

# **EU – GEORGIA PARLIAMENTARY COOPERATION COMMITTEE**

## **TWELFTH MEETING 29-30 March 2010 TBILISI**

*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 twelfth meeting of the EU-Georgia Parliamentary Cooperation Committee was held in Tbilisi on 29-30 March 2010. The Committee exchanged views with Mrs Tamar BERUCHASHVILI, Deputy State Minister for European and Euro-Atlantic Integration, and Mr Koba SUBELIANI, Minister for Refugees and Accommodation, representing the Government of Georgia, and Mr Robert LIDDELL, Acting Head of the EU Delegation in Georgia, representing the European Union.

#### **The Parliamentary Cooperation Committee (PCC)**

#### **The relations between the European Union and Georgia**

1. welcomes Georgia's democratic achievements since independence, and especially, its 2003 democratic revolution, reiterates the importance of implementation of democratic reforms enshrined in the ENP Action Plan and in the letter containing the commitments of the Georgian government annexed to the joint statement by the Commission and the Georgian government of 28 January 2009 on the framework for increased EU assistance to Georgia; looks forward to further progress in this;
2. draws attention to the importance of the huge-scale post-conflict assistance granted by the EU and other donors; notes the importance of a well coordinated and adequate donor aid response, taking into consideration the needs stated by the Government and the civil society organisations operating in the country;
3. notes that the EU Monitoring Mission as well as for due actions to restore presence of the OSCE and UN missions throughout whole Georgia plays a vital role for Georgia's security by providing what is now the only presence of international observers in the country; Calls on the EU institutions to actively pursue full implementation of the mission's mandate and to study the case for adding new elements to the mission.
4. stresses that full implementation of the ceasefire agreement of 12 August 2008, brokered during the war between Georgia and Russia including the withdrawal of Russian troops, remains necessary and urges the EU to raise this issue in its political dialogue with all relevant actors whenever appropriate; invites the EU to more actively pursue a solution to the problem of the illegal Russian occupation of Georgian territories and to work for a

genuinely international peace-keeping mission; draws attention to the need for proper investigation and legal proceedings in relation to the ethnic cleansing in South Ossetia (Georgia) during and immediately after the war, as well as in relation to other crimes committed during the war, as stated in the Independent International Fact-Finding Mission on the Conflict in Georgia; calls for prompt restoration of justice for all internally displaced persons and investigation of all cases of gender based violence (like rapes);

5. welcomes the initialling of the EU-Georgia Visa Facilitation and Readmission Agreement and the establishment of a visa dialogue with Georgia, as well as the Joint Declaration on the EU-Georgia Mobility Partnership; supports the timely implementation of all agreed principles in this respect
6. is in favour of the opening of negotiations on an EU-Georgia Association Agreement, including on Deep and Comprehensive Free Trade Agreement, based on further progress being made by Georgia in the implementation of the ENP Action Plan, and the commitments referred to above; notes that the individual approach should be a principle in assessing country's progress in the ENP and Eastern Partnership;
7. welcomes the good cooperation that has been established with Georgia during the first two rounds of the Human Rights Dialogue; emphasises the importance of fully involving civil society and of this dialogue being result-oriented; looks forward to a future open and fruitful exchange;
8. welcomes the initialling of a comprehensive air services agreement, which will lead to the development of a "Common Aviation Area" between the EU and Georgia, based on common rules in important areas such as aviation safety, security, protection of environment, consumer protection, air traffic management, economic regulation, competition issues and social aspects;
9. stresses the importance of the cooperation between the Parliament of Georgia and the European Parliament also in relation to EURONEST for the overall development of the relationship between Georgia and the European Union; declare their intention to contribute in every appropriate way to the successful establishment and functioning of the parliamentary dimension of the Eastern Partnership, on the basis of shared values;

### **Internal situation of Georgia**

10. welcomes Georgia's efforts towards the establishment of the foundations of liberal-democratic statehood,
11. welcomes the increased involvement of opposition representatives in decision making process and the work of such institutions as the parliament, anti-crisis council, interparty group on election code, governing board of public TV, High Council of Justice, Georgian National Communications Commission, Central Election Commission and calls for increased usage of such opportunities;
12. recognises the crucial importance of good conduct of the upcoming local elections for the domestic as well as international confidence in the democratic features of the Georgian political system, for the prospects for social peace and harmony within the Georgian society and for the support for continued strong EU engagement in Georgia and welcomes decision of government of Georgia to invite observers from ODIHR and

other relevant agencies; recalls that an impeccable legal framework, non-use of administrative resources for political and electoral purposes, appropriate campaign conditions, a sound media situation, inter alia as regards media access for candidates, as well as transparent voting and counting procedures, all in accordance with OSCE and other international election standards, are necessary;

13. notes the reform of the Georgian Electoral Code, which should bring more transparency to the upcoming local elections of 30 May 2010; acknowledges the importance of the electoral process in state-building through continued democratic reforms, consolidation of the civil society and the political system;
14. calls on the ruling party to further engage both with the parliamentary and the non-parliamentary opposition on election issues and to further address the concerns raised by the OSCE/ODIHR in its reports on the 2008 presidential and parliamentary elections;
15. notes the ongoing reform of the judicial system in Georgia and welcomes measures facilitating and promoting professionalism; recognises the importance of judicial independence and the need for further efforts to achieve this;

#### **Respect for human rights in Georgia**

16. recalls that strengthening democracy, respect for human rights, fundamental freedoms and the rule of law constitute priorities of EU-Georgia cooperation, reaffirms the role of the EU-Georgia Parliamentary Cooperation Committee as a platform for an open dialogue and the exchange of good practices;
17. notes steps undertaken by Georgian authorities to address human rights issues in the places of detention, welcomes the restraint showed by the authorities during the mass demonstrations, involving the blocking of streets and buildings including state institution buildings, in April-June 2009, however, urges the Georgian authorities to ensure that a thorough, independent investigation of alleged cases of excessive use of force, beatings, inhuman and degrading treatment by police during civil unrest is carried out and that perpetrators are brought to justice;
18. calls on the European Union and Georgia to regularly and openly discuss concrete cases of human rights violations and the situation of human rights defenders in Georgia and European countries, including but not only within the framework of the EU-Georgia Human Rights Dialogue; encourages the Georgian authorities to comply with all their commitments, further improve the existing mechanisms of protection of human rights and enhance the capacity of the democratic institutions in the country;
19. reiterates the need for further improvement in the respect for human rights, democratisation, consolidation of the rule of law and for improvement of the media situation through greater transparency of media ownership and the procedures for the granting of licenses to TV and radio companies and other measures which could facilitate pluralism and independence of the media;

#### **The situation in Abkhazia and South Ossetia**

20. 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;

21. calls on all sides to counteract hate-speech and avoiding inciting language, as strongly recommended in the report of the Independent International Fact-Finding Mission on the Conflict in Georgia;
22. welcomes of the *State Strategy on the Occupied Territories: Engagement Through Cooperation*, endorsed by the Georgian government on 27 January 2010; encourages the Georgian government to conduct consultations with all stakeholders regarding the preparation of an action plan on the implementation of the strategy, which will contribute to easing tensions, building confidence and reaching out to the residents of the Abkhaz and South Ossetian regions; considers that this also provides the best chance for progress towards ultimate goal of conflict resolution;
23. welcomes the recent amendments to the Law on the Occupied Territories to meet most of the recommendations of the Venice Commission; recognises the need for further measures to eradicate any impediments for the engagement policy outlined in the *State Strategy on the Occupied Territories: Engagement Through Cooperation*;
24. strongly condemns the non-mandated presence of Russian military troops in occupied regions of Georgia - Abkhazia and in South Ossetia, in particular in Akhagori, Perevi, Upper Kodori and in a large number of villages around Tskhinvali controlled by the central government of Georgia before the breakout of the conflict;
25. condemns the refusal of the Russian Federation and the de facto authorities in Abkhazia and South Ossetia (Georgia) to allow the EUMM access to these two regions and the fact that the EUMM can therefore only exercise part of its mandate, which covers the whole of Georgia; expresses concern over the human rights and security situation of the ethnic Georgians remaining in Abkhazia and South Ossetia (Georgia),
26. reiterates its support to PACE Resolutions on 1633(2008), 1647(2009), outlined in the Final Statement and Recommendations of the eleventh meeting of the EU-Georgia Parliamentary Cooperation Committee (16-17 February 2009) and to PACE Resolution 1683 (2009);
27. expresses strong concern about the recent shooting incidents, kidnappings and continued provocations along the administrative boundaries of the break-away regions, which could lead to renewed hostilities; considers that full access of international monitors to South Ossetia and Abkhazia (Georgia), as well as the establishment of a new, genuine international peacekeeping force, are essential to guarantee stability and security;
28. is particularly concerned by the agreement signed on 17 February 2010 on the establishment of a Russian military base in the Georgian region of Abkhazia and by Russia's refusal to implement the 12 August and 8 September 2008 Agreements;
29. condemns the fact of giving to Abkhazia, Georgia the country code of Russian Federation, as well an agreement between the Russian Federation and the Abkhazian de facto authorities over the flight connection in violation of international aviation norms;
30. stresses the necessity of continuing and achieving tangible results in the Geneva Talks in order to tackle all essential issues concerning the security and stability in the region; welcomes the creation of the *Incident Prevention and Response Mechanism* in February 2009; stresses the need to adopt a framework agreement on the non-use of force and

international security arrangements, as well as on a number of humanitarian issues;

31. takes note with satisfaction of the opening of the Larsi-Kazbegi crossing on the Russian-Georgian border on 1 March 2010, the temporary resumption of direct flights between Moscow and Tbilisi and discussions on resuming railway traffic over the administrative boundary of the region of Abkhazia and expresses hope that further steps will be taken in this direction;
32. deplores the decision of the Russian Federation to suspend the Treaty on Conventional Forces in Europe; calls on every EU Member State, as well as all other states, to conduct a responsible policy on arms sales;

### **Economic situation of Georgia**

33. notes that the August 2008 war and the global economic crisis have had dire effects on the Georgian economy, but that post-conflict recovery aid and other assistance from the EU and other actors have made it possible to limit the outfall;
34. takes note of the *Act on Economic Freedom* outlined by President Saakashvili in October 2009; draws attention to the great importance of the relevant policy choices for the general development of the Georgian society, the values that Georgia pursues and Georgia's ability to continue its legal approximation and economic integration with the EU;
35. calls on the Georgian government to focus on making the economic reforms more bearable for the population by maintaining the social welfare and education expenditure for 2010 close to its level in 2009; expresses concern regarding the social situation of Georgia with a high number of people living below the poverty line; hopes in this regard that the process of economic reforms undertaken by the Georgian government and the EU assistance will benefit the whole of the population and tackle the question of poverty reduction.

*Adopted unanimously.*