

Canadian NATO
Parliamentary Association



Association parlementaire
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**Report of the Canadian Parliamentary Delegation
respecting its participation at the Sub-Committee on
Democratic Governance (CDSDG) and the
Georgia-NATO Interparliamentary Council (GNIC)
Canadian NATO Parliamentary Association (NATO PA)**

**Tbilisi, Georgia
April 5-8, 2010**

Report

A delegation of 9 legislators from NATO member countries, led by Hendrik Jan Ormel (Netherlands), Vice-President of the NATO Parliamentary Assembly (NATO PA) and Chairman of the Sub-Committee on Democratic Governance (CDSDG) visited Georgia from 5-8 April 2010 to discuss the country's domestic and foreign policy priorities and challenges. This visit coincided with the first meeting of the Georgia-NATO Interparliamentary Council in Tbilisi. Canada was represented by Senator Pierre Claude Nolin and Mrs. Cheryl Gallant, M.P.

In the words of Vice Prime Minister Giorgi Baramidze, the visit occurred at a time when Georgia faces "a situation that is both troubling and promising"; "it is up to us and our international partners to find ways to avoid obstacles and better utilize opportunities", Mr. Baramidze insisted.

The political environment was dominated by preparations for important local elections scheduled on 30 May 2010, including the first direct election of Tbilisi's Mayor. All Georgian officials reaffirmed their country's commitment to full Euro-Atlantic integration. To achieve this objective, Georgia was pursuing a comprehensive agenda of political, socio-economic and security reforms, despite the dual challenge of dealing with the impact of the global financial and economic crisis and the political and economic aftermath of the August 2008 conflict. The situation in Abkhazia and South Ossetia continued to raise many difficult challenges with little progress to report. Georgian authorities were starting to implement a new strategy of engagement aimed at building bridges between populations on both sides of the administrative border lines.

Assembly members reiterated the NATO PA's long-standing and strong support for Georgia's membership aspirations. They also recognized the progress being made in the reform process despite a challenging situation. Members were impressed with Georgia's new State Strategy on Occupied Territories and expressed their support for the important role performed by the European Union Monitoring Mission as the only remaining international monitoring presence in the country.

GEORGIA NATO PA RELATIONS

The first meeting of the Georgia-NATO Interparliamentary Council (GNIC) in Tbilisi provided an opportunity to take stock of Georgia's active involvement in the NATO PA.

Assen Agov (Bulgaria), Vice-President of the Assembly and one of the two NATO PA representatives in the GNIC, recalled that the Assembly decided to create this new group in November 2008 as a parliamentary counterpart to the NATO-Georgia Commission and a clear demonstration of solidarity with Georgia in the aftermath of the August conflict. Mr. Agov stressed that the GNIC provides a dynamic, flexible arrangement which will help take the already intensive cooperation between the NATO PA and Georgia to the next level and assist Georgia on the path to full membership in the Alliance.

Giorgi Kandelaki, leader of the Georgian delegation to the NATO PA, also called the GNIC "an important platform for communication with the NATO PA" and "a tool to inform NATO parliamentarians about the ongoing challenges Georgia faces". He welcomed

constructive criticism by the NATO PA as Georgia moves towards Euro-Atlantic integration.

POLITICAL CONTEXT AND THE REFORM PROCESS

President Mikheil Saakashvili stressed the vision that Georgia's leadership has for their country. Georgia, he said, needs to continue to be a "success story", citing some of the country's credentials as a model in the fight against corruption, a case of successful police reform and an attractive business-friendly destination for foreign investment.

Georgian officials all emphasized their determination to pursue reform efforts despite the challenging internal situation. Deputy Speaker Mikheil Machavariani told the delegation that Georgia feels "an obligation to continue reforms". Vice Prime Minister Giorgi Baramidze noted that Georgia's leadership needed to address the population's concerns – unemployment and territorial integrity ranking highest among these – while maintaining political stability.

Mr. Kandelaki presented some of the recent steps taken by the Georgian authorities to further democratic processes in the country. Efforts focused in particular on improving majority-opposition relations and the representation of the opposition in state institutions, and strengthening the independence of the judiciary and the freedom and plurality of the media.

30 MAY LOCAL ELECTIONS

The upcoming 30 May local elections – and in particular the first direct election of Tbilisi's Mayor – were seen by Georgian officials, as well as by local and foreign observers, as a major test of Georgia's democratic achievements and maturity. It was also particularly significant as the position of Mayor of the capital is considered the second most important elected position in the country after the President. Foreign diplomats noted that Georgia has yet to experience a peaceful transition of power through elections. Mr. Kandelaki assured the delegation that the authorities fully recognized the importance of the 30 May elections.

Parliamentarians from the majority party emphasized the extensive process of consultation with the opposition which had taken place ahead of the elections and praised the fact that all main decisions had been agreed by consensus, with the exception of the threshold for the election of Tbilisi's Mayor. A 30% threshold had finally been introduced as a compromise between the government's proposed 0% threshold and the opposition's proposed 50% threshold.

Other main reforms included:

- new rules regarding the composition of the Central Election Commission, and the confirmation of the Chairman by opposition representatives among candidates proposed by the President;
- the possibility for all parties to verify the accuracy of voters lists and receive public funding for this activity;
- access for all interested political parties to the second public broadcasting channel which will be dedicated to airing unedited political events and meetings;

- a revision of rules regarding political party financing, which translates into increased funding for the opposition and the possibility for political parties to finance affiliate organisations;
- a moratorium on new government programmes during election campaigns in order to avoid a possible misuse of administrative funds for political purposes.

While welcoming the reform process, foreign officials raised reservations regarding some of these new measures and regretted that other important issues had not been addressed. Nevertheless, they argued that the elections should be assessed in terms of the progress achieved since previous elections. They also emphasized the need to continue the political reform process after the elections in order to foster trust among the main political forces and eventually move towards a political system less dominated by personalities. This message was echoed by members of the parliamentary opposition, who stressed that Georgia needed to come to a point where the ruling party did not fear that losing elections would necessarily lead to the opposition changing the rules of the game and undoing all past decisions. They regretted, however, that talks on constitutional reform were currently on hold due to the coexistence of competing texts, including a draft already adopted by a special parliamentary commission, and an alternative text currently being drafted by the government.

GEORGIA'S POLITICAL LANDSCAPE

Foreign diplomats noted that Georgia's political landscape remained fluid. While the majority camp had experienced a progressive consolidation, opposition parties were negatively affected by ongoing reconfiguration and persistent disunity. Major dividing lines ran across the opposition on such key issues such as collaboration with the ruling party and participation in parliamentary work, as well as relations with Russia. These divisions had prevented the opposition from presenting a credible alternative to the ruling party; popularity rates for the opposition remained stable.

The delegation's meetings with representatives of the parliamentary and extra-parliamentary opposition confirmed ongoing gaps in perception and attitude between these two groups.

Representatives of the non-parliamentary opposition lamented that dialogue and cooperation with the ruling party had brought no concrete change. Therefore, while they did not want revolution, they felt that fundamental flaws in the current political system – including, in their view, a biased media and dysfunctional judiciary – limited opportunities for change to take place peacefully, and urged the international community to press the President to open up space for the opposition on the political arena. Georgia's political system, they argued, was less democratic today than even three years ago. The current leadership was to blame for a deep crisis; it had lost the sense of responsibility and was behaving in an unpredictable manner.

In contrast, representatives of the parliamentary opposition argued that Georgia needed "sustainable evolution and modernisation" rather than revolution. They regretted that bolstering instability within the country only served the interests of those who wanted Georgia's democracy to fail. Instead, political forces needed to focus on reforms and on

educating voters about the problems the country faced. NATO integration, they stressed, was also about democratic reforms. Georgia needed to become a model of democracy in the region.

MEDIA FREEDOM

The delegation also learned about the current state of Georgia's media landscape. Government representatives mentioned some of the recent measures adopted to enhance the freedom and plurality of the media, including greater representation of the opposition and civil society in the public broadcasting governing board, and efforts to ensure a fairer balance of media coverage of the different political parties.

Representatives of civil society argued that while freedom of expression was not an issue in Georgia, problems remained regarding freedom of the media. The plurality of media outlets provided a broad spectrum of views. Access of the opposition to the media was also assessed positively. Both electronic and print media, however, continued to face challenges. Chief among these were rules regarding media ownership. Professionalism of journalists was also mentioned as an ongoing weakness.

Representatives of the extra-parliamentary opposition were more critical, denouncing a biased and superficial media coverage which made it very difficult for them to campaign and present their ideas. They were also highly critical of the recent hoax broadcast on Imedi TV showing a new Russian invasion and a coup led by the opposition. Such moves, in their view, only aimed to undermine the opposition's credibility and portray its leaders as traitors ahead of the 30 May elections.

JUSTICE REFORM

The justice sector was also mentioned as another area requiring further reform. Foreign diplomats noted that the judiciary remained one of the least trusted institutions. Civil society experts pointed in particular to indirect pressures on judges. The delegation learned that justice reform was high on the government's agenda. A new criminal proceedings code had recently been adopted which brought a number of substantial changes, including the introduction of jury trials. The salary of judges had also been increased.

ECONOMIC RECOVERY

Prime Minister Nika Gilauri presented an overview of the current state of Georgia's economy and prospects for the coming years. "Everything that could go wrong has gone wrong", he noted, referring to the war with Russia in August 2008, internal political disturbances in the spring of 2009, and the global economic crisis; yet, he argued, "Georgia is still doing better than other countries in the region". The economy experienced a negative growth of 3.9% in 2009, but current forecasts predicted a rebound in 2010, with an expected 2% growth. The government's objective was to reach growth levels of 7-9% again in the next two years. Mr Gilauri stressed that Georgia needed to do "ten times better" than other countries in order to defeat arguments and fears connected with the difficult geopolitical situation the country found itself in. This included also tackling unemployment rates currently at 15-16%.

According to Mr. Gilauri, the current environment provided many opportunities. Georgia was positioning itself as a new hub for East-West trade and an attractive route for the

diversification of EU energy supplies. Economic relations with Russia, particularly in the field of energy, were also quite active and had remained so even throughout the August 2008 conflict.

EURO-ATLANTIC INTEGRATION

The delegation's discussions highlighted how Georgia's European and Euro-Atlantic ambitions are an essential driver of reform.

NATO INTEGRATION

Georgian officials all reaffirmed that NATO integration features at the top of Georgia's foreign policy and defense agenda, and that this objective is supported by over 70% of the population.

According to First Deputy Minister of Defense Nikoloz Vashakidze, the NATO-Georgia Commission and the Annual National Programme (ANP) have provided "very efficient tools" for guiding the reform process and facilitating the assessment by the Alliance of the progress achieved. Georgia has now finalised its draft ANP for 2010, which aims to ensure continuity and support a more sustained reform process. According to Mr. Vashakidze, while Georgia recognised remaining challenges and shortcomings, the government was positive about achieving its objective of strong appropriately equipped NATO interoperable armed forces under civilian democratic control.

Several speakers also stressed Georgia's determination to act as a provider, and not just a consumer, of security, citing as evidence the recent decision to send an additional 750 troops to support International Security Assistance Force (ISAF) operations in Afghanistan, which makes Georgia the largest *per capita* ISAF troop contributor.

Deputy Foreign Minister Giorgi Bokeria informed the delegation about the different frameworks through which parliament exercises oversight over defense and security matters. These include regular activities of the defense committee; discussions on the budget; the oversight function exercised by the Group of Trust over defense procurement, including access to classified information; and the participation of parliamentarians in the extended National Security Council. All these structures also included representation of the opposition.

Georgian officials called on international partners to continue to assist and guide Georgia as it implements its ambitious reform agenda. However, President Saakashvili also insisted that "when progress is being made, it needs to be clearly acknowledged". Mr. Bokeria regretted that NATO's failure to grant a Membership Action Plan to Georgia at the Bucharest summit and its reaction to Russia's invasion of Georgia's territory could be perceived as a gap of vision within the Alliance on certain fundamental issues. Mr. Gilauri told the delegation that Georgia hoped for a clear message from the Lisbon Summit of NATO Heads of State and Government in November 2010, a message which should reinforce the Bucharest Summit's pledge of future membership. Foreign officials also emphasized the importance of NATO's open door policy and the need to maintain a strong level of engagement with Georgia as well as other countries of this vulnerable region.

Commenting on the renewed dialogue between NATO and Russia, Mr. Baramidze nevertheless stated this was a positive development for Georgia, as it provided an

opportunity for the Alliance to dispel unfounded fears and insist on Russia's compliance with international law.

EUROPEAN UNION (EU) INTEGRATION

Mr. Baramidze informed the delegation that Georgia hoped to start negotiations on an Association agreement and on comprehensive free trade with the EU this year. Conclusion of a visa facilitation agreement was also planned for June 2010.

Both Mr. Gilauri and Mr. Baramidze insisted that the Eastern Partnership provided a good framework for relations with the EU. However, Mr. Gilauri argued that a clearer distinction should be made between bilateral issues and those that are discussed collectively. In his view, in those areas where Georgia is ahead of other partners, such as free trade, its progress should not be held hostage to that of others.

THE SITUATION IN ABKHAZIA AND SOUTH OSSETIA

The situation in Abkhazia and South Ossetia featured prominently in the delegation's discussions. Georgian representatives told delegation members about the serious challenges that developments in those two regions continue to pose. In addition, foreign diplomats warned of a deteriorating security situation.

SECURITY SITUATION AND IMPLEMENTATION OF THE CEASEFIRE AGREEMENT

According to officials of the European Union Monitoring Mission (EUMM), several provisions of the ceasefire agreement have still not been implemented, most importantly free access for humanitarian assistance to Abkhazia and South Ossetia and withdrawal of Russian troops to *status quo ante* positions.

The maintenance by Russia of a checkpoint in Perevi, outside South Ossetia, was mentioned as a clear case of non-compliance. EUMM officials also raised concern at attempts at demarcation of the border, including through the erection of earth walls on the South Ossetian administrative border line (ABL). EUMM also reported the construction of housing facilities for Russian border guard personnel. Attempts to control movements were also observed on the Georgian side of the ABL.

Georgian parliamentarians were also concerned about developments within Abkhazia and South Ossetia. They cited in particular the consolidation of the Russian military footprint in both regions, including the strengthened presence on the ABLs and plans for a naval base in Abkhazia. They also mentioned the ongoing development of administrative ties with Russia. One parliamentarian raised the prospect that upcoming Olympic Games in Sochi might provide an opportunity for Russia to consolidate its hold over Abkhazia's economy.

Talks among all parties continued in the framework of the Geneva process. This is currently the only framework bringing together Georgian and Russian officials directly. Georgian interlocutors stressed they were satisfied with this format, which clearly identified who the sides in the conflict were, and allowed for participation of all relevant stakeholders together with the main international players, a configuration Georgia had long been calling for. They also insisted that, despite obstacles and limited progress, the process had a stabilising effect.

Mr. Baramidze assured the delegation that Georgia is determined to “exercise strategic patience” in its relations with Russia and “avoid falling victim to the paradigm of the conflict with Russia”. Good relations with Russia are in both countries’ interest as they share common challenges, he stressed.

Strategic patience, however, does not mean indifference, President Saakashvili emphasized, and Georgia is taking active steps to address the difficult challenges it faces in connection with the situation in Abkhazia and South Ossetia.

Georgian officials also urged the international community to acknowledge the interstate nature of the conflict and the reality of the situation in Abkhazia and South Ossetia. This, they insisted, meant using appropriate legal concepts, such as “occupation” and “ethnic cleansing”, which carry clear obligations in international law.

STATE STRATEGY ON OCCUPIED TERRITORIES

A key pillar of Georgia’s policy towards Abkhazia and South Ossetia is the recently adopted State Strategy on Occupied Territories. The strategy’s main objective is to create opportunities for engagement with the population in the two regions in areas such as education, infrastructure, health care, and trade, where joint projects can be implemented in a status-neutral manner.

Temur Yakobashvili, Vice Prime Minister responsible for reintegration, explained the rationale behind this Strategy: Georgian authorities had determined that they should not isolate their own citizens; rather as the “expelled sovereign”, they had an obligation to continue to engage with the population. Mr. Yakobashvili made it clear, however, that these documents were internal strategies and did not address the status question, security issues or international aspects.

The delegation was informed that steps towards the implementation of the Strategy will be detailed in an Action Plan which should be adopted by the end of June. Mr. Yakobashvili was confident that authorities in control in Sukhumi and Tskhinvali would understand the benefits of engagement at least in certain of the areas covered by the Strategy. Interest had already been expressed from the Abkhaz side. Civil society representatives also mentioned that there was support on both sides of the ABL for re-opening trade channels, and that measures should be taken to facilitate this process, including by adapting current checkpoint regimes.

Foreign diplomats were also very positive about the Strategy, which, in their view, was the most elaborate document presented by the Georgian authorities so far. In their view, implementation of the Strategy thus deserved full support from Georgia’s international partners.

THE EUMM’s ROLE

The delegation met EUMM representatives in Tbilisi and in Gori. The mission was established as a civilian and unarmed monitoring mission under the European Security and Defense Policy on 15 September 2008 following the conclusion of the ceasefire agreement. It started its first patrols two weeks later on 1 October 2008. The mission is currently composed of over 200 monitors – police officers, military and civilian experts – from 26 EU member states, deployed at Headquarters in Tbilisi and in 3 regional field offices.

EUMM's mandate includes four main lines of action: stabilization, i.e. monitoring compliance of all parties with the ceasefire agreement; normalization, including monitoring the return of Internally Displaced People (IDPs); confidence building, i.e. encouraging dialogue and co-operation among the parties; and information, i.e. reporting back to capitals and to Brussels about the situation on the ground. EUMM officials stressed, however, that the mission had not been granted any executive powers.

A Memorandum of Understanding with Georgia's Ministry of Interior and Ministry of Defense provides a basis for EUMM to monitor the activities of Georgian police and military personnel along the ABLs and requires prior notification of any major movements. EUMM officials were positive that these mechanisms adequately fulfill the twin goals of building confidence and preventing any future escalation.

While EUMM's activities are increasingly appreciated by Russia, EUMM officials noted ongoing difficulties in engaging with South Ossetian and Abkhazian authorities. The establishment of the Incident Prevention and Response Mechanism (IPRM), which brings together all parties, was seen as a positive development. Regrettably, however, South Ossetia had suspended its participation in IPRM meetings since October 2009.

Georgian officials, as well as members of the delegation, emphasized EUMM's essential role as the only remaining international monitoring presence in the country, and echoed concerns about the mission's inability to cross the ABLs into Abkhazia and South Ossetia. Georgian government officials insisted that, eventually, new security arrangements should be implemented on the ground in conjunction with a progressive withdrawal of Russian troops. Mr. Baramidze thus expressed the hope that EUMM could become a full-fledged peacekeeping and policing mission. Georgian officials urged international partners to support discussions on this issue and help convince Russia to drop its objections.

IDPs

While, according to EUMM figures, some 230,000 people – mostly originating from Abkhazia – are still displaced from the conflicts in the early 1990s, Georgia has had to deal with a second wave of displacement after August 2008. Some 30,000 people – mostly from South Ossetia – are still displaced from this conflict.

Measures taken by Georgian authorities to deal with the new IDP caseloads were widely praised. The delegation visited the Tserovani camp outside Tbilisi, which, with some 2,100 houses, is the largest facility for IDPs from the 2008 conflict. Some 5,000 houses were built in 38 IDP settlements across Georgia in the months following the conflict. IDP families were offered a choice between monetary assistance and temporary housing. Ownership of the houses is automatically granted to their inhabitants.

EUMM officials stressed that achieving the goal of a return of all IDPs to their homes, an objective officially pursued by Georgian authorities, will be extremely difficult given existing opposition within South Ossetia and Abkhazia to returns, as well as the destruction of certain villages during the conflict. In this context, more will have to be done to integrate IDPs in the communities in which they have been relocated. Several

speakers also insisted that existing discrepancies in the treatment of the two caseloads of IDPs need to be addressed.

GORI

The delegation also met with Vladimer Vardzelashvili, Governor of the *Shida Kartli* region, in Gori and visited the South Ossetian ABL in Ergneti. Mr Vardzelashvili presented a chronology of the August 2008 conflict in the Gori area and an overview of the destruction caused by hostilities. He emphasized that, while attention tended to focus on the “big picture”, it was important not to forget the difficulties and challenges the conflict was still causing in the daily lives of the inhabitants of the areas adjacent to the ABL. He informed the delegation that 2,000 families living in the area – who had not been displaced – were still without income. Given the current security situation, it was impossible for farmers to cultivate fields in the areas adjacent to the ABL. Some families feared to go back to their villages even on this side of the ABL, he said. Priority, in his view, should thus be given to restoring a sense of security.

Respectfully submitted,

The Honourable Senator Raynell Andreychuk
Canadian NATO Parliamentary Association (NATO PA)

Travel Costs

ASSOCIATION	Canadian NATO Parliamentary Association (NATO PA)
ACTIVITY	Sub-Committee on Democratic Governance (CDSDG) and the Georgia-NATO Interparliamentary Council (GNIC)
DESTINATION	Tbilisi, Georgia
DATES	April 5-8, 2010
DELEGATION	
SENATE	Senator Pierre Claude Nolin
HOUSE OF COMMONS	Mrs. Cheryl Gallant, M.P.
STAFF	
TRANSPORTATION	\$19,324.86
ACCOMMODATION	\$2,596.77
HOSPITALITY	\$0.00
PER DIEMS	\$3,166.22
OFFICIAL GIFTS	\$0.00
MISCELLANEOUS / REGISTRATION FEES	\$0.00
TOTAL	\$25,087.96