EUROPEAN PARLIAMENT
EU-ARMENIA PARLIAMENTARY COOPERATION COMMITTEE

MINUTES
of the
14th MEETING
5-6 February 2014
Strasbourg,
Salvador de Madariaga SDM S 5

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The 14th EU- Armenia PCC under Co-Chairmanship of Mr Samvel Farmanyan and Dr Milan Cabrnoch started at 15:05 on 5 February

Points 1, 2: Opening remarks and adoption of the draft agenda

Dr CABRNOCH welcomed the Armenian delegation to the PCC, led by Co-Chair, Mr Samvel FARMANYAN from the Republican Party, and the 8 other Members of the Armenian Delegation. The documentation file available included the most relevant EU documents, while maintaining a clear separation between EP legislative acts and non-binding Resolutions, where the EP Plenary took a more political viewpoint on current developments.

Participants were furthermore informed that the programme devised also included an interaction, on the following day, with the EP Committee on Foreign Affairs. This meeting would not be part of the PCC per se but was still seen as extremely useful in allowing a direct interaction with the Committee Members who were shaping key Foreign Policy orientations for the EP.

M. Samvel FARMANYAN, Co-Chair, thanked the MEPs for their dedication, and introduced the Members of his cross-party Delegation, which represented both Government and Opposition; this was the first time parliamentarians would meet, from both sides, to assess the situation at a time when the Eastern Partnership faced unprecedented challenges, which called for a strong revision.

It was thus hoped that parliamentarians would be able to engage in a frank but open and constructive exchange to outline future priorities and, if needed, dispel any misunderstandings. After the Vilnius Summit, the door of EU/Armenia relations was still an open one; it was, indeed, impossible to escape the profound truth that EU/Armenia shared values as being part of the European civilisation.

This provided a basis for optimism, and the Armenia remained committed to deepening its relations with the EU; from this point of view, it was certainly possible to identify a due framework basis for integration that would reject any danger of new dividing lines appearing in Europe. Armenia was, likewise, committed to regional peace and cooperation despite war threats from Azerbaijan and Turkey denying the genocide. What counted was that Armenia was committed to building a modern state, based on strong democratic institutions, the rule of law, human rights, enhancing freedom of speech, independence of the judiciary and free market economy.

Dr CABRNOCH reminded that the draft joint recommendations, which had been distributed, would need a double majority in order for them to be adopted and, thus, called all participants to show flexibility and a constructive spirit in order to achieve this threshold. It was further reminded that the time, particularly on the second day, would be limited due to the voting schedule in Plenary.

The draft agenda was adopted.
Point 3: Adoption of the draft minutes

The draft minutes of the 13th PCC held in Brussels in 28&29 November 2012 were distributed and adopted.

Point 4: Overview of the EU-Armenia relations

Ambassador Avet ADONTS reminded that EU & Armenia cooperation had grown over the previous years, and that there was a cooperation to work together towards a closer partnership on the basis of common values. Such cooperation with the EU could thus continue on many fields, including on political dialogue, dialogue on strengthening the justice sector and good governance as well as a wide range of sectoral issues. While Armenia had concluded with the EU the needed negotiations on the AA&DCFTA, its eventual decision to join the Customs Union meant that special efforts needed to be deployed in order to allow building relations with the EU while fully taking into account Armenia's participation in other integration processes as per its national interests. Nonetheless, the Government remained committed to further reforms to consolidate democratic institutions and the rule of law; in this light, a National Strategy for Human Rights and a national plan for implementation, with the involvement of civil society stakeholders, had recently been adopted.

Furthermore, following the 6th Presidential Elections which had taken place in 2013, a Task Force had been set up to implement the OSCE & ODIHR relevant recommendations that had been issued, as well as the advice proposed by the Venice Commission of the Council of Europe; Armenia had also demonstrated its dedication to the Eastern Partnership Multilateral Track by successfully hosting a series of events and thematic meetings in this respect, involving not only Working Groups but held at Ministerial level, in presence of Commissioners Fule or Vassiliou. In short, Yerevan strongly wished to move forward its cooperation in all possible directions; progress was already seen with the necessary legislative green light at Armenia's participation in a series of EU programmes, and on the Mobility Partnership dimensions - which focused, for instance, on the synergies between migration and development, establishing specific measures for highly skilled returnees. Likewise, the EU/Armenian Facilitation and Readmission Agreement was now in force - something which allowed looking forward to steps that would, eventually, lead to visa-free travel.

On regional stability issues, Ambassador ADONTS underlined Armenia had always emphasised the need for a peaceful settlement of the Nagorno-Karabakh conflict as per the statements issued in a jointly agree international framework (L'Aquila, Los Cabos, Muskoka). However, it remained to be seen whether Azerbaijan genuinely was on the same line; on the contrary, recent Azerbaijani incursions at the line of contact had already claimed human lives, and could be seen as the continuation of a policy of repeated provocations - at a time when EU direct contact with Nagorno Karabakh and its people was needed, in order to pursue the objectives Nagorno Karabakh strived for: democracy, rule of law, Human Rights.
As to Armenia / Turkey relations, the bilateral protocols signed in the past were still not ratified in Turkey, as Ankara had linked such a development to the settlement of the Nagorno Karabakh conflict. The attempt thus to achieve further normalisation had been stalled; likewise, Turkey used the genocide international recognition issue as a smokescreen or a pretext in order to prevent any progress vis-a-vis normalisation.

On behalf of the EEAS, desk officer Stefan RAB reminded that 2013 had been a quite sensitive year in EU Armenia relations, marked by the Armenian decision to accede to the Customs Union, a decision announced on 3rd September. This development had made it impossible to initial the AA & DCFTA with the EU, despite 3 years of hard negotiations on both sides.

These negotiations, nonetheless, were not in vain, as both sides had acknowledged the impressive progress demonstrated by Armenia on the path to reforms, with EU support and expertise. There thus was, now, a clear understating on the need to turn the page, be positive, and revisit EU / Armenian relations on the basis of the existing framework of cooperation, in order to look into the future.

While pursuing the AA/DCFTA was no longer an option, it ought to be taken into account that the EU / Armenian Partnership & Cooperation Agreement, still in force since 1999, was an outdated instrument. At the same time, the decision of Armenia to join the Customs Union meant this was "no longer business as usual". Armenia had taken a decision, which the EU both acknowledged and fully respected. Armenian would however have to bear the necessary consequences of this choice when it came to revising EU-Armenia relations; the very content of those would definitely be different, given Armenia's new international commitments.

What remained the same was a common desire and resolve to take EU / Armenia relations forward on the basis of what we had jointly been achieved so far; thus, the EU / Armenia joint statement issued on the margins of the Vilnius Summit had enshrined the commitment to further develop cooperation, this being also reflected in Exchange of letters between HRVP Ashton and Foreign Minister Nalbandian, which also safeguarded the technical results of the EU / Armenia negotiations.

It nonetheless ought to be reminded that Armenia was now reported as to be rapidly completing the necessary preparations in view to its Customs Union accession. About 150 measures were thus to be unilaterally taken by Yerevan in order to bring national legislation in conformity with the body of existing CU legislation; the impact of both CU accession and the Eurasian Union perspective would therefore have to be ascertained carefully by the EU. According to a very preliminary assessment, contractual relations with the EU would still be able to continue in areas such as the mobility partnership, aviation, research and innovation (with a possibility examined to join Horizon 2020), political / social reforms and the protection of Human Rights. But at the end of the day, the EU needed to hear from Yerevan which were -precisely- the so called no-go areas where EU/Armenia cooperation would not be possible, as deriving from future CU accession and Eurasian Union perspective. The EU was therefore, first and foremost, looking forward to receiving information on the matter from Yerevan.
Point 5: The future of EU/Armenia relations

- Political developments and perspectives of EU-Armenia relations

M. POGHOSYAN (Heritage) wished to stress from the outset that the reality involved multiple dynamics - in which the role of other regional players had to be taken into account; this applied not only to Russia, but also to Azerbaijan. The Armenian society wished to continue on the path of European reforms, and there definitely were political forces genuinely in favour of closer relations with the EU. From this point of view, the roadmap leading to Customs Union accession was a multi-faceted issue. The EU ought to keep a door open for Armenia - and, simple, practical decisions affecting joint programmes could count more than general policy statements. M. POGHOSYAN further felt that there must have some lessons learnt, in EaP terms, by the EU - and that a new EaP policy ought to include a differentiated approach element.

M. KARINS (EPP, LV), for his part, reminded that the reforms Latvia, once "part of the glorious soviet union", had undertaken were not just in order to join the EU but for the sake of Latvian society - and the results has been overwhelmingly positive. He wondered whether Armenia's choice to join the Customs Union was an irreversible one. As to M. STADLER (A, NI) he felt the EU should have been clear on the final aim to be achieved in terms of EU - Armenia relations. As long as the EU was not able to offer security guarantees to Armenia, it could not criticise its sovereign choice of Customs Union accession.

As Ambassador ADONTS stressed, this choice was largely dictated by geography and geopolitical reasons; the economic parameter had become, quickly, over-politicised. EEAS Desk RAB, for his part, reminded that the EU had offered to Yerevan an unprecedented ambitious agreement, which Armenia had eventually turned down. The ball therefore was now in Armenia's court for Yerevan to tell the EU what it could, or could not, do given its CU commitments. EU had previously offered political association and economic integration: a reflection was now just starting on how things could move on. A lessons-learned exercise would be useful in this respect, probably entailing a more careful, differentiated approach, which would take into account geopolitical considerations linked to security.

For Mr. Aghvan VARDANYAN (ARF), the main priority was to guarantee Armenia's future and development; the overall context, however, was one featuring on a daily basis the threat of war, with the Turkish-Armenian border being sealed for the past twenty years - which further hindered any perspectives of development. Letting aside the decision taken on September 3rd, what was needed was to continue exploring what a new format of cooperation would be, keeping the door open: Armenia's cultural and spiritual values were European, and, in this sense, Armenia's destiny was clear.

Co-Chair CABROCH paid tribute to the last five years of parliamentary diplomacy, which had allowed the developing of good interpersonal relations, and the adoption of joint recommendations in a PCC setting. While MEPs were open to further Armenia-EU cooperation, the decision to join the Customs Union had taken many by surprise, and had meant that many time-consuming efforts had actually ended up leading nowhere. The Co-Chair acknowledged that perhaps there never was any alternative to Armenia's Eurasian path, but lamented the fact that this issue had never ever been mentioned in a PCC framework in five full years of talks in Brussels, Strasbourg, or Yerevan. What was important now was to understand the rationale of this Armenian decision, which, at any rate, was fully respected. Whether the EP agreed or not was is irrelevant - "this is your country, and this is your decision".

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Co-Chair FARMANYAN felt that this frank discussion showed the depth of existing misunderstanding on what had happened on September 3rd; at the same time, he wished to remind that Armenia remained grateful for the EU's unequivocal stance that it would continue to seek ways to further cooperation and support Yerevan's reform agenda- Likewise, both sides ought to spare no effort in exploring the basis for a new EU/Armenia agreement. It was true that there were uncertainties - and there was a clear need to undertake a professional look at this aspect to ascertain the fields of future cooperation. What was however crystal-clear was that Armenia's political leadership had repeatedly reiterated the wish to have as deep relations with EU as possible in the light of the decision to join the Customs Union.

M. FARMANYAN further recalled that the EU's single market accessibility may have been somewhat overstated, given that Armenian goods had to overcome the hurdle of a sealed Turkey/Armenia border. As to the unexpected nature of the September 3rd U-turn, it was true that some surprise, to some extent, was understandable. On the other hand, Armenia's political leadership had mentioned the possibility of actually joining the Customs Union a number of times in the past, and the EU Delegation in Yerevan ought to have fully informed, and reported this to Brussels. Both President Sargsyan and Foreign Ministers Nalbandian had, indeed, publicly raised such a perspective in their statements, without ever excluding the possibility.

As to the future, it was the role of politicians on both sides -and the PCC could be viewed in this light- to smoothen a process that would allow clearing the situation and ascertaining the areas of possible cooperation. This would not be easy; yet at the same time, it could be seen as a part of a wider exercise sine the overall EaP policy of the EU was in need of revisiting.

M. POGHOSYAN further wished to stress that these developments had meant that EU-supporters in Armenia were under pressure from both sides: pressure from Russia, but also a lack of clear support from the EU. The EaP had not been perceived as a program for reforms, but as part of a wider geopolitical game; unfortunate statements by the EU itself had contributed to this misunderstanding: if Russia had really assessed the Association Agreements in such a negative light from the start, Ukraine would never have been able to initial its agreement. EU representatives based in Yerevan had therefore their share of responsibility, with many of their statements drawing unnecessary attention by, and in, Russia.

Dr CABRNOCH further wished to enquire on what had been the institutional role played by the Armenian National Assembly and how it had been associated to the decision to join the Customs Union. He further wondered how Armenian MPs planned to discuss the issue further, wondering whether the reasons for this choice were seen as so strong geopolitically as to prevail on democratic scrutiny. Further questions were asked on the timetable of parliamentary ratification foreseen, and on how the Armenian National Assembly would ensure being kept fully informed during the negotiation process on Customs Union accession.

M. FARMANYAN underlined that the institutional role of the National Assembly was clear. The Armenian Constitution stipulated that the Foreign Policy of the country was a Presidential prerogative. In this sense, there was no Constitutional breach in the decision process, and the public had been fully informed via the press. In the wider political context, the President of Armenia had discussed this within the Republican Party structures, and this of course included many parliamentarians from the ruling party; of course, all documentation and international agreements to be signed would be debated, and eventually ratified, by the National Assembly. So far, however, no such discussions had taken place, as the documents in question were still undergoing prior scrutiny under CU institutions; at any rate, there was a clear will to hold, in due
time, an in-depth debate in a formal Parliamentary format, in order to allow all voices and different views to be expressed. While all MPs supported the Armenia's European integration, there were, naturally, differences of perception as to the approach and depth of this integration, taking into account regional geopolitics. As to the timeframe of joining the Customs Union, Armenia aimed to finish all preparatory aspects within 2014 (law approximation and conformity).

Answering a query from some MEPs, M. FARMANYAN explained that re-examining this decision to join the Customs Union was not irreversible and could be seen as subject to further review; the current authorities of the country had felt that joining the CU was in the national interest of Armenia; another government, in the future, would of course be free to reassess the situation. This was only natural, and in the essence of politics.

Mr. Vahram BAGHDASARYAN (RPA) addressed the scope of the economic development of the country; he underlined that economic development policy focused on competitiveness, economic modernization and approximation to the standards of developed countries - further explaining the need to progress on the path of a knowledge-based economy, while taking the necessary steps to constantly strive for the development of human capital. Armenian exports to the EU had amounted to 311 million USD in 2011, and the EU continued to be the primary destination of Armenia's exports, with an overall share of 34% of the total. Nonetheless, taking into account the specificities of Armenia's economy, M. Baghdasaryan felt that the Customs Union choice was the rationale one to make - while ensuring that regional integration processes would be compatible to the maximum possible extent. Therefore, Armenia expected that common ground would be found with the provisions foreseen in the AA/DCFTA. In any case, the Association Agreement was of a much broader scope, well beyond mere commercial cooperation, and ought therefore to be pursued.

Ms Edit HERCZOG (H, S&D) nonetheless insisted that the Armenian decision to join the Customs Union had been seen, by many, and especially within Armenia’s friends, as a shock and a development which had "come out of the blue"; all the more so, since the EU, generally speaking, had a pretty clear picture of the situation in the South Caucasus. Ms HERCZOG found it deeply surprising that, for such a radical decision to be taken, not to have consulted the People by way of a referendum, as she felt would have been the proper way.

M. FARMANYAN underlined that it was not a secret for anyone that Armenia had specific strategic relations with Russia, enshrined through the CSTO. This was known from the very beginning. From this point of view, deepening relations with the EU could never happen at the expense of Armenia's strategic relations with the Russian Federation. In this respect, nothing had changed; obviously, a new formula would however have to be found to allow deepening relations with the EU "as much as possible". These said, Armenia was not just a friend of Europe, but actually a part of Europe, if not in political terms, at least culturally and historically, in terms of values. This could not be changed by anyone; patience would be needed in order for the long-term picture to emerge.

- Economic situation in Armenia, perspectives of economic cooperation
- Sectoral cooperation
- Democratisation, human rights and freedoms

Ms Laima Lucia ANDRIKIENE (LT, EPP) reminded that the Monitoring Committee on South Caucasus from the International Trade Committee, which she chaired, was observing the
situation since 2011. The DCFTA negotiations had been constantly and closely monitored by MEPs, and several exchanges of views had taken place with the EU negotiators, while these were still on-going. Overall, the EP had been impressed by the remarkable progress shown by Armenia in these negotiations, and was therefore looking forward to actual implementation of the engagements being discussed. This was one more reason why Armenia's decision to join the CU had taken everybody by surprise. This decision made little economic sense and the Armenian National economy, in the long run, would clearly suffer; but this choice was fully respected by the EP, which understood its real geopolitical rationale. Armenia would thus continue to enjoy unilateral trade preferences from the EU in the form of GSP+. This proved, beyond words, the EU’s willingness to keep helping the country; the issue was, and would remain, high on the EU's agenda. These said, the Armenian decision to join the CU called for clarification. Thus, the higher tariffs adopted by the CU meant that Armenia would have to review its relatively favourable WTO commitments; likewise, with the EU/Georgia DCFTA going ahead, this meant that the bilateral Armenia – Georgia Free Trade Agreement would also probably need revisiting: yet the responsibility for these choices lied of course, first and foremost, with Armenian lawmakers.

Mr. Aghvan VARDANYAN (ARF) noted that the situation ought to be considered in the context of the World Trade Organization, and that further negotiations would probably be needed in this format in order to achieve a solution which would be to the mutual benefit of all parties involved.

As to Ms. Margarit YESAYAN (RPA), she insisted that EU remained a key partner for Armenia, and reminded that Yerevan's official position was that Armenia-EU cooperation ought to continue, based on the common values both parties shared, and their joint understanding on the need to uphold democracy and human rights. Turning to the Nagorno-Karabakh conflict, Ms Yesayan reminded that despite 20 years of negotiations in a OSCE Minsk Group format the situation at the border remained tense, with daily exchanges of fire which could be attributed to the obviously aggressive attitude of Azerbaijan. It now was for the international community to voice its concerns, so that the Azerbaijani top leadership would realise that such actions were running counter to international law; this ought to be taken fully into account by the international mediators as well.

6. Regional issues: the Nagorno-Karabakh conflict

M. FARMANYAN had previously already reminded the energy and dedication shown, in a PCC setting, in tackling this issue during the last 5 years in helping the peace process. And yet, the situation was at a standstill. There therefore were many legitimate questions that one could ask: had the Minsk Group been working efficiently enough? Had the political leadership demonstrated, in the two countries, the necessary political will and openness to making concessions? Had the very people in Nagorno Karabakh been involved to the appropriate extent? At the same time, it was worth to remember the fundamentals of Azerbaijani policy on the matter, of which the Safarov case was the best case in point; one could further wonder what would be the true value of any potential Azerbaijani guarantees in this respect. On the other hand, there was no alternative to the peaceful solution of the conflict, and the EU’s role in supporting this process had, thus, been a positive one.
While Dr CABRNOCH repeated he could only respect the U-turn which Armenia undertook, he recalled his 2012 meeting with President Sargsyan, reminding that, upon proposing that the EU could replace France in the Minsk Process, the President was strongly negative, and had explained that should such a development occur, then Armenia would step back from the the Minsk Process. Given such a reluctance to see a more active EU role, the question of what more steps the EU could take was an open one. Ambassador ADONTS, on the other hand, was swift in stressing that this was not the official Presidential position. Recollections seemed, nonetheless, to differ on this precise point - with Dr CABRNOCH strongly insisting that this was the precise sense of the President's answer, which he had heard personally. This said, the EP position was that the EU ought to play a stronger role in the process, as the current situation was far from satisfactory; yet, as all parties agreed that the Minsk Group talks, under its current format, ought to continue, this was of course respected. If in the future there was any other, more imaginative, proposal, which would mean a stronger EU involvement, the EP Delegation, at least, would fully support it; the view of Dr CABRNOCH, strongly underlined, was that in the past 5 years the EP Delegation had followed the situation, the results of the Minsk Process were extremely meagre if not nil - but if Armenian stakeholder were happy with it, this was fine; he personally was not.

Ms HERCZOG also wished the Armenian delegation to understand that while the process was dragging on, there was an element of tiredness which was slowly entering into play; time was also a key parameter, and parliamentarians ought to be aware that there existed some pressure in order to review the situation. There was, thus, a real need to find a way that would allow a political input in the process, and not to leave it in the hands of a merely bureaucratic approach.

Co-Chair FARMANYAN wished to remind that Armenia supported not only the Minsk Group process but, more generally, the peaceful settlement of the conflict. In the broad lines, this was also the EU position. The goals and expectations of Armenia were to see a peaceful and lasting solution - and definitely not negotiations just for the sake of negotiations. The three countries in the Minsk Group were there on behalf of the international community, in order to reach a solution – and Armenia fully backed this. As to the the position of President Sargsyan, as reported by Dr CABRNOCH, there was a possible misunderstanding: what the President really wished was to go deeper, and to establish the reasons that could explain the lack of progress in the Minsk Group negotiations. None had ever seriously ever argued that the reason for this was the fact that France was represented but not the EU.

On the contrary, M. FARMANYAN stressed, it was Azerbaijan that was undermining the peace process. The real problem was not the negotiation process itself, and there were countless examples proving this fact. It ought to be reminded that there were 3 sides: Armenia, Azerbaijan, but also the people of Nagorno Karabakh. This had to be taken into account for any solution to be found. Furthermore, in Azerbaijan's reading, territorial integrity was given absolute priority, over the two other principles of international law - which were self-determination and to refrain from the use of force. At the same time, the Azerbaijani understanding of territorial integrity was open to (mis)interpretation, since Nagorno Karabakh had never been part of the territory of independent Azerbaijan. In short, the lack of progress found its root cause not in the mediation format, but in the unwillingness of the political leadership of Azerbaijan to reach a peaceful solution based on mutual compromises.

Mr. Stepan MARGARYAN (Prosperous Armenia), strongly disapproved view the view that, on EU-Armenia relations, the ball was in Armenia's court and that it was for Yerevan to explain to the EU where the areas of future cooperation lied. M. Margaryan felt that such an approach had to be developed jointly. Armenia faced too serious challenges to be able, on its own, to give
simple answers. This was something all political forces ought to realise. M. Margarayan further explained that, despite the Customs Union choice, no Maidan-type events had been seen in Armenia: this proved that, for Armenian society as well, the situation was not a clear-cut black or white. One also had to take into account security-related incidences of this policy decisions.

**Point 7 (Adoption of the Final Statement and Recommendations):**

Both Co-Chairs CABRNOCH and FARMANYAN went through the draft text. Several points provoked deep debates, notably the ones referring to the situation in Nagorno Karabakh. With no agreement being reached on this specific part of the text, the Chair of one Delegation felt that, unfortunately, no joint recommendations could be adopted. No draft was, thus, formally put to the vote and the PCC, therefore, did not produce any jointly agreed statement.

The PCC ended at 12:00, on February 6th.
ANNEX

EUROPEAN PARLIAMENT

14th EU-ARMENIA PARLIAMENTARY COOPERATION COMMITTEE

5-6 February 2014

Strasbourg

Participating Members

Mr Milan CABRNOCH, Czech Republic, ECR, Chairman
Mr Jan BŘEZINA, Czech Republic, EPP, full Member
Mr Krišjānis KARIŠ, Latvia, EPP, full Member
Ms Edit HERCZOG, Hungary, S&D, full Member
Mr Evgeni KIRILOV, Bulgaria, S&D, full Member
Ms Ulrike LUNACEK, Germany, Greens/ALE, full Member
Mr Ewald STADLER, Germany, NI, substitute Member

Other participants

EEAS
Mr RAB

Secretariat of the Political Groups
EPP: Ms ILIASA, Mr HANNIBAL
S&D: Mr LEPOURAS
ALDE: Ms CHRYSOPOULOU
GREENS/ALE: Mr BERGAMASCHI
ECR: Mr DANECKI, Mr GEIER

Secretariat of the Delegation
Mr Philippe KAMARIS, Administrator
Ms CLAES, Assistant
List of the Armenian Delegation participating in the 14th EU-Armenia Parliamentary Cooperation Committee meeting

5-6 February 2014
Strasbourg

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<td>Mr Vahram BAGHDASARYAN</td>
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<td>Mr Stepan MARGARYAN</td>
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<td>Mr Edmon MARUKYAN</td>
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<td>Mr Nikol PASHINYAN</td>
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<td>Mr Aghvan VARDANYAN</td>
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Secretariat

Mrs Arpi ARAKELIAN

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