following types of penalties are used for administrative offenses in the field of environment protection: fine, confiscation of an object that is an administrative offense, confiscation of illegally obtained property, confiscation of hunting weapons.

In addition to the above, the current legislation of Georgia stipulates the obligation of indemnification for environmental damage, which is defined by the Resolution # 54 of the Government of Georgia dated January 14, 2014, "Technical Regulation - Methodology for Determination (Calculation) of Environmental Damage".

Article 10 of the Criminal Code of Georgia also envisage appropriate penalties for offenses committed in the field of use of environment and natural resources.

Georgia is obliged to implement environmental commitments and harmonize its legislation in the framework of the Association Agreement. Hence, the Law of Georgia on "Environmental Assessment Code", introducing the principles of the EU Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) directives, approaches of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on SEA, and the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters came into force on the 1st of January, 2018. The Code applies to a wide range of public and private projects, which have a significant effect on the environment and are defined in Annexes I and II. Activities provided for by Annex I to this Code are subject to an EIA and the need to perform an EIA for activities provided for by the Annex II to the same Code are decided based on a screening decision. If the planned activity is not subject to an EIA, the applicant shall comply with the requirements established by the environmental technical regulations and environmental standards applicable in Georgia. Both EIA and SEA parts cover the transboundary environmental impact assessment, which will come into effect after the ratification of the "Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on "Strategic Environmental Assessment" by Georgia. Furthermore, it should be highlighted that the Ministry is working on the development of an integrated permit. The approach implies fundamental changes in the permitting system including the development of the relevant legal, institutional, administrative and procedural scheme and the application of modern environmental management principles

like best available techniques (BAT) and emission limit values (ELV) as required by the Association Agreement. Hence, Georgia has elaborated a Draft Law on Industrial Emissions in accordance with Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010. The Draft Law is under external discussions.

5. What measures are in place to fulfil children's right to participate and be heard in decisions affecting their rights and environment, including their right to effective remedy in the case of violations of their rights linked to pollution or exposures to hazardous substances?

Children of different ages are often visited by the Department of Environmental Supervision (DES). The children are familiar with the specific activities of the department and they receive information about the functioning of the DES. As a rule, children are particularly interested in the activities of the Control Service of Biodiversity. Also they receive information about Red List of Threatened Species. DES staff are always motivated to share vital information with children, issues like: environmental waste management activities, air pollution, climate change, forestry management and etc. Children are often interested in how DES respond promptly to environmental offenses. DES staff also try to get to know more information about the rules of the environmental hotline (153) with children. There are many cases when the inspectors of the different department visit the educational institutions themselves as invited guests and take lectures and seminars on various topics related to environmental control.

In order to fulfill children's right to participate and be heard in decisions affecting their rights and environment, Legal Entity of Public Law Environmental Information and Education Centre (EIEC) of the Ministry of Environmental Protection and Agriculture of Georgia provides trainings and informational campaigns, including "Environmental Democracy - Human Rights and Responsibilities" for children to empower them to get useful information about environmental rights. It also supports the implementation of the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Beneficial to better understanding human rights and at an early age EIEC continues to integrate environmental principles at pre-school level and implement the textbook "Pre-school Environmental Education" in the whole country to promote environmental education. The textbook was adopted within the school readiness program that includes theoretical issues and practical exercises suitable for the age. With this purpose, the representatives of the Centre have trained preschool teachers either.

Also, to guarantee children's rights through a healthy environment and create relevant learning atmosphere, Ministry of Education, Science, Culture and Sport in cooperation with the EIEC added principles of sustainable development to the criteria of estimation of school textbooks at primary school level. According to the existing changes, the principles of sustainable development reflected in the school textbooks in 2018.

In order to avoid and reduce a wide range of environmental matters connected to the children's rights EIEC is developing "Education for Sustainable Development Strategy and Action Plan 2020- 2024" that will be the main supporter to create a safe learning environment for children at any level of education. Furthermore, strategy will promote integration of sustainable development principles in any relevant school textbook or guideline.

To fulfill the responsibilities and guarantee children's rights: access to information, public participation in decision-making and access to justice, including the right to health, EIEC continues to hold training and educational campaigns regularly.