



EUROPEAN COMMISSION

MEMO

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ENP Country Progress Report 2013 – Georgia

The 2014 annual "Neighbourhood Package" consists of joint Communication ("Neighbourhood at the Crossroads") and a set of country specific and regional reports. The report on Georgia underlines key/main developments and reform efforts in 2013 and makes recommendations for the year to come.

Political dialogue between the EU and the Georgian Government was intensive in 2013. The EU and Georgia completed the negotiation of an Association Agreement, including the Deep and Comprehensive Free Trade Area (DCFTA) in July. The Association Agreement was initialed in November at the Eastern Partnership Summit in Vilnius. Also in Vilnius the EU and Georgia took an important step forward on Common Security and Defence Policy (CSDP) cooperation with the signature of the Framework Participation Agreement. In December 2013, the EU and Georgia signed a protocol to the Partnership and Cooperation Agreement on a framework agreement for the participation of Georgia in EU programmes. Georgia also made significant progress in implementing visa facilitation and readmission agreements, and continued to implement reforms in areas related to mobility in a secure environment.

Georgia acted on most of the key recommendations in last year's ENP progress report. It delivered presidential elections in line with international standards. It continued to reform the justice system and advanced sectoral reforms and regulatory approximation to the EU acquis. It actively participated in the Geneva discussions and took measures to improve the living conditions of internally displaced persons (IDPs), with the support of the EU; it also renewed its commitment to a genuine engagement with the breakaway regions. On the basis of this year's report and with a view to sustained implementation of the ENP Action Plan in 2013, Georgia is invited to:

- ensure adequate separation of powers and checks and balances between executive, legislative and the judicial powers as Georgia undergoes transition from a semi-presidential to a parliamentary system along with its new constitution. In this context ensure that constitutional amendments, if contemplated, are subject to comprehensive consultation domestically and with the European Commission for Democracy through Law of the Council of Europe (Venice Commission - VC) to warrant their sustainability;
- address any remaining shortcomings in the legislative framework and election administration as identified by the OSCE Office for Democratic Institutions and Human Rights (ODIHR), including in view of 2014 local elections;
- reform the justice system to ensure the full independence of the judiciary, bringing criminal justice policies and practices into line with Council of Europe (CoE) standards; develop a judicial reform strategy and action plan with clear benchmarks;

- ensure that criminal prosecutions are conducted in a transparent and impartial manner, free of political motivation, in order to avoid any perception of politically motivated justice;
- ensure that prosecution activities are performed according to the highest standards of independence, transparency and avoidance of political bias, including through effective oversight of the Prosecutor's Office;
- ensure that pre-trial detention is used only as an exceptional measure, in line with the law, in order to safeguard, inter alia, the principle of the presumption of innocence. Revise rules on administrative detention in compliance with fair trial norms;
- increase the accountability and democratic oversight of law enforcement agencies. Consider establishing a fully-fledged independent and effective complaints mechanism. Investigate abuses and implement structural reforms and effective monitoring of the prison system;
- participate constructively in the Geneva International Discussions. Enhance Georgia's engagement policy towards the breakaway regions and take pragmatic steps to open channels of communication and to encourage trade, education, travel and investment across the administrative boundary line; review the law on occupied territories and continue close cooperation with EUMM;
- strengthen media pluralism and independence, as well as freedom of expression and opinion; implement the law on transparency of media ownership. Improve protection of privacy rights, tackle illegal surveillance and investigate abuses;
- adopt comprehensive anti-discrimination legislation; ensure that the rights of people belonging to minorities, including religious minorities, are respected. Condemn instances of hate speech, attacks and violence against persons belonging to minorities; send clear messages of zero tolerance towards such behaviour;
- continue to advance sectoral reforms and ensure a high standard of approximation to the EU acquis in order to pave the way for successful implementation of the Association Agreement, including the DCFTA. Raise public awareness and visibility of the Association Agreement and merits of political association and economic integration with the EU.

Reforms initiated, carried out or delayed during 2013 in the different areas of cooperation between the EU and Georgia are described in the annual country report. Some of the issues reported deserve special attention.

The presidential **elections** were assessed as being in line with international standards. A new **constitution** entered into force changing the country from a presidential to a parliamentary system. While Georgia continued to make progress in **fighting corruption**, more still needs to be done to prevent, detect and tackle high level corruption. Steps were taken to reinforce the independence of the **judiciary** through new rules that increase transparency and diminish the opportunity for political interference. Criminal **justice reforms** were strongly supported by the EU, including through comprehensive financial assistance, and were reinforced with the appointment of the EU Special Adviser on Constitutional and Legal Reform and Human Rights in Georgia.

Overall the **media** environment improved and became more diverse, but it remained politically polarised. Progress in assuring the **freedom of association and the freedom of assembly** was mixed, with violent examples of islamophobia and homophobia. A new **Labour Code** in line with ILO standards was adopted. This had been a longstanding EU request but implementing it properly still remains problematic.

EU–Georgia – BACKGROUND

THE POLICY

The **European Neighbourhood Policy** governs the relations between the EU and Georgia. Since 2009 the EU implements the **Eastern Partnership**, the Eastern dimension of the ENP framework, aiming at substantially upgrading engagement with the six Eastern neighbours via:

- a Bilateral track, whose objectives include the establishing of Association Agreements with Deep and Comprehensive Free Trade Areas, once conditions have been met, as well as progress on visa and mobility issues, and
- a Multilateral track (i.e. intergovernmental platforms and Flagship Initiatives).

This approach allows for gradual political association and deeper economic integration.

FACTS AND FIGURES

1999: Entry into force of the EU-Georgia Partnership and Cooperation Agreement.

2005: Approval of the EU-Georgia Action Plan.

2008: August 2008 war with Russia. It was stopped thanks to the EU mediation. The EU set up civilian monitoring mission (340 observers) and provided a post-conflict assistance package of up to EUR 500 million from its budget. The EU's Civil Protection Mechanism (MIC) was mobilised in the aftermath of the conflict and facilitated the arrival and use of the civil protection assistance provided by the EU Member States.

2008-2009: An 18-months Stand-By Arrangement was approved by the International Monetary Fund, in August 2009 extended until June 2011 and increased to EUR 835.7 million. In addition the EC provided a grant of EUR 46 million of Macro Financial assistance.

2007-2010¹: the ENPI envelope for Georgia stands at EUR 120.4 million.

2009: Neighbourhood Investment Facility - one project was approved (Tbilisi Railway Bypass Environmental Clean-up), committing EUR 8.5 million in grants and expected to leverage EUR 253.5 million.

2010: Launch of the Association Agreement negotiations with the EU.

2011-2013: The new National Indicative Programme (NIP) 2011-13 for Georgia was adopted in May 2010 and has a budget of EUR 180.3 million. The programme is geared towards supporting the achievement of key policy objectives as outlined in the EU-Georgia Action Plan (AP) and pursues four priorities: (1) support for democratic development, rule of law and governance; (2) support for economic development and ENP AP implementation; (3) poverty reduction and social reforms and (4) support for peaceful settlement of Georgia's internal conflicts.

2011: Entry into force of visa facilitation and readmission agreements.

2012: Launch of negotiations on the Deep and Comprehensive Free Trade Area (DCFTA).

2013: Initialling of the Association Agreement, including the Deep and Comprehensive Free Trade Area (DCFTA).

2013: EU and Georgia signed a protocol to the Partnership and Cooperation Agreement on a framework agreement for the participation of Georgia in EU programmes.

1 the European Neighbourhood Partnership Instrument

For further information

[Press release: Neighbourhood at the crossroads – tacking stock of a year of challenges \(IP/14/315\), 27 March 2014](#)

For the Joint Communication check the EEAS website at
http://eeas.europa.eu/enp/index_en.htm

Website of Commissioner for Enlargement and European Neighbourhood Policy, Štefan Füle: http://ec.europa.eu/commission_2010-2014/fule/index_en.htm

Website of High Representative and Vice President of the European Commission, Catherine Ashton: http://ec.europa.eu/commission_2010-2014/ashton/index_en.htm

European Commission: European Neighbourhood Policy

http://ec.europa.eu/world/enp/index_en.htm

<http://www.enpi-info.eu>

http://ec.europa.eu/world/enp/documents_en.htm

http://eeas.europa.eu/georgia/index_en.htm