Euronest Parliamentary Assembly
Committee on Political Affairs, Human Rights and Democracy

MINUTES
of the meeting of 30 October 2017
9.30 a.m. – 1.15 p.m.
Kyiv
Verkhovna Rada, Plenary Hall

The meeting of the Euronest Parliamentary Committee on Political Affairs, Human Rights and Democracy opened on 30 October 2017 at 9.30 a.m. The session was chaired by the Co-Chairs of the Committee, Borys Tarasyuk (Verkhovna Rada) and Dariusz Rosati (European Parliament).

1. Adoption of draft agenda

The draft agenda was adopted as tabled.

2. Election of the Eastern European component’s First Vice-Co-Chair of the Committee on Political Affairs, Human Rights and Democracy

The Armenian delegation had nominated MP Samvel Farmanyan (member of the Armenian delegation) for the position of First Vice-Co-Chair of the Euronest PA Committee on Political Affairs, Human Rights and Democracy.

The members of the Committee elected Mr FARMANYAN as First Vice-Co-Chair of the Committee by acclamation.

3. Approval of the minutes of the joint meeting of the Euronest PA Committee on Political Affairs, Human Rights and Democracy and Committee on Social Affairs, Education, Culture and Civil Society of 23 March 2017 in Brussels

The minutes were approved as tabled.

4. Exchange of views on the prospects of the Eastern Partnership in the run-up to the summit of 24 November 2017 in Brussels
In his opening remarks, the Deputy Head of the European Union and NATO Department of the Ministry of Foreign Affairs of Ukraine, Andriy NADZHOS, noted that the EU-Ukraine Association Agreement and the ‘visa-free regime’ agreement were currently the main tools for accelerating and strengthening cooperation between Ukraine and the EU. At the recent Ukraine-EU summit it was proposed to set a number of strategic long-term goals for Ukraine’s process of European integration, in particular, the association of Ukraine with the Schengen area, entry into the EU customs union and energy union, integration into the EU’s digital single market, and joining the EU’s Common Aviation Area.

Mr NADZHOS also emphasised that Ukraine, Moldova and Georgia had developed joint proposals and initiatives within the framework of the interparliamentary platform of the three countries that had signed association agreements in relation to the further development of the Eastern Partnership. The European intentions of these countries, in other words their aim of full political, economic and institutional integration with the EU, are set out in a joint statement addressed to the 5th Eastern Partnership Summit to be held in Brussels on 24 November 2017.

The Director of the European Commission’s Eastern Neighbourhood Programme within its Directorate-General for Neighbourhood and Enlargement Negotiations, Lawrence MEREDIT, briefed the meeting on the progress of the tasks of strengthening institutions and good governance, and presented 20 goals and indicators for the Eastern Partnership for 2020 as key priorities that should yield tangible results for the participating states. In particular, he focused on key issues which are necessary for building the confidence of citizens in state institutions in areas such as security and reforms of public administrations whose activities directly relate to people’s lives; independence of the judicial system; and the fight against corruption.

The head of the Azerbaijani delegation to the Euronest PA, Fuad MURADOV, took part in the discussion and emphasised the importance of resolving conflicts in the territories of the member states of the Eastern Partnership that are occupied. He noted that it was very important to have a clear position from the Commission on this issue. He also informed the members of the Committee of the implementation on 30 October 2017 of an important project between Azerbaijan, Georgia and Turkey, namely the rail connection between those countries, which might also be of interest to Ukraine. He said this project would unite Europe and Asia. The speaker also expressed the hope that other countries would be able to make use of the benefits of this project.

In the exchange of views, the Ukrainian MP Dmytro LUBINETS gave information on the deterioration of democracy in the occupied parts of the Donetsk and Luhansk regions and the Crimean territory, with particular reference to the systematic violations of human rights and non-respect of the presumption of innocence and the right to a fair trial. He also called for intensified pressure on Russia with a view to fulfilling the objectives of the 20 above-mentioned goals and indicators of effectiveness for 2020 for the Eastern Partnership.

The head of the Georgian delegation, Tamar KHULORDAVA, welcomed the recommendations to the Eastern Partnership summit prepared by the European Parliament. She also spoke on interparliamentary cooperation between Georgia, Ukraine and Moldova, further noting that the summit was a very important event for all participants in the Sixth Session of the Euronest PA.
Ms Khulordava also emphasised the importance of including consideration in the texts of resolutions of the European intentions of the states concerned and on possible prospects for greater integration, in particular in accordance with Article 49, since this would have a positive influence on the implementation of reforms in partner countries. Discussing one of the principles of the Eastern Partnership, namely ‘more for more’, she noted that the principle of differentiation led to greater results. She also focused on the importance of resolving conflicts in the territories of the participating states. She expressed regret that the monitoring mission could not fully fulfil its mandate and concluded that it is therefore necessary to put greater pressure on Russia with a view to all international agreements being implemented.

The head of the Armenian delegation, Armen Ashotyan, evoked his country’s aspirations to cooperate with the EU and the expectation of signing a new EU-Armenia agreement. All the necessary technical specifications for signing this agreement had been fulfilled. Mr Ashotyan also expressed his hope that the EU Member States would support the development of democratic institutions and the protection of Armenia’s intentions. He stressed the importance of having a clear position from the EU on the Nagorno-Karabakh issue, and suggested bringing together all the different approaches in order to resolve the issue. Mr Ashotyan also proposed updating the format of the Eastern Partnership with a view to uniting all joint efforts to resolve the urgent issues facing its members.

The representative of the Azerbaijani delegation, Rovshan Rzayev, thanked his colleagues from Ukraine for organising and holding this session of the Euronest PA. In his speech, he drew the attention of the leadership of the Euronest PA to the question of establishing effective ways in which the political groups of the EP could work with national delegations within the different political families. It was proposed to consider this request and take possible measures to enable members of delegations who do not currently belong to any political family to join existing political families within the framework of the Euronest PA. Continuing the discussion on the conflict between Armenia and Azerbaijan regarding Nagorno-Karabakh, Mr Rzayev stressed that the issue must be resolved in the framework of international law, adding that he saw no need to mention in the framework of Euronest problematic issues that are already being dealt with by the OSCE Minsk Group, since this could complicate the work of the Assembly.

Petras Austrevicius, for the EU delegation, welcomed the participants and thanked the Ukrainian colleagues for organising this event. He said that the Eastern Partnership was a ‘remarkable university’, where we all learnt and exchanged experience in various fields and realms. He stressed that the EU Member States were trying to achieve a unified economic socio-cultural development of a unique kind, despite the fact that they all spoke different languages. Each country had its own history, experience and standards of economic development, and in order to preserve this uniqueness, it was important to respect the traditions already existing in the European Union.

Mr Austrevicius noted that the EP plans to discuss and approve the resolution regarding the future of the Eastern Partnership in November 2017. He said that this document consolidated more new principles for those countries that were taking on more commitments to achieve ambitious end-points, and confirmed that the EU supports this policy. For countries that have already signed an association agreement there will be a special formula for an ‘Eastern Partnership plus’. In addition, the document set out another new approach – an ‘investment plan’ that should change management mechanisms and donor attitudes towards countries. The
document also focused on the protection of human rights issues. Concluding his speech, Mr Austrevicius emphasised the importance of developing the Eastern Partnership, which provides an opportunity to learn through cooperation and makes it possible to overcome all obstacles to the development of the countries concerned.

Karen BEKARYAN, representative of the Armenian delegation, stressed in his speech the elements of basic values and interests and the rule of law, as well as the challenges faced by the countries concerned. He emphasised that the Eastern Partnership platform should be used to develop new forms of cooperation which can help resolve all issues that are of major interest and importance to both the EU side and the Eastern partners’ side. The MP stressed the need to explore all means of guaranteeing and protecting human rights, thus making a major contribution to conflict resolution in general.

Faray GULIYEV, representative of the Azerbaijani delegation, emphasised the importance of considering democracy and economic development within the framework of the Eastern Partnership platform, but pointed out that the occupation by one country of the territory of another country hindered this. He stressed that Azerbaijan wanted to resolve the conflict concerned in accordance with the norms and principles of international law approved by the United Nations. He urged the countries concerned to act in line with the obligations assumed by them in the framework of international organisations. Mr Guliyev also emphasised the importance of establishing a common security partnership within the framework of the Eastern Partnership. Conflicts that were created with Russia’s support relating to territories of Azerbaijan, Georgia and Moldova must be resolved and occupiers should be withdrawn from captured territories. All documents of the Euronest PA should call for the withdrawal of Russia from the territory of Georgia, Moldova and Azerbaijan.

Summing up, Dariusz ROSATI expressed the hope that the European Parliament, as well as the parliamentary representatives of the Eastern Partnership countries, could send a very strong signal to the Eastern Partnership Summit, which will be held in late November, concerning the need to find ways and means of deepening our further cooperation, as well as considering and addressing issues that are significant for particular delegations. The main goal was to ensure cooperation between the EU and the Eastern Partnership countries, on the basis of their different internal political procedures. However, it was necessary to find a more flexible approach to cooperation, on the basis of the principle of ‘more for more’. Mr Rosati urged all partners to take advantage of the opportunity to develop such a model of cooperation with the European Union.

5. Exchange of views on the electoral reforms in Ukraine, Georgia and Moldova and their effects on democratic consolidation in these countries

Referring to the discussion on this agenda item, Dariusz ROSATI stressed that it was important to ensure fair rules of the game for all political competitors and to consolidate these provisions in electoral law.

Mr Rosati explained that in July of this year the Moldovan Parliament had replaced the previous fully proportional system of parliamentary elections by a mixed system according to which 50% of members of parliament would be elected from party lists on a proportional basis, while the remaining 50% would be elected on a first-past-the-post basis from single-member constituencies. This year, in September, the Georgian Parliament adopted a constitutional reform, taking the opposite approach to Moldova by moving from a mixed
system to a system of full proportional representation. Ukraine is currently discussing and considering a new proportional parliamentary electoral system that would be based on open lists of candidates.

Representatives of the Permanent Delegations of Ukraine, Georgia and Moldova to the Euronest PA provided information to those present on a number of key achievements in the field of electoral law and how new reforms would enhance democratic transformation in their countries in general.

Tamar KHULORDAVA stressed that electoral reform in Georgia was primarily a constitutional reform, which was very important for both internal and external issues. Georgia had decided to create a basis for more comprehensive representation of all political forces in the parliament, to change the electoral system and to move away from the current mixed system in favour of a fully proportional system. In order to gradually move away from the mixed system at the time of the parliamentary elections in 2020, it is planned to reduce the existing 5 % threshold to 3 % on a one-off basis, thus ensuring the representation of more political parties in the next parliament. Following the last elections to parliament, only four political parties were represented. The speaker noted that the party system was in a process of development in Georgia, with measures being taken to make the parties stronger. In this regard, creating blocs before the elections will be prohibited, in cases where parties or individuals not having a common day-to-day or single ideology join forces only for the purpose of electoral success. Such changes are necessary for Georgia in order to guarantee that the next parliament will be as representative as possible.

The head of the Moldovan delegation, Marian LUPU, explained that last July the Moldovan Parliament had voted to amend the existing election law, thereby changing the proportional system that had been in force in recent years into a mixed system.

This is Moldova’s third model in its recent history. In 1989 parliament adopted a first-past-the-post system, but since 1994 a proportional system has been in place. However, studies conducted in Moldova have shown that almost two thirds of citizens are in favour of changing the existing proportional electoral system while only one third support it.

In a survey on the subject, Moldovan citizens mentioned several key reasons favouring a change of system. One of them was that the inhabitants of numerous villages, towns, districts and regions are not represented in the Moldovan Parliament, and as a result, there is a lack of representation in the parliament of people who can tackle local or regional problems and provide assistance or support on the ground. Therefore, the citizens advocated a greater element of territorial representation in the parliament, believing that members of parliament should be closer to people and pay attention to them at local level, because 70 % of the population live in the countryside. The second reason is to increase the representation of national minorities in parliament. The third reason is to increase the representation of women in parliament (40 % under the first-past-the-post system). The relevant changes to the legislation will be applied already for the next parliamentary elections in 2018.

Summarising the speeches of colleagues from Georgia and Moldova, Boris TARASYUK, representative of Ukraine, noted that all three countries had the same problems and should make a choice between different electoral systems. He pointed out that Ukraine had started out with a first-past-the-post system, had then shifted to a proportional system, and now had a mixed system. However, none of these systems satisfied the political contenders. He argued
that, unfortunately, the problems encountered in the proportional and the first-past-the-post systems are actually very similar: use of an administrative resource, deprivation of voters’ rights, use of law enforcement bodies, etc. Today, Ukraine’s political forces were trying to change and improve the electoral law, on the basis of the new proportional system with open lists. All political contenders had presented their vision of the electoral system in the form of draft laws. For example, the ‘Batkivshchyna’ party had submitted a draft law on a proportional system with open lists, which was now being considered by parliament.

Mr Tarasyuk also noted that the protests currently taking place near the Verkhovna Rada would eventually force parliament to amend the electoral law. However, legislation is a solution to only half the problem: the other half of this problem is implementation, namely the implementation of the new legislation in actual elections. Referring to the example of the fourth round of local elections held in new local government units on the eve of the meeting of the Euronest PA Committee, the speaker noted that during these elections the problems remained the same: bribing of the electorate, pressure on political opponents by local authorities, the use of law enforcement agencies, criminal elements, etc. (all these negative events were detected during the local elections that took place in the 201st community). This, he said, is why, taking into account the results of political discussions and debates, especially in the Ukrainian Parliament, it is believed that there will not only be a new proportional system based on open lists, but there will also be a new political culture for all participants in the electoral process. This will mean that the electorate will refrain from unacceptable, undemocratic and inappropriate procedures that violate electoral law. In conclusion, Mr Tarasyuk once again stressed the need to raise the level of political culture of both politicians and voters.

A member of the Ukrainian delegation, Dmytro LUBINETS, recommended to representatives of Georgia and Moldova that the mistakes made by Ukraine during the transitions to proportional or mixed systems be avoided.

Sergi KAPANADZE, a member of the Georgian delegation representing the opposition party, said that his party fully supported the introduction of a proportional system in Georgia, which would be implemented in 2024, and expressed regret that it had been postponed for seven years.

The MEP Sandra KALNIETE stressed that changes to electoral systems require a serious and well-considered decision. Dissatisfaction with the existing electoral law reflected dissatisfaction less with the electoral system than with the political and economic problems existing in a country. Therefore, her country (Latvia) had not changed the electoral system – in her view a wise decision. Being aware of the decisions of Moldova and Georgia to change the electoral systems, the speaker noted that both changes needed a more thorough analysis, as indicated by the Venice Commission, because electoral systems usually relate to the economic and political situation within a country as well as to the rule of law. In addition, there were clear indications that the current momentum was towards a one-party system. The real characteristics of genuine democracy included respect for the majority on the part of the political minority, and the capacity of the minority to influence the political process.

Continuing the discussion, Lawrence MEREDITH highlighted some of the key elements of the electoral system, including the citizens’ confidence in the new electoral system, ensuring competitiveness, and compliance with the standards of the Council of Europe.
The MEP Knut FLECKENSTEIN presented the example of the British system and its vote threshold, and considered that such an approach is democratic. He was of the view that every country and parliament must decide for themselves and choose the electoral system they need, based on the public interest. In the context of the present discussion on the Eastern Partnership in general, he noted that it was an important issue for all and concluded that further efforts should be made to promote developments and ensure appropriate progress.

The head of the Georgian delegation, Tamar KHULORDAVA, once again stressed that Georgia was changing its electoral system so that more parties could be represented in parliament, because one political force had dominated the country for a long time. The Venice Commission had made a positive assessment of the new electoral system and a new approach, namely the election of the President by the parliament. At the same time, she noted that the relevant changes regarding the election of the President by parliament would be applied after the election of the new parliament on a fully proportional basis. Only after that would the whole parliament elect the President of Georgia.

Summing up, Dariusz ROSATI said that it was a complicated task to choose an electoral system: it was necessary to seek a balance between the forces involved. He once again stressed that choice of a system should be based on democratic principles, and, in particular, depended on the particular country’s needs.

6. Exchange of views on the amendments to and adoption of the draft report on ‘Ensuring media freedom and integrity in the EU and Eastern European partners’

47 amendments and 5 compromise amendments were submitted to the draft report from all delegations.

6 amendments were withdrawn by the Armenian delegation.

Presenting the report, Tanja FAJON, MEP, and Rovshan RZAYEV, for the Azerbaijani delegation, noted that all countries emphasised the importance of media freedom and of the objectivity and integrity of the media. Ms FAJON recalled the recent unacceptable tragic incident in Malta, when a well-known journalist and writer, Daphne Caruana Galizia, was murdered for discovering the truth and for promoting freedom of the press. She stressed the importance of the constant combat to improve media working conditions in different countries. In addition, media transparency and the same approach to all media should be ensured in all countries. Mr RZAYEV focused on two important issues, namely the secured independence of media resources and the trust of society in the media and journalists.

7. Exchange of views and selection of topics for the next report of the Committee

The following topics were proposed for discussion:

- The role of regional autonomy, in the context of politics of the EU Member States and Eastern European Partner countries;
- EU and Eastern European Partners’ strategic communication to counter cyber-interference, foreign propaganda and fake news;
- Money laundering: Challenges to democracy;
- The struggle against terrorism, extremism, racism and intolerance in the countries of the Eastern Partnership and the EU;
- Eastern Partnership Challenges and the EU’s Role in Challenges and Conflicts.
The topic ‘Eastern Partnership Challenges and the EU’s Role in Challenges and Conflicts’ was adopted by acclamation.

8. Planning and preparation of the Committee’s activity for 2018

Mr Rosati noted that one of the Eastern Partner countries proposed holding the meeting of the Committee in Tbilisi in the first half of 2018. This proposal would be confirmed the following day by the Bureau, and the Secretariat would inform all delegations of further details in due course. Mr Rosati also asked for proposals regarding future debates of the Committee and for ideas generally for the Committee’s activity for the upcoming year.

9. Any other business

There was no other business.

Mr Rosati announced the deadline for tabling amendments (Monday, 30 October 2017 at 3.30 p.m.). He remarked that the discussion of the agenda issues had been constructive, and thanked all members for their cooperation and participation.

The meeting closed at 1.15 p.m.

Attached: Record of attendance

List of participants

Mr Borys TARASYUK, Co-Chair (Ukraine)
Mr Dariusz ROSATI, Co-Chair (EP)

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