BUILDING INSTITUTIONS FOR THE FUTURE

Georgia’s Journey Towards Democratization & the European Union

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Foreword

Toronto, July 29, 2020

Dear Readers,

In the midst of this ongoing pandemic it is with even greater pleasure than usual that I present this collection of wonderful essays from my students who joined the trip to Georgia in February 2020. I have been travelling with students for field work for my entire career. Indeed, it is the highlight of my career. It is such a pleasure to work with such devoted people. On this occasion, I asked my dear friend and former student David Kitai to write a more formal introduction to the papers and the trips in general to Georgia over the past few years. Special thanks to him and to my friend and colleague, Daria Dumbadze who make these trips possible. I could not (and would not!) do it without them. Special thanks as well to the Dean of the U of T’s Faculty of Arts and Science and Jennifer Banh and Sarah Witol at the Office of Professional and International Programs.

I hope you enjoy the papers.

Robert C Austin, PhD
Professor, Centre for European, Russian and Eurasian Studies, Munk School of Global Affairs & Public Policy
Introduction

The Georgia ICM was the single most important educational experience of my life. I say that without any hint of hyperbole.

I was on the first POL359 ICM trip to Georgia in 2014 when Prof. Robert Austin decided to take a team of students there for research rather than Kosovo, his destination for the last decade. I was a 20-year old 3rd year student who had been lucky enough to travel, but never to a destination more unusual to me than Hungary or Poland. Georgia felt like another world. Its language, its natural beauty, its food, songs, and dances enthralled me. Walking along the streets of Tbilisi showed me up close the depth and variety of the world. I was learning before we even began our work.

The work of the ICM was not easy. We had prepped hard, as every year does, writing a briefing book covering the history, politics, culture, economy, and international relations of Georgia. We had made contacts across the world, arranging interviews and group meetings for our week in Tbilisi from Toronto. With access facilitated by Prof. Austin and the indispensable Daria Dumbadze, we interviewed deputy ministers, NGO heads, and top academics on such weighty topics such as past abuses in the Georgian prison system or the cultural legacy of Stalin.

The ICM stayed with me after I’d left Georgia. I did not know it at the time but I would be back a year later, conducting an independent research project in the final year of my undergrad. I returned a year later, now graduated, simply as a traveler. I returned again to live, arriving to work at a winery called Pheasant’s Tears at harvest time and staying to work in the Tbilisi restaurants shaping a renaissance in Georgian food, wine, and tourism. I learned some Georgian and made lifelong friends and something of a second home in that endlessly surprising country. I have been lucky enough to return in some capacity, to work or to visit, almost every year since.

The ICM was the first taste of my chosen profession: journalism. Though academic in nature, the trip to Georgia gave me my first taste of in-person research interviews. It taught me how to develop and workshop a thoughtful list of questions and it taught me to pull key follow-ups on the fly. It taught me to critique a narrative as it’s presented by a source, and how to engage them and keep them talking. The skills I use every day now as a writer and journalist, I first tested in Georgia.

This year, Prof. Austin and Daria invited me to rejoin the ICM in a more formal advisory role. I’m so grateful they did as it allowed me both to revisit that formative experience and to help a new group of students take part in their own. The ICM is a challenging experience, but these students were more than up to it.

Through pre-planning meetings, they showed curiosity and knowledge about the small, often forgotten country they’d be travelling to. They engaged deeply with their chosen topics and found nuances and thought-provoking angles in their questioning. They worked tirelessly in the
often painful process of arranging interviews and, when in Georgia, they navigated the city of Tbilisi expertly, which is no easy task!

On the ground the students led their own projects. They found new interview subjects, made quick arrangements, and planned on the fly. Even when they thought they had enough information, they didn’t miss an opportunity to speak with a new stakeholder in case they could share an additional insight. They worked long hours but took each day in that country as an opportunity. They were tireless, insightful, and curious, a credit to their school.

This book is the culmination of their work. Within are the essays they produced as a product of their research. They covered subjects as varied as Georgia is, from architecture, to criminal justice reform, to cyber-security. In each essay they connected a specific aspect of Georgia’s situation back to the overarching themes of POL359, covering aspirant EU member states, of which Georgia is one.

The book runs in alphabetical order, beginning with Gautier Boyrie’s essay *Capturing the Courts*. In it he examines Georgia’s fought relationship with its judiciary. He notes how crucial judicial reform has been in Georgia’s EU aspirations since the rose revolution of 2004 and asks what impact recent signs of backsliding in judicial independence and transparency might have on those goals.

In *EU as Geopolitical Actor*, Gi Gi Chan explores the role of the EU and the hope of EU integration in Georgia’s efforts in anti-corruption. She outlines how effective Georgia’s early anti-corruption efforts were after 2004 and the role the EU played in that. She goes on to show how in contemporary Georgia, for lack of internal will or external support, some more longstanding elements of corruption have proven harder to root out.

Emma Davy explores a recent change many Georgians have celebrated in *Georgia’s Visa-Free Progress*. She explores the now three-year legacy of Georgia’s visa-free regime with the Schengen zone, examining how the initially celebrated development has turned into a somewhat difficult issue between Georgia and the European Union.

Arina Dmitrenko looked at more local issues in her paper *Easier to Ask for Forgiveness than Permission* which studies the difficult situation of the city of Tbilisi, home to more than a third of Georgia’s population. She observes that the urban fabric of the capital has long reflected the goals of its past rulers and ask how a pro-EU political consensus has shaped Tbilisi.

Martin Gui’s project explored a much-loved aspect of Georgian culture: wine. *In Vino, Potential* asks how the country that claims to be the birthplace of wine is using its unique and diverse wine tradition to drive economic growth and cultural diplomacy.

Ema Marcheska delved into the subject of violence against women in Georgia, one of the country’s more troubling and pernicious problems. She examined the situation through the lens of the Council of Europe’s Istanbul Convention, aimed to combat violence against women. She asked how effective these laws have been in changing the situation of violence against women in Georgia.
Russian Disinformation & Anti-Western Propaganda by Teah Pelechaty explored Russia’s role in Georgian politics through an examination of press, propaganda, and disinformation. Pelechaty explored some of the forms anti-Western propaganda has taken in Georgia and shows how it has been used to try to derail the country’s popular pro-EU stance.

Adhele Tuulas brought her past experience researching cybersecurity to her IICM project. Her paper explores Georgia’s cybersecurity infrastructure since the 2008 war, a conflict that carried a significant cyber element. She explores how Georgia’s cybersecurity and cyber orientation have aligned with the West and the EU.

Foti Vito’s Reform of the Judiciary in Georgia explores the wider establishment and sustainability of the rule of law in Georgia. As a country with a long history of corruption and recent history as a failed state, the rule of law has been essential to Georgia’s EU aspirations. Vito asks why after a decade and a half of engagement with Georgia, the EU’s efforts to help establish the rule of law have not built a stronger framework.

Identity, Education, Exclusion by Isaure Vorstman looks at an issue that even many Georgians don’t address: the status of the country’s Azeri minority. She explores the role of Soviet history, language policy, and education in the integration, or lack thereof, of one of Georgia’s largest minority groups.

Each of these papers offers unique insights and deep research, the product of countless hours of work on the part of these students. It was my pleasure to work with them in their research and a joy to read the results.

David Kitai
Capturing the Courts: Analyzing the European Union’s Shortcomings in Promoting Judicial Independence and Transparency in Georgia

Gautier Boyrie

Introduction

Georgia’s commitment to European integration has been remarkable. Since the Rose Revolution of 2003, it has implemented sweeping political and economic reforms to dismantle its post-Soviet legacy and enhance its relations with the West. Among the countries of the Eastern Partnership (EaP), it is the most advanced in its efforts to meet the Copenhagen criteria for European Union (EU) accession. With support from the EU, it has strengthened its democratic institutions, secured key trade agreements with Western partners, and become a model of development within the former Soviet space. Central to these achievements has been the pursuit of an independent and transparent judiciary.

An independent judiciary is essential to the proper functioning of democracy. It serves as a check on government authority, a channel through which citizens may voice their grievances and, especially for emerging countries, a safeguard for foreign investments. Recently, Georgia’s commitment to the rule of law appears to have faltered. While the current Georgian Dream (GD) government purports to care deeply for judicial reform, trust in the courts is at record lows. In light of this tension at hand, this paper seeks to answer the following research question: has the prospect of European integration led to greater reform toward judicial independence and transparency in Georgia?

To answer this question, this research paper presents insights obtained from interviews with representatives of the Georgian government, EU institutions and civil society organizations. It also uses a range of relevant academic and policy-based secondary sources for further support. The findings of this research suggest that the prospect of European integration has produced diminishing incentives for Georgia to implement meaningful judicial reform in recent years. It is argued that the EU has exhausted its most effective sources of political and economic leverage over the country, resulting in a failure to address the informal influence of corrupt judges and state leaders who govern the judiciary from the shadows.

Georgia’s Judiciary on the Path to European Integration

Georgia’s independence in 1991 after the collapse of the Soviet Union did not constitute a meaningful break from the past. Under the leadership of former Soviet foreign minister Eduard Shevardnadze since 1992, the country’s institutions remained corrupt, weak and unstable. State capture meant officials at all levels of government plundered national resources and actively prevented economic growth. Corruption festered throughout the judicial system, with judges

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pocketing vast sums of tax money and overlooking the crimes of both criminal organizations and the government itself. Put simply, there was no rule of law.

The country’s grim trajectory took a dramatic turn in November 2003. Civil society and the media had, for years, denounced the rampant corruption of Shevardnadze’s government. In response to the fraudulent conduct of the 2003 elections, the Georgian people took to the streets. Protests led by a former protégé of Shevardnadze, Mikheil Saakashvili, culminated in what would later be known as the Rose Revolution, the first of the colored revolutions to impact post-Soviet space. Saakashvili was a Western-educated, young and dynamic leader. He intended to turn the country away from its Soviet legacy and orient it to the West instead. Having successfully toppled the government, he forced a new set of parliamentary elections in March 2004. His party, the United National Movement (UNM), secured an overwhelming number of seats, just two months after Saakashvili himself had also won the presidential election with an astounding 96 percent of the vote.

The new government sought to rebuild the Georgian state. To do so, it first needed to eradicate the decay and corruption of the previous regime. Saakashvili led the implementation of a radical programme of police reform that expunged corruption at all levels of law enforcement. Police and Ministry of Interior Affairs officials were dismissed en masse while corruption prosecutions steadily rose. By and large, the government’s zero-tolerance policy, even for minor crimes, resulted in noticeably greater stability and security.

The EU and the United States quickly embraced Georgia. Saakashvili’s presidency presented an opportunity for the West to secure a stable democratic ally in the former Soviet space. Foreign investment poured into the country at unprecedented rates in the years following the Rose Revolution. Western institutions, like the World Bank, lauded the government’s sweeping liberalizing reforms. This development relied on the relentless fight against corruption. Peter Danis, Justice Reform Programme Manager at the EU Delegation to Georgia, explains that the EU is particularly keen on promoting the rule of law in Eastern Europe and the Caucasus because doing so secures investments from European companies. Democratic partners who adhere to the Copenhagen criteria are far more stable sites of investment than states with oligarchic leadership and corrupt judiciaries for three reasons. First, the rule of law guarantees the property rights on which investments rely. Second, a stable judiciary minimizes the costs associated with corruption. Finally, the prospect of investing in a fellow democratic country offers far more transparency and predictability than an undemocratic one. Especially when operating in emerging economies, foreign firms need to know that their investments are stable and do not falter in the face of political turmoil. Given Georgia’s small size and lack of lucrative

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4 Ibid.
8 Peter Danis, Programme Manager at the EU Delegation to Georgia. Interviewed by Gautier Boyrie on Feb. 19, 2020.
natural resources to export, securing closer economic relations with the EU was crucial. Judicial reform was an important condition to meeting this goal.

Saakashvili’s ambitious state-building project eventually led to an erosion of democratic principles. Mass incarceration was so rampant that by 2010, Georgia had become the fourth biggest incarcerator per capita in the world. Courts were heavily complicit in this process, with judges often taking direct orders from the Prosecutor’s Office and the police. As video recordings of the torture and abusive treatment of prisoners leaked to the public, human rights abuses directly linked to Saakashvili’s law enforcement reforms generated a considerable public backlash. The Prosecutor’s Office directly influenced the behavior of the courts, prompting some scholars, like Gavin Slade, to argue that the UNM overtly governed through crime. Saakashvili turned the judiciary into an instrument of his political ambitions. The revolutionary message he promoted quickly turned into a failed promise and the Georgian people no longer supported it.

Georgia, for the first time in its history, witnessed a peaceful transition of power in the October 2012 elections. The UNM suffered a crushing defeat at the hands of the Georgian Dream Coalition led by the country’s wealthiest man, Bidzina Ivanishvili. His party subsequently won the 2013 presidential elections. GD positioned itself as the antithesis to the UNM’s abusive practices. It promised serious judicial reforms, a sustained commitment to European integration, and greater accountability of government officials. Nearing eight years in power, international institutions, civil society and even members of GD itself have called this mandate into question. Georgia’s courts, in particular, are increasingly becoming a tool of Ivanishvili’s undemocratic tendencies.

Judicial Reform under the Georgian Dream Government

In 2014, the GD government signed an Association Agreement with the EU, which entered into force in 2016. This framework formally incorporates Georgia in the Eastern Partnership by introducing it to a preferential trade regime – the Deep and Comprehensive Free Trade Area (DCFTA) – that guarantees the country’s open access to the EU market. The signing of the Association Agreement, for which negotiations began under the UNM, cemented Georgia’s commitment to European integration and paved a path to attaining EU accession in the distant future. As explained by Nato Rubanovi, who works for the Committee on European Integration in the Parliament of Georgia, one of the Association Agreement’s core contributions was to formalize Georgia’s pledge to uphold the rule of law, as listed under Article 3. With this provision, the success of Georgia’s economic integration is contingent on its ability to sustain the democratic principles of the EU.

The GD government immediately worked to meet the Association Agreement’s rule of law requirement by setting out an extensive program of judicial reform over several years. These reforms came in four so-called ‘waves.’ The government implemented the first wave in May

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14 Nato Rubanovi, Staff Member of the Committee on European Integration at the Parliament of Georgia. Interviewed by Gautier Boyrie on February 21, 2020.
2013 to protect the independence of the judiciary from the political influences of Parliament.\textsuperscript{15} To this end, the most significant legislative change it brought was to modify the rules for selecting members of the High Council of Justice. This independent institution is, in many ways, the epicentre of Georgia’s judiciary. It selects and appoints judges at all court levels, organizes the qualification exams for judges and oversees disciplinary proceedings which investigate abuses of judicial authority.\textsuperscript{16} The High Council of Justice has historically been a highly politicized body, with several of its members formerly appointed by Parliament.\textsuperscript{17} To ensure its impartiality, the first wave of reforms required that it be composed of politically neutral persons selected by competition rather than by government officials. Higher education institutions, civil society organizations and the Georgian Bar Association acquired direct input in the nomination of candidates to the High Council of Justice in an effort to increase the institution’s transparency.\textsuperscript{18} Other noteworthy changes the first wave brought were that it increased public access to court hearings and granted a higher degree of autonomy from government influence to the Conference of Judges, the self-governing body of judges of the Common Courts of Georgia.\textsuperscript{19} In many ways, this package of reforms was a promising start to GD’s mandate, which the EU recognized as a positive step toward ensuring judicial independence and transparency in Georgia.

The EU was not as supportive of the second wave, which came in August 2014. It introduced two major changes, the first being the lifetime appointment of judges in the Common Courts until the retirement age of 65. This policy could have been effective in minimizing judicial interference had it not been for the second reform this wave introduced – a three-year probation period for all appointed judges. At the end of each year of this period, the High Council of Justice evaluates judges for their performance in their new role, reserving the right to annul their lifetime appointment.\textsuperscript{20} This policy poses a significant risk to judicial impartiality. Among other criteria, judge evaluations consider decisions submitted over the three-year probationary period. As the European Commission for Democracy Through Law (Venice Commission) noted in a joint opinion with the Directorate of Human Rights, setting probationary periods may put judges under pressure to decide cases in accordance with the views of the High Council of Justice’s members.\textsuperscript{21} Their recommendation, to remove the probationary period and replace it with a traineeship for candidate judges, was not considered by the GD government. The government has not commented on its reasoning behind this controversial decision. The probationary period remains in effect to this date.

Parliament implemented the third wave of judicial reforms in February 2017. The package of amendments first introduced an electronic case assignment system designed to randomly assign common court cases to judges. It aimed to deprive court chairpersons of the ability to interfere in the fair application of the law by deciding which judges handled sensitive cases. While it was a significant step toward minimizing judicial interference, the law presents

\textsuperscript{15} Tamta Tsveraidze, Democratic Institution Support Program Assistant at the Georgian Young Lawyers’ Association. Interviewed by Gautier Boyrie on February February 17, 2020.
\textsuperscript{17} Tamta Tsveraidze, Democratic Institution Support Program Assistant at the Georgian Young Lawyers’ Association. Interviewed by Gautier Boyrie on February February 17, 2020.
\textsuperscript{19} Ibid...
\textsuperscript{20} Ibid...
several issues. Firstly, the Chairperson of the High Council of Justice retains the authority to
determine the composition of judges in narrow fields of expertise. Restricting the pool of
judges who may handle a particular case considerably weakens the mitigating effect of random
case distribution on judicial interference. Secondly, and more importantly, the handling of
exceptional cases remains under the supervision of the High Council of Justice, which also
happens to set the criteria for what constitutes an exceptional case. A compromised High
Council of Justice, therefore, would potentially be able to assign cases of political significance to
particular judges by freely labelling them as ‘exceptional.’ While the Venice Commission and
several civil society organizations have commended the new system for its efforts to improve the
impartial handling of justice, noticeable gaps remain in the government’s policy.

Besides the electronic case assignment system, the third wave introduced three other
noteworthy reforms. It created a scoring system for evaluating High Council of Justice
candidates based on defined criteria, allowed for the publicization of disciplinary hearings for
judges, and established the role of an independent inspector to monitor the High Council of
Justice. These three policies, while promising on paper, have not been transparent in practice.

While the EU and civil society welcomed the new scoring system, the results it produces are
unavailable to the public. Furthermore, the High Council of Justice has not publicized a single
disciplinary hearing to date. As for the independent inspector, the provisions describing their
selection process are vague, leaving room for Parliament to influence the appointment to the
role.

The primary contribution of the fourth wave, introduced in 2018, was to bring clarity to
the system of disciplinary liability of judges. It includes an exhaustive list of types of disciplinary
misconduct, defines the criteria for the standard of proof admitted at the early stages of
disciplinary proceedings, and makes it more difficult for the High Council of Justice to dismiss
the independent inspector tasked with assessing its impartiality. The EU and the United States
have recognized this wave of reforms as a promising step toward establishing effective checks on
judicial authority in Georgia. As has been the trend with each new wave of reform, however,
the law in practice yields underwhelming results. Civil society organizations have noted that
while the independent inspector has more autonomy than before, the public cannot access the
their opinions. The same is true of disciplinary hearings, which remain shrouded in secrecy.
Despite these concerns, the fourth wave is perhaps the most promising judicial reform package
introduced under the GD government. Whether it will prove to be effective, however, is yet to be
seen.

Monitoring Center (EMC), 2018, p.11.
23 Ana Abashidze et al., “The Judicial System: Past Reform and Future Perspectives,” Coalition for an Independent and
24 “Considerations of the Coalition on the ‘Third Wave’ of the Judicial Reform,” EMC, March 14, 2016,
26 Ibid., 10.
27 “US, EU Welcome Bill on Judicial Reform in Georgia 'Drafted with Broad Consensus','” Agenda.ge, June 13, 2019,
Tbilisi: Human Rights Education and Monitoring Center and the Institute for Development of Freedom of Information, 2019,
The Informal Influences that Undermine Judicial Reform

The history of Georgia’s judicial reforms is encouraging on paper, but not so much in practice. Despite the four waves, Georgia’s judiciary consistently suffers from exceedingly low public trust. Data from the Caucasus Research Resource Center (CCRC) suggests that since GD has come to power, trust in the courts has reached record lows.\(^\text{29}\) What explains this predicament? I argue that a combination of three factors undermines any attempt at judicial reform in Georgia. Each center around the informal influences that govern the country’s judiciary from the shadows.

**The Clan**

A single, dominant group of judges controls Georgia's judiciary. Referred to as 'the Clan,' it emerged under the UNM government after Saakashvili dismissed the vast majority of judges from the previous era. Gradually gaining prominence over the years, this group rose to near-unchallengeable power following the 2013 election of the High Council of Justice.\(^\text{30}\) With command of the institution, Clan leaders wield powerful sources of leverage that allow them to manipulate the judiciary at all levels. They determine the selection of judges to courts, the procedures surrounding promotions and dismissals, the appointment of Court Chairpersons, and even the remuneration of judges.\(^\text{31}\) With control of the High Council of Justice, Clan leaders such as Mikheil Chinchaladze and Levan Murusidze, make it is exceedingly difficult for judges to contest Clan leadership. As noted by Tamta Tsveraidze of the Georgian Young Lawyers’ Association, dissenting opinions are almost nonexistent at meetings hosted by the Conference of Judges.\(^\text{32}\) The Clan takes active measures to prevent anticorruption mechanisms from challenging its authority. Until efforts are made to expunge its corrupt members from the judiciary, Georgia fundamentally cannot uphold the rule of law.

**Government Interference**

With consecutive victories in the 2012 parliamentary and 2013 presidential elections, Bidzina Ivanishvili and his subordinates controlled all branches of government except one – the judiciary. From 2012-2014, GD officials, including Ivanishvili himself, were highly critical of the Clan for its consistent attacks on their party in the lead-up to the 2012 elections.\(^\text{33}\) Correcting the injustices of the judiciary under Saakashvili was among GD’s central platform items for this very reason. Despite early government efforts to undermine its authority, the Clan still controlled the courts during GD’s first few years in power. It successfully appointed favored candidates to the High Council of Justice despite criticisms from Parliament, which had by then already implemented the first wave of judicial reforms.\(^\text{34}\) GD leaders quickly realized that their critical rhetoric inadvertently emboldened the Clan to unite against Parliament. With the judiciary firmly under its control, the Clan was there to stay.


\(^{33}\) Ibid., p. 17.

Gvantsa Tsulukidze, Rule of Law Program Director at the Georgian Democracy Initiative, explains that Ivanishvili chose to reach an agreement with the Clan rather than to fight it. GD officials and Clan leaders organized several closed-door meetings to discuss ways to satisfy the interests of both parties. In exchange for influence over politically sensitive cases, GD has ceased to criticize the Clan for its actions. Differences in the High Council of Justice between Clan judge members and Parliament-appointed non-judge members have almost entirely disappeared.

The politicization of Georgia’s judiciary was apparent by 2015. Concerns of the backroom deal between the government and the Clan first arose in response to the handling of the case of TV company Rustavi 2, which had openly criticized the government for months. The Supreme Court issued rulings that froze the company’s assets in what civil society has widely recognized as a clear sign of government interference in court proceedings. This case generated so much controversy that it came to the attention of the European Court of Human Rights in 2017, which suspended the enforcement of the Supreme Court’s decision. There are many more cases like these, some of which will be discussed later in detail. The point here is to highlight the close linkages between two politically motivated forces in Georgia’s judiciary – the Clan and the Georgian Dream government – and the serious threat they pose to the rule of law. Although public discontent with the courts has steadily risen since 2012, both groups have yet to face credible challenges to their authority in the judiciary.

Insufficient Transparency and the Lack of Meaningful Accountability

The leadership of Georgia’s judiciary suffers from endemic corruption. International institutions, like the Council of Europe, have recognized the inadequacy of existing disciplinary mechanisms for judges as a central explanation for this. To launch disciplinary proceedings against a judge, approval of two-thirds of the full High Council of Justice is necessary. As noted by the Venice Commission, this threshold is too high, presenting a risk that corrupt judges can easily prevent anticorruption laws from taking effect. Furthermore, the existing legislature speaks very little to the standard of evidence permitted in disciplinary hearings. As a result, Clan judges and GD-affiliated non-judge members of the High Council of Justice can manipulate the conduct of disciplinary hearings in their interests.

Between 2006 and 2020, the High Council of Justice has not charged a single judge with corruption. Distrust toward this institution, supposedly tasked with the protection of judicial independence and transparency, is so pervasive that low-level judges are unwilling to report abuses of power in the courts. If only to worsen transparency, the courts in recent years have taken measures to limit criticisms from civil society organizations and private citizens. In 2015, the judiciary launched discussions aimed at restricting freedom of expression and imposing a limit to “acceptable criticism” toward judges. Ivane Chitashvili, a lawyer at Transparency

41 Ibid.
International Georgia, explains that the Clan’s collusion with the dominant party gives the interests of a politically empowered few precedence over the application of the rule of law.\textsuperscript{42} Deprived of transparent internal mechanisms to challenge judicial rulings, opponents of the ruling party are increasingly at risk of political persecution.

The Supreme Court Appointment Process

Public frustration with the judiciary reached its peak with the introduction of the new Constitution of Georgia in December 2018. With a supermajority in Parliament, the Georgian Dream coalition pushed through reforms to expand the membership of the Supreme Court from sixteen judges to twenty-eight.\textsuperscript{43} With only eight judges sitting on the Court at the time, the government intended to fill all twenty vacancies as soon as possible. The new constitution also indicated that newly selected judges would enjoy lifetime appointment to the Supreme Court until the retirement age of 65, a significant departure from the previous ten-year appointment period.\textsuperscript{44} As civil society organizations, international institutions and the wider public have noted, this constitutional change is an overt attempt to capture the judiciary for years to come by packing the Supreme Court with GD-approved judges. This is arguably the most politically sensitive issue in recent Georgian history and the clearest indicator of democratic backsliding under the GD regime of Bidzina Ivanishvili.

Before the constitutional reform, Parliament selected Supreme Court judges by a simple majority. The new Constitution has since delegated this responsibility to the High Council of Justice, which nominates candidates before sending them to Parliament for final approval. This change could have limited the politicization of the Supreme Court if it weren’t for the capture of the High Council of Justice by Clan and GD interests. Only a week after the government announced the new Constitution, the High Council of Justice produced a highly controversial ten-person list of candidates for the Supreme Court. Inga Todria, Director of Judicial, Legislative and Policy Reform at Promoting Rule of Law in Georgia, emphasizes that these candidates were nominated behind closed doors and rushed to Parliament for approval.\textsuperscript{45} Among them were several high-ranking figures in the Clan, including its leader, Mikheil Chinchaladze.

The quick turnaround and lack of public consultation shown in this process are indicative of the government’s disregard for judicial transparency. Even within the High Council of Justice, some members did not participate in the selection of Supreme Court candidates. Two non-judge members, Nazi Janezashvili and Ana Dolidze, made public statements condemning the majority of the High Council of Justice for its deliberate effort to exclude them from the process. The public immediately voiced its frustrations with the utter lack of transparency this showed. Protestors denounced the government’s unlawful behavior in front of Parliament. Several GD MPs left the party over the controversy. The EU and the United States both expressed their concerns that Georgian democracy was backsliding. Fortunately, due to this harsh domestic and

\textsuperscript{44} “Second Report on the Nomination and Appointment of Supreme Court Judges in Georgia,” Warsaw: OSCE Office for Democratic Institutions and Human Rights, 2019, p. 6.
\textsuperscript{45} Inga Todria, Director of Judicial Legislative and Policy Reform at Promoting Rule of Law in Georgia. Interviewed by Gautier Boyrie on February 20, 2020.
international criticism, the nominated candidates withdrew their candidacies from the Parliament.\textsuperscript{46}

In response to the backlash from their first attempt, Parliament and the High Council of Justice developed more defined procedures and criteria for nominating Supreme Court judges. An open call for applicants was sent out, with 144 responding. As Inga Todria explains, the process of narrowing down the ‘best’ prospective judges unfortunately did not follow the aforementioned criteria.\textsuperscript{47} The High Council of Justice for months refused to provide civil society organizations with information about the candidates, to the point where Janezashvili and Dolidze outright demanded the termination of the selection process. As it revealed its final list of twenty candidates, it was clear that the High Council of Justice ignored the recommendations of the Venice Commission and civil society.

To appease public discontent, the High Council of Justice made an important concession in the way of improving the transparency of the nomination process – the public televising of candidate interviews. These interviews lasted several hours and sought to determine the quality of candidates and their competence for the role. While some of the final candidates demonstrated the necessary qualities to serve on the Supreme Court bench, they were not in the majority. Gvantsa Tsulukidze explains that the public interviews exposed the alarming extent to which several candidates were utterly unfit to join the Supreme Court bench.\textsuperscript{48} Former Chief Prosecutor, Shalva Tadumadze, is perhaps the most notable example of this. Throughout the interview, he repeatedly offered inaccurate understandings of basic legal norms and contradicted himself on several occasions in doing so. When interviewers questioned his legal education diploma, which civil society organizations have proven to be fraudulent, his answers failed to address their concerns.\textsuperscript{49} It was clear that the only reason Tadumadze made it to this point in the appointment process was his known affiliation to the Clan. His candidacy nonetheless moved forward to the next stage.

The twenty nominees were eventually sent to Parliament for legislative approval despite the numerous red flags this procedure identified. However, before Parliament could vote the candidates through in December 2019, the Georgian people once again took to the streets in protest. Furthermore, the international community publicly condemned the GD government, with the United States embassy expressing its disappointment in the poor handling of the Supreme Court appointment process.\textsuperscript{50} The European Union also stated that by ignoring the recommendations of the Venice Commission, the Organization for Security and Cooperation in Europe (OSCE) and the Office for Democratic Institutions and Human Rights (ODIHR), the government and the High Council of Justice imposed undue risk to the credibility of the judiciary.\textsuperscript{51}

In response to both domestic and international discontent, the GD government adopted the Venice Commission’s recommendation to reduce the number of judges appointed to the

\textsuperscript{46} Ibid.
\textsuperscript{47} Ibid.
\textsuperscript{48} Gvantsa Tsulukidze, Rule of Law Program Director at the Georgian Democracy Initiative. Interviewed by Gautier Boyrie on February 21, 2020.
\textsuperscript{49} “Assessment of Judges for the Supreme Court Judges,” Tbilisi: Coalition for an Independent and Transparent Judiciary, 2020, p.25.
\textsuperscript{50} “U.S. Embassy's Statement on Supreme Court Nominees (December 12),” U.S. Embassy in Georgia, December 12, 2019, https://ge.usembassy.gov/u-s-embassy-s-statement-on-supreme-court-nominees-december-12/.
Supreme Court in the current parliamentary session. Rather than to fill all twenty vacancies at once, it confirmed fourteen of the nominated judges.\textsuperscript{52} Parliament will fill the remaining vacancies following its next elections in October 2020. While this change is welcome, it does little to undermine the capture of Georgia’s judiciary. Even if the Georgian Dream coalition gets voted out, the judges it just appointed will continue to do its bidding for years to come.

The recent Supreme Court appointees have already begun to execute Ivanishvili’s ambitions in alarming ways. Political opponents are increasingly targeted with unfair prosecutions, as evidenced by the recent jailing of Giorgi Ugulava, a leading figure of the opposition European Georgia party.\textsuperscript{53} Ugulava was found guilty of misspending public money while serving as Mayor of Tbilisi from 2006-2013, a charge for which he had already served jail time from a separate case in 2015. The fact that he was prosecuted for the same offence twice is only part of the issue. As explained by Gvantsa Tsulukidze, this case epitomizes the Supreme Court’s disregard for judicial impartiality. The case’s presiding Supreme Court judge, Shalva Tadumadze, served as the Chief Prosecutor when Ugulava was first sentenced in 2015.\textsuperscript{54} The European Parliament is set to investigate this apparent conflict of interest in the coming months, though it is unclear whether this will lead to any change by the time the October 2020 parliamentary elections occur.

The European Union’s Shortcomings in Promoting Judicial Reform in Georgia

European institutions have made sustained efforts to promote the rule of law in Georgia. Within the framework of the Partnership for Good Governance, a joint project with the European Commission to promote the rule of law in Eastern Partnership countries, the Council of Europe (CoE) gives financial support and legislative advice to the Georgian government whenever it drafts new judicial reforms.\textsuperscript{55} Through the Venice Commission, the CoE monitors the impartiality of the judiciary and provides detailed recommendations wherever necessary. It has also recently offered training programs for judges to familiarize themselves with the legal standards of the EU, in the hopes of spreading its democratic principles into Georgia’s judiciary from a bottom-up approach.\textsuperscript{56}

Unfortunately, the extent to which these measures have produced credible outcomes is limited. This is due to the EU’s failure to address the informal influences that govern Georgia’s judiciary. Even if a bottom-up approach were effective with lower-level judges, the Clan retains influence over the most authoritative judicial bodies in the country, namely, the High Council of Justice and the Supreme Court. As a result, the government will continue to influence the decisions of politically sensitive cases. Through it all, Ivanishvili and his co-conspirators have not been held accountable for their consistent violations of the rule of law. The EU is well aware of the democratic backsliding taking place in Georgia. Why, then, has it failed to prevent it? In this section, I attribute the EU’s inability to address the informal influences that undermine

\textsuperscript{52} Tamta Tsveraidze, Democratic Institution Support Program Assistant at the Georgian Young Lawyers’ Association. Interviewed by Gautier Boyrie on February 17, 2020.
\textsuperscript{54} Gvantsa Tsulukidze, Rule of Law Program Director at the Georgian Democracy Initiative. Interviewed by Gautier Boyrie on February 21, 2020.
\textsuperscript{56} Sopho Tsakadze, Senior Project Officer at the Council of Europe. Interviewed by Gautier Boyrie on February 18, 2020.
judicial independence and transparency to its lack of leverage over Georgia, a by-product of its institutional mandate and limitations.

The EU has nearly exhausted the incentives it can offer Georgia to implement lasting judicial reform. As previously mentioned, it signed an Association Agreement with the country in 2014, giving it access to EU markets by introducing it to the DCFTA. In 2017, the European Commission granted the government the visa liberalization agreement it sought for years. For the time being, however, there is not much more the EU can offer Georgia. As Professor Ghia Nodia explains, the prospect of EU accession is well out of the country’s reach. Georgians are aware that the Eastern Partnership countries are not the EU’s focus at the moment. Ongoing struggles in dealing with the aftermath of Brexit, the rise of nationalist parties in Eastern Europe, and the erosion of the rule of law in member countries such as Hungary and Poland, have forced the EU to focus on internal, rather than external, integration. Even for the most advanced accession candidates, like North Macedonia and Albania, joining the EU has been particularly difficult in the past year. Georgia, being far behind them in this process, cannot hope to reach EU membership anytime soon.

The EU, as an institution, relies primarily on positive incentives to encourage democratic reform. It will not revoke Georgia’s membership in the DCFTA, nor will it suspend the visa liberalization agreement over the country’s failure to adopt judicial reform. Doing so would be far too costly. The EU-Georgia trade relation is worth an estimated €2.8 billion annually. The EU member states that were the country’s largest FDI partners in 2019 are Britain (when it was in the EU) with €220 million, Ireland with €118 million and the Netherlands with €47 million. By contrast, Russia’s FDI contribution was of approximately €45 million that same year. This is a strong indicator of Georgia’s trajectory toward greater economic integration with the EU. That being said, it also suggests that the sheer scale of investment put into Georgia would be difficult to uproot. Beyond FDI, the EU invests over €100 million per year in technical and financial assistance toward the country’s economic development. European companies have settled in Georgia for years now. For these reasons, falling back on this arrangement is highly unlikely from an economic perspective alone.

On a political level, imposing strict punishments on Georgia for its failure to adopt judicial reforms would undermine the democratic principles of the EU. Irakli Kobalia, Program Officer at the EU Delegation to Georgia, notes that the EU is constrained by its commitment to respecting the sovereignty of Eastern Partnership countries. Ultimately, it is the Georgian Parliament, not the EU, that drafts and implements the country’s laws. Throughout this process, the EU can only act in an advisory role. As demonstrated in the previous section, this has, on occasion, been effective. The Venice Commission successfully pushed for the reduction of appointments to the Supreme Court in the current parliamentary session from twenty to fourteen judges. The EU has supported civil society organizations in demanding concessions on the

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58 Professor Ghia Nodia, Director of the International School of Caucasus Study, Ilia State University. Interviewed by University of Toronto ICM students on February 17, 2020.
62 Irakli Kobalia, Political Officer at the EU Delegation to Georgia. Interviewed by Gautier Boyrie on February 19, 2020.
government’s part, like televising the interviews of Supreme Court candidates. In the bigger picture, however, these measures do not fundamentally change the fact that the Clan and GD still comfortably control the country’s most powerful legal institutions. Few efforts have been made to address this central issue.

The EU’s ability to denounce the problems that plague Georgia’s judiciary is clear. That being said, the government is only likely to comply with EU recommendations if the benefits of doing so outweigh those derived from skewing the judiciary in its favor. Given that accession is unrealistic at the moment, targeting political opponents through the courts and preventing accountability measures from undermining its authority is the strategic option for GD. Ivanishvili and his subordinates understand that the EU is in a precarious situation. So long as GD maintains a parliamentary supermajority, there is little to prevent it from further corrupting the judiciary as it pleases.

What’s Next for Georgia’s Judiciary?

Georgia’s judiciary has become an instrument of Ivanishvili’s unchecked power. With control of both the Supreme Court and the High Council of Justice, he has successfully co-opted the institutions most apt to contest his authority. Does this mean Georgia’s judicial independence and transparency are permanently compromised? Thankfully, the answer is no. Georgia’s vibrant civil society continues to denounce the government’s actions. Protests in response to the Supreme Court appointments and the Ugulava case have exposed the extent to which Georgians are increasingly dissatisfied with Ivanishvili’s pervasive influence in politics. While the EU and the United States cannot impose judicial reform onto the country, the pressure they exert by condemning GD’s undemocratic actions has direct consequences on how Georgians perceive their government.

Ultimately, if Georgia is to reinvigorate its commitment to upholding the rule of law, it will do so through Parliament. Tamar Chugoshvili, formerly of the ruling coalition, explains that the upcoming October 2020 parliamentary elections will be decisive in shaping the future of Georgia’s judiciary. Several MPs, including herself, have defected from GD in response to its controversial constitutional changes and unwillingness to implement electoral reform. With a now-weakened command of Parliament, opposition parties successfully pressured the government into instituting a new set of electoral rules for the upcoming election, which will allocate 80 percent of seats to parties on a proportional basis. The previous electoral system, which determined almost half of the parliamentary seats through single-member electoral districts, allowed GD to win over three-quarters of seats in the 2016 elections despite securing less than half the popular vote. Georgia’s political landscape may look very different in late 2020.

The EU alone cannot compel states to uphold the rule of law. It is constrained by its democratic principles and commitment to respecting national sovereignty. Bidzina Ivanishvili and the Georgian Dream Coalition are well aware of this. Looking to EU members, they see that leaders like Hungary’s Viktor Orbán and Poland’s Jarosław Kaczyński are manipulating the

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63 Tamar Chugoshvili, Independent Member of the Parliament of Georgia. Interviewed by Gautier Boyrie on February 20, 2020.
courts to their advantage with few consequences. The EU is limited in its ability to impose punitive action for violating the rule of law, and the Georgian government knows it.

As an institution, the EU relies on the prospect of greater European integration as the primary incentive for implementing judicial reform. Having secured the Association Agreement in 2014 and the visa liberalization agreement in 2017, the main achievement left for Georgia to look forward to on the path to European integration is EU accession itself. As it currently stands, that is off the table for Eastern Partnership countries. Georgia, for the time being, can only take measures to prepare itself for the day that accession becomes a realistic possibility. Meaningful judicial reform will have to come from within. It is the Georgian people, not the European Union, who will decide the judiciary’s fate in the coming elections.

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Bibliography


Nodia, Ghia. Director of the International School of Caucasus Study, Ilia State University. Interviewed by University of Toronto ICM students on February 17, 2020. Tbilisi.


Rubanovi, Nato. Staff Member of the Committee on European Integration at the Parliament of Georgia. Interviewed by Gautier Boyrie on February 21, 2020. Tbilisi.


EU as a Geopolitical Actor: 
Leverages and Limitations in Promoting Anti-Corruption Reform in Georgia

Chan Wai Suet Gi Gi

Abstract

Georgia has long been championed by the European Union (EU) as a front-runner in democratic reforms in the EU’s Eastern Partnership program. This paper takes on the case of anti-corruption reform, which gained massive progress under Mikheil Saakashvili’s presidency (2004-2013) and transformed Georgia into a modern state but experienced stagnation under the current Georgian Dream government (2014 – present). This paper illustrates that anti-corruption reforms are driven by internal political will in Georgia and an overall commitment towards European integration. The EU is important in promoting anti-corruption progress as it serves as a final destination for Georgia and rallies public and political support for reforms. However, the EU has not prioritized furthering accountable governance in Georgia and lacks instruments or the mandate to deal with more entrenched concentration of political power in Georgia, which poses renewed threats to eradicating corruption in the country. In this paper I will give the background for anti-corruption reform in Georgia. I will point out how the EU incentivizes this process and the EU’s limitations in pushing for more thorough reform. I conclude that the EU has been effective in utilizing its influence as a geopolitical partner and a normative power. However, much of the reform process will have to rely on the internal political will in the Georgian society.

Introduction: Anti-Corruption in Georgia

Georgia has achieved commendable anti-corruption reforms since the Rose Revolution in 2003. The United National Movement (UNM) government lead by Mikhail Saakashvili came into power promising sweeping reforms to transform the highly corrupted and ineffective Georgian government into a modern state. With enormous public support and political will, Sakaashvili delivered on his promises. He dismissed 16,000 out of 25,000 employees of the Ministry of Internal Affairs and purged all traffic police, thereby removing entrenched corrupted institutions and renewing the civil services. He also carried out a zero-tolerance policy and pursued low-level crimes and corruption at full force to institute a law-based society. The achievements of Saakashvili’s reforms were impressive. Georgia successfully eradicated low level corruption and organized crimes. It is still among the most corruption-free countries in Central and Eastern Europe.

Georgia’s substantial anti-corruption reform during Mikheil Sakaashvili’s presidency was largely a result of strong internal political will. In 2003, Georgia was still a young country. In the 12 years after its independence from the Soviet Union in 1991, Georgia went through a period of civil war and economic collapse, after which Eduard Shevardnadze, the former Soviet foreign minister, became president from 1995 to 2003. Shevardnadze’s government continued to indulge the collusion of organized criminal networks with polices and rely on them to stay in power.

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67 Ibid.
Therefore, when Mikheil Saakashvili brought his Rose revolution in 2003, Georgia was a place of ruins from which every state institution must be rebuilt. At that time, post-Soviet Russian secret services were also infiltrated into Georgia’s police services and executive structures. Light (2014) argued that it is in this context that Mikheil Saakashvili initiated radical reforms as part of a nation building project to build a sovereign state independent from Russian influence. The fact that anti-corruption reforms aligned with public support and gained approval from Georgia’s western partners were considered additional benefits but not the major reasons that pushed the government to conduct such reforms. I agree with Light’s analysis and argue that the same frontloading of political interests can explain Georgia’s partial commitment towards continuing anti-corruption reform. On one hand, political elites are resistant to instituting check and balances that will limit their control of state apparatus. On the other hand, Georgia’s struggle for security and economic development independent from Russian influence continues to motivate it to affirm its anti-corruption commitment to appeal to its’ international partners, especially the European Union.

Mikheil Saakashvili’s legacy left Georgia free of low-level corruption. However, it also left a governance structure with concentrated power that remains a challenge to Georgia’s democratic progress. Saakashvili used many extra-legal means to prosecute both political and criminal delinquents. He also concentrated much executive power and bypassed institutionalized procedures to achieve rapid reforms. By the end of Saakashvili’s term, even his past western allies grew concerned over alleged human rights violations and Sakaashvili’s concentration of power. In 2012, the Georgian population was frustrated with concentrated state power and power abuses in prisons and voted to bring the United National Movement government down. Taking up the torch after the first democratic transition of power in Georgia was the Georgian Dream party which was an opposition coalition with the primary goal of defeating the UNM government. The Georgian Dream party is led by billionaire Bidzina Ivanishvili. Ivanishvili no long held official positions in the government and appoint his prodigies as President and Prime Minister instead. However, as party leader and the party’s main financier, Ivanishvili has informal control over all branches of government administration including the judiciary and court system, which forms an informal pillar of power that cannot be held accountable through legal or executive means. This informal power leads to difficulty in pursuing accountable governance which I will explain further.

Since its succession, the Georgian Dream party continued to uphold an official commitment to European integration. It has successfully brought about visa-free travel arrangements with the EU and signed Association Agreements which aim at reforming the country in a democratic direction and bring closer integration with the European Union. Nonetheless, the legacy of concentrated state power continued. The Georgian Dream government continued to rely on a group of politicized judges to sway decisions at the supreme court and use court proceedings to prosecute opposition leaders and independent journalists. The government

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69 Ibid.
71 Alexandre Kukhianidze (Professor of Political Science, Ivane Javakishvili Tbilisi State University), interviewed by GiGi Chan at Ivane Javakishvili Tbilisi State University, February 18, 2020, Tbilisi.
74 Tamta Tsveraidze (Democratic Institution Support Program Assistant, Georgian Young Lawyers Association), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at GYLA offices, February 17, 2020, Tbilisi.
also engaged in vote buying and intimidation of voters to guarantee its’ electoral victory. One of the problems plaguing further democratic progress in the Georgian society is continued abuse of state power in forms of high-level corruption.

This paper defines corruption as “the abuse of public office for private gains”. The scope of private gains is not confined to monetary gains, but can be gains in power, status and personal connections. This definition is consistent with Nye’s (1967) broad definition of corruption as “behavior that deviates from the formal duties of a public role because of private (regarding personal, close family, private clique) wealth or status gains.” Corruption is not just the individual abuse of public office to advance personal interests but can be perpetrated by the existing regime to skew the political stage and consolidate its control. In this sense, the danger of corruption is not just in the loss of public resources, but an exclusive political system that stunts democratic progress and restricts societal development.

In Georgia, low-level corruption perpetrated by public officials which affects citizens’ daily lives has mostly been eradicated following Mikheil Saakashvili’s reforms. In 2019, citizens reported that they were almost never asked to pay a bribe in return for receiving public services. However, corruption continues to exist in higher levels of government concerning political control. In the same survey conducted by Transparency International, 59% of respondents believe that abuse of power by public officials is common in Georgia. The persistence of high-level corruption shows a more entrenched problem of concentrated state power, the lack of institutional checks and balances and ruling elites’ tendency to hold on to power. The study of corruption in Georgia does not merely indicate the effectiveness of the state in enforcing law and order, but is also indicative of its overall democratic progress, especially the up-hill battle against oligarchic interests as the major barrier to reform.

Anti-corruption progress in Georgia is also important for the EU as an indicator of Georgia’s rule of law maturity, which guarantees stability in the region and shows its readiness for greater integration. In 2004, the EU adopted the Eastern Neighborhood Policy (ENP) aimed at fostering economic integration and political association with Eastern European countries to stabilize the post-Soviet region close to the EU’s periphery. The Eastern Partnership (EaP) with Georgia, among other countries emerged in 2008 as the instrument to fulfill EU’s new foreign policy direction. Under this framework, the EU developed an Association Agreement with Georgia that contains objectives for Georgia to achieve in order to gain funding and further integration with the EU. In the 2017-2020 Association Agenda, anti-corruption was placed at the second priority. The EU urged Georgia to effectively prevent, detect and address corruption within public administration.

Given the importance of anti-corruption progress in Georgia’s development of state capacity, its democratic transformation and European integration, the research question for this

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78 Idib.
paper is whether the European Union is effective in promoting anti-corruption reform in Georgia. I argue that although anti-corruption effort has been mostly successful in Georgia, its success was propelled by internal political will and is susceptible to preferences of the political elite. The EU is successful in the sense that it provides a geopolitical destination for Georgia and incentivizes domestic elites to reform. However, the EU lacks the mandate and instruments to address the problem of unchecked political power that is the root of corruption problems and therefore falls short of enabling the full transition into accountable governance in Georgia. In the following, I will first discuss the EU’s leverages in incentivizing anti-corruption reform in Georgia and then I will discuss the limits in the EU’s influence. Lastly, I will integrate my findings regarding anti-corruption progress to the general democratization of Georgia and offer an outlook on Georgia’s future development.

Section I: European Integration as the Driver for Anti-Corruption Commitment in Georgia

Today, the Georgian government widely celebrates its anti-corruption success inherited from Mikheil Saakashvili’s reforms with added emphasis on its success in western standards and explicitly frames its anti-corruption success as a sign for Georgia’s readiness for greater European integration. In my interview with the Georgian foreign ministry, government representatives highlighted that Georgia has mostly eradicated corruption and emphasized Georgia’s achievement of being ranked the most corruption-free country in all of Central and Eastern Europe. The government’s official narrative also celebrates Georgia’s passing of anti-corruption laws, the formation of the Anti-Corruption Coordinating Council, and Georgia’s partnership with EU-led initiatives such as GRECO and the EaP. Schueth (2011) pointed out that the Georgian government actively adapted its business policy and regulations to the World Bank “Ease of Doing Business Index” to construct its successful image to western partners. Multiple Non-Government Organizations that I have interviewed also pointed out that the Georgian government is very willingly to adopt EU-recommended legislations but does not follow through with its implementation. Despite anti-corruption legislation being selectively enforced and government initiatives remained weak in tackling elite corruption, the government’s promotion of its own success and eagerness in adapting anti-corruption legislations signify its instrumental use of Georgia’s anti-corruption performance to appeal to the international community. Indeed, officials from the Georgian foreign ministry repeatedly highlights that “Georgia is now closer to the EU than ever” and expressed that “Georgia will remain committed until the EU is ready for greater integration [e.g. membership prospects]”. Although the EU is committed to a strong partnership with Georgia, it has expressed no intention in extending membership to Georgia.

82 Foreign Ministry of Georgia, interviewed by University of Toronto ICM Students at Foreign Ministry, February 19, 2020, Tbilisi.
84 Tamta Tseraidze (Democratic Institution Support Program Assistant, Georgian Young Lawyers Association), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at GYLA offices, February 17, 2020, Tbilisi.
the EU. Georgia maintains a partial commitment in anti-corruption reform for the ulterior purpose of European Integration.

Georgia’s strong drive towards Europe is simultaneously its strong drive away from Russia. Representatives from the Georgian foreign ministry explained that Georgia is strongly motivated for European integration as it sees Europe as “its only path to development” other than being dominated by Russia. Georgia has a unique history of independence struggles against Russia and is strongly antagonistic towards Russia after the 2008 Russo-Georgian war which resulted in Russian occupation of Georgia’s two autonomous regions. In a 2020 poll conducted by the Caucasus Research Resource Center (CRRC), 48% of Georgians overwhelmingly answered that Russia is the main enemy of the country. The Georgian foreign ministry cited re-integration with South Ossetia and Abkhazia as their second highest priority. Officials also expressed that Georgia has no political leverage against Russia and must rely on the international community to settle its territorial disputes. The crucial role of international actors in protecting Georgia – a weak emerging country against Russia – a formidable aggressor gives international actors like the EU an enlarged role to play in influencing Georgia’s domestic politics. Georgian elites are willing to sacrifice some of their privileges in return for international allies that will protect the sovereignty and territorial integrity of Georgia. Other than security reasons, Georgians are also attracted by economic allures of the European Union. EU assistance through its structural funds and the possible opening up of its large market under the common market policy would give a big boost to Georgia’s developing economy that relies on exporting primary goods and Foreign Direct Investments. Lastly, closer integration with Europe also fulfills the self-identification of Georgian people as a “freedom-loving people” and the national identification of Georgia as having “always been part of Europe”. The above sovereignty, economic and identification reasons explain Georgia’s foreign policy decision to place European Integration at its top priority.

In addition, a consistent 70-80% of the Georgian population overwhelmingly supports seeking membership with the European Union. This population constitutes an inalienable voter base for any political party seeking power in Georgia’s democratic election system. European integration remains a cross-party consensus in Georgia and is even written into the Georgian constitution. Therefore, monitoring from EU spokespersons, whether it be comments from Members of the European Parliament or official statements from the European Commission has considerable normative influence over the Georgian government. The Georgian government

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86 Foreign Ministry of Georgia, interviewed by University of Toronto ICM Students at Foreign Ministry, February 19, 2020, Tbilisi.
87 Dustin Gilbreath (Deputy Research Director, The Caucasus Research Resource Centers), interviewed by University of Toronto ICM Students at CRRC offices, February 18, 2020, Tbilisi.
88 Foreign Ministry of Georgia, interviewed by University of Toronto ICM Students at Foreign Ministry, February 19, 2020, Tbilisi.
91 Idib.
92 Idib.
93 Idib.
94 Dustin Gilbreath (Deputy Research Director, The Caucasus Research Resource Centers), interviewed by University of Toronto ICM Students at CRRC offices, February 18, 2020, Tbilisi.
would not wish to overtly go against the EU’s recommendations as that would alienate pro-EU voters.

For the above reasons of state-building and earning public support, the Georgian political elites are interested in pursuing an official pro-European commitment. Georgia’s pro-European drive gives the EU opportunities to collaborate with the Georgian government in official capacities. This includes the EU’s capacity-building project such training programs that had equipped 5,000 judges, prosecutors, public defenders and police investigators to date. It also includes EU monitoring missions that oversees the fairness of elections. The EU also participates in Georgia’s judicial reform process which in the most recently fourth wave reforms, has been able to improve the transparency in approving and dismissing judges. The EU’s ability to push reform in the above areas were modest. In terms of training civil servants working for justice departments, the EU focuses on training mid-level officials and young judges in hope that they will bring responsible work ethics to higher levels when they rise up the ranks. In election monitoring, the EU was able to point out instances of vote buying and state intimidation of civil servants to vote for the ruling party but was not able to remedy any of these violations. In judicial reforms, a group of powerful judges still holds the power to decide supreme court rulings and appoint future judges that are to join their ranks. The current EU initiatives do not challenge the concentration of political power directly. Nonetheless the EU is strengthening Georgia’s institutional capacity to promote long-term democratic progress. As an official from the Council of Europe reveals, the EU views this route of modest reform as its best available option for now.

Other than building up Georgia’s institutional capacities, the EU also strengthens Georgian civil society from the ground-level through funding civil society organizations. Georgia enjoys a vibrant civil society which constantly monitor the performance of the government, circulate information on the democratization progress and organize mass protests to resist government legislations when it observes backsliding. Compared to independent journalists that face constant prosecution from the Georgian government, Georgian NGOs’ international profile offer them protection from government coercion. Civil society in Georgia has been crucial in propelling Georgia’s democratic progress so far and the EU has a substantial role in enabling them.

Lastly, the EU serves a gate-keeping role. In cases where there is grave public concern for democratic backsliding in Georgia, the EU steps up to warn the Georgian government and steer it back towards a liberal democratic path. One instance was in late 2019 when the Georgian Dream government voted down its own promise to transition into a proportional representational parliamentary system for fear that it would lose its majority seats. The EU issued a public

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95 Idib.
96 Sophio Tsakadze (Senior Project Officer, Council of Europe Office in Georgia), interviewed by Gautier Boyrie and GiGi Chan at Council of Europe offices, February 18, 2020, Tbilisi.
97 Tamta Tsvreraidze (Democratic Institution Support Program Assistant, Georgian Young Lawyers Association), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at GYLA offices, February 17, 2020, Tbilisi.
98 Sophio Tsakadze (Senior Project Officer, Council of Europe Office in Georgia), interviewed by Gautier Boyrie and GiGi Chan at Council of Europe offices, February 18, 2020, Tbilisi.
99 Levan Avalishvili (Program Director, Institute for Development of Freedom of Information), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at IDFI offices, February 21, 2020, Tbilisi.
100 Tamta Tsvreraidze (Democratic Institution Support Program Assistant, Georgian Young Lawyers Association), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at GYLA offices, February 17, 2020, Tbilisi.
statement urging Georgia to adopt its planned electoral reform. It later served as a mediator that brought about the Georgian government’s concession in implementing its promised reforms. The European Commission also spoke out against the Georgian government’s appointment of supreme court judges that “do not enjoy broad public trust” and caused the government to temporarily pause its appointment of more supreme court judges.

Therefore, even though the EU lacks conditionality leverage over Georgia as it would if Georgia is a membership candidate, it presents itself as a geopolitical destination for Georgia which informed Georgia’s radical corruption reform in Mikheil Saakashvili’s era and continued to incentivize the Georgian Dream government’s official commitment to anti-corruption and democratic progress. The EU has been able to participate in democratizing Georgia’s institutions, aiding its judicial and electoral reform and strengthening Georgia’s civil society. The popular support and international appeal that the EU holds also allows it to apply nominal pressure on Georgia when it shows signs of democratic backsliding or excessive government control. The next section will point out the limits of EU influence as it lacks the mandate of assimilating Georgia into being one of its member states.

Section II: The Tenacity of the Corruption Problem in Georgia

There is a general agreement among the public and international monitoring organizations that high-level corruption persists in Georgia. As aforementioned, 59% of public respondents believe that abuse of power by public officials are common in Georgia. The Institute for Development of Freedom of Information (IDFI) has reported a slight decrease in anti-corruption measures for Georgia in 2019 across various indexes. The stagnation in anti-corruption progress is mainly due to the lack of oversight and concentration of power by political elites. In the World Justice Report (WJP) Rule of Law Index 2019, the legislature and executive are considered least free institutions whereas the police and military are considered the most corruption-free institutions. We can tell from these reports that corruption in Georgia has shifted from the form of corruption in law enforcement departments to the concentration and abuse of high-level political power. In 2019, Transparency International has also found cases of political interference in the judiciary, uninvestigated allegations of corruption regarding high level officials, suspicions of collusion in public procurement and nepotism in civil services.

These problems of high-level corruption are largely unrecognized by the Georgian government despite myriad reports from monitoring NGOs. All the NGOs that I have interviewed voiced concern over the ruling party’s informal control over the judiciary and other branches of

104 Tamta Tsveraidze (Democratic Institution Support Program Assistant, Georgian Young Lawyers Association), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at GYLA offices, February 17, 2020, Tbilisi.
executive power but expressed that these problems involve political interests that the ruling party is not willing to relinquish.

When it comes to tackling high-level corruption, the State Security Services has the official mandate to investigate all allegations of abuse of public office. However, civil society representatives that I interviewed expressed that the State Security Services is non-transparent in its operations and lack the political will to investigate high-level corruption allegations. The Anti-Corruption Council, which is the only official agency dedicated to anti-corruption efforts, does not have its own executive body and is only attached as a branch under the Justice Ministry’s Analytics department. The Anti-Corruption Council only meets infrequently to draft action plans and implementation reports and does not have the operational capacity to investigate specific corruption allegations. Therefore, there is no independent agency with the political autonomy and the operation capacity to investigate corruption cases. Moreover, the official anti-corruption initiatives and legislations celebrated by the government are often superficial and lacking in content. The Open Government Partnership is one such partnership that the Georgian government enters with civil society organizations with the purpose of increasing government transparency and accountability. However, the Open Government Partnership’s actions so far remain to be conducting risk-assessment for the government’s various departments and training staff from the prosecutor’s office. The initiatives that the Open Government Partnership has taken is very limited and does not remedy the lack of political independence and investigative power that has so far prevented the investigation of high-level corruption cases. The crux of high-level corruption problem in Georgia lies in the lack of political will to reform.

Not only does the Georgian government minimize the problem of high-level corruption, the EU also tends to gloss over this problem. The EU has been reluctant in using its normative influence to pressure Georgia to combat high-level corruption. Despite “Public Administration Reform and Improvement in Public Services and anti-corruption” being listed as the second priority in the 2017-2020 Association Agenda between the European Union and Georgia, the EU has not been vocal on resolving issues regarding the lack of prosecution of high-level corruption allegations and lack of independent oversight over anti-corruption agencies. Given civil society’s strong criticism of the Georgian Dream party leader Ivanishvili’s informal control over the judiciary, law enforcement and other public administration branches, the EU only added a short remark that concerns on high-level corruption persists under the broad tune of affirming Georgia’s commitment and achievement in combating corruption and in its 2019 Association Implementation Report.

Part of the reason that the EU has not been vocal on the issue of high-level corruption is due to its sensitive nature and the EU’s lack of instruments in dealing with entrenched political interests. For example, on the front of judicial independence, the Council of Europe’s Venice

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109 Erekle Urushadze (Program Manager, Transparency International), interviewed by GiGi Chan at TI Offices, February 19, 2020, Tbilisi.
110 Ibid.
111 Ibid.
112 Ibid.
Commission has a more well-established set of standards for states to follow and provides advices to states whenever judicial issues arise. In judicial matters, we see the European Commission warns that it is closely monitoring the situation for politically motivated court cases\textsuperscript{116} and controversial judge appointments\textsuperscript{117}. The EU has been able to slowly usher in judicial reforms in Georgia and this is evidence that the EU is influential in inducing reforms when issues receive enough pubic attention and the EU has well-informed standards which it is committed to promote.

On the front of anti-corruption, the European Commission has formed the Group of States against Corruption (GRECO) that publishes annual compliance reports on Georgia’s progress in reducing corruption\textsuperscript{118}. However, the work of GRECO receives much less attention from the media or the government. It focuses on monitoring institutional safeguards and legislations in Georgia but avoids commenting on specific corruption cases. Corruption issues seem to be too politicized and personalized for the EU to put direct pressure on even though high-level corruption is as well-documented and advocated for by civil society organizations\textsuperscript{119}. In my interviews, EU officials acknowledged that informal political control may be hindering further democratic reforms in Georgia but is reluctant to comment on the accusations of state capture (meaning systemic political corruption where private actors takes control of state organs and make decisions for their own advantage\textsuperscript{120}), citing the reason that such claims are hard to find evidences for.

The EU cherishes its role as an impartial and pragmatic democracy promoter that any willing regime can cooperate with. Its insistence on impartiality makes it ill-equipped to deal with corruption issues that are usually deeply entangled with political interests of specific persons in power. Moreover, the EU is committed to respecting the sovereignty of partnering countries, much more so for Georgia which is not a candidate for EU membership. Corruption allegations are seen as domestic issues that the EU is not willing to interfere with. Although the EU criticizes instances where judicial independence is compromised, it refrains from inferring further to criticize the informal concentration of power undertaken by the existing regime. My observations conform with Sydoruk & Tyshchenko’s (2018) critique\textsuperscript{121} of the EU’s “de-politicized” approach that focuses on democratic progresses that are quantifiable on paper, such as setting up agencies and approving legislations but fail to stimulate deeper political change.

Another factor is that the EU does not prioritize the corruption problem in Georgia. In the 2019 Corruption Perception Index, even though Georgia experienced a minor decline, its’ score of 56/100 is still higher than Italy and Greece\textsuperscript{122}, long term members of the EU. Both the EU and Georgia are aware that the biggest impediment preventing Georgia from joining the EU is its geographical proximity and territory disputes with Russia. High level corruption problem, as long as it is not widespread, is not a major concern when it comes to EU integration. Even if


\textsuperscript{119} Georgian CSOs’ address to the international community in September 2019 on eventual state capture; https://idfi.ge/en/georgian_civil_society_organization_address_to_the_international_community.


oligarchic rule damages the rule of law in Georgia, it is of secondary concern compared to the Russia factor. As EU integration serves as a major incentive for Georgia’s democratization progress, the little emphasis that the EU has placed in the problem of concentrated elite power and affiliated high-level corruption explains Georgia’s stagnation in anti-corruption reform.

The EU’s disengagement with further democratic reforms in Georgia is largely a result of its lack of membership commitment to Georgia. Representative of the EU have confirmed that there is currently no membership prospect for Georgia. The EU is pre-occupied with dealing with internal problems, such as Brexit, the ongoing migration crisis, the rise of populism in individual member states and now Covid-19. After the 2004 and 2007 big rounds of enlargement, the EU grew fatigue of further enlargement plans due to the difficulty in assimilating new member states and the demand of economic resources with the addition of less developed states. Moreover, Georgia’s candidacy is ambiguous as its geographical connectedness to the rest of the EU is not as well established. It’s close proximity with belligerent Russia also deters EU enlargement efforts for fear that it will be seen as a provocation to Russian security.

Due to the low possibility of EU membership for Georgia, the EU opts for the Eastern Partnership Program (EaP) as a partnering relationship and not an enlargement strategy. Under the EaP, the EU places more emphasis on maintaining friendly bi-lateral relationship with Georgia, protecting European investment in Georgia and stabilizing the regime rather than assimilating the Georgia’s governance structure to resemble the ‘rule-of-law’ model. Even though the EU seeks to promote democratization in Georgia, it does so only in a partnering capacity but not as a dominating figure. The EU cannot apply conditionality principles on Georgia where it demands strict reforms in exchange for extending membership. The EU does not have the same membership rewards to offer Georgia and therefore provides less incentives for rigorous reform. On the other hand, for as long as Georgia is not a candidate state, it remains a foreign partner of the EU that can choose to exit this partnership at any time. The EU is therefore also concerned with maintaining an appealing diplomatic relationship with Georgia to guarantee its continued democratic progress. Therefore, the EU refrains from forcefully pushing for reforms that would severely damage the ruling party’s interests (i.e. combating high-level corruption) as that would risk damaging their working relationship and alienating Georgia.

Due to the sensitivity of high-level corruption problems, the EU’s tendency to remain impartial and not engage in political contestations for power, and the EU’s lack of membership leverage over Georgia, it pursues a modest reform strategy when it comes to anti-corruption reforms. Instead of high-profile naming and shaming or punitive measures, it opted to cooperate in capacity building with the Georgian government. It uses the Association Agreements and GRECO to bid Georgia to strengthen their institution and legislations in combating corruption. It strengthens civil society to monitor the government. And it uses its normative power to steer the government towards liberal democratic directions when there are severe violations of the rule of law.

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123 Irakli Kobalia (Political Officer, EU Delegation to Georgia), interviewed by Foti Vito, Gotier Boyrie and GiGi Chan at EU Delegation offices, February 19, 2020, Tbilisi.
126 Irakli Kobalia (Political Officer, EU Delegation to Georgia), interviewed by Foti Vito, Gotier Boyrie and GiGi Chan at EU Delegation offices, February 19, 2020, Tbilisi.
Conclusion

This paper highlights the European Union’s role as a geopolitical actor in influencing Georgia’s democratization process. This is because Georgia’s willingness to comply with EU standards stem greatly from the EU’s appeal as a source of nationhood and prosperity that is the alternative to Russia’s aggressive dominance. On the flip side of the coin, Georgia’s staggered reforms and half-hearted democratic commitment also stems from EU’s insistence in being merely an external partner but not a membership destination due to Georgia’s geographical location being far from Europe and within Russia’s sphere of influence. The EU does not seek to be a democratic norm enforcer, but merely a democratic regional partner for Georgia and that explains the EU’s support for democracy in Georgia but also its unobtrusive means in doing so.

The progress of anti-corruption reform in Georgia shows the importance of internal political will in determining reform trajectory. The rapid elimination of petty corruption in Georgia from 2003 to 2012 is largely a result of President Mikheil Saakashvili’s strong commitment in building an effective state. Similar political interests have caused today’s Georgian Dream government to avoid tackling high-level corruption problems as it would damage the ruling elites’ means of controlling the country. However, in Georgia, we do not only see the dominance of political elites’ interests. The civil society and the general population are also active in pursuing democracy and accountable governance. Their calls have become a major source of influence as citizens hold the power to elect public officials. The influence of external actors such as the EU can only be counted after these two domestic sources of influence. The EU faces many limitations in promoting democratic progress in Georgia due to Georgia’s lack of candidacy status. However, the EU seeks alternative methods to tap into Georgia’s strong desire for European integration and has been able to promote modest change across Georgia’s democratic institutions.

The progress of democratization in Georgia is best seen as a process of power contestation between ruling elites, the public and external actors. The EU’s most important role is to provide a geopolitical destination for Georgia, which is a task that many stakeholders I interviewed affirm that the EU has delivered well. The EU also capitalizes on its opportunities to aid capacity building and institutional reform in Georgia and at critical moments have used its normative influence to keep Georgia on track of becoming a liberal and pluralistic society. The EU has substantial engagement in Georgia’s political and civil realm and is resourceful as an external partner of Georgia. Due to inherent constraints of the EU as an external partner, it will face difficulties in prompting deeper political change in Georgia. Therefore, a lot is left in the hands of the Georgian civil society and political actors to bring about organic change for Georgia’s democratic progress.
Bibliography

Boyrie and GiGi Chan at EU Delegation offices, February 19, 2020, Tbilisi.


Kukhianidze, Alexandre (Professor of Political Science, Ivane Javakhishvili Tbilisi State University), interviewed by GiGi Chan at Ivane Javakhishvili Tbilisi State University, February 18, 2020, Tbilisi.


Tsakadze, Sophio (Senior Project Officer, Council of Europe Office in Georgia), interviewed by Gautier Boyrie and GiGi Chan at Council of Europe offices, February 18, 2020, Tbilisi.


Tsveraidze, Tamta (Democratic Institution Support Program Assistant, Georgian Young Lawyers Association), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at GYLA offices, February 17, 2020, Tbilisi.

Urushadze, Erekle (Program Manager, Transparency International), interviewed by GiGi Chan at TI Offices, February 19, 2020, Tbilisi.
Georgia’s Visa-Free Progress: Moving Towards Europe?

Emma Davy

Introduction

The European Union’s (EU) visa policy provides a common list of non-member states whose citizens require a visa in order to cross into the Schengen zone and a list of states whose citizens can enter visa-free.127 After the dissolution of the Soviet Union in 1991, the EU began using visa-liberalization as a signal to post-communist states.128 However, over the past decade, visa-liberalization has become an important element of the EU’s external relations with adjacent countries.129 Countries in the Caucasus region, such as Georgia, perceive visa-liberalization as an indication of their strong relationship with the EU.130 And because Georgia is a not a candidate country, the visa-free regime is the one of the most tangible benefits the government can deliver to its citizens.131

After years of negotiations between the EU and Georgia, the visa-free regime entered into force on March 28, 2017.132 This means that Georgian citizens can travel to the EU without a visa for 90 days within a period of 180 days.133 Thus, this paper will critically examine how the development of the 2017 visa-free regime has affected Georgia-EU relations. It will specifically look at post-via free discourses surrounding irregular migration and various stakeholders’ perspectives on the issue. The paper will begin by explaining the background of the visa negotiation process and why the government prioritized visa facilitation. Next, it will look at the challenges surrounding irregular migration and the visa suspension mechanism. Then, it will examine the Georgian government’s commitment to maintaining the visa-free regime and the various measures that the government is taking to address the issue of irregular migration. This examination will show how more effort is being put towards reactive measures — such as increased border security — rather than preventative measures which aim at the root causes of outwards migration. Ultimately arguing that there should be more focus on long-term solutions that address the social and economic welfare of Georgians and that these factors should be considered within the framework of migration management.

Political Will and the Visa Negotiation Process

In February 2013 the European Commission presented Georgia with the Visa Liberalization Action Plan (VLAP). The VLAP outlined four benchmarks that had to be met before the visa-free regime could be enforced.134 These benchmarks included document security, public

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129 Ibid.
130 Ibid, 35.
131 Ibid.
133 Ibid.
134 Ibid.

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order and security, foreign affairs, public order and security.\textsuperscript{135} By December 2015, less than two years after the Action Plan was issued, Georgia had successfully met the VLAP criteria.\textsuperscript{136} However, due to the 2015 European migration crisis, the visa-free regime did not enter into force until March 28, 2017.\textsuperscript{137} Despite this two-year pause, Georgia was able to align its border management system in accordance to EU standards and quickly bring about the necessary changes.

Member of Parliament Tamar Khulordava emphasized the speed at which the government was able to implement the VLAP.\textsuperscript{138} As the chairperson of the Committee on European Integration from 2016 to 2019, MP Khulordava witnessed this transition. She maintained that the Georgian government’s commitment to the VLAP was a “good example of what political will can do.”\textsuperscript{139} After all, the VLAP reforms were not minor and they required a high degree of coordination to mobilize all the resources of the state.\textsuperscript{140} The main reason why the government was so enthusiastic towards the VLAP was because it offered a clear incentive. The visa-free regime was “a tangible achievement that Georgian citizens could directly benefit from.”\textsuperscript{141} Other agreements with the EU, such as the Association Agreement (AA), do not offer clear incentives. MP Khulordava explained, “It [the AA] doesn’t have any political prospect attached to it, so that takes some energy away from the efforts that need to be taken.”\textsuperscript{142} Unlike the VLAP, there is no discrete ‘benefit’ or outcome of the AA and this has noticeably affected the government’s will to implement the associated reforms.

Georgia’s Minister of Economy and Sustainable Development, Natela Turnava, echoed MP Khulordava’s sentiments. Minister Turnava said that the visa-free regime was “the most material benefit because it allows Georgians to easily travel to Europe and be treated like a European.”\textsuperscript{143} She also explained that there is an expectation amongst Georgian citizens that their government is working towards the goal of European integration and this reassures them that progress is being made. However, an important question must be asked: what other incentives can the EU offer a non-candidate state to motivate their governments to implement reforms? This is an ongoing question that affects other non-candidate states as well, not just Georgia, but the reality is that there are few options when membership is not on the table.

**Violations of the Visa-free Regime**

Although the majority of Georgians are following the parameters of the visa-free regime, there is a growing number of people who are attempting to use it to settle in the EU. An increasing number of Georgian citizens are traveling to the EU visa-free and then applying for asylum.\textsuperscript{144} In 2019, the total number of first-time Georgian asylum applicants in the EU was 19,250

\textsuperscript{135} Ibid.
\textsuperscript{136} Ibid.
\textsuperscript{137} Ibid.
\textsuperscript{138} Tamar Khulordava (Georgian Member of Parliament), interviewed by Emma Davy at Parliament of Georgia, February 20, 2020, Tbilisi.
\textsuperscript{139} Ibid.
\textsuperscript{140} Tamar Khulordava (Georgian Member of Parliament), interviewed by Emma Davy.
\textsuperscript{141} Ibid.
\textsuperscript{142} Ibid.
\textsuperscript{143} Natela Turnava (Georgian Minister of Economy and Sustainable Development), interviewed by Emma Davy at the Ministry of Economy and Sustainable Development, February 20, 2020, Tbilisi.
This number has nearly doubled since 2016 when there were only 8,835 applicants. In order to qualify as an asylum seeker, the applicant must be ‘unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.’ However, Georgian asylum seekers have an extremely low likelihood of being granted refuge in the EU. Data released by the Georgian Government found that 95 percent of Georgians who apply for asylum in EU member countries are denied. This percentage is even lower in top destination countries, like Germany, where only one percent of Georgian asylum seekers are successful. One reason why the rate of acceptance is so low is because Georgia is considered to be a ‘safe country of origin’ by a number of EU member states. Countries that are designated as ‘safe countries of origin’ do not persecute citizens for any of the aforementioned reasons.

Unfounded Georgian asylum seekers are primarily motivated by financial and healthcare incentives. This is because asylum seekers can receive a number of social benefits in EU member states. In France, for example, a refugee has the right to health insurance, family and housing allowances, basic minimum income, and social housing. Additionally, most EU member states offer social benefits to asylum seekers who are waiting for their application to be processed. In France, adult asylum seekers are eligible for a monthly allowance of 204 euros, free health insurance, and they may apply for housing in an asylum-seeker housing project. Germany also entitles asylum seekers to claim social welfare. The monthly benefit for single adults is set at 354 euros. These social supports are extremely appealing to Georgian’s who suffer from chronic health problems or low standards of living.

Marc Hulst, the Program Coordinator at the United Nations International Organization for Migration (IOM), said that unfounded Georgian asylum seekers “think that the longer they can stay, the greater chance they have at receiving benefits. They are looking for places that give benefits in the reception center or offer reintegration packages.” Hulst also said that they are specifically targeting the “weak spots.” These are countries that are slow to process asylum seekers and/or offer extensive social supports to asylum seekers. France is a well-known “weak

spot” because asylum claims can take years to process.158 Germany and France are the two EU member states with the highest number of Georgian nationals illegally residing in their borders.159

Some EU member states have responded to the increase in asylum applications by passing stricter regulations and reducing the number of social supports offered to asylum seekers. It should be noted that the majority of asylum seekers in the EU are not from Georgia, but rather they come from countries such as Syria, Afghanistan, and Venezuela.160 Nevertheless, the new regulations will affect Georgian asylum seekers. For example, in November 2019 President Macron announced that his government would be implementing several measures aimed at dissuading migrants from applying to live in France.161 One of the most significant changes requires asylum seekers to wait three months before they can qualify for non-urgent health care.162 This announcement came just weeks after Prime Minister Edouard Philippe declared that “the French asylum system is saturated,” at the National Assembly in October.163 In the same statement Prime Minister Philippe also said that he was “not afraid of thinking about the idea of quotas.”164 Other European politicians have also cited the financial burden and the increased pressure on the healthcare system as reasons for cutting spending and amending the law. Although, these actions should be contextualized within the anti-immigration political discourse.

There has also been a spike in the number of undocumented Georgian migrants in the EU.165 The exact number of undocumented migrants is of course unknown, however, we can determine trends by looking at the number of Georgian nationals discovered to be illegally residing in the Schengen zone and the growing number of Georgian citizens refused entry at a Schengen border.166 In 2017 there were 5,860 Georgians found to be illegally present in the Schengen zone.167 One year later this figure had increased by 60 percent with 9,400 cases of illegally present Georgian nationals.168 This trend is thought to be a result of more Georgian asylum applicants being denied but finding ways to stay in the EU member countries illegally.169

At the same time, there has also been a rise in the number of Georgia citizens who were refused entry at a Schengen border. In 2016, there were 810 Georgian citizens refused entry at a Schengen border.170 In 2018 this number increased by 400 percent with 3,805 Georgians denied.171 The majority of refusals were at Greek borders with 630 Georgians denied in 2017 and 885 denied in 2018.172 According to Marc Hulst, the IOM has noticed a growing trend in the number of

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158 Marc Hulst (Movement Coordinator at the United Nations International Organization for Migration), interviewed by Emma Davy.
166 Ibid.
167 Ibid.
168 Ibid.
169 Ibid.
170 Ibid.
171 Ibid.
172 Ibid.
Georgians going to Greece, Italy, Cyprus, and Spain. This is because more people are finding jobs in Southern Europe’s domestic sector as nannies, caretakers, and cleaners. Zurab Korganashvili, the Head of Office at the International Centre for Migration Policy Development (ICMPD), recognized this trend as well, stating, “People can get more money in the informal sector than in their own professions in Georgia. Someone who was a teacher in Georgia can make three to four times more as a caretaker for the elderly in Greece.” A large portion of successful migrants, both legal and illegal, are sending their earnings back home to support their families. In 2018, 11.5 percent of Georgia’s GDP came from remittances. This figure has been steadily increasing since 2015 but it is not large enough that the country is fully dependent on remittances. The national economy is not dependent on remittances, but individual Georgian families do rely upon income earners abroad; especially when they face unemployment or low wages at home. This is why an increasing number of Georgians are willing to illegally migrate in spite of the potential legal consequences.

The migration outflows we are witnessing are not characteristic of the “brain-drain” phenomenon. As Marc Hulst points out, the vast majority of people seeking asylum or illegally migrating have low levels of education and are in search of low skilled labour. Nevertheless, the Georgian government should still be concerned about depopulation trends and out-migration because both are symptomatic of the country’s underlying social and economic issues. When asked about the government’s effort towards diaspora engagement, Tamar Kikvidze, the Project Manager at the ICMPD, she said that “Georgia is not so much worried about brain drain.” Kikvidze explained that the previous government, under the leadership of President Mikheil Saakashvili, took a strong position that encouraged diaspora to come back and resettle in Georgia. However, the current Georgian Dream government is more focused on building relationships with Georgian diaspora abroad and maintaining existing connections. In the absence of domestic opportunities, the government is encouraging avenues for legal migration to the EU.

When asked about the possibility of developing long-term solutions for irregular migration, Zurab Korganashvili argued that discussing the country’s economic issues would not be a productive use of time. He said, “Of course we all know if the economic situation improves, Georgians will not rush to any country, even a well-developed one. It’s in the interest of any government to improve the economic situation because of many reasons. But if they can’t do it, what is there to discuss.” Korganashvili, contends that the lack of jobs in Georgia will always push citizens towards the West and therefore the government should focus its efforts on supporting

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173 Marc Hulst (Movement Coordinator at the United Nations International Organization for Migration), interviewed by Emma Davy.

174 Ibid.

175 Zurab Korganashvili, (Head of Office at the International Centre for Migration Policy Development), interviewed by Emma Davy at the International Centre for Migration Policy Development Offices, February 20, 2020, Tbilisi.


177 Marc Hulst (Movement Coordinator at the United Nations International Organization for Migration), interviewed by Emma Davy.

178 Tamar Kikvidze (Project Manager at the International Centre for Migration Policy Development) interviewed by Emma Davy at the International Centre for Migration Policy Development Offices, February 20, 2020, Tbilisi.

179 Ibid.

180 Tamar Kikvidze (Project Manager at the International Centre for Migration Policy Development) interviewed by Emma Davy at the International Centre for Migration Policy Development Offices, February 20, 2020, Tbilisi.

181 Ibid.

182 Zurab Korganashvili, (Head of Office at the International Centre for Migration Policy Development), interviewed by Emma Davy.
legal migration, which they have been. This assessment underestimates the challenges that a declining population poses to the economy and the social structure of the country. Georgia is already experiencing a population decline due to low fertility rates and outward migration. If the working-age population continues to shrink, then global firms will become less inclined to invest in the country’s declining market. There is a clear connection between socio-economic welfare and the level of out-migration. The government should consider this connection when searching for long-term, preventative solutions to irregular migration.

The Reintegration Process

When a Georgian national is denied entry to an EU member country, or involuntarily returned, they must go through a readmission process. Once Georgian authorities have been notified by an EU member state that a Georgian national has been expelled, Georgia has 12 days to reply with a readmission application. If Georgia approves the person for readmission, they then have 3 months to facilitate their return. This process is generally effective with 96 percent of readmission applications being granted. The cases that are denied usually involve non-nationals or stateless people. Furthermore, the introduction of electronic case filing has sped up the process, making it easier for the EU member country to start the reintegration process.

When Georgian nationals are involuntarily returned to Georgia, they can face many challenges reintegrating back into their communities. In our interview, MP Khulordava highlighted a common challenge, “The problem is that people start this journey with very limited financial means. Often, they will borrow money or sell their last belongings in Georgia in order to travel. So, when they are returned, their economic state is even worse than when they left.” In 2015, under the VLAP, the Georgian government created a reintegration programme to support returned Georgian migrants who require extra assistance. The services provided through the programme are carried out by selected group non-governmental organizations. These services include healthcare, small grants business projects, professional and vocational re-training courses, legal aid for returned migrants and access to temporary accommodation. The IOM is one of the organizations that provides reintegration services with funds from the state budget. According to Hulst, there have been 2,900 people reintegrated through the IOM’s reintegration support program.
The reintegration process is an opportunity for the Georgian government to address socio-economic challenges. It provides them with another chance to help the exact people who decided to leave. Unfortunately, there seems to be a breakdown in the system. Nino Iashvili, the Head of the Re-integration Department at the Ministry of Internal Affairs, said that there is a lack of interest in many of the services offered by the reintegration program. Some of the essential services such as medical supports and social services for returning minors are being used but there is little uptake for the other services such as the job re-training programs.\(^{195}\) When asked why she thought enrollment in these programs is so low, Iashvili did not have an answer. Perhaps one possible explanation is if people felt that they had abundant opportunities to become trained, then they would not have needed to make the effort to illegally migrate in the first place.

**The Suspension Mechanism**

Part of the visa negotiations with Georgia included the creation of the ‘Suspension Mechanism’. The Suspension Mechanism authorizes EU member states to temporarily cancel a visa-free agreement for nine months so that the emergency can be resolved.\(^ {196}\) The mechanism can be triggered due to “A substantial increase in the number of the non-EU country’s nationals have been refused entry or are irregularly staying in an EU member state; A substantial increase in unfounded asylum applications; A lack of cooperation on readmissions (the return of migrants to their home country); and Threats to public policy or internal security related to the nationals of the non-EU country.”\(^ {197}\) According to Asuncion Sanchez-Ruin, the Deputy Head of Mission at the Delegation of the European Union to Georgia, it is not likely that the visa-free regime will be suspended in Georgia, however, the European Commission continues to monitor Georgia’s commitment to the VLAP and has expressed concern with Georgia’s adherence to the visa-free obligations in their annual report.\(^ {198}\)

In 2018, the Commission submitted the *Second Report Under the Visa Suspension Mechanism* to the European Parliament and the Council.\(^ {199}\) The report called attention to the irregular migration challenges (citing the number of refusals of entry has increased by approximately 200 percent between 2016 and 2017), the growing number of asylum applications, and the increasing number of Georgian nationals illegally living in an EU member state.\(^ {200}\) The Report also identified several areas that needed to be addressed to combat the pattern of irregular migration and avoid triggering the Suspension Mechanism.\(^ {201}\) Some of the advisories included expanding border controls, continuing the information campaigns, encouraging cooperation with EU member states to decrease unfounded asylum applications.\(^ {202}\)

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\(^ {195}\) Nino Iashvili (Head of Reintegration at Migration Department), Interviewed by Emma Davy.
\(^ {197}\) Mariam Grigalashvili, “The EU’s Visa Suspension Mechanism Explained,” *Georgian Institute of Politics*.
\(^ {198}\) “Free Movement of People and VLAP,” International Centre for Migration Policy Development.
\(^ {200}\) *Second Report Under the Visa Suspension Mechanism*, European Commission.
\(^ {201}\) Asuncion Sanchez-Ruin, (Deputy Head of Mission at the Delegation of the European Union to Georgia) interviewed by Emma Davy and colleagues at the Delegation of the European Union to Georgia, February 18, 2020, Tbilisi.
\(^ {202}\) *Second Report Under the Visa Suspension Mechanism*, European Commission.
Strategies to Address Irregular Migration

Since the report was released, the Georgian government has implemented a number of reactive strategies to combat the issue of irregular migration. For example, they have increased screening at airports and land borders. New regulations require Georgian travelers to present a letter of invitation from the person they are visiting in the EU, proof of a return flight, proof of sufficient funds, proof of accommodation in the EU member country, in addition to their passport and regular travel documents. MP Khlordova also said that a new bill enhancing border controls should be adopted by the Spring Parliament session. The new law would empower border guards to require the documents as the guards at the Schengen borders. MP Khlordova said, “they [border guards and airport security] were doing this before, but they did not have the legal right to ban people who didn’t have all the documents [for example a return ticket] from traveling because it is a constitutional right for Georgians to move outside the borders of the country.” She said that these measures may strike a chord with Georgians because the freedom of movement is particularly sensitive given Georgia’s communist past; however, the government is prepared to take these actions because it is dedicated to upholding the visa-free regime.

Having a standard list of required travel documents would help to clear confusion amongst the general public. As Zurab Korganashvili explained, one of the biggest challenges with the current system is that Georgians are unclear about which documents they need in order to travel. For instance, before the visa-free movement was enforced, Georgian travelers were not required to present an official invitation to enter the Schengen zone. Korganashvili said that many Georgians did not anticipate this extra requirement because they assumed that “visa-free” meant that they only needed a passport. One method that the Georgian government has been using to spread awareness about the rules and regulations of visa-free travel is information campaigns.

Korganashvili and his colleagues at the ICMPD are part of the ENIGMMA 2 project, which supports the government in conducting visa-free information campaigns and offers support in the implementation and evaluation of migration strategy. The first ENIGMMA Information Campaign from Spring 2016 aimed to increase public awareness about the VLAP and how the future visa-free regime would strengthen Georgia’s relationship to the EU. The next campaign focused on raising awareness about the obligations associated with visa-free and what travel documents were required (official invitation, proof of accommodation, proof of financial means, and return ticket). Its main message was that visa-free is for short term stays (90 days) only and therefore not a viable route to permanent settlement in EU countries. The next two campaigns were more focused on the issues of irregular migration. They attempted to educate the public about what happens if you overstayed the 90 days, what are the consequences of violating the visa-free regime, and why launching an unfounded asylum application will likely lead to involuntarily return.

203 Tamar Khulordava (Georgian Member of Parliament), interviewed by Emma Davy.
204 Ibid.
205 Ibid.
206 Zurab Korganashvili, (Head of Office at the International Centre for Migration Policy Development), interviewed by Emma Davy.
207 Ibid.
208 Ibid.
When asked about the efficacy of the information campaigns, Korganashvili explained that ICMPD conducted a survey on the impact of the information campaigns, but the Georgian government has not opened the results of the survey to the public. Korganashvili could not disclose the survey results but said that “The numbers and main finds were not a surprise” and “a lot of people have heard of visa liberalization, but they did not understand all the aspects. So, there is a lot of work still remaining”. MP Khulordava echoed this sentiment, saying, “The information is there but it is never enough. It has to continue because as long as we have the visa-liberalization regime active and as long as we have an interest in maintaining it, then it is important that these risks are known to our citizens and they know that there are certain boundaries with how they can exercise these freedoms.” The government is planning on running future information campaigns and holding public events on migration education later this year. The main target demographic for these campaigns is students and young people. This is because young people are highly interested in gaining opportunities abroad. Previous campaigns were launched in schools and universities to the youth demographic. In response to the country’s rapid digitization, the government is looking to move future information campaigns to social media and online platforms to engage young people.

Spreading awareness about the rules and regulations of the visa-free regime is important, however, there are limits to the information campaign’s effectiveness. MP Khulordava recognizes the limits of the information campaigns, stating, “There are always people who don’t pay attention and no matter how well informed they are, chose to do what suits their interests best.” There is still a portion of Georgians who are knowingly violating the visa-free regime and in those cases, information campaigns will not be effective. The majority of people in that category are in search of employment or healthcare services, however, there is a small number who are involved in criminal activities. In 2017, a national newspaper in the Netherlands published official police reports and statistics that asylum seekers from Albania, Georgia, Morocco, and Algeria were responsible for the majority of crimes committed by asylum seekers. The headline sparked massive public debate and scrutiny in the Netherlands and other EU member countries. A month after the Dutch article was published, a Georgian non-profit research organization called the Georgian Institute of Politics (GIP) confirmed the report’s statistics and concluded that “When considered on a comparative basis, Georgian asylum seekers are nine times more likely to be involved in crime than the average asylum seeker.” German authorities have also expressed similar concerns about the average number of Georgian asylum recipients suspected of crimes. In 2017 and 2018 Germany’s Federal Criminal Police Office published released reports titled,
Federal Crime Situation in the Context of Immigration. The reports linked suspected crimes to asylum seekers, including Georgian asylum seekers. Trends such as these could have negative political ramifications for EU-Georgian relations. It is clear that if Georgia aspires to future EU candidacy, then it should avoid damaging its reputation amongst EU member states and foster positive relations by addressing these countries’ concerns with irregular migration.

There is no standard border control procedure or system amongst different airports, airlines, or countries; and these inconsistencies create loopholes that people have learned how to exploit. For instance, after a person has been refused at the Schengen border or even returned after violating the visa-free regime, they can change their legal name and apply for new a passport. Even though their personal identification number remains the same, some European scanner systems cannot read Georgian ID numbers and therefore only recognize the name on their passport. This means they have no record that the person has already been turned away at the border. According to Marc Hulst from the IOM, inconsistencies such as these have made it possible for some people to travel back and forth multiple times before they are apprehended. There are also gaps between different airports’ and airlines’ exit checks. For instance, some airlines do not ask for official invitations or proof of a return ticket and some EU member states do not perform pre-entry checks on arrival. In order to close the gaps in the system, authorities on both sides of the border need to communicate the issues they are experiencing and then cooperate to fix them. Georgia cannot solve these problems without cooperation from the most affected EU member states.

The Georgian government, with help from the Ministry of Foreign Affairs and the Ministry of Justice, is working to fill these gaps. For instance, the government passed new legislation preventing Georgians from changing their last names more than once. They also created a more thorough processes for replacing lost or stolen passports. Both of these measures were taken to prevent travel document forgery and fraud. The Georgian government has also adopted a new article in the criminal code to criminalize the facilitation of illegal migration. This reform was passed after learning that businesses were advising Georgians where to go, where to stay, how to collect fraudulent travel documents that would allow them to claim asylum, and which countries take the longest to process asylum claims. MP Khulordava talked about the public’s reaction to the increased measures stating, “Of course it was criticized in Georgia, but it was a demonstration of will on the Georgian [government’s] side to make it easier on the EU side. I think this effort

222 Ibid.
223 Marc Hulst (Movement Coordinator at the United Nations International Organization for Migration), interviewed by Emma Davy.
224 Tamar Khulordava (Georgian Member of Parliament), interviewed by Emma Davy.
225 Ibid.
226 Marc Hulst (Movement Coordinator at the United Nations International Organization for Migration), interviewed by Emma Davy.
227 Ibid.
228 Tamar Khulordava (Georgian Member of Parliament), interviewed by Emma Davy.
229 Ibid.
230 Ibid.
231 Tamar Khulordava (Georgian Member of Parliament), interviewed by Emma Davy.
was appreciated.”

When the European Commission’s Third Report Under the Visa Suspension Mechanism is published later this year, it will reveal the EU’s determination on Georgia’s progress and stress changes that need to be made. The question is whether these changes will address the root causes of irregular migration, or if they will continue to promote technical reforms aimed at lowering the number of unfounded asylum applications.

Conclusion

Maintaining the visa-free regime and upholding the obligations of the VLAP is a high priority for the Georgian government. This is because visa-liberalization is one of the few tangible incentives that Georgia can achieve as an EU neighbor. Georgia has demonstrated its deep commitment to upholding the obligations of the VLAP throughout the visa negotiation phase and its continued efforts to monitor migration trends. However, the growing problem of irregular migration and unfounded Georgian asylum applicants has put a strain on Georgia-EU relations. As for the increasing number of asylum applicants, the Georgian government to take steps to catch people before they can cross into the Schengen zone. Some of these measures include passing laws to criminalize the facilitation of illegal migration and working to increase the number of exit checks at Georgian airports and land borders.

The government has been quick to implement technical reforms in document security, border management, and public order security; however, these measures cannot facilitate deep and meaningful changes at the root of irregular migration. The outflow of people to the West is clearly linked to socio-economic issues within Georgia. Complex issues such as unemployment, income inequality, poverty, limited educational opportunities, and incomprehensive healthcare cannot be solved solely through reactive strategies. The migration management framework needs to consider the connection between social welfare and irregular migration. The government should put greater emphasis on preventative strategies that look for long-term solutions. After all, 80 percent of the Georgian population believes that the future of Georgia is linked to the European Union, but they must also be confident about their own future within Georgia.

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232 Ibid.
Bibliography


Korganashvili, Zurab. Head of Office at the International Centre for Migration Policy Development. Interviewed by Emma Davy at the International Centre for Migration Policy Development Offices. February 20, 2020, Tbilisi.


Easier to Ask for Forgiveness than Permission:  
A Survey of Urban Fabric Development in Tbilisi, Georgia, 2020  

Arina Dmitrenko

This paper sets out to examine the urban fabric of Tbilisi, Georgia, through a mixture of traditional research and information gathered through interviews with stakeholders in Tbilisi. Urban fabrics take their form as a result of formal and informal planning – the former, an intended approach to designing the cityscape and the latter, a consequence of the physical interactions between the cityscape and its various dwellers. Urban planning is interdisciplinary in nature; its purpose is to shape the urban fabric by taking into account the various peculiarities of geography, architecture, engineering and sociology. Concern with urban space is also by default political, since a city is one of the primary units of organization for its citizens. The influence of urban planning on national identity and the promotion of ideologies can be examined throughout history – notable examples include, Nazi Germany and the Soviet Union. It is due to this influence, that urban planning becomes “a competitive arena where groups vie to shape economics, culture and politics.”

This paper concerns itself with the political and cultural aspects of urban planning in Tbilisi, in an attempt to thread together the narratives of national identity and the ever-changing urban form. Tbilisi, Georgia’s capital, is situated in the heart of the Caucasus, and its geographic landscape of peaks and valleys is paradoxically symbolic of a long history of Persian and Russian rule. As a result, the urban form of present-day Tbilisi is an amalgamation of a complex history of national identity. In this paper, I concern myself with the following research question: How does the current development of the urban fabric in Tbilisi, shape Georgian democratization and development, and subsequently, Georgian relations with the EU? What affect does this have on Georgia’s potential EU membership? My research will argue that the shift from public to private property ownership brought forth by the dissolution of the Soviet Union is the main complicating factor for Georgians as they try to tell their own national narrative today. Currently, urban development of Tbilisi is a messy product of the interaction between the past Soviet system and its lingering peculiarities of municipal governance, and the 21st century Western ideas of capitalism and democracy. The incongruency between the two produces a stressed relationship between the municipal government and the citizens of the city. I will begin by framing the topic and research in its historical context. Next, I will present the current situation in Tbilisi and discuss the effect it has on democratization and urban development. In the following section I will connect my findings to Georgia’s aspirations to join the EU and discuss the role of the EU in Georgian development. Finally, I will offer concluding remarks on the future of Georgia-EU relations. In order to properly assess Georgia’s decisions today, it is vital to frame its historical context.

History of Tbilisi Urban Form and Governance

Prince Ilia Chavchavadze, Georgia’s 19th century political figure and poet, ignited the nationalist narrative in Georgia with his identification of three markers of Georgian identity: fatherland, language, and faith. These three pillars of identity continue to play an active role in defining Georgian identity today as the country continues to straddle the East/West divide. In fact, 90% of all survey responders state that religion is either “rather important” or “highly important” in their daily lives. In addition to domestic trends, trends of urbanization continue to grow globally with over 55% of the world’s population residing in urban settlements as of 2016. Although flocking to urban areas is as modern a phenomenon as cities as we know them, the urban movement can be explained by a search for better jobs, improved living standards and increased connectivity. With more than half of the global population in urban areas, the function and sustainability thereof is now more important than before. When cities were subject to shifts in power and ideas, radical changes were implemented. One does not have to dig too deep to find that urban planning and nation-building have historically had a close relationship. Examples such as István Széchenyi’s support for the construction of a bridge to connect Buda and Pest or Napoleon the III’s transformative radial avenues for Paris illustrate that. Much like these esteemed nation-state builders, Imperial Russia and Soviet Russia also had a vision for their cities.

Cities and settlements have always been anchored to water. Rivers guided the ebb and flow of city development, serving as a primary mode for connectivity. Tbilisi is no different as it is built entirely along the length of river Mtkvari (Georgian) or as it is known globally: river Kura. As a result, Tbilisi is an elongated city, the center of which is conglomerated by the water bank. Throughout the rebuilding and development of Tbilisi under the 19th century Russian rule, the river Kura remained a key defining feature.

Figure 1. The river Kura. Photo taken by Arina Dmitrenko, February 2020.
Near the end of the 19th century, Tbilisi was home to a mixture of ethnicities. Euro-Russian neoclassical influence left Tbilisi with avenues and promenades which connected infrastructure unlike before. As scholar Blair Ruble remarked, “urban form and the processes by which it has come into being reveal a great deal about its creators.” Unfortunate for Georgians – their urban expression of identity is made murky by decades of Russian presence. Russian presence continued through the establishment and function of the USSR, leaving Georgia with a lengthy history of identity shifts and spatial socialism.

Soviet planning followed three leading principles: establishing cities in conformity with regional differences; designing cities to curb population growth to 500,000 per urban area; and leveling the aesthetic differences between centers and their peripheries. The goal? To create moderate-sized, picturesque communities, across which labour and life would be scattered. Yet, it was not until the 1930s that a concept of the “Soviet city” actually took shape. Prior to that, development was either non-existent, informal or sporadic and superficial. The “Soviet city” was modelled after Moscow, with features such as wide streets, promenades, accessible utilities and the beginning workings of transportation. At the time these ideas were formed, inland transportation consisted of mostly railroads, some public transportation in the form of buses or street cars, and walking. Cities were largely designed for pedestrians – the Soviets did not foresee the transformation of transportation with the widespread use of the automobile. As a result, cities were pedestrian-centric, inherited a neoclassical style of architecture, and were organized in neighborhood blocks called rayony and smaller residential blocks called microrayony.

Figure 2. An example of a microrayon in Gldani’s, Georgia. Photo sourced from: https://benjaminwells.eu/8-23-vi

246 Diener and Hagen, “From Socialist to Post-Socialist Cities: Narrating the Nation through Urban Space,” 491.
247 Ibid, 492.
248 Ibid, 492.
250 Ibid, 20, 41.
251 Ibid, 29.
252 Ibid, 35.
253 Ibid, 44.
254 Ibid, 42.
Rules and norms of building were overlooked by a state committee called Gosstroi.\textsuperscript{255} Adjacent to this was a Committee on Matters of Architecture which oversaw architectural decisions.\textsuperscript{256} The design of the infrastructure often fell victim to style trends and the preferences of those in power, as well as short-term benefits of economic expediency.\textsuperscript{257} Rapid industrialization and development required quick construction which was expedited by employing regulation shortcuts. In that sense, one could say the Soviets ignored the long-term implications of maintenance. However, the same cannot be said about day-to-day care. The Soviets, following their desire for picturesque cities were diligent in forming and upkeeping committees which were in charge of taking care of parks, streets and squares. As for Tbilisi, the Soviets had three master plans, \textit{genplans}, for the design of the city, the first issued in 1934 and the last in 1970.\textsuperscript{258}

In a way, the Soviet urban planning principle of “establishing cities in conformity with regional differences” is a rather progressive policy aimed to preserve diversity across their Soviet Republics.\textsuperscript{259} Soviets began development in Georgia by developing regions of Batumi and Sukhumi to be Soviet resort towns.\textsuperscript{260} Concurrently, the Tbilisi \textit{Genplan} of 1934 pushed Stalin’s production targets as well as focused on design which created metropolitan recreation areas such as theatres and circuses.\textsuperscript{261} The Tbilisi Circus, constructed in 1939, is frequently seen as a one of the buildings which defines the Tbilisi urban fabric.\textsuperscript{262} Since its construction, the Tbilisi Circus has deteriorated significantly in structure quality.\textsuperscript{263} Much like the quality of infrastructure, which was lost in light of faster development, the preservation of national identity — a principle the Soviets held so close to their heart — also got partially lost in the cycles of ever-changing targets.

\textit{Figure 3. The Tbilisi Circus in (approximately) the 1960s. Photo sourced from: https://theyounggeorgians.wordpress.com/2014/04/09/soviet-tbilisi-in-}

\textit{Figure 4. The Tbilisi Circus again, also (approximately) 1960s. Photo sourced from: http://www.circopedia.org/Gia_Eradze.}

\textsuperscript{255} Ibid, 52.
\textsuperscript{256} Ibid, 52.
\textsuperscript{257} Ibid, 49.
\textsuperscript{259} Zigurds L. Zile, “Programs and Problems of City Planning in the Soviet Union,” 37.
\textsuperscript{260} Ibid, 23.
\textsuperscript{261} Ibid, 59.
\textsuperscript{262} Van Assche and Salukvadze, “Tbilisi Reinvented: Planning, Development and the Unfinished Project of Democracy in Georgia,” 9.
\textsuperscript{263} Davit Maisuradze (Open Governance Direction Head – Institute for Development of Freedom of Information) in discussion with the author, February 21, 2020.
The next push for development was under Nikita Khrushchev, after whom the iconic residential building structure *Khrushchevka* was named.

![Image of a Khrushchevka](https://via.placeholder.com/150)

*Figure 5. A Khrushchevka in Georgia. Photo taken by Arina Dmitrenko.*

During this time, Georgia was largely viewed by the USSR as an agricultural area. During Khrushchev’s time in 1961, the iconic Tbilisi Palace of Sports was built – a relic of Soviet athletic aspirations on the world stage. Developments like these considered Georgian identity in part, yet, also served to promote the identity of the Soviet Union. The last *genplan* was the most influential. Under this plan, Old Tbilisi and its Christian history received more attention as a result of friendly relations between Moscow and Georgia after memories of Georgian architects who contributed to Kiev Rus arose. It was under this *genplan*, that Tbilisi became more ethnically Georgian. The Soviet Union was modernising and Tbilisi development became more eccentric. The Bank of Georgia Headquarters, designed by George Chakhava, was a signal of yet another shift of design – the building resembled a futuristic crossroads. Its purpose? A Roads Ministry Building. No matter how consciously national identity was factored into the Soviet decision-making process; it consistently fell second to the creation of the *homosoveticus* – the Soviet man.

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266 Ibid, 10.
267 Ibid, 10.
269 Ibid.
Figure 6. Tbilisi Sports Palace in (approximately) 1960. Photo sourced from: https://theyounggeorgians.wordpress.com/2014/04/09/soviet-tbilisi-in-pictures/.

Figure 7. The last Soviet General Plan or comprehensive plan (1970) under the Soviets, Tbilisi expanded, industrialized and became a more (ethnically) Georgian city. Image sourced from: “Tbilisi reinvented: planning, development and the unfinished project of democracy in Georgia,” by Kristof Van Assche and Joseph Salukvadze.

Figure 8. The Ministry of Roads and Highways building designed by George Chakhava (late 1970s) before it became the Bank of Georgia Headquarters. Image sourced from: https://www.architectural-review.com/places/asia-pacific/russia/frdric-chanvin-surveys-the-relics-of-the-former-soviet-union/8612161.article.
The Current State of Urban Development in Tbilisi

With a population of approximately 1.1 million, home to nearly 50% of the GDP and area of 726 kilometers squared, Tbilisi is the largest city and the capital of Georgia. Tbilisi is surrounded by three peripheral cities, each home to roughly the size of one-tenth of Tbilisi’s population; these cities are Batumi, Kutaisi and Rustavi. Tbilisi and its internal functions are governed by the municipal government in Tbilisi City Hall. Interestingly, local government tends to be the most trusted institution among the public in Georgia. However, this statement should be taken with a grain of salt since the positive sentiment is only reflected by 27% of all those surveyed. Tbilisi’s municipal government runs under the direction of 12 departments. Of particular interest to this paper are five of the following: the department for infrastructure development, transportation development, department of finance, department for urban development and the department of economic development. The existence of these departments can be affirmed by paying a visit to the City Hall website. Unfortunately, upon further examination, some department pages are entirely blank, leaving those citizens who are looking for information with a certain je ne sais quoi. In 2006, nation-wide decentralization marked a transitional point for municipal governments in Georgia. Under the Law on Self-Governance, the pre-existing 1,000 local councils which were dependent on Tbilisi for guidance, transformed into 69 self-governing bodies which would operate separately from Tbilisi. This came as a relief to Tbilisi as well as a challenge to the newly created areas. Drastic as it was, the 2006 reform failed to change the already existing relationship between citizens and local administrations. Most citizens had little idea what the role of municipal government was prior to the reform, and now that its role has changed, the confusion among the public prevails. There is a fundamental breakdown between the public and the role of the municipal government in serving them. Not to mention the transition period was not guided by any firm regulations or laws, making it easier to manipulate local council.

Both Georgian governments under former presidents Saakashvili and Margvelashvili wanted to develop towns, however, until 2009 development was rather ad hoc. In 2009, Tbilisi City Hall took up work on the idea of rehabilitation and development of the city’s historical parts – this involved the first rendition of a city master plan. Inspired by the US zoning system, the plan divided the city in various zones.

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275 Ibid.
276 Ghia Nodia (Professor at Tbilisi State University) in discussion with the research group, February 17, 2020.
278 Ibid, 50.
The plan was poorly received and deemed short-sighted. First, the plan was drafted without the input of local professionals. Second, the plan failed to mention specifics of transportation and infrastructure development. Third, it was classified to be a “declarative document” which lacks a unified long-term vision for the city. However, the sporadic and uneven development characteristic of the early 2000s was not any more regulated by the 2009 master plan. This is in part because the Building Development Council of the Tbilisi City Council reserved the right to change provisions of the plan – which they continued to do liberally, administering over 1500 changes to outlined zones. In addition, stakeholders continued to be given projects in the city with the ability to buy ‘excesses’ which would allow them to build beyond the outlined construction parameters in the area. It was brought to my attention by Minister of Economy and Sustainable Development Natia Turnava, that Bakuriani is a good example of development in the absence of a master plan. Development in Bakuriani is chaotic to say the least and rapid (to pay it a compliment of sorts). Although Bakuriani serves as an example of the chaotic development in the absence of a master plan, a master plan is only as good as its enforcement. Making Bakuriani’s development no more chaotic than Tbilisi’s.

The laissez-faire attitude of municipal government towards development and private investment is a product of a nation-wide embrace of privatization; one only has to stray as far as the Ministry of Economy and Sustainable Development of Georgia to get an idea. In an interview with Minister Natia Turnava, she stated that the ministry supports infrastructure development by finding companies to develop these old Soviet resort buildings. In fact, she considers the best way to renovate is to allow privatization. The ministry fosters privatization through their “Investment Offers” program. The program entails the government identifying outdated

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279 Ibid, 50.
280 Ibid, 50.
281 Ibid, 50.
282 Ibid, 50.
283 Natia Turnava (Minister of Economy and Sustainable Development of Georgia) in discussion with the research group, February 21, 2020.
284 Ibid.
285 Ibid.
286 Ibid.
property and forming a package containing the infrastructure and some government issued recommendations for the area. These packages are placed online for an electronic auction; through these auctions, private investment is encouraged. Minister Turvana remarked that the ministry is committed to complying with EU legislation and is working hard to strike a balance between vision and privatization through updated regional master plans. For example, Tskaltubo is already in the process of creating a master plan for the area, and once it is complete, the next step is to open it up for a privatization auction. While this investment via auction fulfils the economy’s need for foreign investment, three problems arise. First, the investment has low accountability. The system of online auctions is too informal of a mechanism and although it can be seen as transparent for businesses, that transparency can also be an overlook from the government to filter companies out of the auction. Second, the companies which invest into the project do not have to follow the government issues recommendations. And although there is a discussion around regional planning, these plans to not have the bureaucratic foundation to be enforced properly. Third, the investment is not long-term and sustainable. By permitting large development projects by making it a “business friendly environment”, the government is opening itself to short term infrastructure development but long-term failure in securing financial benefits from the new development. The third issue is the most important since Georgia’s tax revenue is already low. Starting in 2004, Georgia underwent drastic tax reforms where 15 taxes were eliminated, diminishing the number from a pre-existing 21 taxes to only 6. The reform was driven by Georgian desire for freedom and a nation-wide war on corruption. The way to fight corruption, Irakli Khmaladze (EU Delegation to Georgia) remarked, was to remove unnecessary regulations. Although this increased compliance among the public, the total tax revenue remains low especially due to the added fact that individuals who make less than 18,000 USD per year are exempt from paying property tax (one of the 6 taxes remaining). Understandably, I can see how removal of red tape and enactment of business-friendly policies is part of the attraction for businesses, yet if there are no guiding principles to shape the function of these policies, Georgia will be stuck in cyclical development. Without proper enforcement of regulations, Georgia has companies and entities acting like a spoil teenager with a hefty allowance and a tonne of freedom.

Tbilisi has cycled through 6 editions of the Land Use Master Plan – each edition with its own challenges and short-comings. Plan renditions are formulated in collaboration with companies who win the bid on the project. In 2015, the contract was given to City Institute Georgia, and with their assistance, City Hall was able to present the most up-to-date version of the plan in 2018. Yet, none of the plan’s editions have addressed the pervasiveness of the K2 construction intensity coefficient. The K2 coefficient is the overall ratio of floor areas of a building in relation to the area of the plot of land. As of 2007, Article 5 of the Law of Georgia

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287 Ibid.
288 Ibid.
290 Ibid.
291 Ibid.
292 Ibid.
on Local Fees specifies that a developer must pay an additional fee to increase the number of floors in their development beyond the specified restrictions.295 Ever since, the fee amount has been growing as some estimated a nearly GEL 10 million revenue gain from K2 to be paid to the city budget in 2018.296 It is evident that the primary job of this measure is to benefit the municipal budget, yet, its actual job was to be a mechanism for exceptions. Instead, it functions to discredit the current regulations of the master plan. The coefficient allows developers to pay their way past regulations and continue their projects without restriction. Two other plans exist to outline the priorities of the city and improve upon the current circumstances: The Sustainable Urban Transport Strategy and the Tbilisi Green City Action Plan (2015-2030 and 2017-2030 respectively). The goal of the former is to envision an efficient, attractive and competitive public transport system, and the latter, to improve water services, waste management, energy, local industry development, building resilience and energy efficiency.297 However, even regulations posed in the Green plan can be bypassed by companies for a price.298 On the odd chance that the provisions of the plan are enforced, developers find it easier to pay the fine rather than reconstruct to comply with the regulation. Hence, buildings are left with severe structural deficits.

Let’s go back to the root of the issue: permits. I want to highlight the case of Bagebi. Bagebi is an area within the Vake District in Tbilisi, commonly seen as a more upscale area. Davit Maisuradze, the Open Governance Direction Head at the Institute for Development of Freedom of Information (IDFI) remarked that during his recent apartment search, he encountered a residential building in Bagebi which finished construction between 2002-2005, right before there was a large legalization process for building regulations.299

![Figure 10. The area of Bagebi in relation to Tbilisi City Center. Image sourced from: Google Maps.](image)

Just over 10 years later, the Head of Communal Friendship (a property-manager-esque role from the Soviet era) stated that the building had problems with land water flooding on the ground

295 Ibid.
296 Ibid.
level. This raises the question: how were permits issued then, and are they any different now? Surely, there are some changes to permits being issued today, but the consistent lack of regulation enforcement renders the changes moot. I want to note that there is an effort from City Hall to replace the Khrushchyovkas on Petre Melikishvili Street with better housing complexes, but no information is available on those efforts as of yet. 

Figure 11. Petre Melikishvili Street in relation to Tbilisi City Center. Image sourced from: Google Maps.

Nonetheless, these efforts reflect the desire of the municipal government to do more in the realm of housing, despite some public opinions which claim that meddling in housing right now would be a bad idea. This circles back to the fact that if City Hall wanted to do more, they would again find themselves at the hands of development companies, with messy permits, and unenforced regulations. This ongoing incongruency between governing and public opinion hinders the progress of both parties.

I want to highlight two cases: The Parliament of Georgia building on Rustaveli Avenue and the Youth Village Recreation Project taken on by IDAAF Architects. Both exemplify the disconnect between City Hall and the public. The construction of the Parliament of Georgia building was completed in 1938 and has not been in use since 2012 after the government moved parliaments from Tbilisi to Kutaisi.

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300 ibid.
The parliament was initially constructed on the former grounds of the Alexander Nevsky Cathedral and its adjacent churchyard; the churchyard was the resting place of Georgian cadets killed during the Bolshevik invasion in 1921. Needless to say, the construction of the parliament was a statement from the Soviets. Its central location and controversial stature affected the look and feel of Tbilisi, and as it stands abandoned today, architect Nanuka Zaalishvili stated that she envisions the space as a large public square, framed by the iconic arcs which frame the front of the abandoned structure today. Alas, no plans to demolish the building are in place at this time. The second project is a Youth Recreation Center sized 30,000 sq. meters, which is planned to be built on the periphery of Tbilisi.

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304 Ibid.
facilities for youth, the project is focused on ecology and the incorporation of modern technology into the construction. The contract was granted to IDAAF Architecture after City Hall chose their renders as the winners of the bid. The renders featured a complete plan for the project. Only after the renders were picked, City Hall presented a budget for the project – 15 million USD – which is significantly less than the necessary 45 million USD needed to create the project (as outlined by IDAAF). Two issues come forth: first, City Hall seems to play the game of “have-your-cake-and-eat-it-too” by wanting elaborate, modern projects for a cheap price; second, the City Hall risks disinteresting companies by being upfront with their budget allocations. As City Hall straddles public and private interests, their decisions adopt a cyclical pattern. The prime example: the updated master plan of 2019 still largely remains a zoning document.

Effects on Democratization

On the international stage, Georgia is viewed as a grey zone for democracy. On one hand, considerable efforts have been made to democratize since Georgia gained independence after the collapse of the Soviet Union, yet, overconcentration of powers remain. On the local level, decisions were centralized under Tbilisi until 2006, and nationally, power is in the hands of the president. The concentration of powers and the subsequent operations fuel public distrust of institutions. Despite the aforementioned positive shifts of decentralization in 2006, public skepticism remains due to collective memory. Efforts of town development from Saakashvili and Margvelashvili were met with nationalist backlash from Georgia’s rural areas. Opponents of these efforts argued that rural Georgia is the “real” Georgia – a cry for the preservation of national identity. This echoes the sentiment derived from data presented by Dustin Gilbreath, the Deputy Research Director at The Caucasus Research Resource Centers. His presentation featured data which stated that Georgians tend to think they can shape their own fate. This bottom-up expression of identity requires broader citizen awareness; an awareness which is quickly developing.

“Panorama Tbilisi” is only one example where public discontent for the project brought it to a halt; urban activism in various forms has been evolving in Tbilisi. The project was endorsed by former Georgian Prime Minister Ivanishvili and would stretch across the city center.

305 Ibid.
306 Ibid.
307 Ibid.
308 Nano Zazanashvili (Head of Urban Policy and Research Division at the Municipal Department of Urban Development, Tbilisi City Hall) in discussion with the author, February 20, 2020.
309 Ghia Nodia (Professor at Tbilisi State University) in discussion with the research group, February 17, 2020.
310 Ibid.
311 Ibid.
312 Dustin Gilbreath (Deputy Research Director - The Caucasus Research Resource Centers) in discussion with the research group, February 18, 2020.
Environmental activists like Nata Peradze have waged a war on irresponsible urban development. Together with her Facebook group called “Guerilla Gardening”, she and a small group of activists work to preserve Tbilisi’s shrinking green space.\textsuperscript{313} Her activism is both physical and digital. She has organized camp-out protests to preserve Vake Park from the illegal construction of a hotel.\textsuperscript{314} After a lengthy legal battle, the court ruled that City Hall issued the hotel building permit illegally.\textsuperscript{315} Regularly, Peradze uses her phone camera to capture unregulated construction in Tbilisi and broadcasts it on the internet.\textsuperscript{316} Guerilla Gardening is not the only group of its kind. Hippodrome SOS is an activist group which “is trying to stop construction of the overpass, arguing that it will exacerbate air and noise pollution and restrict pedestrian access to the nearby park.”\textsuperscript{317} This group is led by Joseph Alexander, a local politician, whose group has gained traction across Tbilisi. These are examples of activism for preservation, however, there are also activists for demolition. There was a call from politicians and prominent Georgians to remove Stalin’s statue from Gori, after the Russo-Georgian war in 2008.\textsuperscript{318} The statue was taken down in June of 2010 in an overnight operation.\textsuperscript{319} Although the statue is no longer standing, tensions and legal problems surrounding the Russian-occupied Abkhazia and Ossetia remain. The statue now resides in the courtyard of the Stalin Museum and the complex illegality of Abkhazia and Ossetia hinder Georgian development significantly. Unsuccessful development “occurs in the context where political and economic powers are not sufficiently supervised by public participation”.\textsuperscript{320} Hence, the success of Georgian development rests on the
support of its citizens. It is clear that the main narrative of national identity is coming from above, however, the evolving citizen activism may lead to a turning point in the future.

Effects on Development

The above-mentioned master plan alterations, regulation implementations (or lack thereof) and coefficient policies result in uneven development across the city. But perhaps more importantly, the development is concentrated in the city center only, leaving the periphery of the city and other cities outside the Tbilisi underdeveloped and agrarian in appearance. The drastic difference in development levels only serves to exasperate division in the country. Additionally, the development which occurs within Tbilisi varies in levels of maintenance upon construction completion. There seems to be a lack of personnel which looks after and monitors building maintenance, unlike Soviet times where committees had to keep track of city maintenance. Furthermore, accessibility is still a big issue in Georgia. Projects for newer buildings are more inclined to feature elevator shafts and wider doorways, however, at large, accessibility is still overlooked. There are seldom any wheelchair accessible alternatives to staircases, and more often than not, there are no alternatives at all.

Figure 15. Wheelchair accessibility railings in Tbilisi. Photo taken by Arina Dmitrenko, February 2020.

Municipal attention to these details would drastically improve development quality. Another trend which is unaccounted for by the municipal government is the increase in minority groups and diaspora buying. This affects demand-supply numbers as well as the changing demographics of neighborhoods. Currently, cities in Georgia are not prepared to absorb the influx of diaspora workers or investors who are either renters or buyers.

322 Ibid.
323 Nano Zazanashvili (Head of Urban Policy and Research Division at the Municipal Department of Urban Development, Tbilisi City Hall) in discussion with the author, February 20, 2020.
It is not all grim. Real progress is taking place and Tbilisi is working towards building a foundation for a “smart city”. However, one can argue that there seems to be a development leap rather than a consistent trajectory. By skipping the basics like road maintenance and accessibility, Tbilisi is jumping right to big league development. The Sustainable Urban Transport Strategy and the Mobility Network project are plans designed to alter the movement logistics of the city. These plans are created in coordination with EU regulations – the Urban transport strategy is supported by the European Bank for Reconstruction and Development (EBRD). Changes entail monitoring and enforcing parking rules – including regulating the common practice of parking on sidewalks. Broadly, parking regulation efforts are taking place; currently, parking in Tbilisi is an annual fee for parking in the city center. Under this mobility plan, parking zones and hourly rates are being implemented. This change is being administered through a mobile application which shows parking zones and payment options. Bus lanes are being allocated to improve the function of current busses. Car inspections made their debut in Georgia in 2018, regulating the significant number of Japanese imported cars as well as older vehicles which no longer fulfill the safety requirements. There was a new decree of standards issues for public transit riders from the Ministry of Economy and Sustainable Development. There are also developments in Green Energy. Georgia has proactively been purchasing solar panels and installing them in places with estimated high demand for energy. Changes are summarized by politician Joseph Alexander Smith: “construction permits are now available to view online and people call the city hall inspectorate when they see something being demolished illegally.” Still, there is a technological gap since some businesses are not in a position to employ digital tools for certain services, but things are changing quickly, and there is plausibility, that businesses will catch up soon as Tbilisi rushes ahead. However, it is important to acknowledge the existence of and monitor the smart city plan, since it can fall victim to the same short-sightedness found among the master plan documents.

The EU as a Domestic Player and Georgian Aspiration

The EU plays two roles in Georgia: a guiding partner for Georgia’s development and improvement; and a vision or sorts for a better life. Support among the Georgian population for

323 Alexander Targamadze (Project Manager at Tbilisi Transport Company, Tbilisi City Hall) & Mzevar Gogilava (Head of Traffic Organization Division in the Municipal Transport Department, Tbilisi City Hall) in discussion with the author, February 20, 2020.
324 „Tbilisi Green City Action Plan Approved by Local Authorities,” European Bank for Reconstruction and Development (EBRD).
325 Nano Zazanashvili (Head of Urban Policy and Research Division at the Municipal Department of Urban Development, Tbilisi City Hall) in discussion with the author, February 20, 2020.
326 Alexander Targamadze (Project Manager at Tbilisi Transport Company, Tbilisi City Hall) & Mzevar Gogilava (Head of Traffic Organization Division in the Municipal Transport Department, Tbilisi City Hall) in discussion with the author, February 20, 2020.
327 Ibid.
328 Ibid.
329 Ibid.
330 Ibid.
331 Ibid.
332 Nino Abelishvili (Chief Legal Officer at Georgian Railway) in discussion with the author, February 18, 2020.
333 Natia Turnava (Minister of Economy and Sustainable Development of Georgia) in discussion with the research group, February 21, 2020.
EU integration is high – just like their hope to join the EU one day. As a result of high public support for EU integration, parties and the Georgian government are compelled to cater to this public desire. The Georgian Minister of Foreign Affairs, David Zalkaliani has previously stated that Georgia’s integration into Euro structures is the main priority of the country’s foreign policy. Since support for democracy is one of the corner stones of EU values, the EU supports public administration reforms in Georgia by monetary and advisory means. Furthermore, the EU is a strong supporter of infrastructure in Central Europe and in countries where the EU has a working relationship – Georgia being one of them. As a result of EU-Georgia relations, the EU has provided monetary support to Georgia for the Georgian pursuit of infrastructure development. Apart from monetary contribution, the EU’s role as a guiding hand in Georgia is well captured by the 2014 Association Agreement. The purpose of this agreement is to establish closer ties between the EU and Georgia, and gradually transpose EU legislation in Georgia while offering the nation the “most favoured nation” treatment. Two (of many) things which the EU asks of Georgia to develop and implement proper certification for vehicle operators across the different operating classes and to separate the railway entity, Georgian Railway, into three different entities while improving technology. Both of these requests are designed to begin the process of transposing legislature which adheres to more concrete rules and principles as well as enhances the current state of mobility. This is widely seen by Georgians as an opportunity to become close to the EU. The EU makes itself available for cooperation, making it easy for Georgians to work with them. A significant milestone in their collaboration was the 2017 Visa Liberalization Plan between Georgia and the EU. Since then, Georgia has felt more included in the European sphere and evermore hopeful to join the Union. Approximately one million Georgians have visited Europe since the enactment of the regime; this is significant as it opens Georgians up to new perspectives and ideas which can be implemented at home. Simultaneously, Georgia is committed to proving themselves in the European area takes pride in being ranked number 6 of 140 countries for their participation in activities. Yet for the EU, Georgia is in the same camp of “potential candidates” for accession as Ukraine and Moldova. The three countries share a great desire to be incorporated into the EU despite their current positions. Yet, lack of readiness among these states is second to EU’s halt to enlargement. Scholars have written that the EU has “enlargement exhaustion” as a result of admitting a number of states in the 2004 and 2007 cohorts. Although the EU may still be working to integrate these states fully into the Union, enlargement exhaustion seems to be a way to justify tabling discussions of accession with undesired aspiring states. The EU is adamant in keeping their member numbers the same for the time being, as exemplified by the French veto for Albania and North Macedonia in 2019.

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336 Ministry of Foreign Affairs of Georgia, in discussion with the research group, February 19, 2020.
337 Ghia Nodia (Professor at Tbilisi State University) in discussion with the research group, February 17, 2020.
340 Nino Abelishvili (Chief Legal Officer at Georgian Railway) in discussion with the author, February 18, 2020.
341 Ministry of Foreign Affairs of Georgia, in discussion with the research group, February 19, 2020.
342 Ibid.
343 Ibid.
344 Ibid.
Unfortunate as it may be for Georgia, the reality is that Georgia is not a candidate for EU accession and their candidacy is not being discussed right now. Nonetheless, Georgia continues on the path of Europeanization so when the time for accession comes, they are ready.

**Conclusion**

The uneven current state of urban development in Georgia at large, and more specifically, in Tbilisi, is a result of the transformative shift from public to private ownership during the dissolution of the Soviet Union. The crisis of the 1990s featured land and its ownership as the only means to revive and rebuild the crippling economy. As the meaning of ownership changed, public confusion and irregularities in day-to-day function arose. This resulted in uneven implementation of the existing regulations by the lingering Soviet habits of governance which proved to be incompatible with the aspirational Georgian desire for freedom and capitalism.

Since then, Georgians have struggled to tell their national identity for the first time in a long time without the interference of other powers. This history of interference is reflected in the urban fabric of Tbilisi, through its various architecture styles and its spatial organization. In his 2003 publication “Image, House, Name,” Georgian architect and scholar Shota Bostanashvili argued that a relationship exists between language and architecture. In Georgian, the words for “image”, “house” and “name” are “sakhe”, “sakhli”, and “sakheili” respectively; they are joined together by their similar sound. This relationship between language and structure would free Georgian buildings from imposed ideology and cause them to stand alone as pieces of art and history. As Georgia tackles its history with changes to its governance and urban aesthetic, cycles of uneven development emerge. As ideas for the future of Georgia clash, “urban planning becomes a competitive arena where political efforts to shape economy, culture and identity play out”.

These inconsistencies hinder Georgia’s EU-accession aspirations. Furthermore, as long as Abkhazia and South Ossetia continue to be a problem in international law, Georgian development will be stagnated. Georgia’s future decisions can be modelled by two public opinions: development should continue as is and integration will follow; and development and integration-readiness go hand-in-hand.

As I conclude, I want to put forth three recommendations which promote improvement of development while Georgia works to reclaim its role in shaping its own identity and showing the EU its compatibility with the greater European identity. First, municipal governments need to clarify their role and relationship to its citizens, by not only outlining the duties of all public service positions, but also communicating them to the public. This can be done through campaigns of public education. Second, when outlining or redrafting the roles of public servants, the municipal government should focus on roles of regulation enforcement, specifically, enforcement of construction regulations. Third, the municipal and national governments need to agree on a unified, long-term vision and plan for urban development (including long-term

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347 George Gotsiridze (Director, Member of the Board, Geographer – GIS and RS Consulting Center “GeoGraphic”) & Ana Gulisashvili (Urban Planner, GIS and RS Consulting Center “GeoGraphic”) in discussion with the author, February 21, 2020.
350 Ibid, 110.

funding initiatives to sustain the plan), rather than continuing with the current fragmented cycles of development. A system which “can integrate and balance the various stakeholders by laws and policies,” will produce democratically legitimate urban design. Whichever means Georgia chooses to pursue to continue their development, their efforts and determination make for a promising future.

Bibliography

Alexander Targamadze, Tbilisi City Hall.
Ana Gulisashvili, GIS and RS Consulting Center “Geographic”.
Davit Maisuradze, Institute for Development of Freedom of Information.
Dustin Gilbreath, Caucasus Research Resource Centers.
Eastern European Center for Multiparty Democracy.
George Gotsiridze, GIS and RS Consulting Center “Geographic”.
Ghia Nodia, Professor at Tbilisi State University.
Irakli Khmaladze, EU Delegation to Georgia.
Ministry of Foreign Affairs.
Mzevar Gogilava, Tbilisi City Hall.
Nano Zazanashvili, Tbilisi City Hall.
Nanuka Zaalishvili, IDAAF Architects.
Natia Antelava, EU Delegation to Georgia.
Natia Tarnava, Ministry of Economy and Sustainable Development.
Nino Abelishvili, Georgian Railway.
Nino Samvelidze, EU Delegation to Georgia.
Stig Kjeldsen, EU Delegation to Georgia.
Teona Turashvili, Institute for Development of Freedom of Information.


“GEL 1,900 000 Was Paid to the Budget from the Selling of Construction Coefficients [the Right to Add to the Number of Floors of a Building] in 2013 Whilst GEL 19,000,000 Is Estimated for 2018,” FactCheck.ge, accessed March 26, 2020, https://www.factcheck.ge/en/story/34465-gel-1-900-000-was-paid-to-the-budget-from-the-selling-of-construction-coefficients-the-right-to-


“Tbilisi Green City Action Plan Approved by Local Authorities,” European Bank for Reconstruction and Development (EBRD).


Abelishvili, Nino (Chief Legal Officer at Georgian Railway) in discussion with the author, February 18, 2020.


Behr, Hartmut. “The European Union in the Legacies of Imperial Rule? EU Accession Politics Viewed from a Historical Comparative Perspective.” European Journal of International Relations 13, no. 2 (June 2007).


Gilbreath, Dustin (Deputy Research Director - The Caucasus Research Resource Centers) in discussion with the research group, February 18, 2020.


Gotsiridze, George (Director, Member of the Board, Geographer – GIS and RS Consulting Center "GeoGraphic") & Ana Gulisashvili (Urban Planner, GIS and RS Consulting Center "GeoGraphic") in discussion with the author, February 21, 2020.


Ministry of Foreign Affairs of Georgia, in discussion with the research group, February 19, 2020.

Nodia, Ghia (Professor at Tbilisi State University) in discussion with the research group, February 17, 2020.


Targamadze, Alexander (Project Manager at Tbilisi Transport Company, Tbilisi City Hall) & Mzevar Gogilava (Head of Traffic Organization Division in the Municipal Transport Department, Tbilisi City Hall) in discussion with the author, February 20, 2020.


Turnava, Natia (Minister of Economy and Sustainable Development of Georgia) in discussion with the research group, February 21, 2020.


Zazanashvili, Nano (Head of Urban Policy and Research Division at the Municipal Department of Urban Development, Tbilisi City Hall) in discussion with the author, February 20, 2020.
In Vino, Potential Opportunities and Bottlenecks of the Georgian Wine Industry

Martin Cheng Hao Gui

Introduction

The wine industry of the Republic of Georgia has emerged in recent years as a rapidly growing sector of the Georgian economy that shows tremendous potential while also confronting formidable challenges. I will illustrate the underappreciated promise of wine and wine-adjacent industries in lifting Georgia’s economic, political, and social standing. The unique position of wine in Georgia allows the leveraging of substantial cultural capital towards the realization of far-reaching benefits to Georgian society. To Georgia, “agriculture and food production comprise one of the most important engines of growth and poverty reduction.” Encompassing a wide variety of interrelated industries beyond viticulture, the wine industry branches into hospitality, logistics, sales, et cetera. For policymakers, Georgian wine is relevant beyond agriculture as a case study that illustrates the labyrinthine complexities of achieving sustained economic development. The expansive industry could affect a broad range of societal benefits from rural development to cultivating international soft power influence. In meeting these and other ends, wine possesses the capacity to play an integral role as a vessel for Georgia’s European Union and Euro-Atlantic aspirations. However, the optimistic outlook for this industry is diluted by substantial challenges that it must address; major issues that are often symptomatic of certain challenges facing Georgian society in general. Concerted policy interventions incorporating current efforts are necessary to ensure the continued development of a robust, vibrant, and commercially sustainable wine industry.

This paper incorporates knowledge from secondary sources, field research, and interviews with relevant stakeholders who were generous to share their expertise. I will first provide background information regarding Georgia’s economy and the current state of the wine industry. Understanding the significance of wine in Georgian society is essential to appreciate the opportunities as well as challenges. As such, it is necessary to tell the story of Georgian wine as an evolving cultural phenomenon that lies at the nexus of trade, economics, and rural development. This paper will then illustrate the wide-ranging potential that continued development may yield for Georgia, focusing on the economic, social, and political benefits. Conversely, there are challenges both systemic in the Georgian economy and unique to the wine industry which continue to impede its potential which demand examination. Ranging from deficits in human capital to rural underdevelopment, the industry requires concerted policy interventions to nurture its growth and maintain its positive trajectory. I will close the essay with a few policy recommendations that may contribute to the myriad efforts supporting Georgian wine.

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A Contextual Landscape of Georgian Wine

Wine holds exceptional significance to Georgia as one of the foremost exports by the Georgia economy, well-known to a broad international community. As a World Bank report observed, “the agrofood industry is a major employer in developed economies and this sector has strong commercial potential in Georgia, thanks to fertile land, favorable agro-climatic conditions, ample water resources, and unique traditions.” Economically, viticulture accounts for a substantial portion of Georgia’s GDP and exports. Since 1997, the value of wine exports has increased by a yearly average of 15% with wine production expected to increase by a compounded annual growth rate of 5% until at least 2025. Wine exports account for a third of all agricultural exports and constitute 5.4% of total exports. This is reflected in an over ten-fold increase in wine exports from $17 million USD in 1997 to $172 million two decades later paired with unmeasured but commensurate gains in agrobusiness, commerce, and tourism tied to the industry. Viticulture is a vital source of income for rural wine-producing regions across the small country.

Able to draw upon a cherished tradition of winemaking that extends back over eight millennia, wine is an integral component of Georgian culture that manifests in widespread savoir-faire among rural families for winemaking. Georgian wines now occupy both high- and lower-end markets around the world, sprouting out from its traditional commercial position as inexpensive semi-sweet reds targeted for the post-Soviet markets. Boasting a massive diversity of over five hundred indigenous vitis vinifera grape varieties and a distinctive winemaking tradition which uses qvevri amphorae, Georgian wine has the ability to deliver a novel experience at relatively lower costs compared to many European competitors. Wine-related agrobusinesses are often integrally tied to the hospitality sector. Besides wine, Georgia is blessed with a marvellous culinary tradition, with “an enviable reputation for hospitality involving lavish and

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356 For reference: wine is a far greater proportion of Georgia’s economy compared to top producers such as France and Italy, with wine exports accounting for more than double the percentage of total exports relatively (OEC).
358 Ibid.
lengthy feasts (*supra*); elements advantageous for promoting tourism. Taken holistically, agribusinesses account for ~15% of GDP even back in 2012, and has been growing rapidly since. The hospitality industry (e.g. agritourism, restaurants) inclusively enables everyone associated with the wine industry to benefit.

With the enduring legacies of age-old rural aversion to change, poorly-implemented Soviet industrialized farming, and post-Soviet lack of modernization, Georgian agriculture remains predominantly inefficient and economically stagnant, largely fractured into small plots tended by subsistence farmers (with an average familial plot similar in size to one football field). While agriculture employs nearly half of the total labour force, the sector disproportionately constitutes less than 10% of real GDP. Rural underdevelopment has atrophied the agriculture sector, contributing to persisting poverty and inequality in the countryside. Despite strong performance in viticulture, the agricultural sector has seen continued declines in its share of GDP even as the Georgian government significantly increased funding for rural development. Compounding this inequality, urban centers—especially Tbilisi—generate and retain most of the nation’s wealth. This disparity has worsened rural underdevelopment contributing to trends of brain-drain and spiralling inequality. A negative cycle in rural winemaking regions of poverty, lack of opportunity, and underinvestment directly undermine successes in the wine sector. These chronic problems plaguing the sector complicates rural development programs.

Efforts at improving agricultural aimed at organizing co-ops, creating machinery rentals, and providing technical education has been met with mixed success. There are a number of domestic and international actors working in this field. The Georgian government primarily administers stimulus to rural regions through programs organized under the Ministries of Education, Economy, and Agriculture. Government aid relevant to viticulture ranges from grape subsidies to the implementation of a cadastre system to better organize vineyards.
International IOs, principally the USAID/USDA, UNDP, FAO, GIZ and ENPARD are all key players in rural development, each focusing on their individual but highly interconnected mandates and projects that are related to the wine industry to varying degrees. These development interventions include business grants, training, co-op organizing, product promotion, consultation, research, et cetera. IOs largely work in close collaboration with the Georgian government, providing financial and technocratic assistance. They also frequently draw funding from national aid or development agencies and private sponsors while delegating responsibilities to each other or NGOs working on the ground.

Wine is particularly important for Georgia’s EU/Euro-Atlantic aspirations. Geopolitical tensions with Russia have led Georgia to seek closer relations with the West. This has materialized with the establishment of the European Neighbourhood Policy for Agricultural and Rural Development (ENPARD) and the entry into force of the EU-Georgia Direct and Comprehensive Free Trade Agreement (DCFTA) as part of an EU-Georgia Association Agreement which included accession into the European scheme of protected geographical indications. ENPARD (and its associated international partners) is now a critical player in formulating and supporting the Georgian government’s agricultural policy. Efforts at national branding or public diplomacy that leverages the positive non-threatening image of wine may complement the facilitation of Georgia-EU relations. The shaping of public image is an implicit prerequisite for EU member states who must have the political will and economic ties to foster deepening Tbilisi’s association with Brussels.

Georgia is seeking to move away from its historical economic reliance on exports to Russia. Unstable relations with Moscow have led over the years to the arbitrary imposition upon Georgia of politically motivated economic blockades that stunted the Georgian wine industry. Tensions

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373 Primarily focused on providing small-business loans, the US Agency for International Development (USAID) does not work specifically with the agricultural sector. It pursues a much broader development portfolio that ranges from government transparency to gender equality. Most relevant to the Georgian wine industry is its provisioning of $17.8 million USD in small-business loans. The USDA is also tangentially involved with providing expertise to Georgia.

374 Tasked with administrating ENPARD actions in Georgia, the UNDP works closely with the Georgian government (especially the National Wine Agency), the EU’s EEAS.

375 Pursing priorities independent from the UNDP, the Food and Agriculture Organization (FAO) works specifically with the agricultural sector to administer its own development programs with the support of the European Bank of International Development (EBRD) to develop origin-traceable labeling and geographical indicators for unique products. It is a key player alongside ENPARD in helping the Georgian Ministry of Agriculture to formulate strategic planning. The FAO works closely with other aid organizations and cooperates financially with national development agencies (e.g. Austria, Switzerland) to fund specific projects.

376 The most explicitly focussed on the development of the wine sector, the program is focussed on the systematizing of wine production through a vineyard cadastre system developed in conjunction with the Georgian LEPL National Wine Agency and vocational training with a special emphasis on supporting women winemakers. GIZ staff is also integral to formulating National Wine Agency strategies. The German Federal Ministry for Economic Cooperation and Development (BMZ) directs the German Corporation for International Development (GIZ), with a budget in Georgia of €4 million, cooperates extensively with the Georgian government.

377 A comprehensive program of agricultural reform overseen by the European External Action Service (EEAS), which is also responsible for administering a number of agricultural development programs around the world (e.g. Cambodia). ENPARD in Georgia, it is focussed on modernizing agriculture by supporting the creation of agricultural cooperatives, consultation and vocational training services, and providing €130 million in loans to date to small and medium enterprises (SMEs).

378 A geographical indication for where and how grapes for wine are grown is legally defined and protected as a form of intellectual property. Winemakers must conform to stringent regulations on grape varietals, sourcing, use of machinery and artificial chemicals, irrigation, and production techniques and equipment in accordance with traditional authenticity and sustainability guidelines. Only certified producers may label their product accordingly. This protects consumers from fraudulent or misleading advertising, adding another endorsement of certain qualities generally associated with a superior product. Protected products tend to command higher prices, sponsoring the preservation of traditional and responsible agricultural practices while also supporting producers achieve a higher profit margin. For example, French INAO-certified wines carry the line “Appellation d’origine contrôlée” on their labels.
between 2006-2011 surrounding the South Ossetian conflict led to trade freezes on the importation of Georgian agricultural products into Russia.\textsuperscript{379} Generally Moscow-centric Commonwealth of Independent States (CIS) countries still account for 46.5% of Georgia’s total exports while EU, despite the rhetoric and policies of deepening ties, remains at 18.4%.\textsuperscript{380} Highlighting a dependency that has decreased over recent years but still remained high today (still at >50%),\textsuperscript{383} this industry-wide shock forced a significant portion of Georgian winemakers to move away from their traditional business in mass producing inexpensive wine for the Russia/post-Soviet market towards a more quality-conscious Western-orientated winemaking approach.\textsuperscript{382} Thus, the unwanted economic crisis unexpectedly contributed in no small part to a flourishing of the wine industry, raising Georgia’s status as a producer of improving repute. Shifting orientations, both economic and political, has allowed a continued exploration of new international opportunities outside of the more stagnant post-Soviet market.

**Growing Pains**

Georgia’s wine industry faces challenges both endogenous to the sector and symptomatic of the country’s economy. Far from a panacea, prerequisites to the improvement of viticultural agrobusiness often itself involve the resolution of systemic challenges within Georgian society and economy. Resolving the problems facing the wine industry and the agricultural sector in general is more akin to untwining a Gordian Knot of interdependent prerequisites and negative cycles, in amalgamation, presents a comprehensive collection of impediments to continued development of wine-associated agrobusiness. The Georgian wine industry suffers from structural weaknesses that disadvantage it from competing internationally. Reflective of regional shares of exports remaining predominantly taken up by CIS states and despite Georgia’s respected position among discerning wine enthusiasts, brand recognition outside former Soviet states remain sparse.\textsuperscript{384} Deficits in human and financial capital impedes sustained expansion as the industry struggles to improve production as well as market outreach.

There exists an acute deficit in human capital in rural regions; the product of a vicious spiral of chronic rural underinvestment, lack of opportunities, and brain drain. The dominance of the urban economy, Tbilisi in particular (accounting for >50% of all real GDP generated),\textsuperscript{385} has contributed to the prevalent phenomenon of brain drain and depopulation from rural areas.\textsuperscript{386} While some may be due to legitimate reasons owing to increasing efficiency of agricultural production, this mass flight has the adverse effect of depriving rural communities of much-needed talent and vitality that may have otherwise pursued careers in the burgeoning wine industry. Of the 22 women fine winemakers profiled in the book *A Gently Fermenting Revolution: Women in Wine* by Simon Appleby, “Georgian Wine Industry: Implications of a Russian Embargo,” News, *Georgia Today*, published 01 July 2019, accessed 30 March 2020, http://georgiatriege/news/16302/Georgian-Wine-Industry%3A-Implications-of-a-Russian-Embargo.


the Georgian Wine Business, only two built their businesses solely as an outgrowth of family heritage, in spite of the near ubiquity of winemaking traditions to all Georgian families. Most of these women who managed to break formidable glass ceilings had prior careers as urban professionals with privileged access to human and financial capital. This demonstrates the conspicuous inequality of access to capital in rural Georgia for young women and men to produce wines that could be worth far more than table wine and harsh chacha grape spirit.

For agrobusinesses seeking to expand in the international market, many lacks both hard and soft skills that would be essential to their success. In hard skills beyond viticulture, agritourism is a burgeoning sector that is still lacking in sufficiently qualified personnel possessing language and hospitality training. In soft skills, the human capital requisite for effective marketing and communications with the Euro-Atlantic market is scarce. In national branding too, human capital would be essential to any effort’s success. While it is necessary to select a limited set of images in any marketing campaign, with wine being the most obvious choice, there are some risks involved with conducting any such endeavor. Due to the frequent dependence of national branding upon “the intuitive knowledge of industry creatives,” any failure to communicate appropriately may backfire. Concerns with the anti-democratic nature of national branding also arises although this too must be weighed with the benefits.

For many seeking to move further into commercial winemaking who may already possess the requisite savoir-faire, their interest is not matched by access to financial capital. As such, many of those entering or expanding in the wine industry has been those who have access to private wealth to draw from. Numerous leading winemakers across Georgia had made their wealth in other professions and had chosen to pursue wine as a passion project, often later in life. The allure of winemaking is hugely important to the development of a vibrant quality-focused wine industry. However, this sort of appeal does little for the many (subsistence) farming families who may be interested in expanding into viticulture. Compounded by the risk-averse nature of rural life, ability to invest and thus growth prospects are restricted.

Relative to the likes of Chile or Argentina, the small Caucasian republic exports less than a tenth of large producers. While not implausible, this size differential alongside with structural deficiencies in the Georgian viticulture (e.g. mechanization, artificial irrigation) makes competing on an industrial scale difficult. The desirability of this type of competition is also questionable considering the implications for employment. Increasing production inevitably requires further industrialization, entailing a consolidation of small plots by individual farm operators. This may drastically reduce the need for farm labour and the displacement of many subsistence agriculture families. While the economic advantages of this is obvious, the social implications may prove highly objectionable.

The relative smallness of Georgian wine/agriculture/economic output underscores its vulnerability to external forces – most notably, Russia. Development based on the demand of its aggressive neighbour who is also the purchaser of over half of Georgian wine exports would be highly risky. The substantial growth in wine exports to China may form an outlet for high volume production and sales.

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388 Mamuka Maisuradze. (restaurateur and winemaker, owner of G.Vino Restaurant), interviewed by author, personal interview, 19 February 2020.
lower quality production that is popular among former-Soviet states. Due to Russia’s political embargo, China may constitute an alternative market to ameliorate the instability by Moscow’s whims. The NWA is already looking into developing alternative marketing strategies, although it might be wise not to overlook the growing demand for premium wines in China. The association of wine with luxury in China denotes a higher willingness to pay, and even if finer products occupy a small share of the entire Chinese market, a tiny percentage of a massive import market ($3 billion USD in 2017) is far from inconsequential. Growing demand from China may also pose its own risks, possibly contributing to a commercial disincentive to invest in higher-quality production. China may very well become another new ‘low-hanging fruit’ alongside Russia. The pursuit of both commercial avenues appealing to East and West is a fraught strategy that may compromise its standing with the latter if Georgia’s reputation in post-Soviet states as table wine is allowed to persist.

Although navigating both markets may allow all parts of the sector to prosper. With clear tensions with Russia, Georgia’s relations with the EU is also troubled. While not at a similar degree of severity as with Moscow, Brussels has become increasingly concerned over the years with Georgia’s failure to address their poor progress of reforms in certain areas relating to governmental issues such as transparency, democratic fairness, press freedoms, et cetera. Georgia remains competitive and attractive for commerce, but the government’s continued pattern of illiberal conduct threatens to compromise the EU’s depth of commitment to a state that had once been arguably the EU’s best student. This may impact Europe’s disposition to invest further in programs such as ENPARD which continue to be integral administrators of Georgian agricultural policy. Such political tensions are mostly beyond the scope of this paper but nevertheless threatens agricultural development considering the degree to which the EU and European institutions are involved in the sector. Besides political concerns, imminent effects of climate change which has yet to significantly impact Georgian agriculture will be an increasingly challenging issue. Disruptive effects are already being felt in less-temperate wine producing regions in other countries like France and Chile. For the already vulnerable smallholder majority in farming, escalating precariousness comports costs they could least afford to bear. Adapting and easing the agricultural sector into the incoming dislocations while achieving ongoing targets would be a complex affair. Proactively introducing climate contingency planning into all ongoing and future programs and policies would mitigate risks to all stakeholders. In summary, Georgia must navigate a flurry of international circumstances with Russia, China, the EU, and the global consequences of climate change.

The success of the Georgian wine industry itself presents significant challenges in meeting demand which has outpaced supply in recent years. For many artisanal high-quality producers especially, many have found it difficult to meet international demand. Producing a few thousand

395 Based on statements by unnamed EU officials, publications.
bottles per year, most winemakers in Georgia produce at a boutique scale compared to international competitors. Distributors frequently accustomed to importing tens of thousands of bottles may find dealing with much smaller quantities burdensome, especially when an export of any size are all subject to bureaucracy and fulfilment procedures. Furthermore, ensuring a steady supply may prove more difficult with smaller productions simply due to the relative lack of consistency attainable for less industrial winemakers. Small production also poses challenges for those seeking to export, given that the certification processes (e.g. certified organic, PDO, etc.) are the same and incur similar costs irrespective of quantity. In attempting to meet supply, there is also the risk that hastily increasing wine output may tarnish the quality and thus the image of Georgian wine. A careful balance between adapting bureaucracy to suite the constraints faced by smaller producers while also maintaining quality.

Ripening Potential

Georgian wine has the potential to serve as an efficient vessel for social, political, and economic progress. To continue development of the wine industry, a large basket of reforms and programs would need to be instituted to address issues hampering greater prosperity. The success of such initiatives would not only deliver a more robust viticultural sector but promises to bring societal benefits alongside. The success of the wine industry is directly attached to success in rural development in general. To the World Bank and indeed all other development agencies “Gradual commercialization of the [high value agricultural] sector can be a great avenue for lifting rural population out of poverty.” In addressing the acute deficit of human capital in rural areas, the provisioning of vocational training, consultation, apprenticeships, and other educational programs for the sake of improving wine production would

Progress in addressing the shortcomings that impede the wine industry may confer numerous incidental benefits. Programs helping to form agricultural co-ops helps build up the resiliency of rural communities. Pooling resources allows individual farmers to move away from subsistence and facilitates commercial ventures by reducing bureaucratic burdens, logistics, and other associated barriers of entry. Education has the potential to carry a variety of social benefits. Professionalizing agriculture empowers traditionally disadvantaged groups to compete based on qualifications. For women and youth, access to vocational training opens new career opportunities they would have otherwise been unable to enter. For rural communities, it may serve as a lifeline in the face of sustained depopulation, brain drain, and aging workforces. For the government, improving the effectiveness of bureaucracy is a normative exercise that may inspire workplace cultures of efficiency and professionalism.

Within the wine industry, there is a rise to prominence of natural wines and wine-adjacent tourism. The expansion of tourism pairs harmonically with Georgian wine. The exploration of terroir, promotion of Georgia’s geographical beauty dovetails seamlessly with promoting Georgian wine. Just as European regions (e.g. Bordeau, La Rioja) market themselves as agritourism destinations, Georgia is well positioned to take advantage of this market. The natural

398 Vladimir Grouzman (Owner of United Stars Group wine distribution company), interview with author, personal interview, 3 February 2020.
399 Ibid.
beauty, perceived safety, relative novelty, and lower costs all contribute to an advantageous starting point. Progress in either fields would be mutually reinforcing to both as well as bringing secondary benefits in terms of rural development.

Natural wine has arisen in recent years as a proudly vaunted style that has gained an international cult following among wine aficionados. Niche markets are trendsetters leading the rest of the industry. Traioblazers like John Wurdeman of Poliphonia and Mamuka Maisuradze of G.Vino have led the way in cultivating to prominence a form of winemaking in which they are no longer solitary entrepreneurs. Nowadays, they know few natural wineries who have not had their entire stocks bought out, with demand exceeding supply by multiple times. Idealistically eschewing the use of artificial machinery, chemicals, as well as certifications which are often seen as stifling for small producers, natural wine celebrates the organic imperfections of viticulture. Loosely defined as wine produced with minimal human intervention (i.e. from minimizing pesticides and chemical additives during fermentation to foregoing filtration), natural wines embody a fundamentally artisanal character that may be more accessible to a rural agricultural sector that remains predominantly subsistence-based and capital deprived. The loose and entirely unregulated definition may run long term-risks, especially if overly exploited, of losing its branding value or as a style entirely. The short-term scarcity of natural wine due to popular demand may require programs organized to help winemakers to transition to this niche market. Overeager growth runs the risk of spoiling the market in the long term, suggesting a need for regulatory oversight to do the minimum of maintaining quality of all purported natural wine. Concurrently, “vagueness is part of what has allowed natural wine to become a cultural phenomenon in a way that organic or biodynamic wines never quite have.” Consistent with the Ministry of Agriculture’s Strategy For Agricultural Development In Georgia 2015-2020 priority for “economic diversification by […] promoting family farming,” the relatively low capital intensity and high growth potential is an attractive option, although the need for soft skills remains essential to success in this niche. Its growing popularity offers new possibilities with low barriers of entry although some agile regulating might not be unwarranted.

On a political level, wine is an effective vessel for cultivating Georgia’s international reputation. Applying the concept of ‘nation branding’ aimed at enhancing Georgia’s public image has the potential to boost foreign direct investment, tourism, trade, and political relations. Tbilisi’s interest in deepening relations with the EU would benefit from continued improvement of political relations. While public diplomacy and soft power are difficult to quantify, it is by no means inconsequential. Georgia relies on the goodwill of the constituent members of the EU in order to continue furthering its association and may be instrumental in extracting additional concessions that could prove far more difficult without it. International public awareness campaigns do not have to be solely limited to promoting specific products or industries; rather, it could be instrumental to cultivating a positive image as well. As such, “one of the principle advantages of

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402 Irakli Cholobargia (Head of Marketing Department, National Wine Agency), interview with author, personal interview, January 17, 2020.
404 Mamuka Maisuradze (restaurateur and winemaker, owner of G.Vino Restaurant), interview with author, personal interview, January 19, 2020.
soft power is that states need not command vast armies nor rely on economic carrots and sticks to drive changes in the behaviour of others and steer outcomes in foreign affairs."  

Relatively abundant in other soft power metrics such as technology, education, international engagement, enterprise, and luxury goods, culture/cuisine (and thus wine by association) is a key sector to focus upon.

There is an ongoing construction of identity in post-Soviet space, including in Georgia. This offers a rare opportunity for an intentional strategy to reshape Georgian cultural identity, at least its presentation to the world. Estonia, which likewise is undergoing a concerted effort to brand itself, offers a potential model to draw important lessons of the potential found in national branding. Taking from Estonia’s model of branding itself as a dynamic tech hub, Georgia has the potential to forge a brand that could further distinguish itself, seizing a national narrative currently remains uncontested. Improving Georgia’s international reputation may be underrated but the nation’s firm substantive foundation of well-regarded wine is a platform worth further elevating through public engagement. Culturally, wine is firmly rooted in the “European heritage,” with the ability to move with Georgia’s culinary trend of rediscovering traditional identity. Considering how gastronomy accounts for an estimated one-third of tourist interest for the country, leveraging this in conjunction with wine is a powerful foundation for attracting visitors. Current efforts at promotion for the wine industry and tourism are independent. It may be worth considering a merging of efforts in some areas.

The DCFTA acceded Georgia into the European system of protected geographic indications (PDOs and PDGs), providing a strong basis to protect Georgian products abroad from counterfeiting. More importantly, the association by consumers between PDOs and quality (an assumption that is far from unfounded) allows winemakers to justify higher intrinsic values to their product, generating a higher profit margin. This is borne out in the stark doubling in the prices of grapes harvested from a geographically certified plot versus grapes that are not. For grape growers to the distributors, the price differential is no insignificant difference. With the albeit slow roll-out of the national vineyard cadastre system, rural areas could expect to dramatically increase revenue. Under the aegis of the European geographic indication protection system and benefiting from a steady interest for well sourced, high quality foodstuffs, Georgia stands to offer a novel, lower-priced, reputable quality product that offers value at every price point. For winemakers, taking better advantage of the scheme sustains traditional methods while reducing the need for industrialized production which is substantially more capital intensive. Considering the contemporary trend towards lower consumption paired with higher emphasis on (and willingness to pay for) quality, Georgia already possesses some of the ability to meet international demands. More importantly, more discerning clientele allows Georgia to compensate for its inability to

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408 Ibid.
compete solely upon industrial output by providing flexibility in delivering value in products at varying price points.

**Fermenting Policy**

There is a countless number of suggestions that may prove helpful to the Georgian wine industry, but what has been clear from my research and the input from numerous stakeholders has been a clear lack of coordination for the development of wine. While the Georgian Wine Agency (NWA) performs competently its mandates, it (or any other organization) lacks the power to coordinate policy in order to comprehensively develop agricultural sector in general or the wine industry in particular. The NWA is best placed to organize development, and one sensible suggestion is to form a formal committee to convene all stakeholders meeting regularly to coordinate on efforts and strategy.\(^{416}\) Improving intra-industry communications as well as breaking down hierarchical barriers, such a committee would stimulate better policy by sharing best practice, avoiding overlap, and allowing a platform for dialogue. Convening stakeholders will be essential to formulating long term strategy, structuring private-public partnerships, and consolidating disparate efforts.\(^{417}\) This advice applies more generally to all efforts in rural development and agriculture: there must be improved coordination of efforts from all relevant stakeholders in nurturing the continued success of wine and wine-adjacent agrobusinesses. For the National Wine Agency specifically, marketing efforts remain limited in scope to intra-industry promotional efforts like supporting the presence of vintners in international wine fares or inviting certain VIPs for tasting events.\(^{418}\) While these are undoubtedly important, it may be in the best interest of the industry to invest jointly in an effort led by the NWA to mount coordinated marketing campaigns of larger scale and in conjunction with tourism promotion.

It is evident that overall, that while solving one issue impeding success is important, the unavailability of comprehensive aid simply moves recipients from one hurdle to the next. To belabour an analogy: it is akin to attempting to ferment wine in a barrel with uneven slats; unless all the planks are equal and thus watertight, most of the effort would be fruitless. As an example, farmers lacking vocational skills administered with education by a rural development program would be marginally better off by gaining some improved techniques, but much of the resources devoted to such an initiative may be ultimately wasted as she may still lack the money needed to invest into growing her business. Rather than one-dimensional interventions focussed on single metrics (e.g. number of recipients of vocational training courses), a holistic approach that understands that development is an inter-reliant cycle is still needed. Each step is just as important as the next, and the entire system would fail and may render other progress ineffectual if even one link is left unaddressed. It’s not a few bottlenecks, but an entire business pipeline of mutually reinforcing bottlenecks and it takes coordinated efforts across the board to effectively improve the industry.

Significant improvements could be made in two general subjects: education, and financial capital. Education covers a broad range of possibilities, but I will outline three that may be the

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\(^{416}\) Ketevan Rukhadze (Regional Development Manager, GIPA Department of Rural Development and Vocational Education), interview with author, personal interview, February 20, 2020.

\(^{417}\) Nodar Kereselidze (First Deputy Minister at Ministry of Agriculture of Georgia, ENPARD/UNDP Project Manager), interview with author, personal interview, 21 February 2020. And Jordi Kuijt (CEO – Silk Road Hospitality, Silk Road Group), interview with author, personal interview, 18 February 2020.

\(^{418}\) Irakli Cholobargia (Head of Marketing Department, National Wine Agency), interview with author, personal interview, January 17, 2020.
most effective: vocational training, general education, and specialist consultations. Many grape growers and winemakers already possess a robust foundation of knowledge in their trade, usually from family heritage. However, continued development requires additional professional skills that could be addressed with vocational training. Programs already exist operated by a number of organizations in providing a broad range of information. This ranges from farming techniques all the way to food safety and how to navigate regulatory oversight. Continued support and expansion of the projects would help subsistence farmers increasing output, quality, and profit. With robust growth during recent years, there is an emerging shortage of skilled labour available to businesses tied to the wine industry. Academic education for professional viticulture, oenology, and training for sommeliers remain limited in Georgia, with few enrollment opportunities available domestically while many are not be able to afford it. Growing businesses have found it difficult to find competent employees to fill burgeoning position. Frequently, what is lacking has been soft skills; namely, entrepreneurship, management, and business vision. For government ministries, a number of employees lack soft skills of showing initiative and weakness in forming project plans and timelines, leading to regular exceeding of the budget, along with other more specific shortcomings. These reflect fundamental deficiencies of the Georgian education system made worse by brain drain plaguing much of the post-Soviet world. Replacing rote memorization and regurgitation with schooling that prioritizes critical thinking, as well as the establishment of apprenticeship programs would have long term benefits. Solutions to this systemic challenge resists simplicity and will have to be as systemic as the problem itself.

Aside from general issues, more specific to rural development is the intriguing proposition to establish community centres in villages as a gathering space for youths and entrepreneurs. Providing spaces for socializing, internet access, working, entertainment, and collaboration would stimulate social life in rural communities. Reducing brain drain, this social project encourages some to consider professions related to agriculture rather than leaving. These centres may also serve as venues for hosting vocational training, consultation, and community organizing. While initiatives like these seem only tangentially related to viticulture, investing in social development is essential to the wine industry’s long-term survival. For many youths, it is not that they are not interested in viticulture but lack the opportunity to pursue it as a clear career path. Community centres may serve as a foothold for expanding professional education programs and other development programs.

Financial capital is too often unavailable or difficult to access for a large number of those interested in expanding in the wine and agricultural industry. Few banks provide accessible loans to farmers at interest rates that would be conducive to private investment. With base interest rates at 9% and rates often significantly higher for farmers, an annual GDP per capita of less than $5000 USD (even lower in the countryside), a venture requiring more than a few thousand dollars would be a precarious proposition. This is reflected in the personal background of many fine winemakers who drew from their family winemaking tradition and capital they accumulated.

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419 David Kitai, personal interview, 17 February 2020.
420 See: ENPARD, UNDP, FAO, GIPA, etc.
422 Ibid.
423 Mamuka Maisuradze, personal interview, 20 February 2020.
425 Ketevan Rukhadze, (GIPA) Regional Development Manager, personal interview.
working in former professions. Co-ops have been heavily promoted by the EU as an integral part of their and the Georgia government’s rural development and poverty reduction strategy. Co-operatives may help overcome distributes some of the risk and costs and improve access to credit. However, succeed only when “the right infrastructure, management, support and skills are available,” along with clear communication distinguishing current initiatives against totalitarian collectivization of Soviet times. Co-ops and vocational skills are part of an incomplete puzzle and any comprehensive rural development solution attentive to reaching a meaningful degree of equitability must make available cheaper loans for agribusinesses. Of some concern for foreign investment is the ban on non-citizens from owning agricultural land. This increases the risk for international investors who, under the legal system, must be junior partners to a Georgian frontperson. The government is well within rights to restrict ownership, but it must compensate for this by providing alternative sources of capital.

Attention and investment towards improving quality over volume is, at least for a substantial part of the wine industry, the way of the future. The growing thirst for natural wine reflects a greater trend among the Western public for quality, and for wine, lower consumption. Public research consistently illustrates younger generations to be driven by quality and willing to pay more for it. Continued growth in wine would have to be secured by capitalizing the ‘wellness’ value of premium quality drinks. With the current success of natural wines, Georgia is already well positioned to take on an evolving mantle that emphasises health. However, it would be more important than ever to actively construct this reputation. The NWA is already developing a “dry wine supreme range (like ‘Reserve’),” although further policy surrounding natural wine would have to be forthcoming.

The National Wine Agency with the support of ENPARD have undertaken a project to assemble a land cadastre system to register all land used for grape cultivation. This step is an integral prerequisite to the implementation of PDO labelling on wines. Some producers have adopted misleading labels to capitalize on geographical reputation, naming their wineries after famous localities like ‘Kakheti Wine.’ Addressing this problem requires better enforcement of existing rules or the creation of new regulations if these types of disingenuous advertising tactics cannot currently be prevented. Branding is important, and vigilant stewardship must be maintained from the quality of the product to messaging. As of the writing of this paper, the National Wine

430 Umberto Bacchi, “Georgia’s ban on foreign landowners leaves farmers in limbo,” Big Story 10, Reuters, April 16, 2020, https://www.reuters.com/article/us-georgia-landrights-agriculture/georgias-ban-on-foreign-landowners-leaves-farmers-in-limbo-20200416-
431 Irakli Cholobargia (Head of Marketing Department, National Wine Agency), interview with author.
432 Andrew Tiorn-Hill, (Financial Technologies expert, investor, Georgian wine enthusiast), interview with author, personal interview, 18 February 2020.
436 Irakli Cholobargia (Head of Marketing Department, National Wine Agency), interview with author.
Agency has yet to publicize standardized labelling protocols that have been long ubiquitous across Europe. While plausible justifications exist for withholding the implementation of a labelling scheme, including the difficulty of certification for small quantity producers, it is nevertheless integral to the concerted promotion of wine. Research is clear that “under the term of ‘Quality’ [consumers] search for something that has special certificate and assurance for its quality.” This has implications not just for wine marketing but is also highly relevant for national branding. The NWA would be well served to adopt clear labelling protocols sooner rather than later.

**Bottling Up this Paper**

This essay has touched upon a large variety of topics, but this is a very incomplete coverage of a diverse bouquet of factors shaping Georgia and Georgian wine. There is vast potential towards the sustained growth of the Georgian wine industry, capable of effecting profound societal advancements from rural development to reducing brain drain. Wine is an invaluable vehicle for driving economic and social change domestically while engendering political goodwill and financial interest abroad, vis-à-vis Georgia’s Euro-Atlantic orientation especially. But far from a panacea, cultivating prosperity will take concerted efforts to improve societal and industry-specific factors across the board. In some ways, the achievement of many prerequisites to success would themselves constitute remarkable progress. However, this does not mean that there are not clear ways to improve. A more centralized system of formal cooperation between representatives of all relevant stakeholders should be integral to improving the wine industry in particular and economic development in general. There is significant promise to be found in bolstering access to education, availability of financial capital, and continuing marketing efforts.

As long as Georgia has land and people, it will never stop producing splendid wines to pair with its sublime natural beauty, and outstanding culinary tradition. While short/medium-run economic shocks like the crisis precipitating from the Covid-19 pandemic may disrupt growth trends, the long-term trajectory of Georgian wine and wine-adjacent industries is brimming with potential. Georgia is blessed with remarkable advantages in winemaking, it must not succumb to complacency or shrink from challenges well within its power to overcome.

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Bibliography

Cholobargia, Irakli, (Head of Marketing Department, National Wine Agency), interview with author, personal interview, January 17, 2020.


Grigalashvili, Zaza, (Chief sommelier at the Georgian Wine School, 8000 Vintages), personal interview, interview with author, 19 February 2020.

Grouzman, Vladimir (Owner of United Stars Group wine distribution company), interview with author, personal interview, 3 February 2020.


Kereselidze, Nodar, (First Deputy Minister at Ministry of Agriculture of Georgia, ENPARD/UNDP Project Manager), interview with author, personal interview, 21 February 2020.


Kitai, David, (wine journalist, Georgia specialist), interviewed by author, personal interview, 17 February 2020.

Kuijt, Jordi, (CEO – Silk Road Hospitality, Silk Road Group), interview with author, personal interview, 18 February 2020.


Maisuradze, Mamuka, (restaurateur and winemaker, owner of G.Vino Restaurant), interviewed by author, personal interview, 19 February 2020.


Rukhadze, Ketevan, (Regional Development Manager, GIPA Department of Rural Development and Vocational Education), interview with author, personal interview, February 20, 2020.


Tiorn-Hill, Andrew, (Financial Technologies expert, investor, Georgian wine enthusiast), interview with author, personal interview, 18 February 2020.


Violence against Women: The Case of the Republic of Georgia

Ema Marcheska

Introduction

The Republic of Georgia, a country on the crossroads between Europe and Asia, with an aspiring goal of becoming a member of the European Union (EU). As a potential candidate Georgia is aspiring as many candidates to adapt and conform to EU values and principles. This includes its advancements on human rights, with an importance placed on women rights. The precise emphasis demanded by the EU in regards to membership is a part of Article 2 of the Copenhagen Criteria which states that membership is open to "any European State which respects the values referred to in Article 2 and is committed to promoting them."437 The values specified in the Article are "respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities."438 Georgian society has openly stated that it has high respect for women due to the myth of the strong Georgian women, presented in figures such as the Mother of Georgia (Kartlis Deda) and Queen Tamar. The officially stated role of the women is best depicted by the statue of Kartlis Deda, where in one hand she is holding wine in order to greet her friends and family, but in the other she has a sword which can be used against her enemies, meaning that she has both the role of the mother and of the warrior. The Georgian woman is strong like Queen Tamar who led the empire which dominated the Caucasus in the Georgian Golden Age, between the late 11th century and the 13th century.

However, the reality for regular Georgian women and in their lives is that the role of the woman in Georgian society has been often labeled as being a part of patriarchal stereotypes and notions. The National Study on Violence against Women in Georgia released jointly by UN Women and the National Statistics Office found that “almost one quarter of women (22 per cent) and one third of men (31 per cent) believe that wife-beating is justified under certain circumstances. Moreover, almost one quarter of all women (23 per cent) and nearly half of all men (42 per cent) believe that a wife should obey her husband even if she disagrees.”439 Consequently of this perpetuated stereotype that men are superior to women Georgian society has been facing the problem of violence against women and has struggled with the protection of women and their rights in the country. This has been supported by a survey in 2014 which was “conducted by the Anti-Violence Network Georgia and found that one in three women experiences some form of domestic violence, 58 percent of women don’t feel safe on the streets, and nearly half don’t feel safe inside their own homes.”440

After backlash and protests from the Georgian population, the country had implemented some changes, and in 2017 had ratified and signed onto the Istanbul Convention, which is a part of the Council of Europe’s initiatives. This ratification aimed at a “harmonization of the domestic legislation with the Istanbul Convention, and a package of amendments to 24 laws

438 Ibid.
accompanying the Convention were passed on 4 May, 2017. However, how has the implementation of these laws and how effective has this been in combatting violence against women still has not been presented. Therefore, this research based on previous academia and interviews conducted on ground in Tbilisi will present how the improvements in the legislation and the implementations of the Istanbul convention have affected Georgian society in order to see if there has been significant progress done on combating and eradicating violence against women. As well, it will address what Georgian society believes should be steps further in the handling the issue.

**Istanbul Convention**

The convention was ratified by Georgia in 2017, which made specific stipulations towards combatting the issue of violence against women. Since then Georgia has been implementing these changes and making adjustments in their society. The convention is simple framework which the all signatories agree to, the purpose of the convention are: “to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women; design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence; promote international co-operation with a view to eliminating violence against women and domestic violence; provide support and assistance to organizations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence.” Furthermore, the convention obliges the signatories to prevent violence and protect victims, through specific judicial and societal implementation such as granting the police powers to remove the perpetrator from his or her home in situations of immediate danger, setting up sufficient number of easily accessible shelters and crisis referral centers, and providing free 24/7 specialized helplines. In order to assume that everything is accordance with the Convention and the implementations are properly in place, the Council of Europe has established to monitoring system, GREVIO. This is an independent expert body which overlooks and writes up reports which evaluate the measures taken in accordance with the Convention that has the right to have a special inquiry procedure and adopt general recommendation on the Convention if it is should be needed. As stated by the Council of Europe representative Tea Macharidze in Georgia, GREVIO has already sent a questionnaire to the Georgian government, and a full report is expect on Georgia in January 2022.

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444 Tea Machaidze (Council of Europe) in discussion with the author, February 2020.
Violence Against Women in Georgia Before 2017

Previously to the signing of the convention Georgia had been developing mechanisms without the convention prompting them as well, mostly pushed forward in 2013 and onwards. However, there were significant missing portions, beginning with the fact that there had been very limited statistics collected prior to the first National wide survey in 2010, done on this specific topic. The first prevalence study on violence was conducted in 2009; this study found that 9.1 per cent of ever-married or ever-partnered women reported experiencing physical and/or sexual violence and that 35.9 per cent of women reported that their partners attempted to control their behavior. Keeping this in mind, the progress which had been done in Georgia on this issue was very necessary, however very limited, especially in the actions taken by the government. Starting off in 1994, Georgia took the first step to address anything on this issue when it acceded to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). This convention which was “adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.” Following quickly afterwards in at the 1995 Beijing Conference, Georgia agreed to develop action plans for improving the conditions of women. As Ms. Nino Chikhladze, who is a lawyer for the Georgian Young Lawyers Association (GYLA), informed that the government of Georgia has first implemented a National Action Plan on the for the Implementation of UN Security Council Resolution 1325 in 2011. And prior to that the earliest national action plan to have relevance to this topic was only done in 2008. In 2000, a state Gender Action Plan was signed.

Georgia had made its next push towards this battle in 2004 when it established the Gender Equality Council of Georgia, as a permanent body in the government, which was responsible for guaranteeing methodical and coordinated governmental procedures on gender equality issues, as well as supervision of the employment and monitoring of the Gender Equality Law. With this in place, the Georgian government decided to do more in 2006 when they developed an activity plan to combat and prevent domestic violence for the years 2006-2008. This was impacted by the high-profile case which was current in the news media in 2005, where Nana Maisuradze, a wife of a member of parliament, was taken into custody for attempting to shoot her husband, she was believed to have experienced years of domestic violence from her

447 Ibid.
450 Nino Chikhladze (Georgian Young Lawyers Association) in discussion with the author, February 2020
husband. This was covered heavily by the media and influenced a lot of non-governmental organizations working on violence against women to rally up. After this occurrence, the 2006 activity plan was developed, which was aimed at providing legal bases for the prevention of domestic violence, since previous to this there was no legal framework which criminalized domestic violence. This plan as well included the increasing of public awareness and rehabilitation and assistance to victims which would be included in the State Budget, and also a creation of a database on the cases of domestic violence.

This action plan resulted in the implementation of various laws such as the 2006 Law Of Georgia on Elimination of Violence against Women and Domestic Violence, Protection and Support of Victims of Violence and the 2006 Law of Georgia on Human Trafficking. As well, 2010 with the help of UN Women and the Government of Sweden there was the official opening and establishments of services for victims such as shelters, crisis centers, psychological and medical assistance, legal aid and nationwide hotline. In 2013, there was officially a Gender Equality Department created at the Office of the Public Defender in Georgia, which focuses on monitoring of the state programs. They prepare and issue a yearly special report on fighting and inhibiting discrimination in the country. The biggest waves of legislation change in this period came in 2014 when the Istanbul convention was signed, which was ratified later in 2017. This was the first wave of changes to happen on this issue, followed late by the second wave in 2017. The definition of violence was amended to include other forms of gender-based violence, beyond domestic violence and the 2014 Law of Georgia on the Elimination of All Forms of Discrimination was passed. As well there has been a rehabilitation program for perpetrators initiated in 2016 where they are joined in a group therapy once per week to change behavior patterns.

With all of these laws in place there seemed to be some type of progress on the issue happening in the country judging by the reporting of domestic violence cases by women to the police. Where just in the span of two years between 2013-2015 there was an increase in the Registered calls to police (112) regarding domestic violence from 5 447 in 2013 to 15 910 in 2015; as well the number of investigated cases on domestic violence under the articles 111 and 1261 of Criminal Code of Georgia, rose from 185 cases in 2013 to 949 cases in 2015. However in 2014, the year with the most developments on the issue there had been an increase in femicides (sex-based hate crimes) from 17 cases in 2013 to 31 cases in 2014. This therefore, seemed to conclude that even though the reporting had gone up the overall issue was not really affected by the laws and regulations, needing to have some other type of developments occur.

455 Ibid.
457 Ibid.
458 Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020
The rise in reporting could be attributed to the of public awareness of reporting mechanisms which were heavily advertised by NGOs, with UN Women being heavily involved in this campaign. They had started two initiatives during this time Arts Against Violence and Sports United Against Violence. As Lika Sidamonidze, who is directly working on the CoE Istanbul Convention implementation support at UN Women, explained that this was a way to bring awareness to the public in an innovative way which would grab their attention. She explained that in 2012 they had the 9 plays vs. Violence, where playwrights around the country were encouraged to write plays that were on the topic of violence against women and domestic violence, which gained lots of positive feedback and started off discussions in Georgian society on this weight of this issue. The other initiative revolves around rugby players of Georgia, where they teach through the usage of rugby at the grater issue of gender equality and violence against women. This is a very effective initiative because rugby is very popular in Georgia and rugby player have lots of respect from Georgian society, especially males and boys. Therefore, they are listened to and their values are transmitted to the children easier. All of these initiatives however on education have been run simply through NGOs since the government has no official textbook in school to teach the children on this topic. Further improvements had followed in the second wave in 2017.

Changes Made Since 2017 in Georgian Society

In 2017, the Istanbul Convention was ratified in the Georgian parliament. With this came the second wave of developments on the issue of violence against women. This was the harmonization of the national legislation with the convention. 25 national laws were amended with this process. One of the key legislative changes according to Ms. Machaidze was that the definition of rape in the constitution was amended, however was still not based on the consent method basis. Furthermore, there was the implementation of the amendment to outlaw female genital mutilation (FGM) in the country, cases of which were discovered in three villages in 2016, after a special investigation by the Ombudsman’s office. As well there were some institutional changes which occurred in July 2017 the Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence (IAC) was created officially by the government which is in accordance with Article 10 of the Istanbul Convention which requires Parties to have official bodies to be in charge for the co-ordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by this Convention. “The assistant to the Prime Minister on Gender Equality and Human Rights chairs the IAC that comprises deputy ministers and appointed gender focal points (GFPs) from relevant line ministries, as well as representatives from other branches of government. It includes members of the National GEC, the Supreme Court of Justice, and the Public Defender’s Office of Georgia (PDOG); and gender experts from development agencies that include UN Women, 461 Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020 462 Ibid. 463 Ibid. 464 Nino Chikhladze (Georgian Young Lawyers Association) in discussion with the author, February 2020 465 Tea Machaidze (Council of Europe) in discussion with the author, February 2020. 466 Ekaterine Schiladze (Georgia’s Public Defender’s (Ombudsman) Office) in discussion with the author, February 2020. 467 Heike Rabe and Nadiye Unsal, “Implementing Article 10 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence – Establishing National Co-Ordinating Bodies,” German Institute for Human Rights, November 7, 2016, https://rm.coe.int/16806f0d38
the National Democratic Institute, and the WB.\textsuperscript{468} The government as well adopted the national human rights strategy which has a part on gender equality and a section on preventing and fighting violence against women.\textsuperscript{469} As well there was an establishment of a separate human rights department within the Ministry of Internal affairs and upon their recommendations the sentencing for abusers for domestic violence was increased from a maximum of 2 years in prison to a maximum of 3 years in prison currently.\textsuperscript{470} Furthermore, there has been an implementation of a risk assessment questionnaire, which comprises of 22 questions and requires the police officer to then rate the risk to the victim on a scale of low, medium or high.\textsuperscript{471} These questions are asked to the victim and the second step of this process is then to issue a restraining order against the perpetrator.\textsuperscript{472}

In regards to this the legislation was also changed in order for the restraining order to be able to be issued by the police, instead of the courts which had been the case previously.\textsuperscript{473} Additionally, there has been an implementation of special trainings on gender sensitivity for police officers and special legal and governmental personnel which have been carried out with the help of the EU and the CoE which sends out reports every 6 months or every year to IAC.\textsuperscript{474} There has been an establishment of specialized training for inspectors which has been able to produce around 200 special inspectors.\textsuperscript{475} Furthermore, the National Action Plan on Combating Violence against Women and Domestic Violence and Measures to be Implemented for the Protection for 2018-2020, had set out goals to be completed by the end of 2020 to develop a mandatory accredited electronic learning on violence and integrate it into the continuous medical education system, as well expand the network of crisis centers in the regions and improve infrastructure in shelters and crisis centers.\textsuperscript{476} There was as well the implementation of local-level gender equality councils. Amendments which were encompassed in the Gender Equality Law demanded that all Municipal Parliaments form a local gender equality council and Municipal City Halls to assign gender focal point person. These implementations occurred in 2017.\textsuperscript{477}

Moreover, outside of the government, UN women in cooperation with the European Union has piloted a new project on ankle monitoring bracelets for perpetrators, which will be used in the process of the rehabilitation of perpetrators. When the victim or perpetrator are close in distance they would both get a message that they are in the vicinity and the perpetrator should then leave the vicinity, in order to prevent reoccurrence of violence.\textsuperscript{478} Also the second portion of the joint initiative will support the Government of Georgia to establish two additional crisis centers in Qvemo Qartli and Guria regions, in addition to the five other which the government has already set up and functioning.\textsuperscript{479} Other initiatives on part of UN women in collaboration with various Georgian companies around the country have been centered on the economic empowerment of women. An example of one of these partnerships and their result was the

\begin{itemize}
\item \textsuperscript{468} Asian Development Bank, “Georgia Country Gender Assessment,” (2018, https://doi.org/10.22617/tcs189794-2, p.9)
\item \textsuperscript{469} Tea Machaidze (Council of Europe) in discussion with the author, February 2020.
\item \textsuperscript{470} Directors of Human Rights Department (Ministry of Internal Affairs of Georgia) in discussion with the author. February 2020
\item \textsuperscript{471} Ibid.
\item \textsuperscript{472} Ibid.
\item \textsuperscript{473} Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020
\item \textsuperscript{474} Jurate Juodsnukyte (European Union Delegation to Georgia) in discussion with the author. February 2020
\item \textsuperscript{475} Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020
\item \textsuperscript{477} Asian Development Bank, “Georgia Country Gender Assessment,” (2018, https://doi.org/10.22617/tcs189794-2, p.10)
\item \textsuperscript{478} Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020
\item \textsuperscript{479} Ibid.
\end{itemize}
partnership with Crystal, a financial inclusion organization. “In March 2019, aligned with the implementation of Principle 5 and to support women’s access to finance, the company announced the issuance of Women’s Corporate Bonds worth GEL 15 million (more than USD 5 million) for the economic development of thousands of female customers, providing them with the financial products and equal access to capital in order to grow their small businesses. So far, that meant developing special proposals for female entrepreneurs and reducing their credit service fees by 5 per cent. As a result, more than 2,300 women received loans that amounted to a total of GEL 4.7 million (more than USD 1.5 million).”  

A successful initiative also started is the 16 days against violence, which were held in November, that focus on raising awareness towards the subject of violence and the way to combat it. Furthermore, a great initiative on educating children has been the development of a children’s fairytale book which tackles the issue of gender equality. The book “There Once was a Girl” was published in November 2018 and is a collection of fairy tales which feature female protagonists. These are all targeting domains where the government is lacking implementation of proper policies to tackle the issue of violence against women.

Main Struggles with Combatting the Issue

As many organization is Georgia working the issue of combatting violence against women are quick to point out there has been some significant issues which have emerged when dealing with the developments in this domain. One of the main key struggles with implementation of changes is there is a lack of governmental financial support that can be dedicated to this specific cause. In 2017 the government of Georgia, even though having the state budget increased by 6.4% and 10.0% in nominal terms in 2016 and 2017, the share of social protection spending dropped by 1 percentage point, and was projected to fall another 1 percentage point in 2018. This means that the government’s financial prioritization of the social protection measures has decreased, signifying that there is not a lot of money that can go into the state funds. This is very alarming as Lika Sidamonidze of UN Women Georgia says because the state is responsible for the funding of five shelters in the big cities of Georgia and the seven crisis centers which are as well throughout Georgia. This means that the shelters and crisis centers which provide housing, medicine, help with basic needs and as well help with children’s needs if a child is involved rely on very little financial support and therefore cannot truly provide the best care which can be offered at these facilities no matter how much the shelters and the employees there are willing to try.

As well, less budget funding mean that it is more difficult to train more professions according Istanbul Convention requirements and to allow them to specialize in a specific domain. This means that there is no financial means to open more shelters which can be of

481 Jurate Juodsnukyte (European Union Delegation to Georgia) in discussion with the author. February 2020
482 Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020
483 Ibid.
485 Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020
486 Mariam Makharadze (LEAP Agency of State Care and Assistance for (Statutory) Victims of Human Trafficking) in discussion with the author, February 2020
487 Tea Machaidze (Council of Europe) in discussion with the author, February 2020.
great help as numbers of reporting of cases are going up. Another struggle on this issue which has been stated by Tamar Dekanosidze, a lawyer at GYLA which has been focusing on legal aspects of this issue, is data collection. She states that there is not much data they can rely on except for the official government collected data, since in order for them to know how many reports on violence have been submitted in a given year the police needs to specifically give out the numbers. 488 Simply they can only collect data of the women that come to GYLA asking for support. Furthermore, she stated that there is a discrepancy with the data collection between the authorities and other organizations in terms of femicides monitoring. This is because the authorities only count intentional killings of women to constitute a femicide, while the Ombudsman’s office counts intentional killings of women, injury to health that caused death and suicides resulting from violence in the constituting the number of femicides. 489 Therefore, there seems to be a lack of variable data in order to prove progress on combatting this issue.

In addition to the previously mentioned issue there has been a struggle to implement cooperation and joint mechanisms between various sectors of the government involved in the issue of domestic violence, as the Human Rights Department of the Ministry of Internal Affairs had pointed out. 490 One example of this is the circumstance there is no single database which is accessible by all sectors of the government working on the issue, when it comes to collection of comprehensive data management of reports which have occurred. 491 Ms. Dekanosidze, provided of an example where this has cost a life on one of femicide cases which she is doing legislation on at the European Court of Human Rights, where a women applied 16 times to the police asking for help against her abusive husband and then she committed suicide due to no response from authorities. All the 16 times were taken as separate incidents as she was applying to the police for the first time, where the police officer responding to her report was not aware of the previous incidents. 492 This shows that not only is there no cooperation between the departments of the government but also with departments themselves, enflaming more the struggle of structural cooperation within and between departments.

Outside of the governmental struggles there have been as well societal beliefs, stereotypes and stigma which have affected the employment of the services offered by the government and the success of awareness rising on this issue. One of the main societal beliefs and stereotypes surrounding the issue of gender equality more broadly is the right that the man is dominant and in a higher position than the women. In a 2017 survey done by UN Women Georgia, findings presented that almost a quarter of all women (23 per cent) and nearly half of all men (42 per cent) believe that a wife should obey her husband even if she disagrees. 493 As well most women (66 per cent) and men (78 per cent) of men agree that a woman’s most important role is keeping the home in order. 494 These types of stereotypes have excused and even perpetuated violence against women in Georgian society. Furthermore, divorce is considered unacceptable in most families in Georgia since the woman has the responsibility of keeping the

488 Tamar Dekanosidze (Georgian Young Lawyers Association) in discussion with the author. February 2020.
489 Ibid.
490 Directors of Human Rights Department (Ministry of Internal Affairs of Georgia) in discussion with the author. February 2020
491 Tamar Dekanosidze (Georgian Young Lawyers Association) in discussion with the author. February 2020.
492 Tamar Dekanosidze (Georgian Young Lawyers Association) in discussion with the author. February 2020.
494 Ibid.
family together. Therefore, this belief results in, as Ms. Nino Chikhladze (GYLA) explains to many backlash for women who want to split from their husbands after violence, where the families of the women are even pushing for the marriage to stay together, which leads in many cases to femicides. As well to women in rural areas specifically not wanting to go to shelter or get the necessary help because it is considered as breaking apart the family and is received with lots of backlash from the community, upon which these women rely on in the rural parts more than in urban areas of Georgia. Therefore, all of these have been great impediments to greater developments on the issue of domestic violence against women.

**Overall Effectiveness of the Implementations from Before and After the Istanbul Convention**

As it has been previously mentioned, there is only one official agency in Georgia which is responsible for the collection of the data and results of implementation of various strategies. The official report on this for 2019 has not been published as of yet, however certain agencies have provided some statistics on the improvements on this issue. There has been significant progress that has been made on combatting the violence. The first significant decrease which has occurred in Georgia is in the amount of femicides that have occurred, in 2014 there was 31 femicides which occurred, and this is compared to 2019 where there had been only 7 cases. This is proven to be great improvement on this issue since the cases are certainly declining however the battle is still there since during the month of February 2020 there had been two femicides that occurred with in the span of a few days. Furthermore, there has been an increase of the issuing of protective and restraining orders in 2018, which had risen significantly from the number that was in 2014. The number of restrictive orders issued in 2014 was 900, this number in 2018 has reached to 10 000 issued orders. This can be attributed to the training that the officers had been required to participate in in order to understand the issue properly, but as well to the amended legislation which allows police officers to issue this orders instead of courts. Therefore, in this respect there has been significant progress done in order to protect victims.

Additionally, there have been only 12 per cent of women which have returned to the perpetrator in 2019. This can in part attributed to the services providing adequate support for the victims in the shelter, and in another part it can be attributed to the change in legislation which now stipulates that the perpetrator is the one who is evicted out of the place of living and the place of living is monitored by police in order to make sure the victim is secure. Moreover, there is an increase in reporting to police where from 2009 there was less than 2 per cent of women who had referred domestic violence cases to the police, this percentage has

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496 Nino Chikhladze (Georgian Young Lawyers Association) in discussion with the author, February 2020
497 Tamar Dekanosidze (Georgian Young Lawyers Association) in discussion with the author. February 2020.
498 Ekaterine Schiladze (Georgia’s Public Defender’s (Ombudsman) Office) in discussion with the author, February 2020.
499 Tamar Dekanosidze (Georgian Young Lawyers Association) in discussion with the author. February 2020.
500 Ibid.
501 Mariam Makharadze (LEAP Agency of State Care and Assistance for (Statutory) Victims of Human Trafficking) in discussion with the author. February 2020
502 Ibid.
503 Tamar Dekanosidze (Georgian Young Lawyers Association) in discussion with the author. February 2020.
jumped to 18 per cent of women reporting cases to the police in 2017. As well there have been significant improvements in the beliefs and attitudes of society from 2009 to 2017. Belief that domestic violence is a family and private affair has declined from 78 per cent in 2009 to only 33 per cent believing that this is the case in 2017. This shows that society is becoming more sensitive to the issue of violence against women and that it is becoming more supporting of combatting it. Overall, with these statistics it could be said that there has been significant progress done when looking simply at the numbers. However, how much of this can be attributed to the improvements of legislation and implementation of best practices and how much can be attributed simply to more awareness of the public and expose to the issue is not truly clear. In addition almost all of the measures implemented are aimed at reaction after the fact of violence and there have been very few which have been based on preventative measures. However, there is clear indication that there is room for more improvements to be done in the future in order to make the issue of violence against women in Georgia be something of the past.

**Future Needs for Tackling the Issue**

There have been significant developments which have already been implemented in Georgia in order to combat violence against women and promote gender equality. However, there are lots of these pending initiatives and adjustments which must be carried out in order to truly be able to protect all women in Georgian society. The first need is in regards to a specific type of violence against women- sexual violence. To start off the definition of rape has to be amended in order to comply with Istanbul convention regulations, as specified by Ms. Machaidze.

The definition of rape is not consent based, meaning that a re-wording of the definition must take place where any sexual activity without explicit consent is considered to be rape. Furthermore, in regards to victims of sexual violence there is currently no specific mechanisms on this issue. This type of violence is very specific, and requires separate services such as counseling and personnel which have training in handling this type of violence specifically. However, so far in Georgia there has been no trainings done specifically on this type of violence for professionals, and as well the victims of sexual violence are placed in the same shelters, provided with the same counseling and have to fight to get more attention which is necessary in these types of cases.

Secondly, in regards to implementations that the government can do, there is an immediate need for formal education in schools on the topic of gender based violence in order to develop gender sensitivity. As the Ms. Ekaterine Schiladze, Gender Equality Department at the Ombudsman’s office, stated “there is no formal or comprehensive education on this topic in Georgian schooling systems, as well there is not even a book on sexual education” This is necessary as explained by Ms. Sidamonidze of UN Women, because if there is education and awareness from a young age, firstly there is attitude correction which is occurring meaning that this a preventative measure instead of a reactionary one, and furthermore if children are educated on this topic they are more likely to help out their parent who is a victim of domestic violence by

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504 Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020
505 Ibid.
506 Tea Machaidze (Council of Europe) in discussion with the author, February 2020.
507 Ibid.
508 Tamar Dekanosidze (Georgian Young Lawyers Association) in discussion with the author. February 2020.
509 Ekaterine Schiladze (Georgia’s Public Defender’s (Ombudsman) Office) in discussion with the author, February 2020
calling into the authorities. A third improvement which needs to be done is on the trainings of professionals on how to deal with this topic. One of the improvements which need to occur according to Ms. Chikhladze (GYLA) is that there needs to be trainings which are improved with international practices and more interesting and based in reality. As well it the trainings are in lack of consistency and re-trainings because the police officers and personnel are required to only attend one mandatory session, however there is no more sessions which are required and this means that the change of attitudes and stereotypes present within the personal cannot be broken. In addition the trainings have no official evaluative mechanism which shows the success of the trainings in their implementation in practice.

In relation to this, there needs to be more specialization of professionals such as prosecutors and judges, who have to rule on cases involving violence since there are only 200 who have specialized but they are working in a few domains in addition instead of just focusing on one. As Ms. Machaidze commented that “specialization of professionals is the biggest step to eradicating the problem”. A fourth necessary improvement is the opening of more shelters to support women in more rural areas, in addition to infrastructure of the shelters needs to be improved. There is currently very low space in the shelters and a long wait list due to this. There are currently only 5 shelters in Georgia in the five major cities. Therefore there needs to be more shelters built, especially in the rural areas which Mariam Makharadze, the director of the Agency of State Care and Assistance for Victims of Human Trafficking who is responsible for the shelter development, has identified that these are considered to be “blind region areas”. Therefore, necessary improvements must be done to meet the needs of women in these areas as well. In addition to more shelters, there is a need for more government outreach to these regions, since currently the initiative done by UN Women of rugby players teaching this topic in rural areas is one of the biggest initiatives in this region.

Lastly, one more improvement which must be done by the government is the economic empowerment of women who have been victims of domestic violence. Currently, the system which provides shelter for the women for 3 months to a year maximum does not have anything which follows to allow these women to be able to fund their life on their own. There is no specific trainings, education or jobs offered to women who have suffered violence, and programs like this which exist are geared at women more broadly. This means that they have to compete with women who have not suffered as harsh conditions which prevented them from provide for themselves. This causes a problem to women in the shelter which during the time of their stay there when they need to be focusing on their rehabilitation they have to worry about what to do afterwards, says Ms. Schiladze, but as well leaves them with no choice but to go

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510 Lika Sidamonidze (UN Women Georgia) in discussion with the author, February 2020
511 Nino Chikhladze (Georgian Young Lawyers Association) in discussion with the author, February 2020
512 Directors of Human Rights Department (Ministry of Internal Affairs of Georgia) in discussion with the author. February 2020
513 Tamar Dekanosidze (Georgian Young Lawyers Association) in discussion with the author. February 2020.
514 Ekaterine Schiladze (Georgia’s Public Defender’s (Ombudsman) Office) in discussion with the author, February 2020
515 Tea Machaidze (Council of Europe) in discussion with the author, February 2020.
516 Ibid.
517 Mariam Makharadze (LEAP Agency of State Care and Assistance for (Statutory) Victims of Human Trafficking) in discussion with the author. February 2020
518 Ibid.
519 Ibid.
520 Ibid.
521 Ibid.
back to the perpetrators. This is a type of support is something which when implemented by the government can for sure decrease the number of repeats of domestic violence and return to the perpetrator.

**Final Conclusions**

After a thorough analysis of improvements which have occurred in Georgia on the issue of violence against women, there are a few conclusions which can be drawn. To start off Georgia has made significant steps in combatting violence against women, this includes the specific legislation and structural reforms which had been done after the signing and ratification of the Istanbul Convention. In terms of evaluating the improvements and implementations, statistical data shows that there is a positive decrease in the number of cases and a positive increase in the number of reporting and cases which are brought to the attention of the police authorities. However, there is still a significant room for improvements which can be done through various means. There is still a lack of legislative adjustments which must be done in regards to sexual violence, more formal education on the topic of violence on women must be implemented, there is need for the opening of more shelter and the improvement of existing infrastructure, mechanisms and frequency of trainings for professionals must be improved upon, and as well there must be some sort of government support for economic empowerment of women who have been victims of violence.

Additionally it seems as if the non-governmental sectors in Georgia have been left in many cases to fill in the gaps that the government has not filled in, and this needs to be corrected. Nonetheless, overall Georgia has done significant improvements on this issue and is on the right track to in dealing with the issue but is in need of a stronger initiative and push from the government in the implementation of legislature. As many organizations which had been contacted for this research state, the issue on paper seems as it has been solved because the legislation is very good, however in reality there is a big gap in practice which the government needs to fill.

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522 Ibid.
Bibliography


Directors of Human Rights Department (Ministry of Internal Affairs of Georgia) in discussion with the author. February 2020.

Ekaterine Schiladze (Georgia’s Public Defender’s (Ombudsman) Office) interviewed by author, personal interview, February 17 2020.


Jurate Juodsnukyte (European Union Delegation to Georgia), interviewed by author, personal interview February 18 2020.

Lika Sidamonidze (UN Women Georgia), interviewed by author, personal interview, February 21 2020.

Mariam Makharadze (LEAP Agency of State Care and Assistance for (Statutory) Victims of Human Trafficking), interview by author, person interview, February 19 2020.

Nino Chikhladze (Georgian Young Lawyers Association) interviewed by author, personal interview, February 19 2020.


Rabe, Heike, and Nadiye Ünsal. “Implementing Article 10 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence —


Tamar Dekanosidze (Georgian Young Lawyers Association), interview by author, personal interview. February 20 2020.

Tea Machaidze (Council of Europe) interviewed by author, personal interview, February 19 2020.


Russian Disinformation & Anti-Western Propaganda: 
Georgia’s Quest Towards European Integration

Teah Pelechaty

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Abstract

Georgia’s journey towards further integration into the European Union (EU) has been accompanied by the increasing presence of Russian “soft power” in the country. One component of the Kremlin’s strategy vis-à-vis Georgia consists of the dissemination of disinformation and propaganda, with a special focus on anti-Western narratives. This paper centers on the infiltration of Russian disinformation into Georgia’s media space, within the context of Russia’s broader hybrid warfare strategy. This paper also touches upon internal sources of anti-Western disinformation in Georgia, such as local media outlets and non-governmental groups, political parties, and segments of the Georgian Orthodox Church. This paper seeks to assess the implications of anti-Western disinformation with respect to Georgia’s EU accession aspirations, as well as the efforts of the Georgian Government, the European Union, and Georgian civil society to counter disinformation.

N.B.

This paper builds heavily upon interviews and field research conducted in Tbilisi, Georgia with a variety of relevant stakeholders, in addition to available English-language academic literature. As such, I must make a few notes before I continue. First, due to the paper’s singular reliance on English-language sources, it adopts a slightly limited approach to the subject matter. Second, the paper draws considerably upon in-person interviews, particularly when referencing current events. Third, this subject matter is multi-faceted and complex, which makes it difficult to derive black-and-white answers to certain questions. In some cases, concrete evidence is not readily available and, instead, there is a reliance on the opinions and experiences of relevant experts. As such, this paper will seek to avoid making over-generalizations or succumb to biases.
Introduction

Following the dissolution of the Soviet Union in 1991, Georgia has embarked on a rocky path towards further integration with the West in an attempt to shed its Soviet past for a new identity: European. The country has taken great strides towards democratic reform since the Rose Revolution in 2003, signifying Georgia’s commitment to the Europeanization process and its departure from Russia’s orbit. Georgia signed the Association Agreement with the European Union (EU) in 2014, which was accompanied by the Deep and Comprehensive Free Trade Agreement. A visa-free regime was initiated in 2017.\textsuperscript{523}

However, the country’s Europeanization process has been marred by the increasing presence of Russian “soft power,” a component of Russia’s continuing “hybrid warfare” strategy towards Georgia.\textsuperscript{524} The “toolbox” of hybrid tactics that Russia employs against Georgia includes a broad range of military and non-military options,” which are intended to steer Georgia away from its Western path back to the Russian neighborhood.\textsuperscript{525} One component of the Kremlin’s strategy vis-à-vis Georgia consists of the dissemination of disinformation and propaganda, with a special focus on anti-Western narratives. The Kremlin’s very own Foreign Policy Concept states that Russia “develops its own effective ways to influence foreign audiences and promotes Russian and Russian language media in the global information space, providing them with necessary public support.”\textsuperscript{526} The media is an indispensable element of Georgia’s democratization and Europeanization processes, as it is one of the primary means by which public opinion is consolidated. As a result, the presence of pro-Russian, or anti-Western, disinformation poses a considerable threat to the country’s European aspirations. This paper argues that the infiltration of pro-Russian, or anti-Western, disinformation into Georgia’s media space poses a significant challenge to the country’s progress towards potential future EU accession. Anti-Western narratives directly undermine Georgia’s Euro-Atlantic aspirations and hold the potential to negatively influence popular support for EU integration. Moreover, current efforts to mitigate the effects of disinformation in Georgia are not sufficient, as anti-Western narratives are perpetuated by both external and internal forces.

This paper proceeds as follows. First, this paper will touch upon the successes and the shortcomings of Georgia’s current media environment. Second, it will attempt to frame the topic of Russian disinformation in Georgia’s media space within the context of Russia’s hybrid warfare strategy. Third, this paper will review the characteristics of Russian disinformation narratives. Next, it will assess the internal sources of anti-Western disinformation in Georgia, such as Georgian-language media outlets and non-governmental groups, political parties, and segments of the Georgian Orthodox Church. Fifth, this paper will examine the current Georgian government’s approach to countering anti-Western disinformation, as well as their shortcomings in this respect. The efforts of the EU and Georgian civil society will also be examined. To conclude, this paper will assess the implications of anti-Western disinformation with respect to Georgia’s EU accession aspirations, and present a few recommendations.

\textsuperscript{523} “Georgia and the EU.” EEAS. Accessed March 10, 2020.
\textsuperscript{524} Niklas Nilsson. “Russian Hybrid Tactics in Georgia.” Central Asia-Caucasus Institute (January 2018): 16
\textsuperscript{525} Ibid, 5.
Georgia’s Media Environment

According to a 2016 Freedom House Report, “Georgia continues to have the freest and most diverse media environment in the South Caucasus.” Legal parameters for traditional sources of media are “quite sound and liberal,” and elements such as the Law on Broadcasting, which ensures “editorial independence, fairness, and impartiality of programs and freedom from governmental, political, religious or commercial influence,” have “brought it in line with international best standards.” Georgian journalists’ adherence to “professional standards” have also improved. That said, there are a few challenges that persist within Georgia’s media environment. For one, a poll conducted by the Caucasus Research Resource Center (CCRC) notes “declining trust” in Georgian media, as well as a marked shift towards “ambivalence.” And while the tendency for legal action to be taken against those who express opposing views is rare, self-censorship remains widespread. There is also a “high degree of political parallelism” and polarization in Georgian media, and the current Georgian Dream (GD) government has been increasingly criticized for its interference with the media. These challenges have been amplified by the proliferation of the internet as a popular source of information.

Among traditional media sources, “69 percent of Georgians considered television to be the major source of information on current affairs, including the EU and NATO.” The internet is increasing in popularity within the Georgian media landscape, with 57 percent of Georgians reporting that they access the internet “every day,” and 15 percent that it is their “main source of information about current events.” Facebook takes the lead, with 43 percent of Georgians reporting frequent use. While the internet has facilitated greater and more diverse accessibility to information, it has also proved to be a convenient platform for third party disinformation campaigns – especially within the context of Russia’s “hybrid war.”

Russian Hybrid Warfare & Disinformation Tactics

Russia & its “Near Abroad”

The bilateral relationship between Georgia and Russia is complex, to say the least. The two countries share a “tumultuous” history, marked by strong Orthodox ties and economic and

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529 Ekaterine Basilaia, Filip Pazderski, Dr. Petra Kuchynkova, Jan Cingel. “Informing the Public About the EU: The Media Practitioners from Georgia, Poland, Slovakia and Czech Republic Share Experiences,” Report, Georgian Institute of Politics, July 2019, Tbilisi, Georgia: 9.
530 Andguladze, Interview.
531 Basilaia, Pazderski, Kuchynkova, and Cingel. “Informing the Public About the EU: The Media Practitioners From Georgia, Poland, Slovakia and Czech Republic Share Experiences,” 9.
533 Andguladze, Interview.
534 Basilalva, Pazderski, Kuchynkova, and Cingel. “Informing the Public About the EU: The Media Practitioners From Georgia, Poland, Slovakia and Czech Republic Share Experiences,” 9.
535 Andguladze, Interview.
military cooperation. At the same time, “ambivalence [on behalf of Georgia] comes from Russian cultural domination and imperialistic aspirations in its near abroad.” The various military conflicts and resistance demonstrations are proof enough of this dichotomy. Despite the end of direct military conflict following the Russo-Georgian War in 2008, the Georgian break-away regions of Abkhazia and South Ossetia continue to host Russian military presence and Russia is actively taking steps for the factual annexation of those areas, which “calls Georgia’s peace and order into question.” Recent conflictual developments between Russia and Georgia can be linked in congruence with Georgia’s gradual efforts towards proximity with the West. Russian President Vladimir Putin’s Munich Speech in 2007 emphasized Russia’s view of Western integration efforts as a “vulgar instrument of ensuring the foreign policy interests” of the West in Russia’s near abroad.

As a result, Russia’s foreign policy objectives vis-à-vis Georgia reflect the desire to “elevate itself and its model as a more attractive alternative” to Western liberal practices. This is because gradual Western encroachment into Russia’s backyard poses a direct threat to Russia’s predominance in the region and, as such, Russia seeks to undermine Georgia’s European integration efforts in several ways. Russia’s strategy operates across two dimensions, internal and external. The former refers to Russia’s efforts to foster public disillusionment in Georgia regarding its Europeanization process, as well as the country’s institutions themselves. In so doing, Russian propaganda is “cultivating apathy.” The latter refers to the Kremlin’s attempts to sew doubt in the West surrounding Georgia’s potential future accession within the EU. For the purpose of this paper, focus will be placed on the efforts of Russia to sway Georgian public opinion. The strategy of Russia is to “establish… [itself] as an indispensable partner on issues that the West has considered important.” One way in which this is achieved is through influencing public opinion. To a certain extent, the degree to which a population is inclined towards a certain path is determinative of that country’s consequent policies. This is especially true in a democracy, where rulers are incentivized by the potential for re-election - “once the public switches, it is easy to convince the government to change its strategic direction.”

541 Ibid.
542 Ibid.
548 Ibid.
549 Batu Kutelia (Next Generation Leader Fellow, The McCain Institute; Former Deputy Secretary of the National Security Council of Georgia; Former Ambassador of Georgia to the United States of America, Canada and Mexico). Interview by Author. January 27, 2020.
550 Ibid.
552 Kutelia, Interview.
553 Ibid.
554 Ibid.
Russian Hybrid Warfare

Hybrid warfare refers to the use of the “full-spectrum” of modern warfare strategies, beyond the confines of traditional and conventional methods of warfare. In some cases, as in that of Russia, hybrid warfare is used to “combat the Western superiority in conventional warfare.”

Russia uses several methods of hybrid warfare in order to exert its power over Georgia, especially with respect to its Euro-Atlantic aspirations. Russian hybrid strategy has two predominant features: it “economizes the use of force,” meaning that it is partial to economical, non-military tactics; and it is “population-centric,” meaning that it operationalizes in very different ways to suit the target population, “working within existing political and social frameworks.” The most blatant instances of Russian hybrid warfare in Georgia are reflected by the former’s military presence in and around Georgian territory, as well as the extensive economic leverage that Russia holds over the region. Russian influence in its near abroad can be “likened to a virus that attacks democracies,” in that, “after inconspicuously penetrating a country through what appears to be a harmless and most likely legal business transaction, the virus begins to spread purposefully through local networks.” Russia has fostered an intricate arabesque of support throughout its near abroad, including Georgia, using various means and actors, such as the media, politicians, and the clergy to “intensify its efforts to erode public faith in democratic institutions, spread illiberal propaganda, [and] undermine pro-Western sentiments in Georgian society.”

Russian Disinformation & Anti-Western Narratives

A critical element of Russia’s hybrid warfare strategy vis-à-vis Georgia has been the weaponization of disinformation and anti-Western propaganda, popularized after the 2008 Russo-Georgian War. The framework within which Russia structures its disinformation campaigns is composed of three stages: “creating threats,” “sowing distrust towards partners and Western institutions and ingraining a belief that Russia is the only option for fighting against threats,” and that “authoritative/Soviet-style governance is necessary.” Selected disinformation narratives are impressively “well-structured,” tailoring their messages to very specific audiences. There are a few recurrent themes that should be noted.

The first theme pertains to the detrimental repercussions that the Europeanization process would have on Georgian society. The West is portrayed as “culturally alien to Georgia, standing for promiscuity and frivolity,” which will undermine the country’s traditionally conservative values. These narratives are especially effective with respect to subjects such as the LGBTQ+

555 Puyvelde. “Hybrid War – Does It Even Exist?”
558 Conley, Stefanov, Ruy, and Vladimirov. The Kremlin Playbook, 48.
562 Kutelia, Interview
563 Ghia Nodia (Professor of Politics and Director of the International School of Caucasus Studies, Ilia State University; Chairman, Caucasus Institute for Peace, Democracy, and Development; Former Minister of Education and Science, Cabinet of Georgia). Group Interview. February 17th, 2020.
community and ethnic or religious minorities, which bring to the spotlight underlying homophobic and xenophobic sentiments.\textsuperscript{564}

The second theme touches upon the detrimental impact of the West’s “meddling” in both Georgian and international affairs, placing a special emphasis on pre-existing territorial and economic insecurities. For example, Russia’s annexation of Crimea is depicted as a defensive response to the West’s “imperial expansion” into Eastern Europe, and “Georgia’s integration with NATO is associated with Turkey’s geopolitical expansion and the loss of Abkhazia and South Ossetia.”\textsuperscript{565} The goal in this case is to redirect anxieties regarding Russian influence towards historical tensions, such as those between Georgia and the Ottoman Empire.\textsuperscript{566} With respect to the economy, some pro-Russian narratives assert that “some of the European reform processes will hurt the economy and hurt local producers,”\textsuperscript{567} and that measures such as the Association Agreement or the Deep and Comprehensive Free Trade Area will “bring little benefit to Georgia and just impose extra demands.”\textsuperscript{568} For example, propaganda aimed at discrediting the West focused on the Richard Lugar Center for Public Health Research, a “success story” for US-Georgia relations.\textsuperscript{569} Anti-Western narratives claimed that the lab had maliciously released viruses, and “even went as far as to accuse…[the lab] of infecting mosquitos and sending them to Russia.”\textsuperscript{570}

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“South Ossetia Connects the New Diseases to the Lugar Laboratory in Georgia.”
Source: sputnik-ossetia.ru

“Lugar Laboratory Is Once Again Accused of Spreading Diseases, Now on the Occupied Territories: Myth Detector.” Mythdetector.ge, 14 Aug. 2019.

A third theme targets credible, pro-Western nongovernmental organizations, which are accused of being “spies working for external forces…[or] as branches of foreign intelligence services.”\textsuperscript{571} Unlike in other post-Soviet countries, an interesting characteristic of Russian disinformation in Georgia is that they refrain from expressing overtly pro-Russian narratives.\textsuperscript{572} This is potentially because ethnic Russians do not constitute a significant portion of the

\begin{footnotes}
\item[564] Buziashvili, Interview.
\item[565] Nilsson. “Russian Hybrid Tactics in Georgia,” 45.
\item[566] Tamar Kintsurashvili (Executive Director, Media Development Foundation Georgia). Interview by Author. March 5, 2020.
\item[569] Buziashvili, Interview.
\item[570] Buziashvili, Interview.
\item[571] Nilsson. “Russian Hybrid Tactics in Georgia,” 45.
\item[572] Kintsurashvili, Interview.
\end{footnotes}
population in Georgia, and statements that openly laud the Kremlin are likely to be rejected. Instead, Russian disinformation focuses on projecting anti-Western statements, which may conveniently coincide with pre-existing sentiment and nationalistic rhetoric.

Methods of Disinformation Dissemination

Russia places great emphasis on the use of “strategic narratives” to promote a “distinct understanding of international politics supportive of Russia’s international objectives.” The amount of narratives which openly adopts anti-Western rhetoric has increased. The US was subject of the most anti-Western rhetoric, followed by NATO and the West in general. According to a report by the MDF, “compared to 2016, messages against the European Union have almost doubled.” The primary source of anti-Western rhetoric was the media, closely followed by politicians, civil organizations, and the clergy.

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573 Ibid.
574 Ibid.
577 Ibid.
Families who have two or more cows and sell dairy products will have to pay a fee from 2020 [according to the European Union]

Source: bfm.ge

**Russian and Georgian-Language Media**

When speaking of Georgia’s media environment within the context of Russian disinformation, it is important to make some distinctions. There are two main dissemination conduits of anti-Western disinformation dissemination in Georgia: the first is Russian or Georgian-language media which are directly sourced or sponsored by Russia; the second is Georgian media promoting anti-Western sentiment.  

Openly pro-Russian media sources, such as the media channel Sputnik, are “supported financially or ideologically by Russia or its proxies.” Additional openly pro-Russian media outlets include “iverioni.com.ge, saqiniformi.ge, TV Obieqtivi, and print newspapers Asal-Dasavali.” Direct Russian propaganda is not very popular within mainstream Georgian communities, however, as ethnic Georgians tend to be “more skeptical of direct Kremlin-sponsored narratives.” Instead, these sources tend to gain traction in minority-populated areas, such as those inhabited by ethnic Armenians and Azerbaijanis, as knowledge of the Georgian language tends to be limited, and the knowledge of Russian more widespread. Sputnik was formed by “presidential decree to report on the state policy of Russia abroad,” and, while it has been banned by the Georgian National Communications Commission from broadcasting, it continues to attract an audience online.

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578 Andguladze, Interview.
579 Kutelia, Interview.
581 Kintsurashvili, Interview.
582 Ibid.
583 Basilai, Pazderski, Kuchynkova, and Cingel. “Informing the Public About the EU: The Media Practitioners From Georgia, Poland, Slovakia and Czech Republic Share Experiences,” 11.
Aside from the pro-Russian channels such as Sputnik, which is directly and publicly funded by the Russian government, “it is very difficult to detect direct links between local actors and Russian sources.”\(^{584}\) This is because financial sources may be illicit or covert, and thus challenging to pinpoint with concrete evidence. Instead, disinformation debunkers tend to rely on ideological connections between various media sources and the Kremlin in order to draw tentative conclusions.\(^{585}\) The difficulty in attributing the source with certainty is compounded by the fact that many anti-Western media sources do not spread blatant pro-Russian statements but, instead, tend towards general anti-Western sentiments.\(^{586}\) There are reports, however, which assert that the “Russian World Foundation sent 5 million GEL to the country in 2015 for the purpose of reinforcing Georgian online media.”\(^{587}\) Media sources that are not necessarily funded by Russia, but have similar rhetoric, contribute to the complex nature of identifying Kremlin sourcing. Anti-Western media outlets often “translate the fake news circulated by Russian media word-for-word,” meaning that there is a significant degree of overlap between pro-Russian and “ethno-nationalist” media outlets.

In addition to traditional print or televised media, pro-Russian or anti-Western narratives tend to be disseminated via the internet, especially on social media platforms such as Facebook. Because of the high popularity of Facebook among the Georgian population, this has been a

\(^{584}\) Nino Gogua (Member of Parliament, Georgian Parliament; Principal Speaker, Thematic Inquiry Group on Disinformation and Propaganda). Interview with Author. February 18, 2020.

\(^{585}\) Ibid.

\(^{586}\) Ibid.

\(^{587}\) Assumpçao. “A New David versus Goliath? An Overview of the Main Points of Russian Influence Over Georgia and how Tbilisi can Counter it,” 14.
significant target for Kremlin disinformation campaigns. Pro-Russian narratives are spread via “troll factories,” which create many different accounts and spread disinformation via social media. These anti-Western narratives have also been shared increasingly on Twitter, which, despite its lack of popularity within Georgia itself, indicates a shift towards targeting the international community.

**Non-Governmental Organizations & Georgian Political Parties**

Several of those media sources are supported by pro-Russian NGOs, such as the Eurasian Institute and the Eurasian Choice, which “work as a front for many other organizations.” Their activities are reported on by their associated media outlets, and “existing research indicates that most probably they have financial support from Russian foundations including Russian World, [and the] Gorchakov Fund,” to name a few. The intention of these pro-Russian foundations, sponsored directly by Russia, includes “promoting Eurasian integration, demonizing the EU Association Agreement and promoting Christianity and conservative values as the core of Eurasian civilization.” These pro-Russian NGOs are “proactive” in developing and promoting events and gatherings to further promote Russian foreign policy interests.

There are two principal pro-Russian political parties that exist within Georgia’s political scene: Democratic Movement-United Georgia headed by Nino Burjanadze, and Alliance of Patriots, headed by Irma Inashvili. The former promotes a “neutral” foreign policy agenda vis-à-vis Russia, as well as the “improbability that Georgia will ever be offered NATO membership.” The party targets the country’s ongoing Euro-Atlantic process, claiming that this endeavor resulted in the deterioration of Georgia-Russia relations. The latter party is a right-wing party promoting “conservative and religious Georgian values.” While Burjanadze’s political party made it to the Parliament of Georgia, very few pro-Russian political parties actually meet the threshold to gain seats, and they have not garnered very much traction.

**The Georgian Orthodox Church**

Until very recently, the Georgian Orthodox Church (GOC) had always ranked as the most trusted institution in Georgian society – it was only just recently surpassed by the Georgian army in public opinion surveys. This decline in trust is due to several GOC-related scandals, including the attempted murder of one religious official by another with cyanide, a series of sexual scandals by church officials, and the general “gang-like” operations of some of its

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588 Buziashvili, Interview.
589 Ibid.
592 Ibid.
595 Ibid, 37.
596 Ibid, 38.
597 Ibid.
598 Nodia, Interview.
599 CCRC, Interview.
members. Despite these set-backs, the GOC continues to command a high degree of influence and control over the traditionally-religious Georgian population — “when the priest is speaking, God is speaking,” as the saying goes. The high degree of trust in the GOC poses a risk to Georgia’s European integration process, as the Church is an outspoken critic of certain progressive components of the Westernization process, such as those pertaining to religious and sexual anti-discrimination. In some cases, the narratives promoted by the GOC coincide with those of Russia and, in so doing, forward the Kremlin’s interests. While technically the GOC is separate from the Orthodox Church in Moscow, the two are still “remarkably close.” When the Ukrainian Orthodox Church achieved autocephaly from the Russian Orthodox Church, “many around the world congratulated them – but the Georgian Church did not, when they should have.” In addition to the overlap in anti-Western rhetoric between the GOC and Russia, it is also known that “conservative factions within the Georgian Orthodox Church have joined forces with pro-Russian NGOs.” The GOC also adopts a “neutral rhetoric” towards Russia and, in some cases, accuses the West of being “worse than Russia, alleging that the 2008 Russian invasion was a heavenly intervention against Western integration.” Some experts assert that a shift towards greater, non-Russian-sourced education for religious authorities would be beneficial, but that “educated priests are expelled from the Church.”

**The Georgian Government: Efforts & Shortcomings**

**The Georgian Dream Government**

The Ministry of Foreign Affairs of Georgia was emphatic in its assertion that “[Georgia] are as close as never before with the European Union.” The country’s current Georgian Dream (GD) government, a political coalition composed of six political parties, was established by Georgian billionaire Bidzina Ivanishvili. The party forwarded an “ambitious reform agenda” in areas such as democracy and human rights in a self-proclaimed effort to move forward with Georgia’s Euro-Atlantic course. Because there is high support for European integration among the Georgian public, governments that wish to be successful are “obliged to show that they are progressing in the way of European integration.” That said, despite the professed commitment of the GD government to furthering the country’s Europeanization process, the government has been receiving increasingly critical feedback from the EU and the West in general. According to a representative of Transparency International Georgia, “the Georgian government has failed to fulfill its promises of change…and now, at least once a week,

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600 Buziashvili, Interview.
601 Ibid.
602 Ibid.
607 Kintsurashvili, Interview.
610 Nodia, Interview.
611 Gigitashvili, Interview.
they are receiving criticism from our [Georgia’s] partner states, including the European Union."  

However, the Georgian government denies that there is a problem when, according to some experts, “the two actors have hit the lowest point since the Rose Revolution.”  

One expert quipped that she “does not have to set an alarm” in the morning, because the sheer amount of criticism that the Georgian government receives from the West wakes her up. Increasing amounts of criticism from the EU has, in some cases, positioned the government in defense-mode.

The Georgian Dream & Russia

A burgeoning challenge is presented by the Georgian government’s approach to Georgia-Russia relations. Following the GD’s accession to government in 2012, the government traded in “confrontational policies towards Russia” for a more “balanced policy vis-à-vis the Kremlin in order to reduce bilateral tensions.” The party’s Election Programme stated that “Georgia shouldn’t be a conflicting issue between the West and Russia.” While there was not necessarily a drastic shift in outward policy priorities, the current government has been “less active in pushing hard for Euro-Atlantic integration and has constantly abstained from activities that would irritate the Russian Federation.” There are several events that have contributed to this perception. For one, the Georgian government did not follow through with the building of a port in Anaklia, Georgia, a “priority project” which would have “improve[d] access to Central Asia and the Middle East,” and was supported by both the US and the EU. The project, once completed, would have meant that Chinese exports to Europe would have travelled along an “alternative travel route,” which was initially in Russia. Some experts cite the current governments attempts at avoiding antagonizing Russia. In addition to this, there is also skepticism surrounding the fact that the government has not made any moves towards expelling potential Russian spies in the country, despite the fact that this phenomenon has been widespread across Europe. An additional concern relates to the Georgian billionaire and unofficial head of the GD government Bidzina Ivanishvili’s connections to Russia. Ivanishvili holds a lot of decision-making power – his wealth adds up to around 32 percent of the country’s GDP and almost 100 percent of its annual budget. In addition to this, Ivanishvili “accumulated his large fortune in Russia where he was a shareholder of Russia’s oil giant, Gazprom.”

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612 Andguladze, Interview.  
613 Gigitashvili, Interview.  
614 Buziashvili, Interview.  
615 Andguladze, Interview.  
616 Gigitashvili, Interview.  
618 Ibid.  
619 Ibid.  
623 Gigitashvili, Interview.  
625 Ibid.
The Georgian Dream Government & Anti-Western Disinformation

In addition to the Georgian Dream’s approach to Georgia-Russia relations, some experts maintain that the government supports, although perhaps not directly, the dissemination of Russian disinformation in Georgia simply by not taking action to counter it.626 By adopting a delayed response to the recognition of disinformation, they “hampered relevant efforts and made target audiences of information operations more vulnerable.”627 This is compounded by the observation by credible NGOs that the government has, in some instances, put forward narratives which “closely follow the messaging of some Russian narratives.”628 In other words, there is a convergence between some of the rhetoric employed by the Georgian government and the Kremlin. The GD is composed of several political parties, some of which are known for their “anti-Western, homophobic, and xenophobic statements.”629

One of the events that is critical to the allegations surrounding the government’s dissemination of anti-Western disinformation relates to Facebook’s removal of “39 Facebook accounts, 344 pages, 13 groups, and 22 Instagram accounts as part of a domestic-focused network that originated in the country of Georgia.”630 Despite the use of fake accounts, the “coordinated inauthentic behavior” was traced back to the Panda advertising agency in Georgia and the GD government in 2019.631 Under the guise of the names of credible-sounding news agencies, the GD was proliferating three predominant narratives. The first is related to the popularization of Bidzina Ivanishvili. The second, the spread of narratives that discredited the party’s political opposition. And the third narrative related to anti-Western sentiment, particularly anti-US sentiments.632 These narratives overlap significantly with the propaganda forwarded by Russia and, as a result, it is difficult to differentiate the two.633 This Facebook scandal emerged shortly after the government put forward a Thematic Inquiry Group on Disinformation and Propaganda, an effort directed at mitigating the prevalence and the effects of disinformation in Georgia.634 The result was a sharp decrease in credibility of the GD government with respect to its efforts towards countering disinformation in the eyes of the country’s credible NGOs, as well as a contradiction between the party’s pro-European platform and its covert actions online.635

Targeting Georgian Civil Society & Opposition

There is no love lost between the current government and Georgia’s robust civil society, especially following the “Facebook Takedown.”636 The tense relations between the two segments of society are augmented by the increasing criticism and disinformation that is being spread by the government surrounding the activities of credible NGOs, such as the Atlantic Council

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626 Ekaterine Basilaia (Media Literacy Consultant, Council of Europe Office in Georgia; Lecturer in Media and Communications, Tbilisi State University). Interview by Author. February 19th, 2020.
627 Adzinbaia and Devdariani. “Strengthening State Policy to Address Anti-Western Disinformation and Propaganda in Georgia,” 11.
628 Kutelia, Interview.
630 “Removing Coordinated Inauthentic Behavior From Georgia, Vietnam and the US.” About Facebook, December 21, 2019.
631 Buziashvili, Interview.
632 Ibid.
633 Buziashvili, Interview.
634 Evgenidze, Interview.
635 Ibid.
636 Gigitashvili, Interview.
Georgia, the National Democratic Institute, Transparency International, and the International Republican Institute, to name a few.\footnote{Buziashvili, Interview.} According to some representatives of the Georgian non-governmental sector, the current government has increasingly attempted to link findings by NGOs critical of the GD to malicious activity and opposition party propaganda.\footnote{Gigitashvili, Interview.} This has been especially prevalent in the lead-up to the 2020 Georgian parliamentary election, as the GD is seeking to “undermine credible NGOs’ work in order to instill distrust in them.”\footnote{Ibid.} This has been coupled by the creation of government-sponsored non-governmental organizations, or GONGOs, which are covertly government-funded and created “NGOs.”\footnote{Moises, Naim. “What Is a GONGO?” Foreign Policy. Foreign Policy, October 13, 2009.} While some are benign, many are potentially harmful to the country in question’s democratization process, often undermining credible elements of civil society and the dissemination of valid information.\footnote{Aliyev, H. “Examining the use of informal networks by NGOs in Azerbaijan and Georgia.” Journal of Civil Society, 11(3), pp. 318.} According to the executive director of the MDF, Tamar Kintsurashvili, such narratives on behalf of the GD are indicative of a “Potemkin Village-type situation,” wherein the government is trying to promote an externally pro-European platform, while undermining it in reality.\footnote{Kintsurashvili, Interview.}

Other actors that have been targeted are representatives of the civil society, media, business sector, and the international community that speak out against the ruling party and/or its network. One of the few possible reasons for which the Georgian Dream government has been resorting to online disinformation strategies is to discredit political opposition or voiced disapproval by other actors. In the lead-up to the 2018 Georgian presidential elections, as well as afterwards, “home-grown disinformation has been used as a tool to systematically discredit political opponents in the online space in Georgia.”\footnote{Transparency International Georgia. “Fighting Disinformation in Georgia,” Transparency International (2019): 1-15.} It is becoming increasingly difficult to differentiate between pro-Russian narratives and “home-grown government-funded propaganda,” and, while the GD and the Kremlin might be playing different games with different end goals, they are employing similar strategies.\footnote{Kintsurashvili, Interview.}

**Government Efforts Towards Countering Russian Disinformation**

The current Georgian government has taken measures to formally recognize the risks associated with disinformation, including implementing a 2017-2020 Government Strategy on the EU and NATO Membership Communication of Georgia, which “acknowledges the Russian information war as a threat and aims to reduce its effects on the public.”\footnote{Basilaia, Pazderski, Kuchynkova, and Cingel. “Informing the Public About the EU: The Media Practitioners From Georgia, Poland, Slovakia and Czech Republic Share Experiences,” 53.} The Ministry of Defense of Georgia’s 2017-2020 Strategic Defense Review also “identified Russian hybrid warfare as a major threat to Georgia.”\footnote{Kastetter. “Moving Forward: How Georgia Can Advance US Interests,” 12.} In 2018, the government established a series of “strategic communication units,” with the intention of “reducing the malign influence of anti-Western disinformation and improving effective and coordinated proactive communication of government.”\footnote{Basilaia, Pazderski, Kuchynkova, and Cingel. “Informing the Public About the EU: The Media Practitioners From Georgia, Poland, Slovakia and Czech Republic Share Experiences,” 64.} That said, the results of these strategic communication units have remained
“mostly invisible and are limited to traditional PR activities.”\textsuperscript{648} The Information Center on NATO and European Union is a government initiative created in 2005\textsuperscript{649}, tasked with “informing the public about Georgia’s European and Euro-Atlantic integration.”\textsuperscript{650} However, the organization has encountered a few limiting factors, such as a lack of resources and a separate budget allocated for activities by which information campaigns could be funded. As a result, the organization is restricted in the scope of audience that it can reach.\textsuperscript{651}

In 2019, the Parliament of Georgia created the Thematic Inquiry Group on Disinformation and Propaganda, with the intention of assessing the “major challenges and problems existing in the country on issues of disinformation and propaganda and to prepare evidence-based conclusions along with a recommendation package for the government.”\textsuperscript{652} In an interview with Nino Gogudze, the principal speaker of the Thematic Inquiry Group, she mentioned that the group had “finalized its efforts” earlier in 2020, and had very recently published its final report.\textsuperscript{653} As a result, the government has not as of yet followed through with any of the group’s recommendations, but the Thematic Inquiry Group is “developing a plan about how to better coordinate the implementation of its recommendations.”\textsuperscript{654} A couple interviewed representatives of credible NGOs, such as the Atlantic Council and the Economic Policy Research Centre were notably hesitant when prompted about the group’s effectiveness with respect to countering disinformation.\textsuperscript{655} There is also criticism that the government’s policy mechanisms for countering disinformation are “half-hearted and inconsistent.”\textsuperscript{656}

The Impact of Disinformation in Georgia

Public Opinion: European Integration

It remains a challenging endeavor to determine the extent to which Russian disinformation, or anti-Western narratives, affect Georgian public opinion surrounding the country’s Euro-Atlantic process. At first glance, anti-Western disinformation appears to gain very little traction with respect to altering Georgians’ opinions regarding the country’s Europeanization process. Public opinion polls commissioned by the National Democratic Institute and conducted by the Caucasus Research Resource Center report that 77 percent of people surveyed stated that they approved of the “Georgian government’s stated goal to join EU.”\textsuperscript{657} This level of support was relatively consistent, including in regions and cities other than Tbilisi, and only 13 percent of respondents reported that they disapprove of Georgia’s Euro-Atlantic path.\textsuperscript{658}

\textsuperscript{648} Ibid.
\textsuperscript{649} Mariam Dolidze (Head of Public Information Division on EU, Information Centre on NATO and the EU). Interview by Author. February 19, 2020.
\textsuperscript{651} Not sure
\textsuperscript{652} Basilaia, Pazderski, Kuchynkova, and Cingel. “Informing the Public About the EU: The Media Practitioners From Georgia, Poland, Slovakia and Czech Republic Share Experiences,” 64.
\textsuperscript{653} Gogudze, Interview.
\textsuperscript{654} Ibid.
\textsuperscript{655} Buziashvili, Interview.
\textsuperscript{656} Nilsson. “Russian Hybrid Tactics in Georgia,” 48.
\textsuperscript{657} Kakhishvili. “Reporting on EU-Related Issues by Local Media Outlets in Georgia: Effectiveness of Georgia-Media Cooperation,” 20.
\textsuperscript{658} Ibid.
However, this does not “lower the urgency of the problem or indicate that existing positive attitudes are not subject to change.”\textsuperscript{659} While for the majority of ethnic Georgians in both urban centers and rural communities pro-Russian sentiments are rather unpopular, the anti-Western narratives, and the fears and concerns that they capitalize upon, are not ineffective.\textsuperscript{660} The apparent support that Georgia’s Euro-Atlantic aspirations receive is not necessarily based upon a very well-informed public.\textsuperscript{661} For example, “one out of every five Georgians who support the government’s stated goal of joining the EU think that Georgia is already a member of the EU.”\textsuperscript{662} This may allow for “Russian emotional messages to fill an informational vacuum.”\textsuperscript{663} In 2015, a survey conducted by the National Democratic Institute reported that 28 percent of the respondents that supported the EU “also claimed to support Georgian membership in the Eurasian Union,” which “could be taken to imply that to many Georgians, support for Western integration is motivated by pragmatism and economic prospects, rather than political or ideological attractiveness.”\textsuperscript{664} This may indicate that pro-EU sentiment is “neither deeply rooted or commonly assumed, nor irreversible.”\textsuperscript{665} Additional threats to strong support for the country’s Europeanization process relates to the disillusionment that some of the population may have regarding the country’s “faltering economy… the constant in-fighting among the country’s political elite; and the slow pace of Georgia’s western integration along with the lack of tangible benefits so far derived from this process.”\textsuperscript{666} It is difficult to measure with certainty the degree of impact of Russian disinformation in Georgia, but there is an increasing presence of actors engaged in anti-Western activities.\textsuperscript{667}

**Vulnerable Populations**

A particularly vulnerable segment of Georgian society to pro-Russian and anti-Western disinformation efforts are ethnic minorities, such as ethnic Armenians and Azerbaijanis.\textsuperscript{668} Rates of approval for EU integration efforts were “9 percent lower in Armenian-populated areas and 23 percent lower in Azerbaijani-populated areas.”\textsuperscript{669} Because many of those in these ethnic groups tend to be “educated in their own schools, the majority of them do not speak the national language.”\textsuperscript{670} In addition to this, the level of communication between the central government and each region’s authoritative bodies tends to be limited.\textsuperscript{671} As a result, members of these ethnic populations tend towards “alternative media,” which “spread disinformation and fake news.”\textsuperscript{672} In a broader sense, “Georgians are split when it comes to their attitudes towards the dissolution

\textsuperscript{659} Adzinbaia and Devdariani. “Strengthening State Policy to Address Anti-Western Disinformation and Propaganda in Georgia,” 11.
\textsuperscript{660} Kutelia, Interview.
\textsuperscript{661} Basilaia, Interview.
\textsuperscript{663} Buziaashvili, Interview.
\textsuperscript{664} Nilsson. “Russian Hybrid Tactics in Georgia,” 47.
\textsuperscript{665} Ibid.
\textsuperscript{666} Ibid.
\textsuperscript{667} Goguadze, Interview.
\textsuperscript{668} Nodia, Interview
\textsuperscript{669} Kakhishvil. “Reporting on EU-Related Issues by Local Media Outlets in Georgia: Effectiveness of Georgia-Media Cooperation,” 2.
\textsuperscript{670} Nodia, Interview.
\textsuperscript{671} Basilaia, Interview.
\textsuperscript{672} Basilaia, Pazderski, Kuchynkova, and Cingel. “Informing the Public About the EU: The Media Practitioners From Georgia, Poland, Slovakia and Czech Republic Share Experiences,” 64.
of the Soviet Union.”673 Disapproval of further rapprochement with the EU tends to be more prevalent with older generations, many of whom have distinct memories of Georgia during the Soviet Union. However, surveys show that “such a tendency is becoming less conspicuous and young people may also be vulnerable to disinformation.”674 Support for further rapprochement with the EU appears to be higher among those aged 18-34, while the 35-54 and the 55+ age categories responded with “don’t know” or “refused to answer” more frequently.675

Tackling Disinformation: Georgian Civil Society & the European Union

Georgian Civil Society

Currently, the fight against disinformation in Georgia is predominantly undertaken by the country’s robust non-governmental sector.676 The involvement of credible NGOs in a given country’s security discussions is incredibly important: they act “not only as a government watchdog,” but are also instrumental in creating pressure for change.677 Before the topic of disinformation was formally recognized and addressed by the Georgian government, the task of mitigating the impact and the spread of disinformation was largely that of Georgia’s NGOs. Big strides have been made by various NGOs with respect to monitoring disinformation-related issues, informing the public about EU-related affairs, and collaborating with other post-Soviet countries regarding the threat of Russian hybrid warfare.678 NGOs have also been “active in alerting the public of the threat and devising fact-checking activities.”679 Initiatives such as Transparency International Georgia’s #GEnter “travel in rural regions and village [in order to] have face-to-face meetings” about EU-related topics.680 NGOs are also critical when it comes to

673 CCRC, Interview.
674 Adzinbaia and Devidariani. “Strengthening State Policy to Address Anti-Western Disinformation and Propaganda in Georgia,” 11.
676 Buziašvili, Interview.
677 “EU Roadmap for Engagement with Civil Society in Georgia: 2018-2020.”
678 Buziašvili, Interview.
679 Basilaia, Pazderski, Kuchynkova, and Cingel. “Informing the Public About the EU: The Media Practitioners From Georgia, Poland, Slovakia and Czech Republic Share Experiences,” 65.
“myth debunking,” in that there are extensive resources dedicated towards identifying and exposing sources of anti-Western disinformation.  

However, the efforts of non-governmental organizations in Georgia, given the lack of government funding, are dependent upon “short-term” donor funding.  

This, according to various NGO interviewees, is not enough. Georgian civil society is still “in need to come up with a ‘whole society’ approach that would bring together all major stakeholders,” including the Georgian government.  

In addition to this, the sheer discrepancy in resources between Russian disinformation campaigns and the Georgian NGOs which seek to counter them, is immense.  

There is a quantitative asymmetry in several ways: for one Russian troll farms are well-funded and have extensive human capital, whereas civil society efforts have lower levels of funding and more limited budgets. In addition to this, “it is easy to invent lies, as there is an unlimited amount of lies to be told, but there is only one truth.”  

As a result, many efforts to counter anti-Western disinformation are, in many cases, “one or two steps behind” the source.  

Furthermore, the timeframe within which NGOs may work to detect, identify a source, and debunk disinformation is quite short, as a “story can become viral within one or two hours from being released and, after that, the time for pointing out disinformation is ineffective.”  

Formal reactions to instances of disinformation are not necessarily very well-received by the public, either.

The European Union

The European Union’s External Action Service’s East StratCom Task Force was created in 2015 with three objectives: the “effective communication and promotion of EU policies towards the Eastern Neighborhood; Strengthening the overall media environment in the Eastern Neighborhood; [and] improved EU capacity to forecast, address, and respond to disinformation activities by external actors.”  

The Task Force cooperates with a number of different Georgian non-governmental organizations in order to spread greater awareness surrounding Georgia’s Euro-Atlantic aspirations, as well as to identify and counter Russian disinformation campaigns.  

That being said, the US is said to take the lead in this regard.  

The Task Force also reports on various “disinformation trends,” and promotes various anti-disinformation projects, such as that of EUvsDisinfo.  

In 2019, the Task Force’ budget increased from 1.1 million Euros to 3 million Euros, working within the “existing budget for EU Strategic Communication,” and with 16 full-time staff members.  

However, some note that, much like in the case of Georgian NGOs seeking to counter disinformation, the Task Force’ resources pale in...
comparison to those employed by Russia’s disinformation campaign. At the same time, the EU has very little leverage with which it can address the Georgian government, which poses an issue for the institution’s efforts at countering disinformation, as the Georgian government has been disseminating it themselves.

**Conclusion**

The main message may be summarized as follows: All members involved must “collectively recognize that Russian influence is not just a domestic governance challenge, but a national security threat, and efforts to counter it must be treated as such.” Two very important next steps include the development of effective tools to disseminate credible EU-related information throughout Georgia, as well as the investment in the education and media literacy of the Georgian population, so as to better equip them against anti-Western and pro-Russian disinformation campaigns. One potential avenue in this regard could be the greater involvement of the Ministry of Education, especially with respect to bringing rural and ethnic regions into the mix. These endeavors, however, will necessitate a large-scale consolidated effort between all actors involved in the prevention of disinformation: the Georgian Dream government, Georgia’s non-governmental sector, the European Union, widely-used social media platforms such as Facebook, and influential Georgian institutions such as the Georgian Orthodox Church.

The Georgian government should take active steps towards updating the country’s National Security concept, which should “clearly highlight Russia’s hybrid warfare and hostile information operations against Georgia as a threat to its national security; relevant policies, mechanisms and systems should be established to take timely, coordinated and proactive steps.” An obvious component of this endeavor should be the greater responsiveness of the Georgian government with respect to countering anti-Western discourses. In addition to this, the government should also provide greater resources to organizations such as the Thematic Inquiry on Disinformation and Propaganda and the Information Center on NATO and the EU, creating a centralized communication system to better coordinate government efforts. While the efforts of Georgia’s NGO sector are impressive, it is crucial to facilitate a level of cooperative dialogue between civil society and the government. In addition to this, the involvement of various social media companies, such as Facebook, which are popular platforms for the spread of disinformation, may be beneficial. There is room for the implementation of regulations on the transparency political advertising and the public disclosure of ad sponsors.

In light of the upcoming 2020 Georgian parliamentary elections, it will be critical to monitor Georgia’s increasingly vulnerable media space. At the same time, it is important to draw a distinction between the condemnation and exposure of malicious disinformation and freedom of expression – one of the core tenets of a functioning liberal democracy. In the words of the Ministry of Foreign Affairs of Georgia, the country cannot alone “make useful negotiations or

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694 Buziashvili, Interview.
696 Interview, Basilaia.
697 Gogudze, Interview.
698 Adzinbaia and Devdariani. “Strengthening State Policy to Address Anti-Western Disinformation and Propaganda in Georgia,” 13.
699 Kintsurashvili, Interview.
700 Ibid.
counter Russia’s illegal activities on the ground… we [Georgia] need the firm stance of the international community.”  

While Georgia’s gradual journey towards EU integration is critical for the country’s wellbeing, “the rewards of this process are neither quick, nor easy to obtain.”

Mitigating the effects of pro-Russian and anti-Western disinformation is essential to furthering that goal.

701 Ministry of Foreign Affairs of Georgia, Interview.


Basilaia, Ekaterine (Media Literacy Consultant, Council of Europe Office in Georgia; Lecturer in Media and Communications, Tbilisi State University). Interview by Author. February 19th, 2020.

Basilaia, Ekaterine; Pazderski, Filip; Kuchynkova, Petra; and Cingel, Jan. “Informing the Public About the EU: The Media Practitioners from Georgia, Poland, Slovakia and Czech Republic Share Experiences,” Report, Georgian Institute of Politics, July 2019, Tbilisi, Georgia.


Dolidze, Mariam (Head of Public Information Division on EU, Information Centre on NATO and the EU). Interview by Author. February 19, 2020.


Gigitaishvili, Givi (Research Assistant, Atlantic Council Georgia). Interview with Author. February 17, 2020.


Goguadze, Nino (Member of Parliament, Georgian Parliament; Principal Speaker, Thematic Inquiry Group on Disinformation and Propaganda). Interview with Author. February 18, 2020.


Kintsurashvili, Tamar (Executive Director, Media Development Foundation Georgia). Interview by Author. March 5, 2020.


Kutelia, Batu (Next Generation Leader Fellow, The McCain Institute; Former Deputy Secretary of the National Security Council of Georgia; Former Ambassador of Georgia to the United States of America, Canada and Mexico). Interview by Author. January 27, 2020.


Nodia, Ghia (Professor of Politics and Director of the International School of Caucasus Studies, Ilia State University; Chairman, Caucasus Institute for Peace, Democracy, and Development; Former Minister of Education and Science, Cabinet of Georgia). Group Interview. February 17th, 2020.


Virtual Integration: The Role of Cybersecurity Cooperation in Georgia’s European Integration Efforts

Adhele Tuulas

Introduction

In August 2008, the Republic of Georgia faced an external attack on two spatial fronts - its physical state borders and in cyberspace. Conventional military operations were matched with harmonised cyberattacks, aimed at controlling the flow of information and blocking channels of communication and international support. What marked the first large scale European armed conflict accompanied by an extensive cyber component, also marked the beginning of Georgia’s commitment to building its cyber capacity. The events of 2008 highlighted the devastating impact that cyber operations could have and thereby prompted state leadership to start the process of strengthening Georgia’s cyber capabilities. Such threats are no less prominent nor unlikely today, as demonstrated by the large-scale cyberattacks targeted against thousands of Georgia’s websites in October 2019. Four months after these recent events, the UK, US and other international partners made a public attribution of the cyberattacks to the Russian military intelligence services, thereby also signalling the significance of such events on an international level.

In fact, even the daily operations within Georgia’s cyberspace can have significant technical and psychological consequences. Russia’s ongoing influence activities aim to disrupt state functioning and change public opinion with anti-Western disinformation campaigns. Although the Government of Georgia rhetorically acknowledges the importance of cybersecurity, there is currently no coordinated, top-down leadership guiding the cyber ecosystem in its pursuit of strengthening Georgia’s national cyber capacity. Despite the critical impact of cyber operations on state security and public opinion, the current government’s lack of meaningful action indicates that the state’s cyber capacity is not among its top priorities. Meanwhile, the actors within Georgia’s cyber ecosystem have been making significant strides in strengthening state capacity with the support of international partners such as the European Union (EU) and NATO. In doing so they have established a strong Euro-Atlantic direction.

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within cyberspace, looking to harmonise systems and legislation with international standards and build institutions that embody principles of openness and democracy.

Through its commitment to becoming a global cybersecurity player and enhancing its own cyber capacity, the EU has extended the application of its core values into the digital world, including the freedom of information and human rights. Its development of specific standards and regulations that are guided by EU principles, illustrates that cyberspace is also becoming an important area of integration. Nonetheless, due to the novelty and intangibility of cybersecurity, its potential impact on European integration of non-members has not been studied. Because of Georgia’s unique experience and geopolitical position, the country is an invaluable case study for investigating just that. As such, this paper set out to investigate the following research question:

to what extent can Georgia’s cybersecurity cooperation in capacity building with the EU be approached as a strategic device for further European integration?

This paper will argue that EU-Georgia cooperation in cyber capacity building can be a beneficial strategic tool for integration, if Georgia’s cyber ecosystem is supported by effective leadership, the actions of which embody the commitment to democracy, cooperation and rule of law. This will be demonstrated by first mapping out the cyber landscape under discussion – providing background information on capacity building in general and the efforts of the EU and Georgia in particular. The existing channels for cooperation alongside current activities will then be outlined as tools for integration. As any state’s cyber capacity building begins internally, the main research findings focus on the challenges that the Georgia’s cyber ecosystem is facing with the current lack of governmental leadership in cyber. Its consequences on the functionality of the cyber ecosystem will be highlighted as well as the risks that have come along in these current conditions. Finally, recommendations for the future will be presented through a discussion on the strategic value that this cooperation holds from a geopolitical and experience sharing standpoint.

Background: Mapping out the Cybersecurity Capacity Landscape

Cybersecurity capacity building entails the enhancement of state resilience to cybersecurity breaches, cybercrime, and terrorism through managerial, technical, social, legal, policy and regulatory initiatives by a growing ecology of actors. In doing so, it penetrates vertically and horizontally through every level of the public and private sector and impacts society in a variety of ways. The Global Cyber Security Capacity Centre’s conceptualisation of cyber capacity building helps illustrate the all-encompassing nature of the endeavour. Their model presents this process along five dimensions, which have informed the analysis of the given paper: (1) Devising cybersecurity policy and strategy; (2) Encouraging and supporting the development of a responsible cyber culture within society; (3) Increasing cybersecurity knowledge through education, training and skills development; (4) Creating effective legal and regulatory frameworks; and (5) Controlling risks though standards, organisations and technologies. While many of the dimensions need to work in harmony, cyber capacity begins with a strong strategy. This is important for mainstreaming a cybersecurity agenda across
government or other leading institutions, which in turn determines responsibility and resource allocation.\footnote{Ibid, 14.}

These dimensions are also evident in the strategies of international organisations such as the EU and NATO – starting with the development of cybersecurity policy and strategy, striving to set standards, strengthen institutions, improve education and furthermore, support Member States and partners in doing the same. As cyber threats know no borders, cooperation is of particular importance in the field. International organisations can provide value as unifying and leading bodies with coordinating power among multiple actors. Countries like Georgia that fall under the “partnership” category for these organisations, must identify their own needs and then seek to leverage the existing international channels to work in their benefit.\footnote{Siim Alatalu, (Head of EU CyberNet), Interviewed by Adhele Tuulas, Tallinn, March 19th, 2020.} Furthermore, this must be done facing an ever-evolving international cyber landscape, which is also seeing the manifestation of a power struggle between competing world views. As such, Georgia stands in between the Western understanding of internet freedom, and the so-called “internet sovereignty” or closed internet approach endorsed by Russia, China and other like-minded states, which see free information as a threat to regime stability.\footnote{Keir Giles, "Russia's public stance on cyberspace issues." 4th International Conference on Cyber Conflict (CYCON 2012), 65, 71.} Hence, Georgia’s acceptance of the Western approach of a free and open cyberspace ought not to be taken for granted.

**Building the EU Cybersecurity Landscape**

EU’s commitment to becoming a global player in cybersecurity through strengthening its own capacity and leading the way with cooperative efforts, has expanded the application of its core values to cyberspace and thereby created an additional area of integration. The first EU Cybersecurity Strategy (2013) came into being after the introduction of Europe’s Digital Agenda.\footnote{Europe’s Digital Agenda sees the creation of a unified Digital Market for EU Member States, which covers digital marketing, e-commerce and telecommunications. László Kovács, "Cyber security policy and strategy in the European Union and NATO," Land Forces Academy Review 23, no. 1 (2018): 17.} Cybersecurity enhancement followed as a logical necessity to ensure the security of Europe’s new digital space. The strategy set out five priorities, one of which was the establishment of a coherent international cyberspace policy for the EU, underlined by the promotion of EU’s core values.\footnote{Ibid.} If the first strategy aimed to establish a foundation for Europe’s cyber capabilities, the expansion of this strategy in 2017 focused on levelling up the functionality of the established system.\footnote{Ibid, 19.} This kind of strategy development and priority allocation is also reflective of the same processes on a national level in European countries with notable capabilities, such as Estonia.\footnote{Alatalu, March 19, 2020.}

The persisting imbalance of its Member States’ cyber capabilities, structural complexities and its own level of progress hinders the EU’s status as a strong global cyber power. Nonetheless, EU’s implemented legal frameworks, such as the General Data Protection Regulation (GDPR) and the Network and Information Security (NIS) Directive, are still notable for what they seek to accomplish and the massive standard-setting effect they have. After its implementation, the NIS Directive became one of the most important binding instruments in
EU’s cyberspace, as it introduced unified standards for the protection of state network and information security, in pursuit of eventually reaching a similar standard of cyber capabilities among EU Member States. The GDPR is a harmonised data protection law, applicable to all EU States, which specifically aims to further protect the data of EU citizens. As such, both have created a framework for rule-based practice and governance, as well as consolidated principles such as the protection of freedom, privacy and democracy online. The EU has thereby started the integration of Member States into a unified cyber system of rules and regulations, all of which is underlined by their shared values.

**Building Georgia’s Cybersecurity Landscape**

Georgia’s commitment to strengthening its national cyber capacity after the events of 2008, has resulted in improving its global standing and created a proactive cyber ecosystem. By 2018, Georgia had become 9th regionally and 19th globally for its commitment to cybersecurity and awareness raising. Following the cyberattacks during the Russo-Georgian war, the state leadership realised the importance of building national cyber capacity and supported the efforts of laying the foundations of Georgia’s cyber architecture. As such in 2013, President Saakashvili signed the first Cybersecurity Strategy of Georgia and the Law on Information Security. The former set the agenda for the establishment of the state’s cyber landscape and the latter established an enabling legal framework to pursue this strategy. During this time, the state leadership also supported the establishment of the main institutional players in the state’s cyber ecosystem: the Data Exchange Agency of the Ministry of Justice (DEA), the Cyber Security Bureau of the Ministry of Defence (Cyber Security Bureau) and the Special Cyber Crime Unit of the Ministry of Internal Affairs (Cyber Crime Unit).

In line with the general foreign and security policy orientation of the country, the cyber ecosystem clearly operates under the paradigm that “there is no other alternative direction” than the West. The principles underlying Georgia’s cyber capacity development indeed coincide with the state’s overall Euro-Atlantic pursuit. Each of the national strategies adopted in the field so far embody European priorities: increasing resilience through public-private partnerships, ensuring the protection of fundamental rights and freedoms online, and developing effective mechanisms for inter-agency coordination. A notable contribution to Georgia’s cyber capacity building has been made by donor states and organisations such as the US, UK, Estonia and NATO. Furthermore, Georgia is also a valuable contributor to the global cybersecurity

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726 The DEA is the primary organisation for e-governance and cybersecurity in the public sector. The governmental CERT-GE also operates under this agency, with the responsibility to handle critical incidents within governmental networks.
727 The Cyber Security Bureau handles military-related cybersecurity matters.
dialogue and the fight against cybercrime. The country is committed to enhancing their cyber capacity in order to further increase the value they can bring to the table internationally. The scope of this analysis will however narrow its focus down on the EU’s role in capacity building and Georgia’s own efforts, in order to explore the potential of cooperation for European integration specifically.

**EU-Georgia Cyber Capacity Building Cooperation as a Tool for Integration**

After making the commitment to enhance its own cyber capabilities, the EU has expanded its influence in cyberspace outside its borders. The Eastern Partnership (EaP) countries, including Georgia, have not only been targeted by serious cyberattacks individually, but have also been used as transit countries, through which attacks have been directed against EU members. The internal security of the EU therefore depends on the capacity of its Member States as well as the external capacity of its partners. The recognition of such threats is reflected in initiatives such as EU4Digital, which alongside other goals, also seeks to support increasing cyber resilience among Eastern partners. A policy framework for such efforts has been outlined in the EU External Cyber Capacity Building Guidelines (2018), all of which are again based on EU’s core values. Therefore, the EU’s cyber initiatives share the commonality of indirect integration, as partners and beneficiary countries, such as Georgia, look to the Union for an exemplary framework to strive towards.

In the recent years, cybersecurity capacity building has been added on to existing forms of cooperation and could therefore be seen as a gradually developing additional layer of integration. Initially, the only cybersecurity-related clause in Georgia’s Association Agenda (AA), was connected to data protection. The general aim under the Common Foreign and Security Policy (CFSP), was to develop dialogue and cooperation for “gradual policy convergence.” The clause on data protection outlines the responsibility to ensure a high-level of protection for personal data in line with European standards. Data protection is closely related to cyber capacity, because only with effective cybersecurity measures – both technical and behavioural – could actors ensure the protection and integrity of the data for which they are responsible. While this is already an important goal, Georgia’s cyber ecosystem is dedicated to

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732 Ibid.
735 The overarching goal of EU4Digital is the extension of the benefits of the EU Digital Single Market to the EaP countries. See: EU4Digital Initiative Website. Available at: https://eufordigital.eu/. (Accessed: March 27, 2020).
739 Ibid, 7.
740 Ibid, 10.
actively “go beyond the AA” and add initiatives of their own accord.\textsuperscript{741} For example, the DEA has taken important steps towards adding NIS Directive harmonisation to the list of mutual goals.\textsuperscript{742} This task has now been set up as a Twinning project and expected to start taking place within the current year.\textsuperscript{743} The deliberate attachment of such initiatives indicates that the cyber ecosystem sees the current frameworks of cooperation as beneficial avenues for capacity building and also further European integration. Perhaps more importantly, besides the mere recognition of opportunity, the actors within the cyber ecosystem, such as the DEA, are taking concrete steps to seize them.

It must however be noted, that many specific cooperation initiatives up until this point have been accompanied by an element of fragmentation in their approach as opposed to being guided by a higher-level strategic vision. For example, cooperation with the EU and the European Council, under initiatives such as Cybercrime@EaP in the larger framework of EU4Digital, have added immense value to Georgia’s capacity to tackle cybercrime.\textsuperscript{744} Although undoubtedly valuable for the stakeholders involved, when faced with large scale national challenges, the extent to which these individual initiatives uphold the whole system is limited. Strengthening Georgia’s legal capabilities in countering cybercrime indeed increases the competence of this crucial part of the entire architecture. Nonetheless, another interrelated issue in Georgia is the lack of general awareness on cyber matters, which have been outlined by a number of stakeholders within Georgia’s cyber ecosystem.\textsuperscript{745} Namely, there is an evident lack of even managerial awareness in public and private institutions with regard to existing legal norms, and proper cyber behaviour.\textsuperscript{746} This has led to a situation where organisations across sectors continue to use unlicensed or Russian-owned software, which have been deemed vulnerable to cyber threats.\textsuperscript{747} If education on proper cyber behaviour remains limited, the problem is not actually dealt with in a holistic manner as it leaves out the most vulnerable element – the targets of these malicious activities. Therefore, effective capacity building requires strategic leadership to set priorities by taking into account all crucial elements of the system.

**Strategic Prioritisation for Maximising the Existing Instruments**

For cooperation to benefit the entire system, priorities should focus on instruments that encompass a network of the country’s cyber capacity dimensions, such as the overarching legal environment. In the case of the EU, these would be the NIS Directive and GDPR, which are exceptionally comprehensive in their scope of impact. Harmonisation with these would not only

\textsuperscript{741} Iashvili, February 20, 2020; Goderdzishvili, February 19, 2020.

\textsuperscript{742} Ibid. The result of these efforts is also specifically illustrated in that the EU-Georgia Association Agenda for 2017-2020 saw the inclusion of the enhancement of cyber resilience as a separate priority, see: Association Agenda Between the European Union and Georgia, 2017-2020, 47-48, available at: http://www.parliament.ge/uploads/other/78/78447.pdf (Accessed: March 27, 2020).

\textsuperscript{743} Goderdzishvili, February 19, 2020.

\textsuperscript{744} Cybercrime@EaP is an example of a series of joint initiatives by the EU and the Council of Europe, which aim to support the fight against cybercrime in the EaP countries by improving their institutional capacities. See: European Union. Council of Europe. Project Cybercrime@EaP II. Summary and workplan. 2015. Available at: https://rm.coe.int/3271-ceapii-summary-workplan/1680758af3 (Accessed: March 27, 2020).


\textsuperscript{746} Goderdzishvili, February 19, 2020.

strengthen a greater part of Georgia’s cyber ecosystem but would also ensure the comprehensive consolidation of the Euro-Atlantic approach within cyberspace. The current EU-Georgia NIS Directive Twinning project is therefore of crucial value to improve the state’s cyber capacity and ensure integration on an international level. Furthermore, there is also evidence of the gradual introduction of GDPR elements into Georgia’s data protection regulations and related practices in the private sector.\textsuperscript{748} Besides being an illustration of how the cyber ecosystem has set its direction towards European standards, all of this highlights that important initiatives are already taking place. Therefore, it is crucial to recognise, consolidate and further support these efforts to prevent any potential setbacks that may happen if taken for granted.

Ultimately, it is crucial to note that within the dynamics of the EU-Georgia cyber cooperation, the EU can only ensure the availability of instruments, frameworks, and support, while the impetus for development has to come from within Georgia itself. As the EU delegation alongside other representatives have said, the EU is present to the extent that the Georgian government allows it to be.\textsuperscript{749} The EU’s mandate is naturally limited in the extent to which they can dictate Georgia’s strategic path-setting. It is therefore the country’s responsibility to identify what their specific needs in capacity building are and which of their international partners can best support them.\textsuperscript{750} Effective integration through cyber capacity building cooperation therefore largely depends on the country’s internal cyber landscape and its challenges, which can have an international effect.

Roadblocks to Individual and Combined Efforts on the Path of Development

Despite Georgia’s impressive rise in international rankings,\textsuperscript{751} the functionality of its cyber architecture is currently limited due to a lack of governmental leadership in cyber. When asked for an assessment on the state of national capacity today, the ecosystem notes that the institutional and legal cyber landscape that has taken shape in the past ten years is undoubtedly a praiseworthy accomplishment.\textsuperscript{752} Nonetheless, almost all the representatives interviewed for this project voiced a unified concern – the current lack of a coordinating body within state leadership hinders full functionality of the established system.\textsuperscript{753} In essence, this means that while the important building blocks are in place and work on paper, the system’s full functionality and effectiveness is limited. Furthermore, although the Law on Information Security was a crucial step to establish a favourable legal environment, the enthusiasm for unified action at the time, decreased the urgency to establish an effective law enforcement mechanism.\textsuperscript{754} This has now resulted in today’s situation whereby despite the existence of regulations, which a number of actors comply with voluntarily, there is no dynamic of law enforcement that would ensure the compliance of all actors on the national, organisational and individual level.

\textsuperscript{748} Iashvili, February 20, 2020.
\textsuperscript{749} Asuncion Sanchez Ruiz, (Deputy Head of Mission, Head of Political, Press and Information Section, The Delegation of the European Commission to Georgia), interviewed by University of Toronto Students, group interview, Tblisi, February 18, 2020
\textsuperscript{750} Alatalu, March 19, 2020.
\textsuperscript{751} See: ITU’s Global Cybersecurity Index (GCI) 2018.
\textsuperscript{753} Initially, cybersecurity coordination was under a National State Security Council until its reorganisation in 2018. It was replaced by a new National Security Council, however interviewed stakeholders reported that the given organisation is currently inactive when it comes to nation-wide cybersecurity coordination. Gotsiridze, February 19, 2020; Iashvili, February 20, 2020.
\textsuperscript{754} Gvenetadze, February 19, 2020; Iashvili, February 20, 2020.
The reality of lacking leadership is unfortunately connected to a row of subsequent problems that arise in the absence of coordination, including the lack of a comprehensive strategic vision for the future. This is most clearly illustrated in the fact that after the National Cybersecurity Strategy for 2017-2018, the country was operating with no further strategy in place. The first two strategic documents were initiated and coordinated through top-down leadership, which set a direction for the development of national cyber capacity and the establishment of the cyber landscape. After the reorganisation of the National State Security Council, which had thus far been the coordinating body for cyber alongside other matters, the ecosystem was left to its own devices. As of today, there is a new National Security Council. This seems to nonetheless have a mere theoretical existence, as no concrete meetings nor actions take place. Recently, representatives of the ecosystem have come together to pursue a bottom-up approach for drafting a new strategy, with the support of their UK partners. The final draft of the strategy has been completed and needs to now be accepted and implemented by the government. It however remains under question, who will end up taking on the responsibility of coordination and leadership. The bottom-up nature of the initiative therefore highlights that the cyber ecosystem of the state has a proactive and strong presence, yet their hands seem to be tied when it comes to the blockages coming from the top.

Lack of an implemented strategic vision also creates a domino effect of challenges for other dimensions, which are a part of the state’s cyber capacity, such as resource allocation. As the founder of the Georgian Strategic Analysis Centre, Nodar Kharshiladze postulates, without making cyber an acknowledged priority within government, it is unlikely that the sector sees any significant and strategically calculated funding. Such resources, however, are the main fuel for any effective initiatives as well as the formation of a sizeable skilled workforce. As the current draft of the new strategy notes, a small budget has indeed been a notable obstacle in the actual implementation of past strategies. When the country faces more tangible security challenges, state spending is naturally channelled into more visible initiatives such as the improvement of military bases. If anything, cyber thereby remains a mere attachment to other focus areas. Eventually, all of this results in the reality, where the actors within the cyber ecosystem are all pushing for improvements within their own field but in likely disharmony with each other. This could be inferred as being one of the roots for the fragmented approach that could also be observed on the international level and which inevitably limits the reach of even successful initiatives in the field. As this all begins with proper leadership, the lack of it can therefore be seen as the biggest challenge for Georgia’s cyber capacity at this point in time.

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760 Ibid.


Power Vacuum and the Risk of Setbacks

In a way, the current situation could be characterised as a having created a power vacuum in national cyber leadership, waiting to be filled with the first entity to successfully race to the spot. On October 2nd, 2019 the parliament of Georgia was presented with draft amendments to the Law on Information Security, which propose stricter regulations by coordinating the whole cybersecurity system under the Operative Technical Agency (OTA) of the State Security Service. This could be seen as a significant reform in the area of state cybersecurity, as the given law governs the whole cyber ecosystem – including both public and private sector institutions. The current mandate of the OTA’s activities is related to state intelligence and surveillance and is limited to the ability to conduct covert investigative activities in cyberspace in protection of national security. The new law, however, fundamentally transforms the entire cybersecurity architecture by transferring the current supervisory mandate of the DEA to the OTA, making the latter the main coordinating and supervisory body of the whole system. Furthermore, these amendments raise major privacy concerns, as all state institutions are required to establish network sensors and ensure full access of the OTA to them. This essentially results in a closed system, whereby power is concentrated in the hands of one actor that has an extended mandate for potential infringement on personal privacy rights. Such risks clash, not only with EU’s own regulations in data protection, but also with the commitments under the Association Agreement.

Above all, not only do the amendments raise questions with regard to their content, the process of introducing such significant change has been far from displaying transparency or cooperation. These attempts for reform are taking place while the new cybersecurity strategy has not yet been implemented or even accepted. There is no indication of any consideration of the goals set out in the draft strategy nor ongoing projects with international partners. This includes the upcoming Twinning project on the transposition of the NIS Directive.

764 Ibid.
767 Institute for Development of Freedom of Information (IDFI). “Risks and Challenges of the Draft Amendments to the Law of Georgia on Information Security,” 3-4; Network sensors refer to the installation of software that enables the storage of “information on the state and connections between networks and sending information to the central collection server.” The amendments in the current form would imply unlimited access to vast amounts of information, and due to the possible configurations of modern technology, this would also allow real-time monitoring of the flow of information. While the IDFI’s response also notes that there is a presumption that the given power will not be abused, the mere possibility creates risks of grave infringements on people’s privacy rights.
770 Ibid.
agency cooperation, the given amendments were allegedly not discussed with any representatives from the public or private sector, nor international partners. Therefore, not only does the content of the draft amendments pose a threat to privacy and protection of online freedom, the dynamics of the process raise serious concerns. Should such reforms go through, it would reflect a leap towards the state-controlled approach in cyberspace and would therefore severely work against the Western orientated progress that has been pursued by the experts of the actual cyber ecosystem for the past decade. Such a symbolic change in direction would also impact Georgia’s current image on an international level as an open and democratic cybersecurity player and credible partner.

**Unveiling the Strategic Potential of Cyber Cooperation**

Meanwhile, on a global level, Georgia has unique potential as an international cybersecurity player due to its experiences within cyberspace and its cyber ecosystem’s strong commitment to its Euro-Atlantic partners. The value of Georgia’s experience also lies in what makes them unique in other aspects of international relations – their geopolitical positioning between Russia and the West. Historically this has defined the region’s significance due to competing interests of great powers in relation to trade routes, energy security and potential military corridors. A similar notion of competing interests expands to cyberspace as Georgia remains on the receiving end of Russia’s ongoing cyber operations, effectively making the country a training ground for Russia’s global cyber activities. A clear manifestation of this can be seen in the upcoming 2020 parliamentary elections, where Russia is already playing a role through its disinformation campaigns. Although currently, there seems to be no wide-scale international project with regard to countering this election influence, knowledgeable actors in the country are paying attention, documenting and fighting against these operations. Such experience can be of great value for other countries facing the risk of election meddling.

At the same time, cyber differs from physical space and physical confrontation. The impact of the cyber operations taking place in Georgia cannot be dodged by non-intervention within specific borders. Rather, these operations already have a direct impact on its partners. In addition to the fact that countries like Georgia can be used as transit routes for cyberattacks on other countries, there is also the mutual responsibility between Georgia and its partners to protect shared information and data. Experts such as Andro Gotsiridze, the former Chief of the Cyber

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772 Ibid.
775 Eto Buziashvili and Givi Gigitashvili, (Researchers at Atlantic Council’s DFR Lab), interviewed by Teah Pelechay and Adhele Tuulas, Tbilisi, February 18, 2020; Gotsiridze, February 19, 2020.
776 Mari Tomingas, (Counsellor at the Cyber Diplomacy Department of the Estonian Ministry of Foreign Affairs), Interviewed by Adhele Tuulas, Toronto, March 6th, 2020; In contrast, the EU supported a successful cyber resilience strengthening project in Ukraine during their 2019 elections, aimed at building capacity to prevent cyberattacks as well as handle the effects of disinformation campaigns. This was in line with the activities of the Support Group for Ukraine – the task force established by the European Commission to support political and economic reforms in Ukraine and the implementation of the Association Agreement. See also: European Union. “EU Supports Resilience of Ukraine’s Electoral System Against Cyber Threats and Disinformation Campaigns.” November 6, 2019. Available at: https://www.euneighbours.eu/en/east/stay-informed/news/eu-supports-resilience-ukraines-electoral-system-against-cyber-threats-and (Accessed: March 27, 2020).
Security Bureau have noted that the importance of Georgia’s role on a global scale, lies in its integrity and reliability as a strong international player by ensuring that it can protect its own systems and thereby its global partners. 778 In terms of state security, small countries like Georgia cannot match the military capabilities of great powers. 779 Nonetheless, in theory, cyberspace opens realistic opportunities for small states to become a great power in their own way and thereby increase the state’s contribution on a global level.

Due to shared goals and responsibilities, Georgia’s cyber capacity development should be actively pursued as an important area of integration with strategic significance for both Georgia and the EU. To articulate such an approach would attach political importance to the issue, favour the formation of dedicated channels of interaction and thereby support a more structured dialogue. The existing integration tools and frameworks are a favourable starting point. So is the cyber ecosystem’s strong Euro-Atlantic orientation and demonstrated commitment to a proactive path of development. Effective prioritisation from both Georgia and the EU, would capitalise on the existing value that has already been established. Furthermore, a dedicated channel of interaction would favour dialogue, which could prevent misunderstandings as well as potential pitfalls such as the ongoing developments with regard to the draft amendments to the law on information security. Although the EU cannot ultimately dictate the course of Georgia’s government, it could still use its remaining leverage, even if it stays on a symbolic level. As the government’s official narrative is still that of Euro-Atlantic integration, any statements from the West have the power to send out a strong message. 780 This may be of support for the goals of the cyber ecosystem and eventually help foster the development of a well-oriented national cyber leadership, which would determine the effectiveness of integration in cyberspace.

Conclusion: Critical Decisions at the Brink of Change

Georgia’s cyber capacity development seems to have reached a crossroads, where decisions around the future leadership of the state’s cyber landscape can have far-reaching effects on the country’s progress thus far and its future positioning among its international partners. Within the ten years of dedicated work to establish a strong cyber ecosystem, Georgia has managed to gain international recognition for the state’s commitment to enhancing its cyber capacity. 781 These efforts have all embodied principles of democracy, freedom and rule of law – thereby deliberately pursuing the Western approach in international cyber governance. Developments have been significantly supported by Georgia’s Euro-Atlantic partners. The EU has mainly played a role by providing a framework of rules and regulations, that has set a path for further integration into an expanding system of international cyber governance.

Through a natural evolution of cooperation, cyberspace has clearly become an additional layer of European integration. The clearest demonstration of this is the attachment of cyber initiatives to existing instruments of integration, such as the AA and the EaP framework. Within these lines, Georgia’s cyber ecosystem has initiated projects to further harmonise the country’s legal landscape with European standards, thereby allowing the European framework to inform its direction for further cyber developments. Nonetheless, in parallel to these improvements, the country seems to now be facing a power vacuum for leadership in cyber. Alongside other related

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778 Ibid.
781 See: ITU’s Global Cybersecurity Index (GCI) 2018.
challenges, this has now given rise to the risk of reversing the direction of the thus far open and free cyber landscape, by the current redrafting process of Georgia’s Law on Information Security.

This paper has therefore argued that EU-Georgia cooperation in cybersecurity capacity building can only be approached as a beneficial strategic tool for integration, if Georgia’s cyber ecosystem is supported by effective leadership. Nonetheless, the actions of this leadership must be in line with the principles underlining general integration efforts, meaning the embodiment of democracy, cooperation and rule of law. Due to the significant potential impact of operations within cyberspace, integration in the field is crucial to ensure security and consolidate the direction of the country’s current path of democratic development. Effective international cyber cooperation also holds strategic value for the EU, as the unique experiences, which arise from Georgia’s geopolitical position, provide valuable lessons for both the Union as a whole and its Member States.

Furthermore, by focusing on a holistic approach to cyber capacity building and highlighting its potential strategic significance for European integration, this project has also revealed factors, which could impact the integration of other countries. Cyber capacity building is likely to be context dependent but certain dynamics from a strategy and policy standpoint could be universal. Due to the rapid nature of developments within cyberspace, and the relative novelty of its impact, research in the field is limited. Thus, future studies could focus on investigating European cyber integration from the standpoint of how it is influenced by different paths of cyber development, the country’s internal legal framework and the political developments that have an impact on cyber capacity building. As the influence of cyberspace is globally increasing on an individual, organisational and national level, research in the field needs to be expanded in order to make informed decisions when attempting to ensure security and freedom in this space of interaction.
Bibliography


Reform of the Judiciary in Georgia: A Failure of European Union Rule of Law Promotion?

Foti Vito

Introduction

The top-down institutional promotion of the rule of law implemented by the European Union (EU) has produced distinct, widespread, and longstanding support for European integration in Georgia. Supported by 82% of the population, full integration into European structures is a goal enshrined in the Constitution of Georgia and prioritized by successive governments as the country’s main foreign policy objective. Since the conception of the European Neighbourhood Policy (ENP) in 2004 and its eastern regional dimension in 2009, the Eastern Partnership (EaP), the rule of law has been high on the agenda in all existing frameworks guiding EU and Georgia cooperation. However, the results of ongoing efforts to promote the rule of law have yet to deliver sustainable and transformative change. Despite initial hopes that greater levels of EU-Georgia cooperation would gradually establish democratic institutions founded on the rule of law, serious backsliding in terms of democracy and the rule of law has been increasingly observed in the country by EU institutions, civil society, and public opinion over the past few years. These developments have led to the question of why the EU’s efforts to promote the rule of law have thus far failed to deliver the desired levels of political transformation in Georgia.

The prominence of rule of law promotion within EU and Georgia cooperation is best observed in the EU-Georgia Association Agreement. Signed in June 2014, the Association Agreement entered force in July 2016 and is premised on a mutual commitment to guaranteeing democracy, the rule of law, and respect for human rights. The Association Agenda emphasizes that reform of the justice sector is the main priority for strengthening the rule of law, and matters of reform include ensuring the impartiality of the judiciary and its freedom from political interference and corruption. To this end, the EU has financed various cooperation programs focused on judicial reform such as the 2015-2019 EU4Justice Programme and the 2017-2021 EU-Council of Europe (CoE) Partnership for Good Governance (PGG). With the support of such programs, Georgia is expected to strengthen the independence of its judiciary, review its methods for the selection and promotion of judges, and reform judicial legislation in line with European standards. The government of Georgia, both the previous and incumbent one, has been carrying out reforms in this direction for over a decade, yet the judiciary is still not up to

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785 53% of Georgians believe the country is heading in the wrong direction. Thorton and Turmanidze, *Public Attitudes in Georgia*, 6.
European standards and best practices. In fact, public trust towards the judiciary is at a historic minimum, indicating that the EU’s rule of law promotion has been unsuccessful in producing credible outcomes in Georgia.

So why, after more than a decade of close and extensive cooperation with Georgia, has the EU’s promotion of the rule of law failed to produce more credible outcomes? In order to address this fundamental question, this study combines secondary source research with information gathered from interviews conducted in Tbilisi with EU and CoE representatives, Georgian government officials, and civil society leaders. As the EU’s rule of law promotion prioritizes judicial reform, the analytical bulk of this paper provides an examination of Georgia’s historical and ongoing judicial reform efforts and traces the evolution of clan-based governance within the judiciary. The overall argument is made that while the EU has increasingly promoted the rule of law in Georgia, the EU’s efforts have been hindered by its state-centric approach and failure to address informal influence in Georgia. This has allowed the judiciary to become a tool for concentrating power, and as such, rule of law promotion in Georgia remains at the surface-level unless the EU begins to sufficiently tackle the obstructing role of informal influence.

Grasping the Essence of EU Rule of Law Promotion

Alongside the principles of democracy, equality, and human rights, the rule of law has become a foundational value upon which the EU is organized. It has come to guide not only the EU Member States but also dialogue and cooperation between the EU and its neighbours. Following various enlargements since the 1990s, when the EU began using the attractiveness of deepened political ties and potential membership as an incentive to achieve desirable outcomes in neighboring post-communist countries, the rule of law has become a dynamic “umbrella concept” manifested in a broad range of membership criteria. Although Georgia is not a candidate country for EU membership, promoting the rule of law in Georgia is of strategic importance for the EU. According to Peter Danis, Justice Programme Manager at the EU Delegation to Georgia, promoting the rule of law in Georgia safeguards investments made by European enterprises and helps unlock the regional possibilities of having a democratic player in the Eastern Partnership area.

Functionally, the rule of law serves to impose limitations on government officials by ensuring their compliance with existing law while also restraining their law-making power. Government officials must acquire positive legal authorization for their acts, and they must not violate legal prohibitions or restrictions. In this regard, an impartial and independent judiciary is an essential element for safeguarding the rule of law, as the judiciary is tasked with providing positive legal authorization and imposing restraints. Public trust towards the judiciary is also a critical precondition for ensuring the rule of law is a widely shared conviction among all.

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792 Peter Danis (Justice Programme Manager, European Union Delegation to Georgia), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at EU Delegation Offices, February 19, 2020, Tbilisi.
members of society.\textsuperscript{794} As suggested in the introduction of this study, despite ongoing EU rule of law promotion, this has not been the case in Georgia over the past few years. In Georgia, politics exercises excessive control over the independence of all state institutions, most notably the judiciary, which is controlled by the so-called “clan” within the court system.\textsuperscript{795} How did Georgia get here, and why did the judiciary become an enabler of corruption and abuse of power? Indeed, these developments did not transpire overnight.

**Historical Legacy of Judicial Reform in Georgia**

Technically speaking, the first judicial reform efforts in Georgia can be traced back to the adoption of the Organic Law on Common Courts in 1997. From 1997 to 1999, Georgia witnessed a new selection system for judges and the dismissal of judges appointed during the Soviet era.\textsuperscript{796} However, these efforts were part of a largely failed initiative due to a lack of political will, despite support from international partners.\textsuperscript{797} The courts had been routinely criticized under Eduard Shevardnadze’s time in power (1992-2003) and judicial reform was not a priority in Georgia until the Rose Revolution in 2003 ushered in a newly elected government.\textsuperscript{798} The United National Movement (UNM), led by young western-educated reformer Mikheil Saakashvili, came into power in 2004 and began pursuing the rule of law with an “extraordinary mandate for change.”\textsuperscript{799} Georgia shifted its foreign policy westward and the UNM put everything at stake to transform Georgia into a strong and modern state, applying shock therapy to its constitutional, administrative, and economic systems in a major anti-corruption drive.\textsuperscript{800}

Reform of the judiciary presented itself as one of the most serious challenges for the newly elected government. Gvantsa Tsulukidze, Rule of Law Program Director at the Georgian Democracy Initiative (GDI), describes how Saakashvili and the UNM attempted to reform the judiciary by dismissing all of the judges who were suspected of corruption.\textsuperscript{801} Operationally, this resulted in the renewal of the court system as legislation regarding the appointment of judges was amended, lowering the minimum eligibility age for judges from 30 to 28 years old.\textsuperscript{802} This was done in order to hire a new generation of young professionals who had no association with corruption or the previous government. Sophio Tsakadze, Senior Project Officer for Support to Judicial Reform at the Council of Europe in Georgia, similarly describes how there was a presumption held by the UNM that nearly all of the civil servants in the justice sector, the court system, and law enforcement agencies were corrupt, and this resulted in an open competition for the selection of new judges.\textsuperscript{803} Tsakadze notes that while a new generation of young

\textsuperscript{794} Ibid., 123.
\textsuperscript{795} Georgian Democracy Initiative, *The Main Challenges in the Country*, 1.
\textsuperscript{797} Ibid., 4.
\textsuperscript{800} Blockmans et al., “Integrity on Trial,” 1.
\textsuperscript{801} Gvantsa Tsulukidze (Rule of Law Program Director, Georgian Democracy Initiative), interviewed by Foti Vito and Gautier Boyrie at GDI Offices, February 21, 2020, Tbilisi.
\textsuperscript{802} Ibid.
\textsuperscript{803} Sophio Tsakadze (Senior Project Officer for Support to Judicial Reform, Council of Europe in Georgia), interviewed by Foti Vito at Council of Europe Offices in Georgia, February 20, 2020, Tbilisi.
professionals was appointed to judgeship, many of these individuals lacked judicial experience and they continue to remain in power today after so many years.\footnote{804} Following a series of dismissals and new appointments, the UNM argued that they had successfully rooted out corruption in the judiciary early on.\footnote{805} However, this proved otherwise as the judiciary remained largely unrefomed and perceived as lacking independence.

In particular, reform efforts and anti-corruption measures undertaken in the judiciary were undermined by concerns surrounding the introduction of a new plea-bargaining system and undue prosecutorial influence. In 2004, a plea-bargaining mechanism inspired by the United States model was introduced to Georgia’s criminal law system as an alternative dispute settlement for criminal cases.\footnote{806} The UNM believed that this out-of-court resolution was a helpful tool that allowed law enforcement agencies to focus their time on greater areas of concern, but the mechanism soon became the object of criticism along with “trigger-happy” prosecutorial influence.\footnote{807} Under the UNM, Georgia witnessed an unprecedented conviction rate of 99.6 percent and the controversial plea-bargaining system allowed defendants to pay fines instead of serving prison sentences.\footnote{808} Thousands of cases were resolved in this manner, and Dustin Gilbreath, Deputy Research Director at the Caucasus Research and Resource Centre (CRRC), notes how the Ministry of Justice was a money-making institution as a result of this problematic plea-bargaining system.\footnote{809} As the office of the Prosecutor General was abolished and merged under the Ministry of Justice in 2008, this led to the judiciary falling under direct influence from the Prosecutor’s Office.\footnote{810} The powers available to judges became extremely limited under the plea-bargaining system, and the courts effectively became a “rubber stamp” for the actions of the Prosecutor’s Office.\footnote{811} Koba Turmanidze, Director of the Caucasus Research and Resource Centre, describes how the UNM was deliberately ensuring the Prosecutor’s Office was “stronger, better funded, and better trained” than the court system in order to harshly root out crime.\footnote{812} In an interview Turmanidze conducted with a senior official of the Ministry of Justice at the time, he recalls how prosecutors attempted to hide their intimidation of the court system with stories such as “we don’t tell the courts what to do, we simply beat them in fair competition.”\footnote{813}

In reality, fair competition was practically nonexistent and judicial reform became a political tool for the UNM. Tamta Tsveraidze, Democratic Institutions Support Program Assistant at the Georgian Young Lawyer’s Association (GYLA), describes how in many cases, the ruling party was deeply involved in matters of the judiciary and often decided how laws were meant to be determined by ostensibly independent judges.\footnote{814} Tsveraidze underscores how the UNM had the final word on every decision made by the courts, even in trivial cases such as

\begin{footnotes}
\footnote{804}{Ibid.}
\footnote{805}{Slade et al., \textit{Crime and Excessive Punishment}, 11.}
\footnote{806}{Blockmans et al., “Integrity on Trial,” 4.}
\footnote{807}{Ibid., 4.}
\footnote{808}{Austin, “Confronting the Soviet and Post-Soviet Past in Georgia,” 247.}
\footnote{809}{Dustin Gilbreath (Deputy Research Director, Caucasus Research and Resource Centre), interviewed by University of Toronto ICM Students at CRRC Offices in Georgia, February 18, 2020, Tbilisi.}
\footnote{810}{Blockmans et al., “Integrity on Trial,” 6.}
\footnote{811}{Slade et al., \textit{Crime and Excessive Punishment}, 14.}
\footnote{812}{Koba Turmanidze (Director, Caucasus Research and Resource Centre), interviewed by Foti Vito at CRRC Offices in Georgia, February 18, 2020, Tbilisi.}
\footnote{813}{Ibid.}
\footnote{814}{Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.}
\end{footnotes}
neighbourhood disputes.  

In cases where a judge interpreted a law in a certain manner that did not suit the interests of the UNM, this would have been the basis for a disciplinary hearing or dismissal. Further complicating matters, the UNM was able to relay their demands and ensure the obedience of judges through a small group of interconnected individuals known as the clan. Presumed to have been formed in 2007, members of the clan occupied high administrative, prosecutorial and judicial positions that allowed them to keep full control over the judiciary. Indicative of their control, their stronghold over the judiciary remained even when Georgia witnessed its first peaceful democratic transition of power in 2012.

Georgian Dream Comes to Power: Launch of the Judicial Reform Waves

By 2012, Saakashvili had rewritten the Constitution of Georgia from a super-presidency to a parliamentary republic. Georgia headed into parliamentary elections in October 2012 and the main challenge to the UNM came from a coalition of eight opposition parties named the Georgian Dream (GD). The GD coalition was brought together by Georgia’s richest citizen and largest investor, Bidzina Ivanishvili, and successfully came into power with a promise to deliver justice for all. As Ivane Chitashvili, a Lawyer at Transparency International Georgia (TI), describes, the new government pledged to rebuild the judiciary and bring it closer to European standards. In order to achieve this goal, the GD embarked on a series of legislative amendments known as the judicial reform waves.

The first wave of judicial reform entered into force in 2013 and was largely derived from the recommendations of civil society organizations and international stakeholders. The main subject of these amendments was the High Council of Justice (HCoJ), a constitutional body responsible for the independence of the judiciary and tasked with the appointment and dismissal of judges. Tsveraidze notes that before 2012, the HCoJ was a politicized institution that included members of Parliament and the executive branch of government. With the first wave of judicial reform, the HCoJ was depoliticized and its composition changed to nine judge members and six non-judge members. Judges were given the right to directly nominate and vote for judge members of the HCoJ through the Conference of Judges, the President had the right to appoint one non-judge member, and the Parliament was responsible for appointing the remaining five non-judge members. Prior to these amendments, the Chairperson of the Supreme Court had the exclusive right to nominate judges in the High Council of Justice to the Conference of Judges. Accordingly, these amendments improved the self-governance of judges and enhanced

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815 Ibid.
816 Ibid.
817 Ibid.
819 Ibid., 1.
820 Ivane Chitashvili (Lawyer, Transparency International Georgia), interviewed by Foti Vito and Gautier Boyrie at TI Georgia Offices, February 19, 2020, Tbilisi.
821 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
823 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
the independence of the HCoJ from political influence. Prosecutors were subsequently separated from the Ministry of Justice, the plea-bargaining system was abolished, and trials were open to the public and media.825 The European Commission, Council of Europe Parliamentary Assembly, and the Venice Commission all supported these amendments.826 Tamar Chugoshvili, current Member of Parliament and former First Deputy Chairperson, describes how all of the judicial reform waves and efforts to strengthen the rule of law were conducted with the support of the EU. She notes that “without the European Union, nothing would be in place at all.”827

Evolution of the Clan and Weakening of Political Will to Improve the Judiciary

The first wave of judicial reform was assessed as a major step forward and demonstrated the political will of the Georgian Dream to reform the judiciary based on the rule of law. However, tensions increasingly rose between the newly elected government and the pre-existing clan that had full control over the judiciary. Tsveraidze describes how despite the coming of the new government, the clan maintained its power over the judiciary and was able to sabotage court cases against the interests of the GD.828 Accordingly, the clan adapted to its new political and legal reality and met the GD’s first judicial reform wave with open confrontation. The clan, which under the previous government implemented the will of the executive, had now become an “autonomous entity” securing its own interests.829 Contrary to initial efforts to restore justice, Ivanishvili and his ruling party realized they could use the clan as a tool to consolidate their power, and as such, they moved into collaboration with this informal group of powerful judges.830 From 2015, the GD and the clan began negotiating a mutually beneficial arrangement behind closed doors.831 As a result of this collaboration, the GD gained the ability to fulfill their interests in the judiciary through the clan.832 In turn, the clan gained control over all of the judicial positions in the High Council of Justice as well as the majority of non-judicial positions.833 Indicative of this strengthened control, Chitashvili describes how one must enter into favour with the clan to become a judge in Georgia.834 Judicial self-government is now ineffectual, there is no group of judges able to compete with the clan, and the disciplinary system of judges is practically inept.835 The Conference of Judges, a self-governing body of Georgia’s 300 judges, often has unanimous decisions,836 illustrating how judges are fearful to go against the will of the clan. As Chitashvili aptly describes, “the clan makes it difficult to have a true

825 Blockmans et al., “Integrity on Trial,” 7.
826 Ibid., 7.
827 Tamar Chugoshvili (Member, Parliament of Georgia), interviewed by Foti Vito and Gautier Boyrie at Parliament of Georgia, February 20, 2020, Tbilisi.
828 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
829 Tsikarishvili, Evolution of Clan Based Governance in Georgian Judiciary, 1.
830 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
831 Tsikarishvili, Evolution of Clan Based Governance in Georgian Judiciary, 1.
832 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
833 Tsikarishvili, Evolution of Clan Based Governance in Georgian Judiciary, 1.
834 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
835 Tsikarishvili, Evolution of Clan Based Governance in Georgian Judiciary, 1.
836 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
European judicial system." Following collaboration between the GD and the clan, the outcomes of the remaining judicial reform waves have been generally perceived as regressive.

The Second and Third Judicial Reform Waves

The second wave of judicial reform was launched in 2014 and introduced the lifetime appointment of judges as well as a probationary period for new judges. Judges were previously appointed for a term of ten years, and as such, the implementation of lifetime appointments until the age of 65 was meant to facilitate the greater independence of judges. However, Tsakadze notes that while this amendment presumed that judges no longer maintained old loyalties in order to seek out re-appointment, the lifetime appointment of judges raised questions regarding the conduct of disciplinary procedures. Further complicating matters, this amendment was also undermined by the implementation of a mandatory three-year probationary period for new judges. Civil society organizations criticized the implementation of a probationary period as the legislature had yet to determine the procedure and criteria of monitoring activities. In addition, the Venice Commission recommended the removal of the probationary period on the grounds that judges might feel undue pressure to decide cases in certain ways while under probation. Despite criticism, the probationary period remained in place and between 2013 to 2016 about two-thirds of all judges (whose 10-year term was expiring) were re-appointed under probation, which increased their vulnerability to influences from the clan and the government.

The third wave of judicial reform followed in 2017 and primarily introduced an electronic case distribution system. Previously, the Chairpersons of common courts could decide which judges received which cases to their choosing, allowing them to easily manipulate the outcome of cases to suit their interests. The new electronic system takes into account various criteria, such as the number of cases a judge is currently presiding over, and assigns cases accordingly. While the legislative adoption of the electronic distribution system was positively welcomed, its implementation was significantly delayed and Tsulukidze describes the system as a “total failure.” As Tsulukidze describes, the distribution of cases can still be easily manipulated as the system lacks proper protections. Tsveraidze underscores a similar sentiment, explaining how the system is subject to manipulation due to the relatively small number of judges in Georgia and through the creation of “specialization groups” composed of 5

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837 Ivane Chitashvili (Lawyer, Transparency International Georgia), interviewed by Foti Vito and Gautier Boyrie at TI Georgia Offices, February 19, 2020, Tbilisi.
838 Blockmans et al., “Integrity on Trial,” 7.
839 Sophio Tsakadze (Senior Project Officer for Support to Judicial Reform, Council of Europe in Georgia), interviewed by Foti Vito at Council of Europe Offices in Georgia, February 20, 2020, Tbilisi.
842 Shermadini and Kakhidze, Corruption Risks in the Georgian Judiciary, 22.
843 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
844 Ibid.
845 Gvantsa Tsulukidze (Rule of Law Program Director, Georgian Democracy Initiative), interviewed by Foti Vito and Gautier Boyrie at GDI Offices, February 21, 2020, Tbilisi.
846 Ibid.
to 6 judges.\textsuperscript{847} One notable specialization group controlled by the clan is the commercial disputes chamber, colloquially referred to as the “big money chamber” by civil society.\textsuperscript{848} Large-scale commercial disputes are all allocated to this select group of judges, allowing them to make decisions that suit their interests. For example, in a case against Philip Morris and British American Tobacco, clan-affiliated judges ruled against these multinational companies and fined them 200 million GEL for the violation of non-existent legislation.\textsuperscript{849}

**The Fourth Judicial Reform Wave: Selection of Supreme Court Judges**

The fourth wave of judicial reform extended from 2017 to 2019 and concerned the selection of judges to the Supreme Court of Georgia. For the first time in Georgia’s history, the Supreme Court judges were to be appointed for lifetime positions. Ketevan Kukava, Rule of Law Direction Head at the Institute for Development of Freedom of Information (IDFI), describes this selection process as the most important challenge recently faced by the judiciary.\textsuperscript{850} The selection process gave the clan, who controlled the High Council of Justice and all the other institutions in the judiciary, the opportunity to now control the Supreme Court.\textsuperscript{851} Earlier waves of judicial reform established the number of Supreme Court judges to 28 and the High Council of Justice was granted the authority to nominate candidates for parliamentary approval.\textsuperscript{852} Chugoshvili describes how previously, candidates for Supreme Court judgeship were nominated by the President with no clear selection process.\textsuperscript{853} In many cases, Members of Parliament had never even heard of the individuals who were formerly nominated by the President.\textsuperscript{854} When the amended constitution came into effect in December 2018, the High Council of Justice suddenly and unexpectedly submitted a hand-written list of ten Supreme Court judge nominations for parliamentary approval. Tsulukidze notes that this list was conveniently submitted when the majority of the diplomatic corps were out of the country, citizens were preparing for the holidays, and civil society leaders were on work visits abroad.\textsuperscript{855} In short, this was the clan’s attempt to quickly grab control of the Supreme Court.

The sudden nomination of ten judges prompted considerable public outcry and civil society leaders began organizing protests and demonstrations in the streets. Kukava describes the complete lack of public trust towards the High Council of Justice due to its control by the clan “who use legislation for their own benefit to strengthen their power.”\textsuperscript{856} The list of nominations included notable members of the clan and its supporters, including notorious judges whose

\textsuperscript{847} Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.

\textsuperscript{848} Ibid.


\textsuperscript{850} Ketevan Kukava (Rule of Law Direction Head, Institute for Development of Freedom of Information), interviewed by Foti Vito at IDFI Offices, February 21, 2020, Tbilisi.

\textsuperscript{851} Tsikarishvili, *Evolution of Clan Based Governance in Georgian Judiciary*, 2.

\textsuperscript{852} Ibid.

\textsuperscript{853} Tamar Chugoshvili (Member, Parliament of Georgia), interviewed by Foti Vito and Gautier Boyrie at Parliament of Georgia, February 20, 2020, Tbilisi.

\textsuperscript{854} Ibid.

\textsuperscript{855} Gvantsa Tsulukidze (Rule of Law Program Director, Georgian Democracy Initiative), interviewed by Foti Vito and Gautier Boyrie at GDI Offices, February 21, 2020, Tbilisi.

\textsuperscript{856} Ketevan Kukava (Rule of Law Direction Head, Institute for Development of Freedom of Information), interviewed by Foti Vito at IDFI Offices, February 21, 2020, Tbilisi.
previous decisions have been turned down by the European Court of Human Rights. In response to considerable public outcry, the nominated individuals were compelled to withdraw their candidacies and the Parliament began drafting an official procedure for how the High Council of Justice should nominate candidates moving forward. Tsulukidze explains that a parliamentary working group was formed to draft the legislative amendments for this procedure, but most of the members of this working group were the same individuals on the list of ten nominations. Civil society organizations, through the Coalition for an Independent and Transparent Judiciary, had only one representative at the table; while members of the opposition, the Public Defender, and the Georgian Bar Association were not represented. Only members of the GD, the clan, donor organizations, and international stakeholders had sufficient representation on the working group. From January 2019, each of these stakeholders presented different legislative proposals on how the High Council of Justice should nominate Supreme Court judges for parliamentary approval. However, Tsulukidze explains how Ivanishvili and the GD had their own agenda and did not include the recommendations from all relevant stakeholders, and as such, civil society leaders decided to leave the working group in protest. By the end, “only the GD and the clan were left in the room.” The GD ultimately drafted a procedure designed to favour the nomination of clan judges, ensuring that all ten candidates who were initially nominated met the new legislative requirements.

Before adopted by the Parliament as an official procedure, the first draft of legislative changes was sent to the Venice Commission for assessment. However, Tsulukidze explains how members of the Georgian Dream attempted to adopt this first draft as soon as possible. The GD, which enjoyed a parliamentary majority, did not wait to receive recommendations from the Venice Commission before beginning committee meetings and plenary sessions regarding the draft law in March 2019. The Venice Commission issued its opinion on the draft law on April 16 and provided an overall critical assessment of the proposed selection process for Supreme Court judges. As Tsakadze explains, the Venice Commission made many specific recommendations but those which had a “political aspect” were met with resistance from the government. In particular, the Venice Commission’s strong recommendation to only appoint the minimum number of judges required to make the Supreme Court workable instead of filling the remaining 20 vacancies was met with considerable resistance. The GD gave the Parliament only a few days to assess the recommendations of the Venice Commission and the draft law was subsequently passed on May 1, failing to consider most of the recommendations made by the

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857 Gvantsa Tsulukidze (Rule of Law Program Director, Georgian Democracy Initiative), interviewed by Foti Vito and Gautier Boyrie at GDI Offices, February 21, 2020, Tbilisi.
858 Ibid.
859 Ibid.
860 Ibid.
862 Gvantsa Tsulukidze (Rule of Law Program Director, Georgian Democracy Initiative), interviewed by Foti Vito and Gautier Boyrie at GDI Offices, February 21, 2020, Tbilisi.
863 Ibid.
864 Ibid.
865 Ibid.
866 Ibid.
867 Ibid., 6.
868 Sophio Tsakadze (Senior Project Officer for Support to Judicial Reform, Council of Europe in Georgia), interviewed by Foti Vito at Council of Europe Offices in Georgia, February 20, 2020, Tbilisi.
869 Ibid.
Venice Commission.\textsuperscript{870} The open competition for the selection of Supreme Court judges officially began ten days later.

During the selection process, it became clear that the Georgian Dream was collaborating with the clan. The process lasted from May until December 2019 and included three stages of secret ballot before a final vote in Parliament was conducted: the nomination of candidates by the HCoJ, open interviews at the HCoJ, and open hearings at the Parliament. Kukava describes how the first stage of secret ballot became the subject of major criticism, as the Venice Commission not only recommended the abolishment of secret ballot but the initial nominations by the HCoJ were not substantiated or eligible for appeal.\textsuperscript{871} When the High Council of Justice presented their fifty-person shortlist, Tsulukidze describes how civil society organizations immediately knew who the final twenty nominations were going to be.\textsuperscript{872} The open interviews and hearings were broadcasted widely in the media, exposing that the majority of candidates were incompetent and had “miserable knowledge of jurisprudence.”\textsuperscript{873} In fact, when some of the candidates were asked to name the last book they read, many of them were unable to do so.\textsuperscript{874} During the interview process, it became clear that the GD favoured certain candidates over others, asking easier questions to the judges they preferred and rigorous ones to those they personally disliked.\textsuperscript{875} Tsveraidze describes the open hearings as a positive procedure, as problems within the judiciary became widely understood by Georgian citizens.\textsuperscript{876} In this regard, the transparency behind the fourth wave of judicial reform was positively assessed by civil society and EU institutions, but its final outcomes were harshly criticized. In the end, fourteen candidates were appointed to lifetime positions as Supreme Court judges, but the majority of them lacked independence, impartiality, and had a “blurred past.”\textsuperscript{877} Despite procedures that accommodated transparency and some European standards, Kukava describes the selection of these judges as a “huge step backwards in terms of democracy” that could have a detrimental effect on the judiciary for decades to come.\textsuperscript{878}

**Response from the European Union**

The appointment of fourteen judges exposed backsliding of the rule of law in Georgia and was followed by a number of critical assessments from international partners, most notably from the EU. The European Union Lead Spokesperson for Foreign Affairs and Security Policy stated that “the selection procedure did not adhere to all recommendations made by the Venice Commission and was characterized by key shortcomings, including a lack of transparency that

\textsuperscript{871} Ketevan Kukava (Rule of Law Direction Head, Institute for Development of Freedom of Information), interviewed by Foti Vito at IDFI Offices, February 21, 2020, Tbilisi.
\textsuperscript{872} Gvantsa Tsulukidze (Rule of Law Program Director, Georgian Democracy Initiative), interviewed by Foti Vito and Gautier Boyrie at GDI Offices, February 21, 2020, Tbilisi.
\textsuperscript{873} Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
\textsuperscript{874} Gvantsa Tsulukidze (Rule of Law Program Director, Georgian Democracy Initiative), interviewed by Foti Vito and Gautier Boyrie at GDI Offices, February 21, 2020, Tbilisi.
\textsuperscript{875} Ibid.
\textsuperscript{876} Ibid.
\textsuperscript{877} Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
\textsuperscript{878} Ketevan Kukava (Rule of Law Direction Head, Institute for Development of Freedom of Information), interviewed by Foti Vito at IDFI Offices, February 21, 2020, Tbilisi.
undermines a genuinely merit-based nomination process.” In addition, the Council of Europe Parliamentary Assembly declared that “we now see that the Parliament has appointed 14 out of 20 candidates, without proper reasoning and reportedly including persons who have not demonstrated during the selection process that they have the legal knowledge and independence required for such an important position. This can only be deplored.” Tsveraidze describes these as the “boldest statement” Georgia has ever received from international stakeholders, noting that the EU and CoE financed the entire fourth wave of judicial reform. However, given the lack of credible outcomes thus far, one can wonder if these statements from the EU have any leverage in Georgia. Ghia Nodia, Director of the International School of Caucasus Study at Ilia State University, posits that EU leverage in Georgia is not as strong as perceived. According to Nodia, EU leverage stems from overwhelming public support for European integration, and as such, governments feel obliged to demonstrate good relations with the EU. While statements of criticism may threaten the ruling party, Nodia explains how the government is able to showcase false accounts of good relations with the EU through their controlled media channels. Tsveraidze shares a similar sentiment, describing how high officials in the GD respond to harsh criticism from international stakeholders by claiming these stakeholders were misinformed by fake news or misunderstood the positive steps taken. In this regard, statements of criticism from the EU have become insufficient leverage against domestic political elites.

Conclusion

From the above overview, it can be observed that despite the European Union’s long-term involvement in supporting and financing judicial reform efforts in Georgia, this has failed to create favourable conditions for an independent judiciary based on the rule of law. As summed up by Tsveraidze, a common saying among civil society organizations in Georgia is “we need a judicial tsunami because the waves did not work.” Evidence has increasingly accumulated on the relationship between the Georgian Dream and clan-based governance within the judiciary, which presented itself clearly during the recent selection process of Supreme Court judges. In many cases, problems associated with the rule of law have become even more acute, which brings us back to the fundamental question of why the EU’s rule of law promotion has failed to produce more credible outcomes despite longstanding cooperation.

881 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
882 Ghia Nodia (Director, International School of Caucasus Study at Ilia State University), interviewed by University of Toronto ICM Students at Ilia State University, February 17, 2020, Tbilisi.
883 Ibid.
884 Ibid.
885 Tamta Tsveraidze (Democratic Institutions Support Program Assistant, Georgian Young Lawyer’s Association), interviewed by Foti Vito, Gautier Boyrie, and GiGi Chan at GYLA Offices, February 17, 2020, Tbilisi.
886 Ibid.
First, EU rule of law promotion has been hindered by its almost exclusive reliance on governmental channels of cooperation. As Asunciòn Sánchez Ruiz, Deputy Head of Mission at the EU Delegation to Georgia, describes, “while our current level of engagement is high, it comes at the request of the Georgian government.”\footnote{Asunciòn Sánchez Ruiz (Deputy Head of Mission, EU Delegation to Georgia), interviewed by University of Toronto ICM Students at EU Delegation Offices, February 18, 2020.} Irakli Kobalia, a Political Officer at the EU Delegation to Georgia, echoes a similar sentiment, explaining how the EU seeks to maintain its role as a strong ally of support to the Georgian government while not engaging in domestic interference.\footnote{Irakli Kobalia (Political Officer, EU Delegation to Georgia), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at EU Delegation Offices, February 19, 2020, Tbilisi.} These statements are illustrative of the EU’s state-centric approach which views the development of reforms and progress as the “sovereign responsibility” of governments.\footnote{Vano Chkhikvadze et al., Proposal of Georgian Think Tanks on the Future Strategic Direction of the Eastern Partnership (Tbilisi: Open Society Georgia Foundation, 2019), 6.} However, Salome Mukhuradze, Senior Program Officer for the Political Party Assistance Program at the Eastern European Centre for Multiparty Democracy (EECMD), underscores the importance of working with government representatives and grassroots leaders in order to create transformative change.\footnote{Salome Mukhuradze, Senior Program Officer for the Political Party Assistance Program, Eastern European Centre for Multiparty Democracy), interviewed by University of Toronto ICM Students at EECMD Offices, February 20, 2020, Tbilisi.} In particular, Mukhuradze emphasizes promoting local accountability and building connections with citizens in order to curb shadow governance in Georgia, as decisions are currently not being made by elected representatives or citizen demands.\footnote{Ibid.} Accordingly, the EU would do well to adopt a similar approach to promoting the rule of law in Georgia. As a proposal of Georgian think tanks on the future strategic direction of the EaP recently called on the EU to focus more of its efforts on empowering non-governmental actors to take part in policy formulation and monitoring,\footnote{Vano Chkhikvadze et al., Proposal of Georgian Think Tanks, 6.} this would be a welcome change that may produce more credible results in promoting the rule of law.

Second, the EU’s institutional efforts to promote the rule of law in Georgia have prioritized the adoption of procedures and legislation without sufficiently monitoring their implementation. Nodia explains that while judicial reforms look good on paper by incorporating consultation from international stakeholders and civil society, it is generally understood that the judiciary is under the control of the executive branch of government.\footnote{Ghia Nodia (Director, International School of Caucasus Study at Ilia State University), interviewed by University of Toronto ICM Students at Ilia State University, February 17, 2020, Tbilisi.} All branches of government are in turn controlled by Bidzina Ivanishvili, the Chairman of the Georgian Dream, and they act together to serve his interests as the de facto governor of Georgia.\footnote{Georgian Democracy Initiative, The Main Challenges in the Country, 1.} There is a wide gap between the adoption and implementation of judicial reforms in Georgia, and as such, the credibility of EU rule of law promotion is undermined. As Turmanidze describes, in many cases the EU’s procedural approach to promoting reforms is “harmful to democratic consolidation.”\footnote{Koba Turmanidze (Director, Caucasus Research and Resource Centre), interviewed by Foti Vito at CRRC Offices in Georgia, February 18, 2020, Tbilisi.} While everything may look good on paper, there is a “double side” to things in reality.\footnote{Ibid.} Turmanidze notes that while procedures put in place may be positive, those in control can manipulate legislation to meet their interests because normally the EU does not monitor if new laws and procedures work as intended.\footnote{Ibid.} As the EU has invested considerable effort, time, and
financial support in promoting the rule of law in Georgia, greater monitoring mechanisms should be implemented to ensure more credible outcomes in the judiciary.

Under these circumstances, the EU’s rule of law promotion has remained surface-level by failing to investigate the main actors of informal rule behind the façade of political and judicial independence, most notably Ivanishvili and the clan. The Georgian case has shown the lack of determinacy of EU officials to publicly address corrupt individuals who have instrumentalized judicial reforms to serve their own interests. In a telling sign, representatives from the EU Delegation continually referred to these corrupt individuals as “strong personalities” within the government and judiciary. Even when confronted with concrete evidence, as in the case of the Supreme Court selection process, the EU has remained cautious and diplomatic in its criticism of democratic backsliding in the country. However, as Turmanidze argues, “if you are trying to promote democracy, you should be able to act against individuals or political forces trying to undermine democracy.” The EU’s current approach has not acted against these individuals, allowing Ivanishvili and the clan to manipulate judicial reforms in their favour. As a result, European Union rule of law promotion has thus far failed to fulfill its goal of helping Georgia become an “efficient, accessible, and fair state that safeguards citizens’ rights.”

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898 Peter Danis (Justice Programme Manager, European Union Delegation to Georgia), interviewed by Foti Vito, Gautier Boyrie and GiGi Chan at EU Delegation Offices, February 19, 2020, Tbilisi.
899 Koba Turmanidze (Director, Caucasus Research and Resource Centre), interviewed by Foti Vito at CRRC Offices in Georgia, February 18, 2020, Tbilisi.
Bibliography


Gilbreath, Dustin, Deputy Research Director, Caucasus Research and Resource Centre.
Interviewed by University of Toronto ICM Students at CRRC Offices. February 18, 2020. Tbilisi.


Mukhuradze, Salome, Senior Program Officer for the Political Party Assistance Program, Eastern European Centre for Multiparty Democracy. Interviewed by University of Toronto ICM Students at EECMD Offices. February 20, 2020. Tbilisi.

Nodia, Ghia, Director of the International School of Caucasus Study, Ilia State University.

Interviewed by University of Toronto ICM Students at Ilia State University. February 17, 2020. Tbilisi.


Tsakadze, Sophio, Senior Project Officer for Support to Judicial Reform, Council of Europe in Georgia. Interviewed by Foti Vito at Council of Europe Offices. February 20, 2020. Tbilisi.

Tsikarishvili, Kakha. Evolution of Clan Based Governance in Georgian Judiciary Since 2007. Tbilisi: Article 42 of the Constitution, 2019. https://article42.ge/media/1001447/2019/04/22/e4b087b0e7c08f543593cc7eaa09d8f0.pdf


Identity, Education and Exclusion  
A study of the Azeri population in Georgia

Isaure Vorstman

Introduction

Samira Bayramova is a lawyer, sociologist, journalist and human rights activist currently working in Tbilisi, Georgia. Born in Algeti, a village within the municipality of Marneuli, a populous town in the administrative region of Kvemo Kartli, Samira was born and raised in an ethnic Azerbaijani family within a society that was predominantly Azeri. Indeed, like most Azeris in Georgia, Samira spoke Azeri with her family at home, and attended an Azeri-speaking school where she learned Georgian as a second language: “the level of Georgian taught in my school was very low,” she shares with me.

Samira’s elementary mastery of the Georgian language started posing a serious problem once she graduated high school and realized she wished to pursue a university education. All postsecondary institutions operate in Georgian - there are no programs offered in Azeri. Law school, thus, seemed an unattainable goal.

Like many Azeri youths in Georgia, Samira seriously considered immigrating to Azerbaijan to pursue her education there, but - like many Azeri youths in Georgia - law school in Baku proved to be way above what her family could possibly afford.

If Samira really wanted to pursue university education, then, there was only one option left. “I paid other teachers - outside of school - to teach me Georgian,” she shares. Having resolved to learn Georgian, Samira eventually enrolled at Tbilisi State University. “It was very difficult for me,” she shares, “because I had to learn the Georgian language while also studying a specific skill at university. It was very stressful for me. But I did manage to learn the Georgian language.” Indeed, she specifies, during the first two years of her bachelor’s degree she resolved to learn “about 100 new words every day.”

While, today, Samira is fluent in Georgian, the obstacles she faced in building her academic achievements towards the career she holds now, far exceeded overcoming a linguistic barrier: “When I was 18 and living in Marneuli,” she shares, “I thought I was a citizen of Azerbaijan. That was problematic, because I am (in fact) a Georgian citizen! We Azeris were born here (in Georgia),” she continues, “We live here, and yet we do not think of ourselves as Georgians; we consider ourselves Azerbaijani.

To those completely unfamiliar with the Georgian context, and the position of Azerijanis in Georgian society, Samira’s testimony raises more questions than answers. How

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903 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
904 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
906 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
907 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
909 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
come this population is so cut off from Georgian-speaking society? Where does this enormous language barrier originate from, and why is it there in the first place? And, perhaps most importantly, what, if anything, is being done to solve this problem?

In an attempt to find an answer to these complicated questions, I will dedicate the first part of this paper to contextualizing the situation wherein young Georgian Azeris like Samira find themselves in present-day Georgia: I will start by covering Georgia and Azerbaijan interstate relations. Then, I will go over some important statistics that help clarify what the situation for Azeris looks like today. Finally, I will look at the legacies of the Soviet Union in Georgia: how were nationalities treated in the Georgian S.S.R.? How was nationality defined under Soviet rule? What changed with the collapse of the Soviet Union? Lastly I will look at the relation of the Azerbaijani to its diaspora: how do they define nationhood and belonging in light of Georgian Azeris?

While Samira’s testimony unveils a multifaceted issue, the roots of the challenges can be narrowed down to an evident problem: the lack of adequate teaching of the Georgian language in Azeri schools. In the second part of this paper, thus, I will narrow my lens to education and explain what the Georgian Azeri education system looks like today, as told primarily from the perspectives of three different stakeholders working to improve the situation of Azeris in Georgia. Using the perspective of a former minister of education, I will also go over the role of the government in shaping the most recent policies designed to improve the Georgian language acquisition of Georgian Azeris.

I. Contextualizing the Problem: Interstate Relations, Current Statistics, Azerbaijani Perceptions of its ‘Diaspora,’ and Defining Nationhood in Georgia

Interstate Relations: Georgia and Azerbaijan

Before delving into the specifics, it might be helpful to have a look at the big picture and see how Georgia and Azerbaijan get along - as, indeed, their relations might well play an important role, albeit in the background, in shaping the current situation of Azeris in Georgia.

It might be tempting to assume that two countries that differ greatly in terms of cultural heritage and government might not have the best interstate relations. It is true, indeed that the countries are vastly different: while Georgia is ruled by a democratic government, Azerbaijan’s leadership bears strong resemblance to that of an autocratic regime where freedom of speech is suppressed - though its constitution still claims otherwise. And while in Georgia, the Georgian Orthodox Church has enormous moral influence over society and even the government, and the population - with the exception of ethnic minorities - overwhelmingly identifies as Christian, meanwhile, though relatively secularized today - a legacy of Soviet rule - the overwhelming part of the Azerbaijani population still identifies as Muslim.

And yet, interstate relations between Georgia and Azerbaijan have generally been quite good. This, according to studies published in the early 1990s by the U.S. Library of Congress, may be due, at least in part, to a two important reasons: first, the similarities between Azerbaijan’s issues with Nagorno-Karabakh and Georgia’s own issues with Abkhazia and South

Ossetia have led to Georgia generally expressing sympathy with Azerbaijan over its conflict with Armenia.\(^\text{913}\) An autonomous region and Armenian majority enclave within Azerbaijani territory, Nagorno-Karabakh’s strong breakaway tendencies resulted in a violent conflict between Azerbaijan and Armenia that continued beyond the ceasefire declared through Russian negotiation in 1994, and, as armed conflict is currently declared to be “frozen,” the issue remains unresolved, and Armenia and Azerbaijan continue to be extremely hostile to one another.\(^\text{914}\)

Similarly, Georgia’s own issues with two of its regions, Abkhazia and South Ossetia, created extremely high tensions with Russia throughout the 1990s and early 2000s, which culminated in a war in 2008, wherein Russian president Medvedev recognized South Ossetia and Abkhazia as independent states.\(^\text{915}\) Though unrecognized by the rest of the world, Russian presence in both regions remains to this day, and, the conflict thus similarly unresolved, Georgia and Russia continue to experience high interstate tensions to this day.\(^\text{916}\)

In light of this sympathy, the U.S. report states, the Georgian government under president Shevardnadze signed a “far-reaching treaty of friendship cooperation, and mutual relations with Azerbaijan, including a mutual security arrangement and assurances that Georgia would not reexport Azerbaijani oil or natural gas to Armenia” in February 1993.\(^\text{917}\) Pressured by Azerbaijan to join its blockade of Armenia in the early 1990s, Georgia nevertheless attempted to maintain good relations with Armenia through cooperation and friendship treaties, though its relation to Azerbaijan remains, to this day, much stronger in comparison.\(^\text{918}\)

Second, Georgia’s good relations with Azerbaijan are dictated by Azerbaijan’s oil fields, which Georgia depends on for fuel, particularly given its desire to gain independence from Russia, thus making good relations with Azerbaijan absolutely crucial to the Georgian economy.\(^\text{919}\) In 1994, under the leadership of Heydar Aliyev, Azerbaijan signed what became known as the “contract of the century;” a new oil strategy that “ensured the involvement of foreign investors in the development of Azerbaijan’s oil fields, transportation of crude oil, effective management of oil revenues and Azerbaijan’s entry into a new stage of development.”\(^\text{920}\) This contract dramatically shaped the future of Azerbaijan, particularly when compared to its post-Soviet neighbors in the Caucasus: during the decade that followed, Azerbaijan had the fastest-growing GDP in the world.\(^\text{921}\)

The Baku-Tbilisi-Ceyhan (BTC) pipeline further plays an important role in strengthening interstate relations between Georgia and Azerbaijan through economic and industrial cooperation: completed in 2006, BTC runs over 1,600 kilometers from Baku, through Georgia - strategically bypassing Armenia - and to the Turkish port of Ceyhan on the Mediterranean


\(^{917}\) “Georgia: Relations with neighboring countries.” Library of Congress Country Studies.


\(^{919}\) “Georgia: Relations with neighboring countries.” Library of Congress Country Studies.


coast.\textsuperscript{922} SOCAR, the fully state-owned State Oil Company of the Azerbaijan Republic, has a 25\% share in the company, but all three countries, including Georgia, benefit enormously from this project through transit fees and royalties.\textsuperscript{923}

Moreover, while Georgia depends on Azerbaijan for its energy resources, Azerbaijan depends on Georgia for access to the global market through the Black Sea, a bridge between Europe and the Caucasus.\textsuperscript{924} In short, both countries have plenty of reasons to value their relationship to one another deeply - and thus their post-Soviet relations have always been friendly.\textsuperscript{925}

\textbf{Azeri in Georgia: Current Statistics}

Both Georgia and Azerbaijan have a historical presence of communities from the other country. While Azerbaijan has a small minority indigenous population (approx. 12,000 individuals) of Georgians, also known as Ingiloy, living in the Northeastern part of the country, the Azeri minority in Georgia is much more sizeable: according to the 2014 state census - which, keeping in mind, may not be totally accurate, if not at least a little bit conservative in its numbers - out of Georgia’s total population of about 3.7 million,\textsuperscript{926} over 233,000 individuals - over 6.3\% of the population - are ethnic Azerbaijani.\textsuperscript{927} Followed by the Armenians (approx. 4.5\% of the Georgian population), the Azeris are the largest minority in the country.\textsuperscript{928}

Similar to the Armenian minority, most Azeris in Georgia live in concentrated areas, or enclaves; and while most of the Armenian population is concentrated in Western Georgia, the vast majority of Azeri enclaves are found in the Eastern part of the country. In Kvemo Kartli, an administrative region in Southeastern Georgia on the border with Azerbaijan, its population totalling over half a million, according to the most recent census, about 177,000 individuals - almost 42\% of the entire population - are Azeri.\textsuperscript{929} Other significant Azeri enclaves outside of Kvemo Kartli are found in Kakheti, Georgia’s easternmost administrative region that borders Kvemo Kartli and Azerbaijan to the South (approx. 32,000, or about 10\% of the total population). Small communities exist also in Shida Kartli (approx. 5500, or about 2\% of the total population), an administrative region bordering Kvemo Kartli to the North, and Mtskhet-Mtianeti (approx. 2300, or about 2.5\% of the total population), an administrative region North of Kvemo Kartli, bordering Shida Kartli and Kakheti.\textsuperscript{930} There are also over 15,000 Azeris living in the capital, Tbilisi (about 1.4\% of the city’s total population).\textsuperscript{931}

Most Azeris, then, live in the Southeastern parts of the country: these regions, particularly Kvemo Kartli, are rich in natural resources. The agricultural sector is thus a major part of the

\begin{itemize}
\item\textsuperscript{923}Tran, Mark. “ Q&A: The Baku-Tbilisi-Ceyhan Pipeline.”
\item\textsuperscript{925}M. Tabachnik, “Georgian Azeris: Victims and Beneficiaries of Territorial Nationalism,” p.225.
\item\textsuperscript{927}“Total population by regions and ethnicity.” Tbilisi 2014. http://census.ge/files/results/english/17_Total%20population%20by%20regions%20and%20ethnicity.xls
\item\textsuperscript{928}“Total population by regions and ethnicity.” Tbilisi 2014.
\item\textsuperscript{929}“Total population by regions and ethnicity.” Tbilisi 2014.
\end{itemize}
economy in these regions: a 2012 survey conducted by the Swiss Agency for Cooperation and Development stated that 42.5% of citizens in Kvemo Kartli work on their own farm and/or plot of land.\footnote{Study of Social and Economic Conditions and Attitudes of Kvemo Kartli Population” (Tbilisi: UNIVERSAL, 2012), http://issa-georgia.com/files/publications/ENGLISH/sdc/SDC_2011.pdf, p.29} In the same survey, 26.1% of Kvemo Kartli citizens state to be unemployed.\footnote{“Study of Social and Economic Conditions and Attitudes of Kvemo Kartli Population” (Tbilisi: UNIVERSAL, 2012, p.29)} For the vast majority of Georgian Azeris, the native language is Azerbaijani, or Azeri, as over 231,000 of them indicate in the 2014 census.\footnote{"Total population by regions and ethnicity." Tbilisi 2014.} Meanwhile, in the same census, only 43,579 of them - just about 18% of the total Georgian-Azeri population - indicate to “fluently speak the Georgian language.”\footnote{“Total population by regions and ethnicity.” Tbilisi 2014.}

\textbf{Azerbaijan and its Diaspora}

Leila Alievi is an employee at the Mirza Patali Akhundov Museum, a small building not far from Tbilisi’s old city centre that is financially supported by the government of Azerbaijan through SOCAR, and thus, perhaps unsurprisingly, operates in close partnership with the Azerbaijani embassy in Georgia. Named after the celebrated Iranian-ethnic Azerbaijani author and literary critic who spent much of his life in Tbilisi, the museum, Leila tells me, serves both as a cultural museum of Georgian-Azerbaijani relations as well as a kind of community centre for young Azeris in Tbilisi.\footnote{Alieva, Leila. Interview by Isaure Vorstman and Daria Dumbadze. Mirza Patali Akhundov Museum, Tbilisi. February 18, 2020.}

When I ask her about the involvement of the Azeri government with its Georgian diaspora, Leila has a lot to tell me. “From Azerbaijan’s perspective,” she explains, through the intermediate of a translator, “Georgian Azeris are part of the Azerbaijani diaspora.”\footnote{Alieva, Leila. Interview by Isaure Vorstman and Daria Dumbadze.}

Care for its diaspora, she continues, is organized from the Ministry of Diaspora in Baku, who set up committees that help Azeris across the world. “There is one committee for each country,” she tells me, naming Georgia, Kazakhstan, Turkey, and Germany as examples, and the projects they have for diaspora depends on the country they live in. The goal, she states, is twofold: to help their diaspora to better integrate in their country of residence, as well as helping them preserve their cultural identity as Azeris.\footnote{Alieva, Leila. Interview by Isaure Vorstman and Daria Dumbadze.}

In Georgia, that mostly means making Georgian language classes available to Azeris: “the Azeri government,” Leila says, “is paying for Azeri kids in Georgia to get education in Georgia for free.”\footnote{Alieva, Leila. Interview by Isaure Vorstman and Daria Dumbadze.} This museum, she continues, citing it as an example, offers Georgian language courses for Azeris as well as traditional Azeri activities, such as carpet-making, the latter as an act to promote Azerbaijani culture in Georgia.\footnote{Alieva, Leila. Interview by Isaure Vorstman and Daria Dumbadze.} The whole is done in active collaboration with the Georgian government, to whom these projects matter, she argues, “because it is about the integration of a minority into Georgian society.”\footnote{Alieva, Leila. Interview by Isaure Vorstman and Daria Dumbadze.}

Leila’s explanations are certainly not enough to determine to what extent these initiatives of the Azerbaijani government with its Georgian diaspora are, in fact, in any way successful or
effective - nor the extent to which both governments are sincerely invested in the Georgian language acquisition and cultural preservation of Georgian Azeris.

Her story, however, does reveal three important things: first, clearly, the Azerbaijani government is actively involved with its diaspora. To them, then, it matters that these people are Azeri and identify as such. Two, they invest for Georgian Azeris not to return to Azerbaijan, but rather for them to remain in Georgia and develop their life there. Looking back on her own experience growing up as a Georgian Azeri, Samira Bairamova states that “the Azeri government does everything for us: they provided drinking water, they pay for our universities... And they pay for us to study in Georgia,” she continues, “young Azeris are paid to study in Georgia by SOCAR.”

Recent research efforts echo these conclusions. In “Georgian Azeris: Victims and Beneficiaries of Territorial Nationalism,” M. Tabachnik explains that the Azerbaijani government “supports the self-definition (of Georgian Azeris) as indigenous, historical residents of these territories, (but) not as migrants or ethnic minorities.” In that sense, Georgian Azeris are seen as having a national and cultural identity that is different from the identity of ethnic Azerbaijanis living in Azerbaijan.

There is, most probably, a degree of truth to this view: when a culture, or part of a culture, moves out of its place of origin - like in the case of the Azeri diaspora in Georgia - it does not remain exactly the same as it was when it left: like all cultures lived and practiced actively by a population, it will inevitably develop and be subject to change. And because of its geographic separation from its place of origin, this culture will develop with a certain degree of independence and become a culture of its own, even if it maintains ties to the culture in what it considers to be its place of origin. Thus, two cultures emerge: in this case, the culture of Azerbaijanis in Azerbaijan, and that of Azeris in Georgia.

And yet, one does not need to make this distinction: in Hungary, for instance, the Fidesz government under Victor Orban passed a citizenship law in 2011 that granted citizenship to all Hungarians living outside of Hungary. This was done in light of the 1920 Treaty of Trianon, wherein about two thirds of what was then known as Hungarian territory was divided up and given to neighbouring countries. With these new borders, over 3 million Hungarians now lived outside of Hungary. 90 years after this infamous Treaty, the new citizenship law shows how, in the eyes of the Fidesz government, Hungarians are Hungarians, no matter where they live or how long they have been outside of Hungary, even if, for instance, a Hungarian in Transylvania - now part of present-day Romania - might have a different perception and practice of their identity as a Hungarian than a Hungarian in Hungary might have.

Perceptions of a diaspora, thus, depend on the different motivations of those in power, and according to M. Tabachnik, the motivations of the Azerbaijani government that lay behind perceiving its diaspora as “other” are multifold: first, there is the unwillingness, or perhaps even an inability, of the Azerbaijani government to handle another wave of mass migration given its current demographic crisis with Azerbaijani refugees fleeing Nagorno-Karabakh and Armenia for Baku.

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943 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
Second, the Georgian government desperately wants to avoid waves of nationalism and subsequent separatist tendencies of its non-Georgian nationalities: Abkhazia, South Ossetia, and unresolved issues in Javakheti, a province heavily populated by Armenians, already exceeded what they could handle, and are perceived as a heavy threat to the Georgian state and Georgian nationalism. Separatist movements among Georgian Azeris would threaten Azerbaijan’s good relations with Georgia - and, as explained previously, Azerbaijan has a strategic interest in maintaining good ties with its neighbor.\textsuperscript{947} Third, given the strategic interest in maintaining good ties with Georgia, having a representation of the Azeri population living in Georgia is important (and vice versa), as it forces both governments to remain involved with one another.\textsuperscript{948} With this in mind, having Georgian Azeris maintaining high-level positions in Georgian civil society, including government, is extremely beneficial to Azerbaijan - which explains SOCAR’s continuous investments in this population, particularly access to high-level education of Georgian youth.\textsuperscript{949} Thus it is of major importance that Georgian Azeris like Samira Bayramova, despite growing up in Georgia, felt more Azerbaijani than Georgian while growing up: having young, educated Azeris represent Azerbaijani interests in Georgian civil society is of enormous benefit to the Azerbaijani government.\textsuperscript{950}

Defining belonging and nationhood in Georgia

Nationalities and Nationhood in the Georgian S.S.R.

A certain degree of dispute and uncertainty exists in Georgian society concerning when exactly Azeris settled in what is now present-Georgia: while Azerbaijani censuses tend to assume Azeris have been present there for several hundreds of years, many Georgian census claim that the settling of Azeris in Georgia is much more recent - perhaps only a couple of centuries old at most.\textsuperscript{951} What is sure, however, is that Azeris were already present in Southeastern Georgia, including Tbilisi, when the Red Army annexed Georgia and established a Soviet national government in Tbilisi in 1921. Under this regime, which from 1936 and onwards became known as the Georgian Soviet Socialist Republic (SSR), Azeris, like the other non-Georgian nationalities, were considered second-class citizens. This, as Laurence Broers explains in “Filling the Void: Ethnic Politics and Nationalities Policy in Post-Conflict Georgia,” was due to the Soviet determination of nationhood along ethnic lines: under Soviet rule, ethnic differences were institutionalized, as the “titular” nationality - in this case, the Georgians - of a country would reap the benefits from “affirmative action policies at the expense of others in their republic.”\textsuperscript{952} This, Broers explains, gave Georgians a series of socioeconomic advantages, including “access to a variety of social and economic foods, including education, housing and employment.”\textsuperscript{953}

Though fully integrated economically and politically into the Soviet Union, Georgians retained a certain amount of cultural independence.\textsuperscript{954} Non-Georgian nationalities in the country,

\textsuperscript{947} M. Tabachnik, “Georgian Azeris: Victims and Beneficiaries of Territorial Nationalism,” p.224.
\textsuperscript{948} M. Tabachnik, “Georgian Azeris: Victims and Beneficiaries of Territorial Nationalism,” p.232.
\textsuperscript{950} M. Tabachnik, “Georgian Azeris: Victims and Beneficiaries of Territorial Nationalism,” p.233.
\textsuperscript{954} Broers, Laurence. “Filling the Void: Ethnic Politics and Nationalities Policy in Post-Conflict Georgia,” p.281
too, experienced a certain freedom of cultural expression under Soviet rule. Azeris in Georgia were never forced to assimilate into Georgian society. rather, they lived in ethnically and culturally homogenous enclaves - most of them located in the aforementioned regions in Southeastern Georgia - where the languages of everyday use were Azeri and Russian, not Georgian, and education was pursued in Azeri and Russian, not Georgian.

**Ethnic Nationalism and Independence**

Thus, Azeris in Georgia were not stripped of their cultural identity during the Soviet period - and this relative freedom is what caused rising tensions between non-Georgian nationalities and Georgians as the former observed a rise in an exclusive Georgian nationalism based on ethnic and religious lines in the late 1980s and early 1990s. Georgia’s declaration of independence from the Soviet Union in 1991 was, like in many other countries from the former USSR, a process led by the “titular” nationalities, who, too, defined their new statehood on ethnic grounds: under the leadership of president Zviad Gamsakhourdia, the definition of Georgian nationhood was that Georgia belonged to the Georgians, and “Georgian-ness” was an identity based on ethnicity as determined by one’s ancestry, and, not unimportantly, given the revival of the Georgian Orthodox Church that came hand-in-hand with the rising nationalism, on religious affiliation. Thus Azeris, being culturally Muslim and ethnically non-Georgian, were completely excluded from Georgia’s post-Soviet state-building process and development of national identity and awareness.

Resistance of non-Georgian nationalities to Georgia’s independence movements were based on real fears - of suppression, assimilation, and even possible relocation to other countries - as this homogenous and exclusionary national identity started translating into state policy: in the late 1980s, for instance, many Azeri communities saw the names of their villages “rechristened” to more Georgian-sounding names; in 1992, for instance, the names of over 40 Azeri villages in Kvemo Kartli were changed within the space of a single month.

Non-ethnic Georgians further experienced suppression and exclusion when two autonomous entities in the Georgian SSR - Abkhazia and Ossetia - declared their independence, resulting in conflict with the new Georgian government, and, as a consequence, the Georgian’s government rising distrust of all non-ethnic Georgians as they viewed them as a threat to their nation’s independence.

All non-Georgian nationalities thus became subject to more hostility and discrimination by both the government and members of the Georgian population, which led to a “mass exodus in many parts of the country.” Azeris in Bolnisi, a city in Kvemo Kartli, for instance, were

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959 Jajanidze, Elene. Interview by Isaure Vorstman.
960 Breaking the Cycle of Exclusion: Minority Rights in Georgia Today,” p.2.
961 Christofer Berglund, “Accepting Alien Rule? State-Building Nationalism in Georgia’s Azeri Borderland,” p.263,
forced to leave under pressure of the nationalistic local government and rising ethnic violence: the town, that formerly counted 800 Azeri families, now had none.  

Indeed, during this time, thousands of non-Georgian nationalities - Armenians, Russians, and Azeris, among others - fled Georgia for neighboring countries out of fear of losing their rights or being forced to assimilate: between 1989 and 2002, state censuses show, the Azeri population in Georgia diminished from 307,556 to 284,761 - the first decline in this population since the 1950s.  

Shevardnadze and Saakashvili (1995-2012)  

And yet, while not explicitly referencing non-Georgian nationalities nor the politically laden “minority rights,” Article 11.1 of the new Georgian constitution, established in 1995, stated full equality of persons in front of the law, regardless “of race, colour, sex, origin, ethnicity, language, religion, political or other views, social affiliation, property or titular status, place of residence.” More specifically, Article 11.2 stated that “in accordance with universally recognised principles and norms of international law and the legislation of Georgia, citizens of Georgia, regardless of their ethnic and religious affiliation or language, shall have the right to maintain and develop their culture, and use their mother tongue in private and in public, without any discrimination.”  

This, perhaps, marked the beginning of a change in how non-Georgian nationalities were to be framed by the Georgian government. Under president Eduard Shevardnadze’s tenure (1995-2003), Gamsakhourdia’s extreme nationalistic approach was partially abandoned, and “national minorities” - for that is how their relationship to the new Georgian state was henceforth framed - started being referred to, at least in the political sphere, as citizens of Georgia, not as aliens or threats to the new state.  

Yet according to Zaur Khalilov, head of the Civic Integration Foundation in Tbilisi, any action undertaken or statement made by the Shevardnadze government with regards to the protection of Georgia’s ‘national minorities’ was only in response to pressure imposed by voices outside of government; namely international organisations and international governmental bodies as well as ethnic groups in Georgia.  

Indeed, Khalilov argues, it was only in 2005 - under the tenure of president Mikheil Saakashvili - that the Georgian government started putting the issues of non-Georgian

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966 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.  
969 “All-Union Census of 1959: the national composition of the population in the republics of the USSR.”  
nationalities on the agenda out of their own initiative.\footnote{Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.} Indeed, in “Georgia’s ethnic diversity: a challenge to state-building,” Natalie Sabanadze argues that it is during this period that the Georgian government started introducing intense state- and nation-building activities whilst simultaneously “introducing civic elements into the nationalist discourse, presenting Georgia as a state for all its citizens.”\footnote{Stephen F. Jones and Natalie Sabanadze, “Georgia’s Ethnic Diversity: a Challenge to State-Building,” p.128.} Indeed, under his United National Movement, Saakashvili “appealed directly to Georgia’s minorities, and emphasized his determination to protect their rights, improve their integration and participation in Georgian society, and to combat ingrained stereotypes and discriminatory practices.”\footnote{Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.}

At the same time, it must be remembered that what a government or bureaucratic entity says to the public and publishes on paper rarely matches what happens in practice: and, indeed, prominent activists for the rights of non-Georgian nationalities have pointed out that while Saakashvili made a lot of promises to protect the country’s national minorities, very little happened in practice.\footnote{Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.}

Despite this, however, Saakashvili’s efforts illustrate that the Georgian government understood that the issues of non-Georgian nationalities needed to be addressed, that an appeasement of the conflicts between Georgian and non-Georgians was essential to the integrity and stability of the new Georgian state.

\textit{Role of the European Union}

It is important to view all the efforts undertaken by the Georgian government since the collapse of the Soviet Union in light of its desires to integrate within the framework of the European Union (EU). This desire has led to a EU presence in Georgia for over two decades; an ‘EU/Georgia Action Plan,’ which laid out “the strategic objectives of the cooperation between Georgia and the EU” was implemented in 2006.\footnote{EU-Georgia Action Plan. Accessed March 20, 2020. \url{https://library.euneighbours.eu/content/eu-georgia-action-plan}.} Unsurprisingly, the document features the ensuring of rights of ‘national minorities’ prominently,\footnote{EU-Georgia Action Plan. Accessed March 20, 2020, p.13.} and the reports that continue to be issued by the European Commission include a close assessment of the situation of all ‘minorities’ - as the issues of non-Georgian nationalities are framed in the formal jargon of many international institutions - in the country.\footnote{"Third Report Submitted by Georgia Pursuant to Article 25, Paragraph 2 of the Framework Convention for the Protection of National Minorities." Council of Europe, 2017. \url{file:///home/chronos/u+466a26a7e2ed20b1a1171348d584ec044f22fd3e9/MyFiles/Downloads/azeriPAPER/EU Council_Minorities Report Georgia.pdf}.} In light of prospective integration - though Georgia has not acquired an official candidate status as of February 2020 - the Georgian government has a major interest in maintaining good relations with its non-Georgian nationalities by adhering to Articles 11.1 and 11.2 of its national Constitution.\footnote{Constitution of Georgia, Constitution of Georgia § (1995).}

In light of these relations with the European Union, it is important to point to Georgia’s position as a ‘neighbor,’ and not - as of yet - a potential candidate for EU integration. Indeed, according to Asunción Sánchez Ruiz, head of political, press and information at the EU Delegation to Georgia in Tbilisi, as a ‘neighbor’ country, the EU only acts in Georgia upon...
request for assistance by the Georgian government itself. As such, though respecting ‘minority rights’ are of capital importance to the EU, the latter has not been directly involved in these issues in Georgia as of yet - other than by providing financial assistance for such projects, when requested by the Georgian government, and, of course the ‘country reports’ reports issued by the European Commission, whose contents are advisory and not binding in any way.

State Strategies and the Georgian Dream

In 2015, the Georgian government adopted the State Strategy for Civic Equality and Integration Action Plan. This was a five-year plan containing different actions that different ministries within the Georgian government committed to implement over the course of 2015-2020. All these actions, or ‘interim goals,’ were aimed at having all citizens of Georgia gain ‘equal and full participation in civic and political life. The implementation of the Action Plan is monitored by the Council of National Minorities - which unites over a hundred ethnic NGOs under the Public Defender of Georgia - who publish an annual report of every concrete action the government has undertaken in line with their stated interim goals. These reports prove that the lack of participation of non-Georgian nationalities is an issue that is actively being addressed by the Georgian government.

The effectiveness of these government policies, however, is contested by NGOs, civil activists and International organisations and governmental bodies alike. Indeed, with the change in political regime as the Georgian Dream came to power in 2012, the initiatives that were taken, and the progress, however minimal, that was made was said to have slowed down, if not overturned. Indeed, in “Georgian Azeris: Victims and Beneficiaries of Territorial Nationalism,” M. Tabachnik argues that, under the Georgian Dream, the Georgian government has been involved in suppressing civil society in areas with a significant population of non-Georgian nationalities: “minority-oriented NGOs have been closed or directed to report to civil servants and some people have even been arrested.”

II. The Root of the Problem: Education of non-Georgian Nationalities and Barriers to Participation in Georgian Civil Society

It is easy to dwell on statistics and a few broad historical analyses in combination with recent government-issued declarations and documentation. If that was the essence of this paper, the conclusion would be easy and pleasing to write: ‘in the past,’ I could write, ‘non-Georgian minorities suffered from exclusionary nationalism. Thankfully, the Georgian government has since undertaken a lot of action to overturn this - the 2015 State Strategy for Civic Equality and Integration Action Plan being an excellent example of this.’ And yet, as I have mentioned more

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983 Sánchez Ruiz, Asunción. Interview by Isaura Vorstman.
988 M. Tabachnik, “Georgian Azeris: Victims and Beneficiaries of Territorial Nationalism,” p.221.
than once in the first part of this paper, state policy does not always match what is happening on the ground.

The purpose of this paper is to gain a better understanding of why only a minority of Georgian Azeris - 18%, according to the 2014 census - speak Georgian fluently - and, more specifically, why they face this enormous linguistic (and cultural) barrier that, statistics show, prevent the majority of them - particularly in Kvemo Kartli and rural regions - to access post-secondary education and professions outside of agricultural sector wherein their families work. Indeed, while the consequences of this barrier are multifold and complicated, all lead back to the same issue - education. And thus the second part of my paper will be dedicated to portraying the current situation of the Azeri education system in Georgia as accurately as possible, and thus show that, unlike what state policies and governments might suggest, there is rarely such a thing as an easy solution to a complicated, multifaceted problem.

Azeri Education in Georgia

In the beginning of this paper, I introduced the story of Samira Bayramova, a young Georgian Azeri human rights activist and lawyer who grew up in a small village in Kvemo Kartli, not far from Mameuli. Her experience as a pupil in an Azeri school was typical: as she shared, the level of Georgian, taught as a second language, was so low that by the time she graduated high school, studying at any Georgian postsecondary institution seemed completely out of the question.

What issues may be underlying the situation of Azeri students in Georgia since the collapse of the USSR? In February 2020, I met with three notable experts on the subject of Azeri education: Elene Jajanidze, program coordinator at the Centre for Civic Integration and Inter-Ethnic Relations (CCIIR), a Georgian NGO whose mission is “to support the integration process of ethnic minorities in Georgia through empowerment, advocacy, capacity building and education interventions enabling them to be equal participants of social, cultural, political and economic life of the country (...) to ensure equal access to education and achieve positive state development in this regard,” Zaur Khalilov, head of the Civic Integration Foundation, a Georgian organization whose aim is “to strengthen their civic and political participation in public and political life of Georgia to ensure that all citizens of Georgia realize their rights and obligations according to the international standards and the Georgian constitution,” and Samira Bayramova, who works with different NGOs, local institutions and international organizations as an independent activist. These three experts work on the issues of Azeri education in Georgia, sometimes in collaboration with each other, and were thus able to tell me the problems in the Georgian Azeri education system.

First, it is important to recognize that concerns over the quality of education in Georgia are not limited to Azeri and Armenian schools. According to an article by UNICEF Georgia, “the low quality of education is a major challenge for children of Georgia (...) Georgian students...

990 “Total population by regions and ethnicity.” Tbilisi 2014.
992 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
995 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
underperform in International Student Assessments (...) About two thirds of 15-year old students in Georgia do not meet baseline standards in reading, science and mathematics.\textsuperscript{996} The article further states a high dropout rate from secondary education, the low qualification of teachers, “and the ineffective system of teacher deployment and management.” And yet, the article states, the government’s expenditure on education “is lower than that of other countries with the same GDP per capita.” Indeed, according to Khalilov, the Georgian government has been notoriously passive in terms of national education, both in funding as well as in efforts to collect expertise to find ways to improve the current system.\textsuperscript{997}

If the Georgian government does little for its Georgian-language education system, its involvement in the Azeri system is even less noticeable. This might well be a consequence of the intense role that Azerbaijan plays in the lives of its ‘diaspora:’ as Bayramova mentions, the Azeri government ‘did everything’ for her community, while, she argues, “the Georgian government did nothing for us (...) they are not interested in our education or our culture.”\textsuperscript{998} The Georgian government, Samira suggests, knows that the Georgian Azeris are “taken care of” - and why invest in them if someone else is willing to?\textsuperscript{999}

With this in mind, it is unsurprising that the Azerbaijani government is heavily involved in the education of Georgian Azeris, while the Georgian government is not: according to Jajanidze, for instance, Azeri schools use textbooks sent to them directly from Azerbaijan. This is problematic for several reasons: first, despite using different textbooks, Georgian Azeris are subject to the national curriculum that all Georgian pupils follow - causing a disjunction between the curriculum and the textbooks used to teach it.\textsuperscript{1000} Second, the textbooks being sent by an outside source means that neither the Georgian government - nor NGOs working for the government, like the CCIIR - can check nor control their quality, thus making it difficult to implement any kind of change or improvement to the system.\textsuperscript{1001}

One aspect the Azerbaijani government cannot directly provide for, however, is the obligatory teaching of Georgian as a second language in Azeri schools. As Bayramova mentions, the level of Georgian taught in Azeri schools, especially in rural regions (Tbilisi seems to be the sole exception),\textsuperscript{1002} is notoriously low.\textsuperscript{1003} Both Khalilov and Jajanidze argue that given the history of Azeris in Georgia, the remoteness of many of their communities, and the education system that, since independence from the USSR, still teaches Georgian as a second language in Azeri schools, there is a dramatic lack of Azeri teachers who master Georgian well enough to teach it, even just as a second language, in schools.\textsuperscript{1004} Conversely, they add, given that most Azeris live in concentrated areas, often separated from Georgian-speaking communities, there are little to no Georgian teachers available to teach in Azeri schools, because they themselves do not speak Azeri, and most students have little to no knowledge of Georgian, thus making communication between teachers and pupils difficult.\textsuperscript{1005}

Thus far, instead of working towards training Azeri teachers to master and, eventually, teach Georgian, the Georgian government has mostly focused more on sending Georgian

\textsuperscript{997}Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
\textsuperscript{998}Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
\textsuperscript{999}Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
\textsuperscript{1000}Jajanidze, Elene. Interview by Isaure Vorstman.
\textsuperscript{1001}Jajanidze, Elene. Interview by Isaure Vorstman.
\textsuperscript{1002}Alieva, Leila. Interview by Isaure Vorstman and Daria Dumbadze.
\textsuperscript{1003}Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
\textsuperscript{1004}Jajanidze, Elene. Interview by Isaure Vorstman. Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
\textsuperscript{1005}Jajanidze, Elene. Interview by Isaure Vorstman. Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
teachers to teach in Azeri schools all over the country. This is not an easy task: as Khalilov argues, it is difficult to incentivize Georgian teachers to teach in Azeri schools, particularly those in remote parts of Georgia that are far from urban, Georgian-speaking regions, and whose socioeconomic circumstances are often much lower than in Georgian-speaking areas. According to Khalilov, the Georgian government began sending Georgian teachers from Tbilisi to Azeri schools in Kvemo Kartli in 2005; in exchange for a temporary teaching position in these schools, they would be provided with a generous salary. According to Khalilov, “(in 2005) the Georgian government paid these teachers 200-300 Lari a month, which back then was ‘big money,’ especially in the context of these Azeri schools, where most teachers made less than 50 Lari monthly,” which inevitably caused heavy tensions between Georgian and Azeri teachers within these schools.

Even with this government initiative, the shortage of Georgian-speaking teachers remained, and the primary and secondary Azeri education system was stuck in a malfunctioning system with inadequate resources. Yet 2005, as Khalilov accounts, marked the year that the Georgian government started putting the issues of non-Georgian nationalities on the agenda out of their own initiative. What policies did the government consider - and more, importantly, were any of them implemented successfully?

**Government ‘Solutions’: Ghia Nodia’s ‘Four Policies’**

Professor Ghia Nodia is a political analyst who served as the Georgian Minister of Education and Science between January and December 2008. Today, he works at the International School of Caucasus Studies at Ilia State University in Tbilisi. In February 2020, I visited Ilia State and had the opportunity to ask him about what is being done about Georgian language education for non-Georgian nationalities in terms of state policy. By way of an answer, Nodia answered me by presenting me with an account of the debates and eventual policies implemented under the Saakashvili government - the first government since to specifically address the issue of the education of non-Georgian nationalities.

Nodia summarized these debates into what he referred to, in a hypothetical way, as the ‘four policies.’ Out of these four, one was immediately dismissed; while another was ‘seriously debated,’ but eventually deemed “impossible.” The other two were implemented, and, as of February 2020, remain the most important pieces of Federal legislation in service of improving the acquisition of the Georgian language for Azerbaijanis and Armenians in Georgia.

In my account of these policies, it is important to note that these proposals were directed to both the Armenian and the Azerbaijani education systems in Georgia, as both systems are known to face highly similar issues. Thus, when not only the Georgian government, but also international organizations as well as prominent Georgian NGOs such as the Civic Integration Foundation and the Centre for Civic Integration and Inter-Ethnic Relations (CCIIR) speak of

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1006 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1007 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1008 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1009 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1010 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1011 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1013 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1014 Nodia, Ghia. Interview by Isaure Vorstman.
1015 Nodia, Ghia. Interview by Isaure Vorstman.
language policies for ‘national minorities,’ it is almost always in reference to both the Armenian as well as the Azerbaijani population. For the purpose of this paper, however, having explored the Azeri case and context specifically, I will only be discussing the latter.

Moreover, when paraphrasing or quoting what is said by government sources, international organizations and NGOs, I will employ their terminology when speaking of Georgian Azeris and/or non-Georgian nationalities - such ‘minorities’ and, when studying the Azerbaijani perspective, ‘diaspora’ - as I believe that the choice of terminology is not an innocent thing: indeed, it often reflects the perspectives and intentions of the stakeholder.

**Policy 1: ‘Not Worth the Risk’**

The first policy, Nodia argues, would be the implementation of a fully Georgian-speaking education system. Within such a system, Georgian would be the official language of instruction and interactions amongst instructors and pupils in school. Starting in kindergarten, Azeri students would learn the Georgian language through what would effectively be a system of immersion, and, by the end of their primary and secondary-school curriculum, hopefully be fluent, or near fluent, in the Georgian language.\(^{1016}\) This policy proposal, however, Nodia immediately adds, was immediately rejected by the Georgian government, as it would ‘infringe on the cultural rights’ of its minorities.\(^{1017}\)

As I have suggested in the first part of this paper, it is hard to say how much the Georgian government ‘cares’ about the cultural rights of its non-Georgian nationalities - unless provided with a reliable source of exclusive ‘insider’ information. What is easier to determine, however, is to what extent a policy benefits the government given its own interests and long-term goals.

When speaking of ‘cultural rights,’ Nodia implicitly references several things, the first being the historical situation of Azeris in Georgia. Indeed, given the cultural and language rights that Georgian Azeris were granted during the Soviet period - including the right to a fully Azeri-speaking education system - taking part of these rights away through the implementation of a Georgian-speaking system would undoubtedly rekindle the tensions experienced between Georgian Azeris and the Georgian population and government during the period of Georgian nationalism that followed the collapse of the Soviet system. Second, rekindling tensions with Georgian Azeris could jeopardize Georgia’s good relations with Azerbaijan - the latter whom, as mentioned, is highly invested in its diaspora in Georgia, including in its education system. Third, Georgia’s desires to integrate within the framework of the European Union, implementing a policy that, given the historic presence of Azeri education in Georgia, infringes on ‘minority rights,’ would be a direct contradiction with EU policy; not only with the guidelines and frameworks suggested in the EU/Georgia Action Plan,\(^{1018}\) but also, more broadly, with the Copenhagen Criteria.\(^{1019}\)

Thus, if the Georgian government’s relations to these three stakeholders - the Georgian Azeri community, Azerbaijan, and the EU - remain unchanged in their importance, transitioning to a fully Georgian-speaking education system - even if the Georgian government had all the tools to implement it - is not likely to be seriously considered.

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\(^{1016}\) Nodia, Ghia. Interview by Isaure Vorstman.

\(^{1017}\) Nodia, Ghia. Interview by Isaure Vorstman.

\(^{1018}\) EU-Georgia Action Plan.

**Policy 2: ‘In an Ideal World…’**

The second policy, Nodia explains, is on the other side of the spectrum: the implementation of a fully bilingual system in both primary and secondary education. In this system, Azeri schools divide their time equally between teaching pupils subjects in Azeri and subjects in Georgian. Such a system would ensure pupils graduate from secondary school fully proficient in both languages, providing them the tools to enroll into a Georgian-speaking postsecondary institution if they wish, but also preserving their cultural and linguistic identities as Azeris in Georgia.

Yet according to Nodia, while this policy suggested was ‘ideal’ to solve this problem of Georgian language acquisition in Azeri communities, it was not a feasible one due to the lack of Georgian-speaking teachers to work in these schools. Thus the Georgian government rejected this policy proposal, deeming it ‘impossible’ given the lack of available resources.

It is hard to say whether ‘policy #2’ was really ‘impossible’ to implement: indeed, had the Georgian government committed to gathering sufficient knowledge and expertise to transition to a bilingual system, as well as to making enormous financial investments - though many international organizations, such as the OSCE, would certainly have offered its own share in expertise and financial support, given their current financial support for minority education projects led by NGOs such as the Centre for Civic Integration and the CCIR - perhaps the Georgian government would have achieved the implementation of such an “ideal” system. In any case, Nodia’s explanations reveal that the Georgian government since Saakashvili has certainly been unwilling to make such a major commitment to reform a system that, eventually, would yield enormous results in the long term.

**Policies 3 and 4: Affirmative Action**

Thus, if the implementation of a Georgian-language education system was immediately dismissed given the high stakes of infringing on “cultural rights,” the implementation of a bilingual system, too, was put off the table by the Georgian government. The only option left, then, in the eyes of the government, was to leave the system as is and find a way to work around it. With this in mind, they introduced two different Georgian language classes. One, Nodia explains, is a training service for public servants of ‘minority communities’ (Azeris and Armenians) whose goal is to acquire a level of “passable Georgian” to help them become more competitive in Georgian civil society. The other is geared towards access to postsecondary institutions: known in Georgia as ‘1+4,’ the program lets students from non-Georgian secondary schools take the entrance exams to Georgian-speaking universities in their own language. If the student passes, (s)he gains access to a full year of state-sponsored language school hosted by the postsecondary institutions themselves. Upon completion of this year of language classes, the student then enrolls into the regular university curriculum and completes their program of
The program, sponsored by the Georgian government and the Azerbaijani government through SOCAR, was officially implemented in 2010 and has been running ever since. Jajanidze, who also works as a Georgian language teacher in the 1+4 program at Tbilisi State University, argues that the system “works:” the teachers are well-trained, the program is well-funded by the Georgian government, Georgian NGOs, as well as international organizations, notably from the United States, it includes various activities outside of language classes to help students learn Georgian, and, for students at Ilia and Tbilisi State - Georgia’s two leading universities, both located in Tbilisi - a tutor system wherein bachelor’s and master’s students help the 1-year Georgian-language students in their process of academic and social integration. Over the past ten years, the number of Georgian Azeris enrolled in this program has reached over 2,000; all of this indicative, Jajanidze argues, of the success of ‘1+4.’

“... But it is not Enough”

The success of ‘1+4,’ however, must be put into perspective: 2,000 students is a tiny number against a total population of almost 250,000. According to Jajanidze, this is because of a lack of knowledge about the program, particularly in the rural parts of Georgia; thus the CCIIR, she states, spends parts of its budget to travel these more remote regions to spread awareness of the program.

Moreover, Jajanidze acknowledges, ‘1+4’ alone cannot solve the difficulties of Azeris and Armenians in accessing post-secondary education and participating in Georgian civil society. For one, obviously, it is not given to everyone to become fluent in a new language within the space of a year, only to be expected to then successfully complete a four-year university curriculum in this new language. Second, there is more to it than just language: Azeri students in Georgian universities and civil society are also faced with a sociocultural barrier and, according to Bayramova, are often faced with discrimination, exclusion and stereotyping that still persists in Georgian society. Knowledge of the sociocultural circumstances of Georgian Azeris in Georgian society is often minimal: according to Bayramova, Georgian society in general, like the government, has generally little interest in the Georgian Azeri community; and the civil activists who try to draw attention to affairs like education within this community have difficulty making their voice heard through the media and by the government, sometimes even receiving threats to stop calling attention to these issues.

The voices of Azeri civil activists, then, are limited in their reach: unsupported by the Georgian government, they often turn to international organizations, often from the United States, for donors as well as training programs. Meanwhile, while the work of NGOs such as the CCIIR and the Civic Integration Foundation frequently involves collaborations with the

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1027 Nodia, Ghia. Interview by Isaure Vorstman.
1028 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1029 Jajanidze, Elene. Interview by Isaure Vorstman.
1030 Jajanidze, Elene. Interview by Isaure Vorstman.
1031 Jajanidze, Elene. Interview by Isaure Vorstman.
1032 Jajanidze, Elene. Interview by Isaure Vorstman.
1033 Jajanidze, Elene. Interview by Isaure Vorstman.
1034 Jajanidze, Elene. Interview by Isaure Vorstman.
1035 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
1036 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
1037 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
Georgian government, often under the umbrella of the Council of National Minorities and the Public Defender, they, too, have to seek funding elsewhere, often outside of Georgia: the CCIIR, for instance, is partly supported by OSCE. And, Khalilov argues, while some work with the government has been effective in the past - ‘1+4,’ for instance, was established in collaboration with the Council of National Minorities - it is difficult to establish a working partnership with a government that keeps changing in light of a generally unstable political situation.

Conclusions: What Remains to be Done

What does it mean to be an Azeri in Georgia? The answer depends on who you ask, and which sources you choose to consult. According to the Georgian Constitution, they are Georgian citizens, who are all equal before the law; moreover, like all citizens, they have the right to maintain and develop their own culture and mother tongue. According to the Georgian government, they are a ‘national minority,’ who live in Georgia in an effectively separate society, with their own culture, language and communities - a ‘right’ or ‘special status’ consolidated in law during the Soviet era that cannot be taken away from them. At the same time, they also ‘belong’ to Azerbaijan, their friendly neighbor of the Caucasus - and, according to the Azerbaijani government, they are part of the Azerbaijani ‘diaspora,’ and, as such, must be taken care of, their historic presence outside of Azerbaijan maintained and consolidated.

The identity of Georgian Azeris is thus multifold, and sometimes confusing. Many Georgian Azeris grow up with no knowledge of Georgian nor of Georgian society: how can they ever be expected to identify as Georgian citizens and build a future in Georgian civil society? At the same time, how can they identify as Azerbaijani while the Azerbaijani government actively invests in their staying in Georgia while making immigration to Azerbaijan difficult? It seems that Georgian Azeris are both and neither: claimed by both Georgia and Azerbaijan, both countries also actively work to exclude them in different ways.

What does it mean to be an Azeri in Georgia? The consequences of these conflicting identities, forged by the different intentions of these major stakeholders, have led to a complicated status quo: the barriers that prevent Georgian Azeris from participating in civil society have not been altered in any significant way since the collapse of the Soviet Union. Thus far, the Georgian government has tip-toed around the suggestion to reform and adapt the Azeri education system in Georgia - where a real, long-lasting solution could be brought to this problem. Rather, it has replaced real, lasting solutions with modest policies whose short-term - and therefore also small-scale - success is assured. And while work is being done by independent actors, the Georgian government limits them in what they can do, leaving the funding to international organisations and the work to NGOs who can only bring small improvements to the system as it is. A few things have been done in the past decade, with modest results, but it is far from being enough.

In the end, only the Georgian government can bring about a reform in the education systems of Georgian Azeris. In order to do that, they need to listen to those who represent these communities - the Council, NGOs, but also independent activists and voices from these

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1038 Jajanidze, Elene. Interview by Isaure Vorstman.
1039 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1040 Khalilov, Zaur. Interview by Isaure Vorstman and Daria Dumbadze.
1042 Bayramova, Samira. Interview by Isaure Vorstman and Ema Marcheska.
communities - and dare to reflect their suggestions in their policymaking, while using the appropriate funding to do so. While the government has taken small steps to address their issues - a lot of them which look really good on paper - whether the voices and concerns of Georgian Azeris are truly reflected in policy remains to be seen. If the Georgian government wants to live up to their country’s Constitution, to their desire to integrate in the West and in the framework of the European Union, then they must give all their citizens the opportunity to participate in civil society, to make a difference, to speak up to voice their concerns - and then, they must listen.
Bibliography


