

EU-GEORGIA PARLIAMENTARY ASSOCIATION COMMITTEE

Second Meeting

25-26 April 2016

FINAL STATEMENT AND RECOMMENDATIONS

Pursuant to Article 411(3) of the Association Agreement

Under the co-chairmanship of Mr. Sajjad Karim on behalf of the European Parliament and of Mr Zviad Kvachantiradze on behalf of the Parliament of Georgia, the second meeting of the EU-Georgia Parliamentary Association Committee (PAC) was held in Brussels on 24-25 April 2016; the Committee heard Mr Bakradze and Ms Tsulukiani on behalf of the Government of Georgia and M. Iarochevitch and Mr Bousquet on behalf of the EEAS / EC.

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

The Parliamentary Association Committee

Relations between the European Union and Georgia

1. Welcomes the fact that all 28 EU Member States have now ratified the EU-Georgia Association Agreement (AA) with its Deep and Comprehensive Free Trade Area (DCFTA) component and emphasizes that the AA covers the entire internationally recognized territory of Georgia, for the benefit of the whole population;
2. Reiterates that 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, may apply to become a member of the EU provided that it adheres to the principles of democracy, respects fundamental freedoms, human and minority rights, and ensures the rule of law¹;
3. Welcomes the holding of the second EU-Georgia Association Council on 16 November, which aimed at activating the full potential of EU-Georgia enhanced relations, acknowledged the progress achieved by Georgia in implementation of the Association Agreement and assessed Georgia as one of the front-runners of the Eastern Partnership;
4. Recalls the position of the European Parliament that the European Commission should facilitate the implementation of the AA/DCFTA 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 to effectively implement the AA including the DCFTA and ensure that national legislation approximates EU standards based on AA/DCFTA commitments; Further welcomes the successful implementation of the 2015 National Action Plan for the implementation of the Association Agreement and the Association Agenda; stresses it is important to maintain the pace and course of

¹EP Plenary resolution 2014/2816, adopted 18.12.2014

reforms and encourages Georgian authorities to make full use of available EU assistance, noting that the latter has significantly increased to circa €100 million annually in order to support the ambitious goals of the AA;;

6. Fully acknowledges the reforms and progress achieved by Georgia over the last three years in all areas covered by the four blocks of the Visa Liberalization Action Plan, and commends the commitment shown in this regard by the Georgian authorities, as recognized by the EC December 2015 last VLAP report;

7. Resolutely welcomes the 9 March 2016 proposal of the European Commission to the European Parliament and Council to lift visa requirements for the citizens of Georgia, and acknowledges the strategic meaning and the high potential of the visa-free regime for reconciliation efforts; calls for this legislative process to be brought to its logical conclusion swiftly and without delay before the summer break, on the basis of Georgia's own merits;

8. Expects this development to facilitate people-to-people contacts, including Georgian citizens currently residing in its occupied territories, strengthen business, social and cultural ties between the European Union and Georgia, and demonstrate that closer relations with the European Union do bring concrete results and deliver tangible benefits to all; further welcomes the fact *that* a bipartisan approach is prevailing over this specific issue in Georgia, in line with the core *European and Euro-Atlantic* policy orientation consistently shared by both Government and Opposition;

Georgia's democratic choices

9. 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;

10. Underlines, in this respect, the value of previous ODIHR recommendations and welcomes that the Georgian authorities have already issued an invitation to the European Parliament to observe the upcoming elections; trusts that the European Parliament will answer favorably to this request; would further call the European Parliament to use the experience acquired in this field in order to review its Comprehensive Democracy Support Approach scheme by including Georgia and providing concrete assistance in institution-building terms;

11. Further underlines that the existence of a political opposition is paramount in order to safeguard a balanced and mature political system, and stresses that any act of violence against members of any political party have to be promptly investigated; calls on all political forces in Georgia to improve the political climate by avoiding confrontation and polarisation and ensuring cross-party dialogue in the interest of strengthening democracy and the rule of law; however recognises the leading role of the governing majority in this regard;

12. Stresses that freedom of the media, freedom of expression and plurality of information are the fundamental values of a democratic society; reminds the

authorities of their obligation to further guarantee media pluralism, editorial independence and transparent media ownership, especially on the eve of the 2016 parliamentary elections;

Modernisation and sustainable democratic reforms in Georgia

13. repeats its call for the full implementation, in letter and spirit, of the recommendations enshrined in the landmark “Georgia in Transition” report; emphasizes, in this connection, that judicial proceedings should continue to be transparent, free from political motivation, be concluded in full respect of the principles of a fair trial, and encourages ongoing efforts on the reform of the judiciary, especially focusing on 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; stresses that pre-trial detention, never to exceed 9 months, remains an exceptional measure that should apply only under urgent and clear circumstances strictly in line with the law avoiding any abuse and further underlines the value of parliamentary oversight of the Ministry of the Interior and the newly established Security Service;;

14. Encourages the Government to take without delay all appropriate actions to protect the members of the Constitutional court and their in order to prevent any attempts of exercising pressure considering the 22 September 2015 Statement by the Venice Commission of the Council of Europe and the January 21 Resolution of the European Parliament;

15. Congratulates Georgia on maintaining its reform efforts, as seen by its innovative e-procurement system, which has substantially increased transparency, efficiency and accountability – key factors in the fight against corruption - or with the adoption of the new Juvenile Justice Code and the implementation of the new Human Rights Strategy; welcomes the policy of the Government of Georgia to settle cases at the national level with a purpose of decreasing the caseload at the European Court of Human Rights, as well as the recently initiated legislative package of amendments aimed at introducing an effective mechanism of compensation of the damages and reopening judgments by domestic courts based on the decisions of the UN Human Rights treaty bodies; also 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; welcomes the Adoption of the new Law on “Civil Service” aiming at increasing effectiveness and modernizing public administration in the country;;

The peaceful settlement of the conflict in Georgia

16. repeats its firm support for the independence, sovereignty and territorial integrity of Georgia, within its internationally recognized borders; reiterates its concern at the continuing occupation of the Georgian territories of Abkhazia and Tskhinvali region/South Ossetia by Russian forces; strongly condemns the continuation and expansion of the Russian-driven process of so-called borderisation along the administrative boundary lines to the detriment of local population, as hindering any confidence building; notes, that the Russian Federation as the occupying power, exercises effective control over Abkhazia, Georgia and the Tskhinvali Region,

Georgia; stresses that these two regions still remaining under foreign military occupation, constitute above all dangerous “black holes” in verifying human rights violations and holding the violators accountable; expresses concern on the grave human rights situation in the occupied territories of Georgia and stresses the need of intensification of efforts by the international community for ensuring access of international human rights monitoring mechanisms to the occupied territories of Georgia;

17. 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 Georgia’s occupied territories of Abkhazia and Tskhinvali region / South Ossetia; 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;

18. Welcomes the fact that Georgia is taking steps in adopting a flexible and pragmatic approach towards engagement with its *occupied territories*; reiterates its call to the EU to step up its efforts upon concretely reaching-out to civil society in these territories and invites the EEAS to present to the Parliamentary Association Committee an overview of the efforts made in this respect, and of the challenges faced, within 3 months; highlights in this respect the added value provided by such EU-funded initiatives as the Confidence Building Early Response Mechanism (COBERM);

19. welcomes the strong commitment of the EU to remain engaged in the stabilization 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 sustained presence of the EUMM;

20. Calls on Russia to reverse the recognition of the separation of Georgia’s *occupied regions* and to fully respect the sovereignty and territorial integrity of Georgia as well as the inviolability of its internationally recognized borders; condemns all steps Russia has been taking in promoting agreements of “partnership and integration” with these territories, as they can constitute a further step towards annexation;

21. reminds of Georgia's important contribution to Common Security and Defense Policy missions deployed to the Central African Republic and in Mali and to the EU advisory mission in Ukraine;

Institutional developments

22. Welcomes the efforts undertaken by the EU and the Government of Georgia to enhance the cooperation in strategic communication; highlights the commitments of the Government of Georgia carrying out comprehensive information campaigns on Georgia's European integration process, including regarding reforms undertaken in the framework of the Association Agreement and the DCFTA; emphasizes the need for intensifying the activities countering disinformation and anti-western propaganda, as well as need to further strengthen cooperation in the area of strategic communication;

23. 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;

24. Underlines that civil society has a key role to play in monitoring the implementation of the Association Agreement, but also in reflections on policy-making and reform processes; Welcomes the fact that Georgia was the first country among the signatory countries of the AA which involved civil society organizations in the planning process of the National Action Plans for the implementation of the AA and the Association Agenda; highlights the role that the relevant Civil Society Platforms provided for in the AAs can play in this process with regard, in particular, to raising public awareness and monitoring the implementation of the agreements; point out the importance of explaining to the populations of the association countries the benefits of implementation of the AAs/DCFTAs, and of debunking any myths and disinformation;

25. Reiterates 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;

26. Recalls in this precise context the EP resolution of 21 January 2016, which stresses that that parliamentary scrutiny is a fundamental condition for democratic support for EU policies and calls both the Georgian Government as well as the EEAS and the European Commission to facilitate regular and detailed monitoring of the implementation of the AAs/DCFTA in a timely manner;

27. Formally adopts the Rules of Procedure of the EU-Georgia PAC, as foreseen by Article 410(3) of the AA, noting that the internal procedures to allow this development have been completed in both the Georgian and European parliaments.

Adopted on 26 April 2016