REQUEST FOR EXPRESSIONS OF INTEREST

(CONSULTING SERVICES – FIRMS SELECTION)

GEORGIA

Georgia Resilient Agriculture, Irrigation and Land Project – P175629

Loan No. 9504-GE

Strengthening Water Resources Management Capacity

Assignment title: Technical assistance aimed at enhancing water resources management in Georgia and fostering capacity development within the National Environmental Agency of Georgia

1. Introduction and Background

Together with the World Bank, the Government of Georgia is implementing the Georgia Resilient Agriculture, Irrigation, and Land (GRAIL) Project, which aims to strengthen institutional capacity for irrigation and land management to support climate-resilient planning.

The primary beneficiaries of the Project comprise farmers and agricultural enterprises across the project targeted regions. Overall, the rural population will benefit from enhanced services provided by land management, irrigation services, and agricultural support. In the public sector, the Project will support institutional strengthening of the Ministry of Environmental Protection and Agriculture (MEPA), including Georgian Amelioration (GA), the National Environment Agency (NEA), Rural Development Agency (RDA), and National Agency for Sustainable Land Management and Land Use Monitoring (LMA).

The project seeks to enhance the coverage and quality of irrigation and drainage services, as well as agricultural production in selected irrigation command areas. Progress will be measured by the number of landowners gaining access to these services and by the increase in the gross value of agricultural production.

In 2023, the new Law of Georgia on Water Resources Management ***(Annex 1)*** was adopted, in order to establish legal framework for water resources management in the country to ensure implementation of a unified state policy in the field of water resource protection, citizens′ right of access to clean water, creation of a life and health friendly environment, as well as conservation and sustainable use of water resources in line with the Integrated Water Resources Management (IWRM) principles. The National Environmental Agency (NEA) that is a legal entity under the MEPA, in alignment with the National Law of Georgia on Water Resources Management, is committed to enhancing integrated water resources management to ensure sustainable and equitable use of water resources. The NEA plays a pivotal role in state water monitoring and protecting Georgia's water resources which involves hydrological, hydro-chemical,

hydrobiological, hydro-morphological, and hydrogeological monitoring activities. The NEA also provides data to stakeholders, publishes forecasts, and disseminates information to the public on water-related matters.

To strengthen the National Environmental Agency's pivotal role in state water monitoring and protection, it is essential to enhance the institutional and technical capacity of the Agency and its relevant departments. Accordingly, this assignment seeks to meet this need by providing comprehensive technical support — including the development of Standard Operating Procedures (SOPs) aligned with the national water regulatory framework, as well as tailored capacity-building programs and hands-on training. These efforts will reinforce the NEA's ability to comply with national regulations, promote the conservation and sustainable use of water resources in line with Integrated Water Resources Management (IWRM) principles, and address critical challenges such as groundwater depletion, protection of water resources, and climate resilience.

Furthermore, in January, 2026, the Government of Georgia is establishing a centralized Department for Water Resources Management (DWRM) under the NEA. This department for the effective operationalization of Georgia's Law on Water Resources Management, focusing on integrated water resources management, river basin planning and management, with a focus on integrated water resources management, river basin planning and management, and contributing to permitting and compliance processes. Permit assurance, however, is expected to remain under a separate NEA division. The DWRM will coordinate water management functions across MEPA and relevant NEA departments, addressing current gaps in technical capacity, data integration, and regulatory enforcement. It will also strengthen cross-sectoral coordination, data-driven decision-making, and technical expertise to improve water allocation, river basin planning, permitting, and compliance, following the integrated water resources management principles defined in the law

This assignment complements the Technical Assistance for NEA's Regulatory Framework, which focuses on developing legally binding regulations, methodologies, and technical guidelines required under Article 37 of the Water Law. Overall, the present consultancy focuses on operationalizing water regulatory framework/instruments within NEA through institutional strengthening, internal Standard Operating Procedures (SOPs), capacity-building programs, and digital system enhancements.

2. Objectives of the Assignment

This consultancy aims to provide targeted technical support to strengthen NEA's institutional and operational capacity to implement the new Water Law and related regulatory instruments effectively. The consultant shall develop a capacity development strategy and implementation plan, conduct hands-on training, and provide technical assistance to enhance cross-departmental coordination, data integration, and alignment with national and international standards.

The overall objective is to ensure the NEA's departments operate efficiently and cohesively, supporting evidence-based and sustainable water resource management in compliance with national regulatory framework.

This should include:

- To establish the operational effectiveness of the newly created Department for Water Resources Management *(will be established in January, 2026)* by development of recommendations for its institutional structure, staffing plan, key internal operational procedures (SOPs), and necessary digital infrastructure.
- To ensure the entire National Environmental Agency (NEA), particularly those departments involved in monitoring, enforcement, and data management, has the institutional and technical capacity to effectively implement and enforce the present national water legal framework, including the regulations, resolutions and methodologies that will be prepared under the Technical Assistance for NEA's Regulatory Framework, thus promoting cross-departmental coordination and compliance with IWRM principles.
- To recommend digital solutions and tools to improve data integration, analysis, and decision-making. This should encompass recommendations and proposals for: (i) Data management systems *(e.g., databases, GIS platforms for water resource mapping)*; (ii) Analytical tools for demand management, forecasting, allocation planning; and (iii) Operational support software for permits, licensing, and compliance monitoring.
- Provide targeted support, including internal Standard Operating Procedures (SOPs) and the delivery of tailored capacity-building programs and hands-on training to enhance technical, operational, and data management competencies within NEA.

3. Scope of Work

The assignment shall be implemented through a phased approach, ensuring a logical and results-oriented progression of activities. It shall begin with the Inception and Work Planning Phase, establishing the methodological framework and roadmap for implementation, followed by the Baseline Assessment Phase, identifying institutional, technical, and operational gaps in accordance to the requirements of the national water regulatory framework and Integrated Water Resources Management (IWRM) principles. Based on these findings, the consultancy shall conduct a review and provide recommendations for the newly established Department for Water Resources Management (DWRM) to enhance its organizational and operational framework. Subsequently, the Capacity Development and Implementation Phase shall focus on delivering targeted training and training materials, developing and improving internal Standard Operating Procedures (SOPs), related documentation, and recommending suitable software solutions and their specifications - fulfilling required business processes / operating procedures. The assignment shall conclude with final reporting and validation of deliverables to ensure practical adoption and institutional sustainability.

3.1. Inception and Work Planning (Phase 1)

During this phase, the consultant shall review relevant background materials and conduct consultations with NEA and MEPA to confirm priorities, expectations, and available resources. The consultant shall also carry out Stakeholder Mapping and prepare a Plan for their engagement, identifying key institutional actors, their roles, interests, responsibilities, and the coordination mechanisms required throughout the assignment.

In parallel, the consultant shall conduct a Risk Analysis and develop Mitigation Strategy, assessing institutional, operational, data-related, and coordination risks that could affect the assignment's progress or the implementation of recommended procedures.

Based on these inputs, the consultant shall prepare an Inception Report detailing the methodology for all consultancy activities, the work plan, roadmap, and the stakeholder engagement approach, and risk mitigation plan. The inception stage shall also summarize international best practices from selected EU member states with similar institutional and legal frameworks. These examples shall provide insights into effective operational procedures, software applications, training programs, and other mechanisms supporting compliance with regulatory requirements.

Deliverable 1. (i) Inception Report - a detailed document outlining the methodology, work plan, roadmap, stakeholder mapping and engagement plan, risk analysis and mitigation strategy, confirmed timelines, and agreed-upon priorities for the entire assignment;

(ii) Summary of International Best Practices (*from selected EU member states with similar to Georgia's water legislation and NEA's institutional arrangements)*. The report shall include:

1) Essential internal Standard Operating Procedures and operational workflows within peer agencies, focusing on how technical and administrative tasks, such as permitting, monitoring, and enforcement - are managed internally;
2) Recommended Software applications and digital tools to support the NEA's operational and data management needs, specifically for IWRM functions;
3) Training models from selected EU member states to inform NEA's capacity-building approach.

3.2. Baseline and Needs Assessment (Phase 2)

Before organizing the capacity development activities, the Consultant shall conduct a thorough analysis of the current institutional and technical setup of NEA's departments involved in water management.

DWRM Institutional Review: By the time this consultancy is initiated, the Department of Water Resources Management (DWRM) will have been formally established under the NEA (as of January 2026) with an initial structure and staffing in place. Therefore, the Consultant's role shall focus on reviewing the DWRM's initial institutional structure and staffing plan, and provide recommendations for optimization to ensure alignment with the new national water legislation and effective execution of its mandated functions.

Assessment of Agency-Wide Gaps: This shall include comprehensive assessment of the existing technical, organizational, and training needs across all NEA departments involved in the water management lifecycle *(e.g., Hydrology, Monitoring, Enforcement)* to identify capacity gaps relative to the new legal requirements.

Consultant shall identify and describe key challenges, gaps, and capacity needs at institutional, technical, and operational levels, also conduct a review of the existing or draft Internal SOPs of the DWRM and other relevant NEA departments and provide recommendations for improvement, ensuring they are clearly defined, consistent with the regulatory requirements established by the new national legal framework, and operationally practical. Baseline Assessment Report shall summarize the findings and provide the foundation for the Capacity Development Strategy.

This shallinclude the following activities:

I. Institutional review: Assess the initial organizational structure, staffing plan, and internal SOPs of the DWRM, including its functional linkages with other NEA departments and MEPA units.
II. Review of the institutional, technical, and operational setup of NEA's departments involved in water management, and assess current and required business processes, operating procedures, data management practices, coordination mechanisms, and system integration.
III. Organizational Optimization: As required, propose recommendations to refine and optimize the departmental structure and operational workflows to improve efficiency, coordination, and alignment with the Law on Water Resources Management and Integrated Water Resources Management (IWRM) principles.
IV. Staffing and Human Resource Development: Review the staffing plan, job descriptions, and distribution of responsibilities to identify capacity gaps, overlapping roles, or missing functions. As needed, provide recommendations for role adjustments or additional staffing needs, and capacity development priorities.
V. Standard Operating Procedures (SOPs): Review the existing or draft SOPs of the DWRM and provide recommendations for their improvement, ensuring that procedures are clearly defined, consistent with regulatory requirements, and operationally practical.
VI. Evaluate the SWAT+[1] model's suitability for real-time hydrological and water balance assessments within the department:
    - If deemed suitable: Propose steps to operationalize SWAT+ for departmental use;
    - If unsuitable: Recommend alternative models or tools aligned with identified requirements.
    - Identify data gaps and draft technical specifications for new hydrometric gauges, including:
        - Optimal installation locations;

[1] SWAT+ (link) is a small watershed to river basin-scale model to simulate the quality and quantity of surface and ground water and predict the environmental impact of land use, land management practices, and climate change. SWAT is widely used in assessing soil erosion prevention and control, non-point source pollution control and regional management in watersheds.

- Budget estimates for installation and future operational costs

VII. Capacity Strengthening Directions: Identify priority areas for technical and institutional strengthening, including training needs, knowledge transfer mechanisms, and improved coordination with other departments and agencies involved in water management.

VIII. Operational Software Analysis: Conduct a comprehensive assessment of the DWRM's needs in order to propose and substantiate optimal options for application software and related technologies *(including potential use of existing assets)*, taking into account factors such as functionality, scalability, and integration potential:

- Develop clear recommendations and proposals for the necessary digital infrastructure, focusing on:
  i. Data management systems (*e.g., databases, GIS platforms);*
  ii. Analytical tools for water resource planning, forecasting, and allocation;
  iii. Operational support software for permits, licensing, and compliance monitoring;
- Digital Roadmap: The proposal shall include technical specifications for hardware, equipment and software applications, an implementation roadmap, and guidance on seamless integration with existing MEPA/NEA infrastructure to ensure a robust and future-proof digital environment.

IX. Validation: Present draft recommendations to NEA and MEPA for review and discussion. Refine proposals based on feedback and prepare final recommendations for implementation.

X. Develop a comprehensive Capacity Development Strategy and Implementation Plan specifying objectives, target groups, training modules, delivery formats, timelines, and responsible units, aligned with NEA's mandate and the national water regulatory framework.

Moreover, Consultant shall ensure the prioritization of tasks and agree with NEA and MEPA, as some tasks may be more critical or time-sensitive than others. Also, stakeholder engagement should be highly emphasized throughout the project to ensure that the deliverables meet the needs of the NEA and its departments.

Deliverable 2. (i) Baseline and Needs Assessment Report - detailing the institutional, technical, and operational gaps and capacity needs across all NEA departments involved in water management, including a summary of findings from DWRM reviews; **(ii) DWRM Institutional Optimization Recommendations** - providing recommendations to refine the DWRM's initial organizational structure, staffing plan, job descriptions, and operational workflows *(including functional linkages with other NEA/MEPA units);* **(iii) Hydrological Modeling Assessment Report** - Evaluation of the SWAT+ model's suitability for real-time hydrological and water balance assessments, or recommendation of an alternative model/tool; **(iv) Technical Specifications for Hydrometric Gauges** - Draft technical specifications for new hydrometric gauges, including optimal installation locations and budget estimates for installation and

operational costs; **(v) Digital Infrastructure Proposal** - A detailed proposal for the DWRM's necessary digital infrastructure; **(vi) Digital Roadmap and Technical Specifications** - Comprehensive plan including technical specifications for all necessary hardware/equipment/software, a cost-benefit analysis, and an implementation roadmap for integration with existing NEA infrastructure**; (vii) Capacity Development Strategy and Implementation Plan** - specifying objectives, target groups (DWRM and all relevant departments), training modules, delivery formats, and timelines, aligned with NEA's mandate and the national legal framework.

3.3. Capacity Development and Implementation (Phase 3)

Building on the outcomes of previous phases, the Consultant shall design and implement comprehensive capacity development activities. This should include refining SOPs, and providing hands-on training aimed at strengthening NEA's institutional and technical capabilities in water resource management, data integration, and regulatory compliance.

This includes the following activities:

I. Finalize and formally document internal SOPs for the DWRM and all relevant NEA departments. This activity is dependent on the progress of the parallel regulatory assignment, ensuring the SOPs integrate and operationalize the newly adopted or substantially finalized national regulations, rules, and technical methodologies *(e.g., for monitoring, permitting, water balance, E-Flow assessment, and enforcement)*.

II. Design of Training Programs: Develop detailed curricula and training materials, addressing the identified institutional, technical, and operational gaps for all relevant NEA staff. This must include training on the practical application of the newly developed national methodologies and the finalized SOPs.

III. Deliver hands-on training: Deliver comprehensive hands-on training to staff from the DWRM and other relevant departments. The training should utilize real-life case applications, practical exercises, and demonstrations of the Finalized SOPs and the recommended operational/analytical software tools.

IV. Technical System Recommendations: Provide Technical Requirements / Terms of References for the procurement of all the identified goods and services *(e.g., hardware, equipment, software)* ensuring compatibility with MEPA/NEA's IT infrastructure and integration needs.

V. Knowledge Transfer and Sustainability: develop and deliver a knowledge-transfer package *(manuals and digital materials)* to enable NEA to independently maintain and update systems and procedures after the consultancy.

i. **Deliverable 3. (i) Finalized Internal Standard Operating Procedures (SOPs)** - complete set of formally documented Internal SOPs for the DWRM and all relevant NEA departments (Monitoring, Enforcement, Hydrology), ensuring the practical operationalization of the new national regulations and methodologies; **(ii) Training**

Curricula and Materials - Detailed training modules and materials, including practical application of the new national methodologies and the Finalized SOPs; **(iii) Training Delivery Report** - confirming the successful delivery of comprehensive hands-on training to staff across DWRM and other relevant departments, including participant lists, feedback, and post-training assessment results; **(iv) Technical Requirements/ToRs for Procurement -** Ready-to-use Technical Requirements / Terms of References for the procurement of all identified goods and services (e.g., hardware, equipment, and software applications); **(v) Knowledge transfer package** - Manuals, digital materials, and a sustainability plan to enable the NEA to independently maintain and update the newly established systems, procedures, and training modules after the consultancy concludes. **(vi) Presentation of deliverables** to NEA, MEPA and GRAIL PIU for validation, including sustainability recommendations;

4. **Deliverables, and Timeline:**

The MEPA and the NEA are responsible for acceptance and handing over the deliverables through the participation of their divisions with the relevant competence and powers. The consultant shall present practical results in Georgian and English languages. A total of 15 working days will be allocated to the Consultant and the stakeholders responsible for the acceptance-handover (including the stakeholders responsible for the acceptance-handover - 10 working days, the Consultant - 5 working days) in order to review, provide feedback, clarify and present the final results for each presented deliverable.

Phase	Deliverable	Timeline from contract start
Phase 1 - Inception and Work Planning	**1.1. Inception Report -** a detailed document outlining the methodology, work plan, roadmap, stakeholder mapping and engagement plan, risk analysis and mitigation strategy, confirmed timelines, and agreed-upon priorities for the entire assignment;	Month 1
	1.2. Summary of International Best Practices *(from selected EU member states with similar to Georgia's water legislation and NEA's institutional arrangements)*.	Month 2
Phase 2 – Baseline and Needs Assessment	**2.1. Baseline and Needs Assessment Report** - detailing the institutional, technical, and operational gaps and capacity needs across all NEA departments	Month 3

	involved in water management, including a summary of findings from DWRM reviews;	
	2.2. DWRM Institutional Optimization Recommendations - providing recommendations to refine the DWRM's initial organizational structure, staffing plan, job descriptions, and operational workflows *(including functional linkages with other NEA/MEPA units);*	Month 4
	2.3. Capacity Development Strategy and Implementation Plan - specifying objectives, target groups (DWRM and all relevant departments), training modules, delivery formats, and timelines, aligned with NEA's mandate and the national legal framework;	Month 4
	2.4. Hydrological Modeling Assessment Report - Evaluation of the SWAT+ model's suitability for real-time hydrological and water balance assessments, or recommendation of an alternative model/tool;	Month 5
	2.5. Technical Specifications for Hydrometric Gauges - Draft technical specifications for new hydrometric gauges, including optimal installation locations and budget estimates for installation and operational costs;	Month 5
	2.6. Digital Infrastructure Proposal - A detailed proposal for the DWRM's necessary digital infrastructure;	Month 6
	2.7. Digital Roadmap and Technical Specifications - Comprehensive plan including technical specifications for all necessary hardware/equipment/software, a cost-benefit analysis, and an implementation roadmap for integration with existing NEA infrastructure**;**	Month 7
Phase 3 -Capacity	**3.1. Training Curricula and Materials**	Month 8

Development and Implementation Phase	**3.2. Internal SOPs (Draft)** - complete set of formally documented Internal SOPs for the DWRM and all relevant NEA departments (Monitoring, Enforcement, Hydrology), ensuring the practical operationalization of the new national regulations and methodologies;	Month 9
	3.3. Technical Requirements/ToRs for Procurement - Ready-to-use Technical Requirements / Terms of References for the procurement of all identified goods and services (e.g., hardware, equipment, and software applications);	Month 10
	3.4. Training Delivery Report (Hands-on Training - Wave 1)	Months 11 - 12
	3.5. Finalized Internal SOPs (Final Document)	Month 13
	3.6. Training Delivery Report (Hands-on Training - Wave 2)	Month 14
	3.7. Knowledge Transfer Package	Month 15

5. Client and Responsibility

The Client for this assignment is MEPA.

The Client's responsibility is to facilitate the Consultant in carrying out of their assignment and in ensuring access to all available documents and information required for this assignment.

The Client will assist the Consultant in organizing the meetings with the Client's personnel and other stakeholders, also ensure premises and infrastructure for such meetings.

6. Language

The official language for communication with the Consultant shall be English. The Consultant shall ensure Georgian–English (and vice versa) translation support during workshops, training sessions, and consultation meetings, as required. All final deliverables shall be submitted to the Client in both English and Georgian.

Chapter One

General Provisions

Article 1. The Purpose and Objective of the Law

1. The purpose of the Law is to establish legal framework for water resources management in the country to ensure implementation of a unified state policy in the field of water resource protection, citizens' right of access to clean water, creation of a life and health friendly environment, as well as conservation and sustainable use of water resources in line with the Integrated Water Resources Management (IWRM) principles.

2. The objective of this Law is to establish a sustainable IWRM system to:

a) preserve the aquatic ecosystem, including water quality, and prevent its further deterioration;

b) preserve and improve the status of water resources and, depending on water demand, improve the status of terrestrial and wetland ecosystems directly dependent on aquatic ecosystems;

c) facilitate the establishment of a flood risk assessment and management system;

d) create a legal framework for water resources management taking into account the interests of the present and future generations and the principles of sustainable development;

e) contribute to mitigating risks caused by climate change in the field of water resources management;

f) ensure protection of water resources and the environment, and improve their condition through gradual reduction and prevention of inflow and/or discharge into water bodies of pollutants specified in the Georgian legislation; and, as a consequence, reduction of water losses;

h) create a legal framework for identifying groundwater pollution or pollution risk areas for gradual mitigation and prevention of further pollution;

i) protect the rights and legitimate interests of individuals and legal entities in the field of water resources management.

Article 2. Subject of Regulation of the Law

This Law establishes basic principles of water resources protection and use, and regulates:

a) legal relations between state authorities and individuals and legal entities in the field of protection and water resources use;

b) powers of autonomous republics and municipalities with regard to water resources management.

Article 3. Scope of Regulation of the Law

1. The scope of regulation of the Law include surface water and groundwater and their protection zones.

2. Issues of groundwater use shall be regulated by this Law and the Law of Georgia on Subsoil.

3. This Law shall not regulate issues related to the maritime space of Georgia (except for cases stipulated by this Law for coastal waters). The legal regime of the maritime space of Georgia shall be regulated by the Law of Georgia on Maritime Space of Georgia.

4. The unified regime of regulation of transboundary rivers, lakes, and coastal waters (international water resources) shall be specified by international treaties ratified by Georgia. Moreover, international water resources within the framework of international treaties of Georgia shall be managed on the basis of coordinated cooperation with relevant countries.

5. This Law shall apply to the parts of transboundary water bodies, lakes, and coastal waters located on the territory of Georgia, unless otherwise specified by international treaties ratified by Georgia. Furthermore, for the purpose of shared management of international water resources in accordance with this Law, the State shall ensure coordinated cooperation with relevant foreign countries in accordance with international treaties ratified by Georgia.

6. In the border zone and borderline of Georgia, water resources use shall be regulated by the Law of Georgia on the State Border of Georgia and relevant normative acts regulating the protection of the State Border of Georgia.

Article 4. Definition of Terms

For the purposes of this Law, the terms used herein shall have the following meanings:

a) Water resources is the totality of surface waters (including artificial reservoirs) and groundwater;
b) Water resources management is regulation, accounting, monitoring and control over the use of water resources;
c) Integrated water resources management (IWRM) is a process that promotes coordinated development and management of water, land and related resources in order to ensure equal growth of economic and social welfare without damaging the ecosystem sustainability;
d) Surface water means inland waters, except groundwater; transitional waters and

coastal waters, territorial waters and waters of a special economic zone;

e) Inland water means rivers, lakes, glaciers, wetlands, perennial snow cover, reservoirs, canals, ponds, and groundwater;

f) Transitional waters are bodies of surface water in the vicinity of river mouths which are partly saline in character as a result of their proximity to coastal waters but which are substantially influenced by freshwater flows.

g) Coastal water means surface water at a distance of one nautical mile on the seaward side.

h) Groundwater is water in liquid, solid and gas state occurring in the earth crust rocks, loose, porous and fractured rocks, as well as in karst cavities;

i) River is a body of inland water flowing continuously within its bed, fed by surface and groundwater runoff of underground water the catchment area and flowing into a sea, lake or another river;

j) Lake means a natural body of slowly flowing or standing water that occupies an inland basin;

k) Water use means the use of water for drinking, household, economic and other purposes, including abstraction, collection, treatment and/or distribution of surface water or groundwater with or without the use of technical means; as well as the discharge of wastewater into a surface water body;

l) Water user is an individual or legal entity (irrespective of the form of ownership or legal organization) using water in accordance with the procedure established by the Georgian legislation;

m) River basin means an area of land bounded by a watershed, from which all surface run-off flows into the river system. A river basin may consist of sub-basins;

n) Sub-basin means a part of the river basin from which all surface and groundwater runoff flows into tributaries. Tributary rivers are distinguished hydrographically as tributaries of the first order (main tributary), second order (first order tributary), etc;

o) River basin district means the area of land and sea, made up of one or more neighboring river basins together with their associated groundwaters and coastal waters;

p) Unit for management of river basins/river basin districts is a river basin or a river basin district (including underground and coastal waters located within and associated with them), which is the main unit of river basin/catchment area management;

q) River basin / river basin district management plan (hereinafter river basin management plan or RBMP) is a tool for managing a river basin / river basin district, in particular, a plan of measures for managing a water body and adjacent land within the territory of a specific river basin / river basin district in accordance with the basic IWRM principles;

r) Body of surface water means a discrete element of surface water such as a lake, a reservoir, a stream, river or canal, part of a stream, river or canal, a transitional water or a stretch of coastal water.

s) Body of groundwater means a discrete volume of groundwater within an aquifer or

part thereof (aquifer, stratum, site);

t) Heavily modified water body means a body of surface water which as a result of physical alterations by human activity is substantially changed in terms of its hydromorphological and physicochemical characteristics.

u) Artificial water body means a body of surface water created by human activity.

v) Surface water status is the general expression of the status of a body of surface water, determined by the poorer of its quantitative status, its ecological status and its chemical status;

w) Groundwater status is the general expression of the status of a body of groundwater, determined by the poorer of its quantitative status, its ecological status and its chemical status;

x) Ecological status is an expression of the quality of the structure and functioning of aquatic ecosystems associated with surface waters, determined on the basis of biological quality elements and their requisite hydromorphological and physicochemical quality elements;

y) Wetland is a part of the landscape with excessively moist surface, typically with rich biodiversity;

z) Pollution means the direct or indirect introduction of substances or heat into the atmospheric air, water or soil as a result of human activity, which may be harmful to human health or the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems, which result in damage to material property, or which impair or interfere with amenities and other legitimate uses of the environment.

aa) Riverbed is the lowest part of a river valley through which the water flows during lower-water periods;

bb) The Ministry (the MEPA) means the Ministry of Environmental Protection and Agriculture of Georgia;

cc) The Minister (the MEPA Minister) means the Minister of Environmental Protection and Agriculture of Georgia;

dd) The State Water Resources of Georgia means the total amount of water contained in all bodies of water on the territory\ of Georgia;

ee) Lands under the State Water Resources (water body lands) are lands occupied by bodies of water (except groundwater), included in the State Water Resources of Georgia; hydraulic strictures and other water facilities; as well as lands of water body protection zones (water protection zones, sanitary protection zones);

ff) Environmental flow is the quantity, timing, quality and level of water flows required to sustain freshwater and estuarine ecosystems and the human livelihoods and wellbeing that depend on these ecosystems.

gg) Permit for water abstraction from surface water bodies (Water Abstraction Permit) is a special water use permit that allows its holder to abstract a certain amount of water from a surface water body by technical means during a defined period;

gg1. Permit for water discharge into surface water bodies (Water Discharge Permit) is a special water use permit that allows its holder to carry out controlled discharge of

agricultural, industrial, drainage, sewage and other waters into a surface water body during a defined period of time with observance of the standards set for such water bodies;

gg2. Combined water use permit for surface water bodies is a special water use permit, allowing its holder to abstract water from and discharge water into a surface water body within a certain period;

gg3. Urban wastewater means wastewater generated from household activities or mixed wastewater consisting by household, industrial, and rainwater outflows;

gg4. Impact is a change of the water status resulting from any human activity;

gg5. Pollutant is any substance causing pollution; the list of pollutants is determined by the Resolution on Surface Water Quality Standards, approved by the Government of Georgia;

gg6. Groundwater quantitative status is an expression of the degree to which a body of groundwater is affected by direct and indirect abstractions;

gg7. Eutrophication is overenrichment with nutrients (nitrogen, phosphorus), resulting in the depletion of dissolved oxygen and, consequently, having a negative impact on aquatic life;

gg8. Good ecological potential is the status of a heavily modified or an artificial body of water;

gg9. Protected areas are locations within river basins that require special protection to ensure conservation of local surface and ground water or habitats directly associated with the water and aquatic species; these include the sites designated for abstracting water for public supply purposes, protecting economically significant water bodies, as well as recreational zones and areas exposed to biogenic substances (nutrients);

gg10. Flood is a long-term rise in the river water level caused by snowmelt and/or intense rainfall, overflowing onto normally dry land;

gg11. Flood risk means expected consequences of possible flooding in a certain period of time, which may be associated with a threat to human life and health, economic and/or social damage and/or losses;

gg12. Flash flood is an unexpected short-term rise in the river water level, overflowing onto normally dry land;

gg13. Agglomeration is an area where the population and/or economic activities are sufficiently concentrated for urban wastewater to be collected and conducted to an urban wastewater treatment plant or to a final discharge point;

gg14. Wastewater system (sewerage) is the wastewater system specified in the Law of Georgia on Energy and Water Supply;

gg15. Water resources of local significance means natural resources of local significance defined by the legislation of Georgia;

gg16. Transboundary waters are surface waters and groundwater of any kind that designate and/or cross the borders shared by two or more countries or are located on the borders between two or more countries;

gg17. Water supply system is the water supply system specified in the Law of Georgia

on Energy and Water Supply;

gg18. Water supply/water supply activity is water supply activity specified in the Law of Georgia on Energy and Water Supply;

gg19. Utilization of water resources is consumption of water resources with or without abstraction of surface water and groundwater;

gg20. Environmental decision means the environmental decision specified in the Environmental Assessment Code;

gg21. Integrated environmental permit (IEP) means the permit stipulated by the Law of Georgia on Industrial Emissions.

Article 5. The Basic Principles of Integrated Water Resources Management (IWRM)

1. The basic IWRM principles include:

a) Integrated protection and sustainable use of water resources at the national, regional and local levels through cooperation with water users;

b) Regulation of water resources through the river basin management mechanism at the river basin level.

2. In planning and implementing activities affecting water resources, natural and legal persons, state authorities and other public institutions shall be guided by the basic principles of environmental protection established by this Law and the Law of Georgia on Environmental Protection.

Chapter II

Water Resources Protection and Utilization Competencies

Article 6. Competent Authorities in the Field of Water Resources Protection and Utilization

1. The competent authorities in the field of protection and utilization of water resources shall include:

a) the MEPA;

b) the Ministry of Internally Displaced Persons (IDPs) from the Occupied Territories, Labor, Health and Social Affairs of Georgia;

c) the Ministry of Regional Development and Infrastructure of Georgia;

d) the Ministry of Justice of Georgia;

e) the Ministry of Economy and Sustainable Development of Georgia;

f) Georgian National Energy and Water Supply Regulatory Commission;

g) municipalities; and

h) government bodies of the autonomous republics of Georgia.

2. The MEPA shall be responsible for:

a) developing and implementing the State Water Reserve management policy;

b) developing proposals for effective implementation of the State Water Reserve management policy and submitting them to the Government of Georgia;

c) establishing the river basin management system;

d) issuing special water use permits;

e) implementing the unified state control over protection and use of water resources on land, in the territorial waters, on the continental shelf and in the exclusive economic zone of Georgia;

f) ensuring qualitative, quantitative and hydromorphological monitoring of water resources;

g) ensuring State Water Reserve assessment, analyzying the water use accountancy data, creating and maintening relevant database;

h) establishing and ensuring access to the water resource information system;

i) ensuring the development of river basin / river basin district management plans (RBMPs) and submitting them to the Government of Georgia for approval;

j) ensuring public participation in the development of RBMPs;

k) coordinang and monitoring the implementation of RBMPs;

l) establishing systems for detection, assessment, mapping, forecasting and early warning of floods and flood hazards;

m) ensuring preparation/development of recommendations for flood/flash flood control measures;

identifying nitrate contaminated areas or areas at risk of nitrate contamination and delineating of nitrate vulnerable zones;

o) identifying sensitive areas and agglomerations at risk of exposure to urban wastewater;

p) developing surface water quality standards;

q) determining protection area on State Water Reserve lands of Georgia;

r) developing and implementing state hydromelioration policy;

s) ensuring state control over the quality of drinking water;

t) informing consumers on the quality of drinking water;

u) developing action plans for nitrate vulnerable zones and implementing best agricultural practices;

v) implementing quality monitoring programs to assess nitrate content in surface water and groundwater;

w) establishing boundaries of water conservation zones and reflecting them in the geoinformation system;

x) carrying out annual hydrologic inventory;

y) carrying out assessment of eutrophication of fresh surface waters, estuaries and coastal waters according to the terms and procedure established by the legislation of Georgia;

z) fulfill other competences stipulated by the legislation of Georgia.

3. The Ministry of IDPs from the Occupied Territories, Labor, Health and Social Affairs of Georgia shall be responsible for:

a) developing drinking water quality standards and submitting them to the Government of Georgia for approval;

b) providing municipalities with recommendations on limiting or prohibiting general water use from a particular water body (and submitting reports containing this information to the MEPA);

c) establishing sanitary protection zones for sources of drinking water, demarcating and zoning such water bodies, identifying activities permitted in such zones and setting rules for their implementation.

4. The Ministry of Regional Development and Infrastructure of Georgia shall be responsible for ensuring the implementation of measures to promote the introduction and development of water supply and wastewater (sewerage) systems.

5. The Ministry of Justice of Georgia shall be responsible for registration of the State Water Reserve land in the State Land Register.

6. The Ministry of Economy and Sustainable Development of Georgia shall participate in the development and implementation of the State Water Management Policy within the limits of its competence (including economic policy, sustainable development, mineral resource management, energy, energy efficiency, climate change and renewable energy, human settlements planning, etc.).

7. The Georgian National Energy and Water Supply Regulatory Commission shall exercise relevant powers arising from the Laws of Georgia “On Energy and Water Supply”, “On Water Users’ Organizations” and other laws.

8. The Municipality shall be responsible for:

a) implementing activities for the supply of drinking and technical water, including:

a.a) participation in the development of technical and investment programs and projects related to water supply systems and urban wastewater collection and treatment;

a.b) approval of designs of sanitary protection zones for drinking water sources;

b) raising public awareness on sanitary protection zones for drinking water sources, their boundaries and protection regimes;

c) management of water resources of local significance.

9. Government bodies of the autonomous republics of Georgia shall participate in water management on the territories of respective autonomous republics as prescribed by the legislation of Georgia.

Chapter III

Water Resources and their Legal Status, Water Bodies and their Protection Zones

Article 7. The State Water Reserve of Georgia

1. Water bodies of Georgia are subdivided into surface waters and groundwaters by their location on or under the ground surface, by specifics of formation and use of water resources.

2. Surface waters include water of all water bodies listed in paragraph 4 of this article, except for groundwater provided for in subparagraph "b" of the same paragraph.

3. All the water contained in all water bodies on the territory of Georgia shall constitute the State Water Reserve of Georgia.

4. The State Water Reserve of Georgia shall include:

a) rivers, lakes, reservoirs, other natural and artificial water bodies, as well as waters of canals and ponds, standing and flowing through the territory of Georgia;

b) groundwater;

c) glaciers and perennial snow cover;

d) wetlands;

e) territorial waters of Georgia;

f) waters of the special economic zone;

g) transitional waters and coastal waters.

Article 8. Ownership of Water Resources

1. Water resources shall be the property of the State.

2. Municipalities may own water resources of local significance, which shall be managed in accordance with this Law, the Organic Law of Georgia "Local Self-Government Code" as well as legal acts issued/adopted on their basis.

3. Ownership of land may not entitle the owner to use surface water or groundwater standing on and/or flowing through it, except for general water use as stipulated by Article 15 of this Law.

Article 9. Identification and Delimitation of Water Bodies

1. A water body is the basic unit of water resources management. Identification and delimitation of water bodies, as well as analysis of their river basin / river basin district characteristics shall be carried out by the MEPA.

2. The main characteristics for identifying a water body include geographical description, hydrological parameters, ecological status, and water use.

3. Identification and delimitation of water bodies shall be carried out in accordance with the Rules for Identification and Delimitation of Water Bodies subject to approval by the Government of Georgia.

Article 10. Land of Water Bodies

1. Land of a water body shall include:

a) land covered by the water body (except groundwater), hydraulic strictures and other water facilities;
b) land of water body protection zones (water protection zone, sanitary protection zone).

2. Water body lands shall be used for construction and operation of facilities (including main canals) necessary for meeting drinking water demands, domestic needs, medical, recreational and other essential needs, as well as needs of the agriculture, industry, fish farming, energy, transportation, and other sectors.

3. Water body lands (except for beds of natural lakes and rivers, as well as the first belt of sanitary protection zones of drinking water sources (with the exceptions specified by the Law of Georgia on State Property)) may be transferred into the ownership of and use by individuals and legal entities on condition of complying with the restrictions established by the legislation of Georgia.

4. Economic activity on the territory of a water body shall be subject to restrictions established by the legislation of Georgia.

5. The procedure for using water body lands shall be defined by this Law and other laws and by-laws of Georgia.

Article 11. Protection Zones of Water Bodies

1. A protection zone of a water body (water protection zone) shall include:

a) water protection zone, i.e. the area adjacent to a water body, where a special regime is established for the use of this area for domestic purposes, as well as for the use of natural resources and other economic activities. Water protection zones include, *inter alia*, coastal zones of rivers, lakes, water reservoirs, the Black Sea, main canals, and other waterways;

b) sanitary protection zone, i.e. the area around a body of water used for the abstraction of water for drinking, mineral water, surface water or groundwater (drinking water sources) where a special regime is established for using the area for domestic purposes, as well as for the use of natural resources and for other economic activities (including balneotherapy).

2. The rules for identifying the boundaries of protection zones of water bodies, including the list of activities permitted in them as well as terms and regimes for implementing these activities shall be specified in the Technical Regulation on Water Protection Zones approved by the Government of Georgia.

3. The Ministry of IDPs from the Occupied Territories, Labor, Health and Social Affairs of Georgia shall develop procedures for establishing sanitary protection zones around drinking water sources, their demarcation and zoning; specify a list of activities permitted in such zones; and set rules for their implementation.

Chapter IV

Water Use

Article 12. Object and Types of Water Use

1 The objects of water use shall be water bodies defined by this Law.

2. Water use shall include:

a) general water use;

b) special water use.

Article 13. General Conditions of Water Use

The following conditions shall be observed in water use:

a) surface water and/or groundwater used for drinking and household water supply, shall be well protected from pollution and contamination, and their quality in their natural state or after proper treatment shall comply with the norms established by the Georgian legislation;

b) holders of permits for waste discharge to bodies of surface water as specified in this Law, including industrial, agricultural and other enterprises generating wastewater containing polluting substances, must have relevant treatment facilities (plants) to protect water bodies and catchment areas from pollution;

c) while driving livestock, individuals and/or legal persons shall protect water supply sources located on its route from pollution and drying, and shall protect waterworks and equipment from damage;

d) water users shall unimpededly allow to their premises representatives of relevant authorized bodies performing their legal duties, taking into account safety standards

and requirements of current technical regulations; and shall provide them with all necessary information and documentation upon request;

e) water users' rights may be restricted in order to protect life and/or health of the population in case of exceptionally low water levels or an emergency situation in the body of water, threat of epidemic and/or epizooty, natural disaster, military actions and/or another emergency, or in other cases stipulated by the Georgian legislation; also for interests of other water users;

f) in order to prevent pollution of surface waters and groundwaters, individuals and/or legal entities shall comply with permissible norms of irrigation and fertilization on agricultural lands; also, in order to prevent eutrophication in bodies of surface water, they shall prevent the ingress of organic substances and soil erosion on agricultural lands.

Article 14. Provision of Water for Drinking and Household Needs

1. Water resources shall be mainly used to meet drinking and/or household needs of the population. Pursuant to the right of access to water, the population shall be continuously provided with safe water in sufficient quantities and at an affordable price.

2. Priorities of using water for other purposes shall be specified in RBMPs.

3. For raising public awareness, the MEPA shall develop a special mechanism and publish annual reports on the status of water intended for human consumption. The content of the report shall be specified in an order issued by the MEPA Minister.

4. The quality of water for human consumption shall be defined by the Technical Regulation on Quality of Water for Human Consumption approved by the Government of Georgia.

Article 15. General Water Use

1. General use of surface and/or ground waters shall be allowed for:

a) non-commercial purposes, including personal needs (drinking, household, health, recreational, etc.), without the use of structures and/or equipment that can significantly affect the condition of the water body from which water abstraction is planned and/or the water protection zone;

b) fire-fighting and emergency rescue operations.

2. General water use shall be carried out without a special water use permit (SWUP) in compliance with the requirements of the Georgian legislation.

3. General water use shall be free of charge.

4. General water use may be restricted in order to protect life and/or health of the population.

5. In the presence of circumstances threatening life and/or health of the population,

municipalities, on the basis of this Law, within the scope of their delegated powers, and in accordance with the legislation of Georgia shall:

a) in coordination with the MEPA and the Ministry for IDPs from the Occupied Territories, Labor, Health and Social Affairs of Georgia, determine the places where bathing shall be prohibited;

b) in coordination with the MEPA and the Ministry for IDPs from the Occupied Territories, Labor, Health and Social Affairs of Georgia determine places where abstraction water for drinking and/or household needs, watering cattle and/or fishing shall be prohibited.

6. Immediately after introducing the prohibitions stipulated in paragraph 5 of this article, the municipalities shall publish or otherwise inform the population (by notifying, distributing information notes, installing information signs near the relevant water bodies, etc.) about the conditions and limitations of general water use.

Article 16. Special Water Use from Surface Water Bodies

1. Special water use from a surface water body shall imply using a structure and/or equipment that significantly affect the condition of the water body from which water abstraction is planned. The following actions shall be considered as significantly affecting the condition of the water body:

a) abstraction of more than 15 m^3 of water per day from the body of surface water (except for cases specified in paragraph 1 (b) of Article 15 of this Law);

b) discharge of any amount of wastewater containing pollutants into the body of surface water.

2. Special water use from surface water bodies shall be carried out in accordance with this Law on the basis of the following special water use permits (SWUPs):

a) abstraction permit from a surface water body;

b) discharge permit to a surface water body;

c) combined water use permit for a surface water body.

3. The combined water use permit for a surface water body shall entitle its holder to carry out activities specified in subparagraphs 2 (a) and (b) of this article.

4. According to the Environmental Assessment Code, a person engaged in activities subject to Environmental Impact Assessment (EIA) shall obtain the right of special water use on the basis of an Environmental Decision without obtaining a SWUP specified in paragraph 2 of this article. In particular, persons engaged in activities subject to EIA who need special water use stipulated by this Law shall submit to the competent authority an application for an Environmental Decision together with the documents specified in Article 17 of this Law. The term and conditions of special water use by the person engaging in such activities shall be determined in accordance with Article 20 of this Law and the Environmental Decision envisaged by the Environmental Assessment Code.

Upon expiry of the term of water use specified in the Environmental Decision, the person shall also obtain a SWUP in accordance with the procedure established by this Law.

5. The obligation to obtain a SWUP established by this Law shall also apply to holders of the Environmental Decision who, upon issuance of the Environmental Decision, change the conditions of water abstraction and/or discharge, and/or need to abstract water from the surface water body without changing the production technology and/or operational conditions.

6. In case of changing the water abstraction and/or discharge conditions and/or requiring to abstract water from a surface water body resulting in changes in the production technology and/or operational conditions, holders of Environmental Decision shall be required under Article 7 of the Environmental Assessment Code to submit to the competent authority an application for obtaining a SWUP together with the the necessary documentation specified in Article 17 of this Law within the framework of the established activity inspection procedure.

7. In accordance with the Law of Georgia on Industrial Emissions, a person carrying out an activity covered by the Integrated Environmental Permit (IEP) shall obtain the right to special water use on the basis of this permit without obtaining a SWUP specified in paragraph 2 of this Article. In particular, persons engaged in activities subject to IEP defined by the Law of Georgia on Industrial Emissions who need special water use stipulated by this Law shall submit to the competent authority an application for an IEP containing information specified in Article 17 of this Law. The term and conditions of special water use by the person engaging in activities subject to IEP shall be determined in accordance with Article 20 of this Law and the IEP. Upon expiry of the term of water use specified in the IEP, the person shall also obtain a SWUP in accordance with the procedure established by this Law.

8. The obligation to obtain a SWUP established by this Law shall also apply to holders of Integrated Environmental Permits (IEPs) who, upon issuance of the IEP, change the conditions of water abstraction and/or discharge, and/or need to abstract water from the surface water body without changing the production technology and/or operational conditions under the Law on Industrial Emissions.

9. In case of changing the water abstraction and/or discharge conditions and/or requiring to abstract water from a surface water body resulting in changes in the production technology and/or operational conditions, holders of IEPs shall be required under Law of Georgia on Industrial Emissions to submit an application for the planned changes to the competent authority stipulated in Article 17 of this Law. In addition, terms and conditions of water use shall be determined in accordance with Article 20 of this Law and the relevant decision.

Article 17. Procedure and Conditions for Issuing Special Water Use Permits (SWUPs)

1. Special water use permits (SWUPs) for water use from bodies of surface water shall be issued in accordance with Chapter VII of the Law of Georgia on Licenses and Permits and Chapter VI of the General Administrative Code of Georgia, except for cases

stipulated by this Law.

2. SWUPs for using water from surface water bodies shall be issued by:

a) the MEPA;

b) the local municipality (for water resources of local significance).

3. In addition to the documents stipulated by the Law of Georgia on Licenses and Permits, an application for the surface water abstraction permit shall be supplemented with:

a) a brief technical (technological) specification of the activity;

b) parameters of water use;

c) schematic plan of the water use system (if any);

d) situational site layout showing coordinates of intake points and the watercourses (water flows in natural or artificial channels (river, stream, gorge, gully, canal) depending on the terrain slope));

e) hydrological and qualitative (physicochemical and biological) characteristics of the water body intended for use.

4. In order to obtain a discharge permit for a surface water body, in addition to the documents stipulated by the Law of Georgia on Licenses and Permits, applicants shall submit anticipanted maximum permissible levels of pollutants discharged into a surface water body together with wastewater (hereinafter – MPLs), including:

a) hydrological and qualitative (hydrochemical and hydrobiological) characteristics of the water body intended for water use;

b) brief information about the water user (capacity of the enterprise, description of technological processes, raw materials used and products manufactured, operational mode, etc.);

c) description of the water use at the enterprise, description of wastewater sources with GPS coordinates of the discharge point (UTM WGS 1984 coordinate system), their quantitative and qualitative characteristics;

d) capacity of treatment facilities, and treatment parameters;

e) estimated MPLs;

f) necessary measures to prevent emergency wastewater discharge;

g) control over compliance with the MPLs (methods of estimating water consumption and wastewater discharge, control parameters of wastewater quality, and sampling frequency);

h) plan of measures necessary for compliance with the MPLs.

5. In order to obtain a combined water use permit for a surface water body, in addition to the documents specified in the Law of Georgia on Licenses and Permits, applicants shall submit the information specified in paragraphs 3 and 4 of this Article.

6. Municipalities shall issue combined surface water body use permits only if the water abstraction and discharge are related to a water resource of local significance (except for activities subject to environmental impact assessment (EIA) or integrated environmental permit (IEP). In other cases, the combined water use permit shall be issued by the MEPA.

7. SWUPs shall be issued within 45 calendar days. Considering the priority objective of meeting drinking and/or household needs of the population when granting water use permits, the MEPA shall check whether municipal authorities plan to abstract water from the surface water body specified in the SWUP application to meet drinking and/or household needs of the population, and if so, shall take this into account when making a decision.

8. SWUPs for surface water bodies shall be issued taking into account the relevant river basin / river basin district management plan (RBMP) and the environmental flow in the river, assessed in compliance with the environmental flow assessment methodology approved by the MEPA Minister's order.

9. For surface water bodies located in the border zone and border security zone specified in the Law of Georgia on the State Border and in relevant normative acts, SWUPs shall be issued in coordination with the relevant competent authority of the Ministry of Internal Affairs of Georgia.

10. Rules and conditions for issuance of SWUPs shall be determined by Government Resolution on Approving Rules and Conditions for Issuing Special Water Use Permits for Surface Water Bodies.

Article 18. Grounds for Refusing a Special Water Use Permit (SWUP)

SWUPs for using water from surface water bodies shall not be issued if:

a) requirements of the Law of Georgia on Licenses and Permits and/or other legislative acts and by-laws of Georgia are violated;

b) information submitted for obtaining the water use permit does not correspond to reality;

c) the application for discharging wastewater containing pollutants to a surface water body does not have appropriate equipment (treatment facilities, plants) to prevent water pollution, contamination or another negative impact;

d) issuance of the permit contradicts the requirements of the Georgian legislation.

Article 19. Appealing against Refusal of SWUP

The refusal of SWUP by the issuing authority may be appealed to a higher administrative body (an official) or court.

Article 20. Term of SWUP

1. SWUPs for surface water bodies shall be issued for a maximum term of 5 years, except for cases specified in paragraph 2 of this article.

2. Taking into account the relevant river basin / river basin district management plan (RBMP), SWUPs for a surface water body shall be issued:

a) for irrigation purposes, for a period not exceeding 25 years;

b) for drinking water supply, for a period not exceeding 30 years;

c) for the purposes of HPPs and TPPs, for a period not exceeding 49 years (for the period stipulated by the relevant contract concluded with the State).

3. Based on the analysis of the environmental monitoring data for at least the recent 10 years, the issuing authority shall be entitled to revise and amend issued SWUPs in case of significant changes in water quantity indicators caused by natural conditions in the context of climate change.

Chapter V

Water Resources Management System

Article 21. Water Resources Management System

1. The water resources management system integrates planning and management mechanisms for the protection and utilization of water resources at the national and river basin / river basin district levels.

2. Water resources management shall be carried out in accordance with the principles of river basin management.

Article 22. Delimitation of River Basins/ River Basin Districts

1. Boundaries of river basins/river basin districts shall be delimitated in accordance with the Georgian Government Resolution on Establishing Boundaries of River Basins/River Basin Districts. The delimitation of river basins/river basin districts shall be carried out according to the following rules:

a) any surface water bodies, groundwater and coastal waters shall be attributed to a particular river basin or river basin district;

b) two or more river basins may be united into a single river basin district that may be named after the main rivers;

c) all groundwater within a river basin shall be attributed to this basin;

d) if the distribution of the groundwater does not exactly coincide with the distribution of the river basin, the groundwater shall be identified and attributed to the nearest or most appropriate river basin;

e) coastal waters shall be attributed to the nearest river basin.

Article 23. Mechanism for Water Resources Planning and Management

1. Water resources planning and management at the river basin / river basin district level shall be based on the river basin / river basin district management plan (RBMP).

2. RBMPs shall be approved by the Government of Georgia upon submission by the MEPA.

3. RBMPs shall be approved for a period of 6 years and updated every 6 years.

4. The procedure for developing, reviewing and approving RBMPs shall be established by the Government of Georgia.

Article 24. Development of RBMPs

1. The MEPA shall ensure the development and public discussion of draft RBMPs.

2. A RBMP shall include:

a) analysis of characteristics of a territorial unit of the integrated management of the river basin / river basin district (including a description based on results of a study of its characteristics, such as boundaries, water typology and baseline conditions for surface water bodies, and location and boundaries for groundwater);

b) description of significant anthropogenic loads and their impact on the status of the surface and groundwater bodies (including assessment of point source pollution and diffuse source pollution with a brief description of land use patterns), assessment of the impact on quantitative status of water - including water abstraction and other man-caused load, as well as analysis of the water status;

c) a list of negative impact risk zones and a risk management program;

d) a map showing boundaries of the protected areas;

e) a map of the monitoring network designed to determine the ecological status, also reflecting results of the monitoring programs used to determine this status;

f) a list of environmental objectives established for surface and groundwater bodies, as well as for water bodies located in the protection areas, including information on exceptions to the specified environmental objectives and related data;

g) brief economic analysis of the water use (including identification of the most cost-effective water-related measures to be included in the action program, etc.);

h) analysis of the action plan for achievement of the environmental objectives;

i) a list and brief description of other management programs and plans in the same river basin/ river basin district that have or may have an impact on the water bodies within this area;

j) information on public discussions and consultations held at the stage of developing the RBMP, and integration of their results in the RBMP;

k) information on the river basin / river basin district management body, its local office and the contact person, as well as the main documents and the procedure for requesting these documents.

3. The RBMP shall include a list of actions/activities for its implementation, which should describe organizational, financial and logistical aspects of the implementation. The methodology for developing separate RBMP components shall be approved by the MEPA Minister's order.

Article 25. Public Participation in Developing RBMPs

1. The development of RBMPs shall involve public participation in accordance with the procedure established by the legislation of Georgia.

2. A prepared draft RBMP shall be considered by the locally established river basin management advisory and coordination council in accordance with the procedure stipulated by the Georgian Government resolutions "On the Procedure for Development, Consideration and Approval of River Basin Management Plans" and "On the Procedure for Establishment and Operation of River Basin Management Advisory and Coordination Councils".

3. River basin management advisory and coordination councils are advisory bodies operating under the MEPA to ensure cooperation between state authorities and private persons for the protection and sustainable use of water resources on the territory of the respective basin.

4. The advisory and coordination councils shall consist of representatives of the MEPA and other competent authorities (including their local representations) specified in Article 6 of this Law; relevant municipalities; organizations whose activities significantly influence the status of water resources (water supply companies, energy generating companies, etc.); large-scale water users; water users' associations (if any); and other stakeholders.

5. The composition of the advisory and coordination councils shall be approved by the MEPA Minister.

6. The MEPA shall ensure that the information specified in paragraph 7 of this Article on the river basin / river basin district is published and made available for public discussion.

7. The MEPA shall:

(a) in accordance with paragraph 6 of this article, publish:

a.a) the schedule and program of works for creating and updating the RBMP with reference to the issues for public discussion;

a.b) the procedure for public discussion of the draft RBMP, and the draft RBMP itself;

b) ensure:

b.a) availability of key documents and information used in drafting the RBMP (upon request);

b.b) organization of public discussions of the draft RBMP.

8. Following consideration of the draft RBMP by the basin management advisory and coordination council, the MEPA shall ensure that a strategic environmental assessment of the draft RBMP is carried out in accordance with Chapter III (Strategic Environmental Assessment) of the Environmental Assessment Code.

9. The requirements of this article shall also apply to RBMP updates. The updated RBMP shall also include a brief review of activities identified in the previous version of the RBMP but not implemented, as well as a brief description of changes and additions, an assessment of progress in achieving environmental objectives, including monitoring results for the previous planning period (in the form of a map), and explanation of failures to achieve the environmental objectives stipulated in the RBMP.

Article 26. Classification of Water Bodies

1. Water bodies shall be classified according to their ecological status.

2. The classification of a body of surface water shall take into account quantitative, biological, hydromorphological and physicochemical indicators of the water, and classification of a body of groundwater shall consider geological, hydrological, quantitative, physicochemical and qualitative indicators of the water. These indicators determine the condition of the surface water and groundwater.

3. The differentiation between an artificial surface water body and a heavily modified surface water body shall be based on the characteristics of the nearest surface waters.

4. Depending on the ecological status (determined by biological, hydromorphological, physical and chemical indicators of a water body), surface water bodies shall be classified as having:

a) very good;

b) good;

c) satisfactory (average);

d) poor; or

e) very poor status.

5. Depending on the chemical status, surface water bodies shall be classified as having:

a) good; or

b) poor status.

6. Depending on the groundwater status, groundwater bodies shall be classified as having:

a) good quantitative status;

b) poor quantitative status;

c) good chemical status; and

d) poor chemical status.

7. Heavily modified water bodies and/or artificial water bodies shall be classified by their ecological potential as having:

a) high ecological potential;

b) good ecological potential;

c) satisfactory ecological potential;

d) poor ecological potential;

e) very poor ecological potential.

8. Classification criteria for water bodies shall be determined according to the Classification Methodology for Ecological Status and Potential of Water Bodies approved by the MEPA Minister.

9. For all types of surface water bodies, typical baseline hydro morphological, physicochemical and biological conditions shall be determined that correspond to the relevant indicators of similar water bodies with high ecological status, or in the case of heavily modified and/or artificial water bodies, to the relevant indicators of similar water bodies with high ecological potential, which is the basis for establishing water quality standards. The baseline indicators of surface waters with high ecological potential shall be revised every 6 years.

10. Surface water quality standards shall be the maximum concentration of a pollutant and/or pollutants in the water or bottom sediments, which may not be exceeded for the interests of public health and environmental protection.

11. Surface water quality standards shall be determined by Georgian Government Resolution on Approval of Surface Water Quality Standards.

Article 27. Target Quality Indicators of Surface and Ground Waters

1. Target water quality indicators shall be established for each surface water body having average, poor or very poor status, except when a water body is subject to strong anthropogenic impact or its natural condition does not allow achieving a good water status; or if heavy expenses are required to achieve such a status. In such cases, it is acceptable to set lower environmental targets and implement measures to prevent further deterioration of the water status.

2. The target indicator for any surface water body shall be its “good water status”, including “good ecological status” and “good chemical status”; and for a heavily modified water body and/or artificial water body these shall be “good ecological potential” and “good chemical status”.

3. Target quality indicators shall be established for each groundwater body with poor quantitative and qualitative water status.

4. The target indicator for any groundwater body shall be its good quantitative and chemical status.

Article 28. Programs of Measures for Maintenance and Improvement of Water Quality

1. Programs of measures for maintenance and improvement of water quality shall include:

a) consistent reduction of pollution and measures to stop discharge of pollutants into surface waters;

b) measures to achieve target indicators of water bodies;

c) measures to maintain the water regime of surface water bodies with high status and heavily modified or artificial water bodies with high ecological potential;

d) upon achieving the target indicator, measures to maintain the water status and, in certain cases, to further upgrade it to the high ecological status;

e) special measures to prevent significant and steady growth of groundwater pollution resulting from human activities;

f) measures to maintain the qualitative, quantitative and chemical status of groundwater;

g) measures to implement existing water protection requirements;

h) measures for sustainable water use;

i) measures for preserving drinking water quality;

j) measures to control point and diffuse sources of pollution;

k) other measures to prevent and eliminate significant impacts.

2. If there are several possible target indicators for a particular water body, measures to achieve the most important one shall be planned.

Chapter VI

Protection and Restoration of Water Resources

Article 29: Basic Requirements for the Protection of Water Resources

In order to ensure conservation of water resources and their protection from negative impacts, the following shall be prohibited:

a) discharge of wastewater with pollutants into surface and groundwater bodies in violation of terms of the discharge permit for surface water bodies; also any direct discharge of pollutants into groundwater;

b) disposal and/or burial of wastes in water bodies and their protection zones;

c) filling of a water reservoir before implementing measures to prepare its basin;

d) abstraction of surface and groundwater if this may result in lowering the water level below the permissible minimum and/or freezing of the water body (abstraction of groundwater if this may disturb the balance of the groundwater body);

e) water abstraction from rivers, construction/operation of hydraulic and industrial structures, construction/operation of irrigation systems and water extraction for other purposes regardless of the environmental flow;

f) water contamination and/or pollution by oil, wood, chemicals, petroleum, mineral and organic fertilizers, pesticides, etc. from water transport, pipelines, floating structures and other structures on the water body;

g) rafting of timber;

h) actions that may damage a water intake structure, worsen the quality of the water and/or reduce the discharge;

i) water use disregarding sanitary protection zones.

Article 30. Urban Wastewater Treatment Requirements

1. Requirements for urban wastewater discharge into surface water bodies and criteria for determining particularly vulnerable areas at risk of urban wastewater impact shall be specified in the Technical Regulations On Conditions of Urban and Industrial Wastewater Discharge into Surface Water Bodies approved by the Government of Georgia.

2. The quality of urban wastewater discharged into urban wastewater system (sewerage) and treatment facilities shall, at a minimum, meet such requirements and be in a state that would:

a) pose no threat to health of the personnel operating the system and treatment facilities;

b) cause no damage to the system, treatment facilities and related equipment;

c) ensure uninterrupted operation of the treatment facilities, compliance with the process flow of sludge treatment and neutralization;

d) ensure compliance with the conditions of urban wastewater discharge and prevention of negative environmental impact.

3. In case of non-compliance with the conditions stipulated in paragraph 2 of this article, preliminary treatment of industrial wastewater shall be required.

4. Technical conditions for discharge of urban wastewater into the wastewater system (sewerage) shall be specified in the Technical Regulations On Conditions of Wastewater Discharge and Intake in the Wastewater System (Sewerage) and Maximum Permitted Levels of Pollutants approved by the Government of Georgia.

Chapter VII

Control Over Protection and Use of Water Resources

Article 31. Controlling Bodies in the Field of Protection and Use of Water Resources and the Scope of Control

1. The following bodies shall exercise control in the field of protection and use of water resources within the limits of their competence:

(a) State Sub-Agency - Department of Environmental Supervision (hereinafter - the Department) under the MEPA's jurisdiction;

b) LEPL National Food Agency (hereinafter - the National Food Agency) under the MEPA's jurisdiction;

c) LEPL National Mineral Resources Agency (hereinafter - National Mineral Resources Agency) under the Ministry of Economy and Sustainable Development of Georgia;

d) LEPL State Oil and Gas Agency (hereinafter - the State Oil and Gas Agency) under the Ministry of Economy and Sustainable Development of Georgia;

e) Municipalities.

2. The responsibilities of the Department shall be as follows:

a) control over compliance with the terms of combined permits for abstraction, discharge and use of water of surface water bodies;

b) prevention, detection and suppression of illegal use of water resources within its competence;

c) prevention, detection and suppression of facts of pollution and/or contamination of water resources.

3. The National Food Agency shall exercise state control over the quality of drinking water and shall provide users with information on the water quality.

4. The National Agency for Mineral Resources shall exercise state controlover groundwater utilization.

5. The State Agency of Oil and Gas shall carry out utilization and control of water separated from hydrocarbon liquids.

6. Municipalities shall exercise control over utilization of water resources of local significance.

Chapter VIII

State Water Monitoring and Accounting Systems

Article 32. State Water Monitoring System

1. The state water monitoring system is a single system for regular monitoring and analysis of data on hydrological, hydromorphological, hydrogeological, chemical, and ecological status of surface and groundwater bodies, as well as their quantitative and qualitative characteristics. The system is intended for obtaining information on the state of water bodies, their interaction with the environment (natural and man-made), natural and anthropogenic processes, dangerous and catastrophic events in the river basins; also in analyzing, assessing and forecasting risk factors.

2. The state water monitoring system shall include a unified national monitoring network to implement hydrological, hydrochemical, hydrobiological, hydromorphological and hydrogeological monitoring programs.

3. State water monitoring shall be carried out by the National Environmental Agency (hereinafter - the National Environmental Agency or NEA) - a legal entity of public law within the MEPA, which shall provide stakeholders with quantitative and qualitative data upon request. The NEA shall regularly publish hydrological forecasts and warnings on expected natural events; it shall also regularly inform the public and stakeholders about level of water pollution in water bodies.

4. The State Water Monitoring Plan shall be annually developed by the NEA and approved by the MEPA Minister.

5. The procedure for planning and implementing water resource monitoring shall be determined by a resolution of the Government of Georgia.

Article 33. State Water Accounting System

1. Water use by individuals and legal entities engaged in entrepreneurship shall be subject to state accounting in the presence of one or both of the following conditions:

a) abstraction of more than 1 m3 of water per day from a water body;

b) wastewater discharge into a water body.

2. Water accounting shall be carried out by the MEPA.

3. State accounting of water use shall be carried out in the electronic form.

4. The procedure and terms of water accounting use shall be specified in the Rules for State Accounting of Water Use subject to approval by the MEPA Minister.

5. The water accounting shall also apply to freshwater wells used for drinking purposes in accordance with the Rules for Accounting Freshwater Wells approved by the Government of Georgia.

Chapter IX

Flood Risk Management

Article 34. Flood Risk Management

1. The National Environmental Agency (NEA) shall carry out a preliminary flood risk assessment for all river basins every 6 years to identify potential high-risk areas.

2. The NEA shall prepare flood risk maps; and the Emergency Management Service (hereinafter referred to as the Emergency Management Service), a structural unit of the Ministry of Internal Affairs of Georgia, shall prepare flood risk maps for all areas identified as having potentially significant risk of flooding. These maps shall identify medium (at least one flood per 100 years), low and high risk areas. For river basins identified as flood risk areas it is also necessary to indicate the population at potential risk, as well as potential risk for economic activity and expected environmental damage.

3. A flood risk management plan shall be prepared in accordance with the procedure established by the Georgian legislation. The flood risk management plan shall include measures for flood prevention, mitigation and preparedness, including forecasting and early warning systems. Flood risk management plans should be reflected in river basin management plans (RBMPs).

4. Competent state agencies shall develop flood risk management plans in coordination with the Emergency Management Service. Flood risk management plans shall be approved as prescribed by the legislation of Georgia.

5. The functions and competence of the state agencies in preparation, response, prevention and elimination of the consequences of emergency situations caused by floods shall be prescribed by the legislation of Georgia.

6. The Government of Georgia shall issue Resolution on Identification of Areas at Potential Risk of Flooding.

Chapter X

Economic Mechanisms of Water Resource Management

Article 35. Economic Mechanisms of Sustainable Water Use and Protection

1. Economic mechanisms of sustainable water use and protection shall be based on the “the user pays” principle established by the Law of Georgia on Environmental Protection.

2. In order to comply with this principle, environmental and water management costs related to water use shall be considered in determining the fee for the use of natural resources in accordance with the requirements of paragraph 3 of this article.

3. In case of water abstraction from a surface water body under special water use permits (SWUPs), the water user shall pay the fee for the use of natural resources. The amount of the fee and the payment procedure shall be determined by the Law of Georgia on Fees for the Use of Natural Resources.

4. The amount of the fee mentioned in paragraph 3 of this article shall ensure efficient use and sustainable management of water resources, and, consequently, achievement of the environmental objectives.

5. The obligation to pay the fee for the use of natural resources, stipulated by paragraph 3 of this Article, shall also apply to persons carrying out activities subject to environmental impact assessment, who receive an environmental decision and/or an integrated environmental permit.

Chapter XI

Responsibility for Violating the Water Legislation

Article 36. Responsibility for Violation of the Law

1. Responsibility for violation of this Law shall be established by the legislation of Georgia.

2. The responsibility established under paragraph 1 of this Article shall not exempt the offender from environmental liability established by the legislation of Georgia. Individuals and legal entities shall have the obligation to compensate for the environmental damage caused by violation of this Law in accordance with the legislation of Georgia on environmental liability.

Chapter XII

Transitional Provisions

Article 37. Regulations to be Adopted (Published) and Measures to be Implemented in Connection with this Law

1. By September 1, 2026, the Government of Georgia shall ensure the adoption of the following regulations:

a) Rules for Identification and Delimitation of Water Bodies;

b) Resolution on Establishing Boundaries of River Basins / River Basin Districts;

c) Technical Regulation on Quality of Water for Human Consumption;

d) Resolution on the Procedure for Developing, Considering and Approving River Basin Management Plans;

e) Rules for Planning and Implementing Water Resource Monitoring;

f) Resolution on Identification of Areas at Potential Risk of Flooding;

g) Technical Regulation on Water Protection Zones;

h) Resolution on Establishing Sanitary Protection Zones of Drinking Water Sources and Rules for Carrying Out Activities within Their Boundaries;

i) Resolution on Approval of Surface Water Quality Standards;

j) Technical Regulations on Conditions of Urban and Industrial Wastewater Discharge into Surface Water Bodies;

k) Technical Regulations on Conditions of Wastewater Discharge and Intake in the Wastewater System (Sewerage) and Maximum Permitted Limits of Pollutants;

l) Resolution on Approving Rules and Conditions for Issuing Special Water Use Permits for Surface Water Bodies;

m) Rules for Accounting Freshwater Wells;

n) Procedure for the Establishment and Operation of River Basin Management Advisory and Coordination Councils.

2. By September 1, 2026, the MEPA Minister shall:

a) issue an order On the Contents of Reports on Quality of Water for Human Consumption;

b) approve relevant methodologies regulating the management of water resources;

c) identify nitrate contaminated areas of surface water or areas at risk of nitrate contamination, and delineate of nitrate vulnerable zones;

d) identify good agricultural practices for nitrate vulnerable zones, and develop relevant action plans;

e) approve the Rules for State Accounting of Water Use;

f) identify nitrate contaminated areas of groundwater or areas at risk of nitrate contamination, and delineate of nitrate vulnerable zones;

g) identify sensitive areas and agglomerations at risk of exposure to urban wastewater.

3. By September 1, 2027, the Ministry of Regional Development and Infrastructure of Georgia shall:

a) give a description of urban and rural wastewater (sewerage) systems;

b) develop integrated measures to improve the condition of urban and rural wastewater (sewerage) systems for protecting water resources from pollution with wastewater.

4. From January 1, 2026, the MEPA and its subordinate agencies shall take measures stipulated by law to establish structural units for unimpeded performance of functions assigned to them by this Law and/or to announce competitions for vacant official positions.

5. Legal acts adopted/issued on the basis of the Law of Georgia on Water of October 16, 1997 (Parliamentary Gazette, No. 44, 11.11.1997, Art. 123) shall remain in force until their invalidation or adoption (issuance) of relevant legal acts on the basis of this Law, unless they contradict the requirements of this Law.

Article 38: Transitional Provision on Obtaining Special Water Use Permits by Holders of Environmental Decisions

1. Prior to implementation of the special water use regime stipulated by this Law, persons having obtained an environmental decision shall carry out special water use in accordance with the terms of the environmental decision. At the same time, holders of environmental decisions shall obtain special water use permits (SWUPs) established by this Law if they change the conditions of water abstraction and/or discharge, or need to abstract water from a surface water body without changing the production technology and/or operational conditions.

2. In case of changing the water abstraction and/or discharge conditions and/or requiring to abstract water from a surface water body resulting in changes in the production technology and/or operational conditions, holders of Environmental Decisions shall be required under Article 7 of the Environmental Assessment Code to submit to the competent authority an application for obtaining a SWUP together with the the necessary documentation specified in Article 17 of this Law within the framework of the established activity inspection procedure. Terms and conditions of water use shall be determined in accordance with Article 20 of this Law and the relevant Environmental Decision.

Article 39. Transitional Provision on Agreed Technical Conditions of Water Abstraction from Surface Water Bodies and Persons Discharging Water into Surface Water Bodies

1. A person who, based on Georgian Government's Resolution on Approval of Environment Protection Regulations, has agreed technical conditions for water abstraction from a surface water body and uses water in accordance with the agreed technical regulations, shall not need a SWUP specified by this Law until expiration of their agreement on technical conditions for water abstraction from the surface water body.

2. In case of changes to the agreed technical conditions of water abstraction from a surface water body, the person shall obtain a SWUP as prescribed by this Law.

3. Persons whose activities are not subject to environmental impact assessment and who discharge wastewater containing pollutants into a surface water body shall obtain a SWUP until September 1, 2027.

Article 40. Transitional Provision on Obtaining Water Discharge Permits for Surface Water Bodies by Operators of Irrigation and Drainage Systems and Centralized Wastewater (Sewerage) Systems

1. The need for installing structures and/or facilities for discharging water into surface water bodies using irrigation and drainage systems shall be determined by the competent authority/official on the grounds of an opinion based on results of laboratory studies, submitted by the irrigation and drainage system owner.

2. Paragraph 2 (b) of Article 16 of this Law (permit for water discharge into a surface water body) shall apply to the existing centralized wastewater (sewerage) systems from January 1, 2028.

Chapter XIII

Final Provisions

Article 41. Obsolete Normative Act

The Law of Georgia on Water dated October 16, 1997 (Parliamentary Gazette, No. 44, 11.11.1997, p. 123).

Article 42. Entry into Force of the Law

1. Except for Articles 1-36, paragraph 5 of Article 37 and Articles 38-41, this Law shall enter into force immediately upon publication.

2. Articles 1-5, paragraphs 1, 2 (a), (w), (y) and (z), 3-7, 8 (a) and (b) and 9 of Article 6, Article 7, paragraphs 1 and 3 of Article 8, Articles 9-16, paragraphs 1, 2 (a), 3-5 and 7-10 of Article 17, Articles 18-30, paragraphs 1 (a) to (d), and 2-5 of Article 31, Articles 32−34, paragraphs 1, 2 and 4 of Article 35, Article 36, paragraph 5 of Article 37 and articles 38-41 of this Law shall enter into force on September 1, 2026.

3. Paragraph 2 (x) of Article 6 and paragraphs 3 and 5 of Article 35 of this Law shall enter into force on September 1, 2027.

4. Paragraph 8 (c) of Article 6, paragraph 2 of Article 8, paragraphs 2 (b) and 6 of Article 17, paragraphs 1 (e) and 6 of Article 31 of this Law shall enter into force on January 1. 2030.

President of Georgia **Salome Zurabishvili**

Tbilisi,

June 30, 2023

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