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DRAFT REPORT

containing the European Parliament's recommendations to the Council, the Commission and the European External Action Service on the negotiations of the EU-Azerbaijan Association Agreement (2011/2316(INI))

Committee on Foreign Affairs

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

containing the European Parliament's recommendations to the Council, the Commission and the European External Action Service on the negotiations of the EU-Azerbaijan Association Agreement

(2011/2316(INI))

The European Parliament,

- having regard to the ongoing negotiations between the EU and Azerbaijan on the Association Agreement,
- having regard to the Council Conclusions of 10 May 2010 on Azerbaijan, which adopted the negotiating directives,
- having regard to the Partnership and Cooperation Agreement (PCA) between Azerbaijan and the European Union, which entered into force on 1 July 1999,
- having regard to the European Neighbourhood Policy (ENP) Action Plan adopted on 14 November 2006,
- having regard to the Declaration signed by the Presidents of Armenia, Azerbaijan and the Russian Federation on 2 November 2008 in Moscow,
- having regard to the Joint Declaration issued by the Eastern Partnership Summit held in Prague on 7 May 2009,
- having regard to the Foreign Affairs Council conclusions of 25 October 2010 on the Eastern Partnership,
- having regard to the Joint Declaration on the Southern Gas Corridor signed by the President of Azerbaijan and the President of the Commission on 13 January 2011,
- having regard to the Joint Declaration issued by the Eastern Partnership Summit held in Warsaw on 29-30 September 2011,
- having regard to its resolutions on Azerbaijan, in particular that of 12 May 2011¹,
- having regard to the OSCE/ODIHR final report on the parliamentary elections of 7 November 2010,
- having regard to its resolution of 20 May 2010 on the Need for an EU Strategy for the South Caucasus²,
- having regard to the Joint Communication on 'A new response to a changing

¹ Texts adopted, P7_TA(2011)0243.

² OJ C161E, 31.5.2011, p. 136.

neighbourhood' of 25 May 2011,

- having regard to its resolutions on the review of the European Neighbourhood Policy adopted on 7 April 2011¹ (Eastern Dimension) and 14 December 2011²,
 - having regard to the Commission Progress Report on Azerbaijan adopted on 25 May 2011,
 - having regard to Special Report No 13/2010 of the European Court of Auditors concerning the results of the European Neighborhood and Partnership Instrument (ENPI) in the Southern Caucasus,
 - having regard to Rules 90(4) and 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A7-0000/2012),
- A. whereas Azerbaijan plays an important role in the context of European Union's Eastern Partnership, and whereas the level of economic growth which Azerbaijan has experienced in the last few years has been noteworthy;
- B. whereas Azerbaijan has become an important energy supplier for the EU and the EU is a major energy market for Azerbaijan;
- C. whereas the Eastern Partnership provides the political framework for strengthening bilateral relations by means of new Association Agreements, taking into account the specific situation, mutual benefits and the ambitions of the EU and partner country;
- D. whereas the Association Agreements constitute the appropriate framework to deepen relations, by enhancing political association, economic integration and legal approximation with the EU and developing cultural relations;
- E. whereas the European Union has made human rights and democracy a central aspect of the ENP;
- F. whereas Azerbaijan's active commitment to shared values and principles, including democracy, the rule of law, good governance and respect for human rights, is essential to take the process forward and to make the negotiation and subsequent implementation of Association Agreement meaningful;
- G. whereas the Association Agreement should bring tangible benefits and opportunities to the people of Azerbaijan and the European Union;
- H. whereas unresolved conflicts are undermining the stability and development of Azerbaijan and the South Caucasus region; whereas in its Joint Communication on 'A new response to a changing neighbourhood' the EU stated its ambition to engage more pro-actively in conflict resolution in the South Caucasus;

¹ Texts adopted, P7_TA(2011)0153.

² Texts adopted, P7_TA(2011)0676.

- I. whereas the election of Azerbaijan to the United Nations Security Council for the period 2012-2013 offers a good opportunity for further consultation and alignment of the country's policies with the EU's Common Foreign Security Policy (CFSP) declarations;
1. Addresses the following recommendations to the Council, the Commission and the European External Action Service: they should
 - (a) ensure that the Association Agreement is a comprehensive and forward-looking framework for the future development of relations with Azerbaijan, one which enhances political convergence and reflects the relationship that both the European Union and Azerbaijan have decided to develop;
 - (b) incorporate in the Association Agreement clauses and benchmarks on the protection and promotion of human rights which reflect the principles and rights enshrined in the Constitution of Azerbaijan and the highest international and European standards, drawing to the fullest possible extent on Council of Europe and OSCE frameworks; ensure that the negotiations take full account of the need to safeguard the rights and livelihoods of internally displaced persons;
 - (c) emphasise in the Association Agreement the importance of guaranteeing citizens' fundamental rights and freedoms, the development of civil society, the rule of law, the continued fight against corruption, political pluralism and the independence of the media and the judiciary;
 - (d) bring the objectives of the Association Agreement into line with the Joint Communication on a renewed response to a changing neighbourhood, thereby enabling civil society organisations in Azerbaijan to carry out internal monitoring of, and ensuring that the government is held more accountable for, its reforms and commitments;
 - (e) ensure that the Association Agreement is consistent with the principles of international law - in particular, the non-use of force, self-determination and territorial integrity - and that the Agreement, once concluded, applies to the whole territory of Azerbaijan;
 - (f) strengthen the European Union's conflict-resolution capacity, *inter alia* by supporting the efforts of the Minsk Group and clearing the way for the implementation of confidence-building measures, as the Presidents of both Azerbaijan and Armenia have agreed;
 - (g) emphasise the need to use the Association Agreement as a platform to promote regional synergies and cooperation by establishing a level playing field for all three countries in the South Caucasus;
 - (h) ensure that the trade component of the Association Agreement can be upgraded to a Deep and Comprehensive Free Trade Area as soon as Azerbaijan meets all the necessary conditions, including joining the WTO; with that aim in view, provide the necessary technical assistance to prepare Azerbaijan for the negotiations and to encourage the adoption of the reforms required;
 - (i) urge Azerbaijan to sign and ratify the Rome Statute of the International Criminal Court;

- (j) ensure speedy negotiations on visa facilitation and readmission agreements in order to promote people-to-people contacts and treat youth and student mobility as a priority; contribute to the fight against illegal immigration; ensure that the provisions on asylum are fully in line with international obligations and commitments and EU standards, especially in the human rights field;
 - (k) encourage broad sectoral cooperation between the EU and Azerbaijan; in particular, explain the benefits of and promote regulatory convergence;
 - (l) enhance transparency in the management of public finances and improve public procurement legislation in order to contribute significantly to good governance and transparent decision-making;
 - (m) take the necessary action to incorporate in the Association Agreement provisions enabling Azerbaijan to participate in Community programmes and agencies, as a tool to promote European integration at all levels;
 - (n) emphasise the need for a sustainable economy, including by enhancing its diversification; promote greater openness and transparency in the energy sector and ensure that its development is carried out in accordance with international environmental standards; support the development of the renewable energy market;
 - (o) incorporate in the Association Agreement a strong parliamentary dimension which provides for the full involvement of the Milli Mejlis and the European Parliament;
 - (p) fully involve the European Parliament in the implementation and monitoring of the Association Agreement; establish clear benchmarks for the implementation of the Association Agreement and provide for monitoring mechanisms, including the submission of regular reports to the European Parliament;
 - (q) provide better-targeted technical assistance to Azerbaijan to ensure that it can meet the commitments stemming from the negotiations on the Association Agreement and its full implementation, by continuing to offer Comprehensive Institution-Building programmes;
 - (r) encourage the EU negotiating team to continue to cooperate with the European Parliament, providing continuous feedback, supported by documentation, on the progress made, in accordance with Article 218(10) TFEU, which states that Parliament must be immediately and fully informed at all stages of the procedure;
2. Instructs its President to forward this resolution containing the European Parliament's recommendations to the Council, the Commission, the European External Action Service, and Azerbaijan.