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*EU-Georgia Parliamentary Association Committee*

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Fifth Meeting

Tbilisi, 19-20 September 2017

**FINAL STATEMENT AND RECOMMENDATIONS**

Pursuant to Article 411(3) of the Association Agreement

The fifth meeting of the EU-Georgia Parliamentary Association Committee (PAC) was held in Tbilisi on 19-20 September 2017, under the co-chairmanship of Ms Tamar Khulordava on behalf of the Parliament of Georgia and of Mr Sajjad Karim on behalf of the European Parliament; the Committee heard the Deputy Foreign Minister of Georgia, Mr Vakhtang Makharoblishvili on behalf of the Government of Georgia and Ambassador Janos Herman, Head of the Delegation of the European Union to Georgia.

Having thus 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 continuous deepening of EU-Georgia relations, which were marked this year by new major achievements in line with the EU-Georgia Association Agenda, in particular the entry into force on 28 March 2017 of the visa-free regime between the EU and Georgia and the accession on 1 July 2017 of Georgia to the Energy Community Treaty;
2. Expresses its satisfaction with the European course of Georgia, to which the successive Georgian governments have been steadily committed over the last decade; underlines the European aspirations of Georgia and recalls that pursuant to Article 49 TEU, Georgia may apply to become a member of the European Union, provided it adheres to the principles of democracy, respects fundamental freedoms, human and minority rights and ensures the rule of law;
3. Stresses that facilitated mobility, following the lifting of visa requirements for Georgian citizens travelling to the EU is the historic development on Georgia's European integration path and is the result of political process that followed chain of comprehensive reforms within the framework of EU-Georgia Visa Dialogue; notes the positive effect already resulting from visa liberalisation on people-to-people contacts and mobility for business, scientific, cultural, tourist and family purposes; welcomes Georgia's readiness to maintain good track record of implementation of Visa Liberalisation Action Plan (VLAP) benchmarks and further ensure sustained results in all VLAP-related areas; points out the importance of close cooperation in the areas of

police and customs to safeguard against security threats, criminality and overstays and to timely and effectively address any complication in the implementation of the visa-free regime;

4. Believes that, as a matter of priority, bilateral relations have to focus on the full implementation of the EU-Georgia Association Agreement, allowing Georgia and its citizens to reap the benefits resulting from it and to still reinforce the Georgian population's support to the European integration of the country; welcomes in this respect, the continuous effort of both the executive and legislative power branches of Georgia to advance significant reforms in line with Georgia's institutional commitments towards the EU-Georgia Association Agreement (AA) and the EU-Georgia Deep and Comprehensive Free Trade Area (DCFTA); stresses that following the Association Agreement, EU financial support to Georgia has exceeded 110 million Euros on a yearly basis, more than twice its level one decade ago;
5. Notes the significant overall increase of Georgian exports to the EU and expansion of those exports to new products, as a direct effect of the implementation of the DCFTA since September 2014; stresses the important role of Georgian small and medium-sized companies and farmers in expanding the country's economy; encourages the Georgian authorities to develop a comprehensive awareness campaign to ensure that those companies and farmers are fully informed of benefits and economic opportunities stemming from the DCFTA and of the technical assistance to manage necessary adaptations;
6. Welcomes the progress towards the integration of Georgia's energy market with that of the EU, through regulatory convergence, in accordance with the Association Agreement and in the framework of the Energy Community Treaty; recommends the Georgian Government to reinforce energy national market on the basis of fair competition, favourable investment climate and incentives to the development of renewable energy and an effective policy of energy saving; in this regard, welcomes the new four year assistance programme EU4Energy which is to contribute to smooth implementation of new round of reforms entailed by the accession to the Energy Community; urges the Georgian Government to continue supporting maintenance or development of energy infrastructure networks and interconnections, with the aim of strengthening security of energy supply for Georgia and its partners;
7. Reiterates its support to the Government of Georgia's efforts in enhancing strategic communication by improving public awareness of the tangible benefits of its association with the EU, and thwarting Russia-backed disinformation propaganda;
8. Notes the efforts of Georgia's civil protection competent authorities and their cooperation with the EU's and EU Member States' counterparts to handle the crisis due to wild fires in Georgia, in August 2017; calls on the Commission and EU Member States to provide expert assistance and financial support to help Georgia rehabilitate damaged areas;
9. Underlines that EU assistance should reflect the ambitious goals of the EU-Georgia AA provided that Georgia meets the required conditions in terms of reforms jointly agreed with the EU; encourages the Commission to further enhance assistance to align budgetary instruments such as the European Neighborhood Instrument and the European Fund for Sustainable Development to political ambitions of continuous EU-Georgia partnership, including through introduction of a new assistance instrument

relevant for implementation of the Association Agreement taking into account best Instrument for Pre-Accession's (IPA) experience;

10. Recommends the Commission to pursue its effort to promote the participation of Georgia in EU-supported programmes that are open to non-EU countries and to ensure the participation of Georgia, under a legally appropriate status, in EU agencies;
11. Expresses satisfaction that accountability and transparency of the Association Agreement implementation process is a top priority of the Georgian Government, and that the involvement of Civil society in the planning and implementation process of the Association Agreement and Association Agenda empower public to engage in governing processes and hold government accountable through increased public awareness and improved parliamentary oversight of government operations;
12. Welcomes that Georgia is among the few countries where all branches of the government are involved in the Open Governance Partnership process and specific activities are arranged for promoting inclusive policy-making; welcomes Georgia's outreach and efforts to inspire Eastern Partnership countries for openness and meaningful engagement with civil society;

#### Eastern Partnership and regional cooperation

13. Underlines the goals of the Eastern Partnership towards promoting stability, confidence-building and cooperation, supporting democratic reforms, good neighbourly relations and regional cooperation, enhancing people-to-people contacts and boosting trade; commends the very dynamic contribution of Georgia to the achievement of those objectives, what makes the country a "front-runner" of the Eastern Partnership;
14. Calls on participants to the Eastern Partnership's Summit of 24 November 2017, in Brussels, to set an ambitious agenda for providing tangible results to citizens for the next two years; takes the view that the Summit's declaration should reflect the different aspirations of Eastern Partnership's countries for their European course; stresses that following the principle of differentiation guiding the Eastern Partnership, every partner should deepen cooperation with the EU, in coherence with its ambitions, and the pace and quality of its reforms;
15. Welcomes the project of establishing an "Eastern Partnership European School" in Tbilisi, as a flagship project and one of the key deliverables for the Eastern Partnership up to 2020; supports the vision of bringing Georgia as well as other countries of the South Caucasus closer to the EU, by creating international curricula allowing students and pupils to enjoy educational and mobility opportunities across Europe;
16. Acknowledges Georgia as a good example of good neighbourly relations and regional cooperation in line with the founding principles of the Eastern Partnership and in spite of Russia's aggression and calls on the Tbilisi authorities to make efforts so as to facilitate the dialogue between Armenia and Azerbaijan and step up people to people contacts with a view to creating the conditions for a sustainable and peaceful development of the whole South Caucasus region;

#### Constitutional reform in Georgia

17. Underlines the assessment of the Venice Commission of the Council of Europe on the

draft revised constitution, as stated in the opinion of 19 June 2017 acknowledging that constitutional reform “completes the evolution of Georgia’s political system towards a parliamentary system started by 2010 constitutional reform and constitutes a positive step forward to consolidate and improve the country’s constitutional order, based on the principles of democracy, the rule of law and the protection of fundamental rights.”; Drawing upon the Venice Commission’s conclusions and recommendations, underlines the importance of inclusiveness of all stakeholders and the need to seek the widest possible consensus across political forces for this major constitutional revision;

#### Reforms, elections and protection of fundamental freedoms in Georgia

18. Calls on the Government of Georgia to pursue its reforms in the area of justice and fundamental rights; in this regard, welcomes the amendments to the Law on Common Courts, introducing a new automated case distribution system to avoid arbitrariness in case allocation, along with establishing selection criteria for judicial candidates and as setting new procedures promoting transparency; stresses the need to further advance the independence, efficiency, impartiality and professionalism of the judiciary and the right to fair trial;
19. Urges the Government of Georgia to pursue the implementation of the ‘Public Finance Management’ reform, whereby efficient budgeting, accounting and auditing of public funds will result in a more effective and inclusive allocation;
20. Underlines the importance of ongoing public administration reform and welcomes the newly enacted Civil Service Law that sets new regulations making recruitment process for the civil service more competitive and establishing transparent, accountable and professional civil service;
21. Notes positively the development of the draft Law on Occupational Safety providing a clear framework of rights and obligations in the workplace and protecting the health of the workforce to bring improvements in productivity and economic performance, stresses that its swift adoption and further full and timely implementation in line with the AA requirements is of critical importance;
22. Reiterates that the Environmental governance is the key feature of the AA requirements, welcomes the adoption of a new Environmental Impact Assessment Code in line with the EU Directives; notes with satisfaction the work in progress concerning new Water Resources Management Law, a new Forest Code and a Law on Biological Diversity to ensure sustainable environmental management; calls on the Government of Georgia to align its policies with the EU targets to fight climate change in line with the 2015 Paris Agreement;
23. Calls on the Government of Georgia to ensure that the local elections to be held on 21 October 2017 be competitive, fair and transparent; also calls on all the elections’ stakeholders to do their utmost to ensure a peaceful electoral process and atmosphere and to refrain from any kind of physical and verbal violence;
24. Welcome legislative developments in the area of Criminal Justice Reform; notes positively comprehensive amendments to the Imprisonment Code introducing more rehabilitation measures, including work and higher education opportunities while serving a prison sentence, establishing special penitentiaries for preparation for release and developing a new form of non-custodial sentence – a home arrest that will further

reduce number of prisoners in compliance with international standards and recommendations;

25. Welcomes the ratification and the entry into force on 1 September 2017 in Georgia of the Istanbul Convention preventing and combating violence against women and domestic violence; calls on the Government of Georgia to develop and implement policies of equality between women and men and the empowerment of women and to protect women against all forms of violence, in accordance with its commitment to the Convention;
26. Condemns the abduction on 29 May 2017, in Tbilisi, of Mr Afgan Mukhtarli, an exiled Azerbaijani investigative journalist, and his subsequent, illegal transfer and arrest in Azerbaijan; takes note of the first measures taken by Georgian authorities in this case, including the dismissal of key officials of the Ministry of Internal Affairs of Georgia; urges Georgian authorities to pursue investigation and the judicial proceedings, in a thorough and effective manner, in order to clear up this case;
27. Underlines the key role of the Office of Public Defender of Georgia, as an independent institution, with regards to respect for human rights; calls on the Parliament of Georgia to ensure a transparent and fair process of candidacies' review, prior to the election in plenary of the Public Defender and to further uphold the independence of the institution;
28. Recalls that media freedom and freedom of expression are fundamental rights that need to be promoted and protected in a democratic society; calls on the Georgian Government to promote a vibrant and pluralistic media environment, relying on a balanced duality of public service and private media channels;
29. Takes note of the decision of March 2017 of the European Court of Human Rights to suspend the enforcement of the Georgian Supreme Court's ruling concerning the ownership rights of the Rustavi 2 television company and welcomes the Government's resolve to comply with the ECHR ruling; takes the view that beyond this case, there is a continuous duty for audiovisual regulatory authorities of Georgia to ensure citizens have access to a diversity of views;

#### The peaceful settlement of the conflict in Georgia

30. Emphasises that the Association Agreement covers the entire territory of Georgia, for the benefit of the whole population and reiterates its firm support to the independence, sovereignty and territorial integrity of Georgia, within its internationally recognised borders;
31. Strongly supports the engagement of the Government of Georgia in pursuing its policy towards a peaceful conflict resolution through diplomacy, negotiation and dialogue, including through compliance with the 12 August 2008 Ceasefire Agreement, the unilateral non-use of force - a pledge taken by Georgia several times - as well as the constructive participation in the Geneva International Discussions; praises the Georgian Government's effort to maintain any possible forms of dialogue and inclusion with the populations of Abkhazia and the Tskhinvali region/South Ossetia, in order to foster people-to-people contacts and build up confidence;
32. Condemns the ongoing occupation and steps towards annexation of Georgian regions of Abkhazia and Tskhinvali region/South Ossetia by the Russian Federation in

contradiction with its international commitments to uphold the international legal order; calls on the Russian Federation to fulfil its obligations under the EU mediated 12 August 2008 Ceasefire Agreement to withdraw all its military forces and end the occupation of Georgian territories;

33. Strongly condemns all steps of Russia resulting in further deterioration of security and humanitarian situation on the ground, intense militarization in Georgian regions of Abkhazia and Tskhinvali region/South Ossetia, including the installation of razor and barbed wire fences and construction of various other fortifications along the occupation line, restrictions of freedom of movement, illegal detentions and kidnappings, as well as severe human rights violations of residents of the occupied territories, in particular of Georgians in Gali district of Abkhazia region, who as a result stand out as the most vulnerable and increasingly discriminated on ethnic basis; underlines in this respect the need of establishment of international security and human rights mechanisms on the ground, as well as the unimpeded access of the EU Monitoring Mission (EUMM) to Georgia's occupied territories.
34. Regrets that hundreds of thousands of Internally-Displaced Persons and refugees from Georgian regions of Abkhazia and Tskhinvali region/South Ossetia are deprived of their fundamental rights and emphasizes the importance of ensuring return to their homes in a safe, dignified and voluntary manner;
35. Welcomes the strong commitment of the EU to remain effectively engaged in the peaceful resolution of the Russia-Georgia conflict through its valuable instruments, including the co-chairmanship of the Geneva International Discussions, the EUMM as well as the policy of non-recognition and engagement; stresses the need of intensification of efforts by the international community in order to ensure restoration of Georgia's sovereignty and territorial integrity;
36. Commends that Georgia is committed to a long-term outreach to the populations of its regions of Abkhazia and the Tskhinvali region/South Ossetia, who are entitled to all benefits available to Georgian citizens; welcomes and supports Georgia's reconciliation and engagement policy aiming at building confidence between societies divided by occupation lines and barricades, to reduce their isolation and improve their welfare;

#### Other Issues

37. Underlines the Parliament of Georgia's resolve to increase the scrutiny on legislative approximation with EU law as well as in the political oversight of the executive in the implementation of the Association Agreement; calls on Government authorities of Georgia to strengthen democratic oversight over law enforcement and security services; stresses that fulfilling these functions requires the development of cross-party constructive dialogue and good coordination mechanisms within parliamentary structures;
38. 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;

#### Next meeting

39. Intends to hold the next meeting of the EU-Georgia Parliamentary Association Committee on 22 March 2018, at the European Parliament in Brussels.

*Adopted in Tbilisi, 20 September 2017, by meeting the double majority required by the Parliamentary Association Committee's Rules of Procedures (5 votes in favour, zero against, and zero abstentions on the EP side; 7 votes in favour, zero against and zero abstentions on the Georgian side).*