

EU – GEORGIA PARLIAMENTARY COOPERATION COMMITTEE

THIRTEENTH MEETING

15-16 March 2011

BRUSSELS

Co-Chairs: Mr Milan CABRNOCH and Mr David DARCHIASHVILI

Final Statement and Recommendations **pursuant to Article 89 of the Partnership and Cooperation Agreement**

Under the co-chairmanship of Mr Milan CABRNOCH and Mr David DARCHIASHVILI, the thirteenth meeting of the EU-Georgia Parliamentary Cooperation Committee was held in Brussels on 15-16 March 2011. The Committee exchanged views with H.E. Salomé SAMADASHVILI, Ambassador of Georgia to the European Union, representing the Government of Georgia, and Mr John KJAER, Head of Unit in the European External Action Service, representing the European Union.

The Parliamentary Cooperation Committee (PCC)

Relations between the European Union and Georgia

1. welcomes the launching, in July 2010, of the negotiations on Association Agreements between the European Union and Georgia, as well as with Armenia and Azerbaijan, laying a new legal foundation for these relations, meant to achieve closer political association and gradual economic integration into the European Union of these partner countries;
2. welcomes the conclusion of the Agreement between the EU and Georgia on the facilitation of the issuance of visas, the Agreement between the EU and Georgia on the readmission of persons residing without authorisation and the entry into force of these agreements on 1 March 2011; welcomes the measures undertaken by Georgia to advance its technical capacities on this matter, including unilateral abolishing of visa requirements for EU citizens in 2004, and calls for continued cooperation to implement the agreements and to put in place the conditions for well-managed and secure mobility, launching visa dialogue between the EU and Georgia as an introduction to a visa free regime for the citizens of Georgia;

3. welcomes the ongoing efforts for the fulfilment of the conditions and key recommendations to start negotiations within the framework of the Association Agreement on a Deep and Comprehensive Free Trade Area between the EU and Georgia and considers the opening of full fledged negotiations a priority for the both sides;
4. stresses that the active engagement of Georgia and its commitment to shared values and principles, including democracy, the rule of law and respect for human rights and good governance, are essential to make the negotiations and the implementation of these agreements a success;
5. takes note of the adoption in June 2010 of the ENPI Annual Action Programme 2010 for Georgia aiming to promote regional development and Public Finance Management Reform, among others, through establishing a modern framework for debt management and supporting the establishment of evaluation systems for the spending of the public finances, with the aim of giving all the Georgian citizens the chance to draw concrete benefits from the process of getting closer to the European Union;
6. welcomes the participation of the Parliament of Georgia in the EURONEST Parliamentary Assembly and its contribution to the preparations in view of the successful establishment and functioning of the parliamentary dimension of the Eastern Partnership, on the basis of shared values;

Democratic reforms in Georgia and human rights

7. takes due note of the newly amended constitution, which will enter into force in 2013; acknowledges that it provides a significant step forward towards a European model of checks and balances; highlights, however, that not all suggestions of the Venice commission of the Council of Europe on that matter have been fully taken into account;
8. takes note of the good conduct and the results of the local elections of 30 May 2010, as well as non-contestation of its results by the main contenders; however, stresses the need for addressing remaining problems (as was reported by ODIHR) of the electoral legislation, in particular regarding the pre-electoral environment and cases of misuse of administrative resources, the need for measures to ensure respect for the electoral procedures on election day, the correct and unbiased implementation of the analysis of complaints and deliberation processes, the establishment of a reliable voter registry and strengthening the transparency of the Central Electoral Commission;
9. welcomes the resumption of negotiations within the multiparty Election Code Working Group on the amendments to the Electoral Code, which are meant to improve the electoral environment in the country;

10. welcomes Georgia's achievements in its fight against corruption, as acknowledged by different international institutions and highlighted in relevant documents; at the same time, calls on the Georgian government to take further steps to continue its fight against corruption at all levels, in accordance with the recommendations of the Council of Europe Group of States Against Corruption (GRECO), which have been met in a large proportion; welcomes the *National Anti-Corruption Action Plan* adopted in September 2010, but highlights the need of allocation of the necessary financial resources for its implementation and adoption of further guidelines on whistle-blower protection;
11. underlines the need for further efforts to improve the respect for human rights and freedoms; recalls that allegations of excessive use of force by police officers and other law enforcement agents must be properly investigated and the results of the investigations acted upon;
12. reiterates the need for further legal protection of women's rights, for strengthening of women's role in peace building and greater political involvement of women in the peace talks, since, at present, no relevant delegation to such talks in the region has more than one female representative;
13. underlines the need for the full implementation of anti-discrimination legislation for all minorities - including sexual minorities and people with disabilities; calls on the Georgian government to strengthen public education programs on tolerance and non-discrimination across the board;
14. acknowledges Georgia's achievements in developing friendly climate for investments and doing business as noticed by the WB; stresses that protection of property rights is also important for the business climate and for Georgia's economic development;
15. welcomes the recent steps in the field of diversification of electronic media, including the creation of the second channel of GPB, emphasising that it is important to provide all qualified political parties with the opportunity for free, unedited information dissemination and to have a level playing field in the run up to the elections in 2012 and 2013; calls on the Georgian government to take all necessary measures in order to strengthen freedom of the media, transparency of media ownership, and to create the best possible conditions for diversity in the broadcast as well as in other media outlets; in this respect, finds the new initiative on transparency in media ownership, discussed under the auspices of the Speaker of Georgian Parliament, a timely one and expresses the hope that the relevant legal mechanisms will be developed in the nearest future;
16. welcomes recent initiatives strengthening judicial independence via introduction of life time appointment of judges and jury trial, adoption of New Criminal Justice Code reform of High Council of Justice and establishment of High School of Justice; recognises the need for further efforts to achieve full independence of the judiciary, and for creating adequate working conditions for the lawyers, in particular regarding their access to their clients in penitentiaries;

17. notes the new governmental initiatives against inflation which is largely the result of international economic and trade trends, and, given the uncertain global economic outlook, encourages the Georgian government to take the necessary measures to protect the country against a possible negative impact of external factors on exports, remittances and private capital inflows; also draws the attention of the Georgian authorities to the fact that renewed domestic and regional tensions due to economic hardship could have an adverse impact on investor and consumer confidence;
18. welcomes the establishment of the *National Statistics Office of Georgia* in April 2010, and the reforms initiated by the latter in order to set up territorial offices with a relevant number of staff, that would ensure the sustainability of a high-proof national statistics system; encourages the allocations of adequate funding from the State budget to this organisation, in order to ensure improvement in the quality of statistics produced;
19. calls on the Georgian government to continue improving the effectiveness of its social safety net, which will allow for the protection of the most vulnerable citizens and ensure that the benefits of growth in the medium-term are more equally distributed; notes novelties in the medical insurance sphere aimed at citizens living below the poverty line and calls for its overall and speedy reformation;
20. stresses the need for the reform of the public service and public administration, with a view to improve governance, modernisation and transparency, and introduce the *New Public Management* concept into the civil service legislation;

Fulfilment of the rights of IDPs to participate in the political, social and economic life and implementation of the State Strategy on IDPs

21. stresses the right of all IDPs to return to their homes in safe and dignified manner; their property rights should be respected by any administration;
22. while acknowledging that important measures have been taken for the reintegration of tens of thousands of Internally Displaced persons (IDPs) and for improvement of their living conditions despite the fact that recent relocations were largely inline with international practice as verified by UNHCR, expresses concern about instances of forced evictions of IDP families residing in temporary shelters in Tbilisi; calls on the Georgian authorities to insure, as a matter of urgency, adequate prior notice for the evictions, financial or housing compensation, as well as unhindered access for the monitors observing the eviction process; also calls on the Georgian authorities to pay great attention to IDPs preferences when relocating them from collective centres or temporary shelters, to minimise disruption in their lives and always to ensure that they receive decent and durable accommodation in locations where possibilities to earn a living exist and where health, education and other essential services are available;

23. takes into account the additional amendments to the *State Strategy on the IDPs Implementation Action Plan 2009-2012*, regarding the criteria for provisions of permanent accommodation for IDPs according to their specific needs, not forgetting their right of return;
24. welcomes the adoption in October 2010 of the *Standard Operating Procedures*, which regulate evictions and allocation of durable housing, but is seriously concerned by instances when these rules did not appear to be fully observed during various waves of evictions that have been performed by the Georgian authorities in Tbilisi since Summer 2010;

The state of play in the territories of Abkhazia and South Ossetia and the Consequences of the Georgian-Russian Conflict

25. confirms its full support for the independence, sovereignty and territorial integrity of Georgia, in accordance with international law; notes with satisfaction that the international community remains almost fully united in this regard;
26. welcomes the adoption of the Georgian “State Strategy on Engagement with the Occupied Territories” and its Action Plan in January and July 2010 respectively; welcomes also the adoption in October 2010, of the regulation on the "Modalities for Engagement of Organisations Conducting Activities in the Occupied Territories of Georgia", under the "Law on Occupied Territories"; expresses its hope and desire that the activities of international and local donors working on confidence building and conflict resolution will not encounter major legal obstacles and should be able to operate without undue interference; calls for a pragmatic and positive approach by the Georgian government in implementing the new modalities in a way that would promote engagement and not lead to the isolation of the people living in the breakaway regions; furthermore encourages the EU to promote projects of freedom of movement alongside the administrative border lines between the affected populations;
27. at the same time, calls upon the donor community to ensure that the projects, to be carried out in occupied territories of Abkhazia and South Ossetia aim at facilitating interaction and promoting reconciliation between their communities and to promote a sustainable peace;
28. confirms its support for the International Geneva Discussions; notes, however, Georgia's position that the talks must address fundamental issues regarding the security threats and violations of human rights;
29. welcomes Georgia's commitment not to use force to restore control in South Ossetia and Abkhazia and to only maintain its right to self-defence if attacked; expects the Russian Federation also to commit to the non-use of force; stresses that the threat to use force is unacceptable;

30. reiterates its condemnation of the non-mandated presence of the Russian military troops in the occupied regions of Georgia – Abkhazia and South Ossetia;
31. deplores the decision of the joint Russian-Abkhaz Commission on Property Rights violating Georgian IDPs' right to claim their property in Abkhazia, as well as denying this right to any Russian citizen of Georgian ethnicity originating from Abkhazia; notes that this decision represents the confirmation of the ethnic cleansing in that additional way;
32. calls on the international community to pay close attention to the ongoing deterioration of environmental situation in the occupied region of Abkhazia, namely the illegal extraction of millions of tons of gravel from the region's fragile coastline for the needs of Sochi Olympic Games as well as deforestation;
33. welcomes the decision by the Council of the European Union to extend the mandate of the EU Monitoring Mission in Georgia until 14 September 2011, in view of its important role in contributing to stabilization and confidence building; deplores the fact that the access of the EUMM to Abkhazia and South Ossetia is still denied, with Russia's consent, by the de facto authorities in Abkhazia and the South Ossetia/Tskhinvali Region, as well as by Russia, which exercises effective control over them;
34. calls on the EU to continue seeking the full implementation of the agreements of 12 August and 8 September 2008; notes the need for further international security arrangements for Georgia including through international peacekeeping force and calls on the EU to pursue this;
35. continues to support the regular communication mechanisms and exchange of information that have been developed within the framework of the *Incident Prevention and Response Mechanisms*, which contribute to avoiding escalation of tensions in the region.

Adopted unanimously