



№ 49/13717

The Permanent Mission of Georgia to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and in response to the letter of the Special Rapporteur on the human rights to safe drinking water and sanitation dated March 1, 2017 has the honour to convey the response of the Government of Georgia to the questionnaire on report "regulation of water and sanitation services in the context of realization of human rights".

The Permanent Mission of Georgia to the United Nations Office and other international organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Encl. 3 pages.

Geneva, 13 April 2017

Office of the United Nations
High Commissioner for Human Rights
Geneva



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Questionnaire Answers:

1. “United Water Supply Company of Georgia” LLC and “Georgian Water and Power” LLC are main water and sanitation service bodies in Georgia. In some regions, such as Adjara, Sachkhere and Marneuli, exist companies, which operate in aforementioned field. Among them are “Mstkheta Water” LLC, “Rustavi Water” LLC, “Batumi Water” LLC, “Kobuleti Water” LLC, “Sachkhere Water” LLC, “Soguri” LLC and “Marneuli Water” LLC.

“United Water Supply Company of Georgia” LLC is a for-profit organization, although Ministry of Regional Development and Infrastructure of Georgia holds 100% of shares. Pursuant to the Statute of the company, main purposes are the following:

- water procurement, drinking water supply to population and organizations;
- water and wastewater systems design, building, operation and maintenance;
- water and wastewater chemical and biological treatment procedures.

Water and sanitation sector in Georgia is regulated by various laws; among them should be mentioned: Water Act of Georgia, Law of Georgia on Electricity and Natural Gas, Georgian Government Resolution on “Drinking Water Technical Regulation N 58”, Georgian National Energy and Water Supply Regulatory Commission (GNERC) Resolution N 32 on “Drinking Water Supply and Consumption”, Resettlement Framework Document and Environment Monitoring Framework Documents.

2. “United Water Supply Company of Georgia” LLC is a for-profit organization. Relation between consumers and the company is governed by civil law; thus, consumer rights to safe drinking water and sanitation is guaranteed by Civil Code of Georgia, Georgian Government Resolution on “Drinking Water Technical Regulation N 58”, also by GNERC Resolution N 32 on “Drinking Water Supply and Consumption”. These regulations maintain standards of availability, quality of drinking water and acceptability. GNERC Resolution N 17 on “Water Supply Fees” defines consumer fees for water and sanitation services. These fees are determined by Georgian National Energy and Water Supply Regulatory Commission and affirms affordability principle for population with different social standing. Also, a modern water quality laboratory located in the company should be mentioned, which corresponds to international standards.

3. "United Water Supply Company of Georgia" LLC supports the human rights principles of equality and non-discrimination. Under Constitution of Georgia and the Civil Code of Georgia, every person indiscernible of color, sex, race, religion or social belonging is equal. GNERC Resolution N 32 on "Drinking Water Supply and Consumption" protects human rights principles of non-discrimination, access to information, right to participation in the water and sanitation sector. Consumer rights are protected by Consumer Interest Protection Committee under GNERC. Consumer is able to lodge a complaint against the company in the committee. They are able to attend public hearing where cases are review and impartial, just decision is made through the consumer involvement.
4. Georgian legislation protects population that are economically disadvantaged or in vulnerable situation. As the relation between the company and consumers is governed by civil law, consumers freely express willingness to enter into civil relation, so they are obliged to pay fee for consumed water and sanitation. Consumer rights are protected under GNERC Resolution N 32 on "Drinking Water Supply and Consumption". During dispute regarding to fee, the company is obliged to supply water and sanitation services to consumers by demand of the committee.
5. "United Water Supply Company of Georgia" LLC monitors water quality via laboratory system, which comprises central, regional and service center laboratories. Central laboratory operates in Headquarters and monitors regional laboratories situated in Bolnisi, Mtskheta, Gori, Tskaltubo, Kutaisi, Ozurgeti, Poti, Akhaltsikhe and Telavi. Georgian Government Resolution on "Drinking Water Technical Regulation N 58" determines water quality for water supply companies. Microbiological and chemical complex research and monitoring, also drinking water regulatory monitoring are carried out on day-to-day basis in company laboratories. Special measures are taken in order to maintain and improve water quality. Population is fully informed in case of water supply limits. Water quality monitoring data is sent to Georgian National Energy and Water Supply Regulatory Commission quarterly.
6. Informal provider of water and sanitation services is a vague concept. Normally, informal providers are consumers who use water and sanitation illegally and do not pay fees, established by certain laws. GNERC Resolution N 32 on "Drinking Water Supply and Consumption" defines various clauses, when provider ("United Water

Supply Company of Georgia” LLC) finds out that the resolution is breached and consumer used water or sanitation illegally, the company has authority to cut the line, unless consumer pays fee. I would like to stress, that our Government’s approach with regard to the aforementioned situations is loyal and focused on consumer rights protection. “United Water Supply Company of Georgia” LLC notifies consumers 10 days prior to taking extreme measures (to cut the line). Thus, consumers are able to pay fee and not stay without water and/or sanitation service.

7. “United Water Supply Company of Georgia” LLC is a for-profit organization, Ministry of Regional Development and Infrastructure of Georgia (MRDI) holds 100% of shares. MRDI, Georgian National Energy and Water Supply Regulatory Commission and LEPL National Food Agency (under Ministry of Agriculture of Georgia) control company activities. Human rights to safe drinking water and sanitation, consumer rights, progressive realization of water and sanitation sector, water quality standards are taken into consideration.