



## EU-GEORGIA CIVIL SOCIETY PLATFORM

3rd meeting, 22 March 2018

### JOINT DECLARATION

The EU-Georgia Civil Society Platform (CSP) is one of the bodies set up under the Association Agreement between the European Union and Georgia. It enables civil society organisations from both sides to monitor the implementation process and draw up recommendations for submission to the relevant authorities.

The third meeting of the CSP was held on 22 March 2018 in Tbilisi. The members of the CSP discussed the state of play regarding the implementation of the Association Agreement, held a debate and adopted reports on the development of Georgian small and medium-sized enterprises and on food safety reform in Georgia.

With regard to the **implementation of the EU-Georgia Association Agreement**, the CSP members:

1. welcome the overall progress achieved in implementing the EU-Georgia Association Agenda, in strengthening democracy and the rule of law, and call on both Parties to maintain their commitment to Georgia's political association and economic integration with the EU;
2. welcome the announcement made jointly by the President of Georgia and President of the European Commission on 9 March 2018 in which they expressed the intention to establish a new format of higher level bilateral sectoral cooperation between the EU and Georgia; express hope that the new initiative will contribute to the deepening of Georgia's sectoral integration with the EU and its further convergence with EU policies;
3. are pleased with the effective implementation of the visa-free regime for short stays, welcome the fact that a large number of Georgian citizens have benefited from visa liberalisation and appreciate the active communication campaign led by the Government in this connection;
4. welcome the appointment of a new Public Defender and appreciate the involvement of the civil society in the process;
5. underline the importance of ongoing structural reforms related to the improvement of the investment climate in Georgia, of effective communication and of the need for awareness-raising activities aiming at explaining the benefits of the DCFTA to businesses in order to progressively implement the Deep and Comprehensive Free Trade Area;

6. express their unequivocal support for the territorial integrity of Georgia within its internationally recognised borders and are concerned over the intensified human rights violations and continued discrimination on the ground of ethnic origin in both breakaway regions of Georgia;
7. call on the EU and its Member States to recognise Georgia's prospects for joining the European Union in conformity with Article 49 TEU, as stipulated by the European Parliament resolution of 18 December 2014 on the Association Agreement between the EU and Georgia;
8. note that the Platform is to be informed of the decisions and recommendations of the EU-Georgia Association Council and look forward to regular contacts with representatives from the Parliamentary Association Committee and the Association Committee, including the sectoral sub-committees which have been set up. To this end, they ask that Platform members be given the opportunity to attend sub-committee meetings, where appropriate; call on the co-chairman of EU-Georgia CSP to hold the meetings of CSP in parallel with the Association Council and Association Committees (when possible) and invite representatives of the Association Institutions to share views with the CSP members;

**On the peaceful resolution of conflicts, the CSP members:**

9. recognising the efforts made by the Georgian government to achieve the peaceful settlement of the conflicts in Georgia, and the constructive and supportive contribution of the international community and especially the EU to this end, note that there was no tangible progress at Geneva discussions, which remains the only inclusive format providing for an inclusive engagement of all parties concerned; also note that the tragic chain of incidents resulting from the grave violation of basic human rights, criminal acts and acts of terror in Russia-controlled territories continues<sup>1</sup>;
10. in order to ensure transparent and inclusive investigation of the cases and conviction of the perpetrators, call upon the Georgian Government, the international community and the EU and its Member States to make consolidated efforts to ensure that the authorities who exercise effective control of the occupied territories cooperate to this end;

**On human rights, the CSP members:**

11. recognise the tangible progress achieved in the development of the legal and institutional framework aimed at the protection of human rights and fundamental freedoms; call on the Georgian government and parliament to address the remaining challenges in protecting media-

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• <sup>1</sup> draw attention to the recent cases:  
– the blatant and cynical murder of Georgian citizen Giga Otkhozoria at the ABL with Abkhazia on 19 May, 2016, has not resulted in any punishment of the perpetrator;  
– the death under unclear circumstances of Georgian citizen Archil Tatumashvili on 28 February, 2018, illegally seized by *de facto* Tskhinvali authorities, and the continuous refusal to transfer his body to the family of the victim.

related outlets and journalists from the aggressive and threatening behaviours of some radical groups in the country;

12. call on the Georgian government and parliament to accelerate the ongoing work to create the relevant independent system and so ensure effective, transparent and independent investigation of allegations related to torture and inhuman treatment in the police, penitentiary system, military, etc.;

**On media-related reform, the CSP members:**

13. note that recent changes adopted in the law on the public service broadcaster entail risks of increased commercial and political influence and may possibly negatively impact media sustainability in Georgia; call on the government of Georgia to consider a new change to this law based on the outcome of preliminary in-depth research into the media environment; also call for the involvement of all relevant stakeholders and interested parties in the process;
14. note the financial constraints that small private broadcasters face<sup>2</sup> and which demonstrate that ownership and economic sustainability remain an important challenge for media independence; emphasise that financial sustainability entails high risks for the independence of regional media and recommend that private regional media organisations be considered as small and medium-sized enterprises and that all the opportunities in programmes such as the EU4Business initiative be open to them;
15. recommend that the Georgian government support regular monitoring of subversive propaganda coming from third countries; invite the EU institutions and Member States to make funds available for supporting the governments in EaP countries so they can build their own strategic communications capacities, e.g. by earmarking funds for purchasing media monitoring tools and an audience-measurement system on the regional level, and providing external experts for improving their capacity, advancing cross-government coordination and training on practical implementation of campaigns;

**On the development of small and medium-sized enterprises (SMEs), the CSP members:**

16. welcome the achievements of the Georgian government, of the EU4Business initiative and the East Invest 2 programme in improving the SME sector in Georgia, in reinforcing economic resilience and in enhancing the prosperity of citizens;
17. underline the progress already made in improving the business climate by simplifying business-related legislation, streamlining technical barriers to trade and building and upgrading a sustainable infrastructure, and encourage the government to develop assistance programmes and specific instruments to grant SMEs and start-ups a better access to finance and to stimulate exports, including improved access to productive resources for agricultural and rural businesses;

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See the Rustavi 2 case.

18. point out the existing skills mismatch in the labour market and low job creation and emphasise the need for targeted vocational training programmes, including vocational education and extension access for persons involved in the agricultural sector;
19. encourage private-public dialogue, call for increased government responsiveness to SMEs' needs at national, regional and local levels; underline the need to strengthen policy dialogue and peer review between the EU and Georgian companies in order to facilitate exchange of best practices, and to favour business co-operation agreements, mutual trade, capacity-building, transfer of technology, customs procedures, product standards, and investment;
20. point out that SME bodies and agencies, as well as business and sector associations, and business service providers need to have their capacities strengthened in order to provide an effective service to SMEs in meeting the DCFTA requirements;
21. underline the need for programmes aimed at stimulating innovation and creating innovative enterprises in the Georgian economy through development of products and services, processes, technology and commercialisation and through the participation of firms in the digital economy;
22. encourage the development of a comprehensive policy assessment tool to assess SME policy frameworks and provide recommendations on how to align these with the principles of the Small Business Act;
23. ask for the development of policy tools to foster SME growth, investment, innovation and export capacity in key economic sectors such as the agribusiness, information and communications technology, tourism and the green economy and SME support schemes for internationalisation;
24. call for a contribution to broader understanding among key stakeholders (policymakers and practitioners) on ways of promoting entrepreneurship by women and for the creation of a climate that is favourable to increasing the number of existing businesses led by women, ensures better use of resources through the support and exchange of best practices, knowledge, enterprise skills, education and training, and access to finance and working capital;
25. underline the need for more detailed structural statistics to monitor and evaluate public policy tools on a regular basis and assess SME performance both at national and sector level;

**On labour rights**, the CSP members:

26. welcome the positive steps taken in the institutionalisation of the tripartite social dialogue, in particular further implementation of the relevant provisions of the Labour Code and ratification of ILO Convention No 144 on "Tripartite Consultation" by the Georgian parliament; deem it important, however, to ensure full respect of workers' fundamental rights and freedom of association as guaranteed by ILO conventions, through strengthening relevant labour institutions and improving social dialogue at all levels;

27. note the absence of legal regulations and mechanisms providing equal pay for equal work in Georgian labour-related legislation; call on the government of Georgia to develop the methodology that would enable the work done by employees to be measured on the basis of objective criteria and to amend the law to ensure equal pay for women and men for equal work;
28. believe that the Georgian labour code lacks gender-sensitive provisions; in this connection, welcome the ongoing cooperation between trade unions and the gender equality council within the Georgia parliament which has resulted in the framing of related draft amendments and calls for stepping up the process of adopting these legal changes;
29. welcome the adoption of the new Georgian law on occupational safety and health, which is a considerable step forward; note, however, that the new law still needs improvements in order to secure the protection of all employees' labour rights and access of labour inspection bodies to all workplaces in compliance with the ILO standards; therefore call on the government and parliament to ensure the timely drafting of the law and adoption of the measures to ensure effective monitoring of its implementation;

**On food safety reform in Georgia, the CSP members:**

30. welcome the government's efforts to develop the nation's food safety system in order to ensure safe food and health for the citizens of Georgia; note that a number of areas have still not been addressed with the necessary reforms; therefore urges that more attention be paid to improvements in traceability of unsafe food, identification of sources of its contamination, initiating collection of data for the assessment of food-related risks and fully informing consumers in cases where unsafe products are identified on the market;
31. point out that some legislative improvements are also necessary especially with regard to clarity of rules for SMEs and family producers, adequate rules for traditional products, and a clear timeline for the adoption of Hazard Analysis and Critical Control Points requirements for production of all types of food (except primary production and traditional products);
32. call for more openness from the bilateral bodies of the Agreement in order to ensure more effective civil society monitoring and advocacy of implementation of the Association Agreement, including civil society access to the documents of meetings of those bodies (such as agendas, reports, assessments and other relevant materials intended for consideration as well as conclusions/minutes) and for procedures for making comments and suggestions on these to be put in place;
33. emphasise that efforts are needed to increase public awareness of the food safety reform, especially outside Tbilisi; underline the fact that effective dialogue between the competent authorities and consumers, food businesses, the media and other stakeholders is of great importance for a trustworthy food control system;
34. call for official food controls to be reliable and consistent and urge the National Food Agency of the Ministry of Agriculture of Georgia to organise intensive training courses for newly hired inspectors in food technology, food hygiene and food safety; welcome the establishment of

"civil halls" – public fora in which the government gathers input from economic and social actors –, but ask for these meetings to take place more frequently and be made more productive and result-oriented;

35. ask for transparent, timely and accurate communication with the public regarding the annual and multi-annual control plans, as well as the audits on these plans, to increase both the interest of the general public and the incentive of food businesses to adhere to legal requirements;
36. call on the government to establish one or a number of reference laboratories to focus on joint coverage of the majority of Georgia's methodologies related to laboratory analyses for food safety and veterinary and phytosanitary matters;

**On the harmonisation of digital markets (HDM), the CSP members:**

37. urge the government to be more active in improving governance and coordination by: drafting the country's HDM policies and strategies and drawing up action plans in the relevant field and creating national roadmaps to promote HDM ecosystem development in Georgia;
38. emphasise the need to:
  - formulate and implement a national digital skills strategy in line with similar EU strategies and to establish a national digital skills and jobs coalition, using the EU's digital skills and jobs coalition model as a basis;
  - set-up a European e-Competence Framework in Georgia, which provides a reference of up to forty competences as applied at the information and communication technology workplace, using a common language for competences, skills, knowledge and proficiency levels that can be understood across Europe;
  - create digital infrastructure building blocks in Georgia to ensure piloting: cross-border e-signatures, digital transport corridor services and trade facilitation systems;
39. call on the Ministry of the Economy to implement the provisions of the Liability of Intermediary Service Providers subsection (Articles 129-133) according to the annual DCFTA 2018 implementation action plan and note that Georgia has committed itself to implementing this within two years from the date of entry into force of the agreement, but has failed to do so;
40. call on the government to ensure the involvement of civil society and the private sector in the work of the EaP platforms, including: workshops, panel sessions and ministerial and other events within the allocated quotas;

**On cooperation on CFSP/CSDP issues, the CSP members:**

41. welcome the successful cooperation between Georgia and the EU to promote peace and stability in the world; note with satisfaction Georgia's important contributions to EU peacekeeping operations in the Republic of Mali, the Central African Republic and Ukraine; call upon the

Georgian government to further develop the legal basis, institutional structure and inter-institutional coordination and capabilities, including training of personnel, for the increased participation of Georgian professionals in EU-led CSDP civil operations;

42. welcome the signing of the agreement on the exchange of confidential information between relevant bodies of the EU, its Member States and Georgia;
43. call on the EU and the government of Georgia to intensify institutional cooperation on addressing new threats, in particular hybrid and information wars and cyber-attacks; in this connection, call on the EU to increase its assistance to Georgia in developing an adequate level of resilience as stipulated by the EU Global Security Strategy;

**On the movement of persons, the CSP members:**

44. call on the EU Member States and the Georgian government to upgrade their support for strengthening interstate cooperation on temporary legal migration (expertise, research, designing of circular migration schemes, signing agreements, etc.) under the Mobility Partnership between the EU and Georgia, the initiative signed in Brussels in 2009;
45. call on the Georgian government and the EU to intensify efforts, including through a broad public information campaign, to prevent the attempts of Georgian citizens to travel to the EU in order to falsely seek asylum, remain illegally and look for undeclared employment in its Member States; call for a unified approach of the EU Member States in declaring Georgia a safe country, which would solve the issue of false asylum seekers;

**On environmental policy, the CSP members:**

46. call on the parties to strengthen cooperation and explore ways and means to reduce the adverse effects of natural and man-made disasters, including those caused by climate change, as well as pest management strategies in the agricultural sector through implementation of disaster prevention, preparedness and response activities.
47. call on the Georgian government to step up work on improving environmental monitoring and unified information systems on water, air quality in cities in line with EU directives, Black Sea coastal management as defined in the Marine Strategy Framework Directive and on harmonising environmental and health indicators with EU standards, as stipulated in the Association Agreement;

**On energy reform, the CSP members:**

48. welcome Georgia's joining of the European Energy Community and call on the parties to strengthen cooperation on energy reform in order to meeting in time the commitments and obligations derived from Georgia's European Energy Community membership; also calls for an improvement in the capacities of government and non-government actors to engage in a meaningful dialogue with stakeholders and to bring more transparency and ensure sustainability of reforms;

49. call on the Georgian government to increase capacity and to establish a practice of evidence-based policies and to deepen policy dialogue, including for resolving problems related to energy efficiency and development of renewable energy, in particular, hydropower and wind, and to support the professional growth and education necessary for sustainable development of Georgia's energy sector.
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