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# **DRAFT REPORT**

on the implementation of the EU Association Agreement with Georgia  
(2017/2282(INI))

Committee on Foreign Affairs

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## **EXPLANATORY STATEMENT - SUMMARY OF FACTS AND FINDINGS**

Four years after the signing by the EU of three Association Agreements (AA) including a Deep and Comprehensive Free Trade Area (DCFTA) with Georgia, Moldova and Ukraine and two years after their full entry into force, the European Parliament has decided to evaluate the level of implementation of these agreements, in line with its strong commitment to its closest Eastern partners and to their deepening relations with the EU.

In preparation for this report, on top of its regular and frequent meetings with Georgian authorities, opposition leaders and civil society representatives as well as with European Commission and EEAS representatives, the Foreign Affairs Committee commissioned three expert studies published over the last 6 months - on electoral reform, on the level of implementation of the AA and on the institutional framework for this implementation.

The findings of this report provide a positive image of the implementation of the Association Agreement with Georgia. Whilst calling on the Georgian authorities to address some remaining concerns in line with AA - notably as regards labour standards, environmental protection and discrimination against vulnerable groups and women - the report also welcomes the legislative and institutional steps taken in order to address those topics.

Finally, the report addresses the institutional framework in place to implement the AA, both from the Georgian and the EU side, with a focus on capacity in terms of human resources and expertise, to ensure full implementation of relevant legislation and the monitoring thereof. The EP reiterates its commitment to assist the Georgian authorities and notably its Parliament in the reform process.

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the implementation of the EU Association Agreement with Georgia (2017/2282(INI))

*The European Parliament,*

- having regard to Article 8 and to Title V, notably Articles 21, 22, 36 and 37, of the Treaty on European Union (TEU), as well as to Part Five of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, which fully entered into force on 1 July 2016,
- having regard to its previous resolutions of 18 December 2014 containing the draft Council decision on the conclusion, on behalf of the European Union, of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part<sup>1</sup>, and of 21 January 2016 on Association Agreements / Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine<sup>2</sup>, to its recommendation of 15 November 2017 on the Eastern Partnership<sup>3</sup> and to its legislative resolution of 14 March 2018 on the proposal for a decision of the European Parliament and of the Council providing further macro-financial assistance to Georgia<sup>4</sup>,
- having regard to the annual National Action Plans for the Implementation of the Association Agreement between the European Union and Georgia,
- having regard to the European Commission and European External Action Service (EEAS) joint staff working document of 9 November 2017 on the Association Implementation Report on Georgia (SWD(2017)0371),
- having regard to the joint declarations of the Eastern Partnership Summits, most recently that of 24 November 2017 in Brussels,
- having regard to the outcome of the fourth Association Council meeting between the EU and Georgia on 5 February 2018,
- having regard to the final statement and recommendations of the sixth meeting of the EU-Georgia Parliamentary Association Committee held on 26 April 2018,
- having regard to the joint declaration of the third meeting of the EU-Georgia Civil Society Platform on 22 March 2018,
- having regard to European Commission's first report under the Visa Suspension

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<sup>1</sup> OJ C 294, 12.8.2016, p. 31.

<sup>2</sup> OJ C 11, 12.1.2018, p. 82.

<sup>3</sup> Texts adopted, P8\_TA(2017)0440.

<sup>4</sup> Texts adopted, P8\_TA(2018)0073.

Mechanism, published on 20 December 2017 (COM(2017)0815),

- having regard to Venice Commission’s final opinion of 19 March 2018 on Georgia’s constitutional reform (CDL-AD(2018)005),
  - having regard to the expert studies drawn up for the Committee on Foreign Affairs, including the study on ‘The electoral reforms in three association countries of the Eastern Neighbourhood – Ukraine, Georgia and Moldova and their impact on political developments in these countries’, published on 26 October 2017<sup>1</sup>, the ‘Report on the implementation of the AA between the EU and Georgia’ published on 28 June 2018<sup>2</sup> and the comparative study on ‘The development of an institutional framework for the implementation of the Association Agreements in Georgia, Moldova and Ukraine’ published in July 2018<sup>3</sup>,
  - having regard to Rule 52 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,
  - having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on International Trade (A8-0000/2018),
1. Warmly welcomes the progress made in implementing the Association Agreement and calls on the Georgian authorities to keep up the momentum and to ensure stability, further democratic reforms and economic improvements as a key factor in winning hearts and minds on the path towards re-establishing Georgia’s sovereignty over the whole of its internationally recognised territory;
  2. Notes with satisfaction that Georgia’s European agenda continues to garner cross-party consensus and the support of a majority of Georgian citizens; points out that pursuant to Article 49 of the TEU and in line with the Rome Declaration of 25 March 2017, any European state may apply to become a member of the EU, provided that it upholds the Copenhagen criteria; recalls, in the meantime, the proposal of an ‘Eastern Partnership Plus’ (EaP+) policy advocated by Parliament in order to unlock additional perspectives;
  3. Lauds the Georgian authorities for their recurrent information campaigns on the benefits and economic opportunities stemming from the Association Agreement and the Deep and Comprehensive Free Trade Area (DCFTA) and for the assistance they have provided in the management of necessary adaptations;

### *Political dialogue*

4. Reiterates the fact that the EU’s position on Georgia’s constitutional reform coincides with the Venice Commission’s overall positive assessment; regrets the postponement of the implementation of a fully proportional electoral system until 2024; reiterates its

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<sup>1</sup>[‘The electoral reforms in three association countries of the Eastern Neighbourhood – Ukraine, Georgia and Moldova’](#), European Parliament, 26 October 2017.

<sup>2</sup>[‘Report on the implementation of the AA between the EU and the Republic of Moldova’](#), European Parliament, 28 June 2018.

<sup>3</sup>[‘The Development of an Institutional Framework for the Implementation of the Association Agreements in Georgia, Moldova and Ukraine’](#), European Parliament, July 2018.

readiness to observe future elections in Georgia and to assist the Georgian authorities in following up on and implementing the recommendations that will be presented;

5. Supports the democratic strengthening of Georgia's political institutions and is dedicated to assisting in this area, notably through the capacity-building programme for the Georgian Parliament;
6. Takes note of Georgia's compliance with visa liberalisation benchmarks and encourages regular monitoring thereof in order ensure continued compliance; calls on EU Member States to recognise Georgia as a safe country of origin; points out the need to further address the rise in the number of asylum seekers travelling to the Schengen zone and the disproportionate representation of Georgian citizens in organised criminal groups across the EU;
7. Welcomes the continuous implementation of Georgia's Migration Strategy and Action Plan and the strengthening of the rehabilitation of border sectors with Turkey and Azerbaijan;
8. Supports Georgia in its pursuit of a policy of peaceful conflict resolution and its constructive participation in the Geneva International Discussions; praises the initiative entitled 'A Step towards a Better Future', presented on 4 April 2018;

#### ***Rule of law and good governance***

9. Notes with satisfaction Georgia's results in fighting corruption; commends Georgia's continued implementation of the Anti-Corruption Strategy and its Action Plan; calls on Georgia to ensure that the Anti-Corruption Agency is separated from the State Security Service;
10. Urges the Georgian authorities to put in place an effective mechanism for investigating cases of abuse by law enforcement officials;
11. Welcomes the progress of the judicial reform; calls for more transparency of the judicial system and for further improvements to its independence;
12. Underlines the importance of ongoing public administration reforms; welcomes the newly enacted Civil Service Law;
13. Urges the government of Georgia to pursue the implementation of the public finance management reform;
14. Welcomes the adoption of the National Strategy on Combating Organised Crime;
15. Calls on the Georgian Parliament to consider an amendments package aimed at reforming drug policy legislation in line with its 30 November 2017 Constitutional Court decision;
16. Welcomes the Georgian Parliament's assent to a package of laws to improve the situation of inmates;

#### ***Respect for human rights and fundamental freedoms***

17. Welcomes the establishment of a Human Rights Department within the Ministry of Internal Affairs; calls on the Georgian authorities to further operationalise the country's human rights coordination mechanism and strengthen its cooperation in multilateral fora; underscores the need for Georgia to ensure a safe and secure environment for human rights defenders residing within its territory;
18. Calls on the Georgian authorities to take further steps to uphold fundamental freedoms, notably for vulnerable groups, by fighting hate speech and discrimination, including on the labour market through an amended Labour Code, against LGBTIQI people, disabled people and minorities;
19. Calls on the Georgian authorities to take further steps to protect women against all forms of violence and sexual harassment and to increase their participation in politics and the labour market;
20. Recalls the importance of free and independent mass media and a pluralistic media environment as key democratic principles; notes with satisfaction the improvements in Georgia as reflected in the 2018 World Press Freedom Index established by Reporters Without Borders;

#### ***Trade and economic cooperation***

21. Welcomes the emphasis put on job creation as well as labour rights notably through the adoption of the law on occupational safety; stresses the need to put in place a fully-fledged labour inspection system to improve safety at work and reduce undeclared work; takes note of the Georgian authorities' ambition to do so by September 2019; is concerned by child labour and insufficient freedom of association for trade unions; recalls that occupational safety according to the requirements of the Association Agreement is of critical importance;
22. Welcomes Georgia's accession to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin and encourages Georgia to accede to the Convention on Common Transit;
23. Notes positively the progress in the area of public procurement with planned alignment of legislation by 2022; stresses the importance of an impartial and independent review body;

#### ***Energy and other areas of cooperation***

24. 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 the Energy Community Treaty;
25. Recommends that the Georgian authorities strengthen the security of energy supplies and energy independence, encourages the development of renewable energy and energy efficiency and the adoption of the necessary laws;
26. Recalls that environmental governance is a key feature of the Association Agreement requirements; welcomes the entry into force of a new Environmental Impact

Assessment Code in line with EU legislation as well as the adoption of the roadmap for the Climate Action Plan; calls for further alignment of national environmental policies with EU targets to fight climate change, in line with the 2015 Paris Agreement and, in particular, the finalisation and adoption the Low Emission Development Strategy;

*Institutional provisions*

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27. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the governments and parliaments of the Member States and the Government and Parliament of Georgia.