



TEXTS ADOPTED

Provisional edition

P9_TA-PROV(2020)0221

Implementation of the EU Association Agreement with Georgia

European Parliament resolution of 16 September 2020 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, and 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

¹ Texts adopted, P8_TA(2018)0457.

² OJ C 28, 27.1.2020, p. 97.

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.

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 joint staff working document of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 6 February 2020 on the Association Implementation Report on Georgia (SWD(2020)0030),
 - having regard to the Memorandum of Understanding and Joint Statement, signed by the ruling and opposition parties of Georgia on 8 March 2020, regarding the 2020 parliamentary elections,
 - having regard to the opinion of the Venice Commission of 19 June 2017 on the draft revised Constitution of Georgia,
 - having regard to the final opinion of the Venice Commission of 19 March 2018 on Georgia's constitutional reform,
 - having regard to the final report of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) Election Observation Mission of 28 February 2019 on the presidential election in Georgia,
 - having regard to the urgent opinion of the Venice Commission of 16 April 2019 on the selection and appointment of Supreme Court judges in Georgia and the ODIHR second report of 9 January 2020 on the nomination and appointment of Supreme Court judges in Georgia,
 - 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 letter of the Committee on International Trade,
 - having regard to the report of the Committee on Foreign Affairs (A9-0136/2020),
- 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; whereas Georgian society continues to show strong support for the country's European aspirations and rapprochement with the EU;
- B. whereas pursuant to Article 49 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;
- C. whereas the entry into force of its revised Constitution in December 2018 concluded Georgia's transition to a full parliamentary system; whereas progress has been made in the implementation of the Association Agreement between the EU and Georgia (AA),

including the move to a fully proportional electoral system as of 2024;

- D. whereas Georgia has remained committed to the implementation of the AA and the Deep and Comprehensive Free Trade Area (DCFTA) and is continuing its alignment with the EU acquis and EU standards, which is bringing increasing benefits;
 - E. whereas attempts to destabilise Georgia are continuing, inter alia via the implementation of so-called ‘treaties’ between the Russian Federation and the Georgian regions of Abkhazia and Tskhinvali/South Ossetia, the closure of crossing points near the Administrative Boundary Line in Tskhinvali region/South Ossetia since August 2019, increased ‘borderisation’ along the Administrative Boundary Line, and the holding of so-called ‘presidential elections’ in Abkhazia in March 2020;
 - F. whereas the recent EU/US-facilitated dialogue between the ruling and opposition parties yielded a Memorandum of Understanding and a Joint Statement, signed by all major parties on 8 March 2020, which represents a crucial step towards depolarising and normalising the political environment in Georgia in the run-up to the parliamentary elections in October 2020;
 - G. whereas reforms of the justice sector remain modest and whereas the recent appointment of 14 Supreme Court judges for life demonstrated a lack of transparency, deviating from objective, merit-based criteria and revealing the influence of partisan politics; whereas the plenary vote on the judicial appointments was taken amidst a political crisis, a boycott by the opposition, widespread calls for postponement and serious disruptions during the committee and plenary stages;
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 in implementing comprehensive reforms, which has made Georgia a key partner of the EU in the region, and reiterates the need to continue implementing and monitoring reforms under the AA and DCFTA; recalls that enhanced cooperation and EU assistance are based on the ‘more for more’ principle and conditional on continued reform progress on, in particular, democracy and the rule of law, including checks and balances in the institutions, independence of the judiciary and electoral reform;
 2. Reiterates its full support for Georgia’s sovereignty and territorial integrity within its internationally recognised borders and reaffirms its commitment to continue to contribute to the peaceful resolution of the Russia-Georgia conflict, including through the EU Special Representative for the South Caucasus and the crisis in Georgia, co-chairmanship of the Geneva International Discussions, the activities of the EU Monitoring Mission (EUMM) and the policy of non-recognition and engagement; strongly condemns the illegal occupation of the Georgian regions of Abkhazia and Tskhinvali/South Ossetia by the Russian Federation and the ongoing illegal installation of barbed wire fences and other artificial obstacles (‘borderisation’) along the Administrative Boundary Line by Russian and de facto South Ossetian security actors and stresses that these violations of international law need to be stopped; demands that the de facto authorities in Abkhazia and Tskhinvali region/South Ossetia reopen closed crossing points without delay and desist from limiting freedom of movement in those regions; calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Member States to denounce this

process; 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 EUMM unhindered access to the whole territory of Georgia; calls on the European External Action Service (EEAS), in this regard, to communicate clearly the provisions which have still not been fulfilled by the Russian Federation; asks the Commission and the EEAS to enhance their efforts to resolve the conflict peacefully by using all diplomatic instruments, including through the EUMM and the EU Special Representative for the South Caucasus and the crisis in Georgia, and to continue to support the Georgian Parliament's 'A Step for a Better Future' package and foster people-to-people contact and confidence-building measures; welcomes Georgia's efforts to promote good neighbourly relations and constructive cooperation among the South Caucasus countries;

3. Commends the internationally-acclaimed response of the Georgian people and public authorities to the COVID-19 outbreak and highlights the effective preventive measures taken by medical workers and governmental authorities, which helped to reduce the burden on Georgia's healthcare system and mitigate the negative effects on the economy; congratulates the citizens of Georgia for having abided by these measures in the face of economic and social hardship; encourages the generation of investment to improve the quality of and ensure equal access to healthcare; welcomes the fact that the EU has lined up EUR 183 million in grants for Georgia to respond to COVID-19 and EUR 150 million in loans for the purposes of enhancing its macroeconomic stability and enabling resources to be channelled towards protecting the citizens, mitigating the extremely severe socio-economic consequences of the pandemic and increasing cooperation with the EU on public health resilience, including the exchange of best practices and work with civil society on establishing epidemic strategies focusing on the most vulnerable groups;
4. Welcomes the fact that Georgian citizens have made 900 000 visa-free visits to Schengen and Schengen-associated countries since March 2017; takes note of the increasing number of unfounded asylum requests by Georgian citizens and calls on all the Member States to recognise Georgia as a safe country of origin in order to speed up the processing of such requests and readmission; stresses the importance of continuous implementation of the visa liberalisation benchmarks by Georgia and of increased cooperation between the Georgian judicial authorities and enforcement agencies and the Member States for reducing cross-border crime, particularly human trafficking and the trafficking of illegal drugs; welcomes strengthened international law enforcement cooperation between Georgia and Europol;
5. Underlines Georgia's role as a reliable partner of the EU and a significant contributor to the missions and operations of the common security and defence policy (CSDP) and NATO; calls on the Council and the EEAS to further engage with Georgia on the CSDP, particularly in view of Georgia's interest in discussing the possibility of participating in PESCO projects and in developing cooperation with the relevant EU agencies, when it is of mutual interest for both the EU and Georgia;

Political dialogue and parliamentary elections

6. Commends all major political parties for signing the internationally-mediated

Memorandum of Understanding and Joint Statement of 8 March 2020, which established the key features of the electoral system based on 120 proportional and 30 majoritarian seats and a fair composition of electoral districts in line with the Venice Commission recommendations, and enabled this system to be used for the October 2020 parliamentary elections; welcomes the outcome of the cross-party dialogue as a clear sign of willingness to find a common solution and underlines the importance of continuing to rebuild trust between political parties and to continue cross-party dialogue in the run-up to the October 2020 parliamentary elections and as a basis for political stability; welcomes the implementation of the 8 March 2020 agreement and President Zourabichvili's decision of 15 May 2020 to pardon two imprisoned opposition leaders – an important step towards easing tensions; calls on all parties, in this regard, to honour both the letter and spirit of the agreement and to fully implement all aspects of it, namely to ensure that all elements of electoral reform are translated into the Constitution and the law and implemented, and that all outstanding cases of politicised judicial processes are resolved without delay;

7. Welcomes the fact that the Parliament of Georgia started to deliberate on the reforms to the electoral system as soon as the state of emergency was lifted and successfully adopted the amendments to the Constitution and electoral code; congratulates Georgia for the steps it has taken towards establishing a more representative parliament and depolarising the political environment; calls on all political parties and parliamentarians to continue to work towards the advancement of Georgia's democracy in good faith;
8. Notes that the upcoming parliamentary elections will be pivotal in confirming Georgia's democratic credentials and expresses the hope, therefore, for an electoral campaign marked by fair competition; calls on the Georgian authorities to swiftly implement and fully address the OSCE/ODIHR recommendations and review relevant legislation to address the identified shortcomings and challenges, including the misuse of public resources for political campaigning and other improper campaign financing methods, impunity for violence, the dissemination of hate speech and xenophobia, vote-buying, opposition representation in the Election Administration, and the ability of voters, especially civil servants, 'to vote free from pressure and fear of retribution'¹; calls on the authorities to safeguard the work of civil society organisations and election observers so that they may carry out their activities without any intimidation or interference;
9. Encourages the Georgian authorities and the Election Administration of Georgia to ensure a safe environment for the October 2020 parliamentary elections by providing personal protective equipment for election personnel, adapting the voting facilities to guarantee the health and safety of the citizens taking part, and ensuring that the election observers may carry out their work undisturbed;
10. Reaffirms its support for Georgia's vibrant civil society and emphasises the crucial role it plays in providing democratic oversight and monitoring the implementation of the AA and DCFTA; calls on the Georgian Government and Parliament to establish formal mechanisms for the participation of civil society in the political process; calls on the Commission and the Member States to provide political, technical and financial support for the activities of civil society; calls on the Georgian authorities to launch national

¹ Final report of the ODIHR Election Observation Mission of 28 February 2019 on the presidential election in Georgia, p. 30.

support programmes for civil society in addition to those provided by the EU and the international donor community;

The rule of law, good governance and media freedom

11. Acknowledges Georgia's progress with its reforms, which strengthen democracy, the rule of law, human rights and fundamental freedoms, in particular the constitutional reforms carried out in 2018; encourages the Georgian Government to consolidate the rule of law and to continue to pursue justice reform, the fight against corruption and state capture, public administration reform, decentralisation, good governance, the implementation of anti-discrimination legislation and the provision of labour rights in order to enhance further integration between Georgia and the EU;
12. Expresses its concern about recent court cases against opposition politicians, which have undermined trust between the ruling party and the opposition, may adversely affect AA/DCFTA-related reforms and run counter to the letter and spirit of the AA; welcomes the presidential pardon of convicted opposition politicians, which paves the way for the depolarisation of politics and society; calls on the Georgian authorities to refrain from pursuing any politically-motivated judicial cases and calls on the EU Delegation to monitor all such trials; calls on Georgia to respect the highest standards of the rule of law, in particular judicial independence and the right to a fair trial, and human rights as committed to under the AA;
13. 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 the fact that the recent selection procedure of Supreme Court judges was not entirely in line with these recommendations and marred by serious shortcomings; emphasises the importance of a depoliticised judiciary free from political interference and of respect for transparency, meritocracy and accountability in the appointment of judges for the Supreme Court of Georgia and other judicial institutions; encourages the Georgian Government, therefore, to continue and consolidate its reforms of the judicial system, including the Prosecutors' Office, while fostering an open dialogue with all political actors and civil society and ensuring that international standards are adhered to;
14. Emphasises the importance of full and continued cooperation with the International Criminal Court in order to ensure comprehensive accountability for the cases it pursues;
15. Calls for an investigation into all incidents of excessive use of force by Georgian law enforcement authorities against peaceful protesters and journalists, including during the June 2019 protests; stresses the need to avoid impunity and ensure that perpetrators are held to account; urges the Georgian Government to uphold the right to peaceful assembly and freedom of expression, in line with the commitments under the AA, including by attenuating disproportionate sanctions for protesters;
16. Acknowledges that the media landscape in Georgia is dynamic and pluralistic, but also polarised; underlines the importance of media freedom, which should entail equal access for all political parties to the media, editorial independence and pluralistic, independent, impartial and non-discriminatory coverage of political views in programming by private and in particular public broadcasters during the upcoming electoral campaign; stresses the need for clear provisions regulating free and paid

advertisements and for improved transparency of media ownership through strengthened media monitoring; urges the authorities to refrain from interfering in media freedom or pursuing politically motivated judicial cases against media owners or representatives; urges the Georgian Government to take steps to prevent disinformation campaigns by foreign or domestic actors against the country or any political party; urges social media platforms to ensure that they are not misused for the purpose of undermining the integrity of the electoral process;

17. Strongly condemns the cyber-attacks against Georgian institutions and media outlets widely attributed to Russian actors; underlines the need to investigate effectively and fight foreign disinformation campaigns and propaganda, which is undermining Georgian institutions and fomenting the polarisation of society; calls on the Council and the EEAS, therefore, to step up cooperation on cyber security in order to strengthen Georgia's resilience in this sphere, on the Commission to support reforms on media and information literacy, and on the Georgian Government to cooperate with EU institutions on best practices against disinformation; calls, furthermore, on all political actors in Georgia to refrain from using social media to attack people, organisations and institutions and spread deliberate misinformation; notes the recent action taken by social media platforms against accounts and pages which have engaged in coordinated inauthentic behaviour and attacks against the opposition, the media and civil society;

Respect for human rights and fundamental freedoms

18. Deplores the constant violations by the Russian Federation, which exercises effective control over the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia, 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 their native language, and reiterates its full support for the safe and dignified return home of internally displaced persons and refugees; expresses its concern that the continuous and illegal 'borderisation' process has particularly detrimental effects in the context of the ongoing fight against the COVID-19 pandemic, because the restriction of freedom of movement is depriving people of access to the necessary medical services and endangering their lives; welcomes the resumption of participation in the Incident Prevention and Response Mechanisms (IPRMs) in Ergneti on 30 July 2020 and encourages all parties to resume regular dialogue in this format in order to improve the safety and humanitarian situation of the conflict-affected population;
19. 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 and raise awareness about sexual harassment as a form of discrimination; urges the Georgian Government and authorities to further improve women's representation and equal treatment at all levels of political and societal life; requests that the Commission mainstream gender equality into all its policies, programmes and activities in relation to Georgia; calls for the full implementation of the Istanbul Convention;
20. Welcomes the work of the Human Rights Department of the Georgian Ministry of Internal Affairs and insists that the existing human rights and anti-discrimination legislation must be thoroughly and efficiently implemented; calls for further efforts to address discrimination against women, LGBT persons, Roma people and religious

minorities in the social, economic, labour and health areas and to step up the investigation and prosecution of hate speech and violent crimes against all minorities and vulnerable groups; calls on all the religious communities, including the Georgian Orthodox Church, and civil society to work to engender a climate of tolerance;

21. Underlines the importance of further strengthening the child protection system, including by preventing violence and the sexual exploitation of minors; calls for awareness to be raised regarding digital risks and for access to education to be guaranteed for all, including children with disabilities; underlines the Georgian Government's responsibility to monitor the situation of children in orphanages;

Institutional provisions

22. Underlines the importance of reducing antagonism and the polarisation of politics and of ensuring constructive cooperation in the country's democratic institutions, in particular the Parliament of Georgia; emphasises the need, therefore, to improve the political climate and build trust among all political and institutional actors, as well as between them and the Georgian people;
23. 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;
24. Calls on the Parliament of Georgia to strengthen its capacities to exercise parliamentary control mechanisms, particularly control over the security system; encourages a greater role for the opposition in the parliamentary oversight process, simplified procedures for summoning members of the government and other accountable officials, and the establishment of a centralised recording system to provide timely and complete information on parliamentary control to all interested stakeholders;

Economic and trade relations

25. Notes with satisfaction that the EU is Georgia's main trading partner, accounting for 27 % of its total trade; welcomes the continued approximation of Georgia's legislation in trade-related areas; emphasises the need to increase and diversify Georgian exports to the EU beyond agricultural commodities and raw materials and to attract investments from the EU in Georgia in order to provide more jobs and improve Georgia's trade balance with the EU and macro-financial stability, first and foremost by strengthening the rule of law, by fighting corruption, money laundering and tax evasion and by supporting approximation to EU standards; stresses the importance of supporting a favourable business environment for regional and small and medium-sized enterprises in order to enhance Georgia's ability to innovate further in different economic sectors; calls on the Commission to explore increased sectoral cooperation in the digital economy, education, research and innovation, to enhance the ICT sector, digitalisation and green technologies, and to share know-how and best practices; emphasises the importance of targeted youth programmes to create fair job opportunities;
26. Recalls that the EU-Georgia AA/DCFTA aims to gradually integrate Georgia into the single market; calls on the Commission to be more vocal in setting a target of securing single market access for Georgia and to step up initiatives aimed at deeper sectoral integration with a view to achieving more policy convergence with the EU and making

the deliverables of bilateral cooperation more visible and tangible for both sides;

27. Underlines the importance of transparency and encourages the Georgian authorities to further inform local entrepreneurs and mass media about the implementation of the DCFTA;
28. Calls on the Commission to support the full implementation of the DCFTA through coordinated assistance, with a focus on sustainable economic development in line with the European Green Deal and on support for SMEs and structural reforms in cooperation with business and civil society, including a major reform of the banking and financial sector aimed at combating money laundering and tax evasion;
29. Underlines the importance of structural reforms to further improve the investment climate in Georgia, including for attracting foreign direct investment and ensuring transparency thereof; encourages the Georgian authorities to bolster the capacities of the responsible institutions and increase political support and unity for infrastructure projects of strategic importance;

Sectoral cooperation

30. Encourages the Georgian Government to continue its comprehensive reform of labour legislation so as to ensure better regulation of working conditions, including continued improvements in labour inspections and social dialogue; highlights in particular the need to amend the Labour Safety Law in order to set up a fully-fledged inspection system and a proper anti-discrimination mechanism to explicitly monitor full respect of labour rights and systematically verify any workplace hazards, to include a modern anti-corruption mechanism and to ratify all the relevant ILO conventions; encourages the involvement of civil society organisations and trade unions in these reforms in the light of their importance for workers' and social rights in Georgia;
31. Recalls that DCFTAs must always include robust, binding and enforceable sustainable development chapters that fully respect international commitments, in particular the Paris Agreement, and must be compliant with WTO rules; 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; calls on Georgia to further enhance its engagement in the fight against climate change and calls on the Commission to facilitate Georgia's participation in the European Green Deal and to ensure that the DCFTA does not contradict the environmental objectives and initiatives set out therein;
32. Welcomes what has been achieved under the Single Support Framework and encourages a swift and effective implementation of the new assistance programmes, which focus on energy efficiency, solid waste management and water supply and sanitation;
33. 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; calls on Georgia to improve its energy sector and connectivity, while ensuring environmental sustainability, in particular the preservation of biodiversity and protected sites, and taking into account local communities during the implementation process;

34. Welcomes Georgia's new education programme, the review of the 2017-2021 strategy for education and science, the new Vocational Education and Training Law, and the progress made in aligning its education quality assurance mechanism with the AA; welcomes Georgia's successful participation in Erasmus+, which has seen almost 7 500 students and academic staff partake in exchanges between Georgia and the EU, as well as the Eastern Partnership European School and the first European School established by the EU and the Georgian Government;
35. 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;
 -
 - ◦
36. 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.