



EU-GEORGIA CIVIL SOCIETY PLATFORM

11th meeting
8 June 2023, Tbilisi

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 of the agreement and draw up recommendations for submission to the relevant authorities.

The eleventh meeting of the CSP was convened on 8 June 2023 in Tbilisi. The members of the CSP presented the European Commission's progress in addressing 12 priorities in its opinion on Georgia's EU membership published on 17 June 2022 as well as the implementation of chapter 14 of the Association Agreement on Employment, social policy and equal opportunities.

On the progress in addressing 12 priorities made by the European Commission in its opinion on Georgia's EU membership, the CSP members

1. point out that the progress in addressing the *12 priorities* specified in the European Commission's opinion on Georgia's membership application issued on 17 June 2022¹ has been tangible in some areas but limited or absent in others, especially when it comes to tackling the political polarisation, increasing the involvement of civil society in the decision-making processes, reform of judiciary, de-oligarchisation, and freedom of media; in this regard, note with concern that some key civil society organisations (CSOs)' recommendations on judiciary reform, anti-corruption measures, democratic oversight, freedom of the media and the protection of vulnerable groups remain unaddressed;
2. in the area of **media freedom**, consider the imprisonment of the director of the opposition-oriented TV broadcast *Mtavari Arkhi*, Nika Gvaramia, who according to the Public Defender's statement of 8 June 2022, is a victim of politically motivated conviction, as an attack against freedom of media which hinders the fulfilment of priority 7 (Free Media) of the Commission's recommendations for Georgia achieving EU candidate country status; call on Georgian authorities – Executive, Legislature, and President – to use all legal existing means to put an end to this unfair conviction;
3. welcome the fact that the Government, on the basis of dialogue with CSOs and the media, in accordance with the recommendations by the Council of Europe, has recently initiated changes

¹ Opinion on Georgia's application for membership of the European Union: <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Georgia%20opinion%20and%20Annex.pdf>.

to the law on broadcasting so that the law is being brought into line with the Audiovisual Media Services Directive of the European Union. Stress the importance of rapid changes so that the environment for broadcasters and media freedom in general, which has deteriorated according to various international reports², improves.

4. on **gender equality**, note with satisfaction that the Commission's priority 9 for Georgia to achieve EU candidate country status, on gender equality and violence against women, has been mostly achieved; call on the government to continue working on completion of necessary reform and measures to secure safety and protection of women from violence;
5. as regards **vulnerable groups**, note that, despite some progress, still much remains to be done under priority 8 of the Commission's recommendations for Georgia to achieve EU candidate country status. In particular, organisers and perpetrators of the 5 July 2021 violence remain unpunished; protection of the rights of the LGBTQI+ groups has disappeared from the political agenda and this item has also been excluded from the Human Rights Strategy 2022-2030. The ruling party significantly stepped up the rhetoric against the LGBTQI+ community; and civil society organisations are still not involved in the process on the Human Rights National Action Plan. Call on Georgian authorities to duly address the above-mentioned challenges;
6. express their deep concern that a discrediting campaign against **civil society** continues, and that initiation and adoption of important legislative acts still happens without involvement of civil society. In this regard, call on the Parliament to strengthen the Open Governance consultative working group, and for genuine consultations within all working groups established for cooperation on achievement of the *12 EU priorities*;
7. are concerned at the attempt by the Georgian Parliament to adopt a "Foreign Influence Agent's Registration" law, which was discriminatory towards **civil society** organisations and supposed to increase control and pressure of law enforcement structures over their activities and damage the public image and influence of CSOs; welcome the later withdrawal of the bill as a result of the public protests and international pressure; note, however, that the intention to adopt the bill had a heavy impact on depolarisation and relations between the government and civil society and appeared counterproductive to the implementation of respective Commission priorities;
8. expresses concerns that **judiciary reform** has not been properly addressed: in particular, the amendments presented by the Parliament do not cover the reform of the High Council of Justice, and this was also stressed in the respective conclusions by the Venice Commission; the Georgian Parliament did not ensure broad involvement of the opposition and civil society in the process of drafting the strategy and action plan on judicial reform;
9. note that despite the approval of the high-quorum appointment procedure for the Prosecutor General (at first hearing), the ruling party decided to use the deadlock-breaking mechanism only and appoint the Prosecutor General for a one-year term;

² <https://www.hrw.org/world-report/2022/country-chapters/georgia> and <https://freedomhouse.org/country/georgia/nations-transit/2023>

10. call on the Georgian authorities to consolidate efforts to establish an independent, accountable and impartial judiciary;

Furthermore, the members of the CSP

11. condemn continued occupation and illegal *borderisation* of the territory of Georgia and annexing of part of Georgia's territories (Bichvinta) by the Russian Federation, violation of human rights and freedoms in the occupied territories of Georgia by the Russian occupying regime and the so-called *de facto* governments, including illegal kidnappings of Georgian citizens, maltreatment in detention centres, prohibition of education for ethnic Georgians in the Georgian language, restrictions and barriers to the free movement of people and deprivation of the rights of internally displaced people to safely return to their homes as required by numerous resolutions of the UN General Assembly; call on the EU institutions and Member States to react strongly to the violation of Georgia's sovereignty and territorial integrity and fundamental rights of Georgia's citizens on the occupied territories;
12. recognise the contribution of the EU Monitoring Mission to stabilise the situation and increase the safety and security of citizens along the occupation line (between occupied territories and the rest of Georgia), and call for all possible measures to fully implement its mandate, including in the occupied territories of Georgia;
13. reiterate their call to the European Commission and to the government of Georgia to logistically and financially support the work of the EU-Georgia civil society platform, as sustaining its activities is becoming increasingly challenging for both the EU and the Georgian side; point out, in addition, that the work of the CSP must be further stepped up in view of Georgia's European future;
14. continue to be worried about the deteriorating health condition of the former president, Mikheil Saakashvili, and call on the Georgian government to take appropriate and quick action, including transferring him for medical treatment abroad, before his condition deteriorates even further;
15. reiterate that despite some progress in energy reforms, Georgia needs continued EU support to improve its energy security, developing renewable energy and energy efficiency potential. Georgia and the EU have mutual synergistic interests in achieving higher connectivity, increasing the share of renewables and energy savings, and the transit potential of Georgia for transporting hydrocarbons and green energy from the South Caucasus and the Caspian region to the EU;
16. reiterate the importance of all stakeholders joining forces to facilitate public and private investment within the framework of flagship initiatives for Georgia under the EU's Economic and Investment Plan;

On the implementation of chapter 14 of the Association Agreement on Employment, social policy and equal opportunities

17. reiterate the joint declaration adopted at 10th meeting of the EU-Georgia Civil Society Platform³, and in particular the part on *labour rights* and *gender equality*;
18. reiterate their call to ensure freedom of association and revive stalled social dialogue and collective bargaining processes to improve labour rights and decent work, including occupational safety and health;
19. in this regard, note that the instruments of social dialogue and collective bargaining, which have the potential to shape labour market and employment policies in a balanced and sustainable way, should be strengthened; stress that capacity-building of social partners remains very important in this context;
20. call for the Labour Inspectorate to fully discharge its responsibilities, carrying out more labour inspections, for it to be transparent and for public access to all inspection records; reiterate their call for ratification of ILO Conventions 81, 129, 155, and 187⁴ while underlining the need to step up implementation of other ILO Conventions, in particular the core conventions;
21. call on the government to take further steps to design the Social Code, as this process had stagnated, and call for ratification of ILO Conventions 102, 156, 183 and 190⁵;
22. call on the government to start taking steps to transition informal employment to formal employment on the basis of ILO Recommendation No 204; point out that informal employment accounts for 40% of total employment, and thus almost half of workers are not covered by labour laws or social rights at work;
23. point out that access to social protection is a key element in building a just and democratic society where inequalities are reduced and economic development is inclusive. Therefore, they stress the need to develop the social protection system and increase access to it, in particular for women;
24. despite some progress in the area of labour migration legislation, stress the need to further strengthen cooperation between Georgia, the European Union and third countries in order to counter unfair labour mobility practices; refer to recent cases pointing to the need to increase

³ https://www.eesc.europa.eu/sites/default/files/files/joint_declaration_10_eu_geo_csp.pdf

⁴ ILO Convention 81: Labour Inspection Convention.

ILO Convention 129: Labour Inspection (Agriculture) Convention.

ILO Convention 155: Occupational Safety and Health Convention.

ILO Convention 187: Promotional Framework for Occupational Safety and Health Convention.

⁵ ILO Convention 102: Social Security (Minimum Standards) Convention.

ILO Convention 156: Workers with Family Responsibilities Convention.

ILO Convention 183: Maternity Protection Convention.

ILO Convention 190: Violence and Harassment Convention.

control and for full access of Georgian workers to information, and for implementation of fundamental rights and the fight against social dumping;

25. draw attention to the situation of young people in Georgia, who have clearly and openly showed their European aspirations, and believe that this deserves recognition and lays the foundation for future membership; point out, nevertheless, that the socioeconomic situation of young people in Georgia is challenging due to high youth unemployment, low-quality employment and reported cases of exploitation, especially among those who enter the labour market without the necessary experience;
26. in this regard, recommend education-related measures aimed at gaining, improving and upgrading the skills of young people to facilitate their access to the labour market. In addition, underline the need to protect young people from exploitation and to step up efforts to improve the quality of employment, so that young people do not fall into the trap of temporary employment, and to avoid massive brain drain; stress the importance of public employment services and recommend policies such as the EU's Youth Guarantee along with access to the social security system for young people, especially women;

On the consideration of ECHR judgments

27. welcome the fact that the Georgian Parliament has adopted laws that would enable Georgian courts to proactively take into account ECHR judgements, and that the Commission's priority 11 for Georgia to receive candidate country status seems therefore to have been achieved; thanks to these laws judges will be able to base their decisions on ECHR cases. A special department will be created in the Georgian courts that will provide an analysis of the ECHR decision to the judges; also note with satisfaction that CSOs were involved in the working group drafting the legislation and that changes were adopted with the support of the opposition parties; call on the government of Georgia to adopt a similar participatory approach to the process of achieving the other Commission priorities;

On electoral reform

28. note with concern that the electoral barrier in Georgia remains unchanged at 5%, and that no electoral blocs are allowed, putting opposition parties at a disadvantage when it comes to the 2024 elections;
29. according to the joint assessment of the OSCE/ODIHR and the Venice Commission, the changes in the electoral law do not cover important issues such as delimitation of the electoral districts, further improvement of regulations concerning media campaigns; preventive measures against intimidation of voters, etc.;
30. note that, according to Georgian CSOs and the Venice Commission, there is still a need for changes in the electoral legislation, including regarding the composition of the central election commission, improvement of criteria for conducting recounts and annulments, etc. The Central Election Commission Chair is not appointed by a two-thirds majority in Parliament, remaining a temporary appointment.