

EU-GEORGIA PARLIAMENTARY ASSOCIATION COMMITTEE

First Meeting

3-4 November 2015

FINAL STATEMENT AND RECOMMENDATIONS

Pursuant to Article 411(3) of the Association Agreement

Under the co-chairmanship of Mr Zviad Kvachantiradze on behalf of the Parliament of Georgia and of Mr. Sajjad Karim on behalf of the European Parliament, the first meeting of the EU-Georgia Parliamentary Association Committee (PAC) was held in Tbilisi on 3-4 November 2015; the Committee heard Ms Tsulukiani on behalf of the Government of Georgia and Ambassador Janos Herman, Head of the Delegation of the European Union in Georgia.

Having considered the state of play of EU-Georgia relations and the first year of provisional implementation of the Association Agreement, the Parliamentary Association Committee agreed upon the following final statement and recommendations.

The Parliamentary Association Committee

Relations between the European Union and Georgia

1. Expresses great satisfaction at the signature of the EU-Georgia Association Agreement (AA) with its Deep and Comprehensive Free Trade Area (DCFTA) component and its subsequent provisional application as of 1 September 2014; recalls that Georgia ratified the Agreement on 18 July 2014, that the European Parliament ratified it on 18 December 2014; calls upon Belgium, Greece, and Italy to complete this process without delay; emphasises that the AA covers the entire internationally recognised territory of Georgia, and is for the benefit of the whole population;
2. reminds of the aim of the AA/DCFTA of significantly deepening political and economic relations between Georgia and the EU; stresses that a full implementation of the agreement will bring tangible improvements to Georgian citizens in their daily life in areas such as education, employment and justice, and increase their living standards and their security;
3. stresses that the signature and ratification of the Association Agreement does not constitute a final goal in EU-Georgia relations and points out that pursuant to Article 49 TEU, Georgia, like any other European state, has a European perspective and may apply to become a member of the European Union provided that it adheres to the principles of democracy, respects fundamental freedoms, human and minority rights, and ensures the rule of law¹;

¹ EP Plenary resolution 2014/2816, adopted 18.12.2014

4. recalls the position of the European Parliament that the European Commission should facilitate the implementation of the AA/DCFTA and assist Georgian authorities both technically and financially so that tangible positive effects and benefits covered by these agreements can be delivered to Georgia's citizens in the short term;
5. welcomes the efforts made by Georgia in ensuring that national legislation approximates EU standards based on AA/DCFTA commitments; stresses it is important to maintain the pace and course of reforms and encourages Georgian authorities to make full use of available EU assistance; further welcomes the report on implementation of the 2014/017 National Action Plan for the DCFTA;
6. fully acknowledges the rapid progress demonstrated by Georgia in the implementation of the Visa Liberalisation Action Plan (VLAP) as described in the European Commission's 8/5/2015 report, according to which many benchmarks have already been met (document security; integrated border management; organised crime; judicial cooperation on criminal matters; data protection; freedom of movement; issuance of identity documents);
7. is therefore looking forward to the upcoming progress report on VLAP implementation, scheduled for December 2015; taking into account the significant progress achieved by Georgia under the four blocks of the VLAP, both sides noted the Government's dedicated efforts to the successful implementation of all commitments under the Visa Liberalisation Action Plan, including the additional recommendations based on the 3rd Commission Report in order to allow, in turn, to the European Commission to submit a formal proposal to grant visa-free regime to Georgian citizens; looks forward to such a proposal and expresses confidence that it would be followed by a prompt endorsement by the European Parliament and the Council of the European Union;
8. stresses that such a development would further facilitate people-to-people contacts, including Georgian citizens currently residing in its occupied regions, also strengthen business, social and cultural ties between the European Union and Georgia, and demonstrate that closer relations with the European Union do bring tangible benefits to all;
9. commends the European Commission for its readiness in providing concrete assistance in the aftermath of the devastating floods which hit Tbilisi in June 2015, and expresses its condolences to the victims and those affected by the disaster;

Modernisation and sustainable democratic reforms in Georgia

10. calls for full implementation of the recommendations enshrined in the landmark "*Georgia in Transition*" report submitted by EU Special Adviser Thomas Hammarberg in the field of Constitutional and Legal Reform and Human Rights;
11. recalls particularly the report's focus on the need to strengthen Rule of Law and effective systems and mechanisms of checks and balances, in order to separate the State from the governing political bloc of the day, by further developing strong democratic institutions and accountable law enforcement agencies, including the

Prosecutor's office, and in this respect welcomes, as a first step, the recent amendments to the Law on Prosecution Service aimed to depoliticize the Prosecutor's office;

12. Reaffirms that criminal investigations and prosecutions have to be evidence based, transparent, impartial and free from political motivation, adhering to the principles of due process and be concluded in full respect of the principles of a fair trial, in line with Association Agreement commitments; stresses that pre-trial detention is an exceptional measure that should apply only under urgent and clear circumstances strictly in line with the law avoiding any abuse; welcomes the Constitutional Court confirmation that such a measure is limited to 9 months and recognizes that the existence of a valuable political opposition is paramount to the creation of a balanced and mature political system to which Georgia is aspiring
13. welcomes the adoption of the new Juvenile Justice Code and encourages the EU to further assist Georgian endeavours of fulfilling the Association Agenda by undertaking the necessary reforms on issues including children right's; notes positively the adoption of the new labour code and calls for the full compliance with the labour rights and standards set out by the International Labour Organization, as foreseen by the GSP+ incentive;
- 13a. calls for the full implementation of the law on transparency of media ownership, in order to promote and guarantee media pluralism and further entrench the right of the media to report independently and objectively and stresses that any ruling should not undermine the independence of the editorial line of the media;
14. welcomes the constructive role and recommendations submitted by OSCE/ODIHR in its Trial Monitoring Report Georgia issued on 9 December 2014, and stresses that it is paramount to address the shortcomings identified therein in order to counter any perception of selective justice; in this respect, welcomes the adoption of the automatic judicial review of pre-trial detention which was one of the key recommendations of OSCE/ODIHR;
- 14a. Stresses that freedom of the media, freedom of expression and plurality of information are the fundamental values of a democratic society, to which Georgia has committed to in the framework of the AA/DCFTA; emphasizes that monopolization of the media space inevitably leads to the erosion of the plurality of opinion and leaves no space for political competition and calls on the authorities to assure a sustainable and pluralistic media and information landscape;
15. recalls the exemplary peaceful transfer of power following the last democratic parliamentary and presidential elections; values, in this respect, Georgia as a unique example in the region and beyond, stressing that democratic momentum ought to be maintained in the context of the upcoming October 2016 legislative elections;
- 15a. Recalls the statement of the Venice Commission on undue pressure on judges of the Constitutional Court of Georgia of September 22, 2015, and calls upon the Government of Georgia to take appropriate action;

16. in this respect further reminds of the importance of the October 2012 and October 2013 OSCE/ODIHR Election Observation Missions, to which the EP participated, and calls for the bipartisan adoption of an electoral reform roadmap, taking into account the principled position that no major changes to the electoral law should be made in the year preceding elections;

The situation of the refugees and Internally Displaced People (IDPs) in Georgia

17. calls on all sides to allow the safe and dignified return of all IDPs to the places of their permanent residence in the occupied territories of Abkhazia and Tskhinvali Region/ South Ossetia and reiterates that forced demographic change remains an unacceptable violation of international law;
18. deplors the fact that IDPs continue to be seriously affected by long-term unemployment, which hampers their integration into the rest of the Georgian society and their access to medical care and education;
19. acknowledges the need to maintain assistance for improving the situation of IDPs and refugees and welcomes EU initiatives in remaining actively engaged in providing necessary help;

The peaceful settlement of the conflict in Georgia

20. repeats its firm support for the independence, sovereignty and territorial integrity of Georgia, within its internationally recognised borders, and reiterates its concern at the continuing occupation of the Georgian territories of Abkhazia and Tskhinvali regions/ South Ossetia by Russian forces; strongly condemns the continuation and expansion of the Russian-driven process of so-called borderisation along the administrative boundary line Abkhazia and Tskhinvali region/South Ossetia to the detriment of Georgia which has dire humanitarian consequences for the local population and is hindering any confidence building;
21. calls on the Russian Federation to fulfil its obligations under the Ceasefire Agreement of 12 August 2008 and the Implementing Measures of 8 September 2008 to withdraw all its military forces and to allow full access to the EUMM to the occupied territories; further calls Russia to reciprocate the commitment to the non-use of force vis-à-vis Georgia and to allow the establishment of international security arrangements;
22. welcomes the fact that Georgia is taking steps in adopting a flexible and pragmatic approach towards engagement with its occupied territories; calls on the EU to reflect, likewise, upon reaching-out, in particular, to civil society in these territories;
23. thus encourages the EU to give new impetus to promoting projects of freedom of movement alongside the ABL and contacts between the affected populations; highlights in this respect the added value provided by such EU-funded initiatives as the Confidence Building Early Response Mechanism (COBERM);

24. welcomes the strong commitment of the EU to remain engaged in the stabilisation and conflict resolution efforts in Georgia, including through its co-chairmanship of the Geneva International Discussions, the efforts of the EUSR for South Caucasus and the crisis in Georgia and the continued presence of the EU Monitoring Mission in Georgia;
- 24a. Calls on Russia to reverse the recognition of the separation of Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia to end the occupation of those Georgian territories and to fully respect the sovereignty and territorial integrity of Georgia as well as the inviolability of its internationally recognised borders; deplores Russia for aligning and ratifying with both occupied territories agreements of “partnership and integration”; which can constitute a further step in the annexation of Georgian territories;
25. reminds Georgia's important contribution to Common Security and Defence Policy missions deployed to the Central African Republic and in Mali, to the EU advisory mission in Ukraine, and welcomes the ongoing negotiations on a Security of Information agreement paving way for closer cooperation;

Institutional developments

26. highlights the need for a comprehensive information campaign on the aims and content of the Association agreement, countering any misinformation attempts; welcomes therefore the efforts made by the EU to enhance its strategic communication and encourages Georgia's authorities to participate in these efforts as well;
27. underlines the role the parliament of Georgia will have to play in the adoption of the required legislation as well as in the political oversight of the executive in the implementation of the Agreement; stresses that fulfilling these functions requires the development of cross-party constructive dialogue and good coordination mechanisms within parliamentary structures with the assistance of a depoliticized permanent civil service; calls the European Parliament to take this into account in a possible review of its Comprehensive Democracy Support Approach scheme;
- 27a. firmly condemns resorting to acts of vandalism against any political party and calls for a swift and thorough investigation and for the perpetrators to be brought to justice;
28. underlines that civil society has a key role to play in monitoring the implementation of the Association Agreement and commends the work undertaken in the framework of the Eastern Partnership Civil Society Forum;
29. welcomes the holding of the first EU-Georgia Association Council that took place in 17 November 2014; looks forward to the results of the second Association Council, scheduled to take place on 16 November 2015, and recalls that according to the AA, the Parliamentary Association Committee has to be informed of any decisions and recommendations taken; stresses that, in order to be able to meaningfully exercise its parliamentary oversight role, the Parliamentary Association Committee should further

be kept informed about the proceedings taking place in the setting of both the Association Committee and its Sub-Committees;

30. expresses its intention to actively contribute, as the official forum for interparliamentary relations between the European Parliament and the Parliament of the Georgia, to the implementation of the Association Agreement, inter alia by
 - closely monitoring the implementation of the AA and identifying areas in which the Parliament of Georgia could most benefit from the EU-Georgian interparliamentary dialogue and work; establishing appropriate contacts and measures;
 - following the EU assistance delivered to Georgia, to make sure that it is geared towards the implementation of the AA; where relevant, preparing recommendations to the Commission and EEAS in this area for examination by the competent bodies of the European Parliament;
 - contributing to raising public awareness and visibility of the merits of the AA, including by means of regular contacts with civil society the media;
31. considers in a positive light the draft Rules of Procedure of the EU-Georgia PAC; takes note of the fact the internal procedures approving them within the Parliament of Georgia have been completed, and encourages the European Parliament to follow suit, in order for them to be formally and jointly adopted at a forthcoming meeting of the PAC, as foreseen by Article 410(3) of the AA.
32. intends to hold the next meeting of the EU-Georgia Parliamentary Association Committee in spring 2016 in Brussels, possibly "back to back" with the forthcoming meeting of the Euronest Parliamentary Assembly.

Adopted on 3 November 2015