

**angari Si**

**euTo-s regionSi nacional ur umciresobaTa enobrivi  
ufl ebebis Sesaxeb**

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**vropaSi usafrTxoebisa da TanamSroml obis organizacia  
umaRI esi komisariati nacional ur umciresobaTa dargSi**

winasi tyvaoba

rodesac aRmovaCine, rom Cemi samuSaoebrivi moval eobis Sesrul ebis as xSirad mixdeboda iseTi saqmianoba, romel ic dakavSirebul i iyo im pirebis enobrivi ufl ebebTan, roml ebic miekuTvnebian erovnul umciresobebs, 1996 wl is dekembris bol os gadavwyvite Cametarebina euTo-s yvel a wevr-qveyanaSi enobrivi ufl ebebis SedarebiTi anal izi. gadavwyvite, rom gansakuTrebiT sasargebl o iqneboda yuradReba gamemaxvil ebina enis gamoyenebaze ganaTI ebis sferoSi, vinaidan ganaTI eba mniSvnel ovania rogorc enis, aseve pirovnebis individual obis SenarCunebisaTvis. amgvarad, me weril iT miymarTe yvel a wevri-qveynis sagareo saqmeTa ministrs. weril s Tan erTvoda mokl e kiTxvari. me vimedovnebdi, rom oficial uri pasuxebi gamoavl enda am sferoSi gamoyenebul meTodebs da arsebul i midgomebis mraval ferovnebas, rac sasargebl o iqneboda yvel a CvenTaganisTvis.

samwuxarod, yvel a wevri saxel mwifosgan Cems weril ze pasuxis gacemas ufro meti dro dasWirda, vidre me vvaraudobdi. magram, me mainc SevZel i mimeRo yvel a maTganis pasuxi, garda ori saxel mwifosi. amis Semdeg, me davaval e Cems TanamSroml ebs CaetarebinaT miRebul i pasuxebis anal izi, rac maTTvis warmoadgenda maT yovel dRiur profesional ur saqmianobaze damatebiT samuSaos. situaciebis da meTodebis mraval fe5rovnebis gaTval iswinebiT, pasuxebis kategorizacia da Sedareba sakmaod Znel i aRmoCnda.

rasakvirvel ia, me informirebul i var imis Sesaxebac, rom zogierT qveyanaSi, Cems kiTxvarze pasuxis gacemis Semdgom periodSi tardeba garkveul i sakanonmdebl o reformebi, rac, aseve unda iqnas gaTval iswinebul i am angariSis gacnobis dros.

miuxedavad im siZnel eebisa, roml ebic Tan axl da am mimoxil vis Sedgenas, me imedi maqvs, rom miRebul i informacia da aq warmodgenil i anal izi sasargebl o da saintereso iqneba politikosebisTvis da aseve maTTvis, vinc dainteresebul ia am mniSvnel ovani probl emis gadaWriT. amasTan dakavSirebiT, minda madl oba gadauxado yvel a im wevr-qveyanas, romel mac reagireba moaxdina Cems mimarTvaze da momawoda saWiros informacia. aseve minda madl oba gadauxado Cemi aparatis TanamSroml ebs, gansakuTrebiT ki Cems iuridiul konsul tantebs im Seufasebel i daxmarebisTvis, romel ic maT mier iqna gaweul i, aseve profesor stiven ratners, (ful braitis saxel obis mecniers euTo-s sakiTxebSi), roml is anal itikuri da literaturul i gamocdil eba Seufasebel i gamodga winamdebare angariSis sawyisi proeqtis SeqmnaSi.

Cveni saerTo Rirebul ebebis Tanaxmad, nebismierma pirma euTo-s wevr-qveynebsi srul ad unda ganaxorciel os Tavisi adamanuri ufl ebebi, enobrivi ufl ebebis CaTvl iT. CemTvis cnobil ia, rom es gansakuTrebiT mniSvnel ovania maTTvis, vinc miekuTvneba erovnul umciresobebs, romel Tac awuxebT maTi individual urobis SenarCunebis da ganvitarebis sakiTxi. me darwmunebul i var, rom Cven SevZl ebT avaSenot Ria, usafrTxo da ayvavebul i evropas erTmaneTisadmi saTanado pativiscemis, kul turebis da

enebis mTel i mraVal ferovnebis urTierTdamokidebul ebis pirobebSi. me  
vimedovneb, rom es angariSi Sesabamis wli s Seitans am  
mimarTul ebiTGCatarebul saqmianobaSi.

maqs van der Stol i

umaRI esi komisari erovnul umciresobaTa sakiTxebSi  
haaga, 1999 wli s 10 marti.AMOYENEBU

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## 1. S e s a v a l i

evropaSi usafrTxoebis da TanamSroml obis konferenciis 1992 wl is hel sinkis dokumentis Tanaxmad, erovnul umciresobaTa umaRI esi komisariati warmoadgens "yvel aze adreul SesaZI o etapze konfl iqtis Tavidan acil ebis instruments". Mmisi special uri mandatia imoqmedos rogorc adreul ma gamafrTxil ebel ma meqanizmma da aseve miiRos Sesabamisi zomebi im "erovnul umciresobaTa im sakiTxebTan dakavSirebiT, roml ebic SesaZI ebel ia gadaizardos konfl eqtSi euTos moqmedebis regionSi." euTos mowinave qveynebTan mudmivi konsul taciebis da rekomendaciebis meSveobiT da aseve moqmed Tavmj domaresa da euTo-s sxva meqanizmebTan SeTanxmebiT, umaRI esi komisari cdil obs gadaWras umciresobaTa probl emebi mTel rig qveynebSi.

1993 wel s, amJamindel i umaRI esi komisris ufl ebamosil ebis Zal aSi Sesvl idan dRemde, igi darwmunda, rom im adamanTa enobrivma ufl ebebma, roml ebic miekuTvnebian erovnul umciresobebs, SeiZines didi mniSvnel oba euTo-s mraval regionSi. Ees movl ena warmoqmnil ia im garemoebis Sedegad, rodesac erovnul umciresobaTa warmomadgenl ebis SesaZI ebl oba, Tavisufl ad gamoiyenon Tavianti mSobl iuri ena, imarTeba central izebul ad. umciresobaTa didi nawil isaTvis, ena, iseve rogorc TviT-identifikaciis sxva damaxasiaTebel i Tviseba (rogoricaa rel igia an istoria), warmoadgens pirovnebis TviTdamkvidrebis wyaros da maTi kl asifikaciis saSual ebas. umciresobaTa kul turis aRiareba da misi dacva tol fasia umciresobis original ur enaze ideebis, adaT-Cvevebis da kul turis sxva maCvenebl ebis gadmocemis Tavisufl ebisa. maTi unari, il aparakon Taviant enaze ZiriTadad ganaxvavebs maT sxva umravl esobaTa j gufabisagan euTos qveynebSi.

EeuTos yovel qveyanas sxvadasxva saxis siZnel eebi aqvs enobrivi ufl ebebis sakiTxebis dadgenasTan dakavSirebiT da ar arsebobs Tundac ori qveyana, romel sac miRebul i hqondes zustad erTnairi mimarTul ebis politika. EeuTos mowinave mTavrobebma mraval jer aRiares enobrivi ufl ebebis mniSvnel oba umciresobaTa ufl ebebis sferoSi. zogiertma maTganma special uri zomebi miiRo umciresobaTa im enebis dasacavad da xel Sesawyobad, roml ebic gamoiyeneba maT teritoriebze. miuxedavad amisa, probl emebi warmoiqmneba iq, sadac mTavrobebi umciresobebs warmomadgenel Ta SesaZI ebl obas, il aparakon Taviant mSobl iur enaze, erovnul i kanonmdebl obis an sxva saSual ebebis meSveobiT zRudaven, an nebas rTaven sxvebs am mizniT ganaxorciel on sxvadasxva aqciebi. aseTi situaciebis Sedegad Seqmnil i daZabul oba, rodesac umciresobaTa warmomadgenl ebs ar gaaCniaT sakmarisi ufl ebebi, aiZul ebs umaRI es komisars Caebas enasTan dakavSirebul i mTel i rigi sakiTxebis mogvarebaSi, rac misi konfl iqtis Tavidan acil ebis

mandatis nawil s warmoadgens. mTavrobebi, roml ebic aweseben an uSveben aseTi politikis an saSual ebebis gamoyenebas, ZiriTadad amarTI eben maT im mosazrebiT, rom umravl esobis ena, romelic xSirad miRebul ia rogorc oficial uri an saxel mwifo ena, warmoadgens mniSvnel ovan gamaerTianebebi faqtors saxel mwifoSi da rom sxva sxva enebis gamoyeneba gamoiwvevs erovnul i erTianobis moSI as. es argumenti gansakuTrebiT gamoiyeneba im SemTxvevaSi, rodesac erovnul i umciresobebi, erTad Tu cal-cal ke, Seadgenen mTI iani mosaxl eobis mniSvnel ovan nawil s. saerTaSoriso kanoni ukve aZl evs sxvadasxva ufl ebebs erovnul umciresobebs raTa gamoiyenon TavianTi ena dabrkol ebis gareSe. euTom garkveviT da mraval jer gamoxata da ganaviTara Tavisi pozicia am ufl ebebTan dakavSirebiT mTel rig mniSvnel ovan dokumentebSi. gansakuTrebiT ki, adamanuri ganzomil ebis konferenciis kopenhagenis Sexvedris 1990 wl is dokumentSi. saxel mwifoebis SeuZl iaT daicvan es ufl ebebi mraval i sxvadasxva saSual ebebiT.

umaRI esi komisris konfliqtis Tavidan acil ebis mandatis mixedviT, da agreTve zogierti saxel mwifos Txovnidan gamomdinare, 1996 wels dadginda, rom sasargeblo iqneboda enobrivi ufl ebebis sakiTxebTan dakavSirebiT mraval mxrivi midgomis gamoyeneba. yvela monawile qveynis kanonebis da politikis analizi da Sedareba, gamoyenebad sakanomdeblo standatrebTan erTad, savaraudod miscemda mTavrobebs maTi valdebul ebebis Sesrulebis mraval mxriv arCevans am regionSi da aseve politikaSi urTierTobebis damyarebis saSual ebebs, roml ebic Sors aris am standartebidan. aseTi Seswavis Sedegad SesaZl ebeli gaxdeba saxel mwifoTa Soris amaRI des codna am sakiTxis mniSvnel obis da enobrivi ufl ebebis, rogorc qveyanaSi simSvidis da adamanis ufl ebebis uzrunvel yofis saSual ebis dacvis Sesaxeb. da bolos, gadawyda Catardes euTos saxel mwifoTa politikis mimoxilva enobrivi ufl ebebTan dakavSirebiT da Sedegebi Tavmoyrili iqnas umaRI esi komisaris angariSSI.

## II. informaciis Segrovebis procesi

umaRI esi komisris mandati (punqti 23) ufl ebas aZl evs mas Seagrovos da miROS informacia erovnul i umciresobebis mdgomareobis Sesaxeb nebismieri wyarodan garda im wyaroebisa, roml ebic axorciel eben an xel s uwyoben terorizms, an Zal adobas. enobrivi ufl ebebis dargSi eqspertebTan konsultaciebis Semdeg, gadawyda, rom euTo-s monawile saxel mwifoebis<sup>1</sup> daesmebaT cxra kiTxva. es kiTxvebi mocemul ia am angariSis danarTSi da aseve

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<sup>1</sup> iugoslaviis federaciuli respublika (serbia - Cernogoria) ar iyo ganxiluli, vinaidan organizaciaSi misi gawevrianeba SeCerebuli iyo. The vatikans ar gaegzavna kiTxvari, misi iSviaTi politikuri statusis da metad mcirericxovani mudmivi mosaxl eobis gamo.

gameorebul ia pasuxebis anal itikur ganxil vande. kiTxvebis mizania moiZios informacia angariSis me-4 nawil Si enobrivi ufl ebebis oTx fundamental ur aspeqtze, rogoricaa:

- cal keul i enebis statusi saxel mwifoSi;
- erovnul umciresobaTa warmomadgenl ebis ufl ebebi da SesaZl ebl obebi gamoiyenon Taviani ena saxel mwfo administraciul da sasamarTi o dawesebul ebebSi;
- umciresobaTa enebis roli saswavo programaSi, gansakuTrebiT ki is, Tu ramdenad aqvT studentebS SesaZl ebl oba, Seiswavo on umciresobis enebi da kul turebi da is, Tu ramdenad SeuZliaT maT miRon ganaTi eba Taviani enaze;
- ramdenad xel misawvdomia erovnul umciresobaTa warmomadgenel TaTvis mas-media maT enaze.

umaRi esi komisris mier kiTxvarTan erTad euTo-s monawile qveynebis sagareo saqmeTa ministrebisadmi gagzavnil iqna werili, daTariRebuli 1996 wl is 10 dekembriT. pasuxebis umetesoba miRebuli iqna 1997 wl is pirvel naxevarSi. naklebi raodenoba movida 1997 wl is Semodgomaze. zogierT SemTxvevaSi umaRi esi komisris mier gaigzavna Sexseneba im mTavrobebisadmi, romel Taganac pasuxi ar iyo miRebuli. pasuxebi gamoagzavnes yvela mTavrobebma, romel Tac gaegzavnaT kiTxvarebi, garda ori saxel mwifosi - albaneTis da belgiisa. garda amisa, samma saxel mwifom - islandiam, lixtenSteinma da luqsemburgma ganacxades, rom maT ar hyavdaT erovnuli umciresobebi, amitomac ar upasuxes SekiTxvebs. (sxva saxel mwifoebma, romlebic acxadebdnen erovnul umciresobaTa ararsebobis Sesaxeb, miuxedavad amisa, airCies epasuxaT zogierT an yvela kiTxvaze). 51 saxel mwifos pasuxebis sruli teqsti mocemulia am angariSis danarTSi, romelic gamoqveynebulia calke gamocemad (tomad).

momdevno analizi da Sedareba efuzneba mxolod mTavrobaTa pasuxebis am mimoxilvaze. ar Catarebul arasamTavrobo wyaroebis gamokiTxva da aseve ar yofila Seswavili oficaluri samTavrobo wyaroebi, vinaidan isini CarTuli iyo danarTis saxiT mTavrobebis mier mowodebul pasuxebSi. am meTodol ogiuri gadawyvetilebis Sedegad umaRi es komisars unda gaetval iswinebina informaciis Segrovebis aq gamoyenebuli 5 damaxasiaTebeli faqtori:

1. euTo-s monawile yovelisaxel mwifos demografiuli aspektebi umciresobebis arsebobis gaTval iswinebiT mniSvel ovnad icvleba qveynebSi. aq igulisxmeba aseve erovnul umciresobaTa warmomadgenlebis ricxvi, umciresobaTa jgufebis raodenoba da maTi geografiuli koncentracia. iqmneba mTeliri rigi situaciebisa, dawyebuli mravalenovani saxel mwifoebiT, romel Ta enobrivi jgufebi ar iTvleba umciresobad da damTavrebuli saxel mwifoebiT, sadac erovnul umciresobaTa warmomadgenlebis ricxvi umniSveloa. aseve aris iseTi saxel mwifoebic, sadac Zalian didia aseTi adamianebis da umciresobaTa jgufebis raodenoba. garda amisa, saxel mwifoebSi arsebobs sxavadsxva ekonomiuri

garemoebibi, roml ebic zegavl enas axdens maT politikaze am regionSi.

2. sxvadasxva qveynebma gamoamJRavnes reagirebis mniSvnel ovnad cval ebadi done da detal urba Taviant pasuxebSi. aq igul isxmeba is 3 zemoT CamoTvlil i saxel mwifo, roml ebmac ganacxades, rom maT ar hyavT erovnul i umciresobani da ar aqvT erovnul umciresobaTa enebi da aseve is mniSvnel ovani pasuxebi, roml ebic detal urad aRwren kanonebs, politikas da Catarebul qmedebes, zogjer TandarTul i dokumentebi<sup>2</sup>. zogierTma saxel mwifom airCa, kombinirebul ad gaecaT pasuxi ramdenime SekiTxvaze. zogierTma upasuxa mxol od ramodenimes. bunebrivia, rom mTavrobis politikis aRwera aris iseTive sruli da zusti, rogoric mocemulia maT oficialur pasuxSi. amis gamo, srul fasovani Sedarebis gakeTeba SeuZl ebel ia.

3. detal ebis cval ebadi xasiaTis garda, Sesazl ebl obebis sfero da saxel mwifos mier ganxorciel ebul i qmedebebi aucil ebel s xdis Catardes ganzogadoeba da kvalifikacia SedarebisTvis. aseTi kl asifikacia yovel Tvis ar asaxavs qveynebs Soris arsebul gansxvavebas, magram is aucil ebel ia imisaTvis, raTa uzrunvel yofil i iqnas SedarebiTi analizis sasargeblo forma saxel mwifoTa pasuxebis sruli suraTis misaRebad.

mkiTxvel ebma umj obesia gadaxedon pasuxebis srul teqsts, roml ebic mocemulia am angariSiS danarTSi.

4. analizi SezRudulia kanonebiT, politikiT da saxel mwifos mier ganxorciel ebul i qmedebebiT, misi mTavrobis ganacxadebis Tanaxmad. is ar izleva arc saxel mwifoSi ganxorciel ebul i faqtiuri qmedebis damoukidebel i Seswavis monacemebis da arc Sefasebas im specifikuri konteqstisa, roml is farglebSi kanonebi da politika iqna mirebul i da gamoiyeneba yovel saxel mwifoSi. Tumca umaRlesma komisarma gaamaxvila yuradRebam saxis sakiTxebze calkeul saxel mwifoebSi, rogorc misi konfliktis Tavidan acilebis funqciis Semadgenel nawilze, winamdebare kvlevis mizans ar warmoadgens yovel i saxel mwifos Sida kanoni da qmedebis saerTasoris standartebTan Sesabamisobis Sefaseba. (Tumca euTo-s val debulebebs iziarebs yvel a euTo-s monawile qveyana, specifiuri sakanonmdeblo val debulebebi Sesazl ebel ia gansxvavebul i iyos im xel Sekrullebis da Sesabamisad, roml is wevric aris esa Tu is qveyana). ufro swored, rogorc iyo aRniSnuli, am kvlevis mizania gamoavlinos euTo-s monawile qveynebis qmedebobaTa mraval ferozneba da gaakeTos matze saerto komentari.

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<sup>2</sup> am konteqstSi unda aRniSnos, rom or saxel mwifos ar gaucia pasuxi kiTxvebze detal urad, magram Tan daurTo sxva mizniT winaswar momzadebul i angariSebi. I uqsemburgma 1996 wl is angariSi gaeros komitetisadmi rasobrivi diskriminaciis sakiTxebze da aSS-m - Tavisi 1994 wl is angariSi gaeros adamianis ufl ebebis komitetisadmi. es angariSebi Seswavi il iqna da zogierT SemTxveebSi pasuxoben kiTxvarSi dasmul SekiTxvebs.



5. angariSSi ganxil ul i Sedegebi uaxl esia da TariRdeba pasuxis miRebis dRiT, umetes SemTxvevaSi miekuTvneba 1997 wl is monacemeb. drois simciris da survil is gamo, rom Tavidan acil ebul i yofil iyo kiTxvarebis kidev erTi rigis gagzavna saxel mwifoTa dedaqal aqebSi, MmTavrobemis mxridan ar yofila moTxovna ganaxl ebul i monacemebis mowodebis Sesaxeb. amgvarad, SeiZl eba aRiarebul iqnas, rom winamdebare angariSSi aRweril i qmedebemis garkveul i nawil i ukve aRar asaxavs samTavrobo politikas. umaRl esi komisrisaTvis, rasakvirvel ia, cnobil ia im sakanonmdebl o reformis Sesaxeb, roml ebic mimdinareobs mTel rig saxel mwifoebSi.

### III. enobrivi ufl ebebTan dakavSirebul i saerTasoriso standartebis mimoxil va

erovnul i umciresobebis warmomadgenel Ta enobrivi ufl ebebi warmoadgens mraval i saerTasoriso instrumentis sagans. angariSis es nawil i zogadad asaxavs im instrumentebis, roml ebic exeba enobrivi sakiTxebis. es pirobebi Seswavl il i iqneba ufro detal urad cal keul i kiTxvebis ganxil vis konteqstSi.

#### a. euTos instrumentebi

erovnul i umciresobis warmomadgenel Ta dacvis standartebis Sesaqmnel ad, romel sic aseve Seva enobrivi ufl ebebi, yvel aze mniSvnel ovan mcdel obas warmoadgens adamianis ganzomil ebis konferenciis kopenhagenis Sexvedris 1990 wl is dokumenti. rogorc qvemoT iqneba asaxul i, kopenhagenis dokumenti pasuxobs mTel rig sakiTxebis, diskriminaciis aRmofxvris, mSobl iuri enis gamoyenebis da mSobl iuri enaze ganaTl ebis miRebis CaTvl iT. Tumca kopenhagenis dokumenti ar warmoadgens xel Sekrul ebas, mas aqvs rogorc politikuri, aseve sakanonmdebl o mniSvnel oba imis gamo, rom is miRebul i iqna konsensusiT euTos monawil e qveynebis mier. misi politikuri mniSvnel oba gamoixateba euTos qveynebis mier misi aRiarebis survil Si, rom is damcveli zomebi, roml ebic gaTval iswinebul ia erovnul i umciresobebisaTvis- - enobrivi ufl ebebis gamoxatvis CaTvl iT - warmoadgens Rirseul politikas, romel ic xel s uwyobs organizaciis "im miznebis Sesrul ebas adamianis ganzomil ebis dargSi, rogoricaa adamianis ufl ebebi, fundamental uri Tavisufl eba, demokratia da kanonis normebi"<sup>3</sup>. euTos mier didi xania dakanonda, rom politikuri val debul ebebis darRveva iseve miuRebel ia, rogorc saerTasoriso kanonis nebismieri darRveva da rom euTo iseve SeSfoTebul ia am instrumentebis

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<sup>3</sup> adamianis ganzomil ebaTa konferenciis moskovis Sexvedris 1991 wl is dokumenti. paragarfi 1.

darRveviT, rogorc sakanonmdebl o xasiaTis instrumentebis darRveviT. kopenhagenis dokumentis mniSvnel oba mraVal j er iqna aRniSnul i euTo-s Semdgom dokumentebSi. hel sinkis sabol oo aqti Seicavs val debul ebas saerTaSoriso kanonis dacvis Sesaxeb.

## b. xel Sekrul ebebi

euTos mier dekl arirebul i standartebis garda euTo-s monawil e qveynebi SeiZl eba gaxdnen 3 gansxvavebul i xel Sekrul ebebis j gufebidan erTi an metis wevri, dakanonebul i val debul ebebiT. msofi io SeTanxmebebi, evropul i SeTanxmebebi da special uri SeTanxmebebi Cveul ebriv subregional ur da bil ateral ur doneebze, pasuxoben umciresobis sakiTxebs. ZiriTadi msofi io SeTanxmebebia saerTaSoriso SeTanxmeba samoqal aqo da politikuri ufl ebebis Sesaxeb (ICCPR)<sup>4</sup> da saerTaSoriso SeTanxmeba ekonomiuri, social uri da kul turul i ufl ebebis Sesaxeb ("ICESCR")<sup>5</sup>, roml ebic miRweul iqna 1966 wel s niu-iorkSi. Tumca maTi sagani ar aris uSual od umciresobis ufl ebebi, mTel i rigi maTi sakiTxebisa dakavSirebul ia im pirTa enobriv ufl ebebTan, roml ebic ganekuTvnebian erovnul umciersobebs. euTos 51 saxel mwifo samoqal aqo da politikuri ufl ebebis saerTaSoriso SeTanxmebis wevria; igive 51 qveyana aris aseve ICESCR -is wevri)<sup>6</sup>.

ZiriTadi evropul i SeTanxmebebia adamianis ufl ebebis da fundamental uri Tavisufl ebis 1950 wl is (ECHR)<sup>7</sup> konvencia da erovnul i umciresobebis dacvis 1995 wl is CarCo - konfecia ("CarCo - konvencia"), roml ebic miRebul i iqna evropis sabWos daxmarebiT<sup>8</sup>. pirvel i bevr sakiTxSi Seesatyviseba ICCPR-s, maSin rodesac meore warmoadgens pirvel Tanamedrove pan-evropul konvencias, roml is upirvel esi mizania umciresobis warmomadgenel Ta dacva da Seicavs enobriv ufl ebebTan dakavSirebul mTel rig punqtebs. euTo-s 40 qveyana evropis sabWos adamianis ufl ebebis (ECHR)-is wevria<sup>9</sup>; 23 euTo-s wevri saxel mwifo ki CarCo - konvenciis wevria<sup>10</sup>. mesame mimarTul eba

<sup>4</sup> 999 UNTS gaeros xel Sekrul ebebi

<sup>5</sup> 993 UNTS gaeros xel Sekrul ebebi

<sup>6</sup> yvel a saxel mwifo andoris, vaticani yazaxeTis da TurqeTis garda.

<sup>7</sup> EIS N 5, 213 (gaeros xel Sekrul ebebi 221) (evropis xel Sekrul ebebi)

<sup>8</sup> EIS N 157. aseve mniSvnel oVania 1992 wl is evropis qartia regional uri Tu umciresobis enebis Sesaxeb. aRsaniSnavia, rom "qartiis mizani kul turul ia da is isaxavs umciresobis da regional uri enebis dacvas da xel Sewyobas, da ara enobrivi umciresobis dacvas". evropis sabWo, evropis regoinal uri da umciresobis enebis qartia, ganmartebiTi angariSi, paragrafi 10-11.

<sup>9</sup> al baneTi, andora, avstria, bel gia, bul gareTi, xorvatia, kviproSi, CexeTis respubl ika, dania, estoneTi, fineTi, safrangeTi, germania, saberZneTi, ungreTi, isl andia, irl adnia, ital ia, l atvia, l ixtenStaini, l itva, l uqsemburgi, mal ta, mol dova, niderl andebi, norvegia, portugal ia, rumineTi, ruseTis federacia, san-marino, sl ovakia, sl ovenia, espaneTi, SvedeTi, Sveicaria, makedoniis yofil i iugosl aviiis respubl ika, TurqeTi, ukraina da gaerTianebul i samefo.

<sup>10</sup> somxeTi, avstria, xorvatia, kviproSi, CexeTis respubl ika, dania, estoneTi, fineTi, germania, ungreTi, ital ia, l ixtenSteini, mal ta, mol dova, rumineTi, ruseTis federacia, san-marino, sl ovakia, sl ovenia, espaneTi, makedoniis yofil i iugosl aviiis respubl ika, ukraina da gaerTianebul i samefo.

SeTanxmebebisa warmoadgens im SeTanxmebebs evropis qveynebs Soris, roml ebic ar iyvnen miRebul i pan - evropul an msofli o doneze. maTSi Sedis pirvel i da meore msofli o omebis Semdgomi is xel Sekrul ebebi, roml ebic jer kidev Zal aSia da mimarTul ia erovnul i umciresobebisadmi, rogoricaa 1923 wl is I ozanis xel Sekrul eba saberZneTsa da TurqeTs Soris<sup>11</sup> da 1947 wl is samSvidobo xel Sekrul eba ital iasTan<sup>12</sup>. aseTive mniSvnel obisaa axal i xel Sekrul ebebi euTo-Si sxvadasxva mezobel qveynebs Soris, roml ebic Seicaven umciresobis sakiTxebs<sup>13</sup>. zogierTi am xel Sekrul ebisa, mag. rumineTi-ungreTi da sl ovakia-ungreTis xel Sekrul ebebi Seicavs evropis sabWos rekomencias 1201, romel ic Cadebul ia evropis adamianis ufebaTa sasamarTl os damatebiT protokol Si erovnul i umciresobebis Sesaxeb (Tumca TviT rekomendacia uaryofil i iqna evropis ministrTa komitetis mier). aseve aRsaniSnavia damoukidebel saxel mwifoTa Tanamegobrobis damfuZnebel i SeTanxmeba<sup>14</sup> da erovnul i umciresobebis ufl ebebis uzrunvel yofis 1994 wl is dsT-s konvencia.

saerTaSoriso SeTanxmebis es sami j gufi ar amtkicebs Sesaferis saxel Sekrul ebo kanons enobriv ufl ebebze. mTel i rigi sxva konvenciebisa Seicavs zogad dadgenil ebebs umciresobaTa ufl ebebze, maT Soris 1960 wl is iuneskos konvencia ganaTl ebis sferoSi diskriminaciis winaaRmdeg<sup>15</sup>, 1958 wl is saerTaSoriso Sromis organizaciis konvencia (# 111) dasaqmebasa da profesuil sferoSi diskriminaciis Sesaxeb.<sup>16</sup> yvel a saxis rasobribi diskriminaciis aRmofxvris 1965 wl is saerTaSoriso konvencia<sup>17</sup> da bavSvTa ufl ebebis 1989 wl is konvencia<sup>18</sup>.

#### g. Cveul ebiTi saerTaSoriso samarTal i

aseve saxel mwifoebis erTnairad damakavSirebel ia Cveul ebiTi saerTaSoriso samarTal i, romel ic exeba umciresobaTa warmomadgenl ebis dacvis sakiTxebs. Cveul ebiTi samarTal i exeba im wesebs, roml ebic SeTanxmebul ia saxel mwifoTa Tanmimdevrul i qmedebiT, imis aucil ebel i codniT, rom qmedeba kanonieria (opinio

<sup>11</sup> LNTS (Language treaties 2) 11

<sup>12</sup> 49 UN treaties

<sup>13</sup> STambeWdavi nimuSi SegiZl iaT naxoT Fernand Varennes, Human rights 352-80 (1996)

<sup>14</sup> 1991 wl is 8 dekembri; 31 INM 138 (1992). ix. gansakuTrebiT punqti 3

<sup>15</sup> 429 UNTS 93

<sup>16</sup> 362 UNTS 31

<sup>17</sup> 660 UNTS 195

<sup>18</sup> G.A.ros. 44/25, 20 Nov. 1989, UN GAOR, 44 th Sen; Supp. No 49, at 166, UN Doc A /44/49 (1989)

juris)<sup>19</sup>. adamianis ufl ebiS dargSi mTel i rigi normebisa, imaTi CaTvl iT, roml ebiC gavl enas axdenen umciresobebze, ganixil eba rogorc Cveul ebiTi saerTaSoriso samarTal i. aRsaniSnavia magal iTad is faqti, rom gaeros adamianis ufl ebaTa komitetma, romel ic daarsda samoqal aqo da politikuri ufl ebebis saerTaSoriso xel Sekrul ebiT, ganacxada, rom umciresobaTa ufl eba, hqondeT TavianTi kul tura, rel igia an gamoiyenon TavianTi mSobl iuri ena, warmoadgens saerTaSoriso Cveul ebiT samarTals<sup>20</sup>. Tumca, nakl ebad naTel ia, warmoadgens Tu ara romel ime ufro dawvril ebiTi euTo-s standarti an regional uri praktika aseve Cveul ebiTs.

#### d. sxva dokumentebi

garda zemoTxsenebul i standartebisa, arsebobs sxva mniSvnel ovani dokumentebi, roml ebiC icaven enobriv ufl ebebs, Tumca saxel mwifosaTvis raime SemZRudvel i l egarul i val debul ebebis Seqmnis gareSe. msofli doneze, gaeros general urma asambl eam miRo 1992 wl s dekl aracia im pirTa ufl ebebis Sesaxeb, roml ebiC miekuTvnebian erovnul an eTnikur, rel igiur da enobriv umciresobebS (1992 wl is gaeros dekl aracia), romel Sic asaxul ia zogierTi detal uri debul eba, romel ic exeba bevr sakiTxs, dakavSirebul s umciresobebTan da roml ebiC ar aris gaSuqebul i samoqal aqo da politikuri ufl ebebis saerTaSoriso SeTanxmebis mier (ICCPR).

saerTaSoriso SeTanxmebis mier ekonomikuri, social uri da kul turis ufl ebebis Sesaxeb (ICESCR)<sup>21</sup> evropis fargl ebSi, subregional ur doneze central uri evropis iniciativis 16 saxel mwifom SeimuSava umciresobaTa ufl ebebis dacvis instrumenti<sup>22</sup>.

evropul doneze, umaRlesi komisris daxmarebiT, xel mZRvanel oba gaewia saxel mwifoebS TavianT mier sasurvel i sasurvel i politikis ganxorciel ebaSi. gaimarTa umciresobaTa ufl ebebis sakiTxebisadmi miZRvnili ori konferencia damoukidebel i eqspertebis mowveviT, rodesac maT warmoadgines mTel i rigi rekomendaciebisa.

1996 wl is haagis rekomendaciebi erovnul i umciresobebis ganaTl ebis ufl ebiS Sesaxeb da 1998 wl is osl os rekomendaciebi erovnul i umciresobis enobrivi ufl ebebis Sesaxeb aris mcdel oba srul yofil iqnas sxvadasxva iuridiul i da sxva saxis dokumentebi, raTa

<sup>19</sup> Crdil oetis zRvis kontinental uri j gufi (FRG/Den; FRG/Neth), 1964 ICJ 3, 45

<sup>20</sup> gaeros adamianis ufl ebebis komiteti. zogadi SeniSvnebi #24, muxl ebi, roml ebzec wevrma saxel mwifoebma Tavi Seikaves konvenciis ratifikaciis an masTan mierTebis dros. an masTan TandarTul i arasaval debul o protokol Tan an xel Sekrul ebiS 41-e muxl is dekl araciasTan dakavSirebiT. 4 noemberi, 1994 wl i, punqti 8, gaeros general uri asambl eis adamianis ufl ebaTa komitetis 50 sesiis angariSSi Supp. # 40, danarTi V, 124, UN DOC A/50/40(1995).

<sup>21</sup> gaeros general uri asambl eis dokumenti 47/135, 18 dekemberi 1992 wl i, UNGAOR, 47 sesia, Supp.#49, 210, UN DOC A/47/49 (1992).

<sup>22</sup> al baneTi, avstria, bosnia hercogovina, bul gareTi, bel orusia, xorvatia, CexeTi, ungreTi, ital ia, makedonia, mol daveTi, pol oneTi, rumineTi, sl ovakeTi, sl ovenia da ukraina.

saxel mwifoebi uzrunvel yofil iqnen garkveul i xel mZRvanel obiT, Tu rogor unda ganxorciel des euTo-s val debul ebebi umciresobaTa Sesaxeb<sup>23</sup>. Tumca es rekomendaciebi Tavisi warmoSobiT aris formal urad arasamTavrobo da ar aris miRebul i saxel mwifoebis mier euTo-s meqanizmebis meSveobiT, isini wardgenil iqna monawil e qveynebisadmi umaRI esi komisris mier da maT mier dadebiTad iqna miRebul i.

#### e. enobrivi ufl ebebis dacvis ZiriTadi miznebi

im pirTa enobrivi ufl ebebis dacva, roml ebic miekuTvnebian erovnul umciresobebs, eyrdnoba erovnul i umciresobebs dacvis im or sayrdens, romel ic aRniSnul i iyo zemoTxsenebul saerTaSoriso instrumentebSi: ufl eba aradiskriminaciul i damokidebul ebisa yvel a adamanuri ufl ebis ganxorciel ebaSi da individual obis SenarCunebis da ganviTarebis ufl eba maTi cxovrebis gansakuTrebul i da iSviaTi aspeqtebis gamoyenebis Tavisufl ebiT, gansakuTrebiT ki kul turis, rel igiis da enis fargl ebSi.

aseT pirvel i dacvis meqanizmi SeiZI eba naxoT mag. kopenhagenis dokumentis 31-e paragrafSi, saerTaSoriso xel Sekrul eba samoqal aqo da pol itikuri ufl ebebis konvenciis me-2(1) da 26, ECHR-is me-14 punqtSi da euTos dekl araciis me-3 punqtSi. maTSi mocemul ia garantiebi imisa, rom umciresobebi Rebul oben yvel a sxva dacviT saSual ebebs maTi eTnikuri, erovnul i Tu religiuri statusis miuxedavad<sup>24</sup>. aqedan gamomdinare maT aqvT is mTel i rigi enobrivi ufl ebebi, rac gaaCnia yvel a pirs qveyanaSi, rogoricaa ufl eba sasamarTl o procesze gamoxaton TavianTi azri da iqnan informirebul i maT winaaRmdog wayenebul i bral debebis Sesaxeb im

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<sup>23</sup> erovnebaTaSorisi urTierTobebis kvl evis fondi, haagis rekomendaciebi erovnul umciresobaTa saganmanaTl ebl o ufl ebebtan dakavSirebiT da axsna-ganmartebiTi weril i (1996); erovnebaTaSorisi urTierTobebis kvl evis fondi, osl os rekomendaciebi erovnul umciresobaTa enobrivi ufl ebebtan dakavSirebiT da axsna-ganmartebiTi weril i (1998). orive dokumenti xel misawvdomia ramodenime enaze fondis haagis ofisidan. haagis rekomendaciebis istoriisa da Sesabamisi standartebis Sesaxeb Semdgomi komentarebisaTvis ixil eT 4(2) International Journal of Group and Minority Rights (1996/1997).

<sup>24</sup> kopenhagenis dokumentis 31-e paragrafi acxadebs:

pirebs, roml ebic miekuTvnebian erovnul umciresobebs, aqvT ufl eba srul ad da efeqturad ganxorciel on TavianTi ufl ebebi da ZiriTadi Tavisufl ebebi yovel gvare diskriminaciis gareSe da kanonis winaSe srul i Tanasworobis pirobebSi.

saerTaSoriso SeTanxmeba samoqal aqo da pol itikuri ufl ebebis Sesaxeb" (ICCPR) muxl i 2(1) acxadebs:

am SeTanxmebis monawil e yvel a saxel mwifo val debul ia pativi sces da uzrunvel yos sakuTar teritoriaze da sakuTari iurisdicciis fargl ebSi myof pirTa am SeTanxmebiT aRiarebul i ufl ebebi yovel gvare saxis diskriminaciis gareSe, rogoric aris magal iTad rasa, kanis feri, sqesi, ena, rel igia, pol itikuri Tu sxva mosazreba.

enaze, romel ic maT esmiT, aucil ebl obis SemTxvevaSi ufaso Tarj imnis meSveobiT.

meore sayrdeni, romel ic Seicavs dadebiT val debul ebebs garda aradiskriminaciisa, mocemul ia mag. kopenhagenis dokumentis 32-e muxl Si, samoqal aqo da politikuri ufl ebebis konvenciis 27-e punqtSi, CarCo konvenciis me-5 punqtSi da gaeros 1992 wl is dekl araciis me-2 (1) punqtSi. is Seicavs mTel rig ufl ebebs, roml ebic marTebul ia umciresobisaTvis, ubral od maTi umciresobis statusis efeqturobiT, rogoricaa maTi enis gamoyenebiTs ufl eba<sup>25</sup>. es sayrdeni aucil ebel ia, vinaidan sufta, aradiskriminaciul normas SesaZl oa qondes Zal datanebiTi gavlena im pirebze, roml ebic miekuTvnebian umciresobas, rom miemxron umravl esobis enas, romel ic faqtiurad waartmevs maT sakuTari TviTSegnebis gamoxatvis ufl ebas<sup>26</sup>.

rogorc aradiskriminaciul i ufl eba, TviTSegnebis SenarCunebis da ganvitarebis ufl eba emsaxureba adamianis ufl ebebis kanonis pirvel adi funqciis, adamianis Rirsebis ganvitarebas. rogorc yvel aze naTl adaa naTqvami CarCo-konvenciis pirvel punqtSi, "erovnul i umciresobebis, maTi ufl ebebis da im adamianTa Tavisufl ebis dacva, roml ebic miekuTvnebian erovnul umciresobas Seadgens adamianis ufl ebebis saerTasoriso dacvis integral ur nawil s. . . "27. enobrivi ufl ebebi da umciresobis ufl ebebi zogadad gul isxmobs, rom umciresobebs SeuZl iaT ganaxorciel on da gamoiyenon is ufl ebebi, roml ebic gaaCniaT aseve Tavis mxriv umravl esobas, an dauqvemdebaron adamianis ufl ebebis dacvis instrumentebs<sup>28</sup>.

pirovnebis individual obis SenarCunebis da ganvitarebis ufl eba ar xorciel deba im pirTa garkveuli pasuxismgebl obis gareSe, roml ebic miekuTvnebian umciresobaTa j gufebis. erTi mniSvnel ovani val debul eba, asaxul i CarCo-konvenciis me-20 muxl Si da 1992 wl is gaeros dekl araciis me-8 (2) muxl Si, aris is, rom umciresobis warmomadgenl ebs ufl eba ara aqvT gamoiyenon Tavianti gansakuTrebul i ufl ebebi enobrivi CaTvl iT, Tu isini xel s uSl ian, abrkol eben sxvebis adamianur ufl ebebs, miuxedavad imisa, vin arian isini - umravl esoba Tu sxva umciresoba (an SesaZl oa maTi umciresobis wevrebic ki). meore sakiTxi, Tu ramdenad unda iyos mTavroba val debul i miiRos dadebiTi zomebi umciresobis identificirebis mxardasaWerad jerac gaurkveveli rCeba.

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<sup>25</sup> magal iTad, samoqal aqo da politikuri ufl ebebis Sesaxeb saerTasoriso SeTanxmebis (ICCPR) naTqvamia:

"im qveynebsi, sadac eTnikuri, rel igiuri an enobrivi umciresobebi arseboben, im pirebs, roml ebic maT miekuTvnebian, ar unda aekrZal oT ufl eba am umciresobis sxva warmomadgenl ebTan erTad, aRiaron Tavianti kul tura, rel igia da gamoiyenon Tavianti ena.

<sup>26</sup> ix. Patrick Thornberry, International Law and the Rights of minorities 394 (1991)

<sup>27</sup> ix. agreTve CarCo-konvenca, muxl ebi 22-23 (sadac aRniSnul ia rom, CarCo-konvenciis arc erTma muxl ma ar unda SezRudos Sida kanonmdebl obiT uzrunvel yofil i adamianis ufl ebebi, agreTve adamianis ufl ebaTa evropul i konvenciis wevri qveynebisatvis).

<sup>28</sup> ix. Francesco Capotorni, Study on the Right of Persons belonging to Ethnic, Religious and Linguistic Minorities (1991) 40-41 ; Jonh Packer, "On the Content of Minority Rights", in Do We Need Minority Rights? 121, 146-49 (J. Raikka ed. 1996).

rasakvirvel ia mTavrobebi val debul i arian gadadgan dadebiTi nabijebi umciresobaTa winaaRmdeg diskriminaciis aRmosafxvrel ad adamianis fundamental uri ufl ebebis gamoyenebis procesSi<sup>29</sup>. magram sakanonmdebl o standartebi aseve iTval iswineben sxva faqtorebsac, romel Tac SeiZl eba gavlenaqonion saxel mwifos unarze daexmaros umciresobaTa jgufes. finansuri siznel eebi, magal iTad, zRudavs mTavrobis Sesazl ebl obebs misces ganaTl eba umciresobis enaze umciresobis yvel a warmomadgenel s. es sakiTxi ganxil ul ia ufro detal urad Semdgom TavebSi.

#### IV. mTavrobebis mier kiTxvarze gacemul i pasuxebis anal izi

##### a. saxel mwifo, oficial uri da special uri statusis mqone enebis arseboba

kiTxva 1: romel enas gaaCnia " saxel mwifo" an "oficial uri" statusi Tqvens qveyanaSi? gTxovT, aseve miuTitoT Sesabamisi informacia sxva enebis Sesaxeb, roml ebsac SeiZl eba qondeT special uri statusi Tqvens qveyanaSi".

##### 1. saerTaSoriso standartebi

arc erTi msofil io Tu regional uri instrumenti, roml ic iqna zemoT ganxil ul i, ar Seicavs raime avtoritetul gansazRvras, Tu ra aris "saxel mwifo" an "oficial uri" ena<sup>30</sup>, ufro metic, es terminebi zogjer urTierTsenacvl ebadic aris saxel mwifoebis mier. saxel mwifoebis SeuZl iaT aseve gamoiyeno pirvel i termini istoriul , erovnul enasTan dakavSirebit, xol o meore termini SeiZl eba iyos dakavSirebul i sxva Bsaxel mwifos enasTan, romel ic ise xSirad aris yovel dRiur xmarebaSi, rom amJamad gamoiyeneba mTavrobis mier, rogorc formal uri (oficial uri) komunikaciis saSual eba Tavis moqal aqeebTan. ufro metic, ar arsebobs saerTaSoriso standartebi imaze, unda miRon Tu araBsaxel mwifoebma ertze meti oficial uri ena, raTa upasuxon erovnul i umciresobebis warmomadgenel ebis saWiroebes (moTxovnebs) da aqedan gamondenare ar arsebobs

<sup>29</sup> ix. Ggaero-s adamianis ufl ebaTa komisia, zogadi komentari # 23, "saerTaSoriso SeTanxmeba samoqal aqo da pol itikuri ufl ebebis Sesaxeb" (ICCPR) muxl i 27, punqti 6.2, 8 april i 1994, adamianis ufl ebaTa komitetis angariSi, UNGAOR, 49-e sesia, Supp. # 40, danarTi V, 107, UN Doc. A/49/40 (1994).

<sup>30</sup> evropis qartia regional uri Tu umciresobis enebisaTvis ar gansazRvras am terminebs, Tumca 1 ( ) punqtSi is gansazRvras "regional ur Tu umciresTa enebis", rogorc enebis.

1. tradiciul ad gamoiyeneba saxel mwifos mocemul i teritoriis fargl ebSi am saxel mwifos im erovnebebis mier, roml ebic qmnian am saxel mwifos danarCen mosaxl eobaze ricxobrivad nakl eb jgufes;
2. gansxvavebul ia qveynis oficial uri enisagan.

oficial uri enis qonis da aseve ar arsebobs special uri statusis mqone enebis val debul ebis gansazRvra.

ufro sworad, standartebi pasuxoben erovnul umciresobaTa garkveul moTxovnil ebebs, daamyaron urTierToba sxvebTan TavianTi j gufis fargl ebSi da mis gareT.

## 2. kiTxvaris Sedegebi

51 qveynidan, romel Tac daabrunes kiTxvarebi, samma (ungreTi, SvedeTi da aSS) ganacxades, rom maT ar gaaCniaT oficial uri Tu saxel mwifo enebi, maSin, rodesac CexeTis respublikam ganacxada, rom termini ar iyo gansazRvrul i, Tumca Cexuri enis statusi, rogorc oficial uri ena, bundovnad aris naxsenebi zogierT kanonSi<sup>31</sup>. samma saxl emwifom – saberZneTi, l ixtenSteini da l uqsemburgi ar upasuxa kiTxvas. danarCeni qveynebidan 34 ganacxada, rom maT aqvT mxol od erTi oficial uri ena, 8 ganacxada, rom maT aqvT 2 ena<sup>32</sup> da orma saxel mwifom (Sveicaria da bosnia-hercogovina) ganacxada, rom maT aqvT sami an ufro meti oficial uri ena, romel Tagan ramdenime aucil ebel i iqneba sasamarTI oSi. amave dros SeiZl eba iTqvas, rom 34 qveynidan 22, roml ebic acxadeben, rom maT mxol od erTi oficial uri ena aqvT, enebis aniWebs special ur an araoficial ur statuss. zogierT SemTxvevaSi mTavrobebi gansakuTrebul ad miuTitebdnen, rom meore ena aris "oficial uri" qveynis garkveul regionebsi<sup>33</sup>. orma saxel mwifom ori oficial uri eniT aseve miuTita, rom isini danarCenebs aniWeben special ur stasuss<sup>34</sup>. amis Sedegad mxol od 12 saxel mwifom Taviant pasuxebSi ganacxada rom maT aqvT erTi ena da ar aniWeben raime statuss sxva danarCenebs<sup>35</sup>.

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<sup>31</sup> aSS-m ganacxada, rom mis zogierT StatSi arsebobs kanonebi, romel ic saval debul od acxadebds oficial ur enas, romel Tagan ramdenime acil ebel i iqna sasamarTI oSi.

<sup>32</sup> bel orusia (bel orusul i da rusul i); kanada (ingl isuri da frangul i); kviproso (berZnul i da Turqul i); fineTi (finuri da Sveduri); irl andia (irl andiuri, rogorc pirvel i oficial uri ena da ingl isuri – rogorc meore oficial uri ena); yazaxeTi (yazaxuri, rogorc saxel mwifo ena da rusul i, rogorc oficial uri ena); mal ta (mal turi, rogorc erovnul i ena, ingl isuri, rogorc oficial uri ena); da norvegia (norvegiul i da sami).

<sup>33</sup> xorvattia (sxva dauzustebel i enebi zogierT adgil ebSi); dania (grenl andiuri da faroezul i am kunZul ebze); saqarTvel o (afxazuri oficial ur afxazeTSi); ital ia (frangul i, germanul i da sl oveniuri oficial uri enebi 3 sxvadasxva regionSi); mol dova (gagauzuri da rusul i oficial ur gagauziaSi); ruseTis federacia (oficial uri erovnul i enebi Svid respubl ikaSi); sl ovenia (ital iuri da ungrul i oficial uri zogierT raionSi); espaneTi (katal anuri, gal ego, euskera, val ensiuri oficial uri enebia yvel a oTx avtonomiur dasaxl ebaSi). mTel ma rigma sxva saxel mwifoebma ganacxades, rom meore enebis aqvT de\_iure special uri statusi garkveul regionebsi, Tumca maT ar uwodeben "oficial urs".

<sup>34</sup> kanada (aborigenul i) da fineTi (sami).

<sup>35</sup> andora, bul gareTi, estoneTi, safrangeTi, isl andia, monako, pol oneTi, portugal ia, rumineTi, san-marino, TurqeTi da uzbekeTi.



### 3. Sedegebis anal izi

am sferoSi saerTaSoriso standartebis ar qona aZnel ebs ganmasxvavebel i niSnis povnas Sedarebis procesSi. SeiZl eba gaugebari iyos is, rom SedarebiT cota saxel mwifoebi erTi oficial uri eniT ar aniWeben danarCen enebis special ur statuss. zog SemTxvevaSi es SeiZl eba namdvil ad niSnavdes imas, rom maT ar hyavT sxva enaze mol aparake mosaxl eoba, sxva SemTxvevaSi ki SeiZl eba s iyos samTavrobo pol itika, warmarTos yvel a oficial uri komunikacia oficial uri enis (enebis meSveobiT). im SemTxvevaSic ki, Tu es SesaZl oa arRvedes erovnul i umciresobebis enobrivi ufl ebebs. nebismier SemTxvevaSi, roca saxel mwifo wyvets miiRos erTze meti oficial uri ena an mianiWos special uri statusi sxva enebis mTel qveyanaSi Tu garkveul regionebsi, es ra Tqma unda xel s uwyobs im enebze mol aparake adamianebis enobrivi ufl ebebis dacvas. aseT qveynebsi adamianebi ufro Tavisufl ad SeiZl eben urTierTobis damyarebas mTavrobis warmomadgenl ebTan, gaecnon oficial ur dokumentebis, miscen bavSvebs ganaTl eba TavianTi umciresobis enaze da masmediis saSual ebebic misawvdomi iyos maTTvis maT enaze. amis Sedegad diskriminaciisagan dacva SeiZl eba ufro mniSvnel ovani gamodges nebismier SemTxveaSi. naTel ia, rom umetesi saxel mwifoebi aZl even (sxvadasxvagvarad da sxvadasxva xarisxiT) oficial ur statuss erTze met enas.

#### b. umciresobis enis gamoyeneba oficial ur urTierTobebSi

kiTxva 2: SeuZl iaT Tu ara umciresobis warmomadgenl ebs Tqvens qveyanaSi gamoiyenon TavianTi ena administraciisa da sazogadoebrivi samsaxuris warmomadgenl ebTan kontakqtis dros; aris Tu ara es ufl eba erovnul i kanonmdebl obis nawil i im teritoriebze, sadac umciresobis ena tradiciul ad gamoiyeneba adgil obrivi mosaxl eobis mniSvnel ovani nawil is mier?

kiTxva 3: SeuZl iaT Tu ara erovnul i umciresobis warmomadgenl ebs gamoiyenon TavianTi ena sasamarTl o procesebze da sxvagvari kontakqtis dros sasamarTl os warmomadgendl ebTan Tqvens qveyanaSi. emyareba Tu ara es ufl eba erovnul kanonmdebl obas im teritoriebze, sadac umciresobis ena oficial urad gamoiyeneba adgil obrivi mosaxl eobis mniSvnel ovani nawil is mier?

## 1. saerTaSoriso standartebi

erovnul i umciresobis warmomadgenl ebis SesaZl ebl oba daamyaron urTierToba mTavrobis warmomadgenl ebTan da samTavrobo oficial ur pirebTan da organizaciebTan Taviant enaze warmoadgens aucil ebel enobrivi ufl ebas. es maT saSual ebas aZl evs gaecnon mTavrobis politikas maT mimarT da gamoxaton Tavianti azri Sesabamisi samTavrobo dokumentaciebisadmi. es aseve ufl ebas aZl evs aseT pirebs aqtiurad Caeban qveynis samoqal aqo cxovrebaSi, imisaTvis, raTa Seqmnan pl ural istul i da Ria sazogadoeba, sadac umciresobis jgufebis wevrebi Tavs integrirebul ad grZnoben Tavianti TviTSegnebis msxverpl ad Sewirvis gareSe<sup>36</sup>. mTavrobekisadmi dasmul i kiTxvebi ufro gamaxvilebul ia administraciul organoebze da sasamarTlos warmomadgenl ebze. ufro metad mTavrobekis mimarT dasmul i iyo kiTxva imis Taobaze, aris Tu ara es qmedeba iuridiul ad dakanonebul i erovnul i kanonmdebl obiT im adgil ebSi, sadac es ena tradiciul ad gamoiyeneba adgil obrivi mosaxleobis mniSvnel ovani nawil is mier.

saerTaSoriso standartebi iqmneba mTel i rigi instrumentebiT. kopenhagens dokumentis 34-e muxl i naTI ad gamoxatavs im standartis, romel ic miRebul ia euTos yvel a saxel mwifos mier.

monawile qveynebi Zal-Rones ar daiSureben, raTa erovnul i umciresobis warmomadgenl ebma miuxedavad saWiroebisa, iswavl on aRniSnul i qveynis oficial uri ena an enebi, hqondeT aseve SesaZl ebl obebi maTi mSobl iuri enis Seswavis an maT enaze ganaTlebis miReba, gamoiyenenon is sazogadoebriv organizaciebSi erovnul i kanonmdebl obis Sesabamisad sadac SesaZl ebel ia an aucil ebel i. rac Seexeba administraciis warmomadgenl ebTan urTierTobas, euTos 23 qveyanas, romlebic warmoadgenen CarCokonvenciis mxareebis<sup>37</sup>, aqvT Semdegi samarTlebrivi val debul ebebi me-10 (2) muxl is Sesabamisad.

im raonebSi, romlebic tradiciul ad an mniSvnel ovnad dasaxlebul ia umciresobaTa warmomadgenl ebiT, maTi moTxovnis Sesabamisad, an iq, sadac es namdvil ad saWiroa, mxareebma yvel a Rone unda ixmaron imisaTvis, rom umciresobekis warmomadgenl ebma SesZlon daamyaron urTierToba administraciis warmomadgenl ebTan Taviant mSobl iur enaze.

garda amisa, zogierT saxel mwifos aqvs val debul ebebi am sferoSi mezobl ebTan ormxrivi xel Sekrul ebebis safuZvel ze<sup>38</sup>.

<sup>36</sup> ix. De Varennes, supra note 13, 176- 78.

<sup>37</sup> ix. SeniSvna 10.

<sup>38</sup> ix. mag. xel Sekrul eba mezobel qveynebs Soris urTierTobekis da megobrul i TanamSromlobis Sesaxeb si ovakeTis da ungreTis respublikebs Soris (SemdgomSi naxsenebi iqneba, rogorc si ovakeTi-ungreTis xel Sekrul eba), 1995 w. 19 marti, punqti 15/2/(g);

kopenhagenis dokumenti da CarCo konvencia, orive gamoxatavs igive azrs: iq, sadac erovnul umciresobebS wIrdebaT samTavrobo organizaciebTan urTierToba TavInT enaze, gansakuTrebIT ara mxol od im regioneS, sadac isini koncentrirebul i arian an cxovrobdnen tradiciul ad, mTavrobam yovel i Rone unda ixmaros, rom es gaxdes SesaZl ebel i. orive instrumenti aRiarebs, rom SesaZl ebel ia, MmTavrobam ver SeZl os xel i Seuwyos yvel a aseT pirobebs yovel situaciaSi da dRis wesrigSi dadges finansuri siZnel eebi<sup>39</sup>. aseve SeiZl eba mogveCvenos, rom, iq, sadac arsebobs aseTi siZnel eebi, mTavroba cdil obs yuradReba gaamaxvil os adgil obrivi mosaxl eobisaTvis ufro meti mniSvnel obis mqone organizaciebze. mag. sagadasaxado organizacia, pol icia, j andacvisa da usafrTxoebis warmomadgenl ebi da saswrafo daxmarebis samsaxurebi.

rac Seexeba urTierTobas sasamarTI os warmomadgenl ebTan, saerTaSoriso instrumentebi TavianT dadgenil ebebSi ufro radikal urni arian. aRsanisnavia is faqti, rom saxel mwifoebi, roml ebic arian samoqal aqo da pol itikuri ufl ebebis Sesaxeb saerTaSoriso SeTanxmehis (ICCPR), adamianis ufl ebaTa evropul i konvenciis (ECHR) da CarCo-konvenciis mxareebi, samarTI ebrivad val debul ni arian, rom is pirebi, roml ebsac wayenebul i aqvT danaSaul ebrivi bral deba, miuxedavad imisa, arian Tu ara isini erovnul i umciresobebis wevrebi, informirebul i iqnan maT winaaRmdeg wayenebul i bral debis Sesaxeb TavianT mSobl iur enaze da uzrunvel yofil iqnan TarjimniT, usasyidl od, Tu maT ar ician is ena, romel zedac mimdinareobs sasamarTI o<sup>40</sup>. es mniSvnel ovani ufl eba mWidrod ukavSirdeba Tavisufl eba-aRkveTil pirebisaTvis gankuTvnil adamianis ufl ebaTa kanons. rac Seexeba arakriminal ur sasamarTI o procesebs, euTos ar gaaCnia sakuTriv Tavisufl standartebi, Tumca ormxriv xel Sekrul ebebSi, roml ebic Seicavs evropis sabWos rekomendacias # 1201 iZl eva ufl ebas gamoyenebul iqnas mSobl iuri ena yvel a sasamarTI o procesebze<sup>41</sup>, xol o osl os rekomendaciebi mxars uWers am principis<sup>42</sup>.

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sl ovakeTis respubl ikaSi ungrul i umciresobis warmomadgenl ebs da sl ovakuri umciresobis warmomadgenl ebs ungreTis respubl ikaSi. saxel mwifo kanonmdebl obis Tanaxmad da orive mxaris mier aRebul i saerTaSoriso val debul ebebiT orive saxel mwifos ufl eba eZl eva gamoiyenos Tavisufl ebaT umciresobis ena administraciul da sazogadoebriv organoebTan urTerTobis dros da aseve sasamarTI o procesebze.

<sup>39</sup> ix. evropis sabWo, axsna-ganmartebiTi angariSi erovnul i umciresobis dacvis CarCo-konvenciisadmi, muxl ebi 64-66; osl os rekomendaciebi, ganmartebiTi SeniSvna 2-e gverdze.

<sup>40</sup> ix. ICCPR, punqti, 14(3); ECHR punqtebi 5 (2), 6 (3), CarCo- konvencia, punqtebi 10 (3).

<sup>41</sup> ix. sl ovakeTi-ungreTis xel Sekrul eba, punqti 15 (2) (g).

<sup>42</sup> osl os rekomendaciebi, muxl ebi 18-19 (mocemul i rekomendaciebi Tavisufal i Targmanis da yvel a sasamarTI o procesebze umciresobis enis gamoyenebas udgeba im regioneS, sadac umciresobebi cxovroben mniSvnel ovani raodenobiT da amis survil i aqvT).

## 2. kiTxvaris Sedegebi

administraciul erTeul ebTan urTierTobis sakiTxTan dakavSirebiT, kiTxvari avl ens qveynebis politiki mra val nair saxes, dawyebul i imiT, rom zogi moiTxovs mxol od erTi oficial uri enis gamoyenebas samarTi ebrivad garantirebul i usasyidlo Tarjimnebis meSveobiT im pirTaTvis, vinc l aparakobs umciresobis enaze. Sedegebis analizi gaZnel ebul ia pasuxebis sxvadasxvaobis gamo. saxel mwifoebis umetes nawils, roml ebic aRniSnavdnen "komunikaciis" SesaZl ebl obis arsebobas, ar daukonkretebia, iTval iswinebs Tu ara es SesaZl ebl oba mTavrobis mxridan pasuxis gacemas umciresobis enaze, an urTierTobis formas weril obiT Tu zepiri Targmanis saSual ebiT.

miuxedavad amisa, pasuxebi SesaZl ebel ia daj gufdes 6 kategoriad.

pirvel kategoriaSia erTi saxel mwifo, romel mac ganacxada, rom is ar uSvebs aseT urTierTobas, es aris safrangeTi.

meore kategoria moicavs im qveynebs, roml ebic acxadeben, rom ar miuTitebiaT, uSveben Tu ara isini aseT urTierTobebis: somxeTi, bel orusia, bul gareTi, yirgizeTi, pol oneTi, tajikeTi da Turqeti (am j gufSi SeiZl eba aseve Sevides is qveynebi, roml ebmac ganacxdes, rom maT ara hyavT erovnul i umciresobebi - kviproso, isl andia, l ixtenSteini, l uqsemburgi da san-marino).

mesame j gufis qveynebi acxadeben, rom isini uSveben aseT urTierTobebis, magram mxol od im enebze, roml ebic gansazRvrul ia, rogorc oficial uri enebi mTlianad saxel mwifoebisaTvis: kanada (urTierTobis ufl eba ingl isur an frangul enebze "sadic aris amis mniSvnel ovani saWiroeba" cvl il ebebiT sxvadasxva provinci ebs Soris); irl andia (urTierTobis ufl eba ingl isur da irl andiur enebze); mal ta (mal turi da ingl isuri); norvegia (sami - samuri enis administraciul raionebsi); Sveicaria (federal ur organizaciebTan urTierTobis ufl eba nebismier oficial ur enaze, magram mxol od kantonis an Temis oficial ur enaze maT administraciebTan urTierTobisas).

me-4 j gufis qveynebma ganacxades, rom isini nebas rTaven aseT urTierTobebis mxol od garkveul ad gansazRvrul umciresobaTa enebze, an qveynis gansazRvrul regionebsi: avstria (sl oveniuri da xorvatiul i Sereul i mosaxl eobiT dasaxl ebul regionebsi); fineTi (sami-samis samSobl oSi); germania (sorbiul i sorbiul regionSi); saberZneTi (Turquli); italia (frangul i val edaisaSi); germanul i (al to-adigeSi); sl oveniuri (friul i-venecia-j ul ias nawil ebSi); l atvia (rusul i); niderl andebi (friziul i - frizl andSi); ruseTis federacia (administraciul i erTeul ebis garkveul i Semadgenel i respublikis ofocial uri ena); sl ovenia (ital iuri da ungrul i im regionebsi, roml ebic dasaxl ebul ia am erovnebiT "Zvel i" (original uri) Tavdapirvel i umciresobiT); espaneti ( oTxidan yovel avtonomiur erTeul Si regional uri ena); gaertianebul i samefo (uel suri uel sSi, gal iuri Sotl andiaSi, irl andiuri - Crdil oet irdandiaSi); aSS (adgil obrivi amerikul i enebi).

me-5 j gufis qveynebma ganaxades, rom isini ar zRudaven romel ime gansazRvrul i enis gamoyenebas, magram es damokidebul ia mosaxl eobis proporciaze: xorvatiA (im municepal itetebSi, sadac umciresobebi warmoadgenen mosaxl eobis umravl esobas); estoneTi (im adgil ebSi, sadac mudmivi mosaxl eobis naxevari miekuTvneba umciresobas); litva (im regionebsi, roml ebis mWidrod aris dasaxl ebul i umciresobiT); moldova (kompaqturad dasaxl ebul adgil ebSi)<sup>43</sup>; yofil i iugosl aviis makedoniis respubl ika (adgil ebSi, sadac umciresoba Seadgens umravl esobas an warmodgenil ia mniSvel ovani raodenobiT); TurqmeneTi (sadac mosaxl eobis umravl esoba sxva eTnikur j gufs miekuTvneba).

me-6 j gufis qveynebma ubral od gasces dadebiTi pasuxi kiTxvas da ar miuTiTebiaT romel ime eniT, rel igiit, an proporciit SezRudvebi. esenia: andora (romel mac miuTiTa, rom pasuxebi iqmneba mxol od katal oniur enaze); bosnia-hercogovina; Cexetis respubl ika, dania, saqarTvel o, saberZneTi, ungreTi, yazaxeTi, monako (romel mac miuTiTa, rom ucxoel ebs SeuZl iaT "Zal ian xSirad gamoiyenon TaviantI ena"); portugal ia (Tarj imnis moTxovnis SesaZl ebl oba); rumineTi, sl ovakeTi, SvedeTi, ukraina da uzbekeTi. garda gansakuTrebul i federaciul i dadgenil ebebisa d adgil obriv amerikul enebTan dakavSirebiT, aSS-s pasuxSi miTiTebul i iyo, rom misi pol itika icvl eba Statebis mixedvit.

garda am eqvsi kategoriisa, zogierTma saxel mwifom miuTiTa, rom administraciul i xel mZRvanel oba val debul ia pasuxi gasces im pirebs, visac surT gamoiyenon umciresobis ena am umciresobis enaze: estoneTi, italiA (orenovani samoqal aqo mosamsaxuris moTxovnil eba al to adiJeSi da val e-daostaSi); norvegia (mxol od sami); mal ta da gaerTianebul i samefo (mxol od uel suri). sxva saxel mwifoebma (mag. fineTma samis enisaTvis) ganaxades, rom sazogadoebrivi gancxadebebi unda gamoqveyndes umciresobis enaze, an acxadebdnen, rom umciresobis ena SeiZl eba gamoyenebul i yofil iyo adgil obrivi TviTmarTvel obisaTvis (ruseTis federacia da makedoniis yofil i iugosl aviis respubl ika).

rac Seexeba imas, akeTeben Tu ara amas is qveynebi, roml ebSic aseT ufl ebebs iZl evian, kanonis Sesabamisad, pasuxi umetes qveynebSi rogorc Cans, dadebiTia. zogierTma qveyanam miuTiTa maTi konstituciis debul ebebi (avstria, xorvatiA, estoneTi, feneTi, Sveicaria, sl ovakia), maSin rodesac bevrma axsena special uri statusi (kanada, xorvatiA, Cexetis respubl ika, estoneTi, fineTi, germania, ungreTi, latvia, litva, makedonia yofil i iugosl aviis respubl ika, ukraina da uzbekeTi).

rac Seexeba sasamarTl os warmomadgenl ebTan urTierTobebis SesaZl ebl obas umciresobis enaze, pasuxebi gacil ebit ufro Tanmimdevrul ia; yvel a qveyanam, romel mac upasuxa SekiTxvas, ganaxada, rom is iZl eva urTierTobis raRac saSual ebas. Tumca,

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<sup>43</sup> mol daveTma miuTiTa, rom qveyanaSi aseTi urTierTobebi nebadarTul ia gagauziaSi.

pasuxebi isev ar aris sruli, ramdenadac isini Cveul ebriv ar miuTiTeben SeuZlia Tu ara pirovnebas il aparakos Tavis enaze, iTargmneba Tu ara Tarjimis meSveobiT procesi umciresobis enaze an iTargmneba Tu ara dokumentebi weril obiT an mimdinareobs Tu ara mTel i procesi am enaze. garda amisa, somxeTma, kviprosma, isl andiam, yirgizeTma, IixtenSteinma, I uqsemburgma da san-marinom saerTod ar gasces pasuxi am SekiTxvaze. pirvel ma jgufma gasca dadebiTi pasuxebi garkveuli enis, regionis an sasamarTlo procesis kvalifikaciis gareSe: azerbaijani, belorusia, bosnia-hercogovina, Cexetis respublika, saqarTvelo, saberZneti, ungreTi, yazaxeTi, Iatvia, litva, malta, moldova, rumineTi, poloneTi, ruseTis federacia, slovakeTi, slovenia, Svedeti, tajikeTi, makedoniis yofili iugoslaviis respublika, TurqmeneTi, gaertianebuli samefo da uzbekeTi.

meore jgufSi Sedioda Kanada, Irlandia, Sveicaria, romlebmac ganaxades, rom procesebi SeiZleba mimdinareobdes mxolod oficialur enaze.

mesame jgufis qveynebma ganaxades, rom sasamarTlo procesze SeiZleba gamoyenebuli iqnas mxolod garkveuli umciresobis ena da gansazRvrul regionebsi: avstria (sloveniuri da xorvatiuli Sereuli mosaxleobiT dasaxlebuli regionebsi); germania (sorbiuli sorbiuli regionebsi); italia (franguli val e-daostaSi); germanuli (altoadijeSi) da slovenia (friuli - venecia julias nawilebSi); niderlandebi (friziuli frizlandSi); norvegia (samis administraciuli raonebi); slovenia (italiuri da ungruli amerovnebebis Tavdapirvelad umciresobiT dasaxlebuli regionebsi); espaneTi (otxi regionaluri ena maT Sesabamis avtonomურ erTeulebSi); da ukraina (sadac umciresobis ena "tardცილად იქმარება ადგილობრივი მოსახლეობის მნიშვნელოვანი ნაწილის მერ"). garda amisa, wina ori jgufis zogma saxel mwifom ganaxada, rom isini aseve uzrunvel yofen TarjimiT momsaxurebas nebismieri pirisaTvis vincar I aparakobs sasamarTლოს enaze, kriminaluri procesebisaTvis mainc (mag. germania da niderlandebi).

meoTxe jgufma ganaxada, rom ufl ebebi exeba mxolod garkveuli tipis procesებს, როგორც კრინალური პროცესები ან ფედერალურ დონეზე მიმდინარე პროცესები: ბულგარეთი (mxolod კრინალური), კანადა (პროვინციების ნება-სრვილის მიქედვიT პროვინციული სამოქალაქო პროცესებიაTvis); დანია (სამოქალაქო პროცესები ან ზოგიერთი კრინალური საკმეები mxolod im SemTxvevaSi, Tu sasamarTლომ იცის ეს ena); estoneTi (mxolod კრინალური საკმეები); fineTi ("saerto administraciული sasamarTლო"); norvegia (mxolod ეროვნული sasamarTლო)<sup>44</sup> და აSS (ფედერალური და სასტატო კრინალური sasamarTლოები).

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<sup>44</sup> როგორც ზემოთ იყო აღნიშნული, ნორვეგიაში ასევე ნებადართულია სამის გამოყენება სამის sasamarTლოებში

garda am oTxi kategoriisa, zogierTma qveyanam ganacxada, rom TviTon procesebi SeiZl eba Catardes umciresobis enaze: bel orusia (iq, sadac ena ixmareba regionis, adgil is, mosaxl eobis mniSvel ovani nawil is mier); Latvia (Tu miRebul ia Tanxmoba mxareebis, maTi advokatebisa da gamomZiebl ebis mier); ruseTis federacia (Semadgenel i respubl ikebis enaze an im umciresobis enaze, "romel ic kompaqturad aris dasaxl ebul i zogierT adgil as"); sl ovenia (ital iur da ungrul enebze "Tu mxare xmarobs ital iur an ungrul enebis"); espaneTi (oTx avtonomiur erTeul Si "im SemTxvevaSi, Tu arc erTi mxareTagani ar iqneba amis winaaRmdegi", vinaidan maT ar esmiT es ena); tajikeTi (gansazRvrul adgil is mosaxl eobis umravl esobis ena); gaertianebul i samefo (uel surad uel sSi), uzbekeTi (aseve miuTiTebis, rom TviTon procesebi ewyoba uzbekur, karakal pal ur an im "teritoriis umravl esobis enaze").

administraciul moxel eebTan urTierTobis sakiTxTan dakavSirebiT, umetesma saxel mwifoebma ganacxades, rom urTierToba sasamarTl os moxel eebTan myardeba kanonis Sesabamisad. zogierTma maTganma gaakeTa miniSneba Taviant konstituciebs: avstria, azerbaijani, estoneTi, saqarTvel o, litva, rumineTi, tajikeTi, makedoniis yofil i iugosl aviis respubl ika da uzbekeTi). umetesma saxel mwifoebma, roml ebac miuTiTebis special ur kanonebze, aRniSnes, rom es mocemulia maT kodeqsebSi kriminal uri da samoqal aqo procesebis Sesaxeb (bul gareTi, kanada, Cexetis respubl ika, dania, estoneTi, fineTi, ungreTi, litva, norvegia, sl ovakia, sl ovenia, makedoniis yofil i iugosl aviis respubl ika da uzbekeTi), xol o ramdenimem miuTiTa kanoni enis Sesaxeb (bel orusia, litva, mol dova, niderl andebi, ruseTis federacia, TurqmeneTi da uzbekeTi). orma saxel mwifom miuTiTa, am sakiTxis mosagvarebel special ur xel Sekrul ebebze: germaniam 1990 wl is gaertianebis xel Sekrul eba da TurqeTma 1923 wl is lozanis xel Sekrul eba. garda amisa, germaniam, mal tam da Sveicariam gaakeTes miniSneba adamianis ufl ebebis Sesaxeb evropis konvenciis moTxovnil ebeze (ix. zemoT).

### 3. Sedegebis anal izi

administraciul pirebTan dakavSirebul kiTxvaze TiTqmis yvel a im qveynebis pasuxebSi, roml ebmac upasuxes am SekiTxvas, igul isxmeba, rom maTi saxel mwifo politika Seesabameba kopenhagenis dokumentSi mocemul standartebis - rom umciresobebs unda gaaCndeT adekvaturi SesaZl ebl obebi {gamoiyenon Tavianti mSobl iuri ena}... sadac SesaZl ebel ia da aucil ebel ia...erovnul i kanonmdebl obis Sesabamisad." Ggamonakl isi iqnebian is qveynebi, roml ebic ar izl evian umciresobis enaze urTierTobis ufl ebas; da aseve nebismieri im qveyanaTagani, sadac umciresobis enaze urTierToba SezRudul ia (eniT, umciresobiT, adgil mdebareobiT, an mosaxl eobis SefardebiT (proporciit) -zemoTxsenebul i mesame, meoTxe da mexuTe j gufebi) Tu im qveynebsi "SesaZl ebel i da aucil ebel i " iyo adekvaturi SesaZl ebl obebis" Seqmna, garda imisa rac ukve iyo. Mmiuxedavad amisa, bevr qveyanaSi, umciresobis enebi SeiZl eba gamoyenebul iqnas administraciul erTeul ebTan sakontaqtod iq, sadac umciresoba

tradiciul ad cxovrobs an Seadgens adgil obrivi mosaxl eobis mniSvnel ovan nawil s.

am 23 qveynidan, roml ebic Seadgenen CarCo konvenciis mxareeb<sup>45</sup>, kiTxvaze mopasuxe<sup>46</sup> yvel a 20 qveynis pasuxi varaudobs Sesabamisobas zemoTxsenebul i konvenciis me-10(2) muxl Tan. Kkritikul ia ena konvenciis im adgil as, sadac naTqvamia, rom "yvel a YRones ixmars ramdenadac es SesaZl ebel ia, Seqmnas pirobebi enis gamoyenebisaTvis im raionebSi, roml ebic dasaxl ebul iaerovnul i umciresobebiT tradiciul ad an didi raodenobiT, Tu isini amas iTxoven da sadac aseTi moTxovna Seesabameba real ur saWiroebas". zogierT qveyanas maT Soris rogorc Cans gamoyenebul i aqvs es debul eba garkveul enebTan da regioneTan dakavSirebiT (mag. GGgermania, ital ia da gaerTianebul i samefo). danarCenebs gamoyenebul i aqvT proporciul i zRvari, romel ic mogvagonebs konvenciis enas (estoneTi, mol dova da makedoniis yifil i iugosl aviis respubl ika). aRniSnul unda iqnas, rom rogoric ar unda iyos am qveynebis mier arCeul i jgufebi Tu zRvari, maTi val debul ebebi farTo xasiaTisaa, rodesac sakiTxi exeba nebismier regions, dasaxl ebul s umciresobebiT "tradiciul ad Tu mniSvnel ovani raodenobiT" sadac arsebobs amis "real uri saWiroeba".M

miuxedavad imisa, rom arc kopenhagens dokumenti, arc CarCo konvencia da arc sxva euTos standartebi ar azusteben rom administraciul erTeul ebTan urTierTobis SesaZl ebl oba unda iyos kanoniT garantirebul i, aRsanisnavia is faqtic, rom naxevarze nakl ebma euTos qveynebma ganacxades, rom maTi kanonebi uzrunvel yofen aseT SesaZl ebl obas. imedia, rom kanonmdebl oba uzrunvel yofs am ufl ebebs yvel a euTos monawil e qveyanaSi.

mTavrobebis mier aRweril i qmedeba sasamarTI o organoebTan urTierTobis SesaZl ebl obasTan dakavSirebiT rogorc Cans ufro Seesabameba saerTaSoriso standartebis vidre qmedeba, dakavSirebul i administraciul erTeul ebTan urTierTobis SesaZl ebl obasTan. iuridiul pirebTan dakavSirebul kiTxvaze gacemul i dadebiti pasuxebi dakavSirebul ia samoqal aqo da politikuri ufl ebebis Sesaxeb saerTaSoriso SeTanxmehis mier saxel mwifoebze dakisrebul val debul ebebTan kriminal ur sasamarTI o procesebSi im bral debul Ta TarjimniT uzrunvel yofis Sesaxeb, romel Tac "ar ician an ar l aparakoben sasamarTI os enaze". imedia, is qveynebi, romel Tac Taviant pasuxebSi miuTites yovel gvari ganmartebis gareSe, rom isini saSual ebas aZl even umciresobaTa warmomadgenl ebs, daamyaron kavSiri sasamarTI o organoebTan Taviant enaze, akeTeben amas Tarjimnis meSveobiT da samoqal aqo da politikuri ufl ebebis Sesaxeb saerTaSoriso SeTanxmehis da adamanis ufl ebebis evropis sabWos moTxovnebis Sesabamisad. rogorc zemoT iyo aRniSnul i, kiTxva, romel ic iyo dasmul i mTavrobebisadmi exeba ara marto Targmanis ufl ebas im SemTxvevaSi, rodesac kriminal urma bral debul ma ar ician an ar l aparakobs am enaze, Aaramed or, ufro farTe kategorias: a) yvel a sasamarTI o procesebze; da b) maSinac ki, rodesac pirovnebas esmis oficial uri ena magram survil i aqvs gamoiyenos Tavis i erovnul i umciresobis ena. Tu dasmul kiTxvaze gacemul pasuxebSi igul isxmeba is, rom erovnul i umciresobebis warmomadgenl ebs SeuZl iaT gamoiyennon

<sup>45</sup> i x. Seni Svna 10.

<sup>46</sup> somxewTma, kviprosma, da san-marinom ar gasces pasuxi



TavianTi ena im regioneSi, sadac isini warmoadgenen adgil obrivi mosaxl eobis mniSvnel ovan nawil s, da SeuZl iaT ase moiqcnen yvel a sasamarTI o procesze, maSin aseTi debul eba Seesabameba osl os rekomendaciebs. zogierTma saxel mwifom warmatebiT aRniSna, rom maT gadaaWarbes am rekomendaciebs procesebis umciresobaTa enebze Catarebis mimarTul ebiT, romel ic naxsenebia evropis qartiaSi regional uri Tu umciresobaTa enebis Sesaxeb<sup>47</sup>. Dda bol os, zogierTma saxel mwifoebma gansakuTrebiT moixsenies is gzebi, romel Ta meSveobiTac SesaZl ebel i gaxdeba umciresobaTa enebis gamoyeneba administraciul da sasamarTI o procedurebSi, mag. orenovani mosamsaxureebis gamoyeneba ital iis zogierT regioneSi.

#### g. umciresobaTa enebis swavl eba da am enebze ganaTI ebis miReba

kiTxva 4: romel i umciresobaTa enebi iswavl eba Tqvens qveyanaSi? ganaTI ebis romel safexurze iswavl eba isini (mag. dawyebiTi, saSual o, sakvira o, samaswavl ebl o, universiteti)? iswavl eba isini mxol od zogierT adgil ebSi? Tu asea SezRudul i, rogori kriteriumiT xdeba im adgil ebis gansazRvra, sadac SesaZl ebel ia aseTi ganaTI ebis miReba?

kiTxva 5: aqvT Tu ara erovnul i umciresobebis warmomadgenl ebs ufl eba ganaTI eba miiRon TavianT enaze, mTli anad an nawil obriv? Tu es SezRudul ia, gTxovT miuTiToT romel i sagnebi iswavl eba umciresobis enebze da romel i sagnebis swavl ebaa saval debul o saxel mwifo da oficial ur enebze ganaTI ebis yovel safexurze. gTxovT, aseve miuTiToT es ufl eba gamoiyeneba Tu ara mTel i qveynis teritoriaze. Tu es ufl eba vrcel deba mxol od zogierT adgil ebSi, rogori kriteriumebiT xdeba im adgil ebis dadgena, sadac misawvdomia aseTi ganaTI ebis miReba?

#### 1. saerTaSoriso standartebi

kiTxvebi me-4 da me-5 exeba or mniSvnel ovan sakiTxS: (1) umciresobis enis swavl ebas umciresobis warmomadgenl ebisTvis da sxva pirebisTvis, romel Tac surT misi Seswavl a; da (2) erovnul i umciresobis wevrebisaTvis maT enaze ganaTI ebis sistemis gegmis mixedvit swavl ebas. saxel mwifoTa survil i, uzrunvel yon es ori SesaZl ebl oba, metad mniSvnel ovan ia umciresobaTa ufl ebebis dacvis sferoSi mraval i Tval sazrisiT.

Pupirvel esad, erovnul i umciresobebis warmomadgenl ebis ZiriTadi ufl ebis, - "gamoiyenon TavianTi ena" (samoqal aqo da politikuri ufl ebebis Sesaxeb saerTaSoriso SeTanxmeba (ICCPR), punqti 27) - ganxorciel eba, bunebrivia, damokidebul ia maT mier enis codnaze. rogorc aRniSnul ia haagis rekomendaciebSi, erovnul umciresobaTa warmomadgenl ebis ufl eba - SeinarCunon TavianTi TviTmyofadoba - SeiZl eba ganxorciel ebul iqnes mxol od im SemTxvevaSi, Tu isini saTanadod Seiswavl ian TavianT mSobl iur enas ganaTI ebis miRebis

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<sup>47</sup> evropis qartia asaxel ebs Tavisi SesaZl ebl obebis CamonaTval Si (punqti 9) val debul ebas, roml is Tanaxmadac sasamarTI o procesis monawil e pirebs aqvT SesaZl ebl oba gamoiyenon TavianTi umciresobis ena im SemTxvevaSic ki Tu maT SeuZl iaT urTierTobis damyareba umravl esobis enaze.

procesSi <sup>48</sup>. marTalia, sal aparako enis swavl a SesaZI ebel ia ojaxSi, magram weriTi da literaturul i aspeqtebi iTxovs ganaTI ebis institutebis aqtiur monawil eobas. mozdil ebs SeiZI eba dasWirdeT mozdil Ta programiT ganaTI ebis miReba.

Mmeore, umciresobis enis swavl eba imaTTvis, vinc ar aris umciresobis wevri, ufro metad Seuwyobs xel s kontaqtis da urTierTgagebis damyarebas umciresobasa da umravl esobas Soris. Mmagal iTad, Tu zemoT ganxil ul i sxvadasxva ufl ebebi administraciul da sasamarTI o organoebTan umciresobis enaze urTierTobis Sesaxeb srul ad iqna real izebul i, maSin enis swavl eba saWiro gaxdeba umciresobis jgufis gareTac. Eertze meti enis codna saerTaSoriso kul turul i kontaqtibus, urTierTgagebis da Semwynarebl obis saSual ebad evropis kavSirma exl axan aRiara<sup>49</sup>.

mesame, Tumca enis Semswavl el i kursebi warmoadgenen enis swavl isa da TviTSegnebis SenarCunebisaTvis aucil ebel komponents, xSirad enis srul fasovnad Seswavl a xdeba maSin, Tu swavl a mSobl iur enaze tardeba ufro farTo saswavl o gegmiT.

meoTxe, im pirebisTvis, roml ebmac Seiswavl es erovnul i umciresobis ena saxl Si da j er ar uswavl iaT umravl esobis, anu oficial uri ena, kvl evis Sedegad dadginda umciresobis enaze ganaTI ebis miRebis xel isSemwyobi zogierTi komponenti.

ganaTI ebasTan dakavSirebul i saerTaSoriso standartebi dgindeba im mTel i rigi dokumentebis meSveobiT, roml ebic exeba ganaTI ebis sxvadasxva aspeqtebs. kopenhagenis dokumentis 34-e muxl Si naTqvamia: miuxedavad oficial uri an saxel mwifo enis Seswavl is saWiroebisa, "monawil e qveynebi SeZI ebisdagvarad ecdebian erovnul i umciresobebis warmomadgenl ebisTvis uzrunvel yon Tanabari SesaZI ebl obebi....."rom Seiswavl on TavianTi mSobl iuri ena da am enaze miiRon ganaTI eba... .". ufro zogadad rom vTqvaT, CarCo konvenciis me-14 punqtSi naTqvamia, rom yvel a im pirs, romel ic miekuTvneba erovnul umciresobas, "aqvs ufl eba Seiswavl os Tavisi umciresobis ena," rac niSnavs rom:

erovnul i umciresobebiT tradiciul ad an mniSvnel ovnad dasaxl ebul regionebsi, im SemTxvevasi, Tu arsebobs amisi saTanado moTxovnil eba, mxareebma yovel i Rone unda ixmaron, raTa SeZI ebisdagvarad uzrunvel yon maTi ganaTI ebis sistemis fargl ebSi, rom am umciresobebis warmomadgenl ebs hqondeT TavianTi mSobl iuri enis Seswavl is da am enaze ganaTI ebis miRebis Tanabari saSual eba.

es pirobebi aseve asaxul ia 1992 wl is gaeros dekl araciaSi da zogierT ormxriv xel Sekrul ebaSi<sup>50</sup>.Aam standartebis ganxorciel ebis detal uri rekomendaciebi mocemul ia aseve 1996 wl is haagis rekomendaciebSi, romel ic asaxavs umciresobaTa enebze ganaTI ebis moTxovnebs dawyebiTi, saSual o, profesiul i da umaRl esi ganaTI ebis doneze. Aam standartebisagan

<sup>48</sup> haagis rekomendaciebi, punqti 1.

<sup>49</sup> Evropis sabWos ministrTa komiteti, rekomendacia # R (98) 6 Tanamedrove enebis Sesaxeb, 1998, 17 marti.

<sup>50</sup> 1992 wl is gaero-s dekl aracia, punqti 4 (3); sl ovakeTi-ungreTis xel Sekrul eba, punqti 15 (2) (g).

gancal kevebul i, arsebobs sxva standartebic. isini kerZod exeba skol ebis Camoyal ibebas, romel ic ganxil ul ul ia momdevno me-7 kiTxvaSi.

es dokumentebi da gansakuTrebiT ki CarCo konvencia, gvTavazobs saxel mwifos mier garkveul i qmediTi nabijebis gadadgmas umciresobaTa enebze ganaTI ebis sferoSi. amave dros, fraza "ecdebian SeZI ebisdagvarad uzrunvel yon . . . Tanabari SesaZI ebl obebi" ufro met Tavisufl ebas aZI evs saxel mwifoebis am sakiTxSi. kerZod, dokumentebis Semdgenl ebma yuradgeba gaamaxvil es aseTi tipis ganaTI ebasTan dakavSirebul finansur da administraciul siZnel eebze<sup>51</sup>. dokumentSi ar aris detal uri moTxovnebi swavl ebis SemTxvevaSi saTanado kursebze, Tumca haagis rekomendaciebiT SemuSavebul ia kopenhagenis dokumentis da CarCokonvenciis val debul ebebis ganxorciel ebisatvis sasurvel i politika. ufro metic, saxel mwifoebis ar moeTxovebaT aucil ebl ad enis swavl eba da am enaze swavl eba; Tumca es ori termini, rogorc zemoT iyo aRniSnul i, urTierTgamomricxavi ar aris<sup>52</sup>.

## 2. gamokiTxvis Sedegebi

meTodol ogiuri Tval sazrisiT, unda aRiniSnos, rom saxel mwifoTa mier gacemul i pasuxebis Sedareba xSirad Znel deba am ori kiTxvis gamo, vinaidan bevri maTgani Taviant pasuxebSi ver xedavs gansxvavebas enis swavl ebas da enaze swavl ebas Soris. zogierTi pasuxobs mxol od erTze an mxol od meoreze. saqmes arTul ebs is, rom erovnul i umciresobis enaze swavl eba (ganaTI ebis miReba) xSir SemTxvevaSi iTval iswinebs umciresobis enis Seswavl asac. Tumca, umciresobis enis swavl eba SeiZI eba ar moicavdes umciresobis enis swavl ebas im pirTaTvis, romel Tac surT enis Seswavl a, magram ara-ganaTI ebis miReba am enaze. es gansakuTrebiT exeba im pirebs, roml ebic ar arian umciresobis warmomadgenl ebi (magal iTad arafriziul i warmoSobis niderl andebis moqal aqe, romel sac surs Seiswavl os friziuri ena). Ggarda amisa, Zal ian mniSvnel ovania isic, rom bevri saxel mwifo ar akonkretebs, saxel mwifo skol ebs exeba Tu kerZo skol ebs rogorc Tavad acxadeben "swavl a-ganaTI ebisTvis saTanado pirobebis Seqmna". dabol os, zogierTi saxel mwifo ver xedavs gansxvavebas umciresobis enebsa da ucxo enebis Soris, roml ebic tradiciul ad ar ixmareba qveynis SigniT; nacvl ad amisa, isini maT aj gufeben erTad, rogorc umravl esobis enisagan gansxvavebul enebis.

rac Seexeba umciresobis enis swavl ebas, yvel a qveynis pasuxebidan Cans, rom misi swavl eba yvel gan nebadarTul ia<sup>53</sup>. aseTi enebis raodenoba mniSvnel ovnad icvl eba, rac, cxadia, damokidebul ia qveyanaSi arsebul i erovnul i umciresobis ricxvze da am enaze mol aparake pirTa raodenobaze. bevr qveyanaSi, sul cota ramdenime ena mainc iswavl eba, magal iTad, somxeTSi - rusul i, qurTul i, ebraul i<sup>54</sup>, berZnul i da pol onuri; avstriaSi - sl oveniuri, xorvatiul i, Cexuri da sl ovakuri; bul gareTSi - ebraul i, somxuri, ruminul i da Turqul i; CexeTis respubl ikaSi -

<sup>51</sup> CarCo konvencia, ganmartebiTi angariSi, punqtebi 75-76.

<sup>52</sup> ix. punqti 77.

<sup>53</sup> kviprosma, isl andiam, l ixtenSteinma, l uqsenburgma, portugal iam, san-marinom da amerikis SeerTebul ma Statebma am kiTxvas ar upasuxes.

<sup>54</sup> mTel i rigi saxel mwifoebis mier miTitebul ia termini "ebraul i", Tumca ar aris dazustebul i es ivriTs exeba Tu idiSs.

sl ovakuri, pol onuri, germanul i, ruminul i, ungrul i da ukrainul i; safrangeTSi - bretonul i, baskuri, oqsitanuri, korsikul i, da katal oniuri; germaniaSi - daniuri, sorbiul i, friziul i da ruminul i; sl ovakeTSi - ungrul i, ukrainul i, germanul i da ruTeniul i; da espaneTSi - baskuri, gal isiuri, val ensiuri da katal oniuri. zogierT saxel mwifoSi aseTi enebis ricxvi sakmaod didi iyo: 8 - bel orusiaSi, l atviaSi da mol dovaSi; 11 - l itvaSi; 12 - xorvattiaSi da ungreTSi; 14 - yazaxeTSi; 15 - rumineTSi; da 18 - ukrainaSi. saxel mwifoTa mcire j gufSi iswavl eba mxol od qveynis oficial uri enebi (ZiriTad ucxo enebTan erTad), rac Sedegia im pol itikisa, romel sac atareben es saxel mwifoebi erovnul i umciresobis dargSi. Ees saxel mwifoebia: kanada, irl andia da Sveicaria.

ganaTI ebis safexurebTan dakavSirebiT unda aRiniSnos, rom Znel ia pasuxebSi sxvadasxva model ebis SemCneva. bevrma saxel mwifom pasuxebSi aRniSna, rom isini dawyebiT safexurze aswavl ian mraval nair enebis, xol o zogierT enas - saSual o da universitetis doneze. Tumca, zog SemTxvevaSi, gaurkvevel ia, exeba es swavl ebas umciresobis enaze (magal iTad Gmosamzadebel i kl asebi umciresobis moswavl eTaTvis, gadasayvani mecadineobebi im umciresobaTa moswavl eTaTvis, roml ebic am enaze l aparakobdnen mxol od saxl Si), Tu - enis swavl ebas cal keul i sagnis saxiT. mTel i rigi saxel mwifoebis pasuxebidan aSkarad Cans, rom isini ufro metad uwyoben xel s umciresobaTa erTi an ori enis swavl ebas safexurebze danarCen enebTan SedarebiT. aseTebia: rusul i - somxeTSi; germanul i - daniaSi; rusul i - estoneTSi; rusul i, pol onuri, bel orusul i da ukrainul i - l atviaSi; ungrul i da germanul i - rumineTSi; ungrul i da ukrainul i - sl ovakiaSi; da uel suri da gal iuri - gaerTianebul samefoSi.

umciresobis enebis swavl ebis adgil ebis ganl agebis Sesaxeb saxel mwifoTa umetesobas ar gaucia dawvril ebiTi pasuxebi, Tanac pasuxebis umetesi nawil i exeboda umciresobis enebze swavl ebas da ara maT Seswavl as. zogierT qveynebSi ramdenime an yvel a umciresobis ena iswavl eba mxol od umciresobebiT dasaxl ebul garkveul regioneSi, magal iTad, avstriaSi (sl oveniuri - karintiaSi da xorvatiul i da ungrul i - burgenl andSi), fineTSi (sami - am tomis samSobl oSi), saqarTvel oSi (afxazuri - afxazeTSi), germaniaSi (sorbiul i - saqsoniis Tavisufal saxel mwifoSi da brandenburgis miwaze), saberZneTSi (Turqul i - TreisSi), ital iaSi (sl oveniuri - friul i-venecia jul ias sl oveniur regioneSi), niderl andebSi (friziul i - frizl andSi), ruseTis federaciaSi (avtonomiur respubl ikebi da "umciresobebiT kompaqturad dasaxl ebul adgil ebSi"), sl oveniaSi (kanoniT dadgenil tradiciul ad dasaxl ebul da avtonomiuri warmoSobis erovnul i umciresobebis dasaxl ebebSi, espaneTSi (iswavl eba avtonomiuri ol qebis oTxi ena am regioneSi. DdanarCenebs ufro zogadi xasiaTis SezRudvebi aqvT: pol oneTSi (dawyebiT skol ebSi - mSobl ebis moTxovniT, saSual o skol ebSi - moswavl eTa moTxovniT da aseve "im regioneSi, roml ebic mWidrodaa dasaxl ebul i mocemul i umciresobiT xangrZl ivi periodis ganmavl obaSi an bol o pol itikuri movl enebis da Tanamedrove istoriul i procesebis Sedegad (gadaadgil ebebi omisSemdgom periodSi)"; da rumineTSi ("iq, sadac aRiniSneba erovnul i umciresobebis "moswavl eTa mniSvnel ovani raodenoba").

Uumciresobis enaze swavl ebas rac Seexeba, isev, yovel i saxel mwifos pasuxidan Cans, rom iq aris umciresobis enaze swavl is garkveul i ufl eba, Tumca umetesi pasuxebidan gaugebaria es saxel mwifo skol ebs exebea Tu kerZos<sup>55</sup>. Tumca, erTgvari model i mainc ikveTeba. Ppirvel i: yofil i sabWoTa kavSiris yvel a 14 qveyanaSi (amasTan, ruseTSic) uzrunvel yofil ia rusul is swavl eba. am qveynebidan zogierTis pasuxebidan Cans, rom rusul i aris moswavl eTa swavl ebis procesSi meore ena (mag. yazaxeTSi, yirgizeTSi da TurqmeneTSi); danarCeni pasuxebis mixedviT, moswavl eebS SeuZl iaT airCion rusul enovani an Sereul enovani skol a (mag. estoneTSi, saqarTvel oSi, latviaSi da litvaSi). Mmeore: danarCeni qveynebis umravl esoba uzrunvel yofs umciresobis erTze met enaze swavl ebas, Tumca, xSirad im enebis raodenoba, romel zedac moswavl eebS SeuZl iaT dasZl ion ufro nakl ebia xol me, vidre im enebis raodenoba, roml ebic moswavl eebS SeuZl iaT iswavl on cal keul i sagnebis saxiT.

Ggeografiul i regionebi, sadac moswavl eebS SeuZl iaT iswavl on am enebze, ZiriTadad aris is regionebi, sadac maT TviTonac SeuZl iaT iswavl on ena. es aris umciresobit mWidrod dasaxl ebul regionebsi. zogierTi saxel mwifoebi aRniSnaven, rom kl asebis Seqmna damokidebul ia moTxovnil ebaze da kl asistvis saWiro moswavl eTa raodenobaze (magal iTad, iugoslaviis Myofil i respublika makedonia da gaerTianebul i samefo); sxvebma ganacxades, rom isini ufro met angariSs uweven mSobl ebis ufl ebas gadawyviton, Tu romel enaze miRon maTma Svil ebma ganaTl eba (sl ovakia). samma qveyanam (kanada, irlandia da sveicaria) ganacxades, rom maTTan swavl eba mxol od oficial ur enazea (enebzea). sakiTxisadmi gansxvavebul i midgoma aqvT da yovel i maTgani iTval iswinebs sxva enebze mol aparake xal xis demografiul mdgomareobas.

Ddabol os, erovnul i umciresobis enaze saswavl o sagnebis raodenoba mniSvnel ovnad icvl eboda. zog SemTxvevaSi, programa mTlianad iswavl eba umciresobis enaze cal keul kl asebsi an skol ebSi (CexeTis respublika, estoneTi, latvia da litva); zogan mxol od saswavl o sagnebis nawil s aswavl ian umciresobis enaze (sorbiul i da friziul i germanul Tan erTad - germaniis zogierT nawil Si; germanul i da frangul i ital iurTan erTad - ital iaSi; Tanabari raodenobaa kl asebis pol onur da umciresobis enebze pol oneTSi; zogan sakl aso drois mcire nawil i (daniaSi, mSobl iur enaze kviraSi samidan xuT gakveTil amde.). amerikis SeerTebul ma Statebma ganacxada, rom araingl isurenovan studentebS ganaTl ebis Tanabari ufl ebebi aqvT da mTavroba gascems grantebS orenovani swavl ebisaTvis.

zogierTma saxel mwifom gansazRvra is sagnebi da programebi, da maTi tipebi, roml ebic unda iswavl ebodes oficial ur enaze: latviame ganacxada, rom pirvel idan me-9 kl asamde - ori sagani, me-10 kl asidan me-12-mde ki sami sagani mainc unda iswavl ebodes latviur enaze humanitarul an zust mecniererebS; ruminetma ki ganacxada, rom ruminetis istoria, literatura da geografia unda iswavl ebodes ruminul enaze. erTma qveyanam, xorvatiame ganacxada, rom mas aqvs kombinacia: ramdenime skol a, sadac yvel aferi iswavl eba umciresobis enaze; ramdenime skol a, sadac bunebismetyvel eba iswavl eba xorvatiul enaze, xol o xel ovneba da social uri mecniererebi - umciresobis enaze, ramdenime skol aSi ZiriTad saswavl o programas xorvatiul enaze aswavl ian, xol o damatebiti

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<sup>55</sup> qveynebma, roml ebmac ar upasuxes me-4 kiTxvas, agreTve ar upasuxes me-5 kiTxvas, garda aSS-si, romel mac pasuxad Tavisi 1994 wl is gaeros adamianis ufl ebebis komitetisaTvis wardgenil i angariSi moiyvana.

mecadineoba aris umciresobis enazec. avstriul i kanoni sl oveniur, xorvatiul da ungrul umciresobebs karintiaSi da burgenlandSi ufl ebas aZl evs Taviant enaze iawavl on an Seiswavl on is, rogorc aucil ebel i sagani. maT aseTi swavl is saSual eba aqvT aseve qveynis sxva regionebsi maTi moTxovnis Sesabamisad.

### 3. Sedegebis anal izi

miRebul i Sedegebidan srul iad naTI ad gamomdinareobs, rom euTo-s damokidebul eba umciresobis enaze swavl ebis an am enis Seswavl is sakiTxisadmi metad mraVal feroVania. enebis raodenobis, adgil is, ganaTI ebis safexurebisa Tu saprogramo sagnebis gaTval iswinebiT, qveynebma gamoavl ines sxvadasxvagvari damokidebul eba. zogjer es sxvadasxvagvari SesaZl ebl obani gamoixata cal keul i saxel mwifoebis fargl ebSic. Bunebrivia, pasuxebSi aisaxa enis sakiTxSi erovnul umciresobaTa moTxovnebisadmi damokidebul ebis sxvadasxva done. qveynebis umetesma nawil ma Semogvtavaza enebis didi CamonaTval i am sakiTxiT maTi dainteresebis dasturad. magram, mxol od monacemebiT SeuZl ebel ia ganisazRvros, Tu ramdenad Seesatyiseba mTavrobaTa RonisZiebebi umciresobaTa moTxovnebs.

G am zogadi mosazrebisa garda, SesaZl ebel ia ramdenime sxva daskvnis gamotanac. Ppirvel i, pasuxebidan Cans, rom saxel mwifoebma Taviant ganaTI ebis politikaSi ufro zustad unda gaiTval iswinon gansxvaveba umciresobis enis Seswavl asa da umciresobis enaze swavl ebas Soris. Tumca euTo-s standartebi mxol od moitXovs, rom uzrunvel yofil iqnes ganaTI ebis am formebidan erT-erTi. mTavari mizani mainc erovnul umciresobaTa TviTsegnebis Senarcunebisa da ganvitarebisaTvis xel sayrel i pirobebis Seqmnaa. am miznis misaRwevad didi rol i eniWebi ganaTI ebis miRebas umciresobis enaze. amastanave, umravl esobis warmomadgenel Ta mier umciresobis enis Seswavl as aranakl ebi mniSvnel oba aqvs urTierTobis ganmtkicebasa da mimtevebl obis gamomuSavebisaTvis. Meore, zogierTi qveynis gamocdil ebidan Cans, rom umciresobis enaze swavl eba SesaZl ebel ia maSinac, rodesac umciresobis warmomadgenel Ta ricxvi umniSvnel oa. M mesame, pasuxebi gvafiqrebinebs, rom saxel mwifoebma unda SeZl on Tavianti SesaZl ebl obebidan swori arcvanis gakeTeba, raTa gawonasworebul iqnes umciresobis enebis da ZiriTadi an oficial uri enebis swavl eba. mTel i rigi pasuxebidan naTel ia, rom araswori iqneboda imis winaswar gadawyveta, Tu romel i sagani unda iswavl ebodes erT enaze da romel i - meoreze. mniSvnel oVania umciresobaTa warmomadgenel ebis mosazrebebi, Tumca cxadia, saxel mwifos interesebSia xel i Seuwyos Tavis moqal aqeTa Soris urTierTgagebis danyarebas ZiriTadi an oficial uri enis meSveobiT.

meoTxe, kiTxvebidan gamomdinare, sasurvel ia, rom zogierTma saxel mwifom gaiTval iswinos gansxvaveba erovnul i umciresobis enasa da namdvil ad ucxo enebSis Soris. ucxo ena Tu iswavl eba rogorc mezobel qveynebtan an mniSvnel ovan ekonomikur partniorebtan urTierTobis saSual eba, umciresobis enis Seswavl is mizania qveynis SigniT urTierTgagebisTvis xel Sewyoba.

d. erovnul i umciresobebis Tval Taxedvis gaTval iswineba saskol o programaSi

kiTxva 6: rogori mocul obiT iswavl eba erovnul i umciresobebis kul tura, istoria, rel igia da sarwmunoeba saerTo programaSi?

1. saerTaSoriso standartebi

saerTo programaSi erovnul i umciresobebis kul turis, istoriis, rel igiis da aRmsarebl obis swavl ebas ori aspekti aqvs: pirvel ia is, rom umciresobis warmomadgenl ebs saSual eba hqondeT miiRon oficial uri ganaTI eba maTi sakuTari gamocdil ebebisa da Sexedul ebebis gaTval iswinebiT, iseve rogorc es umravl esobis warmomadgenel Ta swavl ebisas xdeba. magram meore da ufro mniSvnel ovania, rom es gamoiwvevs am sagnebis swavl ebas moswavl eTa farTo wrisaTvis, kerZod, umciresobas rom ar miekuTvnebian im moswavl eebisTvis, roml ebic sxvagvarad ver ganiswavl ebodnen am sferoSi. aseT codnas gadamwyveti mniSvnel oba eniWeba mraval eTnikuri, mimtevebl uri sazogadoebis mSenebl obaSi, romel ic uZl ebs eTnikuri dapirispirebiT gamowveul daZabul obas, rasac xSirad safuZvl ad udevs uvicoba an umciresobaTa Sesaxeb araswori informaciis propaganda<sup>56</sup>. amrigad, codna da urTierTgageba Sida stabil urobis da social uri harmoniis sawindaria.

Sesabamisi saerTaSoriso standartebi am sferoSi sruliad axal ia. saerTod, bavSvTa ufl ebebis Sesaxeb gaero-s konvenciis 29(1)-e punqtis Tanaxmad, "bavSvis ganaTI eba unda iqnes mimarTul i. . . (d) imisaken, rom man Tavisufal sazogadoebaSi SeZl os cxovreba pasuxismgebl obis da urTierTgagebis grZnobiT, mSvidobianad, mimtevebl urad, sqesTa Soris Tanasworobis, megobrul i urTierTobis SegnebiT yvel a xal xTan, eTnikur, erovnul da rel igiur j gufebTan da adgil obrivi warmoSobis pirebTan." kopenhagenis dokumentis 34-e muxl Si naTqvamia: "saswavl o dawesebul ebebSi istoriis da kul turis swavl ebasTan dakavSirebiT, "monawil e qveynebma unda gaiTval iswinon aseve erovnul i umciresobebis istoria da kul tura". CarCo konvenciis me-12 punqti aval debul ebs saxel mwifoebis: "sadc saWiroa, miiRon zomebi ganaTI ebis da kvl eva-Ziebis sferoSi, raTa xel i Seuwyon Tavianti erovnul i umciresobebis da umravl esobis kul turis, istoriis, enis da rel igiis Seswavl as." 1992 wl is gaero-s dekl araciis me-4(4) punqtSi naTqvamia: "saxel mwifoebma, iq sadac amis saWiroebaa, unda miiRon zomebi ganaTI ebis sferoSi, raTa xel i Seuwyon maTi qveynis teritoriaze arsebul i erovnul i umciresobebis istoriis, tradiciebis, enis da kul turis Seswavl as. erovnul i umciresobis warmomadgenl ebs unda hqondeT, aseve, mTI ianad sazogadoebis Sesaxeb codnis miRebis Sesabamisi SesaZl ebl obebi." dabol os, haagis rekomendaciebSi detal urad aris asaxul i es val debul ebebi da aseve miTitebul ia, rom "saxel mwifo-saganmanaTI ebl o organizaciebma unda uzrunvel yon, rom maTi

<sup>56</sup> ix. CarCo konvencia, ganmarTEbiTi angariSi, muxl i 71.

umciresobebis istoriis, kul turisa da tradiciebis swavl eba Sevides zogad saval debul o saswavl o programaSi<sup>57</sup>.

Aamgvarad, es saerTaSoriso standartebi iTval iswinebs swavl ebis or process: umravl esobis warmomadgenl ebi swavl oben umciresobaTa Sesaxeb, xol o umciresobis warmomadgenl ebi-umravl esobis Sesaxeb. vinaidan am ukanasknel is uzrunvel yofa saerTod ufro advil ia, radgan umciresobis warmomadgenl ebi xSir SemTxvevaSi umravl esobis kul turas naziarebi arian, - kiTxva daismis, Tu ramdenad uwyoben xel s monawil e saxel mwifoebi umravl esobis mier umciresobaTa kul turis Seswavl as. aqve unda aRiniSnos, rom sakiTxi exeba erovnul umciresobaTa "kul turas, istorias, rel igias, da mrwamss." kiTxva ramdenime aspektis momcvel i iyo, rac saxel mwifoebis saSual ebas aZl evda, moewodebinaT angariSi yvel a im RonisZiebis Sesaxeb, roml ebic mimarTul ia zogad-saganmanaTI ebl o kursis meSveobiT studentebisTvis qveynis erovnul umciresobaTa Sesaxeb swavl ebas.

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## 2. kiTxvaris Sedegebi

kiTxvarze gacemul i pasuxebidan naTI ad gamoikveTa ramdenime model i. Ppirvel i: mopasuxe qveynebis umetesobam aRniSna, rom isini programiT iTval iswineben TavianTi erovnul i umciresobebidan erTis an oris Sesaxeb swavl ebas<sup>58</sup>. gamonaki si Seadgines somxeTma, romel mac ganacxada, rom aseTi swavl eba xdeba maTTan mxol od universitetebSi da sakvirao skol ebSi; saqarTvel om, sadac aseTi swavl eba xdeba mxol od special ur organizaciebSi; da mal tam, romel ic ambobs, rom misi skol ebi "koncentrierebul ia mal tis kul turaze".M

meore: 15 qveynis pasuxebSi gamoikveTa imgvari tendencia, rac ewinaaRmdegeba pirvel model Si asaxul damaimedebel Sedegebs. maT ganacxades, rom umciresobis kul turebi ar iswavl eba zogadi saswavl o programebiT, rac imas niSnavs, rom is ar Sedis yvel a moswavl is-rogorc umravl esobis warmomadgenl ebisTvis gankuTvnil programebSi (igul isxmeba rogorc umravl esobis, ise umciresobis warmomadgenl ebi). nacvl ad amisa, umciresobis kul turebs swavl oben mxol od umciresobis warmomadgenl ebi (anu mxol od is moswavl eebi, roml ebic dadian skol ebSi, sadac swavl eba umciresobis enaze mimdinareobs. maT ricxvs miekuTvneba azerbaijani, bel orusia, bosnia-hercogovina, bul gareTi, xorvatia, germania (daniuri da serbiul i iswavl eba mxol od garkveul regioneSi, Tumca boSebis kul tura iswavl eba qveynis mTel teritoriaze), italia, yazaxeTi, mol dova, niderl andebi, rumineTi, yofil i iugoslaviis respublika makedonia,

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<sup>57</sup> Hhaagis rekomendaciebi, muxl i 19. aq agreTve rekomendirebul ia dial ogis xel Semwyobi sxva RonisZiebebi: umravl esobis warmomadgenl ebis waxaliseba umciresobis enebis Sesaswavl ad, umciresobis jgufebis CarTva saswavl o programebis momzadebis procesSi da umciresobebis enaze swavl ebis centrebis Seqmna. iqve, punqtebi: 19-21.

<sup>58</sup> Kkviprosma, safrangeTma, saberZneTma, isl andiam, l ixtenSteinma, portugal iam, sanmarinom, tajikeTma da amerikis SeerTebul ma Statebma am kiTxvaze pasuxi ar gasces. garda amisa, kanadam ganacxada, rom es aris regionis xel mZRvanel obis gadasawyveti sakiTxi; monakom ganacxada, rom isini iyeneben frangul saswavl o programis monageskuri kul turis Sesaxeb masal ebis damatebiT; xol o ruseTis federaciam aRniSna, rom erovnul i da regional uri kul turebis dacva da ganvitareba Seadgens saxel mwifo ganaTI ebis pol itikis nawil s, Tumca ar warmoudgenia Semdgomi detal ebi saswavl o gegmis Sesaxeb.



ukraina, gaertianebul i samefo da uzbekeTi. igive Sedegi, anu umciresobis kul turebis Sesaxeb swavl eba gansazRvrul regioneSi da ara zogadi programebiT, aisaxeba im saxel mwifoTa pasuxebSi, roml ebic acxadeben, rom maT aqvT erovnul i saswavl o programa (ar miuTiteben, moicavs Tu ara igi erovnul i kul turebis Seswavl as), magram amave dros aRniSnaven, rom sxvadasxva regionebs SeuZl iaT dauTmon sakl aso saatebis garkveul i nawil i adgil obriv sakiTxebs, maT Soris adgil obriv umciresobasTan dakavSirebul Tematikas: fineTi, irl andia, l atvia da espaneti. 21 qveynis pasuxidan Cans, rom swavl eba ar Sedis maT erovnul programaSi (Tu ar CavTvl iT germanias, sadac zogad programaSi Sedis boSuri enis swavl eba).

mesame: 16-ma saxel mwifom ganaxada, rom maT aqvT maTi erovnul i umciresobis Sesaxeb swavl ebis programa, romel ic saerto programis nawil s Seadgens, es qveynebia: avstria, Cexetis respubl ika, dania, estoneTi, germania (mxol od boSuri), ungreTi, yirgizeTi, l itva, norvegia, pol oneTi, sl ovakeTi, sl ovenia, SvedeTi, Sveicaria, Turqeti da TurqmeneTi. zogierTma maTganma miuTita is umciresobebi, roml ebic swavl oben am kl asebi: estoneTi (bal tiispireTis germanel ebi), l itva (ebrael ebi, TaTrebi da karaitibi (karaCael ebi) da SvedeTi (sami).

meoTxe: ramdenime saxel mwifom miuTita, rom maT aqvT kursebi, sadac zogadad iswavl eba mimtevebl oba da kul turaTa Soris urTierTgageba. zogierT qveyanaSi aseTi kursebi, rogorc Cans, cvl is sxva saxis kursebs, sadac iswavl eba sagnebi maTi erovnul i umciresobebis Sesaxeb; xol o zog saxel mwifoSi arsebobs orive saxis kursebi: avstria, Cexetis respubl ika, l uqsemburgi da gaertianebul i samefo.

MmexuTe: saxel mwifoebis gansxvavebul i midgoma aqvT umciresobis rel igiis swavl ebisadmi - zogan iswavl eba, zogan ki -ara. Bbel orusiam da yofil i iugosl aviis respubl ika makedoniam aRniSnes, rom rel igiis Seswavl a ar Sedis saxel mwifo skol ebis programaSi; xol o ungreTma, yirgizeTma, SvedeTma da Sveicariam aRniSnes, rom maT qveynebSi iswavl eba erovnul i umciresobebis istoria da kul tura. maT pasuxebSi ar aris naxsenebi umciresobis rel igiis Sesaxeb. xorvatiis, daniis, fineTis, l atviis, pol oneTis, ruminetis, sl ovakiis da uzbekeTis gancxadebiT, maTTan iswavl eba umciresobaTa rel igiebi, magram rogorc zemoT aRiniSna, es swavl eba mimdinareobs mxol od umciresobis jgufis warmomadgenel TaTvis. xSirad es swavl eba xdeba mSobl ebis survil is mixedviT da ara rogorc saerto programiT gaTval iswinebul i umciresobebis rel igiebis Sesaxeb saswavl o sagnis saxiT.

dabol os, SedarebiT nakl ebia raodenoba saxel mwifoebisa, roml ebic pasuxebSi miuTiteben umciresobis kul turis Seswavl is dReebs, roml ebzec vl indeba swavl ebis sxvadasxva meTodebi. zogma aRniSna, rom aseTi swavl eba xdeba dawyebiT safexurze (Cexetis respubl ika, yirgizeTi da sl ovenia); sxvebtan es sakiTxebi iswavl eba saSual o skol ebSi (avstria, dania, TurqmeneTi da uzbekeTi).

### 3. Sedegebis anal izi

saxel mwifoTa mier ganxorciel ebul i kiTxvaris Sedegebi ramdenadme imedis gamacruebel ia praqtikul i nabijebis mixedviT. qveynebis erT

mesamedze nakl ebma dadebiTi pasuxi gasca da ganacxada, rom maT qveynebSi umciresobebis kul turebis Sesaxeb swavl a Sedis saerTo programaSi (Tumca, rogorc ukve iyo aRniSnul i, zogierTma qveyanam am kiTxvas saerTod ar upasuxa). es gvafiqrebinebs, rom marTal ia, zogi saxel mwifo saSual ebas aZl evs umciresobebis miiRon codna maTi sakuTari kul turis Sesaxeb, magram saxel mwifoTa umetesoba aseT codnas umciresobebis Sesaxeb ar awvdis yvel a students, imgvarad, rom amit xel i Seewyos urTierTgagebis, mimtevebl obis da erovnul i erTianobis sul iskveTebis gaRvivebas. amis gamo SeiZl eba fuWi gamodges yvel a Zal isxmeva, umciresobebis ar miecemaT Taviani kul turis Seswavl is saSual eba. amas umravl esobis kul tura Sexvdeba ugul vebel yofiTa da dapispirebiT, Tu yvel a moswavl es ar mivawvdiT codnas umciresobaTa kul turis Sesaxeb. swored amitom misasal mebel ia im saxel mwifoebis saqmianoba, roml ebSic mimtevebl obas nergaven.

Aam probl emis mizezi, rogorc cans, kompl eqsuria. pasuxebidan aSkaraa, rom zogierTiQveyana ver acnobierebs, rom zemoTxsenebul i standartebi exeba ganaTl ebis zogad programis da ara mxol od programis, romel ic gankuTvnil ia umciresobisTvis. Aamitom, SesaZl ebel ia, isini varaudoben, rom maT Seasrul es rogorc euTo-s mier maT winaSe dasaxul i val debul ebebi, aseve sxva val debul ebebi umciresobaTa ufl ebebis sferoSi, raki damatebiT Seitanes umciresobis kul turis Seswavl a umciresobaTa skol ebis programebSi, an erovnul i umciresobebiT kompaqturad dasaxl ebul i regionebl skol ebis programebSi. garda amisa, zogierTma qveyanam SeiZl eba ganaTl ebis sistemaSi Tavisi raime sxva prioritetebl Seitanos. imedia, rom saxel mwifoebi kul turebl Soris urTierTgagebas da dial ogs prioritetul ad CaTvl ian da am miznis ganxorciel ebisTvis gamoZebnian saWiyo wyaroebis.MMO

rac Seexeba aseTi kursis swavl ebis safexurebs, saerTaSoriso standartebSi isini ar aris dazustebul i; xol o im saxel mwifoTa raodenoba, romel Tac am SekiTxvaze pasuxi gasces, imdenad umniSvnel oa, rom ASEuZl ebel ia raime garkveul i model is dadgena. damainc, yvel a SemTxvevaSi erovnul i umciresobisa da umravl esobis kul turebl Soris urTierTgagebis procesSi garkveul i aris is, rom igi unda daiwyos axal gazrdul asakSi. aRiarebul ia, rom, umciresobis warmomadgenl ebma unda iswavl on umravl esobis kul tura adreul i asakidan. imedia, rom aseve SesZl eben umravl esobis warmomadgenl ebi erovnul i umciresobis kul turebl Seswavl as axal gazrdul asakSi, rac xel s Seuwyobs sazogadoebis mimtevebl obis gaZl ierebas.

dabol os, rac Seexeba saerTo programiT erovnul i umciresobebis rel igiis swavl ebas, standartebis mixedvit ar aris gaTval iswinebul i moswavl eTaTvis oficial uri gakveTil ebis Catareba umciresobis rel igiis Sesaxeb. standartebiT ar aris ugul vebel yofil i nebismieri politika, romel ic ganacal kevebs ekl esias da saxel mwifos erTmaneTisagan da, rasakvirvel ia ar aris uaryofil i studentebis ufl eba - aRiaron Taviani sakuTari rel igia sxva aRmsarebl obis warmomadgenel Tagan SezRudveblis gareSe. rel igiis CarTva programaSi xdeba mxol od umciresobis kul turebl ukeT gacnobis mizniT. magal iTad, xorvatiaSi umravl esobas dasWirdda

garkveul i warmodgenis qona aRmosavl ur orTodoqsul rel igiaze, imisaTvis, raTa zogadad mainc gaegoT xorvatiaSi serbi umciresobis kul tura.

iq, sadac erovnul i umciresoba ar aris rel igiurad gamokveTil i, magal iTad rogoricaa frangul i umciresoba itaIaSi, SesazI oa, rom rel igiis Sesaxeb swavl eba arc iyos aucil ebel i.

#### e. kerZo skol ebis daarsebis ufl ebis ganxorciel eba

kiTxva 7. rogor axorciel ebs Tqveni qveyana kerZo saswavl o dawesebul ebebis Seqmnis ufl ebas erovnul i umciresobebis warmomadgenl ebisaTvis. aqvT Tu ara aseT organizaciebs ufl eba miiRon saxel mwifo dafinanseba?

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### 1. saerTaSoriso standartebi

umciresobis warmomadgenl ebs rom SeuZl iaT daarson kerZo skol ebi, - es aris erovnul i umciresobis enobrivi da sxva ufl ebebis realizaciis kidev erTi mniSvnel ovani komponenti. aseTi skol ebi an Canacvl ebaa saxel mwifo skol ebisa, an warmoadgenen saxel mwifo skol ebis mniSvnel ovan danamats umciresobis enaze ganaTI ebis misaRebad.

umciresobis ufl eba - daarsos kerZo skol ebi - imas ar niSnavs, rom amiT ugul ebel yofil ia saxel mwifo saskol o sistema, aramed amiT iqmneba damatebiTi arCevani maTTvis, rom Seiswavl on Tavisi kul tura da ena da amave dros daakmayofil on saxel mwifos ZiriTadi saganmanaTI ebl o moTxovnebi.

am sferoSi saerTaSoriso standartebi asaxaven wonasworobas umciresobis moTxovnasa da saxel mwifo politikas Soris ganaTI ebis standartebTan da saxel mwifo dafinansebasTan dakavSirebiT. ase rom, kopenhagenis dokumentis 32.2 muxl Si naTqvamia, rom umciresobebis ufl eba aqvT "erovnul i kanonmdebl obis Sesabamisad daarson da hqondeT Taviani sakuTari saswavl o, kul turul i da rel igiuri dawesebul ebebi, organizaciebi Tu asociaciebi, romel Tac SeuZl iaT moizion nebayofl obiTi finansuri Tu sxva saxis daxmareba saxel mwifos, sazogadoebrivi mxardaWeris CaTvl iT". ekonomikuri, social uri da kul turul i ufl ebebis Sesaxeb saerTaSoriso SeTanxmebis 13(3) punqti iuwyeba:

winamdebare SeTanxmebis monawile qveynebi val debul ni arian, pativi scen mSobl ebis an kanonieri meurvebis ufl ebas, airCion Tavisi bavSvebisaTvis saxel mwifo skol ebis garda skol ebi, roml ebic Seesabamebian saxel mwifoSi miRebul minimal ur saganmanaTI ebl o standartebis da uzrunvel yon Taviani bavSvebis moral uri da rel igiuri ganvitareba sakuTari mrwamsis Sesabamisad.

CarCo-konvenciis me-13(1) punqti gvamcnobs: "Taviani saganmanaTI ebl o sistemis fargl ebSi, mxareebi aRiareben, rom

erovnul i umciresobis warmomadgenl ebs aqvT ufl eba daarson da marTon Taviani sakuTari kerZo saganmanaTI ebl o da saswavl o dawesebul ebebi". amastan, es ufl ebebi uzrunvel yofil ia garkveul i ormxrivi SeTanxmebiT<sup>59</sup>.

amgvarad, saerTasoriso standartebis mixedviT, umciresobebs ufl eba aqvT daafuznon kerZo skol ebi, magram ufl eba ara aqvT ganaTI ebs erovnul i standartebidan gadaxvevis da arc saxel mwifosgan dafinansebis ufl eba. haagis rekomendaciebSi miTiTebul ia, rom saxel mwifos ar SeuZl ia saganmanaTI ebl o standartebis motiviT wauyenos metismetad damamZimebel i kul turul i da administraciul i moTxovnebi umciresobis kerZo skol ebs (muxl i 9). aseve saxel mwifo ar unda Caerios am skol ebs dafinansebis miRebaSi Sinauri Tu ucxouri kerZo wyaroebidan (muxl i 10).

## 2. kiTxvaris Sedegebi

yovel i qveynis pasuxSi am SekiTxvaze naTqvami iyo, rom erovnul umciresobebs ufl eba aqvT daarson kerZo skol ebi<sup>60</sup>. Svidma miuTiTa, rom am ufl ebas safuzvel s umyarebs maTi konstitucia (andora, somxeTi, avstria, germania, niderl andebi, Sveicaria da aSS); eqvsma saxel mwifom aRniSna, rom ufl eba sagangebod garantirebul ia kanoniT (andora, xorvati, estoneTi, latvia, yofil i iugoslaviis respublika makedonia da gaertianebul i samefo). somxeTma, avstriam da Turqetma aRniSnes, rom aseTi skol ebs arseboba garantirebul ia special uri xel Sekrul ebebiT, roml is mxareebSac isini warmoadgenen (damoukidebel i qveynebis konvencia sen Jermenis da lozanis SeTanxmebebi). miuxedavad amisa, zogierTma saxel mwifom upasuxa, rom maT arc umciresobisaTvis da arc saerTod ara aqvT kerZo skol ebi, (somxeTi, ungreTi, malta, poloneTi, norvegia da TurqmeneTi); xolo sxvebma ganacxades, rom aseTi skol ebi maTTan iSviaTobaa, radgan moswavl eTa didi umetesoba saxel mwifo skol ebs amj obinebs (belorusia, fineTi, moldova da yofil i iugoslaviis respublika makedonia). randenimem ganacxada, rom umciresobis skol ebi arsebobs mxolod garkveul safexurebze: azerbaijani (universitetebSi), dania (dawyebiT skol aSi); moldova (saSualo skol aSi da kolejSi); tajikeTi (dawyebiT skol aSi), yofil i iugoslaviis respublika makedonia (saSualo skol aSi) da uzbekeTi (dawyebiT skol aSi).

bevrma saxel mwifom Tavis pasuxebSi am SekiTxvaze aRniSna, rom umciresobis skol ebma unda daakmayofil on saxel mwifos mier dawesebul i garkveul i standartebi da Semdeg unda miRon licenzia an sxva saxis ufl eba. zogierTebma CamoTval es special uri moTxovnebi aseTi licenziis misaRebad. magal iTad swavl eba saxel mwifo skol ebs doneze (dania, SvedeTi). Sveicariam ganacxada, rom aseT skol ebs SesaZl oa dasWirdeT oficial uri enis gamoyeneba, Tumca ar aris naTel i, es standartebi exeba umciresobis yvel a kerZo skol as, Tu mxolod maT, roml ebic enacvl ebian saxel mwifo skol ebs, Tu damatebiT skol ebs.

<sup>59</sup> ix. mag. sl ovakeT-ungreTis xel Sekrul eba, punqti 15 (2) (e).

<sup>60</sup> bul gareTma, kviprosma, safrangeTma, saberZneTma, isl andiam, yirgizeTma, l ixtenSteinma, l uqsenburgma, portugal iam, da san-marinom ar upasuxes am SekiTvaz.

dafinansebaTan dakavSirebiT pasuxebi ramdenadme nakl ebad erTgvarovani iyo. zog maTganSi aseT skol ebs ufl eba aqvT miRon saxel mwifo dafinanseba. maT ricxvs miekuTvneba: avstria, kanada, CexeTis respublika, dania, estoneTi, fineTi, saqarTvelo, germania, ungreTi, irlandia, italia, yazaxeTi, latvia, litva, moldova, niderlandebi, poloneTi, norvegia, rumineTi, ruseTis federacia, slovakia, slovenia, SvedeTi, Sveicaria (dawyebiT skol ebs garda), Turqeti da gaertianebuli samefo. monakom da espanetma ganacxades, rom kerZo skol ebi ar Rebuloben saxel mwifo dafinansebas, xolo aSS-m ganacxada, rom misi konstituciit eklesia gamoyofilia saxel mwifosgan, rac mkacrad zRudavs aseT dafinansebas. zogiertma im qveynebidan, romlebic kerZo skol ebs afinanseben, ganacxades, rom es damokidebulia moswavl eTa raodenobaze (dania, irlandia da slovakia); sxvebma miuTites, rom es damokidebuli iyo garkveuli saganmanaTlebo standartebis dakmayofil ebaze (CexeTis respublika, niderlandebi, litva, norvegia, rumineTi da ruseTis federacia). latviam ganacxada, rom is daafinansebs aseT skol ebs mxolod im SemTxvevaSi, Tu saswavo kursi iqneba latviur enaze. SesaZloa gamonaklisebi daesva orenovani skol amdeli dawesebul ebebisa da dawyebiT skol ebisatvis (sxva qveynebs SesaZloa aqvT aseTive moTxovnebi Tavianti standartebis mixedvit, magram Taviant pasuxebSi maT ar miuTitebiat amis Sesaxeb). dabol os, ramdenime saxel mwifom arnisna, rom kerZo skol ebs saxel mwifo dafinansebaSi aqvT garkveuli SezRudvebi: dania, (Rirebul ebs 75%); latvia (momsaxureTaxel fasebis da Semosavlis 80%); poloneTi (Rirebul ebs 50%); amavedros sxvebma miuTites, rom maT qveynebSi dafinanseba SeuzRudavia (litva, slovaketi).

### 3. Sedegebis analizi

rogorc armoCnda, euTo-s yoveli monawile saxel mwifo aRiarebs umciresobis ufl ebas, daafuznos Tavisi kerZo skol ebi da saxel mwifoTa umravlesobaSi aseTi skol ebi arsebobs, Tumca kiTxvaris Sedegebidan gaurkvevelia es aris saSualo, yovel dRiuri daswrebis dRis skol ebi Tu damatebiti skol ebi. martalia, mxolod qveynebis umciresobam gvacnoba, rom aseTi ufl eba asaxulia maT konstituciaSi an kanonSi, sruliad SesaZlebelia, maTi raodenoba ufro didi iyos. nebismier SemTxvevaSi qveynebisTvis, romel Tac ar gaaCniat umciresobis kerZo skol ebs daarsebisTvis dakanonebuli garantiebi, kargi iqneba, Tu swrafad daakanoneben am ufl ebas.

rac Seexeba ufl ebebis miniWebas, arc erTi qveynis pasuxi ar gvTavazobda iset moTxovnebs, romlebic metismetad damamZimebeli an

diskriminaciul i iqneboda umciresobis skol ebisaTvis. Tumca saxel mwifoTa umetesobas ar miuTiTebia detal urad is standartebi, roml is mixedviTac xdeba aseTi ufl ebis miniWeba. aseTi standartebi ar unda iyos diskriminaciul i umciresobis skol ebis mimarT, an Seicavdes maT Sesaxerxebel real ur barierebs. am konteqstSi cxadia, rom standartebi, (Tu arsebobs), roml ebic moeTxoveba saSual o skol ebis damatebit erTeul ebs (magal iTad, naSuadRevs da SabaTkviris skol ebs) ar unda iyos iseTive maRal i, rogoric im kerZo skol ebs, roml ebic iqneba moswavl isaTvis ZiriTad saswavl o dawesebul ebad.

rac Seexeba dafinansebas, misal mebel ia, rom bevri qveyana uzrunvel yofs garkveul i dafinansebit aseT skol ebs. aseTi dafinansebis meSveobit umciresobis skol ebs SeuZl iaT daakmayofil on is standartebi, roml ebsac saxel mwifo moiTxovs ganaTl ebis xarixis uzrunvel sayofad, es ki faqtobrivad xel s uwyobs skol ebis xangrZl iv funqcionirebas. im SemTxvevaSi, Tu umciresobis skol ebma ukve miaRwies saxel mwifo skol ebis standartebis, maT SeiZl eba uari eTqvaT dafinansebaze. dafinanseba, romel ic Tavidanve damokidebul i iyo moswavl eTa raodenobaze, umciresobis interesTanaa dakavSirebul i. Semdgomi dafinanseba SeiZl eba damokidebul i iyos ganaTl ebis standartebTan Sesabamisobaze.

#### v. masmediis xel misawvdomoba

kiTxva 8: rogor da ris mixedvit axorciel eben umciresobis warmomadgenl ebi kavSirs sainformacio saSual ebebTan Taviant enaze? mag. aqvT Tu ara maT saSual eba da gamoyofil i dro el eqtronul i saSual ebebis arxebze (tel evizia da radio) awarmoon programebis gadacema Taviant enaze?

#### 1. saerTaSoriso standartebi

umciresobis warmomadgenel Ta ufl eba - miRon da Seatyobinon informacia erTmaneTs, - didad aris damokidebul i imaze, Tu ramdenad moiwuvdebaT xel i sainformacio saSual ebebze. es ufl eba momdinareobs adamianis ZiriTadi ufl ebidan moiZios, miRos da gaavr cel is informacia. igi asaxul ia saerTaSoriso SeTanxmebaSi samoqal aqo da pol itikur ufl ebebis Sesaxeb - (ICCPR), me-19 punqtSi da adamianis ufl ebebis evropis konvenciis ( ICHR) me-10 punqtSi. am konvenciebis mixedvit Tvit gamosayenebel i enis arCevani ar SeiZl eba gaxdes mTavrobis mier komunikaciis raime akrZal vis kanonieri safuzvel i. gazeTebi, radio da tel egadacemebi umciresobis enebze da mzardi el eqtronul i saSual ebebi (magal iTad msofil ioSi gavrcel ebul i web-gverdebi) aris komunikaciis gzebi. aseTi saSual ebebi gansakuTrebit mniSvnel ovania, rodesac umciresobe

gafantul ni arian did teritoriebze. ramdenadme SezRudul ia saerTaSoriso standartebi, roml ebic exeba umciresobebisTvis mediis misawvdomobas. erTaderTi mraval mxrivi instrumenti, romel ic pasuxobs special urad am sakiTxs, aris CarCo konvencia, roml is me-9

(3) punqtSi naTqvamia:

mxareebma ar unda Seaferxon umciresobis warmomadgenl ebis mier beWvdiTi saSual ebebis Seqmna da gamoyeneba. radio - da - tel e mauwyebi obis kanoniT dawesebul fargl ebSi maT

SeZI ebisdagvarad unda daicvan da unda gaiTval iswinon l muxl Si mocemul i debul ebebi {diskriminaciis gareSe informaciis miRebis da gavrcel ebis ufl ebasTan dakavSirebiT}, romel Ta Tanaxmad umciresobis warmomadgenl ebs saSual eba eZI evaT Seqmnan da gamoiyenon TavianiT sakuTari sainformacio saSual ebebi.

am debul ebis garda igive moTxovnebi asaxul ia ormxriv xel Sekrul ebebSi<sup>61</sup>.

unda gamoikveTos am debul ebis ramdenime aspekti.

pirvel i: CarCo konvencia ukrZal avs qveynebs Seaferxon mediis Seqmna da gamoyeneba.

meore: debul ebis Tanxmad saxel mwifoebi aZI even umciresobebis TavianiT sakuTari mediis gamoyenebis saSual ebas, oRond ori pirobiTi: a), rom saxel mwifoebi SeZI eben amis uzrunvel yofas maTi samauwyebi o kanonis fargl ebSi; da b), rom qveynebi uzrunvel yofen aseT SesaZI ebl obas "SeZI ebisdagvarad". meore winadadebidan Cans, rom arsebobs raRac teqniki faqtorebi, roml ebic zegavl enas axdenen saxel mwifos SesaZI ebl obebze misces umciresobas saSual eba Seqmnan da gamoiyenon sainformacio saSual eba, gansakuTrebiT - radio da tel evizia, sadac sixSireebi SesaZI oa SezRudul iqnes<sup>62</sup>.

mesame: me-9 punqtis 1 paragrafis da aradiskriminaciul i standartebis mixedviT, garda imisa, rom unda gamoyenebul iqnes informaciis saSual ebebi, aseve ar unda iqnes daSvebul i enebis Soris diskriminaciis SemTxvevebi da amgvarad ar SeizRudos umciresobis ufl eba<sup>63</sup>. es imas niSnavs, rom nebismieri gansxvaveba sxvadasxva enebze programis SeqmnaSi unda emyarebodes obieqtur faqtorebs, rogoricaa moTxovnil eba da teqniki SezRudvebi da ara - enobrivi jgufis sawinaaRmdego cru Sexedul ebas. aq SeIZI eba vigul isxmOT, aseve, rom mTavrobebma ar unda SezRudon, ar unda daaweson cenzura umciresobis programis Sinaarsze garda mcire gamonaki isisa, rac saerTod gaTval iswinebul ia (magal iTad rasobrivi sizul vil is waqezeba, uxamsoba da a.S.)<sup>64</sup>.

CarCo konvencia exeba mediis saxel mwifo dafinansebas, iqneba es saxel mwifo radio da tel eviziisaTvis, Tu umciresobis mediisaTvis gacemul i mTavrobis grantebi. osl os rekomendaciebi iTval iswineben, rom umciresobebis unda hqondeT ara mxol od kerZo sadgurebis

<sup>61</sup> ix. magal iTad sl ovakeT-ungreTis xel Sekrul eba, punqti 15 (2) (g).

<sup>62</sup> ix. CarCo konvencia, ganmartebiTi angariSi, muxl i 61.

<sup>63</sup> ix. osl os rekomendaciebi, muxl i 8.

<sup>64</sup> i qve. muxl i 10.

daarsebis ufl eba, aramed unda SeeZI oT, rom TavianTi gadacemebisaTvis gamoiyenon saxel mwifo dafinansebis mqone mediis samauwyebi o dro. amasTanave, rekomendaciebSi aRniSnulia, rom es unda Seesabamebodes umciresobaTa jgufis sidides da koncentraciul obas<sup>65</sup>.

CarCo konvenciaSi aseve ar aris miTiTebuli UuSual od umciresobis jgufebis SeuZi iaT Tu ara umciresobis enaze gadacemebis warmoeba sxva qveynebidan. kopenhagenis dokumentis 32.4 muxl Si da CarCo konvenciis me-17 (1) punktSi naTqvamia, rom qveynebs moeTxovebaT pativi scen umciresobis ufl ebas daaamyaron Tavisufali da mSvidobiani kontaktebi qveynis sazRvrebs gareT. es gansakuTrebiT mniSvel ovania am adamianebis TviTSegnebis SenarCunebisa da ganvitarebisTvis, radgan maTTvis xel misawvdomi gaxdeba eTnikurad monaTesave qveynis ufro ganvitarebuli da srulyofil i programebi. nebismier SemTxvevaSi, aradiskriminaciul obis principebis Sesabamisad, aseTi kontakti ar unda iqnas uaryofil i mxol od komunikaciis enis motiviT, es principi aseve asaxulia osl os rekomendaciebSi<sup>66</sup>.

## 2. kiTxvaris Sedegebi

saxel mwifoTa umetesoba pasuxebSi axsenebs rogorc beWdviT, aseve el eqtronul saSual ebebs, Tumca, zogierTi gansakuTrebuli yuradRebas uTmobs ukanasknel s<sup>67</sup>. aTma saxel mwifom gazeTebis ganxil visas, aRniSna, rom erovnul umciresobaTa umravlesobas umetes SemTxvevebSi aqvs gazeTebi Tu perioduli gamocemebi<sup>68</sup>: somxeti (rusuli, ukrainuli, qurtuli da ebrauli); azerbaijani (qurtuli, lezgiuri, talisuri da rusuli); belorusia (TaTruli, ebrauli, ukrainuli da polonuri); xorvatia (italiuri, Cexuri, slovakiuri, ungruli, ruminuli, ukrainuli, serbiuli, germanuli, avstriuli, ebrauli, albanuri, bosnuri, Cernogoriuli da makedoniuri); yazaxeti (rusuli, germanuli, uiguri, koreuli, ukrainuli, qurtuli da uzbekuri); latvia (rusuli, belorusuli, litvuri, livuri, ebrauli da estonuri); litva (rusuli, polonuri, belorusuli, ukrainuli, germanuli, ebrauli, inglisuri da franguli); ukraina (rusuli, somxuri, ruminuli, ebrauli, bulgaruli, polonuri da TaTruli) da uzbekeTi (rusuli, tajikuri, yazaxuri, TaTruli, yirgizuli da Turqmenuli). zogierTma saxel mwifom aRniSna, rom maT qveyanaSi bevri gazeTi da Jurnal i gamodis ertsadaimave enebze: azerbaijani (20 - rusul enaze); estoneTi (12 - rusul enaze); saberZneTi (10 - Turqul enaze); da Turqeti (8 - somxur enaze). 9 saxel mwifom aRniSna, rom isini aZi even saxel mwifo subsidiebs gazeTebis da Jurnal ebs: germania, ungreTi, norvegia, poloneTi, rumineTi, Svedeti, yofil i iugoslaviis respublika makedonia, ukraina da gaertianebuli samefo.

rac Seexeba samauwyebi o medias, yvela saxel mwifom aRniSna, rom umciresobebisaTvis misawvdomia aseTi saSual ebebi. gamonakl isia

<sup>65</sup> i qve. muxl i 9.

<sup>66</sup> i qve. muxl i 11.

<sup>67</sup> kviprozma, isl andiam, lixtenSteinma, l uqsemburgma, portugal iam da san-marinom am kiTxvas ar upasuxes.

<sup>68</sup> zogierTma saxel mwifom CamoTvala enebi, zogma ki - umciresobaTa jgufebi.



andora, romel mac miuTiTa, rom erTaderTi saxel mwifo programa aris axal i amebis erovnul i programa. samauwebl o enebis raodenoba ramdenadme nakl ebi iyo vidre beWdviT saSual ebebSi gamoyenebul i enebis raodenoba, magram 16 saxel mwifom, miuxedavad amisa, ganacxada, rom radio da tel egadacemebi maT qveyanaSi mimdinareobs aranaki eb 6 umciresobis enaze: azerbaijani, xorvatiya, Cexetis respublika, safrangeTi, germania, italia, yazaxeTi, yirgizeTi, litva, moldova, poloneTi, rumineTi, slovakiya, SvedeTi, yofili iugoslaviis respublika makedonia da uzbekeTi. garda amisa, bevrma saxel mwifom aRniSna, rom isini Tavisufl ad rTaven nebas mezobel i qveynebidan im gadacemebs, romlebic mimdinareobs im qveynebis umravlesobis enaze (magaliTad baltiispireTis qveynebsi - rusetis federaciidan, SvedeTsi - finetidan, saberZneTsi - Turqetidan).

pasuxebSi gamovlinda garkveuli gansxvavebebi da nairgvari modeli. pirveli didi gansxvaveba exeba im saatebs Tu programebs, romlebic gadacema mimdinareobs umciresobis enaze. Tumca bevr saxel mwifos ar daukonkretebia programebis raodenoba. is saxel mwifoebi, romelTa pasuxebSi umciresobis programebis SedarebiT didi raodenoba iyo mititebuli, Tito enaze dResi 2 saatzemeti, iyvnen: estoneTi (rusuli); slovania (italiuri da ungruli); yofili iugoslaviis respublika makedonia (albanuri da Turquli) da gaertianebuli samefo (uel suri). Tumca Sesazloa sxvasaxel mwifoebic uaxlovdebodnen am macvenebl ebs. zogiertma saxel mwifom ganacxada, rom mcire moculobis programebi aqvT. magaliTad moldovas - 30-45 wT. Tvesi da ufro metad - ukrainul ad. garda amisa, kanada da Sveicaria mTel radio da tele programebs gadascemen oficialur enebze (Tumca Sveicarias aqvs ufro SezRuduli programebi boSuristvis).

meore: qveynebi gansxvavdebodnen erTmanetisgan saxel mwifo da kerzo sainformacio saSual ebebis gamoyenebis Tvalsazristi (Tumca zogiertebi Taviant pasuxebSi ver xedaven gansxvavebas maT Soris). zogiertma saxel mwifom, romel sac oficialuri sadgurebi aqvs, aRniSna, rom maTi kanonebi gansazRvaven, rom maTi gadacemebi unda emsaxurebodes erovnul i umciresobis interesebs an umciresobebisaTvis misawvdomi unda iyos saxel mwifo media. esenarian: xorvatiya, ungreTi, latvia, litva, poloneTi da rusetis federacia (Tumca xorvatiuli da latviuri kanonebi zRudaven samauwebl o drois xangrZlivobas umciresobis enebze saetero drois garkveuli procentiT). bevrma aRniSna, rom maT qveynebsi misawvdomia saxel mwifo tele da radio programebsi monawileoba da miutites, rom kerzo sadgurebs SeuZliaT aseve hqondeT gadacema an ukve aqvT aseTi gadacema umciresobis enebze: (kanada, estoneTi, ungreTi, slovakiya, italia, latvia, litva, rusetis federacia, yofili iugoslaviis respublika makedonia da gaertianebuli samefo). sxvebma aRniSnes, rom sadgurebi saxel isufl oia, Tumca isini Seicaven rogorc saxel mwifo, aseve regionul sadgurebs, esenarian: avstria, xorvatiya, Cexetis respublika, fineti, moldova, norvegia, rumineTi da ukraina (aRmoCnda, rom sxva qveynebis mier dasaxel ebuli zogierti sadguri, amave dros saxel mwifo sadguria). ramdenime qveyanam ganacxada, rom media aris kerzo, Tumca gadacemebs aucilebi adawyobs umciresobis enaze (germania, SvedeTi, Sveicaria). am sam

qveyanas aseve aqvs kanoni presis Sesaxeb an kontraqtebi aqvT dadebul i kerZo kompaniebTan, roml ebic ufl ebas izl eva programebSi gaTval iswinebul iqnes qveyanaSi arsebul i sxvadasxva enobrivi jgufebi. aSS-s aqvs kanoni, romel ic nebas izl eva grantebi mieces im organizaciebs, roml ebic radio da tel e programebs gadascemen adgil obriv amerikul enebze.

mesame: es aris saredaqcio kontrol i im programebisa, roml ebic gadaicema umciresobis enaze saxel mwifo arxebiT, Tumca ramdenime qveyanam ganacxada, rom samauwyebi o erTeul ebi damoukidebel ni arian saxel mwifo kontrol isgan (fineTi -samis da Sveduri gadacemebisTvis; CexeTis respubl ika zemoT aRniSnul i sami qveyana, roml ebsac mxol od kerZo mauwyebi obebi aqvT da aSS), qveynebis did raodenobas ar daukonkretebia es sakiTxi, ris gamoc iqmneba iseTi STabeWdil eba, rom mTavrobas SeuZl ia SezRudos gadacemebis ricxvi an cenzura dauwesos aseT gadacemebis. qveynebis mcire raodenobam aRniSna, rom umciresobis wevrs aqvs ufl eba iyos wevri mauwyebi obis maregul irebel i sabWosi, romel sac SeiZl eba hqondes an ar hqondes Sinaarsis regul irebis ufl eba (xorvatia, germania da ungreTi); amastanave Sesazl ebel ia, rom sxva qveynebsac gamoiyenon es meTodi.

meoTxe - aseve damoukidebl obastan da gadacemebis Sinaarstan dakavSirebul i sakiTxi aris umciresobis Sesaxeb gadacemebis Sefardeba im gadacemebTan, roml ebic miyavT umciresobebis Taviant enaze. ramdenime saxel mwifom aRniSna, rom isini uzrunvel yofen periodul ad dagegmil oficial ur gadacemebis umciresobebis Sesaxeb an gadascemen axal amebis umciresobis jgufebis Sesaxeb (xorvatia, yirgizeTi da pol oneTi). rogorc scans, sxva qveynebsac aqvT aseTi tipis programebi.

### 3.Sedegebis anal izi

kiTxvaris Sedegebi sakmaod damaimedebel ia sainformacio saSual ebebis umciresobis enaze arsebobis mxriv. dasawyisisaTvis unda aRiniSnos, rom Sedegebis mixedvit euTo-s regionSi beWdviTi sainformacio saSual ebebi kargad aris ganvitarebul i, Tumca mxol od 9 saxel mwifom miuTiTa, rom isini aZl even beWdviT sainformacio saSual ebebs subsidiebs, magram vfiqrobt, rom es ricxvi ufro metia. aseTi tendencia unda iqnes waxal isebul i.

misal mebel ia samauwyebi o programebis didi mravaval ferozneba euTo-s qveynebSi, romel Tagan bevrSi umciresobebisaTvis misawvdomia saxel mwifo arxebi, xol o zogierTs es kanonmdebl obiT aqvs garantirebul i. rac Seexeba im qveynebs, roml ebic umciresobis enaze gadacemebis uzrunvel yofen Sedarebit nakl ebi saetero droit, maTTvis saertaSoriso standartebTan dakavSirebul i probl ema ar aris, rom Tu ramdenad adeqvaturad pasuxoben isini umciresobis faqtobriv moTxovnebs saxel mwifoSi arsebul i teqniki SezRudvebis pirobebSi. SeiZl eba vifiqroT, rom im qveynebs, roml ebic yovel dRiurad mxol od xanmokl e dros utmoben gadacemebis umciresobis enaze, warmatebit SeuZl iaT gazonon saatebis raodenoba. gansakuTrebit im SemTxvevaSi, Tu gadacemis mowyoba daeval eba umciresobis jgufis wevrebs da ara axal

daqiravebul special istebs saxel mwifo tel e-radio sistemaSi. umciresobis jgufs roca neba eZl eva Seqmnas Tavisi kerZo tel e - radio sadguri, rogorc es bevr qveyanaSia, umetes SemTxvevaSi ar aris saxel mwifo tel e da radio programebSi monawil eobis tol fasi, vinaidan saxel mwifo arxebs aqvT ufro daxvewil i samauwyebi o meqanizmebi, ris gamoc maT gadacemebs qveynis mosaxl eobis ufro didi nawil i adevnebs Tval yurs. misasal mebel ia, rom sam qveyanas, romel Ta pasuxebis Tanaxmad, maTTan mxol od kerZo sadgurebia, aqvT dakanonebul i garantiebi imisa, rom programebi gakeTdeba umciresobisaTvis.

saredaqcio kontrol Tan dakavSirebiT unda aRiniSnos: mTavrobaTa mier gacemul i pasuxebidan Cans, rom saxel mwifo sadgurebiT bevri programa gadaicema umciresobis enaze. miuxedavad amisa, saxel mwifoTa umetesi nawil i pirdapir ar exeba saredaqcio kontrol is sakiTxs. mniSvel ovania, rom aseTi kontrol i davuTmoT umciresobaTa jgufes. nebismieri sxva pol itika Zirs gamouTxris ara mxol od euTo-s standartebis mediasTan urTierTobis sakiTxSi, aramed sxva, sityvis Tavisufl ebasTan dakavSirebul mniSvel ovan saerTaSoriso sakanonmdebl o principebs. am mxriv umciresobis warmomadgenel Ta monawil eoba sameTval yureo organoebSi misasal mebel ia, vinaidan is xel s uwyobs sadgurebs gaiziaron umciresobis enaze gakeTebul i gadacemebis saWiroebani, magram amasTan unda Secval on saredaqcio Tavisufl eba. dabol os rac Seexeba programebs umciresobebis Sesaxeb, im SemTxvevaSi, Tu es programebi zustad asaxaven umciresobis (da ara mxol od mTavrobis) Sexedul ebebs, maTi meSveobiT Sesazl ebel ia mTel qveyanaSi gaizardos codna umciresobis kul turaTa da maT interesTa Sesaxeb; ufro metic, aseTi programebi ar unda CaiTval os im programebis Semcvl el ad, roml ebic mZaddeba umciresobis jgufebis mier da gadaicema maT sakuTar enaze.

arcert qveyanas ar gaucia pasuxi kompiuterul mediasTan dakavSirebul kiTxvaze. imedia, rom euTo-s yvel a qveyana pativs scems umciresobis jgufebis ufl ebas Seqmnan vebgverdebi (maT garda, roml ebic daSvebul ia adamianis ufl ebebis saerTaSoriso standartebiT) mTavrobis mxridan SezRudvebis gareSe.

## z. umciresobaTa dacvis sxva aspeqtebi

kiTxva 9: ra damatebiTi ufl ebebi gamoiyeneba Tqvens qveyanaSi (Tu aseTi saerTod arsebobs) umciresobis warmomadgenl ebis mier maTi enis gamoyenebasa da ganviTarebasTan dakavSirebiT?

### 1. kiTxvaris Sedegebi

am kiTxvaze umetesma qveynebma gasces pasuxi, Tumca bevri maTgani exeboda ufro zogadad umciresobis ufl ebebs da ara enis gamoyenebis da ganviTarebis sakiTxebis. zogierTebi aRniSnaven special uri asociaciebs, skol ebs, institutebs, kul turul centrebs, Teatrebs, festival ebsa da sxva saxis Ronisziebebs, roml ebic ewyoba

umciresobebis mier, an gankuTvnil ia maTTvis. amaTgan zogierTi iRebs mTavrobis dafinansebas, zogierTebma aseve aRniSnes sxvadasxva avtonomiuri reJimis arseboba.

gansakuTrebiT aRsanisnavia pasuxebis oTxi j gufi.

pirveli: exeba saxel ebis gamoyenebis ufl ebas. ital iam ganacxada, rom regional uri statusi ufl ebas izl eva adgil is saxel wodebis gansazRvrisTvis gamoyenebul iqnes umciresobis enebi;

si ovakiam ganacxada, rom umciresobis warmomadgenl ebs ufl eba aqvT ixmaron umciresobis enebi pirad da geografiul saxel ebSi; xolo yofil ma iugoslaviis respublika makedoniam aRniSna, rom umciresobis wamomadgenl ebs ufl eba aqvT ixmaron TaviantI enebi piradobis mowmobebSi, dabadebis, gardacval ebis da qorwinebis dokumentebSi<sup>69</sup>.

Mmeore: orma qveyanam axsenasajaro mosamsaxureTa ufl eba - gamoiyenon da il aparakon umciresobis enebze. esenia: kanada, romel mac ganacxada, rom federal uri samsaxuris TanamSroml ebs ufl eba aqvT imuSaon da maTze kontrol i ganxorciel des maT sakuTar enaze. Raime darRvevebis SemTxvevaSi isini uzrunvel yofil ni arian oficial uri saCivris meqanizmit. Litvam miuTiTa, rom sajaro mosamsaxureebis moeTxovebaT litvuri enis codna sxvadasxva doneze maTi moval eobebidan gamomdinare da rom mxol od axal ma TanamSromel ma samuSaos miRebisas unda Caabaron gamocdebi enaSi, Tanac ar aris daTqmul i saval debul i vadebi.

Mmesame: randenime saxel mwifom daasaxel a iseTi saxel mwifo organoebi Tu saTaTbiro j gufebi, roml ebic icaven umciresobebis mier maTi enis gamoyenebis ufl ebas: avstriam daarsa eTnikuri saTaTbiro sabWoebi; Litvam miuTiTa umciresobebis damcavi special uri samTavrobo randenime struqtura; Sveicariam aRniSna, rom kantonebis pal atas aqvs warmomadgenl oba sxvadasxva enobrivi j gufebisaTvis, rom federal uri sabWo cdil obs hqondes warmomadgenl oba yvel a oTxi enobrivi j gufisaTvis da rom federal ur sasamarTI oSi arian pirebi, roml ebic l aparakoben oTxive enaze; xolo gaertianebul ma samefom miuTiTa, rom maT aqvT sxvadasxva samTavrobo organoebi, umciresobebis mosazrebaTa gansaxil vel ad.

meoTxe: xorvatiam da moldovam dasZines, rom maT aqvT saxel mwifo dafinansebaze myofi central uri bibliotekebi erovnul i umciresobebisaTvis.

## 2. Sedegebis analizi

saxel mwifoebis mier ganxorciel ebul i yvel a zemoaRniSnul i damatebiti ufl eba misasal mebel ia sxva kiTxvebze gacemul pasuxebTan

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<sup>69</sup> Cexetis respublikam miuTiTa umciresobit kompaqturad dasaxl ebul regionebsi orenovani abrebis arseboba, Tumca es ar aris dakanonebul i.

erTad. umciresobis enebis gamoyeneba piradobis mowmobebisaTvis, samTavrobo saregistracio dokumentebisaTvis da adgil ebis saxel ebisaTvis Seesabameba CarCo-konvenciis me-11 punqtis moTxovnebs, romel Ta mixedviTac umciresobis warmomadgenl ebs ufl eba aqvT oficial urad aRniSnon TavianTi saxel i umciresobis enaze da eval eba mTavrobebs mTel i Zal isxmeviT uzrunvel yon es sakiTxi im regionebsi, roml ebic tradiciul ad dasaxl ebul ia umciresobis mniSvnel ovani raodenobiT<sup>70</sup>. imedi gvaqvs, rom euTo-s yvel a monawile qveyana – gansakuTrebiT ki isini, roml ebic CarCo-konvenciis mxareebis warmoadgenen, - aseve iZl evian saxel ebis umciresobis enaze xmarebis saSual ebas. aRsanisnavia aseve is moqnil oba, romel ic gamoavl ines mTel ma rigma qveynebma sajaro mosamsaxureTaTvis enobriv moTxovnebtan dakavSirebiT. kanaduri gegma, romel sic asaxul ia adamianis ufl eba il aparakos da gamoiyenos TavianTi sakuTari ena (erT-erTi enis arCevani) midis ufro Sors da aRniSnavs, rom qveyanas oficial uri orenovani val debul ebebi aqvs. Iitvuri gegma, marTal ia, ufro zomieria, magram masSi aris SemoqmedebiT midgoma umciresobis enaze mol aparake sajaro momsaxureTa mimarT. amastanave grZel deba muSaoba, raTa Sesrul des saxel mwifos winaSe dasmul i amocana - sapsuxismgeblo Tanamdebobis mqone axal i sajaro mosamsaxureebisTvis latviuri enis swavl eba.

aseve mniSvnel ovania saxel mwifoSi iseTi organizaciebis Seqmna, roml ebsac uSual od mimarTaven umciresobebi TavianTi probl emebiT. am organoebma SeiZl eba Seasrul on makontrol irebel i funqcia mTavrobaSi da Tavidan agvacil on umciresobis diskriminacia. aseT organoebis unda hqondeT kanoniT garantirebul i damoukidebel i ufl ebebi, raTa maTi arseboba ar iyos mxol od simbol uri. garda amisa, umciresobisTvis kul turisa da literaturisadmi miZRvnil i bibliotekebis Seqmna iqneba gza jgufis cnobierebis da TviTmyofadobis Senarcunebis. mniSvnel ovania isic, rom aseTma bibliotekebma miiRon Sesabamisi dafinanseba.

## V. daskvna

rogorc mosal odnel i iyo, kvlevis Sedegebi avl enen erovnul i umciresobebis warmomadgenel Ta enobriv ufl ebebtan dakavSirebiT. saxel mwifoTa mier ganxorciel ebul i farTo speqtris RonisZieebis. marTlac, garda im gansxvavebebisa, roml ebic aRiniSneba saxel mwifoTa pasuxebSi konkretul kiTxvaze, vl indeba aseve sxva saxis gansxvaveba – erTi saxel mwifos mier erT kiTxvaze gacemul pasuxSi (magal iTad enis gamoyeneba samTavrobo organoebtan urTierTobisas) da amave saxel mwifos mier sxva kiTxvaze gacemul pasuxSi (magal iTad umciresobis kul turebis swavl eba). bevri am gansxvavebedan ganpirobebul ia ZiriTadi demografiul i faqtebiT: im saxel mwifoebis, sadac adamianebis didi raodenoba l aparakobs umciresobis enebze an arsebobs umciresobaTa enebis didi raodenoba, an orive faqti erTad gvxdaba, unda hqondeT ufro farTo masStabis programebi, vidre im qveynebs, sadac umciresobebis naklebi

<sup>70</sup> ix. agreTve osl os rekomendaciebi, punqtebi 1-3.

raodenobaa. gansxvavebebi SeiZI eba aseve SeimCnes sxva faqtorebTan dakavSirebiT, rogoricaa qveynis ekonomikuri ganvitareba da aqedan gamomdinare, umciresobis programebisTvis arsebuli SeZRuduli resursebi; aseve gasatval iswinebelia demokratiis da adamiანის ufl ebebis, maT Soris umciresobaTa ufl ebebis damkvidrebis xarixi. es faqtorebi sxvadasxvavaria da moitxovs enobrivi ufl ebebis realur gaumj obesebas im raionebsi, sadac saxel mwifoebi ar akmayofil eben euTo-s da sxva saerTasoris standartებს. Tumca bevri am saxel mwifoTagani ukve atarebs dadebit Ronisziebs enobrivi ufl ebebis ukeT gansaxorciel ebl ad.

Sedegebidan gamomdinareobs ramdenime zogadi daskvna da konkretuli rekomendacia. P

pirveli: rogorc Cans, zogiertma saxel mwifom ukeTesad unda gaiazros am sferosi saerTasoris standartebi.

M sagareo saqmeTa ministrebi Sesazi oa gatvitcnobierebul ni arian Sesabamis saerTasoris standartებსი, kanonmdebeli da kanonis armasrul ebeli organizaciebi ver erkveian am standartებსი maT moqnil obasi sxvadasxva SemTxvevaTa Sesabamisad. Tvit es standartebi kompromის Sedegia da miznad isaxavs erovnul umciresobaTa warmomadgenlebis enobrivi ufl ebebis dacvas, amastanave gasatval iswinebulia saxel mwifoze garkveuli obieqturi SeZRudvebis daweseba, magal iTad, finansuri an infrastrukturali xasiaTisa.

meore: bevri saxel mwifosTvis umj obesi iqneboda am sferosi Tavisi politika ufro oficialuri da kanonieri metodebit, anu kanonmdebeli obit, ganexorciel ebina.

enobrivi ufl ebebis damcveli kanonieri CarCoebi aris pirveli gadamwyveti nabiji umciresobis ufl ebebsi gaumarTlebeli Carevebis armosafxvrel ad da saerTasoris standartების srul ad gansaxorciel ebl ad. Ees rodi niSnavs, rom saWiroa an sasurveli enebis Sesaxeb yovl ismomcveli kanonis arseboba; da marTlac, enis aseTi kanonebis armqone bevr saxel mwifos sakmarisad kargi Sedegebi aqvs saerTasoris standartების dacvis Tval sazrisiT, aseTi kanonis arseboba sakmarisi ar aris enobrivi ufl ebebis dasacavad.

Mmesame: da gansakutrebit mnisvnel ovania is, rom, pasuxebSi didi yuradReba etmoba mTavrobebis mier umciresobების warmomadgenlebtan mWidro sakomunikacio arxebis Seqmnis saWiroebas. bevri saerTasoris standarti Seicavs umciresobების im realur saWiroebaTa Sefasebas, romlebic mTavrobebma unda gaiTvasiwinon. zogiert qveyanaSi aseTi saWiroebების dadgenis kargi meqanizmi arsebobs, xolo bevr sxva saxel mwifosi erovnuli umciresobის warmomadgenlebi saxel isufl ebo arxebidan sakmaod izolirebul ni Canan - zogjer swored gansxvavebuli enis gamo.

mTavrobebs ara aqvT gaazrebuli Turasaxis skolebi, sainformacio saSual ebebi, Tarjimnebi swirdebaT umciresobებს. standartების warmatebit ganxorciel ebis wina pirobaa umciresobებს da gadawvetilebis mimReb pirebs Soris efeqturi sakomunikacio saSual ebebis Seqmna. amisaTvis ki aucilebelia, orive mxaris TanamSromloba, im SemTxvevaSic ki, Tu am standartების danergvis mTelisimZime daawverba mTavrobebs. garda am Ziritadi sakiTxebisa,

qveynebis mier cal keul kiTxvebze gacemul pasuxebSi navaraudebia mTel i rigi rekomendaciebisa, romel Tagan zogierTi adre iqna ganxil ul i winamdebare angariSSi:

1. oficial uri enebis mqone saxel mwifoebi unda ecadon mianiWon statusis raRac forma an raimenairi aRiareba araoficial ur enebis iq, sadac am enebze I aparakobs mosaxl eobis didi raodenoba. qveynebis umetesobam raRac formiT es ukve moagvara, Tumca umciresobisTvis aseTi stasusi praqtikul ad sxvadasxvagvarad xorciel deba sxvadasxva saxel mwifoSi. mniSvnel ovania, rom aseTi statusis meSveobiT Sesazl ebel i gaxdes enobrivi ufl ebebis gamoyeneba.

2. rac Seexeba administraciul da sasamarTI o organoTa misawvdomobas, bevrma saxel mwifom unda gaiTval iswinos am sferoSi ufro meti sakanonmdebl o damcavi meqanizmebi. umciresobis j gufebis wevrebi Sesazl oa kargad ver fl obdnen oficial ur enas da im SemTxvevaSic ki, roca fl oben, unda SeeZl oT gamoiyenon umciresobis ena samTavrobo organoebTan maTi kontaqtis dros. es iqneba maTi TviTidentifikaciis mniSvnel ovani faqtori. saxel mwifoebma, roml ebic aseT urTierTobebis zRudaven, regionebl an proporciul i TanafardobiT unda gaiTval iswinon, rom amiT maT SeiZl eba saTanadod ver uzrunvel yon umciresobebis ufl ebebi mTel qveyanaSi. saxel mwifoebma unda gamozebnon adekvaturi resursebi (magal iTad, Tarjimnebi, mTargmnel ebi, orenovani sajaros mosamsaxureebi), raTa erovnul i umciresobebis warmomadgenl ebs SeeZl oT pasuxebi miRon Taviant enaze.

3. saxel mwifoebma ufro meti yuradReba unda miaqcion umciresobis enis Seswavl as da swavl ebas umciresobis enebze. xSirad ar aris naTel i, umciresobis ramdeni ena iswavl eba im regionebl gareT, sadac umciresoba aris koncentrierebul i. qveynebm unda Seqmnan iseTi moqnili politika, roml ebic erovnul i umciresobis warmomadgenel Ta sxvadasxva moTxovnil ebebisa da adgil obrivi pirobebl Sesabamisi iqneba. ufro metic, saxel mwifoebma unda uzrunvel yon, rom umciresobebi ufro metad iyvnen CarTul ni maT enebze kl asebl SeqmnaSi, raTa moswavl eebis da maTi mSobl eblis moTxovnil ebebi aisaxos saswavl o programaSi.

4. umetes saxel mwifoTa pasuxebidan SeiZl eba vivaraudot, rom isini zogadi saswavl o programiT ar aswavl ian sagnebs erovnul i umciresobis kul turis Sesaxeb. rogorc aRiniSna, saxel mwifoebma unda CarTon programebl aseTi swavl eba, raTa gaizardos Sida-eTnikuri urTierTgageba da dial ogi - demokratiul i da tolerantul i sazogadoebis erT-erTi safuzveli. zogierTi qveynis saswavl o programa ukve moicavs special ur kurss mimtevebl obis Sesaxeb, rac agreTve sasargebl oa. es SeiZl eba iyos erTgvari gardamaval i forma umciresobis kul turebl srul ad swavl eblisTvis da xel s Seuwyobs ucxour kul turaTa Seswavl asadmi interesis gaRvivebas im adamianta Soris, roml ebic ar ganekuTvnebian

umciresobeb, magal iTad bol odroindel i emigrantebi Tu l tol vil ebi, roml ebic cxovroben am qveynebi<sup>71</sup>. evropis sabWo amJamad aqtiurad monawil eobas am sferoSi saswavl o programebis saTanado ideebiT uzrunvel sayofad.<sup>72</sup>

5. marTalia, euTo-s regioneSi kerZo skol ebi warmatebul ad muSaoben, magram mniSvnel ovania, saxel mwifoebma uzrunvel yon, rom diskriminaciul i pirobebi ar arsebobdes maTi daarsebis Tu akreditaciisaTvis. kerZod, rodesac am skol ebis daniSnul ebaa Cveul ebrivi skol ebis Canacvl eba, saxel mwifoebma unda Seqmnan maTi saqmianobisaTvis samarTl iani pirobebi.

6. dabol os, rac Seexeba mediis misawvdoml obas, saxel mwifoebma unda gaiTval iswinon yvel a arsebul i SesaZl ebl oba umciresobis enebze programis mocul obis gasazrdel ad maTi interesebis Sesabamisad. Uunda dainergos axal i teqno logiebi, rac SesaZl ebl obas miscems umciresobeb Seqmnan Tavianti sakuTari gadacemebi, ganaxorciel on ucxouri programebis gadacemebi. xva meTodebis gamoyenebac SeiZl eba umciresobaTa programebis gasafarToebl ad.

eTnikuri TviTgamoxatvis ZiriTadi saSual eba, umciresobebis enobrivi ufl ebebis uzrunvel yofis procesi gadamwyvetia mTl ianad umciresobaTa ufl ebebis da zogadad adamianis ufl ebebis dacvaSi. euTo-s dokumentebi adgenen am mniSvnel ovan da mizanSewonil standartebs saxel mwifoebisaTvis. damatebiT ormxriv da mraval mxriv xel Sekrul ebebi ufro meti mniSvnel oba eniWeba zogierTi qveynis mier kanoniT uzrunvel yofil i val debul ebebis Sesrul ebas. yovel i maTgani imsaxurebs pativiscemas da mxardaWeras, raTa Seiqmnas plural isturi da demokratiul i sazogadoebebi euTo-s mTel regionSi.

imedi unda viqonioT, rom euTo-s monawil e saxel mwifoebi Tavianti politikis gatarebisa da kanonSemoqmedebiT procesi SeiZl eben mraval ferovani arCevanidan saukeTeso gzis SerCevas da Tavianti konkretul i situaciisaTvis misadagebas.

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<sup>71</sup> ix. kopenhagenis dokumenti, punqti 36, ("yovel i monawil e qveyana xel s Seuwyobs urTierTpativiscemis, urTierTgagebis, urTierTTanamSroml obis da sol idarobis atmosferos Seqmnas im pirTa Soris, roml ebic saxl oben qveynis teritoriaze, ganurCevl ad eTnikuri an erovnul i warmoSobisa, ganurCevl ad rel igiisa... ").

<sup>72</sup> ix. Michael Byram & Geneviève Zarate, Young People facing difference: Some proposals for teachers, evropis sabWos kul turul i urTierTobis ganaTl ebis komiteti 1995.



## danarTi

### mTavrobekisaTvis gagzavnil i kiTxvari

kiTxva 1: romel enebis aqvT "saxel mwifo" an "oficial uri" statusi Tqvens qveyanaSi? gTxovT miuTiToT Sesabamisi informacia nebismeri sxva enebis Sesaxeb, romel Tac SeiZl eba hqondeT special uri statusi Tqvens qveyanaSi.

kiTxva 2: SeuZl iaT Tu ara Tqvens qveyanaSi erovnul i umciresobis warmomadgenl ebs gamoiyenon TaviantTi sakuTari ena da administraciul da sazogadoebriv samsaxurebTan urTierTobebSi? gaTval iswinebul ia Tu ara es ufl eba erovnul i kanoniT gansazRvrul im teritoriaze, sadac umciresobis ena tradiciul ad gamoiyeneba adgil obrivi mosaxl eobis mniSvnel ovani nawil is mier?

kiTxva 3: SeuZl iaT Tua ara Tqvens qveyanaSi erovnul i umciresobis warmomadgenl ebs gamoiyenon TaviantTi ena sasamarTI o procesze da sxva urTierTobebSi sasamarTI o warmomadgenl ebTan? gaTval iswinebul i aris Tu ara es ufl eba erovnul i kanoniT gansazRvrul im teritoriaze, sadac tradiciul ad umciresobis ena gamoiyeneba adgil obrivi mosaxl eobis mniSvnel ovani nawil is mier?

kiTxva 4: romel i umciresobis enebi iswavl eba Tqvens qveyanaSi? ganaTI ebis romel safexurze xdeba maTi swavl eba (magal iTad dawyebiT, saSual o, profesicul -teqnikur saswavl ebl ebSi, maswavl ebel Ta gadasamzadebel kursebze, universitetebSi)? iswavl eba Tu ara sini mxol od zogierT adgil ebSi? Tu aseTi SezRudva arsebobs, ra kriteriumiT ganisazRvrebis is adgil ebi, sadac Sesazl ebel ia aseTi ganaTI ebis miReba?

kiTxva 5: aqvT Tu ara ufl eba erovnul i umciresobis warmomadgenl ebs miiRon ganaTI eba TaviantT enaze, magal iTad, gaiaron ganaTI ebis mTel i kursi an misi nawil i TaviantT enaze? Tu es SezRudul ia, gTxovT miuTiToT, romel i sagnebi iswavl eba umciresobis enebze da ganaTI ebis yovel doneze romel i sagnebis swavl ebis moTxovnebia saxel mwifo an oficial ur enebze? gTxovT, aseve miuTiToT, es ufl eba Zal aSia Tu ara Tqveni qveynis mTel teritoriaze. Tu es ufl eba Zal aSia mxol od zogierT adgil ebSi, ra kriteriumiT xdeba im adgil ebis gansazRvra, sadac Sesazl ebel ia aseTi ganaTI ebis miReba?

kiTxva 6: ra doniT iswavl eba erovnul i urTierTobebis kul tura, istoria, religia da aRmsarebl oba zogad saswavl o programaSi?

kiTxva 7: rogor axorciel ebs Tqveni qveyana erovnul i umciresobebisaTvis gankuTvnili kerZo saswavi o dawesebul ebebis Seqmnis ufl ebas? SeuZliaT Tu ara aseT organizaciebs miRon saxel mwifo dafinanseba?

kiTxva 8: rogor da ramdenad aris erovnul i umciresobis warmomadgenel TaTvis misawvdomi saxel mwifo sainformacio saSual ebebi? magal iTad, misawvdomia maTTvis, an gamoyofilia Tu ara dro saxel mwifo el eqtronul i saSual ebebis arxebze (tel evizia da radio) maT enaze programebis Sesaqmnel ad da gadasacemad?

kiTxva 9: ra damatebiti ufl ebebi aqvT (da Tu aqvT saerTod) Tqvens qveyanaSi erovnul i umciresobis warmomadgenel ebs sakuTari enebis gamoyenebasTan da ganvitarebasTan dakavSirebit?

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