



Brussels, 12.6.2014
COM(2014) 360 final

2014/0182 (NLE)

Proposal for a

COUNCIL DECISION

on the Union position with the Cooperation Council established by the European Union –Georgia Partnership and Cooperation Agreement between the European Community and its Member States, of the one part, and Georgia, of the other part with regard to the adoption of a Recommendation on the implementation of the EU-Georgia Association Agenda

EXPLANATORY MEMORANDUM

A Partnership and Cooperation Agreement between the European Community and its Member States, of the one part and Georgia of the other part (PCA), based on commitments to shared values and effective implementation of political, economic and institutional reforms, was signed on 22 April 1996 and entered into force on 1 July 1999.

A joint EU-Georgia European Neighbourhood Policy (ENP) Action Plan based on the Partnership and Cooperation Agreement lays out the strategic objectives and encourages and supports Georgia's objective of further integration into European economic and social structures.

Georgia is a partner country within the European Neighbourhood Policy. This has changed the context of relations between the European Union and Georgia in a significant and positive way. The EU and Georgia have in the meantime finalised negotiations for an Association Agreement ("the Agreement") to succeed the PCA. The negotiations of the Association Agreement were completed on 22 July 2013, and the Agreement was initialled on 29 November 2013 on the occasion of the Eastern Partnership Summit in Vilnius.

The Association Agreement will significantly deepen Georgia's political association and economic integration with the EU and includes the gradual implementation of a Deep and Comprehensive Free Trade Area.

The successful implementation of a Visa Liberalisation Action Plan constitutes a fundamental element underpinning the political association and economic integration of Georgia with the European Union foreseen in the Association Agreement, namely the substantial enhancement of mobility and people-to-people contacts.

The EU Heads of State and Government initially envisaged signature of the Association Agreement autumn 2014. Prompted by worrisome developments in Ukraine which could well impact also other countries in the region, the decision was taken to bring forward the signing of the agreement to June. Following concerted efforts between Union institutions to shorten the technical work on the texts of the Agreement, this objective will be reached.

The Association Agreement can only enter into force once ratified by all Parties (i.e. the EU, its Member States and Georgia). This is likely to be a lengthy process, possibly of several years. Therefore, the Agreement foresees the provisional application of parts thereof once the partner country has completed the necessary procedures and the EU side has notified its readiness for provisional application to start.

The aim of the Association Agenda is thus to prepare and facilitate the implementation of the Association Agreement, by creating a practical framework through which the overriding objectives of political association and economic integration can be realised, thus succeeding to the EU-Georgia European Neighbourhood Policy Action Plan.

Based on the structure of the Association Agreement, the Association Agenda provides for a list of priorities for joint work in the period 2014-2016. The fact that the Association Agenda focuses upon a limited number of priorities should not affect the scope or the mandate of the existing dialogue under the PCA or other agreements nor should it prejudice the implementation of commitments made in the Association Agreement once it enters into force or is provisionally applied. It is important to note that unlike the Association Agreement, the Association Agenda is not a legally binding instrument under international law.

The Commission attaches the text of a proposal for a Council Decision on the Union position within the EU-Georgia Cooperation Council with regard to the adoption of the Association Agenda, as set out in Annex.

The Commission therefore request the Council to adopt the attached draft Council Decision.

Proposal for a

COUNCIL DECISION

on the Union position with the Cooperation Council established by the European Union –Georgia Partnership and Cooperation Agreement between the European Community and its Member States, of the one part, and Georgia, of the other part with regard to the adoption of a Recommendation on the implementation of the EU-Georgia Association Agenda

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(9) thereof,

Having regard to the Partnership and Cooperation Agreement between the European Community and its member States, of the one part, and Georgia, of the other part ("the PCA"), and in particular Article 81 thereof,

Having regard to the joint proposal from the European Commission,

Whereas:

- (1) The PCA was signed on 22 April 1996 and entered into force on 1 July 1999.
- (2) The Association Agreement between the European Union and its Member States of the one part, and Georgia, of the other part ("the Association Agreement") has been initialled on 29 November 2013 on the occasion of the Eastern Partnership Summit in Vilnius.
- (3) Pending its entry into force, the Association Agreement is to be provisionally applied as soon as possible by the Parties.
- (4) To support the implementation of the Association Agreement the Parties have agreed to negotiate an Association Agenda with a view to providing for a list of priorities for joint work in the period 2014-2016.
- (5) The Parties have agreed on an Association Agenda which will have to be adopted by the Cooperation Council set up under the PCA, pending the establishment of the institutional framework of the Association Agreement.
- (6) The Union position to be taken in the Cooperation Council on the adoption of the recommendation on the implementation of the EU-Georgia Association Agenda has to be adopted by the Council,

HAS ADOPTED THIS DECISION:

Article 1

The Union position within the Cooperation Council established by the Partnership and Cooperation Agreement between the European Community and its Member States, of the one part, and Georgia, of the other part, with regard to the implementation of the Association

Agenda shall be based on the draft Recommendation of the Cooperation Council attached to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

*For the Council
The President*