Recommendations to the Council, the Commission and the EEAS on the negotiations of the EU-Georgia Association Agreement

2011/2133(INI) - 17/11/2011 - Text adopted by Parliament, single reading

The European Parliament adopted by 527 votes to 23, with 34 abstentions, a resolution containing the European Parliament's recommendations to the Council, the Commission and the EEAS on the negotiations of the EU-Georgia Association Agreement.

Parliament recalls that the active engagement of Georgia and a commitment to shared values and principles, including democracy, the rule of law, good governance and respect for human rights, are essential to take the process forward and to make the negotiation and subsequent implementation of the association agreement a success. It also states that the negotiations with Georgia on the Association Agreement are progressing swiftly, but nevertheless negotiations on the Deep and Comprehensive Free Trade Area (DCFTA) have not yet begun.

It is for this reason that Parliament addresses, in the context of the ongoing negotiations on the Association Agreement, the following recommendations to the Council, the Commission and the EEAS:

Political dialogue and cooperation: in an amendment adopted in plenary, Parliament recognises Georgia as a European state and Georgian aspirations, including those founded on Article 49 of the Treaty on European Union, and base the EU's commitment and ongoing negotiations with Georgia on a **European perspective**, considered as a valuable lever for implementation of reforms and a necessary catalyst for public support for these reforms. The reforms aim to strengthen the EU's support for the sovereignty and territorial integrity of Georgia and ensure the applicability of the agreement, once it has been concluded, to the whole territory of Georgia. To that end, Georgia should actively engage in conflict resolution, inter alia thanks to the EUMM, whose mandate has recently been extended until 15 September 2012. Parliament calls on the EU to **recognise Georgia's regions of Abkhazia and the Tskhinvali region** /South Ossetia as **occupied territories** and calls for talks to be intensified with the Russian Federation to ensure that it fulfils unconditionally all the provisions of the cease-fire agreement of 12 August 2008 between Russia and Georgia, particularly the provision stating that Russia shall guarantee EUMM full unlimited access to the occupied territories of Abkhazia and the Tskhinvali region/South Ossetia. The EU should also call on Russia to reverse its recognition of the separation of the Georgian regions of Abkhazia and the Tskhinvali region/South Ossetia, to end the occupation of those Georgian territories.

The resolution states that Russia continues to occupy the Georgian regions of Abkhazia and the Tskhinvali region/South Ossetia, in violation of the fundamental norms and principles of international law. Ethnic cleansing and forcible demographic changes have taken place in the areas under the effective control of the occupying force, which bears the responsibility for human rights violations in these areas.

In general, Parliament welcomes the unilateral commitment by Georgia **not to use force to restore control** over these two regions and calls upon Russia to reciprocate the commitment to the non-use of force against Georgia. Parliament welcomes the agreement reached between the governments of Russia and Georgia on **Russia's admission to the World Trade Organization (WTO)**, in the hope that this agreement treats Abkhazia and South Ossetia as integral parts of Georgia. This agreement includes an arrangement for monitoring trade between the two countries.

Justice, freedom and security: Parliament calls for the Georgian Government to enter more extensively into a constructive political dialogue with opposition forces and further develop a democratic environment for freedom of speech. The Georgian Government is also asked to further improve the physical conditions in prisons and detention centres.

As regards visas, the resolution calls on the Parties to assess the implementation of the visa facilitation and readmission agreements and to then consider launching the EU-Georgia visa dialogue in due course, with the aim of visa liberalisation.

Parliament calls on the Georgian authorities to:

- incorporate in the Agreement clauses on the protection and promotion of rights of internally-displaced persons (IDPs) and persons belonging to national and other minorities;
- adopt and implement comprehensive and effective anti-discrimination legislation including provisions against discrimination based on sexual orientation and gender identity;
- support the reform of the judiciary as one of the priorities, in order to increase public trust in the judiciary, and the need to develop a fully independent judiciary, including by taking steps to ensure that high-profile political, human rights and property usurpation cases are fairly reviewed;
- promote free media, freedom of expression and media pluralism;
- include in the Agreement a section on the protection of the rights of the child;
- achieve full gender equality with regard, in particular, to the huge gender pay gap.

The economy and sectoral cooperation: Parliament calls for the launch of Deep and Comprehensive Free Trade Area negotiations as soon as the Key Recommendations made by the Commission and endorsed by the EU Member States have been met by Georgia. It encourages Georgia's progress in perfecting its legislation, and calls on the EU to **provide financial and technical assistance to Georgia** in order to ensure the continuation of the legislative and institutional reforms needed.

The resolution also focus on the following issues:

- proper disposal of toxic and radioactive waste on its territory as a prerequisite for facilitating trade, especially with regard to agriculture in order to protect food safety;
- compliance with the International Labour Organisation labour rights and standards;
- giving a firmer commitment to employment policies and social cohesion and to further create an environment conducive to EU standards of the social market economy;
- adopting a legal and regulatory framework conducive to business and investment, and enforcing the rule of law;
- including sequential commitments covering key trade-related chapters such as non-tariff barriers, trade facilitation, rules of origin, sanitary and phyto-sanitary measures, intellectual property rights and investment and competition policy.

Members also insist on the need to include in the Agreement provisions regarding the possibility for Georgia to participate in Community programmes and agencies, a fundamental tool for promoting European standards at all levels.

They emphasise the need for **sustainable development**, including through the promotion of renewable energy sources and energy efficiency, taking into account EU climate change targets. They stress the importance of Georgia in improving EU energy security by promoting priority projects and policy measures for the development of the Southern Corridor (NABUCCO, AGRI, Trans-Caspian Pipeline, White Stream, EAOTC).

Other issues: Parliament presents other key elements of the Agreement such as:

- the need to consult the European Parliament regarding provisions for parliamentary cooperation;
- the inclusion of clear benchmarks for implementation of the Association Agreement and provide for monitoring mechanisms, including the provision of regular reports to the European Parliament;
- providing targeted financial and technical assistance to Georgia to help ensure that it can meet the commitments stemming from the negotiations on the Association Agreement and its full implementation, by continuing to provide Comprehensive Institution-Building Programmes;
- making more resources available for developing the administrative capacity of local and regional authorities with the help of the Eastern Partnership measures, for partnership programmes, high-level consultations, training programmes and worker exchange programmes, as well as work placements and bursaries for vocational training purposes;
- providing assistance to civil society organisations and the media in Georgia;
- encouraging the EU negotiating team to continue the good cooperation with the European Parliament, providing continuous information, supported by documentation, on the progress of the negotiations, in accordance with the TFEU.