

May
2017

Compendium of Policy Briefs



საქართველოს პოლიტიკის ინსტიტუტი
GEORGIAN INSTITUTE OF POLITICS

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**National Endowment
for Democracy**

Supporting freedom around the world



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GEORGIAN INSTITUTE OF POLITICS

The Georgian Institute of Politics (GIP) is a Tbilisi-based non-profit, non-partisan, research and analysis organization founded in early 2011. GIP strives to strengthen the organizational backbone of democratic institutions and promote good governance and development through policy research and advocacy in Georgia. It also encourages public participation in civil society-building and developing democratic processes. Since December 2013 GIP is member of the OSCE Network of Think Tanks and Academic Institutions.

*This publication has been produced from the resources provided by the National Endowment for Democracy. The opinions expressed are those of the authors and do not necessarily reflect the views of the Georgian Institute of Politics and the National Endowment for Democracy.

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Printed by: Grifoni

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FOREWORD

During the 25 years since gaining independence, Georgia has made significant progress toward developing stable political institutions and a functioning democratic system. The country continues to make steady, if slow, progress toward NATO and the EU. This represents a key direction for the nation's political and economic development. That process has been given an added impetus by Georgia's recent deepening integration with the European Union (EU) and North Atlantic Treaty Organization (NATO). In particular, in June 2014, Georgia signed an Association Agreement (AA) with the EU, a document that requires it to meet targets on human rights, democratization, and good governance. The signing and ratification of the AA is seen as a guarantee of Georgia's pro-Western track. It also serves as a modernization action plan, having a significant impact on the country's social, economic, and political landscape. In addition, Georgia received a substantial package from NATO in 2014, which requires the implementation of additional governance reforms. Georgia is now closer to Europe than ever before. In March 2017, it achieved visa liberalization with the EU, with its citizens gaining the right to travel visa-free in the Schengen Area.

While deepening cooperation with the EU supports the further strengthening of Georgia's democratic institutions and security, the overall picture is more complicated. Building a durable democracy and productive economy in an unstable security environment remains a major challenge for the country. While Georgia is far ahead in terms of democratic development when compared to its immediate neighbors, the state of Georgia's economy, democracy, and political stability still come short of the Western

standards to which it aspires. Against this background, establishing a sustainable, law-based system of governance has become central to Georgia's aspiration to become a full-fledged member of the democratic family of nations. Accordingly, this goal is repeatedly supported by politicians of all persuasions. However, Georgia's ability to consolidate its political institutions around a durable democratic culture remains uncertain.

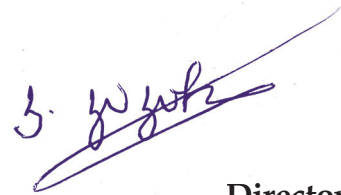
As the country has shown ample commitment to Euro-Atlantic integration, a choice that comes with the strings attached of democracy promoting conditionality, large segments of its population are yet to see any of the benefits of Georgia's much-lauded democratic reforms. As the declared goal of the Georgian government is to transform the current unconsolidated democratic system into a representative, European-style liberal democracy, new concerns arise. Just where is the current government – which enjoys a constitutional supermajority – headed? Can it be trusted to implement the right reforms? Many observers fear a situation in which a single party holds *carte blanche*. There has already been vocal criticism from opposition forces and civil society representatives regarding this issue, due both to the experiences of the recent past and the content of the constitutional amendments proposed by the current government. The amendments would, among other things: end the process of direct election of the president and instead make the president elected by delegates from the parliament and municipal councils; and replace the current mixed majoritarian-proportional system for electing parliamentarians with a proportional system. However, that proportional system would include certain controversial features: Parties would be barred from forming electoral blocs,

and any unallocated seats – left over by the failure of smaller parties to pass the threshold for entering parliament – would automatically go to the leading party. The amendments have been criticized as thinly-veiled attempts by the current government to gain control of the presidency and cement its majority in parliament.

Despite slight improvements on its Democracy Score (improved from 4.64 to 4.61) Georgia is still deemed a hybrid regime under Freedom House’s regime classification system.^[1] It is in the interest of the Georgian public to focus on developing a competitive political landscape through strengthening and democratizing political parties and deepening their roots in society. It is essential that political parties represented in parliament make a genuine commitment to implementing key reform priorities. However, that commitment must go beyond the political parties in parliament and extend to non-parliamentary parties and the civil society sector at large. With a society based on respect for the rule of law and the help of the international community, there is cause for cautious optimism that Georgia can develop a tolerant and pluralistic political culture.

Questions about Georgia’s democratic development remain, as do those about the effectiveness of Euro-Atlantic institutions to provide incentives for reform. It is thus crucial for the political class, civil society sector, and the public at large to more seriously engage with both the democratization and Europeanization processes. It is in this challenging environment that our organization produced this publication under the project “Democratization and Parliamentary Monitoring in Georgia” supported by the National Endowment for Democracy and implemented by the Georgian Institute of Politics (GIP). This publication contains five policy briefs, each including recommendations on key issues pertaining to Europeanization and democratization in Georgia: priorities for Georgia’s further integration into Euro-Atlantic structures; the development of stable political party platforms; relations between the state and the Georgian Orthodox Church; and the balance of power across branches of government. This publication is intended as a resource for government officials, civil society representatives, academics, analysts, journalists, concerned citizens, and all who engage with issues related to Georgia’s democratic development.

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^[1] Freedom House. Georgia-Nations in Transit. Annual report, 2016. Available at: <https://freedomhouse.org/report/nations-transit/2016/georgia>

**GEORGIA'S EUROPEAN INTEGRATION:
WHAT COMES AFTER THE EASTERN
PARTNERSHIP?**

BIDZINA LEBANIDZE¹

EXECUTIVE SUMMARY

This policy brief explores future avenues for EU-Georgia relations going beyond the Eastern Partnership (EaP) but short of full EU membership. Enlargement fatigue coupled with economic and migration crises and the resultant rise of far-right groups puts additional pressure on the EU's relations with its Eastern Partners. Georgia's longtime goal of joining the EU is off the table, and the gap in expectations between what Georgia aspires to and what the EU is capable of offering is growing. However, the history of EU relations with third countries offers a number of creative solutions that go beyond the exhausted framework of the EaP initiative but stop short of full membership. This policy brief focuses on such intermediate solutions for enhanced integration that may guide

EU-Georgia relations through the uncharted waters of the post-EaP era. The brief concentrates on three core areas of EU-Georgia relations: democracy and rule of law; economic integration; and security and military affairs. It is argued here that, whereas democratic consolidation is a precondition for further deepening of relations with the EU, Georgia's government and society should temper their expectations regarding full membership in the Union anytime soon and instead concentrate on more immediate goals such as: completing Georgia's integration into the EU single market by implementing labor mobility with the EU; and establishing and deepening institutional relationships with EU military and security structures.

KEY FINDINGS AND RECOMMENDATIONS

Democracy and rule of law

- The Georgian government should ensure the sustainability of Georgia's democratic development, without which the country's European integration aspirations are without basis. Integration will become even more difficult to fulfill given that Georgia has received all available incentives from the EaP but has not set new targets regarding democratic development.
- In addition to democratic consolidation, managing public expectations and preventing the rise of Eurosceptic moods among the Georgian population shall remain priorities of the government.

- Georgia's civil society with the backing of the EU and international community should act as a guardian of Georgia's democratic institutions. In particular, it should work to prevent the government from attempting to roll back Georgia's democratic development.

Military and security

- NATO integration shall remain a priority for Georgia. However, the Georgian government should carefully observe the growing gap between the US and the EU and attempt to integrate into any alternative military structure that may be created by the EU in the future.

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- Georgia should attempt to establish institutional relations with EU military and security agencies including the European Defense Agency and the newly-established Military HQ for Military Missions.
- Georgia should closely coordinate with Ukraine its Euro-Atlantic integration efforts, as Ukraine shares common concerns with Georgia but due to its size and strategic location is far more important for the EU and NATO.

Economic integration and social mobility

- Accession to the European Economic Area (EEA) which includes free labor mobility may be the best-case medium-term scenario for Georgia. The Georgian government should seek a special arrangement with the EU that allows Georgian workers to enter the EU labor market for

limited periods of time.

- Not every possible configuration of future economic integration with the EU will be profitable for Georgia. Since Georgia is pursuing a liberal trade policy oriented toward signing free trade deals with third countries, the country should avoid entering economic treaties that limit freedom of external trade, such as the Customs Union (CU) with the EU.
- Georgia should complement its attempts at further economic integration with the EU with a multilateral track. The Georgian government should cooperate closely with Ukraine and Moldova to establish an EFTA-like organization which could pave the way for the three EaP countries' limited access to the EEA, which would include labor mobility.

INTRODUCTION

“Georgia is returning to the European family” – Georgian Prime-Minister Giorgi Kvirikashvili tweeted on 28 March 2017 when the visa-free regime with the EU was officially launched (Civil Georgia 2017). Indeed, and unlike the Agreement on Deep and Comprehensive Free Trade Area (DCFTA)—the positive results of which will only be visible in the long-term—the visa waiver is the first and most important tangible benefit of Georgia’s European integration process. At the same, however, it marks the end of the current era in relations between the EU and Georgia. With the visa waiver now officially in force, Georgia has eaten the last “juicy carrot” offered by the Eastern Partnership (EaP) Initiative and thus exhausted the potential benefits of the current framework of relations.

Georgian politicians, academics, and civil society activists are now contemplating what the next steps in EU-Georgia relations should look like. It is obvious that the South Caucasus as a region has become irrelevant, and the EU itself has largely given up on regional “one-size-fits-all” thinking (Börzel and Lebanidze 2015). Rather, it is now acknowledging the importance of bilateralism in its relations with EaP countries, a fact reflected in its recent review of the European Neighborhood Policy (ENP) (European Commission 2015). On the other hand, there is a group of pioneer EaP countries—Georgia, Moldova, and Ukraine—who have been frontrunners of the EaP Initiative and are the only EaP countries with clearly expressed wishes to join the EU. Except for a common geopolitical interest in containing

Russia, however, the domestic conditions and needs of these countries are diverse enough to preclude a common approach. Thus, Georgia may need a bilateral track with the EU which will focus on its needs and exclude those aspects that may be important for other EaP states but are irrelevant to its own situation (for instance, combatting petty corruption). However, such a bilateral track may be unappealing to the EU as, unlike Ukraine, Georgia's political importance is relatively low. Hence, in the best-case scenario Georgia would seek to establish both bilateral and multilateral (i.e., in cooperation with Ukraine and Moldova) mechanisms for cooperation with the EU that go beyond the current EaP framework.

In reality, however, there is little Georgia can do to facilitate the process of Euro-Atlantic integration. The speed and intensity of EU-Georgia relations depends more on currently-unfolding shifts inside the Euro-Atlantic alliance. NATO is in crisis and it's not yet clear if and how the EU will survive its multiplicity of crises that includes: Brexit; the rise of the far right; the migration crisis; and Russian revisionism. Uncertainty surrounding the future of the EU and NATO keeps the Eastern Partnership (EaP) countries in limbo as they've based their future plans on integration into organizations that may not exist in the near future in their current form. This

policy brief analyzes scenarios for the future development of relations between the EU and Georgia in three key areas: democracy and rule of law; security and military cooperation; and economic relations. For Georgia, the process of European integration has two interlinked dimensions—domestic and external. Democracy and rule of law belong to the domestic dimension of Georgia's Europeanization process, lying within the responsibilities of Georgia's government and society. It is important for the Georgian government to understand that enhanced forms of EU integration with third countries, which go beyond the EaP framework, go hand-in-hand with democratic development and good governance in those countries. One is not possible without the other. On the other hand, there is an external dimension to Georgia's European integration—the further deepening of economic and political ties, over which Georgia has no leverage.

As the crisis-wracked EU is politically unable to offer a membership perspective to the EaP countries, it's worth taking a closer look at the different models of enhanced integration that lie between the EaP framework and full membership. Those may involve the prospect of access to the EEA, something which could include a special arrangement covering labor mobility or close cooperation with newly-evolving EU military structures.

DEMOCRACY AND RULE OF LAW

How can the Georgian government contribute to Georgia's European integration processes? How can it prevent diversion from Georgia's European path? There are two main domestic obstacles that could derail Georgia's European integration and that fall within the responsibilities of the Georgian government: the degree of democratic development in Georgia and rise of Eurosceptic

attitudes among the Georgian population.

With implementation of the Association Agreement (AA) and visa-free regime, Georgia has reached a level of integration with the EU at which the Union will find it difficult to tolerate any significant deviation from democratic norms. That is even more true of future EU-Georgia relations. Of the

countries which are more deeply integrated with the EU than Georgia, all are more democratic in comparison. Hence, if anything about future EU-Georgia relations is certain, it is the indivisibility of the democratization-Europeanization nexus: Without further democratization there will be no further integration with the EU.

The challenge of democratic consolidation of Georgia is further complicated by the fact that, at least as of early 2017, all “juicy carrots” have already been eaten and there are no new external incentives to induce the Georgian government to follow democratic norms. The problem is exacerbated by a new power equilibrium established after the recent parliamentary elections, which gave the ruling Georgian Dream party a supermajority in parliament. Georgia’s political landscape lacks the maturity to secure adherence to democratic norms on its own. In the past it has required public mobilization and protest to impose discipline on Georgian governments, thus avoiding state capture and various other autocratic practices. The international community and especially the EU have played key roles in encouraging democratic processes by putting pressure on incumbent regimes whenever necessary. Yet there are concerns that, after consuming all the benefits of the EaP – such as the DCFTA and the visa-free regime – the Georgian government will be less keen to constrain itself with democratic rules and procedures. However, recent events surrounding the

private TV station Rustavi2 clearly demonstrated that the international community can and will exert pressure on the Georgian government when it deviates from democratic norms.

The second major domestic challenge is that of preventing a rise in Eurosceptic attitudes among a Georgian public which currently aspires for nothing less than full EU membership. To address this problem, Georgia needs effective expectation management. The previous government under Mikheil Saakashvili was notorious for making unrealistic promises in order to gain domestic support. The current government has been more reserved in this regard. However, that may not necessarily be a sign of political maturity; rather, it could also be a product of its policy of accommodating Russia’s interests. The Georgian population has begun to display dissatisfaction with stagnating European integration processes. A recent poll conducted by the National Democratic Institute (NDI) indicated that 31% of Georgians would trade European integration for better relations with Russia, which in their opinion would be more beneficial for the country (NDI 2017). Recent success stories such as accomplishment of the visa-free regime with the EU might temporarily forestall growing Eurosceptic attitudes. However, in the medium-term perspective, the absence of an EU-membership perspective and the lack of immediate positive effects from the DCFTA threaten to cause the public mood to take an anti-EU swing.

QUEST FOR SUSTAINABLE SECURITY

Security remains the primary concern for all EaP states, including Georgia. Georgia has attempted to improve its vulnerable geopolitical position by joining NATO. However, the process has stagnated since 2008 due to

politically-motivated resistance by certain European NATO members, most notably France and Germany. Realistically, Georgia cannot expect acceptance into NATO anytime soon, as support for its membership has

also gradually eroded in Washington, Georgia's leading Western ally. Therefore, Georgia needs to seek alternative—even if provisional—solutions. By doing so, it should carefully follow the unfolding NATO crisis which has been further fueled by US President Donald Trump's approach toward the Alliance, which questions the utility of the US commitment to defend its European allies. In reaction to mixed signals from Washington, the EU has begun to take its security more seriously, taking steps to strengthen its military and security institutional structures. For instance, EU members recently agreed to establish joint military headquarters (HQs) for the "planning and conduct of non-executive military missions" (EUbusiness 2017)—a move seen by many as a precondition for establishing a "European army" that could rival NATO (Kanter 2017). Regardless of recent changes, the EU remains a reluctant regional hegemon in terms of engaging or confronting Russia in the military and security spheres. However, things are changing. The highly institutionalized nature of the EU has allowed it to run a consistent foreign policy regardless of changing circumstances, whereas the long-term reliability of the US is being tested by the growing impression that it may drastically alter its policy preferences based on who sits in the White House.

To be sure, a country like Georgia does not have the luxury to choose between different Western military settings. It must adapt to changing circumstances in the West and seek close ties with current and future US- and EU-led military structures. It was a mistake of the previous government to focus solely on military and political ties with the US to the exclusion of the EU. Georgia's political estrangement from the Western European members contributed to the NATO decision not to grant a Membership Action Plan at

the NATO summit in 2008. Since then, Georgia has worked to diversify its military and security ties with some success, for instance the acquisition of advanced air defense systems from France (Kucera 2015). Although it may not be an easy road, Georgia should work to establish institutionalized ties with the EU in the military and security realms. The Association Agreement already provides explicit provisions on Georgia's participation in several sector-specific EU agencies, including the European Defense Agency (Emerson 2016, 12). Georgia has also been actively involved in EU-led peacekeeping missions, demonstrating that it's not just a consumer but also a provider of security. It was the only non-EU country to participate in the European Union peacekeeping mission in the Central African Republic. Yet, the current level of relations with the EU is barely enough to contribute to Georgia's long-term security and stability, let alone help restore its territorial integrity. The Georgian government should attempt to integrate into any new security or military arrangement that may develop under the auspices of the EU in the coming years. On a concrete level, this may take the shape of Georgia's full or associated membership in EU military structures, participation in EU-led missions and joint military drills, acquiring defensive lethal weapons on the EU market, and participating in EU-wide defense procurements.

Recently there has also been much hype about the Intermarium—the concept of a new security alliance encompassing several Eastern European states (Umland 2016; Dostál 2016). Yet without commitments from Germany and other Western European countries, any European alliance structure will lack substance and sufficient capacity to defend itself from Russian hybrid warfare or provide an effective deterrent against Rus-

sia. Moreover, it's unclear whether the EU's Central and Eastern European member states will commit to a new alliance. The idea has thus far been mostly discussed in academic circles in Ukraine. In addition to questions of feasibility, the concept also lacks a clear vision of what such an alliance would look like. Andreas Umland, a German expert working in Ukraine, argues that the strate-

gic alliance between NATO-member Turkey and non-member Azerbaijan might serve as a model for the Intermarium (Umland 2016). However, it is questionable to what extent this model can contribute to the stability and security of EaP countries. So far, strategic alliance with Turkey has failed to strengthen Azerbaijan's security and stability, let alone resolve the Nagorno-Karabakh conflict.

UPGRADING ECONOMIC RELATIONS

The economic sphere represents the most advanced area of EU-Georgian relations, with DCFTAs being the most comprehensive free trade agreements the EU has signed with any third country. The agreements ensure a "high degree of inclusion in the single market for three of the four freedoms": the free movement of goods, service, and capital (Emerson 2016, 6). However, the fourth and arguably most important freedom—labor mobility—is excluded from the DCFTAs. Under conditions where full EU membership is not in sight, the pioneer EaP countries, including Georgia, should concentrate on two main objectives: further deepening of economic integration; and achieving free labor mobility with the EU. As unrealistic as it seems amidst the migrant crisis and rise of the far right in many EU countries, in the long-term future the opening of the labor market may be a win-win for both parties: demographically-aging EU countries need to develop more sophisticated mechanisms

for controlled immigration in order to sustain their social systems; and the EaP states can provide skilled, low-cost workers with relatively minimal problems integrating. To alleviate public anxiety in EU member states, additional control mechanisms can be established to put temporal and segmental limits on labor migration from the EaP states. On their part, the opening of the European labor market will allow the EaP countries to reduce their dependency on remittances from Russia. In Georgia's case, that currently accounts for between 5 and 10% of GDP annually.

In recent decades the EU has developed a number of models for economic relations with third countries that involve different degrees of integration. In addition to the DCFTAs, the EEA and CU are the two most advanced forms of economic integration, hence it is worth comparing the three models for economic integration.

EFTA

The best-case scenario for advancing Georgia's European integration in the areas of economic and social mobility would be membership in the EEA, which was

launched in 1994 to "extend the EU's internal market to countries in the European Free Trade Area (EFTA)"¹ (European Parliament 2017). Membership in the EEA is contingent

¹ EFTA was founded in 1960 in Stockholm. It does not belong to the EU but is an independent intergovernmental organization "set up for the promotion of free trade and economic integration to the benefit of its four Member States" (EFTA 2013). It currently includes four countries: Norway, Iceland, Liechtenstein, and Switzerland.

on full implementation of all EU single market legislation, the bulk of which is already covered by the DCFTA. A key difference between the EEA and the DCFTA is the former's incorporation of all four freedoms of the EU's internal market: free movement of goods, people, services, and capital. On the other hand, the EEA does not include membership in the CU, hence it doesn't limit the freedom to negotiate free-trade agreements with third states. For instance, EFTA members have already negotiated 31 such agreements (Emerson 2016, 3).

One path to membership in the EEA is to first apply for membership in the EFTA; however this may prove even more difficult than full EU membership. According to the EFTA convention, "any State may accede to the Convention provided that the EFTA Council decides to approve its accession, on such terms and conditions as may be set out in that decision" (EFTA 2013, 29). Moreover, unlike the EU, the EFTA lacks formal criteria for accession. Accession depends only on the political will of the Council, the organization's highest governing body. The fact that political preferences dictate decision-making processes inside the EFTA Council was

exemplified by post-Brexit discussions when Norway threatened to block the UK (a founding member) from rejoining the EFTA, an act that would "shift the balance" inside the organization (The Guardian 2016). In the case of the EaP countries, including Georgia, there are even less obvious reasons why the developed Western European states would want to accept poorer and less developed EaP countries into their exclusive club.

Instead of entering lengthy negotiations with the EFTA, the pro-EU EaP countries may be advised to launch negotiations on a similar framework agreement modeled on the EFTA. All three AA countries (Georgia, Moldova, and Ukraine) have already taken the first step by achieving visa liberalization, and since 2014 have the most comprehensive free trade regimes the EU has signed with any third country. That combination creates the preconditions for negotiating membership in the EEA in the long-term future. That may happen under the umbrella of an "EFTA-East" which might include the EaP states which already exhausted the initiative's full potential by eating its two major carrots – the DCFTA and the visa-free regime.

CUSTOMS UNION

Entering the CU with the EU might be another model for future economic integration. The EU-Turkey Customs Union, which has been in force since 1995, is the best example of how the CU works in relation to third states. The CU has contributed to Turkey's economic and trade upswing, transforming it into a regional "trading state" (Kirişci and Ekim 2015, 2). Within twenty years, bilateral trade between the EU and Turkey increased sixfold and Turkey's overall annual trade volume increased from \$20 billion to \$400

billion between 1985 and 1994 (Kirişci and Ekim 2015, 2). Georgia's small economy is not comparable to Turkey, thus the economic benefits to Georgia as well as to the EU would be rather moderate. However, entering the CU would have strategic significance for Georgia. It would further anchor Georgia in the European market, reduce the number of tools available to Russia for putting pressure on Georgia's economy via non-market methods, and create fertile ground for further economic and, potentially, political in-

tegration with the EU.

However, the CU with the EU could have downsides as well. The CU's main feature is the "common external tariff", a "common system of tariffs and import quotas that apply to non-members" (BBC 2017). Hence, entrance into the CU would limit the freedom of EaP states to negotiate trade agreements with third countries. That could potentially conflict with Georgia's current liberal trade agenda which it has followed since the Rose Revolution. For instance, the free trade agreement with China, which is set to enter into force by the end of 2017, would not have been possible if Georgia were a member of the CU. However, even without membership in the CU, free trade with the EU still comes with strings attached. For instance, membership in the EAA is contingent on adherence to "rules of origin." Ac-

cordingly, Georgian exporters must demonstrate that the goods they export to the EU originate in Georgia and are therefore eligible for tariff-free import into the EU. At first glance, this appears to be a restriction. However, the rules of origin regulation may have a positive impact for Georgia's economy, for instance by attracting foreign direct investment. Application of rules of origin could motivate foreign entrepreneurs to move production to Georgia to gain the ability to export to the EU on preferential terms. Georgia's low labor costs could also support that. Yet, the main weakness of the CU remains its exclusion of free labor mobility – which remains a high priority for all EaP countries. Taking into account a number of other restrictions on free trade policies, it remains questionable whether the CU is the logical continuation of already-existing DCF-TAs.

CONCLUSIONS

This policy brief analyzed the future challenges and opportunities posed by Georgia's European integration. After accomplishing all major, tangible objectives of the EaP – including the DCFTA and visa-free regime – Georgia, together with Moldova and Ukraine, enters a gray zone in its relations with the EU. All bilateral targets have been achieved and no new goals have been articulated. A wide gap exists between the expectations of Georgia's citizenry – who aspire to nothing less than full membership – and the EU's reluctance to offer any new avenues for integration. Under conditions where the possibility of EU-membership is absent, the Georgian government must focus on three challenges: first, it should ensure that there is no public backlash against the EU and there is no rolling back of democratic development at the domestic level; second, in

addition to its quest to join NATO, Georgia should attempt to establish institutional cooperation with nascent EU military and security structures; and third, Georgia should look for ways to accomplish integration into the EU's single market, most notably by achieving free labor mobility with the EU.

As discussed in this policy brief, the best way to achieve labor mobility with the EU – the only remaining of the four core freedoms that remains restricted after the launch of the DCFTA – is to create an EFTA-like organization composed of the three DCFTA-EaP states and which could pave the way toward access to the EEA. On the other hand, Georgia should avoid entering any institutional frameworks with the EU that would provide fewer benefits while imposing restrictions on Georgia's external trade, an example be-

ing the CU with the EU. In the military and security area, Georgia should continue to knock at NATO's door but at the same time closely monitor EU efforts to develop its own military capacities. In particular, Georgia should engage in military and security cooperation with the EU and its member

states as much as possible. Finally, the Georgian government should attempt to consolidate democratic structures and should ensure that there is no democratic rollback in the country, as further Europeanization is not possible in the absence of simultaneous democratization.

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VISA LIBERALIZATION FOR GEORGIA: WHAT'S NEXT?

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This publication was produced with the support of the Open Society Georgia Foundation (OSGF). The views and opinions expressed in this article are those of the authors and do not necessarily reflect the views of the Georgian Institute of Politics and the Open Society Georgia Foundation.

EXECUTIVE SUMMARY

This policy document analyzes the prospects of future EU-Georgia ties. Examination of the historical experience of EU-Georgia ties reveals that progress in the forming of institutions and democratic development continually moves EU-Georgian cooperation to new stages. Hence, further democratization processes in the country increase the probability and opportunity of Tbilisi to advance to a qualitatively new stage of partnership with Brussels. Specific recommendations are proposed on the basis of the best practices

and experiences of EU membership candidate countries on the path of European integration.

The policy document also includes analysis of threats and risks facing EU-Georgia relations. It also discusses the issue of the historical “window of opportunity”, underscoring that when such a moment appears, Georgia should meet all the criteria necessary to join the European family and to pursue its foreign policy objectives.

KEY FINDINGS AND RECOMMENDATIONS

Participation in the process of accelerating the appearance of a window of opportunity and making the most out of it requires the active involvement of both the GoG and civil society. The recommendations below include general, as well as concrete, steps to be taken on Georgia’s European path:

- It is highly recommended for the government to make a political statement proclaiming the new association agenda an ambitious plan for moving closer to the strategic objective of membership and for preparing a foundation for receiving the European perspective;
- The government should develop a strategy on moving forward to achieving EU membership objectives, which should act as a standalone conceptual document to lay the political ground for Georgia to receive a Membership perspective;
- It is highly important that in accordance with the country’s foreign policy agenda, new approaches pertaining to membership be reflected on during the revision of conceptual, as well as strategic documents, such as Foreign Policy Strategy, National Security Concept, etc.;
- In addition, the government should take the initiative and launch a pre-emptive legal screening process, which would ensure the country’s preparedness for future technical and formal proceedings;
- It is crucial to make Georgia’s membership a topic of discussion at various international events that are attended by the government, as well as representatives of civil society;
- It is highly recommended that the Georgian National Platform of the Eastern Partnership Civil Society Forum send the GoG and the parliament a recommendation to call for a formal application; in addition, non-govern-

mental and civil organizations outside the platform should also actively contribute to the cause;

- The discussion about membership should be intensified in the capitals of our friendly EU allies (Eastern Europe, Sweden, Baltic states) and it should be discussed as frequently as possible;
- Preparatory discussions shall be launched in the capitals of Western Europe; it should be underscored that the discussion concerns the affirmation of Georgia's European perspective, not accession;
- It is recommended to add the issue of Georgia's European perspective to the agenda of the Association Parliamentary Council, Association Committee and Association Council;
- The government shall make an active effort to force the European Parliament to demand differentiating the states with a signed AA from other participants of the Eastern Partnership; the European Parliament can submit a recommendation to the European Commission and the member states calling for the elaboration of a new strategy regarding those states, with the Euro-

pean Perspective in mind;

- The discussion of the topic under the bilateral political dialogue format should be intensified.

Preparing a political foundation will make it possible for the GoG to submit an official membership application. There is no need to go into specifics about the dates. The application should be submitted after the new European Commission is appointed in 2019. The submission should coincide with the process of implementing the second EU-Georgia Association Agenda, which is scheduled until 2020.

It is difficult to predict what Georgia will be able to achieve. Without a doubt, both local and international political fluctuations should be taken into account. However, it is certain that, after laying a solid political foundation and implementing a new wave of reforms, Georgia will be even closer to the strategic objective of membership. What is paramount is to make membership into an irreversible process and express readiness for further discussions, both within local and international political and civil circles.

The publication represents personal viewpoint of authors and shall not be viewed as the official position of any organization.

INTRODUCTION

On March 28, 2017 the visa-free regime for Georgian citizens traveling to the Schengen Area officially entered into force. This was another historic decision on the road to Georgia's homecoming, its final integration into the European family. The visa regime liberalization is the fruit of a prolonged political process and chain of reforms, which were initiated back in June 2012 within the framework of EU-Georgia Visa Dialogue.

The launch of EU-Georgia negotiations on visa regime simplification was followed by the elaboration of the Visa Liberalization Action Plan (VLAP)², which the European Commission gave the Government of Georgia on February 25, 2013. A framework document for legislative harmonization and sector policy reform, it set forth key directions and requirements for visa-free short-term visits to the Schengen Area for Georgian citizens with biometric passports.

An open door to the European family and the right of free movement is one of many benefits Georgian citizens receive as a result of EU-Georgia cooperation. This initiative is unique as it reaches every citizen, making this hard-earned achievement on Georgia's European path very concrete and tangible.

This decision, which can appear to be a technical change, has political significance. It plays a crucial role in the process of Georgia fulfilling its declared foreign policy objectives. The unhindered movement of Georgian citizens in the free world means not only more ties and better opportunities to penetrate the European market, but also establishing and developing civic relations, which in a modern system of interdependency is a cornerstone for pursuing foreign policy.

Georgia's foreign policy ambitions go far beyond free travel on the European continent. As soon as visa liberalization officially entered into force, a new topic of interest emerged – the next phase of the EU-Georgian partnership. Both the local audience and Western partners are aware of Georgia's intention to not stop at visa liberalization and to continue to work toward eventual EU membership. However, the nature of Georgia's action plan for membership remains the subject of discussion: whether to pursue the policy under the existing cooperation framework or establish new formats and further instrumentalize them for ultimate approximation with membership goals.

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²State Commission on Migration Issues of Georgia, official web-site, EU-Georgia Visa Dialogue, Action Plan on Visa Liberalization; accessed on 02.04.2017, <http://migration.commission.ge/files/vlap-eng.pdf>

GEORGIA AND EU - NEXT STAGE OF COOPERATION

In a joint statement issued on April 12, 2017, the Foreign Affairs Ministers of the Visegrad Group (V4) supported the European perspective of Eastern Partnership countries. The statement stipulates that Brussels' 2017 summit declaration should reflect the different aspirations of partner countries and offer a European perspective for interested partners.³ The joint statement was made after a meeting in Warsaw between the foreign affairs ministers from the Visegrad Group and Eastern partnership countries.

One month prior to the launch of the visa-free regime for Georgia, Dimitris Avramopoulos, European Commissioner for Migration, Home Affairs and Citizenship, paid an official visit to Georgia. During his speech at the official press conference, where he assessed Georgia's road to visa liberalization, the commissioner also spoke about Georgia's European perspective. "Georgia is an example of progress and reforms that bring it one step further to its European path, to its European perspective," the commissioner stated.⁴

The remarks of Dimitris Avramopoulos were something new for Georgian society, as the numerous attempts by the Government of Georgia to include clauses on "European perspective" in official EU documents have traditionally been treated with reluctance by Brussels. Besides, EU representatives, both

politicians and bureaucrats, have noted on many occasions that the European perspective was off the agenda and that it would be better for Georgia to focus on the fulfilment of its responsibilities stipulated in the Association Agreement (AA).

Despite the GoG requests, the 2014 Association Agreement ignored the prospect of Georgia joining the union. Although the preamble of the document acknowledges "the European aspirations and European choice of Georgia", no membership prospects are envisaged there, unlike the membership promise included in the Stabilization and Association Agreements with the Western Balkans.⁵

In the spring of 2015, the Georgian leadership tried again to receive official EU affirmation of the country's European perspective. Prior to the Eastern Partnership Riga Summit, President of Georgia Giorgi Margvelashvili, former Prime Minister Irakli Gharibashvili and then-Speaker of Parliament David Usupashvili published an open letter addressing President of the European Council Donald Tusk, President of the European Commission Jean-Claude Juncker and former President of the European Parliament Martin Schulz. In the joint letter, the GoG called for acknowledging the country's "European perspective" at the EU's Riga Summit.⁶

Georgia's attempts have usually been treated

³ Joint Statement on the Eastern Partnership of the Foreign Ministers of the #Visegrad Group; Official Twitter account of the Ministry of Foreign Affairs of Poland, Poland(MFA) <https://twitter.com/PolandMFA/status/852171700112416768>

⁴ Online Journal Civil Georgia, the European Commissioner Speaks of Georgia's European Perspective, 28.02.2017, <http://www.civil.ge/geo/article.php?id=31065>

⁵ Online Journal Civil Georgia, the European Commissioner Speaks of Georgia's European Perspective, 28.02.2017, <http://www.civil.ge/geo/article.php?id=31065>

⁶ Joint letter to the European Council President, His excellency Donald Tusk, Online Journal Civil Georgia, accessed on 06.04.2017, http://www.civil.ge/files/files/2015/Tusk_GEO.pdf

with scepticism by Brussels and the member states; however, the EU has always highlighted that Georgia is a success story and expressed sincere hopes for the country's further approximation to the European family. The latter statement is further evidenced by Georgia being named as a regional example of success in a 2016 Global Strategy on Foreign and Security Policy for the European Union.⁷

An examination of the historical experience of EU-Georgian relations reveals that progress in the forming of institutions and democratic development always moves EU-Georgian cooperation to a new stage. Hence, further democratization processes in the country increase the probability and opportunity of Tbilisi advancing to a qualitatively new stage of partnership with the Brussels.

The fact that visa liberalization and the AA are not the final achievement of EU-Georgia relations is also strongly supported by trends in various public opinion surveys:

- A question included in National Democratic Institute-funded research, carried out by the CRRC in March 2016, "Is the Government's declared goal of Georgia becoming an EU member acceptable or not", received a positive response from 77% of respondents.⁸
- Moreover, according to the survey results published by the International

Republican Institute (IRI) on April 4, 2017, 90% of respondents support the idea of Georgia joining the EU.⁹

It is important that public opinion is also reflected in official foreign policy documents. On December 29, 2016, Georgia's supreme legislative body passed a resolution on basic foreign policy directions, which reads that the Association Agreement is not the final stage of cooperation and the ultimate goal of Georgia is to join the EU in compliance with Article 49 of the Treaty of the European Union. Interestingly, this is the same parliament that, in the new version of the Constitution of Georgia, has the responsibility to define basic internal and foreign policy priorities for the government.

Other notable official documents on the parliamentary level include **Statements and Recommendations of EU-Georgia Parliamentary Association Committee**, which serve the purpose of strengthening institutional ties between the European Parliament and the Parliament of Georgia, as well as the development of parliamentary diplomacy.

Statements by four EU-Georgia Parliamentary Association Committees (in the years 2015, 2016, 2017) highlight the fundamental position that "the Association Agreement is not the ultimate goal of EU-Georgian relations... and Georgia, like any European state, is entitled to apply for EU membership."¹⁰

⁷ Shared Vision Common action: A Stronger Europe, A global Strategy for European Union's Foreign and Security Policy, EEAS Website, June 2016 http://www.eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf

⁸ Public attitudes in Georgia Results of a March 2016 survey carried out for NDI by CRRC Georgia. NDI website, accessed on 01.04.2017, https://www.ndi.org/sites/default/files/NDI%20Georgia_March%202016%20poll_Public%20Issues_ENG_vf.pdf

⁹ Political ratings and public opinion in IRI funded research, Online Journal Civil Georgia, 05.04.2017, <http://www.civil.ge/geo/article.php?id=31169>

¹⁰ EU-Georgia Parliamentary Association Committee, Fourth Meeting Final Statement and Recommendations, 15-16 February 2017, Website of Parliament of Georgia, http://www.parliament.ge/ge/ajax/download-File/56297/4th_EU_Georgia_PAC_meeting_final_statement-adopted

In this regard, a number of noteworthy and significant resolutions have been passed by the European Parliament, including the January 21, 2016 resolution on the EU Association Agreements and the Deep and Com-

prehensive Free Trade Areas with Georgia, Moldova and Ukraine.¹¹ The document once again recognizes the right of European states to apply for EU membership if the necessary conditions are met.

European Parliament resolution on Association Agreements / Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine 21 January, 2016

“Stresses that, pursuant to Article 49 of the Treaty on European Union, any European state may apply to become a member of the EU provided that it adheres to the principles of democracy, respects fundamental freedoms and human and minority rights, and ensures the rule of law...”

Article 49 of the Lisbon Treaty¹², which is stipulated in both the Georgian and EU parliamentary resolutions, clarifies that any European state which respects the values referred to in Article 2, such as the respect of fundamental human rights - including protection of minorities' rights, rule of law, equality, justice, freedom and democracy - and is committed to promoting them, may apply to become a member of the Union.¹³

Submitting a formal application does not require complex procedures. When applying, the applicant state is not required to fill in an extensive questionnaire or deal with bureaucratic routine. The only requirement is to officially express the wish to join the Union in writing and forward it to the Presidency of the Council of the European Union. The institutional procedure associated with joining the EU starts after the application is submitted.

¹¹Association Agreements / Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine, 21 January, 2016, Website of European Parliament, <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2016-0018&language=EN&ring=P8-RC-2016-0068>

¹²Lisbon Treaty, Article 49, accessed on 01.04.2017, <http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-european-union-and-comments/title-6-final-provisions/136-article-49.html>

¹³Consolidated Treaty of the European Union, Article 2, Pg. C115/17, accessed on 01.04.2017, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0013:0045:en:PDF>

**BOSNIA AND HERZEGOVINA OFFICIAL APPLICATION -
FEBRUARY 15, 2016¹⁴**



**BOSNIA AND HERZEGOVINA
PRESIDENCY**

Sarajevo, February 15, 2016

Your Excellency,

I have the honour, on behalf of Bosnia and Herzegovina, pursuant to the Statement on the commitment of institutions at all levels of government in Bosnia and Herzegovina to implement the necessary reforms within the EU accession process, in accordance with Article 49 of the Treaty on European Union, to present the application of Bosnia and Herzegovina for membership in the European Union.

Please accept the assurances of my highest consideration,

Dragan Lovcic PhD
A handwritten signature in black ink, appearing to read 'Dragan Lovcic' with a stylized flourish.

*His Excellency
Bert Koenders, Minister of Foreign Affairs of the Netherlands
President of the Council of the European Union
Brussels*

¹⁴Escaping the First Circle of Hell or the Secret Behind Bosnian Reforms, ESI Report, 10.03.2016, <http://www.esiweb.org/pdf/ESI%20-%20Bosnia%20escaping%20the%20first%20circle%20of%20hell%20-%2010%20March%202016.pdf>

PROCEDURES FROM SUBMITTING THE MEMBERSHIP APPLICATION TO ACCESSION NEGOTIATIONS¹⁵

- The applicant state submits an official application to the Council of the European Union;
- The Council of the European Union notifies the European Commission, the European Parliament and national parliaments of member states on the application submitted by the applicant state;
- The European Commission sends the applicant state the Acquis Questionnaire and prepares an Opinion on the applicant state's readiness for the Accession Process; the European Commission checks the applicant against the Copenhagen Criteria;
- The applicant state is given, on average, three months to fill in the Commission's several thousand-question Questionnaire, however it is possible to prolong the process if necessary; it takes an average of one year for the Commission to formulate its opinion on the applications;
- The European Parliament examines the submitted application and makes a decision;
- The decision to approve or reject an application is made by the Council of European Union based on the Commission's opinion and the European Parliament's recommendation; the decision of the Council of the European Union is conveyed to the European Council for final approval.

PROCEDURES FROM THE START TO THE END OF THE ACCESSION PROCESS¹⁶

- The European Council decides to launch accession negotiations with a candidate state;
- The European Commission starts the procedure of acquis screening;
- A series of Accession Conferences commence with the candidate state on a ministerial level, where issues pertaining to the harmonization of the candidate state's law with EU legislation are discussed. A total of 35 chapters of the acquis are included on the agenda of the conferences;
- An accession treaty is signed with the candidate state after the membership initiative is supported by the Council of the European Union, European Commission and European Parliament. The EU's decision on membership shall be ratified by the candidate state's parliament, as well as the national parliaments of member states.

¹⁵From EU Membership Application to Accession Negotiations: Frequently Asked Questions, regional web portal European Western Balkans, accessed on 02.04.2017, <https://europeanwesternbalkans.com/2016/02/15/from-eu-membership-application-to-accession-negotiations-frequently-asked-questions/>

¹⁶European Neighbourhood Policy and Enlargement Negotiations, European Commission, accessed on 04.04.2017, https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/croatia_en

EU MEMBERSHIP CRITERIA

A prospective member state's readiness for EU membership is determined based on the Copenhagen Criteria,¹⁷ which was approved in June 1993 at the Summit of the European Council:

- Political criteria: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- Economic criteria: a functioning market economy and the ability to cope with competitive pressure and market forces within the EU;
- Legislative alignment (acquis criteria): ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards and policies that make up the body of EU law (the 'acquis'), and adherence to the aims of the political, economic and monetary union.

An applicant state has never been refused a candidate status in the history of the Union. The only exception is Morocco, whose rejection was motivated by the fact that it did not represent a European state.

As of today, Turkey, Serbia, Montenegro, FYR Macedonia and Albania all have candidate state status. Bosnia and Herzegovina as well as Kosovo are potential candidates. The time required to complete the procedure from the formal application to receiving candidate status varies from state to state. For example, Turkey applied in 1987 and the country was granted candidate status only in 1997. Turkey's accession negotiations commenced in 2005 and are still underway.¹⁸

Unlike Turkey, other active candidate states went through the mentioned procedures relatively fast. Serbia applied in 2009, received candidate status in three years and the following year, 2013, a decision was made on the commencement of the accession process.¹⁹

Country	Applied	Candidate	Accession Negotiations
Turkey	1987	1997	2005
Montenegro	2008	2010	2012
Serbia	2009	2012	2013
Macedonia ²⁰	2004	2005	X
Albania	2009	2012	X
Bosnia and Herzegovina	2016	X	X
Kosovo ²¹	X	X	X

¹⁷ European Neighbourhood Policy and Enlargement Negotiations, Conditions for Membership, European Commission, accessed on 06.04.2016, https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership_en

¹⁸ European Neighbourhood Policy and Enlargement Negotiations - Turkey, European Commission, accessed on 04.04.2017, https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/turkey_en

¹⁹ European Neighbourhood Policy and Enlargement Negotiations -Serbia, European Commission, accessed on 04.04.2017, https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/serbia_en

²⁰ Former Yugoslavian Republic of Macedonia

²¹ This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence; https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/kosovo_en

EU FINANCIAL INSTRUMENTS

In a rapidly changing world, the EU holds nine key financial tools for implementing foreign policy priorities that include both geographical and thematic instruments²².

Geographical instruments:

- Instrument for Development Cooperation (DCI)
- Instrument for Pre-accession Assistance II (IPA)
- European Neighbourhood Instrument (ENI)
- Instrument for Greenland (IfG)
- European Development Fund (EDF)

Thematic instruments:

- European Instrument for Democracy and Human Rights (EIDHR)
- Instrument contributing to Stability and Peace (IcSP)
- Partnership Instrument (PI)
- Instrument for Nuclear Safety Cooperation (INSC)

Presently, the key funding instrument of the EU for Georgia is the European Neighbourhood Instrument (ENI). The ENI framework covers programs such as Erasmus+; Technical Assistance and Information Exchange (TAIEX); Support for Improvement in Governance and Management (SIGMA); Neighbourhood Investment Facility (NIF); and other related programs. In addition to the ENI, Georgia also benefits from thematic instruments, including the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument contributing to Stability and Peace (IcSP).

The EU extends its assistance to Georgia under ENI via the Single Support Framework (SSF) programming document. In the period of 2014-2017, from 335,000,000 to 410,000,000 euros in assistance will be allocated to Georgia.²³ This number, when comparing using the principle of proportionality, is far less than the assistance provided under IPA II to accession candidates and potential candidate states.

²² Funding Instruments, European Commission, accessed on 06.04.2017, https://ec.europa.eu/europeaid/funding/funding-instruments-programming/funding-instruments_en

²³ Programming of the European Neighbourhood Instrument (ENI) - 2014-2020 Single Support Framework for EU support to Georgia (2014-2017); Pg.- 5 -8; accessed on 06.04.2017, http://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/georgia_2014_2017_programming_document_en.pdf

ALLOCATED AND BUDGETED FINANCIAL ASSISTANCE UNDER IPA II DURING YEARS 2014-2020²⁴

Country	2014	2015	2016	2017	2018 -2020	2014 -20
Albania	83.7	86.9	89.7	92.9	296.3	649.5 million €
Bosnia and Herzegovina	39.7	39.7	42.7	43.7	*	165.8 million €
Macedonia	85.7	88.9	91.6	94.9	303.1	664.2 million €
Kosovo	83.8	85.9	88.7	91.9	295.2	645.5 million €
Montenegro	39.6	35.6	37.4	39.5	118.4	270.5 million €
Serbia	195.1	201.4	207.9	215.4	688.2	1,508.0 million €
Turkey	620.4	626.4	630.7	636.4	1,940.0	4,453.9 million €
Multi-support program (multi-country)	348.0	365.0	390.0	410.4	1,445.3	2,958.7 million €
* Presently unknown						

GEORGIA'S EUROPEAN PERSPECTIVE

In addition to increasing its approximation to Europe's political, administrative and trade space, Georgia's aspiration to accession is obvious from its efforts to forge closer cooperation with the EU. The Preamble of the EU-Georgia Association Agreement acknowledges "the European aspirations and European choice of Georgia"²⁵ but EU officials often highlight that the association agreements signed with Georgia, Moldova and Ukraine do not envisage any perspectives for membership.

However, as evidenced by the above-mentioned official foreign policy priorities documents, Georgia's main strategic goal is EU accession and the EU Association Agreement, as well as the Deep and Comprehensive Free Trade Agreement (DCFTA), visa liberalization and other integration-related initiatives, are the means to reach the ultimate goal.

Two presumable scenarios manifest themselves for the country to achieve its strategic foreign policy objectives. Those scenarios may easily guide Georgia on its European path:

1. EU declares a European perspective for Georgia (independently or along with Ukraine and Moldova) and grants the country potential candidate status; this could mean Georgia transitioning to become a beneficiary to the **Instrument for Pre-accession Assistance** (IPA II) from its existing bilateral financial assistance program (**ENI**); the next steps would involve Georgia submitting official application and receiving the Candidate status.

This was the road taken by the Western Balkan states. The process involved EU leaders offering Western Balkans a European perspective at the 2003 Thessaloniki Summit²⁶,

²⁴ Overview - Instrument for Pre-accession Assistance, European Commission, accessed on 06.04.2017, https://ec.europa.eu/neighbourhood-enlargement/instruments/overview_en

²⁵ EU-Georgia Association Agreement, Pg. L 261/5, EEAS Website, accessed on 01.04.2017, https://eeas.europa.eu/sites/eeas/files/association_agreement.pdf

²⁶ EU-Western Balkans Summit, Thessaloniki Declaration, 21 June, 2003, Website of European Commission, http://europa.eu/rapid/press-release_PRES-03-163_en.htm

which was later followed by concluding the Stabilization and Association Agreements, joining the IPA program, submitting an official application and officially granting the countries candidate status at different stages of the process.

Exceptions to this path to membership are Bosnia and Herzegovina and Kosovo, which still remain potential candidates. Bosnia and Herzegovina recently applied for membership and is currently fulfilling the application procedures. Kosovo has not officially applied yet. Bureaucratic procedures allow a state that has not officially applied for EU membership to have a European perspective and correspondingly be viewed as a potential candidate, which entails benefits from the Instrument for Pre-Accession Assistance (IPA).

In light of these developments, it is crucial for Georgia to persuade the EU and member states that it has more ambition and deserves promotion on the basis of a “more for more” principle. It is also essential to differentiate Eastern Partnership states which have signed AAs and those which have the desire for further integration with EU.

Taking into account the regional and target-group differentiation policy of the European Union, achieving these goals independently will pose a serious challenge for Georgia. The policy should be implemented under the umbrella of the Eastern Partnership or outside it, e.g. by elaborating a

new **Stabilization and Association Process (SAP)** or other integration initiative.

2. In the second scenario, Georgia does not wait for a European perspective or potential candidate status, but rather it applies for accession and creates a fait accompli for Brussels. This step may be taken anytime, referring to Article 49 of the Lisbon Treaty. However, it should be considered that, before taking this historical step of a qualitatively new nature, it is essential that the country prepares the necessary political basis to achieve the desired results.

Unlike the first option, this road is shorter, however it is also more complicated and risky. This is first and foremost because the application process may be stretched out and the applicant country's expectations may be quite unclear. Besides, until the process is complete, Georgia will be unable to utilize the benefits offered to potential candidate states. An example is Iceland, which did not have a European perspective and the only way for the country to gain access to IPA benefits was to acquire official candidate status.²⁷

It is noteworthy that, unlike Ukraine, small Georgia and Moldova have an upper hand in one criteria of accession – Absorption Capacity.²⁸ Correspondingly, it will be logical for Georgia to coordinate its actions in this direction with Moldova. The visa liberaliza-

²⁷ Iceland applied for Accession in July 2009, but became an IPA beneficiary only in June 2010, after being assigned Candidate State status by the European Council; Iceland joined the program in 2011 and utilized benefits designated for Candidate State until the year 2013, before the newly elected Iceland government halted Accession Negotiations.

²⁸ “Just what is this “absorption capacity” of the European Union?”, CEPS, 6 October 2006, <https://www.ceps.eu/publications/just-what-absorption-capacity-european-union>

²⁹ Declaration of the leaders of 27 member states and of the European Council, the European Parliament and the European Commission, Website of European Council, 25 March 2017, http://www.consilium.europa.eu/en/press/press-releases/2017/03/25-rome-declaration/?utm_source=dsms-auto&utm_medium=email&utm_campaign=The+Rome+Declaration

tion process revealed that being paired with Ukraine is nowhere near as advantageous from the political standpoint.

As noted in scenario one, it is obvious that the EU will face difficulties awarding only Georgia and/or Moldova with a European perspective and not include the Ukrainians. Therefore, Brussels may even prefer for Georgia to formally apply under its own initiative. Such an action will provide EU with more room for political manoeuvring as the membership request would be initiated from the third country itself.

Taking the EU bureaucratic structure into consideration, Georgia needs to act in a consistent and methodical manner in order to have a better chance of fulfilling its strategic objective. GoG should not have a false expectation that it will be served with candidate benefits “out of turn” or be promoted “in advance”. It is also unlikely that the EU

and member states will agree to elaborate a new instrument exclusively for Georgia. Hence, the GoG should focus on existing and active technical procedures and utilize them for its own interests.

The only way to increase the theoretical probability of the EU introducing a new instrument for Georgia is to create a *fait accompli* by applying for membership. Such a step creates a narrow door of opportunity for Brussels to make a specific decision regarding the expansion of its partnership with Georgia. In the best-case scenario, Georgia will be assigned candidate status and will gain access to IPA II benefits. In the worst-case scenario, a historical precedent of a European state being denied candidacy will be established. It is possible that the EU will find a pragmatic solution and offer Georgia a new cooperation model, e.g. partnership with accession prospect and a new financial instrument other than the IPA II.

GEORGIA’S EUROPEAN PATH AND HISTORICAL WINDOW OF OPPORTUNITY

In an analysis of Georgia’s Euro-Atlantic integration, the lack or absence of international organizations’ political will often surfaces and becomes the focus of discussion. In debates over the issue, the main reference is made to the so-called “Historical Window of Opportunity”, underscoring that when such a moment appears, Georgia should meet all the criteria necessary to join the European family.

Currently the EU is undergoing the process of strategic reflection on the Common Foreign and Security Policy (CFSP). A noteworthy event in this regard is the elaboration of the Global Strategy for the European Union’s

Foreign and Security Policy and its follow-up process – the revision of the Neighbourhood Policy. Both the aforementioned document and the strategic reflection process are crucially important as the current EU Security Policy is based on the obsolete 2003 European Security Strategy document.

Another notable fact is that, out of the 16 ENP states, only Georgia and Tunisia are mentioned in the Global Strategy for the European Union’s Foreign and Security Policy. The success of these two states on the regional level serve as a stimulus for new positive changes. The strategic reflection process that is developing on the institutional level may

provide a push for the opening of a “window of opportunity” for states striving to complete their integration in the European family.

The Rome declaration, which was signed at the 60-years anniversary summit and celebrates the signing of the EU founding treaty, should also be mentioned. On March 25,

2017 the leaders of member states gathered “for a refreshing unique alliance of free nations” and signed the declaration, which sets forth a common vision on the EU’s future for the next 10 years. Despite unprecedented internal and foreign challenges, the declaration stipulates that the Union remains open for European nations that respect European values and facilitate their wide distribution.

“...We want a Union which remains open to those European Countries that respect our values and are committed to promoting them...”

Changes emerging on the international level are evidence that Georgia should continue its active work to achieve the set foreign policy objectives. Changes to the global architecture complicate identifying when the “window of

opportunity” will open for Georgia, which means that the state should not only prepare for the opportunity, but should also participate in the process of making it appear.

IS DEMOCRACY POSSIBLE WITHOUT STABLE POLITICAL PARTIES?

**Party Politics in Georgia and Prospects for
Democratic Consolidation**

LEVAN KAKHISHVILI¹

EXECUTIVE SUMMARY

Strong political parties represent the cornerstone of consolidated democracies. Parties contend for office in elections. Therefore, a strong link between parties and voters is of primary importance to the success of elections. Strong and stable party-voter linkages ensure that democracy is stable, as voters are aware of what to expect from elected parties. Consequently, party ideological programs are key. As Georgia's democracy matures, the country's political parties must follow suit in order for democracy to be consolidated. Accordingly, Georgia's parties should consider the nature of their linkages with the electorate. Studies show that party-voter linkage is most stable when on programmatic lines, a factor which diminishes the chance of unexpected policy turns. Therefore, this paper examines the challenges Georgian parties face on their path toward becoming more ideology-driven. The paper examines how party programs

correspond to party ideologies, how party programs reflect public opinion, and why and how young people decide to join political parties. This is achieved by: analyzing public opinion data from three different nation-wide polls; undertaking content analysis of seven major political party programs; and conducting focus group discussions with junior members of seven parties regarding their motives for joining the party of their choice. Findings show that: only three parties out of seven have ideologically-matching names and/or rhetoric and pre-election programs; more successful parties tend to better reflect public opinion than do less successful parties; and young Georgians tend to be more likely to prioritize personal networks, career opportunities, and ideology than the importance of a charismatic political leader when making decisions about which party to join or give loyalty.

KEY FINDINGS AND RECOMMENDATIONS

For political parties in Georgia:

- Public opinion data and pre-election programs indicate a gap between what the public needs and what is offered by parties. Parties must reflect the needs of the public, which are easily accessible through public opinion polls, but also must serve a function as public opinion mobilisers regarding the values on which their ideology is based. In short, parties much reflect needs while nurturing values.
- Focus group discussions indicate that

some Georgian parties are identified as potentially programmatic and some as potentially clientelistic. Unexpectedly, however, no political party is labeled as a charismatic party, indicating a more optimistic view of the Georgian political party system than is widely held by experts and scholars. However, parties must nurture the widespread appreciation of ideology and values among their junior members in order to transform into programmatic parties.

- Senior party members should be open to the ideas of their junior members

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and welcome their participation in decision-making processes, as this makes parties more internally transparent and democratic. Such horizontal governance and openness is highly likely to ensure the loyalty of the younger members.

- Research shows that a lack of qualified human resources is a recurring challenge for Georgian parties. Therefore, parties must either raise politicians from their own ranks or recruit from outside. While recruiting new members, however, parties must be careful regarding their methods of persuasion, as financial benefits and career opportunities do not seem important for gaining new and loyal members. Therefore, parties should identify prospective members who share similar values.

For the government:

- This study finds that financial resources are deficient for Georgian parties. Competition, healthy and strong, is key to ensuring successful, democratic elections. Parties lacking resources are unable to compete effectively. Therefore, a more effective party financing mechanism is necessary for ensuring democratic consolidation.
- Pluralism in parliament is a key component of democratization. The current electoral system favors larger parties, with smaller parties remaining outside parliament without an effective platform for advocating for the interests of their constituents. There is a need to reform the majoritarian electoral system (e.g. adopting a regional proportion-

al system) to ensure better chances of representation for smaller parties.

For the civil society organizations (CSOs) and think tanks:

- CSOs and think tanks should work to ensure the accountability of political parties before their voters. Analysis of pre-election programs and research on societal needs and preferences help parties establish stronger linkages with their constituents.
- CSOs and think tanks should provide trainings for junior party members on the ideological foundations of party programs. Trainings in this field will raise awareness as to why values and ideologies are important for party-voter interactions.

For media organizations:

- Georgian political parties assume that the media sphere is not equally accessible for large and small parties. Ensuring neutral coverage and giving a platform to smaller parties as well as larger parties will ensure more political competition.

For donor organizations:

- Donor organizations can play an important role by prioritizing the development of the political party system in their grant schemes. Providing support for parties through CSOs and think tanks can play a significant role in enhancing the internal democracy of political parties, their accountability before voters, and their awareness of ideological platforms, among other things.

INTRODUCTION

It has been said that Georgia fulfils “the basic conditions of a functional definition of democracy.”² However, functional democracy also requires functional political parties. Even in minimalist terms democracy is “a political system which supplies regular constitutional opportunities for changing the governing officials, and a social mechanism which permits the largest possible part of the population to influence major decisions by choosing among contenders for political office.”³ The contenders for office are political parties, the stability of which is the key to democratic elections. The stability of parties is especially important in the Georgian context: the country’s political system has been developing toward parliamentarian rule since constitutional amendments came into force after the 2013 presidential elections. Furthermore, there have been discussions since the 2016 parliamentary elections about amending the constitution to make the president elected by delegates from the parliament and municipal councils rather than by direct popular vote.⁴ Parties tend to become more important in a system in which parliament holds more power. Therefore, Georgian democracy is unimaginable without strong and sustainable political parties serving as

the foundation for democratic consolidation.

The stability of political party systems depends on two factors: the stability of the parties, and the stability of party-voter linkages. Georgian political parties are characterized by a “high death rate.”⁵ This means that Georgian parties often do not often survive the loss of power or decreasing popularity on the part of their leaders. Furthermore, party-voter linkages in Georgia are assumed to be of the weakest type – charismatic. There are three types of party-voter linkage: charismatic, clientelistic, and programmatic. Charismatic parties have constituencies loyal to the party’s leader. In comparison, clientelistic parties have constituencies who expect “personal and selective tangible and intangible advantages derived from [their party’s] victory.” Finally, programmatic parties have constituencies who expect “the production of indirect advantages in the form of collective goods if the party of choice wins the election.”⁶ In the post-Soviet context, programmatic party-voter linkages which “reinforce the consolidation and stability of democratic regimes”⁷ are rare. Consequently, Georgian political parties, if democracy is to be consolidated, face the

²Kakachia, K. and Kakhishvili, L. (2014). Georgia’s Political Transition: Halfway towards electoral democracy? In: Sully, M. (ed.) *Governance and Sustainability: Black Sea Region*. Vienna: Institute for Go-Governance.

³Lipset, S. M. (2000). The indispensability of political parties. *Journal of Democracy*, 11(1), 48-55.

⁴Broadcasting Company Rustavi 2. (2016, October 10). Population may be deprived of the right to elect the president - “Georgian Dream” is announcing constitutional amendments. Retrieved from <http://rustavi2.com/en/news/58783>.

⁵Nodia, G., & Scholtbach, Á. P. (2006). *The political landscape of Georgia: political parties: achievements, challenges and prospects*. Eburon Uitgeverij BV.

⁶Kitschelt, H. (1995). Formation of party cleavages in post-communist democracies: Theoretical propositions. *Party politics*, 1(4), 447-472.

⁷Kitschelt, H. (1995). Formation of party cleavages in post-communist democracies: Theoretical propositions. *Party politics*, 1(4), 447-472. Also see: Lijphart, A., Rogowski, R., & Weaver, R. K. (1993). Separation of powers and cleavage management. In R. K. Weaver & B. A. Rockman (Eds.), *Do institutions matter? Government capabilities in the United States and abroad* (pp. 302-344). Washington, DC: Brookings Institute.

challenge to transform into programmatic institutions. Such a transformation strengthens party-voter linkages as voters will have clear expectations regarding what policies will be pursued should a party of a given ideology win an election. Such predictability, by extension, determines democratic stability and consolidation.

The goal of this paper is to study seven major Georgian political parties⁸ in order to identify challenges to the development of Georgia's political party system and provide recommendations for relevant stakeholders to promote the process of democratization in Georgia. For these purposes, three objectives have been established. First, the paper explores to what extent the structure of parties' issue positions can be arranged along a one-dimensional left-right nexus and to what extent these issue positions correspond to the parties' respective declared ideologies. To this end, party stances on economic and social issues have been analyzed through the content analysis of pre-election programs of the seven parties. Second, the paper further

explores pre-election programs to analyze to what extent parties address the issues about which the public is concerned. Public opinion has been inferred from three public opinion polls conducted prior to the 2016 parliamentary elections, taking place in November 2015, March 2016, and June 2016.⁹ Finally, in order to gain an understanding of the nature of party-voter linkages in Georgia, representatives of the youth organizations of the seven parties were recruited to participate in focus group discussions, the aim of which being to identify reasons for why Georgian youth join political parties. This paper assumes that there are three main reasons for joining a party:¹⁰ interest in following a charismatic leader; interest in obtaining direct tangible or intangible benefits from the victory of a certain party, and belief in the ideology or value preferences expressed by a given party. Throughout the research period (February-March 2017), seven focus group discussions (FGD) were organized with the participation of 48 young political activists (30 male; 18 female) ages 18 to 33.

STRUCTURE OF ISSUE POSITIONS IN THE POLITICAL PARTY SYSTEM OF GEORGIA

Well-defined ideologies result in strong linkages between a particular party and its voters. Therefore, the first aspect of Georgian parties to be considered is how their respective positions are structured on a left-right spectrum.

Content analysis of seven programs for the 2016 parliamentary elections was conducted focusing on economic issues including jobs, poverty, rising prices and inflation, and wages; and social issues such as pensions, afford-

⁸ Georgian Dream, United National Movement, Alliance of Patriots of Georgia, Free Democrats, Democratic Movement – United Georgia, Labour Party, Republican Party.

⁹ Caucasus Research Resource Centers. (2015, November). NDI: Public attitudes in Georgia, November 2015. Retrieved from <http://caucasusbarometer.org/en/nn2015ge/codebook/>.

Caucasus Research Resource Centers. (2016, March). NDI: Public attitudes in Georgia, March 2016. Retrieved from <http://caucasusbarometer.org/en/na2016ge/codebook/>.

Caucasus Research Resource Centers. (2016, June). NDI: Public attitudes in Georgia, June 2016. Retrieved from <http://caucasusbarometer.org/en/nj2016ge/codebook/>.

¹⁰ Note: choosing to become active in politics and selecting a party to join are viewed as two separate decision-making processes. There are other factors that determine a decision to become involved in active politics but this paper limits the reasons for choosing a certain party to three possible factors, each of which reflect Kitschelt's theoretical framework.

able healthcare, and education. Judging from party names and the public statements made by party representatives, out of the seven parties under consideration in this study, two parties lean toward the left – Georgian Dream (GD) and the Labour Party (LP); and five parties lean toward the right – the United National Movement (UNM), the Alliance of Patriots of Georgia (APG), the Free Democrats (FD), the Democratic Movement-United Georgia (DMUG), and the Republican Party (RP). Only three programs out of seven closely match the declared and/or inferred ideology of the respective party (see the Table 1 below).

The analysis makes clear that pre-election promises tended to be leftist and only one right-leaning party – the Republican Party –

stayed loyal to its ideology across all issues under consideration. However, it should be noted that in certain occasions a party program exhibits right-leaning values (e.g. the program of FD), but when it comes to specific issue positions the party emerges with more left-leaning positions. On the other hand, given Georgia’s overall social-economic conditions, parties may intentionally choose to feature left-leaning positions, as was suggested by participants from the DMUG. And finally, there are cases when positions on economic and social issues are leftist but the non-economic and/or social values featured in the election program are conservative (e.g. the case of APG, whose program is centered on notions of “Georgian spirit”, tradition, religion, and patriotism, among other things).

Table1: Consistency of party programs and their declared and/or inferred ideology

Left-leaning parties		Economic Issues	Right-leaning parties				
GD	LP		UNM	APG	FD	DMUG	RP
✓	✓	Jobs	✓	✗	N.A.	✗	✓
✓	✓	Poverty	✗	✗	✗	N.A.	✓
✓	✓	Inflation	✓	N.A.	N.A.	✗	✓
N.A.	✓	Wages	✗	N.A.	✗	✗	✓
		Social Issues					
✗	✓	Pensions	✗	✗	✗	✗	✓
✓	✓	Healthcare	✗	✗	✗	✗	✓
✓	✓	Education	✗	✗	✗	✗	✓

✓ - The issue position of the party corresponds to the declared and/or inferred ideology

✗ - The issue position of the party does not correspond to the declared and/or inferred ideology

N.A. - The program does not mention or devote significant attention to the issue

Several conclusions can be made. First, leftist ideas and pre-election promises may simply be semantics and not actual promises, as parties appear to understand that most voters expect improvements in living standards in the short-run perspective. Therefore, these promises might be no more than

appeals to populism. Second, when a party’s ideology and pre-election promises are not in line with each other, the possibility of developing programmatic party-voter linkages is impeded. This situation hinders democratization in Georgia. Finally, divergences between a party’s name and its election

program create confusion about ideological identity and may discourage value-motivated would-be activists from engaging in politics.

Issue Salience: Public Opinion vs. Pre-Election Promises

The issues that are stressed and receive the most attention in party programs are an important indicator of the nature of party-voter linkages. These issues also demonstrate the ways in which parties communicate with their constituents and to what extent they are aware of public preferences. It is often believed that pre-election promises are insignificant in comparison with the charisma of party leaders. However, as polls show, party platforms are at least equally important. When asked whether or not party electoral platforms and promises are important, 60 percent of Georgians responded that they are “somewhat” or “very important.”¹¹ The same figure for “trust toward specific mem-

bers of parties” stands at 66 percent, lower than many assume to be the case in Georgia.¹² Public opinion polls do not completely correspond to voter behavior. However, they provide a strong indicator of the expectations Georgian parties face from their constituents.

This study examines the results of three public opinion polls conducted during the 12-month period preceding the 2016 parliamentary elections: November 2015, March 2016, and June 2016. These polls, which were commissioned by the National Democratic Institute (NDI), have been widely publicized, implying that the trends in public opinion expressed are easily accessible even to small parties. The three polls suggest that the Georgian public prioritizes economic and social issues first, followed by issues related to territorial integrity, foreign and security policy, and defense as well as issues related to governance, democracy, justice, and human rights (see Table 2).

¹¹ Caucasus Research Resource Centers. (2016, June). NDI: Public attitudes in Georgia, June 2016. Retrieved from <http://caucasusbarometer.org/en/nj2016ge/codebook/>.

¹² Caucasus Research Resource Centers. (2016, June). NDI: Public attitudes in Georgia, June 2016. Retrieved from <http://caucasusbarometer.org/en/nj2016ge/codebook/>.

Table 2: Public opinion and their priorities

#	The Most Important National Issue	Date of the Survey			Average
		Nov-15	Mar -16	Jun -16	
1	Economic Issues: Employment, Poverty, Prices/ Inflation, Wages				
1.1	Jobs	57%	57%	56%	57%
1.2	Poverty	29%	30%	29%	29%
1.3	Rising prices/ Inflation	26%	35%	26%	29%
1.4	Wages	17%	18%	16%	17%
2	Social Issues: Healthcare, Pensions, Education				
2.1	Pensions	28%	26%	25%	26%
2.2	Affordable healthcare	20%	18%	20%	19%
2.3	Education	12%	13%	17%	14%
3	Territorial Integrity, Foreign and Security Policy				
3.1	Territorial integrity	29%	23%	28%	27%
3.2	Relations with Russia	10%	12%	12%	11%
3.3	NATO membership	5%	6%	6%	6%
3.4	EU membership	4%	3%	5%	4%
4	Post-materialist Values: Democracy, Justice and Human Rights				
4.1	Fair elections	9%	6%	9%	8%
4.2	Restoration of justice	9%	9%	9%	9%
4.3	Humanrights	13%	11%	8%	11%
4.4	Freedom of speech	9%	5%	5%	6%
4.5	Court system	4%	2%	4%	3%

For Georgians, two of the top three most important national issues are always economic, with the other being territorial integrity. However, on average at least one economic issue is mentioned by 33 percent of the survey respondents. For social issues, that figure is 19.7 percent. The third category of problems – relating to conflicts, foreign policy, and security and defense – are mentioned by 12 percent of the population. Finally, governance-related issues, democracy, justice and human rights –related to what might be labelled post-materialist values – are the least likely to be mentioned as national problems: on average, the figure stands at 7.4 percent for each issue in this category. This discussion is consistent with issues identified by

the public as most important when voting in parliamentary elections: 41 percent of the population thinks that a party's stance on economic policy is of primary importance, followed by party stance on healthcare issues – 14 percent; national security – 11 percent; rule of law – 9 percent; foreign policy – 8 percent; and education policy – 6 percent.¹³

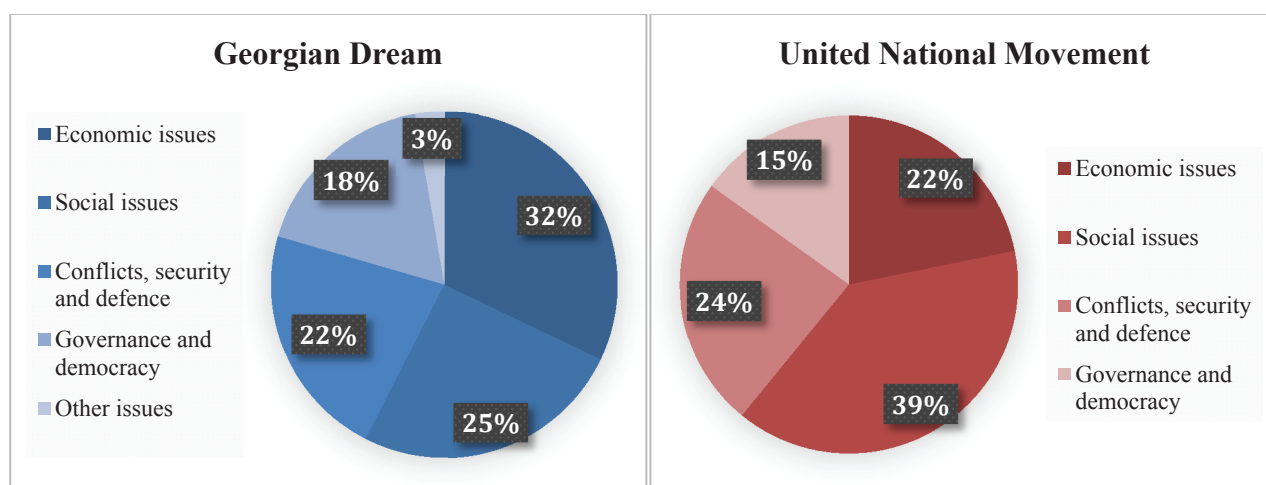
This paper relies on content analysis to discuss the issues stressed by political parties in their respective pre-election programs. Unsurprisingly, the most successful political parties – GD and UNM – better reflected public priorities (see Charts 1 and 2 below). GD, for example, allocates 32 percent of its over-24,800-word program to economic issues. That is

¹³ Caucasus Research Resource Centers. (2016, June). NDI: Public attitudes in Georgia, June 2016. Retrieved from <http://caucasusbarometer.org/en/nj2016ge/codebook/>.

followed by social issues, which accounted for one in every four words on average. Social issues are closely followed by territorial integrity, foreign and security policy, and defense affairs. Finally, governance, democracy, human rights, justice, and other related issues

account for only 18 percent of the program. Furthermore, GD has the longest program in terms of word count (UNM's program, for example, is fewer than 6,000 words). It should be noted, however, that the length of a program is less important as its content.

Charts 1 and 2: Pre-election program priorities for Georgian Dream and the United National Movement



As opposed to the top-performing parties, LP and RP – which received the lowest numbers of votes in the 2016 parliamentary elections, 3.14 percent and 1.55 percent, respectively¹⁴ – distribute their priorities at variance from public opinion (see charts 3 and 4 below). Governance and democracy as well as cultural and post-materialist issues such as environmental protection take up 48 and 53 percent of the LP and RP programs, respectively. These are low priorities for the public. Similarly, the APG, which, although it passed the threshold and received six mandates in parliament with just over 5 percent of the vote, does not address the priorities of public opinion in its election program. Every third word on average is dedicated to issues including patriotism and Georgian

spirit, Georgian feast, religion and patriarch, Georgian poetry, dances and folklore, and other related terms (that is one percent more than the 32 percent dedicated to economic and social issues combined). However, it should be mentioned that APG's focus on conservative and traditional values is likely what makes it more appealing than liberal parties such as the FD and RP.

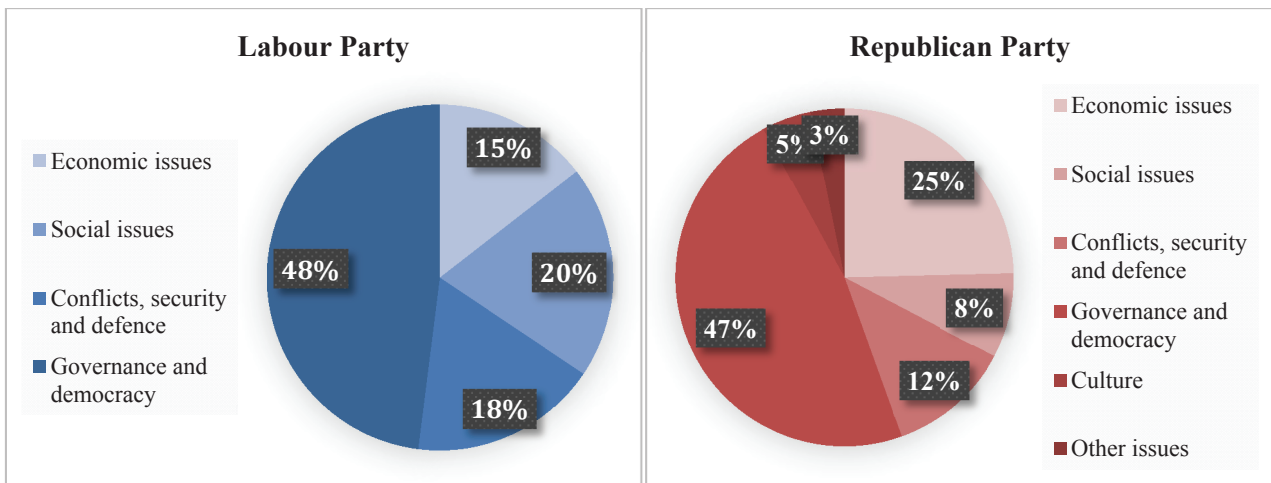
On the other hand, it must be emphasized that the results of the content analysis are inconclusive and suggest that the structure of priorities expressed in party programs is not the decisive factor influencing the electoral behavior of Georgian voters. That becomes clear when outliers are examined. DMUG, for example, closely reflects public opinion

¹⁴ Central Election Commission of Georgia. (2016, November 16). Summary Protocol of the Central Election Commission of Georgia on the Final Results of 8 October 2016 Parliamentary Elections of Georgia. Retrieved from <http://cesko.ge/res/docs/shemajamebelieng.pdf>.

in its distribution of priorities; however, the party received only 3.53 percent of votes. Similarly, FD focuses most of its program on economic and social issues – 70 percent combined. Yet, the party failed to pass the five percent threshold. This may also be explained by multiple factors such as voters’

trust in the party to make strategic decisions, or trust in whether a particular party is capable of fulfilling pre-election promises. After all, these priorities are written on paper and most voters do not read the programs. However, they are a useful indication of the issues deemed salient by the political parties.

Charts 2 and 3: Pre-election program priorities for the Labour Party and Republican Party



Georgian parties still have much to learn about reflecting the values and needs of society. On the other hand, however, a line should be drawn between societal needs and values. Political parties do have the responsibility to represent their constituents and fulfil their needs, but they also have a duty to mobilize public opinion around certain values that are not yet mainstream among the public. For example, raising awareness about social justice

and equality is the moral duty of social democrats, while promoting respect for freedom of choice and individualism is the task of liberal parties. Therefore, the priorities of political parties can differ from those of the public, but this variance should be limited to post-materialist values. Parties should not disappoint their constituents by failing to take notice of their needs. In addition, they should act when conditions exist for nurturing certain values.

THE NATURE OF GEORGIAN POLITICAL PARTIES AND WHY PEOPLE JOIN THEM

Parties can be classified according to the factors that citizens consider when deciding for whom to vote.¹⁵ This is defined by difference categories of party-voter linkages. In contrast to the widespread belief that ideology is insignificant in Georgian party politics, this study found that most scholars and field experts underestimate the importance of ideology for Georgian political activists. The study examined four major aspects of motivations for becoming politically active: why young people decide to go into politics; what factors influence their choice of party; what factors influence their decision to stay active in the selected party; and finally, what is the order of importance of personalities, career opportunities, and ideology in their identification with a particular party. Ideas and values, this study finds, play roles of varied significance in every stage of decision-making. However, the importance of ideology is showcased when young political activists identify themselves with a party of their choice.

According to the preliminary findings of this study, there are three recurring reasons for why young people choose to get involved in politics. First, that involvement can be a protest against the existing state of affairs and the desire to change how the politics are made in the country. Second, youngsters wish to be active in order to develop their careers, gain experience, and do some good for society along the way. And finally, per-

sonal networks and the influence of friends can be significant factors in this process, as well. These findings represent a mixture of features of clientelistic (career, networks) and programmatic (value-driven activism oriented toward change) political parties.

Furthermore, the choice of a specific party is more often than not determined by personal networks. This implies that decisions about which party to join often depend on in which party one has friends. Although personal networks are the key variable among the participants of this research, there is a minority of young people whose choice of party may be determined by two additional factors: party ideology and party leadership.

Networks, friendships, and the types of relationships established within a given party appear to determine allegiance to the party among the participants of this study. As various parties attempt to recruit young members, they often headhunt current members of other parties. However, the commitment to remain in one's chosen party appears to depend on to what extent junior members of the party feel welcome in both the higher and lower ranks of the party. If junior members observe common interests and values¹⁶ and feel that senior members pay attention to them – consider their opinion on various issues and contribute to their personal development – young people will remain loyal to the party. That is so even if the offers from other

¹⁵Kitschelt, H. (1995). Formation of party cleavages in post-communist democracies: Theoretical propositions. *Party Politics*, 1(4), 447-472.

¹⁶Note: According to how participants describe the decision-making process of rejecting offers for membership in other parties, discovering each other's values and ideas happens after joining the party: being a member of the same party does not guarantee that two members will have a similar set of values.

parties are attractive financially: according to the participants, the most common tools parties use to recruit young members are direct financial benefits (i.e. salary or a lump sum just before the elections) and the promise of better career opportunities. The former is used especially when attempting to win over experienced young people who have a longer track record of volunteering in a political party. Often, however, such offers are perceived as insulting by young activists who perceive financially-driven decisions to be damaging to their political identities and future career prospects. In rare cases ideology can play a role, as well. There are cases when a political party is not concerned with the development of its younger colleagues but junior members stay loyal anyway out of a strong commitment to the party's ideological values. Such participants tend to come from smaller parties and view their political careers through the lens of a constant struggle to improve the environment around them.

Finally, the process by which junior party members identify with their own party can also be insightful. The participants of the study were asked to rank, in order from the most important to the least important, three factors by which they identify themselves with their party. The results contradict the widespread belief that ideology is unimportant in Georgian party politics. Overall, ideas, values, and ideology topped the list of factors by which junior party members identify. Career opportunities and personal development came second, closely followed by leaders and personalities. While insight-

ful, these findings must be treated with care for several reasons. First, in some occasions participants of this research were unable to correctly identify their political party's ideology. Yet, the same participants strongly argued that ideology is of primary importance to their identification with the party. This puts the findings under question because if a person is not aware of the ideology of their party has, this implies that ideology is insignificant. Second, ideas and values are usually not as important as personal networks and career opportunities while making first steps toward a political career. Therefore, how they emerge as the primary identification mechanism with a party that was not chosen for its ideological stance remains a mystery. Further research is necessary to uncover how the process of socialization within a party affects the values of its junior members. Third, there might be cases when social desirability influenced the participants' honesty, and they answered in a manner they anticipated to be the most desired by the researchers.

Although the data gathered in this study is inconclusive and the findings should be viewed carefully, the research findings are significant. The findings argue strongly against the widespread perception that leaders are of primary importance in Georgian party politics. One can conclude that the nature of party-voter linkages in Georgia is changing and, in this process, political parties along with other actors can play a decisive role in how this transformation proceeds.

CONCLUSION

This study found that Georgian political parties are currently undergoing transformation. Parties which are traditionally assumed to be based on the popularity of their leaders have shown themselves to be more complex. Elements related to clientelism and programmatic party-voter linkages can be observed in Georgia's party politics. This is important for the democratization process. Although democratic consolidation cannot be achieved without strong political parties, transforming party politics from fragmentation of the political establishment to competition between ideologies, values, and policy choices will ensure progress. This is especially acute in the context of rising populism in Europe as well as in North America. Although it is often argued that program-

matic political parties are no longer needed for the functioning of politics, Georgia, as a post-Soviet country, is now undergoing a process of strengthening its political party system. This is a process that Europe and North America had more than two centuries to complete. Therefore, the evolutionary approach prevails over the revolutionary, and it is necessary to cement value linkages between voters and parties. This way, Georgian voters will know what policies to expect from different political parties. Parliamentary systems, toward which Georgia is moving, require developed political parties.¹⁷ Such development can be achieved only by weakening informal power networks and strengthening the programmatic features of Georgian parties.

¹⁷ Abdukadirov, S. (2009). The failure of presidentialism in Central Asia, *Asian Journal of Political Science*, 17(3), 285-298.

**THE GEORGIAN ORTHODOX CHURCH
AS A CIVIL ACTOR: CHALLENGES AND
CAPABILITIES**

SALOME MINESASHVILI¹

EXECUTIVE SUMMARY

Religious organizations as civil actors with social capital can play significant roles in social reform processes, examples of which being the African Church in South Africa and representatives of the Catholic Church in Latin America.² The Importance of churches as civil actors increases in those countries where the process of democratic transition is in progress and in which the civil sector is weak and disorganized. The church, in contrast to the civil sector, has surpluses of reputation, organizational skills, and autonomy.

Those are precisely the qualities that characterize the Georgian Orthodox Church. It not only has a number of advantages compared to other civil sector actors but also actively takes part in ongoing processes in society and state. This policy brief overviews the activities of the Georgian Orthodox Church as a civil actor, its challenges and potential in the ongoing process of democratization, its role in the context of pluralistic civil sector and its relations with other public actors.

THE CHURCH AS A CIVIL ACTOR AND ITS ROLE IN DEMOCRATIZATION

“Civil society” refers to self-organized groups of people who represent the interests of citizens and act independently from the private sector and government. The civil sector plays an especially important role in countries undergoing democratic transition.³ Religious associations such as the Georgian Orthodox Church (GOC) which represent social groups united according to religious beliefs are examples of such actors.⁴ However, the GOC is a significant civil actor not only because of its historical experience but because of its present status and influence. Despite being financed by the state, the GOC due to its high reputation retains autonomy and often posi-

tions itself separately from the government. One example includes foreign policy. The GOC’s relation with Russia differs from the official position of the government. Meetings of the Patriarch of Georgia with Russian officials are of an independent character and are not carried out in coordination with the Georgian government.⁵ Moreover, despite the fact that the GOC is financed by the state, it is not accountable to the state for presenting any official reports of its expenditures.⁶

Over the years, the GOC has enjoyed the status of the country’s most trusted institution. Most interestingly, in spite of the so-called⁷

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² Samuel, R. (2007, June 26). Religion: A Force for Social Change and Advocacy. Oxford Center for Religion and Public Life. Available at: <http://www.ocrpl.org/2007/religion-a-force-for-social-change-and-advocacy/>

³ Bernhard, M., Hicken A., Reenock C. and Lindberg S.I. (2015). Institutional subsystems and the survival of democracy. Do political and civil society matter? The Varieties of Democracy Institute. Series 2015:4. University of Gothenburg.

⁴ According to 2015 poles - 82% of Georgian population belongs Georgian Orthodox Church. Available at: <http://caucasusbarometer.org/en/cb2015ge/RELIGION/>

⁵ Interpressnews. (2011, November 28). Georgian Foreign Ministry cannot evaluate the visit of Catholicos-Patriarch in Moscow. Available at: <http://bit.ly/2pFJhUW>

⁶ Human Rights Education and Monitoring Center. (2015, February 18). Legislative assessment of financing practice of four religious organizations. Available at: <http://bit.ly/2dQNYGU>

⁷ News.on.ge. (2017, February 22). Cyanide case - in short. Available at: <http://bit.ly/2p4M2lp>

“Cyanide case”, which pointed out that relationships inside the GOC are not always based on Christian principles, the GOC has managed to unchangeably maintain high level of public trust. According to a 2017 public opinion survey carried out by the International Republican Institute, the GOC is still ranked first among institutions with the trust of 88 percent of the population.⁸ The GOC is Georgia’s most powerful civil actor and therefore potentially the most influential organization in this area. Apart from the general public, the GOC maintains authority among the political establishment, as well. It often appears to be a source of legitimization for some politicians and political parties.⁹ All political actors avoid open confrontation with the GOC.¹⁰

The GOC not only holds means of influence but also attempts to participate in ongoing processes in the country, supporting or opposing specific causes and movements. Apart from being a traditional religious institution, the GOC defines society’s values and principles and has on several occasions attempted to directly affect politics and legislation.

It should be noted that in comparison to other civil actors, the GOC has number of advantages that augment its importance. Apart from high levels of public trust in comparison to other groups, its membership

is long lasting and loyal. In contrast, people often enter other public organizations and associations only when it fits their personal interests. To be a member of a religious organization means to share and unite around mutual values and beliefs. This is the prerequisite for high interpersonal trust among members of the GOC. While members of other civil organizations are united around particular indicators such as social or financial status or level of education, members of the GOC represent all social strata. Therefore, a high degree of trust not only toward the GOC’s leaders but also toward other members of the organization and diversity of parish creates a strong base for social capital. Moreover, the Patriarchate of Georgia has owned a television channel since 2008 that allows it to exclusively express and disseminate its own views, a capability not enjoyed by any other civil actors or confession. Finally, due to its high level of authority, the organizational ability of the GOC puts it in a unique position to encourage social activity. This is indicated by the large number of protests organized by its representatives.

The potential of the GOC as a civil actor is significant and is to be taken into account. Nevertheless, it is worth analyzing how the GOC’s civic activism is expressed and its implications from the democratization perspective.

⁸ Center for Insights in Survey Research. (2017, February 22-March, 8). Survey of Public Opinion in Georgia. International Republican Institute. Available at: http://www.iri.org/sites/default/files/iri_poll_presentation_georgia_2017.03-general.pdf

⁹ Naskidashvili, M. (2013). Orthodox politics: religious renaissance and its political implications in post-Soviet Georgia. Master thesis. University of Oxford.

¹⁰ Netgazeti. (2017, April 25). Who is afraid to criticize the Church and traditions in Georgian politics. Available at: <http://netgazeti.ge/news/110105/>

CHURCH AS A CIVIL ACTOR AND ITS ACTIVITIES IN THE CONTEXT OF DEMOCRATIZATION

Officially, the Georgian Orthodox Church represents a legal entity of public law, which makes it a civil actor. However, because of the advantages listed above it is not an ordinary representative of such. Whether the GOC considers itself to be a civil actor is another question, what is included in its public activities and how these activities can be assessed from the democratization perspective is a matter of consideration below.

The GOC's influence reaches across multiple spheres of public life: education, healthcare, and agriculture, among others. We can thus highlight certain civil activities of the GOC. According to Transparency International, the GOC within the limits of its noncommercial activities owns four universities, five theological seminaries, 25 schools, eight social institutions, 18 charity and development funds, and 16 cultural and spiritual development centers, and roughly 90 schools, kindergartens, seminaries and orphanages are under its supervision. Most of these schools were founded by the Patriarchate and run by bishops and high-ranking clergymen. For example, the Patriarchate's centers include a canteen serving free meals, a home for the elderly, a drug rehabilitation center, and a kindergarten for hearing-impaired children.¹¹ Moreover, the Patriarchate owns professional development centers where students are taught iconography, wood crafts, and knitting.

In addition to the activities mentioned above, the GOC has on several occasions attempted to exert influence over the state's legislative and executive activities. Such examples include campaigns against legislative initiatives in 2011 and 2013, in the former case involving changes to the civil code regarding the status of religious minorities and in the latter, adoption of an antidiscrimination law. There are other such cases as well. In 2015, a campaign was launched concerning the issue of defining marriage in the constitution as a unity of a male and a female. Signatures were collected demanding a referendum on the issue and a draft bill was prepared. One of the leaders of the campaign was Zviad Tomaradze, (head of the Foundation of Demographic Revival) who was lobbying for the "interests of the Patriarchate".¹² Ultimately, the president of Georgia vetoed the referendum and the constitutional changes are currently under consideration by the Constitutional Reform Commission.¹³ The GOC has also actively interfered the discussions on the school subject "I and society" initiated by the Ministry of Education and Science of Georgia. Representatives of the Patriarchate's educational center took part in discussions expressing the view that some of the concepts and definitions in the school subject stood against traditional family values.¹⁴ In the end, the subject was adopted by the school program but due to above mentioned lobbying, with

¹¹ Transparency International - Georgia. (2014, September 5). Business companies and other organizations related to Georgian Patriarchate. Available at: <http://www.transparency.ge/blog/sakartvelos-sapatriarkostan-dakavshirebuli-bizneskompaniebi-da-skhva-organizaciebi?page=1>

¹² Eka Chitanava. Personal interview. Tolerance and Diversity Institute. March 2017.

¹³ Jumpstart Georgia. (2017). Definition of Marriage. Available at: <https://marriage.jumpstart.ge/ka#!61>

¹⁴ Liberali. (2015, October 21). Patriarchate Center: "I and Society" will make youngsters lose respect for their parents. Available at: <http://liberali.ge/news/view/18788/sapatriarqos-tsentri-me-da-sazogadoeba-mozards-mshoblebis-pativistsemas-daakargvinebs>

some corrections and after exempting some terms from the texts.¹⁵

Due to the nature of its activity, the GOC is an actor with considerable influence. However, it is questionable whether the GOC, given the nature of its goals, activities, and structure, meets the criteria of a democratic civil actor. The positive involvement of a civil actor in the process of democratization and performing educational and pluralistic functions of a public actor implies internal democracy, diversity, and the principle of equality among its members.¹⁶ At the same time, a democratic civil actor must participate in public discourse and “not allow violence to happen”.¹⁷ The GOC, however, is an internally nondemocratic institution due to it being based on a hierarchical structure and membership. The GOC is an ideologically nationalistic organization with its primary goal being the spiritual salvation of Georgians. It therefore fails to keep up with ongoing social trends and does not respond to current challenges and problems.¹⁸ One reason for that is its doctrine, which is primarily focused on spiritual salvation and conservatively approaches current challenges. For example, the gender equality issue should be considered. The GOC is not only unable to respond to social trends but, on the contrary, opposes them outright. For instance, during a sermon, Patriarch of Georgia Ilia II made the following statement: “Nowadays it is an accepted term that man and woman are equal. Lord’s writing says

that the head of the family is man. The family is one whole body and the body cannot have two heads.”¹⁹ Therefore, the GOC’s activities have a resistant character focusing on combatting rather than spurring change. All above mentioned outcomes from conservative values that does not give chance to reinterpretation of Christian values in accordance with modern challenges.²⁰

However, some of the problems related to the GOC’s role as a civil actor can also characterize Georgia’s civil sector in general. One of the main problems facing the country is the existing gap between the GOC and the wider society. Georgian organizations in general tend not to be “grassroots” as they are mainly represented by elites and led by top-down approaches.²¹ The financing of such organizations often depends on donors, and their activities are thus driven by the preferences of donors. This is one reason why civil organizations fail to respond to pressing social problems. This logic applies to the GOC.

Despite the fact that the GOC enjoys many privileges and its representatives actively communicate with the population in a face-to-face manner, the top-down approach is evident in its relationships with the wider society, due to the types of its activities it pursues. The GOC’s representatives dictate public rules of conduct and values without taking into account existing social problems.

¹⁵ Netgazeti.ge. (2016, May 30). The Subject „I and Society“ has been included in new national educational plans. Available at: <http://netgazeti.ge/news/119177/>

¹⁶ Gathuo, A. (2003). Democracy Through an Undemocratic Institution? The Church as Part of Civil Society. Religion and Civil Society. Trotter Review15(1).

¹⁷ Anonymous. Personal interview. Human Rights Education and Monitoring Center. March 2017.

¹⁸ Anonymous. Personal interview. State Agency of Religious Issues. March 2017.

¹⁹ Tabula. (2012, April 9). Ilia II: husband is the head of a family. Available at: <http://www.tabula.ge/ge/story/59228-ilia-meore-ojaxshi-mtavari-aris-qmari>

²⁰ Anonymous. Personal interview. Human Rights Education and Monitoring Center. March 2017.

²¹ Puig, J.P. (2016). Situational report of Georgian civil society. European Fund. Available at: <http://bit.ly/2oSAJrU>

For example, while giving a sermon in 2015 Patriarch of Georgia Ilia II referred to the practice of Georgian women traveling and working abroad as “fallacious” and invoked

them to return and work in Georgia.²² His comment did not take into account that money sent from overseas is the primary source of income for many Georgian families.

Relationship between the GOC and other Public Sector Actors

The GOC as a civil actor, its role and contribution also depends on the type of its relationship with the other groups of this sector: what is its attitude towards them; is there any kind of cooperation between the GOC and the other public organizations; does the GOC help or hamper the activities of other public actors.

The attitude of the GOC toward representatives of other civil organizations differs. Attitudes are based on the GOC’s perception

concerning the significance and usefulness of a particular organization. Due to its priorities—including elevating spiritual salvation over everyday problems—the GOC supports and cooperates mainly with those groups with which its goals coincide.²³ As for other groups, the relationships vary but tend to be limited or short-term in nature. The GOC may be indifferent or aggressive towards them, and it is worth discussing different types of actors separately.

Actors with a Religious Agenda

The GOC and its representatives are linked directly or indirectly to groups that have a religious agenda and work to protect traditional values. Some of these groups were founded by the Patriarchate itself or by other representatives of the GOC. One such group is the Alliance of Orthodox Parents, one of the leaders of which is Archpriest David Isakadze. The group aims to protect national ideology and traditional moral principles and strives to enforce these principles among the population. It also aims at impacting state legislation in accordance with those principles.²⁴ Other such organizations include: Saint David the Builder’s Union

of Orthodox Parish²⁵ and The Cross of the Queen Tamar.²⁶

Representatives of the GOC cooperate with and are actively involved in the activities of groups that claim to defend and support traditional values. These groups tend to be nationalistic. The Foundation of Demographic Revival is an example. The organization was founded in 2013 with the blessing of Patriarch of Georgia Ilia II and supported by Bidzina Ivanishvili, the former prime minister of Georgia. Levan Vasadze, an active lobbyist for nationalistic and traditional views, is the Foundation’s head.²⁷ People’s Orthodox

²² Netgazeti.ge. (2015, October 18). Ilia II: women leaving to work abroad is a fallacious habit. Available at: <http://netgazeti.ge/news/72458/>

²³ Beka Mindiashvili. Personal interview. Theologist. March 2017.

²⁴ St. King Davit Aghmashenebeli Union of Orthodox Parish. Available at: http://www.religia.ge/about_MShK.html

²⁵ Ibid.

²⁶ Beka Mindiashvili. Personal interview. Theologist. March 2017.

²⁷ Netgazeti.ge. (2013, July 16). Levan Vasadze will be the head of council of “Foundation of Demographic Revival”. Available at: <http://netgazeti.ge/news/23752/>

Movement is one organization that deals with social as well as religious problems, including the restoration of Georgian values. Clergymen are actively involved in its activities.²⁸

In addition to organizations that aim at defending traditional and religious values, representatives of the GOC are connected

to some organizations working on foreign policy issues. Such organizations include the Alliance of Eurasia, the Institute of Eurasia and the Erekle II Society. The leaders of these respective organizations admit to cooperating with clergymen and some representatives of the GOC are actively involved in their activities.²⁹

The Church and Non-Governmental Organizations

The GOC's relations with non-governmental organizations are ambivalent. Those non-governmental organizations that work on human rights issues and focus on defending the rights of minorities are unacceptable to the GOC; on the level of discourse, it even perceives them as enemies promoting Western liberal values.³⁰ Such groups are referred to by the GOC as "pseudo-liberals" and are often accused of ignoring national traditions. In 2014, Patriarch Ilia II stated in his Christmas Epistle that some of the NGOs that defend minority groups and are critical of the GOC exist to attack the institution of the family.³¹ The NGOs, on their part, are in open confrontation with the GOC and blame it for promoting ideological "darkness".³²

Nevertheless, there are examples of positive cooperation between the GOC and NGOs.

Most interestingly, these organizations are devoted to issues lying outside the interests of GOC, e.g. Euro-Atlantic integration. And this takes place while the GOC is often accused for its anti-western views.³³ For example, in November 2016 a delegation of Georgian clergymen attended a meeting at NATO Headquarters organized by the *Centre for Development and Democracy and the EU and NATO Information Center*.³⁴ Later, the GOC issued a statement that said "officials in NATO and EU have been misinformed about Georgia and the GOC was also mistaken on some of the issues related with their politics."³⁵ Moreover, in 2015-2016 *The Center of Development and Democracy implemented a project together with St. David the Builder's Educational Centre of Patriarchy*. In the framework of the project they organized seminars on Euro-Atlantic integration is-

²⁸ Radio Liberty. (2019, March 25). "People's Orthodox Movement" is being founded in Tbilisi. Available at: <http://www.radiotavisupleba.ge/a/1993772.html>

²⁹ Gulbaat Rtskhiladze. Personal interview. Eurasian Institute. 2015. Archil Chkoidze. Personal interview. Eurasian Choice. 2015.

³⁰ Eka Chitanava. Personal interview. Tolerance and Diversity Institute. March 2017.

³¹ Human Rights Education and Monitoring Center. (2014, February 17). Analysis of epistles of the Available at: Catholicos-Patriarch of Georgia. <https://emcrights.files.wordpress.com/2014/02/danarti.pdf>

³² Anonymous. Personal interview. Human Rights Monitoring and Education Center. March 2017.

³³ Netgazeti.ge. (2016, May 9). Plans of organizations united against Russian propaganda in Georgia. Available at: <http://netgazeti.ge/news/113152/>

³⁴ Liberali. (2016, October 28). A delegation of clergy went to the European Union and NATO from Georgia. Available at: <http://liberali.ge/news/view/25552/evrokavshirsa-da-NATOs-saqartvelodan-sasuliero-pirebis-delegatsia-gaemgzavreba>

³⁵ Georgian Patriarchate. (2016, November 15). Statement of Georgian Patriarchate about the visit in Brussels. Available at: <http://bit.ly/2oVzHMP>

sues³⁶ for representatives of schools connected to different eparchies and churches.

An additional example of such cooperation is support for the GOC provided by the Open Society Georgia Foundation (OSGF), which has implemented a number of projects in cooperation with the Patriarchate.³⁷ Those projects include: photo-fixation of wall paintings for monuments, including

Kintsvisi; financial support for the Patriarchate's anti-narcotic Centre of Patriarchy; and support for charity projects.³⁸ Nevertheless, some representatives of the GOC criticize the activities of the OSGF, accusing it of anti-Georgian activities.³⁹ The abovementioned examples of cooperation, however, demonstrate that the GOC is ready in some cases to make concessions and cooperate on the basis of mutual interests.

The GOC and Other Religious Congregations

The GOC's relationships with other religious organizations is hierarchical. According to the ideology of the GOC, there is only one true faith and that is Orthodoxy. Religious pluralism and the equality of confessions is viewed as "religious indifferentism."⁴⁰ The GOC strives for a monopoly on the religious market. The Constitutional Agreement⁴¹ signed in 2002 that stresses this privileged status is an example of success. In some cases when the GOC feels its monopoly to be under threat it actively expresses resistance; for instance, the protest expressed by the GOC against changes to the civil code initiated in 2011, according to which religious minorities were given the right to register as legal entities of public law. According to the GOC's arguments against the initiative, the changes would have allowed the Armenian and Roman Catholic Churches to claim the

right to possess disputed churches.

The GOC recognizes only traditional religions such as Roman Catholicism, Islam, Judaism, and the Armenian Apostolic Church. It refers to other confessions as sects and does not recognize them. The GOC cooperates only with the abovementioned traditional religions and only in a format that supports its own privileged status.⁴²

Such format for cooperation functions in the frame of the State Agency for Religious Issues, within which the "Interreligious Body" was established in 2015. The body provides a forum for discussing religious topics and issues initiated by the Agency.⁴³ However, according to analyses provided by the Human Rights Education and Monitoring Center, in reality it strengthens hierarchy by granting

³⁶ Center for Development and Democracy. (2015). Georgia and European Union – 2015. Available at: <http://cdd.ge/300-saqarthvelo-da-evrokavshiri.html>

³⁷ Anonymous. Personal interview. State Agency of Religious Issues. March 2017.

³⁸ Open Society Foundation Georgia. Proejcts. Available at: <http://bit.ly/2oxpZki>

³⁹ Guria News. (2016, September 26). Myths about George Soros. Available at: <http://www.gurianews.com/article/mtavari/sazogadoeba/42612>

⁴⁰ Human Rights Education and Monitoring Center. (2014, February 17). Analysis of epistles of the Catholicos-Patriarch of Georgia. Available at: <http://bit.ly/2oXouPe>

⁴¹ Orthodoxy.ge. Constitutional Agreement between Georgian state and the Apostolic Autocephalous Orthodox Church of Georgia. Available at: http://www.orthodoxy.ge/samartali/konstitutsiuri_shetankhmeba.htm

⁴² Beka Mindiashvili. Personal interview. Theologian. March 2017.

⁴³ State Agency of Religious Issues. (2015). Annual report. Available at: <http://religion.geo.gov.ge/geo/document/reports/religiis-sakitxta-saxelmtsifo-saagentos-tsiuri>

privileges to the GOC.⁴⁴ Cooperation of the GOC with the other congregations outside the Agency is scant.⁴⁵ For example, the GOC has refused to participate in the activities of the Council of Religions under the Ombudsman of Georgia due to its format, which places each congregation on an equal foot-

ing, there is no hierarchy or granting a dominant role to any congregation.⁴⁶ However, there are several formats for collaboration: The GOC cooperates with the Roman Catholic Church organizing conferences on issues of family, abortion, and bioethics. In general, however, cooperation is minimal.⁴⁷

CONCLUSION AND RECOMMENDATIONS

From the above analysis, it is clear that the Georgian Orthodox Church is more than a civil sector actor. The GOC has the ambition to be actively involved in ongoing processes of state and society. It is also worth noting that the strivings, values, and activities of the GOC do not always align with the principles of pluralistic democracy. That being said, isolating and ignoring the GOC would create more problems than it would solve. Due to its high credibility compared to other actors, the GOC has the potential to positively contribute to democratization processes. However, it is crucial that the GOC participates in civil sector activities in a careful, expedient, and meaningful manner that takes into consideration its unique political and social role. For this purpose, it is important for other civil society groups to actively communicate with the GOC to challenge it as one of the pluralistic civil actors and to challenge the Church to realize the responsibility endowed to it.

- A comprehensive research should be carried out to obtain the views of GOC representatives from the perspective of such characteristics as their age, education, origin, and other factors. It is

important to realize that the members of the clergy hold stereotypes concerning liberalism and the West in the same proportion as the whole society, mostly due to a lack of information.⁴⁸ The attitudes of the GOC reflect the wider social mood, but frequently that mood does not correspond to democratic values. Therefore, it is important to be aware of the current context in the GOC.

- Public sector representatives should plan and carry out informational activities with the GOC. A suitable example already exists—the seminars carried out by the Centre for Development and Democracy. Dialogue allows clergy members to gain a better understanding of the Anti-Discrimination Law.
- It is necessary for civil sector representatives to challenge the GOC in the framework of bilateral and multilateral dialog and to offer assistance in carrying out joint projects on the community and national levels. Such projects would be in the interests of both sides and could focus on the environment, healthcare, agriculture, education, and vocational skills.

⁴⁴ Human Rights Education and Monitoring Center. (2016, December 14). Critical analysis of activities of State Agency of Religious Issues. Available at: <https://emc.org.ge/2016/12/14/emc-190/>

⁴⁵ Beka Mindiashvili. Personal interview. Theologist. March 2017.

⁴⁶ Eka Chitanava. Personal interview. Tolerance and Diversity Institute. March 2017.

⁴⁷ Beka Mindiashvili. Personal interview. Theologist. March 2017.

⁴⁸ Anonymous. Personal interview. Regional Center for Strategic Studies. March 2017.

THE END OF DIRECT PRESIDENTIAL ELECTIONS

**The Constitutional reform process in
Georgia**

TORNIKE ZURABASHVILI¹

EXECUTIVE SUMMARY

As part of the ongoing constitutional reform process, the ruling Georgian Dream-Democratic Georgia party (Georgian Dream) intends to abolish direct election of the president of Georgia, transferring voting power from the public to a college of electors composed of 300 parliamentarians and local and regional government representatives. The process has raised a number of questions. Why does the ruling party favor indirect election of the president? How was the con-

stitutional reform process organized? Were there shortcomings in the process? If so, how can those shortcomings be mitigated before the amendments come into force? This policy brief analyzes the shortcomings of the constitutional reform process in Georgia, specifically as the process relates to presidential election procedures. It additionally provides the author's reflections on the issue. Lastly, this brief provides recommendations for further action.

KEY FINDINGS AND RECOMMENDATIONS

To the Parliament of Georgia:

- Ask the prime minister of Georgia to initiate a plebiscite on the entire draft constitution text or on the presidential election clause alone and pledge to accept it, whatever the result might be;
- Ensure that nationwide discussions on the draft constitution engage as many people in as many localities as possible;
 - Use regional and local media outlets to inform the public about the constitution draft, including in ethnic minority languages;
 - Use innovative approaches in the process including digital platforms (ex: allowing citizens to comment on the draft online);
 - Engage with political parties through televised discussions on the proposed changes; and
- Ensure that the nationwide discussions on the draft constitution engage the presidential administration as well; and

- Commit to adopt the Venice Commission recommendations, both those of a "legal" and "political" nature.

To Civil Society Organizations

- Ensure that the nationwide discussions on the draft constitution engage as many people in as many localities as possible, including through using local CSO activists and networks;
- Coordinate messages and efforts on the reform process and its specific issues; and
- Ensure that the reform process is backed by civil society expertise, in particular with respect to the effects of the proposed changes on the state of Georgia's democracy.

To International Organizations

- Support the nationwide discussions on the draft constitution;
- Offer a neutral platform for dialogue for opposing parties, and

¹ This policy brief was written by Tornike Zurabashvili in his personal capacity. The opinions expressed in this article are the author's own and do not necessarily reflect the views of the Georgian Institute of Politics or the National Endowment for Democracy.

- Ensure that the reform process is backed by international expertise, including through funding research

projects on the electoral, political, and policy implications of the proposed change.

INTRODUCTION

On April 22, 2016, following four months of deliberations, the 73-member Constitution Reform Commission tabled its proposals for a new Georgian constitution.¹ According to proposals contained in the draft document, the office of the president will no longer be elected through direct popular vote. Instead, the president will be elected by a 300-member college of electors; 150 of whom will be members of parliament and the remaining 150 members of local municipal councils and the Supreme Councils of the Autonomous Republics of Adjara and Abkhazia (in exile). If approved, this amendment will come into effect starting with the 2023 presidential election.

The proposal has raised a number of pertinent questions. Why does the ruling party favor indirect election of the president? How was the constitutional reform process organized? Were there shortcomings in the process? If so, how can those shortcomings be mitigated before the amendments come into force? This policy brief analyzes the shortcomings of the constitutional reform process in Georgia, specifically as the process relates to presidential election procedures. It additionally provides the author's reflections on the issue. Lastly, this brief provides recommendations for further action.

CONSTITUTIONAL REFORM PROCESS

The history of the Georgian Dream-led constitutional reform process dates back to 2013, a year after the Georgian Dream coalition won a decisive victory over the then-ruling United National Movement. The three-year tenure of that 58-member Constitutional Reform Commission, established by the ruling Georgian Dream coalition in December 2013 to address "serious shortcomings" in the constitution,² yielded no result. Lacking intra-coalition consensus and sufficient legislative votes to pass the proposed constitutional amendments, Georgian Dream backtracked on its plans to amend Georgia's constitution.

The environment changed drastically in the aftermath of the 2016 parliamentary election. With the absence of a clear parliamen-

tary counterweight caused by a fragmented opposition, Georgian Dream, with a much larger mandate, re-launched the constitutional reform process. The 73-member State Constitutional Commission, consisting of constitutional experts and representatives of seven political parties, government agencies, and non-governmental organizations, was established on December 15, 2016 and tasked with offering its official proposals by the end of April 2017.³

The Commission endorsed the draft constitutional amendments with 43 votes to eight at its final session on April 22, following four months of intensive, closed-door discussions.⁴ The document will now be submitted to parliament and the latter, in accor-

dance with Georgian legislation, will launch a month-long nationwide discussion on the

document before putting it to vote at the legislature.

CRITICAL ANALYSIS OF THE CONSTITUTION REFORM PROCESS

Presidential Boycott

According to the Venice Commission, the Council of Europe's advisory body for legal affairs, "the adoption of a new and good Constitution" should be based on the widest consensus possible within society⁵ and on the inclusion of various political forces, non-governmental organizations, citizens' associations, the academic community, and the media.⁶

At the core of every constitutional reform should be the principle of maximizing consensus about the process: only in that case would it be possible to agree on a text that endures and serves as the guiding document of the country. Regrettably, such consensus was lacking throughout the process. The parliament, which led the entire reform process, failed to include all interested political parties and, importantly, to reassure the president—who has been at odds with the ruling party—that the amendments were not targeted at him personally.

As a result of dissatisfaction with the composition of the Constitutional Reform Commission, the presidential administration boycotted the commission⁷ and publicly criticized the reform process on numerous occasions.⁸ The president also initiated a public campaign, "The Constitution Belongs to Everyone", aimed at engaging the wider public in the constitutional review process.⁹ The public campaign bypasses the parliament and effectively duplicates the nationwide discussions that are to be launched once the draft constitution is submitted to parliament.

As the commission neared the end of its work, seven opposition parties left the body, accusing the ruling party of wanting to cement its power through constitutional changes. When combined, the presidential and political party boycotts severely affected the constitutional reform process and undermined public trust in the work of the commission. It will also affect the state of the country's democracy: by adopting the new constitution text without broad political participation, the ruling party will reinforce the long-lasting tradition of single party-led constitutional review processes and contribute to the erosion of the principle of constitutionalism and, hence, the country's long-term prospects of democratic consolidation.

Lack of a Clear Objective

The ruling party initiated the constitutional reform process without setting out a detailed vision of the kind of presidency it aimed to establish. Stating that the reform process would bring Georgia's existing "deviated" system into line with "standard" parliamentary form of government through abolishing direct presidential election¹⁰ was neither substantial nor convincing; the role and powers of the "new" presidency in the new institutional setting remained unclear throughout the process.

Presidents in democratic political systems vary greatly; they may be activist, neutral, ceremonial, or otherwise. Each type of presidency has its advantages and disadvantages and differs across countries. The choice

among them, then, should rest on the fundamental needs of the country; constitution drafters must take into account the overall state of the country's political, economic, and security environment when choosing the type of the presidency they wish to establish.

That the draft constitution maintains the president's status as commander-in-chief but no longer makes room for the National Security Council (replaced by the National Defense Council in wartime), indicates that the ruling party opted for a ceremonial type of presidency. Such a choice is not necessarily positive or negative. Stripping the president of the right to engage in regular defense policy making might restrict the president's undue interventions in executive politics and thus contribute to the country's overall institutional stability and democratic development. At the same time, that the president as commander-in-chief will no longer have a clear electoral mandate and direct say over defense and security affairs might weaken the president's authority as commander-in-chief and disrupt the operational chain of command. In Georgia's case, it could weaken defense capabilities in wartime.

Close examination of the constitutional reform process demonstrates that the choice over the president's role and powers, including the decision to abolish direct presidential election, was made without broad public and political party discussion about Georgia's long-term priorities and the way in which the presidency fits within those priorities. As a result, the uncertainty over the final objective of the constitutional changes, specifically as they relate to the president's place in the overall system, significantly affected the quality of the reform process.

One System, Two Interpretations

The unsettled debate on the nature of Georgia's current constitutional form of government added to the existing uncertainty. Debate about the country's constitutional arrangement emerged shortly after the victory of the Georgian Dream coalition in the 2012 Parliamentary Election.¹¹ Some Georgian Dream politicians argued that the country was to transition from a presidential to a parliamentary system of government while others said that the new constitution, which was to be enacted following the October 2013 presidential election, would make the country semi-presidential, a distinct form of institutional arrangement where a directly-elected fixed-term president coexists with a prime minister and cabinet who are collectively responsible to the legislature.

The parliamentary vs semi-presidential debate was not settled and has recently resurfaced. "We intend to maintain the existing form of parliamentary governance ... We believe that the parliamentary system, and it is universally recognized, creates much more guarantees for democracy and pluralism than presidential or semi-presidential systems," Parliament Speaker Irakli Kobakhidze stated on March 2.¹²

"When did the Georgian people decide to move to the parliamentary model?" The question is left hanging in midair," President Giorgi Margvelashvili said in response to Kobakhidze on March 23.¹³

The lack of consensus among the country's political leaders over the constitutional arrangement made it impossible to hold a meaningful discussion on the role and functions of the presidency in both the current and proposed constitutions. Such a con-

sensus is necessary for any constitutional change to move forward: without a clear understanding of the kind of arrangement a country has, the likelihood of political actors agreeing on the role and powers of the president decreases significantly.

Pre-Determined Choice

That the ruling party intended to abolish direct presidential election was well-known long before the constitutional reform process was initiated.

Georgian Dream's opposition to direct election was first expressed back in 2014, when the cabinet ministers and coalition lawmakers clashed with President Giorgi Margvelashvili over the latter's attempts to exercise his constitutional powers, most notably on foreign affairs. Georgian Dream questioned the legitimacy of the president's actions then and argued for changing the direct presidential election, which they regarded as a catalyst of President Margvelashvili's political ambitions.

Parliamentary Chairman Irakli Kobakhidze, the main figure behind the constitutional reform process, has signaled on numerous occasions both before and during the reform process that the forthcoming amendments would see the direct presidential election abolished, citing the incompatibility of direct election with the parliamentary model of government.

That the ruling party had made an explicit choice in favor of indirect election—and that this decision would not be subject to revision—limited the scope of discussion within the constitutional reform commission and left an impression that the overall process was intended to legitimize Georgian Dream's long-sought plan for abolishing the presidential election.¹⁴

The manner in which the process was conducted also contributed to the widely-held assumption that constitutional reform was aimed specifically at weakening the presidency of Giorgi Margvelashvili due to his acrimony toward the ruling party. Georgian Dream's compromise, that the new mode of presidential election would come into force beginning with the 2023 presidential election and thus not affect the upcoming 2018 election, remedied the situation but failed to resolve those concerns entirely.

Venice Commission Approval

Speaking at the Constitutional Reform Commission's final session on April 22, Parliamentary Chairman Irakli Kobakhidze reiterated that "all legal suggestions" of the Venice Commission, the Council of Europe's advisory body for legal affairs, would be "adopted and reflected" in the draft constitution.¹⁵ Kobakhidze stated:

"This is a commitment that we have made and we will not derail from it ... we will wait for the Venice Commission conclusions and the Parliament will make its final decision based on these conclusions."

Georgian Dream's commitment to comply with the recommendations of the Venice Commission is without question a positive development for the process, as well as the country's democracy in general. It is, however, outside the subject matter of this policy brief; because the mode of presidential election qualifies as a "political" question rather than a strictly "legal" matter, the Venice Commission will most probably not explicitly comment on the acceptability of adopting an indirect election procedure. And even if it does so, the parliament will have no formal commitment to comply with the recommendation, citing its "non-legal nature."

WAYS AHEAD: CLAIMING THE NECESSARY LEGITIMACY

As a rule, the constitutional amendment process in most European countries takes place entirely in parliament. In a number of countries, however, a popular referendum is required as well, which may be mandatory or optional. In France, Ireland, Romania, and Switzerland, for instance, a referendum is required on a mandatory basis for any constitutional amendment passed by parliament. On the other hand, in Austria, Estonia, Liechtenstein, Slovenia, and Sweden, a referendum may be required on an optional basis upon demand by parliament.¹⁶

Although Georgian legislation does not establish such a requirement for constitutional amendments, it allows for holding a referendum and a plebiscite on important public questions.

The ruling party should, therefore, explore the possibility of initiating a referendum or plebiscite on the proposed changes. Putting the entire draft constitution or, at least, its election-specific provision, to the electorate's judgment would be a highly positive step by the ruling party and contribute to strengthening public trust in the overall legitimacy of the process. It will also contribute to the country's prospects for democratic advancement: by adopting the new constitution text with broad electoral participation, the ruling party will set a positive precedent for a future reform processes and contribute to strengthening constitutionalism in the country.

By adopting the new constitution text with-

out broad political participation, the ruling party will reinforce the long-lasting tradition of single party-led constitutional review processes and contribute to the erosion of the principle of constitutionalism and hence, the country's long-term prospects of democratic consolidation.

Two issues in particular stand out: Georgian Dream's electoral platform ahead of the 2016 parliamentary election did not contain any reference to their intention to change the direct presidential election procedure.¹⁷ Thus the ruling party, despite enjoying a clear constitutional majority, lacks the necessary electoral mandate to pursue its plans when it comes to changing the mode of presidential election. This directly contradicts to the notion of parliamentary democracy: it is a common practice in European democracies that when a government decides to introduce a controversial policy or pursue a potentially unpopular step, it must either call a snap election or a referendum/plebiscite to seek a popular mandate.

That the proposed change will restrict the electoral rights of the population is an important factor to bear in mind as well; by making the presidential office elected indirectly, the ruling party will be stripping the electorate of its right to directly elect the president. Such a change should require explicit approval from the voters themselves, which can only be obtained through asking those very voters whether they would prefer for the president to be popularly or indirectly elected.

CONCLUSION

Assessment of the recent constitutional reform process demonstrates that it suffered from serious shortcomings. First and foremost, the Constitutional Reform Commission failed to include all interested political parties and importantly to address the widely-held assumption that the reform process was targeted specifically at President Giorgi Margvelashvili. Moreover, the ruling party initiated the constitutional reform process without setting out a detailed vision of the kind of presidency it aimed to establish. The lack of consensus among political leaders

over the nature of the country's constitutional arrangement further weakened the process.

To tackle some of these problems and, most importantly, to claim the democratically-appropriate popular mandate, Georgian Dream should closely cooperate with political actors, civil society organizations and international organizations and employ a variety of instruments to increase the public participation in the process, including through initiating a plebiscite and broad nationwide discussion on proposed changes.

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ISBN 978-9941-449-75-8



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