



Plenary sitting

A8-0149/2019

1.3.2019

REPORT

on a European Parliament recommendation to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the new comprehensive agreement between the EU and Uzbekistan
(2018/2236(INI))

Committee on Foreign Affairs

Rapporteur: David McAllister

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DRAFT EUROPEAN PARLIAMENT RECOMMENDATION

to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the new comprehensive agreement between the EU and Uzbekistan (2018/2236(INI))

The European Parliament,

- having regard to Article 218 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Council Decision (EU) 2018/... of 16 July 2018 authorising the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to open negotiations on and to negotiate, on behalf of the Union, the provisions that fall within the competence of the Union of a Comprehensive Agreement between the European Union and its Member States, of the one part, and the Republic of Uzbekistan, of the other part (10336/18),
- having regard to the decision of the representatives of the governments of the Member States, meeting within the Council, of 16 July 2018 authorising the European Commission to open negotiations on and negotiate, on behalf of the Member States, the provisions that fall within the competences of the Member States of a Comprehensive Agreement between the European Union and its Member States, of the one part, and the Republic of Uzbekistan, of the other part (10337/18),
- having regard to the Council negotiating directives of 16 July 2018 (10601/18 EU Restricted), transmitted to Parliament on 6 August 2018,
- having regard to the existing Partnership and Cooperation Agreement (PCA) between the EU and the Republic of Uzbekistan, in force since 1999,
- having regard to the EU-Uzbekistan Memorandum of Understanding on energy signed in January 2011,
- having regard to the EU Guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, adopted by the Council in 2013,
- having regard to its legislative resolution of 14 December 2016 on the draft Council decision on the conclusion of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, amending the Agreement in order to extend the provisions of the Agreement to bilateral trade in textiles, taking account of the expiry of the bilateral textiles Agreement¹,
- having regard to its non-legislative resolution of 14 December 2016 on the draft Council decision on the conclusion of a Protocol to the Partnership and Cooperation Agreement

¹ OJ C 238, 6.7.2018, p. 394.

establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, amending the Agreement in order to extend the provisions of the Agreement to bilateral trade in textiles, taking account of the expiry of the bilateral textiles Agreement²,

- having regard to its resolution of 23 October 2014 on human rights in Uzbekistan³,
- having regard to its resolutions of 15 December 2011 on the state of implementation of the EU Strategy for Central Asia⁴, and of 13 April 2016 on implementation and review of the EU-Central Asia Strategy⁵,
- having regard to the Joint Communication by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 19 September 2018 entitled ‘Connecting Europe and Asia – Building blocks for an EU Strategy’ (JOIN(2018)0031),
- having regard to the visits to Uzbekistan by its Committee on Foreign Affairs and its Subcommittee on Human Rights of September 2018 and May 2017 respectively, and to the regular visits to the country by its Delegation to the EU-Kazakhstan, EU-Kyrgyzstan, EU-Uzbekistan and EU-Tajikistan Parliamentary Cooperation Committees and for relations with Turkmenistan and Mongolia,
- having regard to the outcomes of the 13th EU-Central Asia Foreign Ministers’ meeting, held on 10 November 2017 in Samarkand, which addressed the bilateral agenda (economy, connectivity, security and rule of law) and regional issues,
- having regard to the Joint Communiqué of the 14th EU-Central Asia Foreign Ministers’ meeting, held on 23 November 2018 in Brussels, entitled ‘EU-Central Asia – Working together to build a future of inclusive growth, sustainable connectivity and stronger partnerships’⁶,
- having regard to the continued EU development assistance to Uzbekistan, amounting to EUR 168 million in the period 2014-2020, financial assistance from the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD), and other EU measures in support of peace and security and reduction of nuclear waste in the country,
- having regard to the Declaration of the Tashkent Conference on Afghanistan of 26 and 27 March 2018, hosted by Uzbekistan and co-chaired by Afghanistan, entitled ‘Peace process, security cooperation and regional connectivity’,
- having regard to the Strategy of Actions in Five Priority Areas for the Development of Uzbekistan (Development Strategy) for 2017-2021,

² OJ C 238, 6.7.2018, p. 51.

³ OJ C 274, 27.7.2016, p. 25.

⁴ OJ C 168 E, 14.6.2013, p. 91.

⁵ OJ C 58, 15.2.2018, p. 119.

⁶ https://eeas.europa.eu/headquarters/headquarters-homepage/54354/joint-communiqué-european-union---central-asia-foreign-ministers-meeting-brussels-23-november_en

- having regard to the steps Uzbekistan has made towards a more open society and towards more openness in relations with its neighbours since independence from the Soviet Union,
 - having regard to the UN Sustainable Development Goals,
 - having regard to Rule 113 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A8-0149/2019),
- A. whereas on 23 November 2018 the EU and Uzbekistan launched negotiations on a comprehensive Enhanced Partnership and Cooperation Agreement (EPCA), with a view to replacing the current EU-Uzbekistan PCA, aiming for enhanced and deeper cooperation in areas of mutual interest and based on the shared values of democracy, the rule of law, respect for fundamental freedoms, and good governance, in order to promote sustainable development and international security and effectively tackle global challenges such as terrorism, climate change and organised crime;
- B. whereas the EPCA will require Parliament's consent for it to enter into force;
1. Recommends the following to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR):

EU-Uzbekistan relations

- a) welcome the commitments and steps taken by Uzbekistan towards a more open society and the level of genuine engagement in the political dialogue between the EU and Uzbekistan, which led to the opening of negotiations on a comprehensive EPCA; stress the EU's interest in strengthening its relations with Uzbekistan on the basis of common values and acknowledge Uzbekistan's role as an important cultural and political bridge between Europe and Asia;
- b) provide for regular, in-depth dialogue and monitor full implementation of political and democratic reforms aimed at creating an independent judiciary – including the lifting of all restrictions on the independence of lawyers –, a genuinely independent parliament resulting from a genuinely competitive election, protecting human rights, gender equality and freedom of the media, depoliticising the security services and ensuring that they commit to respecting the rule of law, and strong involvement of civil society in the reform process; welcome the new powers given to the Oliy Majlis and the new mechanisms strengthening parliamentary oversight; encourage the authorities to implement the recommendations of the OSCE/ODIHR report following the 2014 parliamentary elections;
- c) stress the importance of, and provide significant support to, sustainable reforms and their implementation, on the basis of the current and future agreements, leading to tangible results and addressing political, societal and economic issues, with a view in particular to improving governance, opening up space for a genuinely diverse and independent civil society, strengthening respect for human

rights, protecting all minorities and vulnerable people, including people with disabilities, ensuring accountability for human rights violations and other crimes and removing obstacles to entrepreneurship;

- d) recognise and support Uzbekistan's commitment to the ongoing structural, administrative and economic reforms to improve the business climate, the judicial system and security services, labour conditions, and administrative accountability and efficiency, and stress the importance of their full and verifiable implementation; welcome the liberalisation of foreign currency operations and of the foreign exchange market; highlight that Uzbekistan's comprehensive reform plan, the Development Strategy for 2017–2021, must be implemented and backed up by measures facilitating external trade and improving the business environment; take into account that labour migration and remittances are key mechanisms to address poverty in Uzbekistan;
- e) urge the Uzbek Government to ensure that human rights defenders, civil society, international monitors and human rights organisations can operate freely in a legally sound and politically safe environment, notably by facilitating the registration processes and enabling legal recourse in case of denial of registration; urge the government to allow regular, unfettered and independent monitoring of conditions in prison and detention sites; encourage the government to invite the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, implement the recommendation from his last visit in 2003 and bring national laws and practices in line with international law and standards, including an independent monitoring mechanism granting unhindered access to places of detention so that the treatment of prisoners can be monitored; call on the authorities to thoroughly investigate all allegations of torture or inhuman treatment;
- f) promote the emergence of a tolerant, inclusive, pluralist and democratic society under a credible government by supporting gradual liberalisation with full respect for the UN guiding principles on business and human rights and socio-economic progress to the benefit of the people;
- g) welcome the release of political prisoners but urge the authorities to guarantee them full rehabilitation and access to remedy and medical treatment; call for the release of all remaining political prisoners and all other individuals imprisoned or persecuted on politically motivated charges such as human rights activists, civil society and religious activists, journalists and opposition politicians; express concern at several closed-door trials and urge the government to put an end to such practices; urge the government to swiftly amend its criminal code provisions relating to extremism that are sometimes misused to criminalise dissent; welcome the commitments made to stop using the charge of 'violations of prison rules' to arbitrarily extend the sentences of political prisoners; ensure that all political prisoners who are convicted of criminal and other offences are given copies of the court sentences on their cases so as to enable them to access their right to appeal and apply for rehabilitation; welcome the relaxation of some restrictions on freedom of peaceful assembly and encourage furthermore the removal of restrictions on those rights, such as detention of peaceful demonstrators, thereby

adhering to the Universal Declaration of Human Rights; welcome the recent visit by the UN Special Rapporteur on freedom of religion or belief;

- h) note that Uzbekistan's ranking in Reporters Without Borders' Press Freedom Index improved only slightly between 2016 and 2018 and remain concerned about the censorship, blocking of websites, self-censorship of journalists and bloggers, harassment, both online and offline, and politically motivated criminal charges; urge the authorities to put a stop to pressure on, and surveillance of, the media, to stop blocking independent websites and to allow international media to accredit correspondents and operate in the country; support and welcome the measures taken towards greater independence of the media and civil society organisations, for instance the lifting of some restrictions governing their activities, as well as the return of foreign and international media and NGOs, which were formerly excluded from the country; welcome the new law on registration of NGOs, which relaxes some registration procedures and some requirements to have advanced permission for holding activities or meetings; urge the authorities to fully implement this law, including by removing all barriers to the registration of international organisations, and encourage the authorities to address the remaining restrictions limiting the work of NGOs, such as burdensome registration requirements and intrusive monitoring;
- i) welcome the progress made towards the eradication of child labour and the phasing-out of forced labour, as well as the recent visits to Uzbekistan by UN Special Rapporteurs and the reopening of the country to international NGOs in this field; point out that state-sponsored forced labour in the cotton and silk industries and other areas remains a problem; expect steps by the Government of Uzbekistan to eradicate all forms of forced labour, to tackle the root causes of the phenomenon, in particular the system of mandatory quotas, and to hold accountable local authorities that mobilise public sector workers and students under duress; stress that more efforts and further legal measures are needed to consolidate progress in this area with a view to abolishing forced labour; encourage in this respect further cooperation with the International Labour Organisation (ILO); encourage access to the country for a visit by the UN Special Rapporteur on contemporary forms of slavery; underline the importance of efforts to develop a sustainable cotton supply chain and modern and environmentally sound cotton growing technologies and farming practices in the country; support domestic cotton farmers in improving their production efficiency, safeguarding the environment and improving labour practices with a view to abolishing forced labour;
- j) encourage the authorities to step up action to reduce unemployment in the country, including opening up the private sector and strengthening small and medium-sized enterprises; welcome, in this regard, the extension of the Management Training Programme and encourage further training programmes for entrepreneurs; recall the potential of its young population and its relatively high level of education in this regard; encourage the promotion of entrepreneurship education programmes; recall the importance of EU programmes such as Erasmus+ in promoting intercultural dialogue between the EU and Uzbekistan and in providing opportunities for empowerment for students taking part in these

programmes as positive actors of change in their society;

- k) continue holding annual human rights dialogues organised by the European External Action Service (EEAS) and, in this context, press for individual cases of concern to be resolved, including those of political prisoners; agree on concrete areas ahead of each round of dialogues on an annual basis and assess progress on deliverables in line with EU standards, while mainstreaming human rights issues in all other meetings and policies; encourage and assess compliance with international human rights instruments, as ratified by Uzbekistan, notably within the UN, the OSCE and the ILO; express continued concern at the outstanding problems and lack of implementation of some reforms; encourage the authorities to decriminalise consensual sexual relations between persons of the same sex and foster a culture of tolerance for LGBTI people; call on the Uzbek authorities to uphold and promote women's rights;
- l) ensure a review of the passport system; welcome the abolition of the system of 'exit visas', which were previously required by Uzbek citizens travelling outside the Commonwealth of Independent States (CIS); welcome Uzbekistan's announcement that it will no longer require visas from citizens of EU Member States as of January 2019;
- m) urge the authorities to improve the local healthcare system and increase state resources to facilitate improvements, since the situation has deteriorated significantly since the country gained independence;
- n) urge the authorities to provide the necessary support and seek the contribution and support of international partners to enable Uzbekistan, and in particular the autonomous Republic of Karakalpakstan, to further tackle the economic, social and health-related consequences of the Aral Sea environmental disaster by establishing sustainable water management and conservation policies and practices and a credible gradual clean-up plan for the region; welcome the positive developments in regional cooperation on water, in particular with Tajikistan and Kazakhstan, the establishment of the UN Multi-Partner Human Security Trust Fund for the Aral Sea Region and the commitment shown by the authorities; continue supporting the efforts to improve irrigation infrastructure;
- o) acknowledge Uzbekistan's new foreign policy, which has led to improvements in cooperation with neighbours and international partners, in particular on the promotion of stability and security in the region, border and water management, border demarcation, and energy; support Uzbekistan's positive engagement in the Afghanistan peace process;
- p) welcome Uzbekistan's continued commitment to upholding the Central Asian Nuclear Weapon Free Zone; recall the EU's commitment to support Uzbekistan in dealing with toxic and radioactive waste; encourage Uzbekistan to sign the Treaty on the Prohibition of Nuclear Weapons;
- q) take into account Uzbekistan's important role in the upcoming review of the EU-Central Asia Strategy, applying the principle of differentiation;

- r) recognise the legitimate security concerns of Uzbekistan, and increase cooperation in support of crisis management, conflict prevention, integrated border management and efforts to tackle violent radicalisation, terrorism, organised crime and the illicit trade in drugs, while upholding the rule of law, including the protection of human rights;
- s) ensure effective cooperation in the fight against corruption, money laundering and tax evasion;
- t) tie the delivery of assistance to Uzbekistan from the EU's external financing instruments and from EIB and EBRD loans to the continuation of the reform progress;
- u) support effective implementation of the key international conventions required for GSP+ status;
- v) support Uzbekistan's efforts to engage in the process of joining the World Trade Organisation (WTO), in order to better integrate the country into the world economy and improve its business climate, thereby attracting more foreign direct investment (FDI);
- w) take into account the development of relations with other third countries in the context of the implementation of China's 'One Belt, One Road' (OBOR) initiative; and insist on compliance with the human rights concerns linked to this initiative, including by developing guidelines in this regard;

New comprehensive agreement

- x) use the EPCA negotiations to support genuine and sustainable progress towards an accountable and democratic regime that guarantees and protects fundamental rights for all citizens and focuses in particular on ensuring an enabling environment for civil society, human rights defenders and the independence of lawyers; ensure that, before the end of the negotiations, Uzbekistan makes good progress towards ensuring freedom of expression and freedom of association and peaceful assembly in line with international standards, including by removing the obstacles that hinder all new groups from registering and legally starting activities in the country and from receiving foreign funding;
- y) negotiate a modern, all-encompassing and ambitious agreement between the EU and Uzbekistan that will replace the PCA of 1999, enhancing people-to-people contact, political cooperation, trade and investment relations, and cooperation on sustainable development, environmental protection, connectivity, human rights, and governance, and contributing to the sustainable economic and social development of Uzbekistan;
- z) renew their commitment to the advancement of democratic standards, the principles of good governance and the rule of law, and respect for human rights and fundamental freedoms, including freedom of religion or belief, and their defenders;

- aa) support Uzbekistan's renewed efforts towards multilateral and international cooperation on global and regional challenges, such as international security and countering violent extremism, organised crime, drug trafficking, water management, environmental degradation, climate change, and migration, among others;
- ab) ensure that the comprehensive agreement facilitates and strengthens regional cooperation and peaceful conflict resolution of the existing controversies, paving the way for genuine good-neighbourly relations;
- ac) enhance provisions related to trade and economic relations by better linking them to human rights provisions and a commitment to implementing the UN guiding principles on business and human rights, while providing mechanisms to assess and address negative human rights impacts, on the one hand, and by promoting market economy principles, including legal certainty, and independent and transparent institutions, social dialogue and implementation of ILO labour standards in order to guarantee sustainable foreign direct investment and contribute to the diversification of the economy on the other hand; improve cooperation in the fight against corruption, money laundering and tax evasion and ensure that the assets currently frozen in several EU and EEA Member States are repatriated responsibly for the benefit of all the Uzbek people;
- ad) reinforce aspects of interparliamentary cooperation within an empowered Parliamentary Cooperation Committee in the areas of democracy, the rule of law and human rights, including direct accountability of representatives of the Cooperation Council and the Parliamentary Cooperation Committee;
- ae) ensure the involvement of all relevant actors, including civil society, during both the negotiations and the implementation phase of the agreement;
- af) include terms on the potential suspension of cooperation in the event of the breach of essential elements by either party with regard, in particular, to respect for democracy, human rights, and the rule of law, including consultation of the European Parliament in such cases; set up an independent monitoring and complaint mechanism providing affected populations and their representatives with an effective tool for addressing impacts on human rights and monitoring implementation;
- ag) ensure that the European Parliament is closely involved in monitoring the implementation of all parts of the EPCA once it enters into force, hold consultations in this context, ensuring that Parliament and civil society are properly informed about the implementation of the EPCA by the EEAS, and react appropriately;
- ah) ensure the transmission of all negotiating documents to the European Parliament, subject to confidentiality rules, to enable proper scrutiny by Parliament of the negotiating process; fulfil the interinstitutional obligations stemming from Article 218(10) of the TFEU, and periodically debrief Parliament;
- ai) apply the EPCA provisionally only after Parliament has given its consent;

- a) implement a public outreach campaign highlighting the expected positive outcomes of cooperation to the benefit of EU and Uzbek citizens, which would also enhance people-to-people relations;
2. Instructs its President to forward this recommendation to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, and to the President, Government and Parliament of the Republic of Uzbekistan.

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	20.2.2019						
Result of final vote	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">+:</td> <td style="text-align: right;">60</td> </tr> <tr> <td>-:</td> <td style="text-align: right;">2</td> </tr> <tr> <td>0:</td> <td style="text-align: right;">0</td> </tr> </table>	+:	60	-:	2	0:	0
+:	60						
-:	2						
0:	0						
Members present for the final vote	<p>Michèle Alliot-Marie, Francisco Assis, Goffredo Maria Bettini, Victor Boştinaru, Elmar Brok, James Carver, Javier Couso Permuy, Georgios Eptideios, Knut Fleckenstein, Anna Elżbieta Fotyga, Eugen Freund, Michael Gahler, Iveta Grigule-Pēterse, Tunne Kelam, Stelios Kouloglou, Ilhan Kyuchyuk, Ryszard Antoni Legutko, Barbara Lochbihler, Sabine Lösing, Andrejs Mamikins, David McAllister, Tamás Meszerics, Clare Moody, Pier Antonio Panzeri, Demetris Papadakis, Ioan Mircea Paşcu, Alojz Peterle, Kati Piri, Julia Pitera, Jozo Radoš, Michel Reimon, Anders Sellström, Alyn Smith, Jordi Solé, Dobromir Sośnierz, Jaromír Štětina, Dubravka Šuica, Charles Tannock, László Tőkés, Ivo Vajgl, Geoffrey Van Orden, Hilde Vautmans</p>						
Substitutes present for the final vote	<p>Asim Ademov, Laima Liucija Andrikienė, Brando Benifei, Tanja Fajon, Doru-Claudian Frunzuliță, Takis Hadjigeorgiou, Marek Jurek, Patricia Lalonde, Javi López, Marietje Schaake, Renate Sommer, Bodil Valero, Marie-Christine Vergiat, Janusz Zemke, Željana Zovko</p>						
Substitutes under Rule 200(2) present for the final vote	<p>Stefan Gehrold, Agnes Jongerius, Ulrike Rodust, Kārlis Šadurskis, Vladimir Urutchev, Bogdan Andrzej Zdrojewski</p>						

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

60	+
ALDE	Iveta Grigule-Pēterse, Ilhan Kyuchyuk, Patricia Lalonde, Jozo Radoš, Marietje Schaake, Ivo Vajgl, Hilde Vautmans
ECR	Anna Elżbieta Fotyga, Marek Jurek, Ryszard Antoni Legutko, Geoffrey Van Orden
GUE/NGL	Javier Couso Permuy, Takis Hadjigeorgiou, Stelios Kouloglou, Sabine Lösing, Marie-Christine Vergiat
NI	Dobromir Sośnierz
PPE	Asim Ademov, Michèle Alliot-Marie, Laima Liucija Andrikienė, Elmar Brok, Michael Gahler, Stefan Gehrold, Tunne Kelam, David McAllister, Alojz Peterle, Julia Pitera, Kārlis Šadurskis, Anders Sellström, Renate Sommer, Jaromír Štětina, Dubravka Šuica, László Tőkés, Vladimir Urutchev, Bogdan Andrzej Zdrojewski, Željana Zovko
S&D	Francisco Assis, Brando Benifei, Goffredo Maria Bettini, Victor Boștinaru, Tanja Fajon, Knut Fleckenstein, Eugen Freund, Doru-Claudian Frunzuliță, Agnes Jongerius, Javi López, Andrejs Mamikins, Clare Moody, Pier Antonio Panzeri, Demetris Papadakis, Ioan Mircea Pașcu, Kati Piri, Ulrike Rodust, Janusz Zemke
VERTS/ALE	Barbara Lochbihler, Tamás Meszerics, Michel Reimon, Alyn Smith, Jordi Solé, Bodil Valero

2	-
EFDD	James Carver
NI	Georgios Epitideios

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention