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DRAFT REPORT

on the implementation of the EU Association Agreement with Georgia
(2019/2200(INI))

Committee on Foreign Affairs

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EXPLANATORY STATEMENT - SUMMARY OF FACTS AND FINDINGS

The European Parliament is continuing its practice of scrutinising the progress of the implementation of the EU-Georgia Association Agreement (AA), including a Deep and Comprehensive Free Trade Area (DCFTA), in line with its strong commitment to its closest Eastern partners and to their deepening relations with the EU.

The Rapporteur evaluates the progress made in the key areas such as political dialogue, rule of law, human rights and economic and sectoral cooperation. Overall, the report presents a positive assessment of the implementation of the AA and progress in adoption of reforms and legislation. Important progress has also been made in consolidating Georgia's parliamentary democracy, following a constitutional reform and the agreement of the main political parties on 8 March 2020 regarding the electoral system to be applied in the parliamentary elections in 2020, after a prolonged period of internal political turmoil. The situation of the judiciary continues to be worrisome due to shortcomings of the selection procedures of judges and a series of cases against the opposition, which raised concerns about the impartiality of the legal system. Georgia is invited to implement the recommendations made to it by its international partners, such as the Venice Commission and OSCE/ODIHR.

Georgia also continues to face significant external challenges, notably a worsening situation in its occupied regions of Abkhazia and Tskhinvali / South Ossetia and cyber-attacks linked to Russian actors. The EU remains Georgia's steadfast supporter in ensuring respect of its sovereignty and territorial integrity within its internationally recognised borders and the fundamental rights of its people. The European Parliament will continue to closely work with the Parliament of Georgia, as its direct partner and a key actor in the implementation of the AA and the DCFTA, through the regular inter-parliamentary dialogue and the jointly-developed institutional support measures.

The Rapporteur draws on regular and frequent meetings with Georgian authorities, opposition leaders and civil society representatives as well as with European Commission and EEAS representatives, and also the work of the EU-Georgia Parliamentary Association Committee and wishes to thank all the stakeholders for their valuable input into the report.

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the implementation of the EU Association Agreement with Georgia (2019/2200(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,
- 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 14 November 2018 on the implementation of the EU Association Agreement with Georgia¹, of 14 June 2018 on Georgian occupied territories 10 years after the Russian invasion², of 14 March 2018 on the proposal for a decision of the European Parliament and of the Council providing further macro-financial assistance to Georgia³, of 21 January 2016 on Association Agreements/Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine⁴, of 18 December 2014 on 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 part⁵,
- having regard to the outcome of the fifth Association Council meeting between the EU and Georgia of 5 March 2019,
- having regard to the final statement and recommendations of the eighth meeting of the EU-Georgia Parliamentary Association Committee held on 27 and 28 March 2019,
- having regard to the joint declarations of the Eastern Partnership summits, the most recent being the summit of 24 November 2017 held in Brussels,
- having regard to the joint declaration of the sixth meeting of the EU-Georgia Civil Society Platform of 20 February 2020,
- having regard to the outcome of the third high-level EU-Georgia Strategic Security Dialogue of 25 October 2019,
- having regard to the European Commission and European External Action Service Joint Staff Working Document of 6 February 2020 on the Association Implementation Report

¹ Texts adopted, P8_TA(2018)0457.

² Texts adopted, P8_TA(2018)0266.

³ OJ C 162, 10.5.2019, p. 138.

⁴ OJ C 11, 12.1.2018, p. 82.

⁵ OJ C 294, 12.8.2016, p. 111.

on Georgia (SWD(2020)0030),

- having regard to Rule 54 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 opinion of the Committee on International Trade,
 - having regard to the report of the Committee on Foreign Affairs (A9-0000/2020),
- A. whereas Georgia and the EU, as associated partners, are committed to promoting political association and economic integration based on common values and principles such as democracy, human rights and fundamental freedoms, the rule of law and good governance;
- B. whereas 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;
1. Welcomes the continuous deepening of EU-Georgia relations and the firm support that Georgia's chosen path of European and Euro-Atlantic integration enjoys across the political spectrum and in society; acknowledges the progress achieved by Georgia, which has made it a key partner of the EU in the region, and reiterates the need to continue implementing reforms under the Association Agreement (AA) and the Deep and Comprehensive Free Trade Area;
 2. Reiterates its full support for Georgia's sovereignty and territorial integrity within its internationally recognised borders and condemns the illegal occupation of the Georgian regions of Abkhazia and Tskhinvali/South Ossetia by the Russian Federation; emphasises that the AA covers the entire territory of Georgia, including its occupied regions, and aims to benefit its whole population; calls on the Russian Federation to fulfil its obligations under the EU-mediated ceasefire agreement of 12 August 2008, notably to withdraw all its military forces from Georgia's occupied territories and allow the European Union Monitoring Mission (EUMM) unhindered access to the whole territory of Georgia; asks the Commission and the EEAS to enhance their efforts to resolve the conflict peacefully, including through the EUMM and the EU Special Representative for the South Caucasus and the crisis in Georgia;
 3. Welcomes the fact that Georgian citizens have made 900 000 visa-free visits to Schengen and Schengen-associated countries since March 2017; is concerned by the increasing number of unfounded asylum requests by Georgian citizens; calls on all the Member States that have not already done so to recognise Georgia as a safe country of origin in order to speed up the processing of such requests; stresses the importance of continuous implementation of the visa liberalisation benchmarks by Georgia;

Political dialogue

4. Commends the Georgian authorities for completing the constitutional reform process and the major political parties for signing the Memorandum of Understanding of 8 March 2020, which established the key features of the electoral system to be used for the upcoming parliamentary elections; calls on all parties to ensure that the agreement is

translated into law and fully implemented as soon as possible;

5. Calls on the Georgian authorities to implement swiftly and fully the OSCE/ODIHR recommendations and review relevant legislation to address the identified shortcomings;
6. Underlines the importance of media freedom, which should entail equal access for all political parties to the media during the upcoming electoral campaign, pluralistic and non-discriminatory coverage of political views in programmes by public and private broadcasters, clear provisions regulating free and paid advertisements, and improved transparency through strengthened media monitoring;

Rule of law, good governance and media freedom

7. Expresses its concern about recent court cases against opposition politicians, which contributed to a climate of increased mistrust and heightened tensions between the ruling party and the opposition, and led to a polarisation of politics and society; calls on Georgia to respect the highest standards of judicial independence and fair trial as committed to under the AA;
8. Calls for a revision of the selection procedures for judges to be carried out to ensure that the recommendations of the Venice Commission are fully implemented before any new appointments are made; regrets that the recent selection procedure of Supreme Court judges suffered from serious shortcomings;
9. Strongly condemns the cyber-attacks against Georgian institutions and media outlets widely attributed to Russian actors; calls on all political actors in Georgia to refrain from using social media to attack people, organisations and institutions and spread deliberate misinformation;

Respect for human rights and fundamental freedoms

10. Deplores the constant violations by the Russian Federation, which exercises de facto control of Abkhazia and Tskhinvali/South Ossetia regions, of the fundamental rights of the people in these occupied regions, who are being deprived of the freedom of movement and residence, the right to property and the right of access to education in the native language, and reiterates its full support for the right of return of internally displaced persons;
11. Underlines that gender equality is a key precondition to sustainable and inclusive development; commends the work of the Georgian Parliament's Gender Equality Council and its efforts to identify sexual harassment as a form of discrimination;
12. Welcomes the work of the Human Rights Department of the Ministry of Internal Affairs and insists that the existing human rights and anti-discrimination legislation must be thoroughly and efficiently implemented;

Institutional provisions

13. Underlines the importance of reducing antagonism and the polarisation of politics and ensuring constructive cooperation in the country's democratic institutions, in particular the parliament; therefore profoundly regrets that the ninth meeting of the EU-Georgia

Parliamentary Association Committee of 12 and 13 February 2020 in Strasbourg ended without an agreement on a final statement and recommendations being reached;

14. Calls on the Parliament of Georgia to make full use of the opportunities available to Georgia as a priority country for the European Parliament's democracy support activities and to engage in a dialogue to identify its needs;

Economic and trade relations and sectoral cooperation

15. Notes with satisfaction that the EU is one of Georgia's largest trading partners; welcomes the continued approximation of Georgia's legislation in trade-related areas;
16. Encourages the speeding up of the implementation of the third National Environment Action Programme and the approximation of Georgian legislation with the EU *acquis* relating to the environment, in line with the AA requirements on environmental protection;
17. Welcomes the allocation by the Commission of EUR 3.4 billion for 18 priority projects in Georgia under the indicative trans-European transport network (TEN-T) investment action plan;
18. Recommends that the Commission continues its efforts to enable the participation of Georgia in EU-supported programmes and agencies that are open to non-EU countries, under a legally appropriate status;
19. 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.