

GEORGIA IN TRANSITION

State-building and democratization in the Caucasus

A COLLECTION OF RESEARCH ESSAYS FROM THE 2019 UNIVERSITY OF TORONTO
INTERNATIONAL COURSE MODULE



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Introduction

I am delighted to say a few words of introduction about the wonderful student essays that follow. But first, some context. The International Course Module (ICM) is funded by the Faculty of Arts and Science at the University of Toronto. Additional support comes from my home unit, the Centre for European, Russian and Eurasian Studies at the Munk School of Global Affairs and Public Policy. I have been travelling with students for field research for 15 years. We have gone to Albania, Azerbaijan, Bosnia, Czechia, Greece, Hungary, Kosovo, Montenegro, North Macedonia and Tunisia. These trips have been with groups of graduate students and undergraduate students. The ICM I supervise has been around since 2006 and we spent eight years going to Kosovo. I remember fondly a trip in 2008 when we were on-hand for Kosovo's independence declaration in February 2008. For the past four years, I have been taking students to Georgia. I changed from Kosovo to Georgia for professional and personal reasons. The ICM is embedded into a third-year course I teach that examines, among other things, the enlargement process of the European Union (EU). While Kosovo is almost guaranteed membership in the EU at some point, Georgia is not on the same list. However, while Kosovo's elite makes noise about their EU ambitions, I decided they were not very serious. What I read about Georgia gave me a different impression and that was confirmed with our first ICM to Georgia in 2014. Despite the bigger challenges Georgia faces, they were simply working harder. Since then, with one year off when I was on leave, we are still going to Georgia. We will go again in 2020.

In 2019, I had seven students with me. I must say that this was a really special trip. As you can read from the essays, the team worked extremely hard. They did multiple face-to-face interviews and took part in several group interviews with a variety of people in Georgia. The point of the ICM, at least for me, is to get out of your comfort zone. Students need to find people to interview, follow-up on appointments, navigate the—often chaotic—streets of Tbilisi while being punctual and conduct interviews with high-level stakeholders. This group did an exceptional job at that and the results are obvious. I believe that offering students the chance to do real field work at the undergraduate level is one of the best things we can do at the University of Toronto. Having done multiple international programs for our students, I can say that the ICM is the most transformative for students even though it is a short time frame. We pack a lot in. Most students rank it as the best part of their entire undergrad degree.

I am extremely proud of the work that follows. The students identified distinct areas of interest and the topics were approved. This collection has work that really captures some important aspects of Georgian society. We have film by Massimo Chiarella. Film is one of the many areas where Georgia punches above its weight. Gloria Dragić tackles LGBTQ rights and how this impacts Georgia's internal and external political life, particularly with the EU. Mia Đurković studies Georgia's educational reforms and how this can impact the EU integration process. Mathuja Jeyakumar provides insight into regional integration and highlights some very interesting projects taking place. Anahid Najafzadeh looks at the legacy, both good and bad, of Georgia's controversial president Mikheil Sakaashvili. Tami Piovesan looks at the role of women in Georgia and what I think are Georgia's laudable efforts to increase female political participation. Finally, Sanjana Shah tells us about Georgia's always highly fluid media atmosphere and what it means for Georgian democracy.

Finally, trips like this are truly team efforts. Another great outcome of the ICM is that the students learn how to really work as a team and they become life-long friends. For me, the ICM is a great team. In our first year in Georgia an undergrad from Victoria College named David Kitai joined us to research a prison abuse scandal. He obviously loved Georgia because he secured his own funding for the next year and joined us again. He then decided to work in Georgia's always interesting food and wine world and joined us again in 2019. A better guide to food, history and wine would be hard to find! We are grateful to David for his insights and good humor throughout.

I will also be forever grateful to my former student Daria Dumbadze, who now works at the Munk School, for suggesting Georgia in the first place. Since then, with one year off, she has travelled with me and been an invaluable friend to me and along with an extraordinary mentor for each and every student. She impacts them on so many levels that the trips would be impossible without her. All aspects of the ICM, from our pre-meetings, to helping identify people to talk to, to managing logistics like nobody else I have ever seen, depend on her.

I am happy with what we do. I hope you enjoy the research that follows.

Robert C Austin, Associate Professor, Centre for European, Russian and Eurasian Studies (CERES), Munk School of Global Affairs and Public Policy, University of Toronto

'Reel' Prospects of Integration: The Role of Georgia's Film Sector in EU Integration

Massimo Chiarella

Introduction

The Georgian National Film Center was founded on December 5th, 2000¹. While the organization, in name, may be new, the culture and institution of film in Georgia dates back to a time when it was considered one of the top film creators for the Soviet Union². Since Georgia's secession from the Soviet Union in 1991, the creative endeavors that its film industry has undertaken have not only served as a means of rebuilding its bankrupt cinema sector³, but also as a driver to accomplish its newly realized democratic and liberalized objectives. Among the South Caucasus states, Georgia is the country that has demonstrated the greatest willingness to join the European Union (EU) through the implementation of integration reforms.⁴ As Georgia's creative industries re-emerge free from Soviet control, they have the ability to act as a political tool to facilitate EU partnerships. For the people of Georgia, EU and potentially NATO membership, represents an opportunity to guarantee stability, economic growth, and security in the region, which has led to Georgian integration with the EU becoming a central foreign policy objective⁵. Similarly, the EU has expressed interest in bolstering the strength of their relationship with Georgia by way of supporting its democratic institutions, security, and economic integration through partnerships⁶. Cinema presents itself as a unique opportunity for Georgia to align itself more closely with regard to engaging with EU institutions such as Creative Europe and other programs which will be discussed later in this paper. Georgia has made tremendous progress in developing its cinematic industry and garnering international recognition with Oscar-nominated films such as *Tangerines* and the creation of a supposed new film school and festival by *Twin Peaks* filmmaker David Lynch⁷. While Georgian film is currently in its greatest condition since its exit from the Soviet Union, it is still plagued by many issues from its Soviet past, such as archival

¹ Georgian National Film Center. "History and Goals of the Georgian National Film Center." <http://www.gnfc.ge/geo/page/151>.

² Kempley, Vance. "Federal Cinema: The Soviet Film Industry, 1924-32," n.d., 14.

³ "Ex-Soviet Georgia Eyes Film Industry Rebirth." *Reuters*, March 5, 2011. <https://www.reuters.com/article/idINIndia-55351520110305>.

⁴ Efe, Haydar. "Foreign Policy of the European Union Towards the South Caucasus." *International Journal of Business and Social Science* 3, no. 17 (September 2012): p.188

⁵ Efe, Haydar. "Foreign Policy of the European Union Towards the South Caucasus." *International Journal of Business and Social Science* 3, no. 17 (September 2012): p.189

⁶ *Ibid.*

⁷ "Famed Filmmaker David Lynch to Launch Cinema Institute, Film Fest in Georgia." *Agenda.Ge*. October 15, 2017.

access and preservation⁸, labour shortages⁹, and funding¹⁰ among others. The Georgian National Film Centre has developed a number of policies in an attempt to combat these challenges by encouraging collaboration from other countries¹¹ as well as continue to distance Georgia from Russia via Georgian language laws in film¹². Alongside domestic policies, international partnerships made with EU organizations such as the Creative Europe Programme and others are thought to help with certain aspects of film production, while furthering the country's relationship with the European Union. An alternative manner in which Georgia has constructed relationships within Europe is not through large scale organizations, but rather film festivals, where various countries meet and negotiate¹³. The existence of the Georgian film industry is no longer in danger, but the future of its cinematic identity differs amongst those asked. By contextualizing Georgian cinematic history, addressing the major issues prevalent in the country's film sector, examining domestic policies surrounding partnerships and Russian language, and reviewing the various EU arts organizations of which Georgia has partnered, we are able to discover how Georgia employs its film industry as a method of improving its integration with the European Union.

History

The history of cinema is intrinsically connected to some of the most significant political events that occurred within the country; the most important being the collapse of the Soviet Union. While film is a medium that often embodies the public's conscience with regard to political ideologies and opinions¹⁴, this is not where the political impacts on Georgian film end. Georgian cinema is said to have begun in 1908, as this was when the first films in the country began production¹⁵. Georgia initially produced many documentaries, typically concerning events that were occurring within Georgian society¹⁶. The unique culture of Georgian film production continued into the era in which they were a part of the Soviet Union (USSR). While a part of the USSR, Georgia was the second most funded, non-Russian country only behind Ukraine¹⁷.

In 1927, Georgian production company Gosinprom Gruzii received a budget of 620,000 Rubles to produce films for the USSR¹⁸. Gosinprom Gruzii produced 4-5 films per year and although Georgia's population was only around 5 million people, a distinct

⁸ White, Jerry. "The Archival Situation of Georgian Cinema." *The Moving Image: The Journal of the Association of Moving Image Archivists* 14, no. 1 (2014): 21.

⁹ Levan Koguashvili (Georgian Filmmaker) in discussion with the author, February 2019

¹⁰ Rimple, Paul. "Georgia's Movie Industry Stages a Comeback." *The Guardian*, January 13, 2015, sec. World news.

¹¹ BOP Consulting. "Georgian Film Policy: Strategic Review." Georgian national Film Center, April 2009. p.10

¹² Sherouse, Perry. "Russian Presence in Georgian Film Dubbing: Scales of Inferiority." *Journal of Linguistic Anthropology* 25, no. 2 (August 1, 2015): p. 215–29.

¹³ Artchil Khetagouri (CineDoc Festival Director) in discussion with the author, February 2019

¹⁴ Lopate, Phillip. "Georgia On My Mind." *Film Society of Lincoln Center*, Film Comment, 41, no. 1 (February 2005): 7 p.58

¹⁵ JSC Georgian Film services. "History," October 29, 2018.
<http://georgianfilm.ge/index.php/hist?lang=en>.

¹⁶ *Ibid.*

¹⁷ Kepley, Vance. "Federal Cinema: The Soviet Film Industry, 1924-32," n.d., p.348

¹⁸ Kepley, Vance. "Federal Cinema: The Soviet Film Industry, 1924-32," n.d., p.349

film culture was able to emerge, as well as for the Georgian production company to obtain a monopoly over the country and increase output to 10 films in 1926¹⁹. Georgian filmmakers focused on making films that were stylistically separate from that of the Russian-dominated cinema popular in the Soviet Union²⁰. The financial success of these unique films was due to the positive reception they had outside of the Georgian market, with 80% of Gosinprom Gruzii's profit coming from distribution in the Russian Republic²¹.

While production companies were enjoying the success of Georgian films, the auteurs behind them often used the medium as a way to critique the power structures to which they felt they were made subordinate to. It was not uncommon for Georgian filmmakers to carefully orchestrate culturally nuanced critiques of authoritarianism, communism, and pro-Georgian sentiments into their films²². Given that all films had to be sent to Moscow to be viewed and approved, Georgian filmmakers waged a secret war against censorship. Nana Janelidze, writer of *Repentance* (a film that was finished in 1984, but was banned by the Soviet Union until its Cannes international Film Festival Debut in 1987) described how filmmakers would often hide pro-Georgian messages in their films, whether through the themes or in the script's nuanced linguistic intelligibility for native Georgian speakers²³ that would not necessarily be exposed when translated to a different language. A notable Tbilisi-born filmmaker, Otar Iosseliani, made a number of films that critiqued communism, but avoided Soviet censors with films such as *Fallen Leaves* (1967), *There Once was a Songbird* (1971), and *Pastorale* (1976)²⁴. *Pastorale* was a film about four young musicians who compose a string quartet and move to the countryside in pursuit of a simpler life only to find out that the people of the time were all in conflict with one another, which begins to affect the musicians. The narrative attempts to depict daily rural life and transform typical characters into metaphors, such as a common rural man carrying hay on his back into Sisyphus.²⁵ The musicians attempt to record old folk music, but their leisure ends up spreading to the entire town, introducing the greatest threat to Soviet communism, laziness and a lack of productivity²⁶. Iosseliani believed that he was able to pass so many films through the censors due to Georgia's "periphery" location to that of the Soviet Union²⁷. Soviet censors eventually banned a number of his films and gave him a chance to leave the country. He fled to Paris.

Following Iosseliani's move to Paris, the blooming Georgian film industry was devastated following the collapse of the Soviet Union in 1991 and Georgian Independence in the same year. As Georgia's connection to Russia were severed, the domestic film industry was ravaged since it was reliant upon Soviet capital and distribution for

¹⁹ *Ibid.*

²⁰ Buder, Bernd. "'Georgian Film Is a Completely Unique Phenomenon.' A Film Scene with History, or Georgian Cinema," n.d., p.428

²¹ Kepley, Vance. "Federal Cinema: The Soviet Film Industry, 1924-32," n.d., p.350

²² Nana Janelidze (Georgian Filmmaker) in discussion with the author, February 2019

²³ *Ibid.*

²⁴ Lopate, Phillip. "Georgia On My Mind." *Film Society of Lincoln Center, Film Comment*, 41, no. 1 (February 2005): p.58

²⁵ Lopate, Phillip. "Georgia On My Mind." *Film Society of Lincoln Center, Film Comment*, 41, no. 1 (February 2005): p.59

²⁶ *Ibid.*

²⁷ *Ibid.*

funding²⁸. Since the first Georgian film school did not open until 1973, most Georgian filmmakers were educated in Moscow²⁹, therefore, many directors who had been successful in other parts of Europe left to go abroad, effectively causing a brain drain in the collapsing Georgian film industry³⁰. Large numbers of actors and crew were dismissed from work and a large number of Georgian production companies were closed which led to a significant reduction in the number of films produced by the country each year³¹. This disconnection and strife that followed in the film industry, and more widely in the country, served as a central motivation for Georgia to look toward the West and the EU as the future of the country. The films made during the first independence period of Georgia, though underfunded, are significant as they depicted Georgian culture as neither imperial nor Soviet³². There is little to no mention of Russia in these films and the focus is on building a strong future with Europe³³.

On December 5, 2000, the National Film Centre was established in Georgia³⁴. Created as a branch of the Georgian Ministry of Culture, the centre was responsible for helping to support and fund the film industry in the country. The organization looks primarily to the West to find partners and new markets for projects within Georgia. In 2008, Georgian's lost a large amount of their remaining Russian audience as a result of the conflict surrounding South Ossetia, further complicating the relationship between Russia and Georgia³⁵. Nonetheless, efforts continued from the Georgian National Film Centre and in 2010, had a budget of 4.3 million lari (\$2.5 million USD) for domestic films and collaborations, which it did on a film with Spain for the first time ever³⁶. Additionally, the National Film Centre was also able to secure partnerships with a number of European Union creative organizations which have helped to facilitate more opportunities for filmmakers which will be discussed later in this essay.

While the founding of the Georgian National Film Centre has had some success in rejuvenating the film industry and creating more opportunities for Georgian filmmakers, capital and other industry-wide issues still remain pressing issues to be addressed for Georgia.

Problems

The Georgian film industry suffers from a varying multitude of issues, but most importantly, a shortage of skilled labour and a lack of capital for film production and archival preservation. While conducting my interviews in Georgia, every person I

²⁸ Buder, Bernd. "Georgian Film Is a Completely Unique Phenomenon.' A Film Scene with History, or Georgian Cinema," n.d., p.430

²⁹ Nana Janelidze (Georgian Filmmaker) in discussion with the author, February 2019

³⁰ Buder, Bernd. "Georgian Film Is a Completely Unique Phenomenon.' A Film Scene with History, or Georgian Cinema," n.d., p.431

³¹ JSC Georgian Film services. "History," October 29, 2018.
<http://georgianfilm.ge/index.php/hist?lang=en>

³² White, and Dzandzava. "The Cinema of Georgia's First Independence Period: Between Republican and European." *Film History* 27, no. 4 (2015): p.152

³³ *Ibid.*

³⁴ Georgian National Film Center. "History and Goals of the Georgian National Film Center," October 29, 2018.

³⁵ Ferris-Rotman, Amie. "Ex-Soviet Georgia Eyes Film Industry Rebirth." *Reuters*, March 5, 2011.

³⁶ *Ibid.*

interviewed, regardless of association with the film industry, would echo their concern regarding a shortage of skilled labour. When speaking with David Vashadze, the head of the international relations department at the Georgian National Film Centre, he explained how there existed a large skill gap pertaining to film producers. He describes there being two sets of filmmakers, the first group who is typically older, who have had experience with finding partners and acquiring capital for their films. The second group, often younger producers who may lack an understanding of how the industry functions, especially given the multilateral nature of film production within the country³⁷. A similar conclusion was reached by BOP Consulting, a firm from the United Kingdom tasked with making a strategic Review of Georgia's film industry in April of 2009. The report read that there existed a shortage of creative and entrepreneurial producers in Georgia who would be able to effectively find financing options, negotiate, and understand intellectual property law³⁸. Both Vashadze and BOP suggest that the skill shortage present with production is the result of the economic struggle that affected Georgian producers of the stagnation from the new responsibilities of producers after leaving the SU³⁹.

During the years following 1991, the capacity of the Georgian film industry to output film declined substantially. Moreover, the Georgian economy was in a state of transition from a Soviet command economy to a market economy. The result of these changes was a requirement for a new set of skills that most producers had never needed. When working in the Soviet system where all funding was provided nationally, there was no expectation to be entrepreneurial when attempting to create a film. There was no need to seek out additional sources of funding as it all came from the state⁴⁰. The original job of a film producer in the Soviet Union is more akin to a contemporary production manager, who is responsible for controlling the film budget⁴¹. Unfortunately, the ability to find funding elsewhere quickly changed from irrelevant to essential as Georgians no longer had a source of funding readily available to them. This is the crux of the production skill gap - during the transitional period in Georgia, there were no producers who were trained to produce films commercially and this problem has persisted since that time⁴².

The results of this have been very detrimental according to CineDoc Festival Director Artchil Khetagouri, who has explained how the lack of experience negotiating and knowledge of intellectual property has lead producers in Georgia into terrible partnership agreements with other European countries who exploit their lack of contract knowledge⁴³. Additionally, the issue surrounding skilled labour is not limited to administrative capacity. There is also a shortage of technical skills such as camera

³⁷ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

³⁸ BOP Consulting. "Georgian Film Policy: Strategic Review." Georgian National Film Center, April 2009. p.11

³⁹ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁴⁰ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁴¹ BOP Consulting. "Georgian Film Policy: Strategic Review." Georgian National Film Center, April 2009. p.11

⁴² BOP Consulting. "Georgian Film Policy: Strategic Review." Georgian National Film Center, April 2009. p.5

⁴³ Artchil Khetagouri (CineDoc Festival Director) in discussion with the author, February 2019

operators, lighting engineers, sound engineers, editors, etc.⁴⁴ During my interview with Levan Koguashvili, an alumnus of the film school at New York University, he spoke about a shortage of technical skills and how that can affect the filmmaking process. For instance, in a previous project he directed, the cinematographer was from the United States⁴⁵. This sentiment was shared not only by others in the film industry⁴⁶ but also within the theatre sector. The artistic director of the Sokhumi State Drama Theatre, David Sakvarelidze Sukho spoke at length about how the workers in the theatre are lacking basic skills with regard to technology usages such as various lights and stage apparatus⁴⁷. Due to fluctuating demand for different types of crew as a result of shortages, very few people ever choose to specialize in any one job, making the overall level of skills low regarding lighting, editing, and other production/post-production work⁴⁸.

While skill shortages are seen as an important issue, it was agreed upon unanimously⁴⁹ that the greatest issue facing the Georgian film sector is a lack of funding. During my interviews with Koguashvili and Janelidze, both explained how their scripts and/or films were selected as prize winners from the Georgian National Film Centre and received grants of approximately the equivalent of 100,000 euros in order to make their film. What they both confessed was that the amount given was nowhere near what is required to make a film and they would need to seek much more funding in other areas in order to bring these projects to fruition⁵⁰. Nana Janelidze is a veteran filmmaker who has had massively successful projects in Georgia such as *Iavnana (Lullaby)* (1994), but her status as a filmmaker has no sway in the amount of money she can get from the state system. With small budgets, filmmakers are forced to fundraise and/or rely upon producers who, as mentioned above, are not always properly trained on how to be creative and entrepreneurial in obtaining funding. Additionally, the capacity to hire a large film crew may not be possible on a limited budget, which leads to people training for a number of different positions and being a specialist in none.

Regrettably, this is not where issues with regard to funding end. The lack of financing for the preservation of historical films presents a uniquely problematic situation. One of the largest archives for old Georgian films are “The Central Archive of Audio-Visual Documents”, which is a branch of the National Archives of Georgia⁵¹. The Central Archive holds a diverse collection of over 30,000 films, 25,406 cans of acetate material and 8,918 cans of nitrate material and became a member of the International Federation of Film Archives (FIAF) in the summer of 2013⁵². The nitrate collection is

⁴⁴ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁴⁵ Levan Koguashvili (Georgian Filmmaker) in discussion with the author, February 2019

⁴⁶ Artchil Khetagouri (CineDoc Festival Director) in discussion with the author, February 2019

⁴⁷ David Sakvarelidze Sukho (Artistic Director of the Sokhumi State Drama Theatre) in discussion with the author, February 2019

⁴⁸ BOP Consulting. “Georgian Film Policy: Strategic Review.” Georgian National Film Center, April 2009. p.11

⁴⁹ “Unanimously” in this instance refers to all stakeholders considering funding to be the most significant issue they face

⁵⁰ Levan Koguashvili (Georgian Filmmaker) & Nana Janelidze (Georgian Filmmaker) in discussion with the author, February 2019

⁵¹ White, Jerry. “The Archival Situation of Georgian Cinema.” *The Moving Image: The Journal of the Association of Moving Image Archivists* 14, no. 1 (2014): p.15

⁵² *Ibid.*

comprised mainly of Soviet-era documentaries and is stored in a newly renovated building not connected to the Central Archive⁵³. The main issue regarding storage at the central archive is that it lacks climate-controlled facilities for its film collection which has caused potential damage from “vinegar syndrome”⁵⁴, which refers to when parts of the chemicals in the film reels begin to decompose and could potentially degrade the film. The lack of support for the historical preservation of film archives only accentuates the vast underfunding of the film sector in Georgia. Dzandzava suggests that the lack of public awareness towards film as a cultural asset is one of the greatest impediments for its preservation, as people fail to acknowledge its value the same way they do things such as medieval art, given its material status⁵⁵. Dzandzava’s critique is similar to a complaint aired by David Vashadze, that the Georgian government fails to understand film in Georgia as something of value, not only as an economic vehicle, but also as an important part of the country’s national culture⁵⁶.

The inability to properly preserve historical films in proper facilities is both a budgetary issue and an existential one. Not only is their fiscal inability to properly store their films a problem, but their struggle to preserve these films greatly reduces their chances of retrieving their other films from Moscow⁵⁷. Since the independence period in Georgia, all of the original films had been sent back to Moscow and have remained there⁵⁸. The relations between Georgia and Russia post-2008 complicated the process of accession given the lack of diplomatic relations⁵⁹. Although Georgian archives have experienced a series of crises following 1991 independence and the facilities are not modernized, all hope is not lost. With a grant from the US Embassy in Georgia, the archive was re-canned in 2014 and is undergoing renovations. Many of the problems that persist in Georgia are residual issues that remained from Georgia’s period of independence and the financial calamity that accompanied it. Many of these challenges regarding skilled labour, funding, and preservation of Georgian culture have been acknowledged and became targets of domestic policies.

Georgian Policies Concerning Film

Many of the policies surrounding film in Georgia place an emphasis on expansion via partnerships and exporting their culture as a strategy to align themselves more closely with Europe by distancing themselves from Russia. A central policy goal for Georgia has been attracting filmmakers to shoot in Georgia due to its diverse geography and fiscal incentives⁶⁰. Georgia’s strong belief in EU structures has placed great emphasis on

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ Dzandzava, Nino. “Georgian Films Can Wait [?].” *Journal of Film Preservation; Brussels*, no. 90 (April 2014): p.88

⁵⁶ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁵⁷ White, Jerry. “The Archival Situation of Georgian Cinema.” *The Moving Image: The Journal of the Association of Moving Image Archivists* 14, no. 1 (2014): p.14

⁵⁸ *Ibid.*

⁵⁹ White, Jerry. “The Archival Situation of Georgian Cinema.” *The Moving Image: The Journal of the Association of Moving Image Archivists* 14, no. 1 (2014): p.13

⁶⁰ Farinha, Cristina. “Developing Cultural and Creative Industries in Georgia.” *EU-Eastern Partnership Culture and Creativity Programme*, November 2017, p.5

reforms attempting to promote themselves to a European clientele base as a means of furthering economic integration and exporting their culture throughout Europe⁶¹. The Georgian government created an initiative that offered cash rebates to countries interested in filming which will be discussed in greater detail later on in this section.

In 2015, the policy was an overall success. While it did not attract a large number of partners, it gave young Georgian film crew members real experience with filmmaking⁶², which helped to address the issues surrounding the skill gap of technical crews in the country. David Vashadze was a key figure in the development of the incentive policy as he worked on creating it for over 12 years⁶³. The cash rebate system provides up to 20% reimbursement with some requirements being that the international or local productions must be registered as legal entities in Georgia, the project must lead to a film, television pilot, music video, animation project, etc. and production in Georgia must be completed within 24 months after acceptance to the rebate program⁶⁴. An additional 5% cash rebate can also be obtained (making the new total 25%) if the film includes elements designed to promote Georgia as a destination.

In order to gain this “promotional” status, the project must pass the rebate program’s “cultural test”. The criteria of this “cultural test” concerns aspects such as employing Georgian workers as certain members of the production staff, clear depictions of Georgia being the country in the film, spending 50,000 GEL (\$18,600 USD) in post-production services within 48 months of acceptance into the rebate program, and distribution to at least two EU member countries, the US, Canada, or India; or participation in an approved film festival⁶⁵. Vashadze said in his interview that during film festivals, representatives from other countries ask about this model⁶⁶ and there may be good reason for their inquiries. The stipulations of the policy trade economic incentives of up to 1,000,000 Lari (amounts larger than that must be approved by the Georgian government) in exchange for not only partnerships with other countries, but also providing hands-on experience for its cinema industry workers, and potentially direct promotion of Georgia as a place to visit through distribution to larger markets (such as EU countries, the US and Canada) which has been an issue for Georgia⁶⁷. By incentivizing filmmakers from parts of the European Union to shoot films and distribute them in their own countries, this serves to export Georgian culture and associate it as an increasingly pro-West country⁶⁸.

Alongside attempts at cultural integration with the EU, there are also policies that were created in an attempt to distance Georgia from a Soviet identity. The Soviet Union

⁶¹ Georgian Center for Security and Development. “EU-Georgia Relations and Future Perspectives.” Policy Paper. Tbilisi, 2017: Georgian Center for Security and Development, October 30, 2018. p.9

⁶² Rimple, Paul. “Georgia’s Movie Industry Stages a Comeback.” *The Guardian*, January 13, 2015, sec. World news.

⁶³ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁶⁴ “Film in Georgia - Cash Rebate System.” Film in Georgia. <http://filminggeorgia.ge/>.

⁶⁵ “Film in Georgia - Cash Rebate System.” Film in Georgia. <http://filminggeorgia.ge/>.

⁶⁶ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁶⁷ BOP Consulting. “Georgian Film Policy: Strategic Review.” Georgian National Film Center, April 2009. p.11

⁶⁸ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

used a significant amount of resources in order to promote language with the goal of “assimilation and consolidation” around Russian as a single, central language⁶⁹. Propaganda was distributed throughout the Soviet Union, but struggled given the multi-ethnic nature of the state⁷⁰. On January 1, 2011, a law was passed in Georgia mandating that “all foreign language films must possess either Georgian dubbing or subtitling for public film showings⁷¹. The intention of this Saakashvili-era legal measure was about removing Russian presence in film language as a way of disconnecting Georgia from Russia and its culture in the Georgian public sphere⁷². The people of Georgia consider their country to be European and a “part of the family of Europe”⁷³. By passing policy focused directly on distancing Georgia and its culture from Russia, it signals to the EU credible aspirations of further integration⁷⁴.

Interestingly, the Georgian National Film Centre has not focused its expansion solely on the West. During my interview with David Vashadze, he informed me about a co-production treaty that was in progress with China, allowing Georgian films co-produced with China to be considered Chinese and thereby access the Chinese marketplace with much greater ease⁷⁵. Georgia has these co-production treaties with Canada and Israel as well, but neither offer a distribution market as large as China. The policies implemented by Georgia regarding film have been used not only to bolster its cinema sector by promoting international partnerships, but also serves as a tool for helping to provide experience to Georgian film crew workers, export Georgian culture throughout the West, and further detach itself from its Russian history.

Partnerships from European Organizations

Georgia has placed great emphasis on bolstering the strength of both their film industry and relationship with the EU through membership in various European institutions. From 2010 until 2012, Georgia joined a number of European creative support institutions such as Eurimages, the European Film Program (EFP), Film New Europe (FNE) and in 2015 became a member of Creative Europe⁷⁶. Each of these organizations presents avenues for Georgia to integrate themselves more closely with the EU, even though they fail to meet the criteria for membership. Eurimages is an organization with an operating budget of 25 million euros per year and distributes these funds through four calls for projects per year⁷⁷. These funds are distributed by way of “soft loans (co-production support)” which are repaid through the revenue generated by the

⁶⁹ Blauvelt, Timothy K. “Endurance of the Soviet Imperial Tongue: The Russian Language in Contemporary Georgia.” *Central Asian Survey* 32, no. 2 (June 2013): p.189

⁷⁰ *Ibid.*

⁷¹ Sherouse, Perry. “Russian Presence in Georgian Film Dubbing: Scales of Inferiority.” *Journal of Linguistic Anthropology* 25, no. 2 (August 1, 2015)

⁷² *Ibid.*

⁷³ Efe, Haydar. “Foreign Policy of the European Union Towards the South Caucasus.” *International Journal of Business and Social Science* 3, no. 17 (September 2012): p.189

⁷⁴ *Ibid.*

⁷⁵ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁷⁶ Georgian National Film Center. “History and Goals of the Georgian National Film Center.” <http://www.gnfc.ge/geo/page/151>.

⁷⁷ “Eurimages - What We Do.” EURIMAGES. <https://www.coe.int/en/web/eurimages/what-we-do->

project it supports and “subsidies” (for theatrical distribution)⁷⁸. Moreover, Eurimage stipulates in its criteria for applicability that, “all projects submitted must have at least two co-producers from different member states of the Fund”⁷⁹. Being a member of Eurimage encourages collaboration between Georgia and other member states in addition to being able to access loans for co-production and subsidies for distribution in Euro, stronger and more stable than the Lari. Georgia’s membership in Eurimage can help facilitate greater connections among EU member states and forge better political relationships with the EU overall. The European Film Program is comprised of 38 National Film Promotion agencies who convene at the EFP and work together to promote their various works at international film festivals and markets (typically outside of Europe)⁸⁰. The added value of being associated with EFP is the expansion of distribution networks for Georgian films, even if that may not always be European markets. The opportunity to network with other EFP members such as the British Council and German Films⁸¹ allows for direct interaction with the film commissions of EU member states and the creation of potential partnerships.

Film New Europe is the least impactful of these partnerships, which is described by the Georgian Nation Film Centre as a “media portal that covers international film”⁸². The FNE is a website with various articles about film from different areas of Europe and contains recent statistics regarding how the member countries’ film markets perform (ex: Georgia’s annual state support for its film industry is 1,407,709 euros). The real value of the FNE is derived from the partnerships and events they organize abroad to promote their members such as the collaboration at the Hot Docs Canadian International Documentary Festival hosted in Toronto, Canada⁸³. Markets such as Canada and the United States have been places of interest for Georgia which are reflected through their policies such as their co-production treaty with Canada⁸⁴. While not directly connected with the EU, interacting with other Western countries can also help to form a greater Westernized identity internationally.

Lastly, Creative Europe was the topic of discussion for film administrators and filmmakers alike. The Creative Europe Programme has a budget of 1.5 billion euros over seven years which it designates through various calls for proposals it posts through its website⁸⁵. The programme is split into two sub-programmes; culture and media. Culture refers to projects that help “cultural and creative organizations operate transnationally and promotes the circulation of works of culture and the mobility of cultural players⁸⁶.”

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ “European Film Promotion (EFP) - About EFP.” European Film Promotion. <https://www.efp-online.com/en/about.php>.

⁸¹ *Ibid.*

⁸² Georgian National Film Center. “History and Goals of the Georgian National Film Center.” <http://www.gnfc.ge/geo/page/151>.

⁸³ “The Changing Face of Europe: New European Documentaries Event.” European Film Promotion. https://www.efp-online.com/en/project_talent_promotion/the_changing_face_of_europe_new_european_documentaries.php.

⁸⁴ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁸⁵ “Creative Europe Frequently Asked Questions.” European Creative Europe Desks, June 28, 2016.

⁸⁶ “Creative Europe: Culture.” Text. EACEA - European Commission, May 12, 2014.

https://eacea.ec.europa.eu/creative-europe/actions/culture_en.

The media sub-programme is much more applicable to the Georgian film industry which “supports the EU film and audiovisual industries financially in the development, distribution and promotion of their work. It helps to launch projects with a European dimension and nurtures new technologies; [...] it funds training and film development schemes”⁸⁷. The “media” sub-programme is the most ideal partnership that Georgia has been able to secure thus far - it contains funding for the creation of their films, specifically European support via development and distribution to help bring Georgian cinema (and more widely, its culture) to European markets and offers funds for training. These program-supports target some of the greatest difficulties that the Georgian cinematic industry currently faces. For filmmakers like Levan Koguashvili, the funds that the Creative Europe Program provide allow him to receive an income while he works on various stages of development for his films such as scriptwriting, which he acknowledges can take months to complete⁸⁸. Moreover, in the most basic sense, the Creative Europe Programme exists as an additional source of revenue for production companies to pursue in order to fund their projects. While David Vashadze was proud of Georgia’s inclusion into Creative Europe, he did mention a concern he had regarding the call for proposals only accepting applications from film companies/studios which places a barrier to entry for independent Georgian filmmakers who may need the funding most⁸⁹. Vashadze also mentioned that there are limitations to the resources that Georgians are able to access from Creative Europe as a result of their non-EU member status, but hoped to one day have access to complete allocations, but for now the funding has been very helpful to Georgian filmmakers⁹⁰.

Alternatively, when in conversation with the Georgian Deputy Foreign Minister Vakhtang Makharoblishvili, he suggested that Georgia’s strategy is to become a part of as many EU programs as possible because it is beneficial to Georgia as a means of learning how to negotiate with the European Union and obtain insider information⁹¹. Makharoblishvili emphasized how Georgia’s involvement in these cultural programs such as EFP and Creative Europe promotes integration within the EU, as well as making both the EU more visible in Georgia and Georgia more visible in the EU⁹². The Georgian National Film Centre, and cultural industries as a whole, are helping to promote national Europeanization goals by interacting with international partners and allowing Georgia to become members of these various European organizations. The deputy Minister continued by saying progressive EU visibility in Georgia helps to combat Russian propaganda and EU program integration exists as a means to join even more EU programs⁹³. The cultural programs that Georgia has become involved with, although potentially limited, as is the case with Creative Europe, have not only served to facilitate better opportunities for filmmakers in Georgia, but also for the government of Georgia,

⁸⁷ “Creative Europe: Media.” Text. EACEA - European Commission, May 13, 2014.
https://eacea.ec.europa.eu/creative-europe/actions/media_en.

⁸⁸ Levan Koguashvili (Georgian Filmmaker) in discussion with the author, February 2019

⁸⁹ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

⁹⁰ *Ibid.*

⁹¹ Vakhtang Makharoblishvili (Georgian Deputy Foreign Minister) in discussion with the author, February 2019

⁹² *Ibid.*

⁹³ *Ibid.*

who are able to use the Georgian National Film Centre as a way of furthering the foreign policy objective of integration with the EU.

Conclusion

The cinema of Georgia is a sector with a rich and unique history shaped by hardship. Though not without problems, Georgian film is creating for itself a promising future through careful policy construction and international partnerships. Nonetheless, issues surrounding the lack of training for both producers and technical film crew members as a result of changing expectations following independence from the Soviet Union,⁹⁴ as well as the economic stagnation of the Georgian cinema sector caused a number of production companies to close⁹⁵. These skills are essential for films to be made in Georgia, given the shortage of accessible capital from the Georgian National Centre for film⁹⁶. The archival situation within Georgia is also one in dire need of funding as the largest facility in the country, holding most of the country's oldest films is not completely climate controlled, leading to the potential degradation of important cultural relics of Georgia's past⁹⁷. Securing funding for film production and cultural preservation may be possible through one of the European organizations in which the Georgian National Film Centre has associated itself. The potential partnerships, or direct funding from these groups has been able to facilitate greater outcomes for many filmmakers within Georgia compared to the financial offerings 20 years ago. These European partners are also seen as largely beneficial to the Georgian government, as they are given the opportunity to interact with the European Union and further the country's integration through the niches that film and other cultural sectors create for them⁹⁸.

Overall, despite the historical and contemporary issues that Georgia faces, its connections with European organizations has allowed the country to align itself more closely with the European Union and farther away from Russia. The direction of the industry regarding the types of films that will be made has no clear answer. Levan Koguashvili suggests that the state of film in Georgia will continue to release mainly serious dramatic films, as people who grew up during the times of independence have stories that they feel they need to tell⁹⁹. Alternatively, Nana Janelidze suggests that in the next 5-10 years, the mood of film will change with a return to positive stories in film, potentially a great return of humour in film¹⁰⁰, something that David Vashadze says is lacking in the current cinematic climate¹⁰¹. Opportunities for potential research in the future on this topic could be with regard to the role that international film festivals such

⁹⁴ BOP Consulting. "Georgian Film Policy: Strategic Review." Georgian National Film Center, April 2009. p.5

⁹⁵ JSC Georgian Film services. "History," October 29, 2018. <http://georgianfilm.ge/index.php/hist?lang=en>.

⁹⁶ Nana Janelidze (Georgian Filmmaker) in discussion with the author, February 2019

⁹⁷ Dzandzava, Nino. "Georgian Films Can Wait [?]." *Journal of Film Preservation; Brussels*, no. 90 (April 2014): p. 88

⁹⁸ Vakhtang Makharoblishvili (Georgian Deputy Foreign Minister) in discussion with the author, February 2019

⁹⁹ Levan Koguashvili (Georgian Filmmaker) in discussion with the author, February 2019

¹⁰⁰ Nana Janelidze (Georgian Filmmaker) in discussion with the author, February 2019

¹⁰¹ David Vashadze (Head of International relations department at the Georgian National Film Centre) in discussion with the author, February 2019

as Berlinale play as places for national film bodies to promote and network with one another, and the impact that it has on the domestic film industry in Georgia.

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LGBTQ Rights and Georgia's European Union Aspirations

Gloria Dragić

Introduction

Located at the intersection of Europe and Asia, Georgia has long aspired to strengthen its relationship with the European Union (EU). In order to achieve this goal, successive Georgian governments have nominally committed themselves to the consolidation of a functioning democratic state and market economy since the dissolution of the Soviet Union (USSR) in 1991. Although Georgia has yet to be officially recognized as a candidate country for EU membership, Georgia has tried to use its Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community to replicate EU values on minority rights in order to accelerate membership. Indeed, new legislation introduced has faced resistance from the Georgian Orthodox Church (GOC) and far-right groups, raising the question of how different administrations have been supporting LGBTQ rights and whether this is creating a wedge in attitudes over European integration. This study argues that although different Georgian governments have implemented reforms that support LGBTQ rights and mirror EU values, they have faced difficulties being enforced at the local level. Despite this, LGBTQ rights are slowly progressing in Georgia and resistance towards this marginalized group is not creating a wedge in attitudes over European integration.

This analysis proceeds as follows. First, the status of LGBTQ rights during the USSR is examined. Secondly, to capture the developments of LGBTQ rights, I compare the progression of LGBTQ policies under various administrations in Georgia. In doing so, I will show how governments try to balance protecting sexual minority rights that are promoted by the EU, while simultaneously maintaining support from the GOC. Thirdly, this study assesses the impact of the May 2013 Anti-LGBTQ demonstrations in Georgia, the Anti-Discrimination Law, growth of far-right groups, and the 2017 constitutional amendments on the progression of LGBTQ rights. An assessment of these developments shows that while governments have been trying to gain further recognition for their efforts on LGBTQ rights from the international community, due to the GOC influence in society, there is a lack of enforcement of LGBTQ rights at the local level. Lastly, this essay demonstrates the minimal impact of LGBTQ rights on attitudes towards joining the EU by looking at other more pressing concerns that are hindering Georgia's candidacy. The evidence that will be presented in this analysis is based on interviews conducted with Georgian non-governmental organizations (NGO) and government agencies.

For the intent of this analysis, it is crucial to evaluate the LGBTQ movement under the USSR in order to fully comprehend contemporary issues in Georgia. During the USSR, the LGBTQ movement was severely limited as the state largely refused to recognize the community. Former leader Joseph Stalin re-declared homosexuality as illegal in 1934 after it was decriminalized in 1917.¹ Those who openly identified as homosexuals and

¹ Annabelle Quince and Keri Phillips, "The History of homosexuality in Russia: from Soviet sex changes to gay gulags," *ABC*, accessed on 28 February 2019, last modified on 4 December 2013.

committed acts of same-sex affection faced a prison sentence of up to five years.² These individuals were subject to an automatic form of criminalization since homosexuality was considered abnormal and against the 'healthy' principles of relationships between sexes. Aleksandre Kvakhadze, a Research Fellow at the Georgia Foundation of Strategic Research and International Studies (GFSIS), noted that under the USSR LGBTQ minorities faced a strong sense of social rejection.³ Therefore, the USSR isolated and punished homosexuals as they were considered to be individuals railing against social order.

Due to the harsh legal ramifications and negative social stigma surrounding homosexuality, members of that community were forced into keeping their sexual orientations hidden. Although this shielded them from harassment and detention by the authorities, evidence that has emerged in the post-1991 era shows the negative impact this had on their quality of life.⁴ It is worth mentioning that there were a few reported incidents in which USSR officials relatively accepted homosexuals. For instance, famous performer Vadim Kozin was one of the few openly gay individuals that did not have to live his life in complete fear.⁵ Nevertheless, the majority of homosexuals during the USSR were only able to survive without punishment if they refrained from revealing their true preferences. This illustrates that the LGBTQ movement was unable to develop during the USSR as the state neglected to acknowledge them.

Once Georgia gained independence in 1991, legal provisions for the LGBTQ movement began being implemented. To begin with, the first president of the newly independent Georgia, Zviad Gamsakhurdia, failed to do anything recognizable for the LGBTQ community; however, under the administration of the second President Eduard Shevardnadze, homosexuality was once again decriminalized in 2000.⁶ While this revised legal framework seemingly pushed Georgia in the direction of progressive change and protection for minority groups, in practice there are still issues within the Criminal Code that directly stigmatise homosexuals.⁷ This is seen in Articles 138 and 140 of the Criminal Code that "identify homosexual sexual intercourse with the pervert sexual intercourse."⁸ The lack of consideration placed on LGBTQ rights during Shevardnadze's government stems from the prioritization of different areas in order to build a new country.

In 2003, under the United National Movement (UNM), former President Mikheil Saakashvili came to power and implemented modest reforms for the LGBTQ community. He was determined to adopt policies that would bolster European integration; however, his policies failed to go far enough to provide any real protection for LGBTQ rights. At first glance, the Rose Revolution of 2003 spearheaded by Saakashvili seemed promising. He was determined to reform Georgia by replacing its old authoritarian regime with a democratic system underpinned by strong liberal values.⁹ Saakashvili encouraged a pro-

² Ibid.

³ Aleksandre Kvakhadze, Researcher, Georgia Foundation for Strategic and International Studies, interviewed by University of Toronto ICM Students, personal interview, GFSIS, Tbilisi, February 20, 2019.

⁴ David Remnick, "In Age of Glasnost, Homosexuality Still Taboo in Soviet Union," *Washington Post*, accessed on 28 February 2019, last modified on 9 March 1989.

⁵ Monica Whitlock, "Searching for Vadim Kozin, the Soviet tango king," *BBC*, accessed on 28 February 2019.

⁶ Sophio Japaridze, "Prohibiting Discrimination against LGBT Persons: Review of National Legislation," *Women's Initiatives Supporting Group*, Tbilisi, 2012, 6.

⁷ Ibid.

⁸ Ibid.

⁹ Julie A. George, "Minority political inclusion in Mikheil Saakashvili's Georgia," *Europe-Asia Studies* 60, no. 7 (2008): 1153.

Western approach by promoting decentralization and combating corruption.¹⁰ Despite rebuilding Georgia on the basis of democratic principles, Kornley Kakachia, the Director of Georgia Institute of Politics, mentioned that Saakashvili placed little attention on the LGBTQ issue.¹¹ This was because Saakashvili's political agenda did not see LGBTQ rights as a priority, but rather wanted to re-develop Georgia's relationship with Europe by focusing on further economic integration.

Rather than creating policies that focused on protecting the LGBTQ community, Saakashvili passed legislation that benefited marginalized groups. For instance, Saakashvili in 2006 amended the Labour Code of Georgia, which "expressly prohibits discrimination based on sexual orientation and gender identity."¹² This revision suggests he adopted a form of acceptance towards LGBTQ people; however, there were ambiguities to this legislation. The amendments to the Labour Code were beneficial in the sense that the LGBTQ community remained relatively safe in the work force, but this only applied when the person was formally employed.¹³ During the recruitment stage, an individual identifying as a LGBTQ could experience discrimination without protection from the law. Thus, although some strides were made, members of the LGBTQ community continued to face obstacles under Saakashvili's administration.

LGBTQ rights were not entirely dismissed during Saakashvili's administration. In 2005, the Heinrich Boll Foundation held multiple public debates that placed the spotlight on many of Georgia's pressing problems.¹⁴ One of the public debates was dedicated to sexual minorities in Georgia, ultimately bringing LGBTQ issues to the forefront of public discussion.¹⁵ In 2006, Inclusive Foundation was established as the first official NGO overtly promoting LGBTQ rights.¹⁶ Despite a raid by police in 2009 that shut down the organization, its establishment demonstrates that the community was gaining greater attention by the public.

In addition, in 2012, the LGBTQ community held their first public march on May 17 to commemorate International Day Against Homophobia (IDAHO).¹⁷ During this period the media in Georgia was well known for presenting discriminatory statements, but irrespective of how they were portrayed, individuals identifying as LGBTQ marched in solidarity.¹⁸ It is important to note that the GOC responded negatively to this.¹⁹ Clashes between the two opposing groups erupted, though no serious injuries were reported. Nevertheless, the LGBTQ community in Georgia can be seen as making slow progression during the administration of Saakashvili.

¹⁰ Ibid.

¹¹ Kornley Kakachia, Director, Georgia Institute of Politics, interviewed by University of Toronto ICM Students, personal interview, GIP office, Tbilisi. February 18 2019.

¹² Women's Initiative Supporting Group, "The Council of Europe's Recommendation to Member States on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity in Georgia: Monitoring of Implementation," Tbilisi, 2012, accessed on 28 February 2019, 112.

¹³ Ibid.

¹⁴ Heinrich Boll Stiftung South Caucasus, "Public Debates at the Heinrich Boell Foundation – 2005," accessed on 28 February 2019, last modified on 14 December 2015.

¹⁵ Ibid.

¹⁶ Women's Initiative Supporting Group, "The Council of Europe's Recommendation," 200.

¹⁷ Radio Free Europe, "Orthodox Christians Clash with Gay Activists in Tbilisi," accessed on 28 February 2019.

¹⁸ Ana Natsvlshvili, "Study on Homophobia, Transphobia and Discrimination on Grounds of Sexual Orientation and Gender Identity: Legal Report: Georgia, COWI, 2011, 6.

¹⁹ Radio Free Europe, "Orthodox Christians Clash with Gay Activists in Tbilisi."

As the LGBTQ community gradually gained more recognition during Saakashvili's presidency, Georgia was concurrently developing a closer relationship with the EU. In contemporary times, even though membership is not on the table, Georgia remains the most dedicated country to join the EU out of any of the post-Soviet republics and even shows more enthusiasm than some actual candidate states. Georgia's relationship with the EU began to grow in 2004 when it was included in the European Neighbourhood Policy (ENP).²⁰ The ENP essentially governs the relationship between the EU and 16 of its Eastern and Southern neighbours. Through the ENP, the EU has been able to actively contribute to finding a solution to the conflicts in Georgia's breakaway regions known as Abkhazia and South Ossetia.²¹ Throughout his time, Saakashvili continued to deepen this relationship, as seen in the 2006 Action Plan that "offers the opportunity for the EU and Georgia to develop an increasingly close relationship...significant measure of economic integration and a deepening of political co-operation."²² These two agreements have allowed Georgia to become closer to the West, an achievement for Saakashvili's moderation plan.

Furthermore, the Eastern Partnership (EaP) was introduced in 2009 with the aim of strengthening and deepening the relationship between the EU and six eastern neighbours, including Georgia.²³ The framework encompasses the joint commitment to deliver results across the regions in the sectors of economics, governance, connectivity, and in society. Moreover, outside of the relationship with the EU, Saakashvili spearheaded integration with the West by advocating for North Atlantic Treaty Organization (NATO) membership. While Georgia initially built a relationship with NATO in 1994 through the Partnership for Peace, Saakashvili was driven to further advance this commitment; however, following the Russian-Georgian conflict in 2008, membership was delayed.²⁴ It becomes evident that Saakashvili's goal was to open up new avenues that allowed Georgia to receive acceptance from its neighbours in the West. Thus, many of his liberal reforms that acknowledged sexual minorities were largely artificial and can be depicted as a way to show the EU that Georgia was supposedly protecting minority rights, but in reality, the reforms did little to improve the situation.

During this period, the GOC was also growing in strength. Currently, the GOC is considered to be one of the most influential institutions, but this was not always the case. In the USSR, the authorities tolerated religion being practiced in a limited matter.²⁵ To put this into perspective, by the mid-1980s, only 80 churches existed out of the 2,455 working churches seen in 1917.²⁶ According to political analyst Ghia Nodia, "during communism, the church was outdated."²⁷ Once Georgia gained independence in 1991, opinions and attitudes towards the church rapidly shifted when then former President Gamsakhurdia "espoused a philosophy of ethnic nationalism" and incorporated the church into Georgia's national identity.²⁸ Today, roughly 80 percent of Georgia's

²⁰ European Commission, "European Neighborhood Policy," accessed on 1 March 2019, last modified on 6 December 2016.

²¹ Richard G Whitman and Stefan Wolff, "The EU as a conflict manager? The case of Georgia and its implications," *International Affairs* 86, no. 1 (2010): 88.

²² European Union External Action Service, "EU-Georgia Action Plan," accessed on 2 March 2019.

²³ European Commission, "Eastern Partnership," accessed on 2 March 2019, last modified on 5 December 2018.

²⁴ North Atlantic Treaty Organization, "Relations with Georgia," accessed on 2 March 2019, last modified on 14 September 2018.

²⁵ BBC, "Georgia's mighty Orthodox Church," accessed on 2 March 2019, last modified on 2 July 2013.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

population belong to the GOC, although Nodia notes that only 20 percent of these individuals participate in traditional practices.²⁹ Georgia's current Patriarch Ilia II continues to remain the most popular religious leader and has provided a sense of stability since the collapse of the USSR.

As this institution is considered to be one of the most trusted sectors in society, it is often seen as having some influence within state affairs. This is captured in a 2017 survey conducted by the Caucasus Research Resource Centre (CRRC), where 64 percent of citizens in Tbilisi hold trust in the GOC.³⁰ The Georgian constitution states that the "state and church be separate domains, independent from each other," but in reality this does not always apply.³¹ During Saakashvili's administration, the government allocated some 200,000,000 Georgian lari (GEL), roughly 72,887,000 United States dollars (USD) to the church.³²³³ This becomes even more relevant when considering how the church had a difficult time accepting Saakashvili's modernization plan as it thrives on upholding traditional Orthodox values.³⁴ It is important to note that this study does not include an interview with an official from the GOC, limiting the perspective of this analysis. With that being said, other stakeholders reported on their involvement in this discussion. For instance, Renata Skardziute-Kereselidze, a Researcher from the Georgia Institute of Politics, said that in order to keep the church satisfied, the government has to continue strengthening collaboration with them.³⁵ This is evidenced by the government regularly providing large funding to the church. In turn, this has led many to believe that the church is considered to be an important actor within Georgia.

While the GOC officially accepts European integration, the church has become increasingly antagonistic towards the progression of LGBTQ rights as they see it as a threat to their culture. The GOC has shown strong homophobic attitudes towards the LGBTQ community since they allegedly deviate from traditional Orthodox values.³⁶ This became apparent during the 2012 clashes when the church responded negatively and tried to put a halt to the mobilization of activists. From the religious standpoint, Giorgi Tabagari, Director of an NGO known as the Pride Organization, explains that the GOC view the community as a sin and an overall threat.³⁷ Due to this, the church is determined to 'fix' these individuals in order to preserve society. As the subsequent analysis will elucidate, as the LGBTQ movement further develops the dynamics between the two continue to worsen.

Saakashvili's means of managing state affairs eventually took a turn into an authoritarian style of governance, and as a result, the Georgian Dream won parliamentary

²⁹ Ghia Nodia, Director, International School of Caucasus Studies at the Ilia State University. Interviewed by University of Toronto ICM Students. Ilia State University, Tbilisi. February 22 2019.

³⁰ Caucasus Research Resource Centers, "Is Georgia's Orthodox Christian population losing (trust in) their religion?" accessed on 15 May 2019, last modified on 13 August 2018.

³¹ Irakli Jgharkava, "Is Georgia Unique Approach to Church-State Relations Compatible with EU integration," *Georgian Institute of Politics*, December 2017, 7.

³² Ibid.

³³ Exchange-Rates, "US Dollars (USD) to Georgian Lari (GEL) exchange rate for December 31, 2018," accessed on 15 May 2019, last modified on 31 December 2018.

³⁴ Kakha Gogolashvili, Senior Fellow, Georgia Foundation for Strategic and International Studies, interviewed by University of Toronto ICM Students, personal interview, GFSIS, Tbilisi. February 19 2019.

³⁵ Renata, Skardziute-Kereselidze, Researcher, Georgia Institute of Politics, interviewed by University of Toronto ICM Students, personal interview, GIP, Tbilisi, February 18, 2019.

³⁶ Ibid.

³⁷ Giorgi Tabagari, Director, Pride Organization, interviewed by University of Toronto ICM Students, personal interview, Tbilisi, February 18, 2019.

elections in 2012. Led by Georgia's well-known billionaire, Bidzina Ivanishvili, the Georgian Dream came into power with a six-party coalition, dividing the government's opinions towards LGBTQ rights.³⁸ On the one hand, Prime Minister Ivanishvili stated that "sexual minorities in his country have the same rights as any other social groups."³⁹ On the other hand, members of the new coalition also came from the Conservative Party and Industry Will Save Georgia.⁴⁰ These members held strong conservative values and greatly supported the GOC.⁴¹ Nevertheless, the Georgia Dream was determined to uphold relations with the EU, but faced the difficulty of finding the balance between supporting LGBTQ rights and upholding GOC values.

One of the first of many obstacles the newly elected government had to overcome was the May 2013 demonstration. As aforementioned, May 17 is known as IDAHO day. In 2013, Identoba, an NGO that proudly supports the LGBTQ community, organized a rally that was intended to be peaceful.⁴² As the LGBTQ community gained the courage to march through the streets of the capital Tbilisi, they were faced with opposition. Counter-demonstrators led by clerics outnumbered the activists and attacked demonstrators.⁴³ These individuals carried banners that included hate slogans and were heaving rocks.⁴⁴ The Director of the Identoba, Irakli Vacharadze, shared with local reporters that the opposition group "wanted to kill us all."⁴⁵ This event holds relevance as it illustrates how the current government has been trying to balance its relationship with the two.

Distinctly, the GOC are the greatest resistors to the LGBTQ movement as they were the ones who countered the demonstration. The GOC response to this social movement can be seen as challenging the government by displaying the support they have within the country. Throughout the Saakashvili period, the GOC refrained from expressing their opinions to his modernization plan, but since the Georgian Dream inception, the church adopted a new form of hostility. A day prior to the event taking place, Ilia II urged the government to ban this march as gay activism was seen as an insult to the country.⁴⁶ The government did not prohibit the march from taking place, which indicates the church does not have overarching authority within state affairs; however, as a response the church issued a counter-protest to showcase its power.

Following the May 17 developments, Bishop Jakob spoke at the Holy Trinity Cathedral and indirectly confronted the new government. During his speech, he mentioned that under the government of UNM it required months of planning to gather thousands of people, but on 17 May society came out on to the streets on their own, and that "several millions would have come [into the streets] if needed."⁴⁷ Although this was

³⁸ Jim Nichol, "Georgia's October 2012 Legislative Election: Outcome and Implications," Congressional Research Service, Library of Congress, 2012, 1.

³⁹ Radio Free Europe, "Georgian Prime Minister says Sexual Minorities have Equal Rights," accessed on 2 March 2019, last modified on 15 May 2013.

⁴⁰ Nichol, "Georgia's October 2012 Legislative Election," 1.

⁴¹ Eka Chitanava, "Georgia's politics of piety," *Open Democracy*, accessed on 2 March 2019, last modified on 30 September 2016.

⁴² Andrew Roth, "Crowd led by Priests attacks Gay Rights Marchers in Georgia," *The New York Times*, accessed on 3 March 2019, last Modified on 17 May 2013.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Andrew Roth and Olesya Vartanyan, "Slow Response by Georgians to Mob Attack on Gay Rally," *The New York Times*, accessed on 3 March 2019, last modified on 19 May 2013.

⁴⁷ Civil Georgia, "Patriarch Calls for Calm After Orthodox Groups Thwart Gay Rights Rally," accessed on 3 March 2019, last modified on 17 May 2013.

a threat to the government as it highlighted the network base the GOC had established, it is important to include that Ilia II also condemned the violence despite having negative opinions on LGBTQ rights.⁴⁸ Regardless of this comment, this incident portrays the potential consequences of ignoring the GOC requests.

The ramifications for the LGBTQ community is indicative of how the governments are trying to balance respect for sexual minorities while simultaneously trying to maintain the support of the GOC. As Kakha Gogolashvili a Senior Fellow at GFSIS, pointed out, this demonstration was a way for the LGBTQ community to take advantage of its freedom of assembly and expression.⁴⁹ As the church was defensive in nature, these rights were ultimately infringed on. Moreover, despite Ivanishvili supporting LGBTQ rights and making statements that denounced the violence, this event confirmed the lack of accountability in the law enforcement.⁵⁰ Kvakhadze emphasised that during this event, the police did the bare minimum to support the LGBTQ issue.⁵¹ Kakachia describes the police officers in Georgia as being ‘traditional guys’, ones who support and respect the GOC values.⁵² Furthermore, EU Special Advisor on Human Rights in Georgia, Thomas Hammarberg, recognized that the judiciary had a slow response even with evidence against the violent protestors.⁵³ Thus, although the state did not listen to the church to ban the event, the state did little to protect the protestors and prosecute those accused of violence to the full extent of the law.

This incident marked the first time in modern Georgia history that the LGBTQ community gained a significant amount of international media attention. As Tamara Jakeli, a Program Assistant at European Foundation argued, the demonstration that took place on May 2013 stimulated discussion regarding LGBTQ rights and encouraged more people to open up about their queer identity.⁵⁴ Additionally, human rights lawyer for the United Nations, Anna Khizanishvili, stressed that following the clashes, the government and Ministry of Internal Affairs became more cautious about defending LGBTQ rights.⁵⁵ In fact, the community now discloses their plans with representatives from the government in order to have secure areas to demonstrate.⁵⁶ Outside of these accomplishments, the community continues to be subjected to discriminatory practices as the Georgia Dream government continues to be challenged with finding the balance of supporting LGBTQ rights and the GOC.

One of the ways in which the Georgian Dream government has promoted itself for respecting LGBTQ rights can be seen in the signing of the Law on the Elimination of All Forms of Discrimination in May 2014.⁵⁷ The law itself is considered to be a steppingstone for the LGBTQ community as “it identifies sexual orientation and gender identity as

⁴⁸ Ibid.

⁴⁹ Interview with Gogolashvili.

⁵⁰ Roth, “Crowd led by Priests attacks Gay Rights Marchers in Georgia.”

⁵¹ Interview with Kvakhadze.

⁵² Interview with Kakachia.

⁵³ Thomas Hammarberg, “Georgia in Transition - Report on the human rights dimension: background, steps taken and remaining challenges,” September 2013, 26.

⁵⁴ Tamara Jakeli, Program Assistant, European Foundation, interviewed by University of Toronto ICM Students, personal interview, Tbilisi, February 23, 2019.

⁵⁵ Anna Khizanishvili, Lawyer, United Nations, interviewed by University of Toronto ICM Students, personal interview, Tbilisi, February 21, 2019.

⁵⁶ Ibid.

⁵⁷ Human Rights House Foundation, “Georgia Passes Anti-Discrimination Law,” accessed on 5 March 2019, last modified on 6 May 2014.

separately protected principles.”⁵⁸ The Anti-Discrimination Law was intended to move along with the visa liberalization plan that would grant Georgians the opportunity to travel freely to various member states within the EU.⁵⁹ Tabagari revealed that one of the many reasons as to why Georgia had to implement this was because the EU did not want the LGBTQ community claiming refugee status in another country.⁶⁰ In this sense, the Anti-Discrimination Law can be interpreted as a return agreement that was highly promoted and encouraged by the EU. Indeed, passing this law spearheaded the implementation of visa liberalization in 2017, bringing Georgia closer to the EU.⁶¹ Thus, the Anti-Discrimination Law was used as a means to command future negotiations with the EU; however, this new law also came with extreme forms of resistance.

The GOC was not entirely against the Anti-Discrimination law, but insisted that the clause made on sexual orientation be removed and prohibited.⁶² The government faced great difficulties in implementing this new policy as a lawyer from Georgia’s Young Lawyer Association Giorgi Gotsiridze reported that the church was actively campaigning against the sexual orientation policy in parliament.⁶³ Also, clerics organized rallies outside of the parliament to combat and delay the process.⁶⁴ In response, then Prime Minister Irakli Garibashvili issued public statements that directly reacted to the GOC by stating that “we are talking about the rights enshrined in our constitution... our government and myself are responsible for never adopting a law that would endanger our country’s national interests, national security or traditions and values.”⁶⁵ Therefore, it becomes evident that despite the GOC demanding the removal of this clause, the Georgian Dream government passed the law even with the church being against it.

The Anti-Discrimination Law spearheaded other negotiations with the EU as seen in the signing of the Association Agreement (AA) in June 2014.⁶⁶ The AA allowed Georgia to have access to European markets and aimed to deepen political relations with the EU. This also include the Deep and Comprehensive Free Trade Area (DCFTA) that came into effect in 2016.⁶⁷ The AA has committed Georgia to advancing its areas of democracy and the rule of law, human rights and fundamental freedom among many other areas.⁶⁸ This agreement accurately demonstrates Georgia’s ambition to be further integrated with Europe; however, an important aspect of it is that it is conditional as Georgia needs to oblige to those aforementioned areas.

While the Anti-Discrimination Law and the AA meant that the community is protected under the law, LGBTQ people still faced many hardships in Georgia. The clashes seen in 2013 prevented the community from marching on the streets the following year as they feared that violence would break out yet again.⁶⁹ Instead of celebrating IDAHO,

⁵⁸ Lika Jalagania, “Legal Situation of LGBTI Persons in Georgia,” *Human Rights Education and Monitoring Center*, 2016, 19.

⁵⁹ Ministry of Foreign Affairs, “EU-Georgia Association Agreement fully enters into force,” accessed on 6 March 2019.

⁶⁰ Interview with Tabagari.

⁶¹ Schengen Visa Info, “Georgia’s visa liberalization with European Union comes under threat,” accessed on 9 March 2019.

⁶² Human Rights House Foundation, “Georgia Passes Anti-Discrimination Law.”

⁶³ Giorgi Gotsiridze, Lawyer, Georgia’s Young Lawyer Association, interviewed by University of Toronto ICM Students, personal interview, GYLA, Tbilisi, February 21, 2019.

⁶⁴ Transparency International Georgia, “New Anti-Discrimination Law: Challenges and Achievements, accessed on 9 March 2019, last modified on 17 June 2014.

⁶⁵ Ibid.

⁶⁶ European Union, “Official Journal of the European Union,” vol. 57, 30 August 2014, accessed on 9 March 2019.

⁶⁷ Ministry of Foreign Affairs, “EU-Georgia Association Agreement fully enters into force.”

⁶⁸ Ibid.

⁶⁹ Cristina Maza, “Georgia is a terrible place to be gay,” *Balkanist*, accessed on 10 March 2019, last modified on 24 May 2014.

the GOC decided to declare 17 of May as ‘family day’ and celebrated by marching throughout Tbilisi.⁷⁰ Despite not mobilizing, the police continued to execute discriminatory practices against the LGBTQ community by visiting a local LGBTQ nightclub and demanding names, addresses and phone numbers.⁷¹ Resistance towards the community only continued to intensify, explicitly seen in the cancellation of the 2017 march.⁷² The lack of involvement from the state following those developments with the EU highlights the balance of trying to be portrayed as a country that strongly adheres to protecting sexual minority rights while simultaneously supporting those who do not approve by withstanding from enforcing those policies. As a result, the policies intended to support LGBTQ rights are not being applied locally.

Not only does resistance come from the GOC, the LGBTQ community also faces confrontation from far-right groups. Alla Parunova, a Project Manager from Equality Movement, emphasized how far-right movements are emerging that encompass an anti-Western ideology and threaten LGBTQ rights.⁷³ Kvakhadze also discussed how these far-right groups partner up with the church as seen during the protest against the Anti-Discrimination Law.⁷⁴ There are three main far-right groups in Georgia including Alliance of Patriots of Georgia (APG), the Georgian March and Georgian National Unity.⁷⁵ The APG gained recognition in 2016 when they received six seats in parliament.⁷⁶ The Georgian March are against LGBTQ rights and are planning on establishing a new political party.⁷⁷ Similarly, the Georgian National Unity battles those who menace the country’s identity.⁷⁸ While these groups are known for clashing with the LGBTQ community, as seen in May 2018 during the demonstrations outside of parliament denouncing the raids of two nightclubs, they are not considered a mainstream phenomenon in Georgia.⁷⁹ This signifies that their platform is not strong enough to push Georgia away from adopting Western values.

In some regards, the government can be seen as supporting the LGBTQ through the Anti-Discrimination Law, but amending the constitution challenges their advocacy for minority rights. In 2017, the government amended the constitution to include marriage as “a union of a woman and man for the purpose of creating a family.”⁸⁰ Following this, Georgia’s parliamentary speaker, Irakli Kobakhidze, spoke out and said that the purpose of doing so was intended “to prevent certain groups from stirring up homophobic and anti-Western sentiment.”⁸¹ According to Gotsiridze this has been

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² Jam News, “17 May in Tbilisi – fight against homophobia, Family Day and violence at anti-homophobia rally,” accessed on 10 March 2019, last modified on 17 May 2018.

⁷³ Alla Parunova, Project Manager, Equality Movement, interviewed by University of Toronto ICM Students, personal interview, Equality Movement, Tbilisi, February 20, 2019.

⁷⁴ Interview with Kvakhadze.

⁷⁵ Adriana Stephan, “Defining the Far Right in Georgia: From Neo-Fascists to Populist Parties,” *Georgian Institute of Politics*, October 2018, 3.

⁷⁶ Ibid., 3-4.

⁷⁷ Ibid., 5.

⁷⁸ Ibid.

⁷⁹ Matthew Collin, “Georgian techno fans and extremists clash in Tbilisi in fight for club culture,” *The Guardian*, accessed on 10 March 2019, last Modified on 14 May 2018.

⁸⁰ Council of Europe, “Georgia Draft Revised Constitution,” *European Commission for Democracy through law, Venice Commission*, accessed on 10 March 2019, last modified on 23 June 2017, 10.

⁸¹ Ron Synovitz, “Georgian Dream Doubles Down on Same-Sex Marriage Ban,” *Radio Free Europe*, accessed on 11 March 2019, last modified on 24 June 2017.

controversial since the government is advocating LGBTQ rights at the same time that they are passing laws that do the complete opposite.⁸² Khizanishvili stated how this represents the ways in which the government is politically motivated by others and implementing policies based off of individuals certain agendas.⁸³ In this sense, Georgian governments have been politically motivated by the international community to pass laws on behalf of sexual minorities and by those internally who have a different agenda.

Based on what the past and current governments have been doing for the LGBTQ movement, it becomes evident that the governments have been trying to be portrayed as a country that upholds sexual minority rights. The reforms that the governments have been implementing have transitioned from modest ones that indirectly benefit the LGBTQ community to policies that are directly intended to advocate for their rights. Many stakeholders have recognized that Georgia's governments have solely been applying such reforms to become closer to the EU. As the EU is known for upholding strong liberal values, by implementing policies that mirror EU principles, Georgia hopes to accelerate integration. A January 2019 statistical report conducted by the National Democratic Institute (NDI) showed that 83 percent of Georgians support EU integration.⁸⁴ In regards to this piece of information, this confirms that the legislations that have been passed has been for the purpose of allowing the country to be closer to the West. While passing these legislatives has portrayed Georgia as being a country that upholds minority values, this does not seem to translate on the local level.

Locally, these policies tend to not apply as the community is constantly facing discrimination from the state, GOC and far-right groups. This vulnerable group continues to be targeted as bullying persists in school and on the streets. Moreover, transgender groups of society specifically experience brutal forms of oppression.⁸⁵ Despite having the Anti-Discrimination Law implemented, it is difficult to testify and challenge others in court based off of violations within this policy.⁸⁶ This has to do with the lack of available resources that the state is able to allocate. These examples precisely illustrate how locally the government neglects to uphold LGBTQ rights, creating further social polarization for this community.

The problem associated with having these policies existing and lack of enforcement can be redirected to Georgia's EU aspirations. In retrospect, policies such as the Anti-Discrimination Law and agreeing to continue to improve the human rights sector as part of the AA should create a much more inclusive space for LGBTQ people; however, this is not the case as their rights continue to be disregarded. This is emblematic of the fact that LGBTQ rights are not seen as a priority within Georgia. The current administrative passed those policies for the sole purpose of enhancing the countries relationship with the EU, with no intentions to adequately enforce such measures. The Anti-Discrimination Law holds promising implications for the LGBTQ community but appears distorted when considering how it is seen as return agreement, one that allows the country to move forward with other legislations with the EU. In this sense, the existence of these policies is not representative of the government's pledge to uphold them.

⁸² Interview with Gotsiridze.

⁸³ Interview with Khizanishvili.

⁸⁴National Democratic Institute, "NDI Poll: EU and NATO support at a Five-Year High: Urgent Action on the Environment and Improvements in Public Education Needed," accessed on 11 March 2019, last modified on 28 January 2019.

⁸⁵ Interview with Parunova.

⁸⁶ Interview with Gotsiridze.

A reason as to why the governments have not been upholding LGBTQ rights is due to the fact that the governments are trying to balance support for the LGBTQ community and GOC. As majority of Georgian's identify strongly with the church and as the vast majority of the Georgia Dream voters are conservative, the current government must act strategically in order to continue gaining the popular vote.⁸⁷ At the same time, the governments in Georgia have been trying to court the EU by adopting liberal policies such as protecting LGBTQ rights without alienating everyone at home. Since the GOC holds a significant amount of influence, the government is constantly trying to appease the church by passing policies that on one hand undermines others. This was clearly captured with the amendments within the constitution as it created more problems for the LGBTQ community. As the current government is split between those who support LGBTQ rights and those who do not, the government must advocate for both sides, which in return results into contradictory policies. Due to this, the tensions between the supporters of LGBTQ rights and the more conservative parts of society are inevitably challenging one another.

As this paper has highlighted, there have been growing issues regarding LGBTQ rights in Georgia. This poses the question of whether or not this is creating a wedge in debates over European integration. Indeed, opponents to European integration are using LGBTQ rights to gain support. Colleagues at Eastern European Centre for Multiparty Democracy stated that the opponents are being fueled by deformation campaigns from Russia, which suggests that moving closer to the West will turn all your children into gays.⁸⁸ Russia is against EU integration and is attempting to combat its success by promoting pro-Russia sentiments and an anti-LGBTQ rhetoric in Georgia. Georgia opponents to EU integration have been able to use this Russian campaign for the ongoing debate over LGBTQ rights to build a larger support base.⁸⁹ With that being said, as the NDI statistics has shown, these opponents are a very small group of individuals and majority of Georgian's want to proceed with integration.

LGBTQ rights have created ongoing debates within Georgia society, nonetheless it is not creating a wedge in European integration as the community has experienced progressive change. Although a 2017 statistic from the CRRC showed that homosexuals are the second least preferred individuals to have as neighbors there has been substantial amount of development.⁹⁰ For starters, there has been extensive amount of international recognition and periodic rallies. Moreover, in 2017 the Republican Party for the first time had a LGBTQ candidate.⁹¹ Despite ongoing pressure from the church to remove the Anti-Discrimination Law, the government continues to leave the legislation intact. This represents the church's overestimation of its ability to sway the governments opinion. Additionally, the Minister of Internal Affairs has added a human rights department to monitor investigations of different hate crimes in which Ombudsman, a public defender organization has been greatly utilizing to bring justice for LGBTQ rights.⁹² Thus, these

⁸⁷ Interview with Kakachia.

⁸⁸ Eastern European Centre for Multiparty Democracy, Interviewed by University of Toronto ICM Students, EECMD, Tbilisi, February 22, 2019.

⁸⁹ Interview with Skardziute-Kereselidze.

⁹⁰ Caucasus Research Resource Center, "Neighbour: which of these people would you not wish to have your neighbors most?" Accessed on 11 March 2019, last modified in 2017.

⁹¹ Umberto Bacchi, "Georgia's first openly gay politician tests homophobia in Caucasus," *Reuters*, accessed on 11 March 2019, last Modified on 19 October 2017.

⁹² Interview with Khizanishvili.

great challenges for the LGBTQ community should not go unnoticed, but they are not substantial enough to challenge EU integration as they have been progressing since the fall of the USSR.

LGBTQ rights is not an overarching factor for EU integration as other member states face similar challenges. For example, Poland a largely conservative society suffers greatly from accepting these individuals.⁹³ They too have troubles finding the balance of integrating LGBTQ community and upholding values enshrined in the EU. Despite this, Poland remains a member of the EU, illustrating that problems associated with the LGBTQ community will not drive a country away from integration. While the LGBTQ problem is not great enough to slow down integration, the community also could be doing more that would allow for further acceptance. For example, Khizanishvili mentioned that in the religious country of Malta their society embraces equal rights and marriage.⁹⁴ Fundamentally, rather than migrating to other countries the LGBTQ community should embrace activism and work collectively from inside the church to gain more support.

The progression of LGBTQ rights has shown there are more pressing concerns that could slow the integration process. One of the more challenging concerns the country is facing with European integration is associated with Georgia's economy. Deputy head of EU delegation Carlo Natale stressed how Georgia's Gross Domestic Product (GDP) per capita is significantly lower than the EU member states.⁹⁵ Currently, Georgia's GDP per capita is roughly \$4,200 USD, which is far too low for EU standards.⁹⁶ Natale mentioned that the EU is concerned that if Georgia was admitted with its current GDP, it would be expected that a large portion of the population would leave and move to another member state to gain a higher income. This is not ideal for the EU, so it keeps encouraging for economic developments. A suggestion being offered is to expand Georgia's market by internationalizing it to become more connected with various regions of the world. This shows that there are other factors that hold more priority when it comes to European integration and override the problems associated with LGBTQ rights.

Overall, the LGBTQ movement in Georgia is relatively new and will take time to embrace. Tbilisi is set to host its first Pride Parade in June 2019, which accurately reflects the progression the movement has made. The GOC officially accepts European integration, but are having difficulties accepting all the liberal values that come along with that. As the statistics have shown, there is about roughly the same number of individuals who support the GOC and European integration illustrating that LGBTQ rights are not causing a wedge in attitudes over becoming closer to the West. Instead, other areas such as the economic sector pose a greater challenge. This essay has demonstrated that the Georgian governments have been trying to balance supporting LGBTQ rights and the GOC. As a result, there has been a discrepancy between passing laws that mirror Western values and enforcing them. Going forward, the government should focus on making the country more inclusive by properly training police officers and introducing sexual education within the school curriculum. Also, the government could further Europeanize the GOC by informing them on accurate information about LGBTQ rights. As Georgia is

⁹³ David Herszenhorn and Lili Bayer, "Hungary and Poland say no to LGBTIQ," *Politico*, accessed on 11 March 2019, last modified on 9 December 2018.

⁹⁴ Interview with Khizanishvili.

⁹⁵ Natale, Carlo. Deputy Head, European Union Delegation to Georgia. Interviewed by University of Toronto ICM Students. EECMD, Tbilisi. February 20, 2019.

⁹⁶ Trading Economics, "Georgia GDP per capita," accessed on 11 March 2019.

still steadfast in becoming closer the EU, improving its political environment will ease the transition.

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European Integration Through Education: A Case Study of Georgian Education Reform

Mia Đurković

Introduction

Through promotion of liberal and democratic ideals in conjunction with its promise of stability, the allure of the European Union (EU) has become a prominent influence in some post-Soviet states. The prospect of European integration offers these countries an opportunity to diverge from the authoritarian influence of Russia and its stronghold in their geopolitical region. Confronted with the choice between rivalling political schemes, in 2014 the Republic of Georgia pivotally demonstrated its allegiance to the EU and Brussels by signing the Eastern Partnership Agreement (EaP) with the EU, pursuant to the European Neighbourhood Policy.¹

Officially instituted in 2016, the signatories of the EaP collaboratively established a framework of reformative measures that would signify the replacement of Georgia's "Post-Soviet" identity, with a more hopeful modern and Europeanized statehood.² Henceforth, the Eastern Partnership recognized the establishment of a "stronger economy," "stronger governance," "stronger connectivity," and "stronger society" as the four key factors of the EaP Europeanization project.³ Playing an integral role in the development of human and social capital, education has unsurprisingly become an essential subject of these reformative projects in Georgia. This paper enters the discourse on Georgia's European integration process by closely analyzing primary and secondary source data, as well as personal interviews conducted with key stakeholders in Tbilisi, in order to produce a comprehensive evaluation of the progress achieved by the EaP and Georgian educational reforms. Over the past 28 years, Georgia's education sector has commendably accomplished numerous reformative projects to eliminate corruption, update institutional infrastructure, reinstate vocational education training (VET), and improve the overall quality of education. Despite the success of the aforementioned reforms, complications persist. By underscoring the key issues remaining in the education system, this paper will demonstrate how Georgia's education sector can further improve upon its institutional framework in order to meet its goal of Europeanization. Therefore, I will convey how making outstanding reforms to raise teaching standards will, ultimately, result in the improved accessibility of high-quality education in Georgia.

Accordingly, I will begin by providing brief historical context on how Georgia arrived at its present educational system and circumstances: therein I will convey the repercussions that the dissolution of the Soviet Union had on the Georgian education system. Subsequently, I will demonstrate how the introduction of Western approaches to reform, achieved through partnership with the EU, have managed to improve certain aspects of Georgian education while concurrently neglecting other key factors in its

¹ "Georgia," Eastern Partnership Civil Society Facility, 2017.

² Ibid.

³ "Eastern Partnership," European Neighbourhood Policy And Enlargement Negotiations - European Commission, December 05, 2018.

European development. Finally, I will address remaining issues with the contemporary Georgian education system and thereby provide potential solutions to reconcile matters and further integrate Georgia within the European framework.

Harsh Socioeconomic Realities of the Soviet Dissolution

Following the dissolution of the Soviet Union in 1991, Georgia's institutional frameworks changed drastically to reflect the country's conversion from a planned economy to a market economy: these abrupt changes did not come without harsh consequences.⁴ Representing a period of significant internal strife and civil unrest, the flawed leadership of Zviad Gamsakhurdia's government failed to keep the new Georgian economy afloat and consistently demonstrated an inability to settle burgeoning ethnic tensions in the regions of Abkhazia and South Ossetia.⁵ With an abysmal economic policy, a dysfunctional monetary system dependent on "scrips,"⁶ and a contracting GDP,⁷ the economy was proving unable to sustain itself without reliance on Moscow's business and state funding.⁸ Even the ousting of Gamsakhurdia in 1993,⁹ which led to new leadership of Eduard Shevardnadze, was of no avail for the precarious state of the economy. Thus, from the moment of its independence as the second modern republic in 1991, until its new leadership—resulting from the Rose Revolution of 2003—Georgia was in a fragile economic state of disarray.¹⁰

This transitional period's socioeconomic turmoil and ineffective governance had serious implications for the Georgian education system. Chief among these problems was the immense prevalence of corruption, occurring at every level of the education system.¹¹ With the plunging GDP and lack of Russian business, many Georgian professionals were left jobless or forced to suffer significant pay cuts and "arrears."¹² Moreover, the turbulent transition from a planned economy to a market economy entailed that degrees, diplomas and certificates from higher education institutions were no longer guaranteed to secure one a job in their field of study, as the state no longer assigned jobs to trained graduates.¹³ Following the Soviet era, the burden of finding an occupation that would provide one with a bright future befell the incoming university students. In order to combat the bleak fiscal reality of the time, many Georgian citizens adopted an attitude of self-preservation,

⁴ Zubiashvili, Tamaz "Aspects of Post-Soviet Economy Against the Background of the Associate Agreement With the European Union," (2017): 2.

⁵ Ghia Nodia, "Georgias Identity Crisis," *Journal of Democracy* 6, no. 1 (1995): 104-105.

⁶ *Ibid.*, 105.

⁷ Zubiashvili, 4.

⁸ Dov Lynch, "A Regional Insecurity Dynamic," *The South Caucasus: A Challenge For the EU*, (2003): 12.

⁹ Nodia, 105.

¹⁰ Stacy Closson, "Networks of Profit in Georgia's Autonomous Regions: Challenges to Statebuilding," *Journal of Intervention and Statebuilding* 4, no. 2 (2010): 183-184.

¹¹ Ketevan Rostiashvili, *Corruption in the Higher Education System of Georgia*, report, Transnational Crime and Corruption Center Georgia Office, American University (Tbilisi: TraCCC Georgia Office, Starr Foundation, IREX, 2004): 3.

¹² David Darchiashvili, "Georgian Security Problems and Policies," *The South Caucasus: A Challenge For the EU*, (2003): 112.

¹³ George Sharvashidze, *Private Higher Education in Georgia* (Paris: International Institute for Educational Planning, UNESCO, 2005): 24.

wherein they abused any of their bureaucratic power or connections to maintain subsistence and financial security.¹⁴

The Fight Against Corruption

In the case of education, corruption primarily manifests itself in the university admissions process. In this newly liberalized system, universities were independently responsible for delivering and evaluating admissions examinations.¹⁵ As a result, students were to be accepted to higher education institutions strictly based on their performance and knowledge demonstrated in the admissions examinations. However, since the amount of state funding that each university received was based on the number of students enrolled in the school, university professors and admissions board members began lowering admissions criteria for students in exchange for monetary bribes. Although the state funding provided to universities was primarily intended to go towards maintaining quality education by updating educational tools and ensuring that the school could accommodate all of its students, it was also used to pay university staff members.¹⁶ During this time, university educators' monthly wages came in at around GEL 60—an amount that was simply insufficient to sustain even a meagre lifestyle. Thus, using their influence to guarantee enrolment to opportunistic and wealthy students became instrumental to educators' fiscal security, especially in the unstable socioeconomic environment of the period.¹⁷ The rampant corruption which occurred during this period was one of the key reasons why the education system became the focal point of many reformative programs.¹⁸ Thanks to the scrutiny of the corrupt bribery occurring at university admissions exams, a lot of underlying problems within the education system came to light.

Undoubtedly, the most important reform implemented to combat this type of corruption was the creation of a centralized university admissions examination. In 2005, Georgia joined the European Commission's Bologna Process, an intergovernmental program that promotes European uniformity in respect to the accessibility of quality education.¹⁹ Therein, Georgia made a commitment to eliminate biased assessments of students' learning development and abilities. In the hopes of eradicating the heavily corrupt university admissions process in place at the time, and consequently fostering transparency in universities, Georgia introduced the National Assessment and Examinations Centre (NAEC), under the auspices of the Bologna Process. The role of the NAEC is to determine the content of the annual exams and ensure that the examinations

¹⁴ Marina Ushveridze (Director of Civic Education Project, PH International Georgia), interviewed by Mia Durkovic, Tbilisi, February 20, 2019.

¹⁵ Marina Zghenti (Director, New School Georgia), interviewed by Mia Durkovic, Tbilisi, February 18, 2019.

¹⁶ Kakha Khandolishvili (Head of Strategic Planning and International Relations Department, Minister of Education and Science of Georgia), interviewed by Mia Durkovic, Tbilisi, February 21, 2019.

¹⁷ *Fighting Corruption in Public Services*, report, Directions in Development, Public Sector Governance (Washington: The World Bank, 2012): 75.

¹⁸ Khandolishvili, February 21, 2019.

¹⁹ Dominique Bonjean, "The Bologna Process and the European Higher Education Area," Education and Training - European Commission, January 18, 2019.

are conducted in an ethical and legitimate manner.²⁰ In order to ensure that the admissions process remains unbiased, the NAEC tests assign each student a number and withhold their identities from the examination evaluators: this way, the students' anonymity allows their exam results to be the sole subject of evaluation.²¹ The organization is also responsible for monitoring the actual tests, wherein they facilitate the examinations in non-university affiliated buildings that are each equipped with security cameras for surveillance.²² By far the most important part of the NAEC's work as an organization was their creation of a marking methodology for the examinations that would score students' performance on the tests without interference from university administrative staff. Now the exams are almost entirely evaluated without the need for human assessment; the NAEC uses a computerized "eMarker" which functions as a scanning device for test scores.²³

The introduction of the NAEC organization's admissions exam is known as one of the most successful reformative measures that Georgia has instituted to minimize corruption.²⁴ A survey conducted by Transparency International following a practice examination in Batumi in 2005 found that "80% of students, 79% of parents and 96% of administrators" were "confident" that the exam would rid the university admissions process of corruption.²⁵ Through the addition of the Unified National Exam,²⁶ the education system could return to its function as a meritocracy which rewarded students' academic achievements and efforts rather than their affluence and social connections. Prior to the establishment of this regulated exam structure, a student had to be of a high socioeconomic class to afford a fraudulent university acceptance. A report written by the World Bank found that, in exchange for university admissions, professors and examination administrators would accept anywhere from "\$8,000 to \$30,000 [USD], depending on the prestige of the program." The most prestigious programs warranting the most expensive bribes for admission were unsurprisingly any studies in medical school or law school.²⁷ Given the impoverished state of the Georgian economy during the 1990s,²⁸ it became apparent that the right mixture of affluence and clientelism could get anyone a university degree.²⁹

Evidently, the previous university admissions system failed to educate genuinely hardworking university applicants whose hard-earned spaces at universities were taken by children of well-connected parents.³⁰ The large-scale corruption was so heavily embedded in university education, that people from lower socioeconomic classes had to

²⁰ "National Assessment and Examinations Centre Georgia," GeoNaec.com, Centralize University Entry Examinations, accessed March 09, 2019.

²¹ Ushveridze, February 20, 2019.

²² "Common National Entrance Examinations," Ministry of Education, Science, Culture And Sport of Georgia, accessed March 09, 2019.

²³ "National Assessment and Examinations Centre Georgia," GeoNaec.com, Emarker, accessed March 09, 2019.

²⁴ Zghenti, February 18, 2019.

²⁵ "Stealing the Future: Corruption in the Classroom. Ten Real World Experiences," Issu, (Transparency International, 2005): 39.

²⁶ Zghenti, February 18, 2019.

²⁷ *Fighting Corruption in Public Services*, 76.

²⁸ Nodia, 105.

²⁹ Khandolishvili, February 21, 2019.

³⁰ *Fighting Corruption in Public Services*, report, Directions in Development, Public Sector Governance (Washington: The World Bank, 2012): 76.

strategically apply for less popular and or more expensive programs—in terms of bribing—just to be admitted to university and attain a degree of some sort. Higher education was no longer a way for low-income students to pursue their genuine ambitions, but rather a necessary requisite for employment. Championing the impartial selection process of the Unified National Examination, the NAEC was able to restore faith in the equality of opportunity at higher education institutions and exemplify the benefits of EU partnership.³¹ With the establishment of a centralized European-inspired examination scheme³², the Georgian education sector moved one step closer to European integration.

Educational Stagnation and Diploma Inflation

Due to its negligence of quality learning, the corrupt university admissions process of the 1990s also had unfavourable results for the Georgian economy at large.³³ By prioritizing grades and diplomas over the actual capacity to retain and convey learned knowledge,³⁴ the affluent Georgian university students of the Post-Soviet transitional period actually perpetuated socioeconomic uncertainty. As suggested above, the palpable pressure of the economic recession of this period heavily impacted the way people acted.³⁵ Looking for immediate solutions to their individual financial problems, administrative workers and educators had little incentive to actually use their school's revenue to elevate and maintain a high standard of education. Because the teachers' salaries were so low, they could not rely solely on the schools' budget to attain subsistence.³⁶ Aside from their passion for pedagogy, professors' main incentive to raise the quality of their teaching would be their salaries; however, in the framework of the decentralized admissions exams, teachers have the ability to earn more money by prioritizing admissions bribes and more discreet bribery through 'tutoring services'³⁷ than they would through dedicated teaching methods.³⁸ Moreover, because the allocation of a higher institution's funding is not determined by professors,³⁹ resorting to bribery was often their only opportunity to achieve financial stability. The school administrative council representatives who were in charge of determining the wages of academic employees were also likely prioritizing their own financial security over that of lower level professors.⁴⁰ In other words, due to their expediency and preoccupation with the harsh financial realities of the period⁴¹, university staffs did not have significant motivation to put money towards improving the quality of university education. Thus, the economic circumstances of the Post-Soviet period caused the quality of education at universities to stagnate.

³¹ Ibid.

³² Virginia Giovannelli, "The European Higher Education Area in 2018: Bologna Process Implementation Report," (Eurydice - European Commission, July 13, 2018): 3.

³³ Khandolishvili, February 21, 2019.

³⁴ Zghenti, February 18, 2019.

³⁵ Ushveridze, February 20, 2019.

³⁶ *Fighting Corruption in Public Services*, 75.

³⁷ Rostiashvili, 27.

³⁸ *Fighting Corruption in Public Services*, 75.

³⁹ *Overview of the Higher Education System*, 4.

⁴⁰ Lynch, 12.

⁴¹ Lynch, 12.

As a result of this plateau in teaching standards and quality of education, students who attained university degrees at this time often failed to leave their higher education programs with a wider breadth of knowledge and qualifications. With the emergence of new private higher education institutions starting in 1993, the market for university diplomas grew immensely. Although some of these new and private institutions were credible,⁴² others were fronts for “diploma mills,”⁴³ posing as educational institutions, while engaging in the illegal exchange of diplomas for money.⁴⁴ This corrupt and poor education gave a lot of students graduating from universities access to high-paying jobs that they were not adequately qualified for, as the educators that taught them were often unqualified themselves.⁴⁵

Thus, the corrupt environment’s promotion of higher education institutions led to an inconsistency between the new graduates’ credentials and the actual qualifications necessary for success in their desired occupational fields. In this regard, the lowered admission requirements and bribes occurring at universities actually produced an excess of university graduates who possessed minimal practical skills.⁴⁶ As Marina Ushveridze, the Director of the Civic Education Project at PH International Georgia, explained during a personal interview in February of 2019, it is this period’s post-university graduates’ inability to find employment that led to a widespread dissatisfaction with higher education institutions: “There is a gap between people’s level of education and employment. A taxi-driver may have two diplomas.”⁴⁷ As Ms. Ushveridze rightly pointed out, when in Tbilisi, one can see that many people with diplomas in subjects like Physics, attained from highly acclaimed higher education institutions, have often found it easier to earn money in jobs like taxi driving.⁴⁸ Just as taxi drivers flood the transportation market in Tbilisi, the university graduates of the 1990s flooded the economic market with inapplicable skills and degrees. With the over-saturation of university graduates, diplomas from this period began to lose their value, for they did not actually attest to one’s true qualifications.

Making Ends Meet: Accommodating Labour Market Demands

In order to account for the aforementioned inflation of university diplomas, and restore the intellectual integrity of post-secondary education, the EU has assisted Georgia in adopting a neutral entity called the National Centre for Educational Quality Enhancement to evaluate higher education institutions’ qualifications.⁴⁹ This covers everything from assessing infrastructure, to teaching tools, technology, and strategizing new approaches to frame student’s learning around labour market needs.⁵⁰ As per the Bologna Process, accreditation assessments of higher education institutions were and still

⁴² *Private Higher Education in Georgia*, 24.

⁴³ *Fighting Corruption in Public Services*, 76.

⁴⁴ Lia Charekishvili, “Higher Education System in Georgia: Reforms and Modern Challenges,” *Teaching & Education Conference, Amsterdam*, (2015): 64.

⁴⁵ Zghenti, February 18, 2019.

⁴⁶ Khandolishvili, February 21, 2019.

⁴⁷ Ushveridze, February 20, 2019.

⁴⁸ Zghenti, February 18, 2019.

⁴⁹ Lika Glonti, (Director, Erasmus+ Georgia), interviewed by Mia Durkovic, Tbilisi, February 20, 2019.

⁵⁰ Dominique Bonjean, “Relevant and High Quality Higher Education,” Education and Training - European Commission, February 13, 2019

are required of universities every six years.⁵¹ In December of 2010, the National Centre for Educational Quality Enhancement passed a decree approving the National Qualifications Framework (NQF), a program founded on the conditions of the European Qualifications Framework for Lifelong Learning. The NQF was essentially created as a rubric with which to judge the quality of educational institutions and their ranking by comparing them to European standards.⁵² This entailed that henceforth, universities would have to pass an institutional authorization and accreditation process in order to maintain their status as a university.⁵³ The implementation of this reform had remarkable results, as it eliminated any institutions that may still have been running a fraudulent business as ‘print-shops’⁵⁴ for diplomas. Likewise, this new system of centralized evaluation caused some institutions, which failed to meet university standards, to downgrade their programs and become vocational education training (VET) institutions instead.⁵⁵

Before the introduction of accreditation, higher education institutions had no proper policies in place to validate that the quality of education provided by the schools and professors was actually conducive to a high level of learning.⁵⁶ Markedly, since universities were so decentralized, key stakeholders in universities were able to hire friends and family members—whoever they pleased—to run the university as professors or administrative workers. As Kakha Khandolishvili, Head of the Strategic Planning and International Relations Department at the Georgian Ministry of Education and Science stated in a personal interview, during this period, “anyone could open a university.”⁵⁷ While decentralization of higher education institutions can be beneficial, as it may cause universities to compete for recognition as prestigious institutions, there is no incentive for this benefit to occur without a well-educated and neutral third party conducting a thorough evaluation of school standards.⁵⁸

In a personal interview in February 2019, Erasmus+ Georgia Director, Lika Glonti expanded on this point and explained that the accreditation programs allowed universities to achieve a more balanced output of quality education. She indicated that the forced implementation of modern educational methodologies through the European network’s quality assurance, paired with the liberal lack of restrictions on professors’ curriculums, ultimately made for a better education system with more competition and diversity.⁵⁹ Therein the accreditation process minimized the number of universities but boosted their overall quality.

This emphasis on quality over quantity education is also evinced through the EU and Georgia’s collaborative promotion of vocational education programmes. With an increased interest in VET, the Georgian education sector is aiming to pivot students’ learning to actually coincide with labour demands and employment vacancies.⁶⁰ Despite

⁵¹ George Sharvashidze, (Rector, Ivane Javakhisvili Tbilisi State University), interviewed by Mia Durkovic, February 19, 2019.

⁵² *Overview of the Higher Education System*, 2.

⁵³ Glonti, February 20, 2019.

⁵⁴ *Fighting Corruption in Public Services*, 76.

⁵⁵ Glonti, February 20, 2019.

⁵⁶ Khandolishvili, February 21, 2019.

⁵⁷ *Ibid.*

⁵⁸ Lika Glonti, (Director, Erasmus+ Georgia), interviewed by Mia Durkovic, Tbilisi, February 20, 2019.

⁵⁹ *Ibid.*

⁶⁰ Khandolishvili, February 21, 2019.

a World Bank analysis' recognition of Georgia's "poverty decline from 32.5% in 2006 to 17.1% in 2016,"⁶¹ Georgia's high unemployment rate still persists.⁶² In order to counteract the damage done to Georgia's economy and its low employment rates, resulting from its historic university diploma inflations, the Georgian education sector has chosen to advance VET. By creating opportunities for young people to gain applied knowledge and skilled work, VET concurrently situates young learners as contributors to Georgia's emergence and growth on the international market. Being the birthplace of wine,⁶³ Georgia's wine and agricultural sector have become the most promising industries and most prominent hosts of VET programs in Georgia.⁶⁴ Since farming and work in vineyards have historically been represented as small family-run businesses in rural Georgia, VET poses an opportunity for students to adopt strategic skills, that would otherwise remain between family members. In this regard, the goal of the VET programmes are to commercialize and further develop these unique and nuanced Georgian products.⁶⁵ Orienting employment as a central purpose and goal of education, such programming prepares students for work in Georgia's expanding job industries as a sort of strategic way to further the country's economic success and produce more Georgian innovation.⁶⁶

Much like the recent promotion of VET programmes in the agro-business, the Georgian education system is also using technology and scientific research as a means to break through the global market. Hoping to find success and achieve the same standards as modernized European institutions, Georgia, along with the United States⁶⁷ and the EU, has allocated a significant amount of funding to the development of research and information technology (IT) in Georgia. A lucrative industry that continuously grows through the Information Age, becoming a competitor in the technological market would be a large and incredibly profitable enterprise for a country of Georgia's size.⁶⁸ Presenting a huge opportunity to raise employment rates, the rapid expansion of the technological market leaves plenty of room for innovation to ensue.⁶⁹ Maintaining their primary goal of adapting education to lead to employment and effectively correspond to the international market, some of the top Georgian public universities have been striving towards higher esteem through new research in the fields of science, technology, engineering, and mathematics (STEM).⁷⁰

George Sharvashidze, the Rector at Ivane Javakhishvili Tbilisi State University (TSU), explained in a personal interview how a large partnership between San Diego State University and TSU has provided young Georgian women with the amazing opportunity

⁶¹ "Georgia Overview," World Bank, accessed March 09, 2019.

⁶² Caucasus Barometer Time-Series Dataset Georgia - "Do You Have a Job?"" Caucasusbarometer.org, accessed March 09, 2019

⁶³ Sean Bettam, "Archaeologists Find Earliest Evidence of Winemaking," University of Toronto News, November 13, 2017.

⁶⁴ Khandolishvili, February 21, 2019.

⁶⁵ Tamar Toria (Executive Director, Georgian Farmer's Association), interviewed by Mathuja Jeyakumar, Tbilisi, February 21, 2019.

⁶⁶ Khandolishvili, February 21, 2019.

⁶⁷ "Georgia Compact II," Millennium Challenge Corporation, accessed March 18, 2019.

⁶⁸ Brittany Grabel and Michelle Cigarruista, "Shaping the Next Generation of Georgian and U.S. STEM Leaders," Millennium Challenge Corporation, April 12, 2018.

⁶⁹ "2017 Median Pay," U.S. Bureau of Labor Statistics, April 13, 2018.

⁷⁰ Sharvashidze, February 19, 2019.

to participate in STEM research.⁷¹ Not only does this program aim to improve the economic prospects of the younger generation to minimize the unemployment rate in Georgia, but it has also created a space for women to partake in a traditionally male-dominated field.⁷² In a country that culturally adheres to fairly traditional gender norms and expectations, particularly in the workplace, it is a huge accomplishment for Georgia to include such a program founded on gender equity and equality at a public institution.⁷³ With reports suggesting that inequality between genders actually has the strength to stifle economic development, movement towards equality of opportunity in employment could definitely help lead the Georgian economy towards prosperity.⁷⁴ Through increased programs in STEM, Georgia has promoted the acquisition of applied knowledge and transferable skills, and begun to close the gap between its supply of workers and the demands of the global market. Moreover, by refocusing and assessing education's value based on its relevance to the labour market and the wealth of the Georgian economy, VET and STEM programs represent the Georgian ambition to internationalize its identity as a regional hub and centre of innovation.⁷⁵

Material Upgrades Over Ideological Development: The Band-aid Solution

One of the most complicated and systemic issues with the institutional framework of Georgia's educational sector is the quality of teaching at the general education level (primary and secondary schools). While the Georgian state education system boasts about its improvements to education of this level, in practical terms most of its advancements are simply evinced in the physical tools and infrastructure of the institutions. To exemplify, in the fall semester of 2011 Georgia introduced a program that distributed 6,000 Georgian "buki" netbook computers to students in schools across the country.⁷⁶ This program was intended to modernize student learning practices in accordance with European standards, and was emphasized as a top priority by the Georgian educational sector:⁷⁷ "availability of the modern technologies for the children is essential for their right [to] development."⁷⁸ One may recognize that updating educational tools in order to reflect contemporary realities is becoming an increasingly important aspect of learning, as proficiency in computer programs has become a requirement in many careers⁷⁹; however, spending such an immense amount of state funding⁸⁰ solely on the allocation of computers to students who are under the age of eight,⁸¹ is not the most productive way to

⁷¹ Ibid.

⁷² "A Partnership Brings STEM Education to Young Women in Georgia," Millennium Challenge Corporation, accessed March 18, 2019.

⁷³ Kornely Kakachia, (Political Science Professor, Ivane Javakhishvili Tbilisi State University), interviewed by Tami Piovesan, Tbilisi, February 18, 2019.

⁷⁴ "A Partnership Brings STEM Education to Young Women in Georgia," accessed March 18, 2019.

⁷⁵ Khandolishvili, February 21, 2019.

⁷⁶ "The Process of Providing Schools with 60000 Net-Books Has Started," Ministry of Education, Science, Culture And Sport of Georgia, accessed March 16, 2019

⁷⁷ Anja Balanskat, et al., *Overview and Analysis of 1:1 Learning Initiatives in Europe*, report, Joint Research Centre, (Luxembourg: European Commission, European Union, 2013): 18-19.

⁷⁸ "The Process of Providing Schools with 60000 Net-Books Has Started," accessed March 16, 2019.

⁷⁹ Gang Peng, "Do Computer Skills Affect Worker Employment? An Empirical Study from CPS Surveys," *Computers in Human Behavior* 74 (2017): 31.

⁸⁰ Ushveridze, February 20, 2019.

⁸¹ Zghenti, February 18, 2019.

enhance learning at the general education level. The primary concern with this type of reform is that it does not necessarily cause teachers to achieve better standards and subsequently, boost the quality of students' learning. The introduction of projects like the buki netbook project often fail to appropriately integrate teachers into the realm of technology. As a policy report on the use of technology in educational institutions—sponsored by the European Commission—indicated, the technical company that distributed the netbooks to the Georgian schools' only role in the process was the mere task of “providing the hardware and software or the infrastructure.” This is in contrast with other countries like Lithuania, wherein these technical computer companies were “extended to other roles such as providing training and support during the initiative.”⁸²

The reason that reformative projects in school renovation and classroom equipment upgrades are frequently prioritized over instructional courses and teaching seminars is because material changes are more easily recognizable improvements. That is to say that, from the perception of the general public and parents of students attending schools, the easiest changes to notice are ostensibly infrastructural updates.⁸³ Furthermore, it is important to remember that schools are fundamentally businesses, and therein will make sacrifices to ensure that they attract students and parents to their institutions. The members of the Ministry of Education and Science of Georgia, Rectors of universities, and Directors of general level schools are always looking for ways to arouse attention to the success of their reforms, and updating teaching materials is the easiest way to showcase improvement.⁸⁴ By stressing the necessity of material developments and upgrades like renovations, high-level stakeholders in the education sector alleviate themselves from resolving the more entrenched issues that are not as easily identifiable.⁸⁵ Even in the case of state schools, which are free for students at the primary and secondary levels,⁸⁶ the goal of maintaining their accreditation approval is more heavily dependent on the school's ability to accommodate its students materially than the actual credentials and knowledge of their teachers.⁸⁷ In an interview with Marina Zghenti, Director of the New School Georgia, she explained that even for her school—a private primary and secondary international school—when they undergo external accreditation assessments, the most emphasis is placed on the school's basic resources, namely textbooks, desks, classroom sizes and layouts: these types of evaluations give little attention to how the teachers actually construct and conduct their lessons.

In order to better achieve higher quality learning and teaching at the general education level in Georgia, I propose that the Georgian education sector use their state budget to engender a broadening of learning methods and ideologies. This point is best elucidated by Ms. Zghenti: “It is crucial to educate teachers. And not only in English and in computer technologies, but in modern methods of education.”⁸⁸ Further explaining this often overlooked problem of the Georgian education system, Ms. Zghenti suggested that learning strategies become less concerned with sheer memorization and factual regurgitation, and more concentrated on teaching students how to engage in deeper

⁸² Anja Balanskat, et al., 25.

⁸³ Glonti, February 20, 2019.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Khandolishvili, February 21, 2019.

⁸⁷ Zghenti, February 18, 2019.

⁸⁸ Ibid.

conceptual analysis.⁸⁹ In this respect, giving teachers new equipment and renovating school buildings alone, is insufficient for the development of excellence in teaching and learning. In order to promote a higher level of learning, there needs to be a more comprehensive strategy and teacher evaluation process enforced on the education system that invests money and effort into adapting the ways in which students are taught.⁹⁰ Although the New School in Tbilisi—which Ms. Zghenti works for—is a highly accredited private school that features the internationally recognized International Baccalaureate (IB) program, and evidently functions on the intellectually stimulating style of learning described above,⁹¹ not all schools in Georgia enjoy this high standard of education.

Broken Promises: Inconsistencies with Teaching Standards

Since the establishment and rising popularity of private schools,⁹² state-funded public institutions have become increasingly known for their inability to competently educate students.⁹³ Taking issue with the teaching standards at general level public schools, parents are often dissatisfied by the fact that most children require tutoring outside of their school hours in order to succeed in their classes.⁹⁴ Playing a crucial role in the university admissions exams, the educational culture in Georgia has normalized the need for tutoring, as students are almost inevitably doomed to get a low score without a commitment to frequent tutoring sessions.⁹⁵ The difficulty with changing the teaching standards at this level of education, however, lies in the fact that public school teachers have very low salaries—roughly around GEL500-700.⁹⁶ Because teachers do not earn a lot of money from their employer for their work as academic professionals, they are fairly reliant on their earnings as tutors. Some teachers even gain money by tutoring students from their own class independently.⁹⁷ Despite the education system’s previous issues with corruption through tutoring, the sessions contemporarily cannot be used to extract money from students, as the teachers have no influence over the students’ university admissions now that examinations are centralized. Currently, the problem is that teachers are genuinely so poorly trained that they are unable to provide students with the knowledge necessary for examinations, unless the students have time for extra one-on-one coaching.⁹⁸

Not only does this public school system fail to provide students with all of the skills its intended to, but it also provides their families with a financial burden.⁹⁹ The public state schools theoretically offer an opportunity for free education while, in practice, requiring parents to pay significant amounts of money for their children to, essentially, do all of their learning outside of class. The financial weight of the situation has become

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ushveridze, February 20, 2019.

⁹³ Zghenti, February 18, 2019.

⁹⁴ Ushveridze, February 20, 2019.

⁹⁵ Khandolishvili, February 21, 2019.

⁹⁶ Manana Kvachakhia, (Minister of Education, Ministry of Education of Abkhazia), interviewed by Mia Durkovic, Tbilisi, February 21, 2019.

⁹⁷ Khandolishvili, February 21, 2019.

⁹⁸ Ushveridze, February 20, 2019.

⁹⁹ Khandolishvili, February 21, 2019.

such a national-scale issue that the Ministry of Education and Science of Georgia recently abolished the high school graduation exam, the “National Examination,” as a way to eliminate at least one of the exams reliant on tutoring.¹⁰⁰ Even with this step towards minimization of financial pressures, many parents have chosen to send their children to private institutions instead. Because parents realize that they basically have to pay for their child’s education regardless of whether their child is in a state-funded school, many parents have enrolled their children into private schools. This way, at least their child will be attaining their knowledge during school hours.¹⁰¹ Furthermore, the reason that parents can be more certain that private institutions will have an appropriately trained teaching staff is because teachers at private institutions are paid higher salaries.¹⁰²

Another simpler, yet crucial cause of the consistent stagnation of teaching standards at state-funded schools in Georgia (universities and general level institutions), is the country’s shortage of trained teachers. This is not to say that there is necessarily a great demand for teachers in general, as there are not actually a lot of teaching vacancies. Simply put, careers in pedagogy are not viewed as attractive occupations in Georgia. Georgian citizens do not find teaching to be a very profitable career to pursue, as their job prospects and pay would be minimal.¹⁰³ The reason why there are not many teaching positions available in Georgia for young and newly trained educators, is because many teachers continue their careers as they age. With the Georgian monthly pension at around GEL 200, elderly professors and teachers would be placing themselves in an immensely difficult financial situation if they were to resign or retire from their teaching positions.¹⁰⁴ To put this into perspective, the wages for university professors can range from around GEL 600-4000 depending on their qualifications and status; therein, even in with a ‘low pay,’ the professors would afford themselves much more financial security by keeping their jobs.¹⁰⁵ Although many of these professors are very educated and experienced thanks to their age, a lot of them are not willing to adapt to contemporary teaching methods. This is not to be interpreted as an ageist argument which assumes that having older teachers innately leads to lower teaching standards, for that would be to overlook the fact that they possess valuable experience and passion. However, it would be incredibly naive to assume that all aging teachers would readily be able to learn new teaching strategies, especially ones introducing technology.¹⁰⁶

While recognizing that some elderly professors can be exceptional educators, they often do not have the energy or the motivation to strive for improvement in their teaching strategies. For example, when asked about the vacancies or lack thereof in teaching positions, a respondent immediately recalled a professor that they knew who was 89 years old, only speaking Russian, and still teaching. With professors of this age, it seems absurd to expect them to suddenly learn to use new technologies, new languages, or other new teaching methods. Therefore, the only reasonable way to raise the teaching standards would be to dismiss such professors, and to introduce more young and newly trained

¹⁰⁰ "Georgian National Examination System Reforms to Come Into Force in 2020," Agenda.ge, accessed March 19, 2019.

¹⁰¹ Ushveridze, February 20, 2019.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Zghenti, February 18, 2019.

¹⁰⁵ Glonti, February 20, 2019.

¹⁰⁶ Zghenti, February 18, 2019.

teachers.¹⁰⁷ However, this is not an easy feat. Ironically, the younger professionals usually choose not to pursue teaching careers because they are aware of the minimal job openings. Therein, since there is not an incredible number of young Georgians finishing university with the ambition to teach, the more experienced and aged professors do not have a large amount of competition. Without the presence of young professionals to contest their professorships, the elderly professors do not have any incentive to elevate their teaching standards and accommodate the gradual modernization process of universities.¹⁰⁸

While the Georgian Ministry of Education has attempted to solve the restrained quality of teaching offered at state institutions by creating an incentive based teacher training program,¹⁰⁹ this reformatory project does not adequately resolve the issue. Under this program, Georgian general level teachers are divided into four categories¹¹⁰ wherein they attend instructional training sessions, obtain points and scores through teaching exercises and examinations, in the aim of eventually earning a raise in their salary.¹¹¹ The introduction of this program is definitely a positive improvement and movement towards higher quality teaching. However, the prospect of earning a raise through attendance of a teaching seminar, along with the completion of an examination is simply too tedious, and not enough motivation to inspire an 89 year old teacher to adapt. Moreover, this program is only offered for educators who are teaching at the general level of education,¹¹² as the curriculum for university level education is still very liberal and decentralized.¹¹³ To this effect, although the incentive program does have merit, and should remain in place as an incentive for younger teachers, it ultimately does not address the issue of aging professors. Thus, in order to properly resolve the issue of stagnant teaching standards, the Georgian government must prioritize the underlying issue of insufficient pensions. If the Georgian government raised pensions to a liveable income, experienced teachers would be more willing to retire earlier and allow for more newly trained teachers to earn and fill their positions through incentive-based training programs, thereby creating a functional inflow and outflow of trained and satisfied teachers.

Another way to tackle the concern of teaching standards while increasing European integration in the educational field is through an internationalization approach. This internationalization approach entails that the Georgian education sector place more emphasis on creating opportunities for their students and youth to participate in global learning experiences and exchange programs in order to produce a generation of liberal and cosmopolitan Georgians who will, in turn, instill such European ideologies in their Georgian communities.¹¹⁴ In this sense, the Georgian education sector should encourage and enable its young students to engage with the global community so that they can diversify their knowledge and develop an understanding of the values of successful European countries. With the inspiration from their international experiences and their acknowledgement of the success of Western European countries, this highly motivated

¹⁰⁷ Glonti, February 20, 2019.

¹⁰⁸ Khandolishvili, February 21, 2019.

¹⁰⁹ Kvachakhia, February 21, 2019.

¹¹⁰ Khandolishvili, February 21, 2019.

¹¹¹ Kvachakhia, February 21, 2019.

¹¹² Ibid.

¹¹³ Glonti, February 20, 2019.

¹¹⁴ Glonti, February 20, 2019.

generation of Georgians will return to Georgia with a shifted perspective, and hopes to teach and demonstrate to others the value of Europeanization.¹¹⁵

As Dr. Glonti of Erasmus+ suggests, by introducing more programs like Erasmus+—an exchange program for students from EU and EU partnership countries—Georgia can become a prominent participant in the global education system.¹¹⁶ Through international exchange programs and opportunities available to students, young Georgians are able to pursue their education abroad in Western European countries, and subsequently return to their Georgian villages as cosmopolitan European citizens.¹¹⁷ Veering away from some of their country's traditional and outdated ideologies, these students present an opportunity for wide-scale change in Georgia. The idea is that, by empowering students and young people to gain an advanced education at an institution with higher teaching standards and EU values, these young Georgians will return home so inspired by the European culture, values, and standards of learning that they will become advocates and promoters of such culture within Georgia and disseminate these liberal ideals to the more conservative and traditional Georgians.¹¹⁸ After attaining their own higher education from internationally acclaimed institutions, these students will feel compelled to change not just the topics taught in schools, but also the way that the education system teaches students, thus steering more towards a model of education which favours deep conceptual analysis and learning over factual memorization. Not only does this yield benefits to the Georgian education system, but it also significantly suggests international cooperation and ideological integration. As the EU finds the mobility of persons to be a fundamental promise of integration,¹¹⁹ the movement of students through educational exchange programs has been a vital exemplar of how education can allow for cross-regional cooperation and ideological integration with Europe.

Conclusion: Class is Still in Session

With their consistent introduction and implementation of new reformative projects in the sphere of education, Georgia has managed to make immense strides in the elevation of its quality and accessibility of education. Progressing a long way from its history of rampant corruption, the education system has successfully regained footing as a functional meritocracy and managed to restore the economy of the country.¹²⁰ However, if Georgia wishes to continue on its path to European integration, therein becoming world-renowned for its educational offerings, it must attend to all of its remaining issues. The demonstration of equality of opportunity achieved by the elimination of corruption in education is merely a basic and necessary requisite of European education systems: as such, the Georgian education sector should not be so quick to celebrate reformative success. In order to truly align its education system with European standards, Georgia must actually modernize and adapt students' learning development and teaching standards to contemporary realities. Although they have made some improvements to these aspects of the education system, the education sector still fails to prioritize the

¹¹⁵ Ibid.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ "Free Movement Of Persons | Fact Sheets On The European Union | European Parliament," 2019.

¹²⁰ Khandolishvili, February 21, 2019.

correct reforms. In this regard, they only acknowledge and address problems that have quick solutions, which can easily be identified as progressive. Thus, the fundamental problem with the education sector is their approach to reform; instead of acknowledging all of the complex issues embedded deep within the education system, the governing body often opts for expediency.

In this sense, the Georgian Ministry of Education and Science applies small-scale reforms or 'quick-fixes' to appear as though they have taken measures to solve much larger and more critical problems. This minimal effort approach to strengthening the education system is evident in the sector's emphasis on technological and physical improvements to schools which are consistently prioritized over the more pressing issue of ideological and conceptual learning development. Moving forward, Georgia must focus its attention on issues that are heavily impacting students' learning if it aims to fully integrate its educational system with that of the EU member states. Therein by elevating teaching standards, addressing issues with low pensions, incentivizing teachers, promoting international programs for Georgian students, and continuing to attract students to VET programs, Georgia can advance towards the high standards of European education. Nevertheless, it is important to acknowledge the rapid pace at which Georgia has been pushed to reform. Propelled forward by external pressure and sponsorship from the EU, Georgia's decision to align with Western values and reformative practices has only led them closer to success in the education sector. For a country that only decisively partnered with the EU as of 2014, Georgia has been a model of improvement for its region. With Europe as its teacher, and plenty of room to grow, Georgia's European integration class is still in session.

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An Analysis of the Regional Development Programme of Georgia 2015-2017: Its Successes and Failures in Ameliorating Regional Disparities and Facilitating European Integration via Supporting Agriculture

Mathuja Jeyakumar

Introduction

Georgia has deep economic disparities between its more prosperous capital, Tbilisi, and the rest of its regions, as the majority of Georgia's economic activity is concentrated in Tbilisi. Tbilisi produces 50% of total gross domestic product and is more urbanized, wields higher income, higher private sector employment, stronger infrastructure, and attracts larger volumes of investment vis-à-vis the other regions.¹ Due to Georgia's diverse climate, each region specializes in one industry, and since industries have varying profits, such concentration is bound to create regional disparities.² Tbilisi comprises primarily of the most modern and wealthy sectors, consisting of transport, communications, and administration, while holding the lowest share of primary production such as agriculture.³ However, specific agriculture-based regions in Georgia are also thriving, such as Samegrelo and Kakheti, due to these regions specializing in certain commodities which are competitive at the international level. Samegrelo produces 52% of Georgian hazelnuts, and referring to total hazelnut production; only 10% is consumed locally while 90% is exported to nations within the European Union.⁴ Likewise, Kakheti produces 75% of Georgian wine and exports 60% of total wine production.⁵ Other regions in Georgia are much less wealthy due to these regions' primary economic activity consisting of agriculture, especially since such regions specialize in produce which are not profitable and are not being exported. Furthermore, 75% of total agriculture in Georgia is for self-subsistence and farmers do not have the ability to change commodities or diversify agriculture due to such concentrated industries. Most farmers are also unwilling to do so, as agriculture is an inter-generational occupation.⁶ Most significantly, 50% of Georgians are employed in agriculture, however, it comprises only 7% of gross domestic product.⁷ Weak agricultural prospects contribute significantly to rural poverty and

¹ Andrés Rodríguez-Pose and Daniel Hardy, "Firm Competitiveness and Regional Disparities in Georgia," *Geographical Review* 107, no. 2 (May 2016), 388.

² *Ibid*, 389.

³ The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017* (Tbilisi), 13.

⁴ Marina Chavleishvili, "Consumer Market for Georgian Hazelnut and the Strategy to Improve Its Competitiveness," *International Scholarly and Scientific Research & Innovation* 9, no. 5 (2015), 1480.

⁵ Andrés Rodríguez-Pose and Daniel Hardy, "Firm Competitiveness and Regional Disparities in Georgia," *Geographical Review* 107, no. 2 (May 2016), 388.

⁶ Rusudan Kinkladze, "Modern Trends and Prospects to Develop the Agrarian Sector of Georgia," *Procedia - Social and Behavioral Sciences* 213 (December 2015), 564.

⁷ "Global Poverty: Two Major Causes of Poverty in Georgia," The Borgen Project, October 7, 2017, <https://borgenproject.org/causes-of-poverty-in-georgia/>.

subsequently reinforces regional disparities, thus agriculture is in essential need of development.

Agriculture in Georgia remains inefficient and unproductive; with a multitude of products unable to enter international markets due to an inability to meet exporting standards, which stems from a lack of modernization post-dissolution of the Soviet Union. Georgia never went through the proper industrialization process; thus Georgia is not well-adjusted to international market economies of laissez-faire economics. Tamar Khuntsaria, Team Leader of the European Neighbourhood Policy for Agriculture and Rural Development's Communication Unit, confirmed that the demand and supply market does not work well in Georgia.⁸ Farmers fail to provide a permanent supply to markets as they have weak capacity outputs, resulting in most unable to even accommodate local supermarkets.⁹ The Executive Director of the Georgian Farmer's Association, Tamar Toria, emphasizes the scale of this weakness, as she describes a loss in a prominent potential investor in agriculture.¹⁰ The Adjara Group, one of the largest investing firms in Georgia valued over 30 billion lari, owns several restaurants and hotel chains across Georgia, and has attempted to reach out to local farmers to use their produce, however; the farmers were unable to sign onto a 12-month contract as they have unpredictable supplies and also do not produce in large quantities.¹¹

Thus, the Ministry of Regional Development and Infrastructure of Georgia (with the support of other ministries such as the Ministry of Education, the Ministry of Agriculture, and the Ministry of Economy and Sustainable Development) and the European Union (EU) implemented the Regional Development Programme 2015-2017 (RDP) in order to reduce regional disparities between Tbilisi and the rest of Georgia. The program is based on the European Union's Cohesion Policy by focusing on integrating the peripheral parts of Georgia with its richer regions.¹² The program has various initiatives including improving infrastructure and water systems, plans to improve economic activity by supporting small and medium enterprises, and what will be the focus of this essay: strategies to increase economic prospects for those in agriculture.¹³ The RDP has been co-financed by the EU, with the aid of the European Union's agricultural program, the European Neighbourhood Policy for Agriculture and Rural Development (ENPARD), displaying that the EU has invested massive time, effort, and resources into Georgia and its integration process. The EU is also the primary trading partner of Georgia accounting for 30% of its trade.¹⁴ Georgia has likewise been reciprocal, eager to Europeanize and

⁸ Tamar Khuntsaria (European Neighbourhood Policy for Agriculture and Rural Development's Communication Unit: Team Leader), interviewed by author, personal interview, February 20, 2019.

⁹ Ibid.

¹⁰ Tamar Toria (Georgian Farmer's Association: Executive Director), interviewed by author, personal interview, February 21, 2019.

¹¹ Ibid.

¹² The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017* (Tbilisi), 4.

¹³ Ibid, 41.

¹⁴ "EU-Georgia Deep and Comprehensive Free Trade Area (DCFTA)," UNESCO, <https://en.unesco.org/creativity/eu-georgia-deep-comprehensive-free-trade-area-dcfta>.

integrate with the EU, however, struggles to meet the regulations and high safety standards of the EU in regards to exports.¹⁵

The Georgian government and the EU are focused on reducing regional disparities as displayed by the creation of the RDP, and are dedicated to improving agricultural economic prospects and reducing rural poverty. However, Georgian agriculture proves difficult to modernize, due to its idiosyncratic nature and caveats. Agriculture cannot be effectively expanded due to farmers owning very small plots of lands and cooperatives are unable to be formed due to longstanding resistance to any form of collectivized farming.¹⁶ Overall, agriculture has not been modernized after the fall of the Soviet Union, thus it remains inefficient and unproductive. Furthermore, the government in 2004 had ignored the agricultural sector deeming it unprofitable; only in 2012 has agriculture been assisted, however, no structural changes have been made during this time period.¹⁷ Agriculture must be modernized in order for local produce to enter into international markets, which can be done by increasing competitiveness. Nonetheless, the RDP has been successful in terms of strengthening agriculture as it has created various educational programs for farmers, has formed cooperatives despite the negative perception of such amongst farmers, has increased investment in agriculture, and has opened access to finance for farmers.¹⁸ However, the RDP has also failed in many aspects, as although it has improved agricultural prospects, it has failed to reduce regional disparities. The RDP struggles with various organizational failures as it lacks an overarching government policy regarding regional development, thus without such a legislative framework, it has been unable to bring significant changes due to an overemphasis on infrastructure development at the expense of social programs.¹⁹ Along these lines the RDP suffers from a lack of inter-municipality and inter-ministry cooperation when implementing initiatives.²⁰ In addition, the RDP lacks evidence-based policies due to a scarcity of accurate data, thus policies are not particularly catered to reducing disparities.²¹ The RDP also favours particular regions as it provides more assistance to already profitable industries such as wine-making and hazelnuts, which ironically reinforces such inequalities. Thus, although the RDP has been a step in the right direction, it has failed to reduce regional disparities. The RDP and various other EU initiatives such as the Association Agreement and the Deep and Comprehensive Free Trade Agreement (DCFTA) with their incentives of easier trade and access to larger markets have allowed Georgia to integrate with the EU and to Europeanize. However, the European Union's tough conditionality of requiring Georgia to follow parts of the *acquis communautaire*, referring to regulations and safety

¹⁵ Adarov, A. and Havlik, P. "Challenges of DCFTAs: How can Georgia, Moldova and Ukraine Succeed?", *The Vienna Institute for International Economic Studies and Bertelsmann Stiftung*, (June 2017), 6.

¹⁶ Natia Turnava (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 21, 2019.

¹⁷ Tamar Khuntsaria (European Neighbourhood Policy for Agriculture and Rural Development's Communication Unit: Team Leader), interviewed by author, personal interview, February 20, 2019.

¹⁸ The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017: Final Monitoring Report* (Tbilisi, September 2018), 15.

¹⁹ Salome Sichinava (The Advancing Regions for Sustainable: Project Assistant), interviewed by author, personal interview, February 19, 2019.

²⁰ Ibid.

²¹ Ivane Shamugia (United Nations Development Bank: The Capacity Development Adviser Support to Rural Development), interviewed by author, personal interview, February 21, 2019.

standards, has proven difficult for Georgian farmers.²² However, adopting such legislation is possible, as proven by Baia Abuladze—a small-scale Georgian producer who was able to adopt EU regulations thus allowing her products to enter into international markets. Ultimately, the EU and the Georgian government have made progress in integrating Georgia and in cultivating agriculture via the RDP, however, have been unable to reduce regional disparities due to the Programme’s disorganized nature.

Agriculture in Georgia is in need of structural reform

Agriculture following 1991 has not undergone the necessary modernization process, thus Georgian farmers have been unable to become competitive in the market economy. During Soviet times, agriculture was collectivized by the state taking ownership of the land—forcing the peasantry to work collectively on large farms in order to mass produce. The end of the Cold War brought Georgia’s collective farms to an end. In 1991, Georgia’s first President, Zviad Gamsakhurdia, handed out small land plots to farmers, and subsequent President, Eduard Shevardnadze, granted legal ownership of land to the respective farmers.²³ However, this has led to Georgia’s current tribulations, as agriculture is inefficient due to such small land plots inhibiting large-scale production.²⁴ The main bottleneck for Georgia remains its size, as 43% of Georgian territory is covered by mountains and forests, hence arable land is limited.²⁵ With farmers owning an average of one hectare of land each, this makes it impossible to become competitive via creating economies of scale.²⁶ Economies of scale reduce the costs of production by increasing the scale of production, however, huge territory is needed. The Deputy Minister of Economy and Sustainable Development of Georgia, Natia Turnava, confirms that economies of scale are the primary method to attain competitiveness.²⁷ Even if land were to be merged via cooperatives, which entail combining efforts amongst a number of farmers, by working collectively and sharing marketing strategies, knowledge, infrastructure, and land, farmers can reduce costs; however, this would prove difficult due to a lack of land registration.²⁸ In 1999, land became officially registered but was largely inaccessible to those in rural areas.²⁹ Registration was expensive and with such centralized governance came high risks of fraud, deterring rural farmers from obtaining registry.³⁰ In regards to

²² Adarov, A. and Havlik, P. “Challenges of DCFTAs: How can Georgia, Moldova and Ukraine Succeed?”, *The Vienna Institute for International Economic Studies and Bertelsmann Stiftung*, (June 2017), 6.

²³ Robert Cemovich, “Privatization and Registration of Agricultural Land in Georgia,” *Post-Soviet Affairs* 17, no. 1 (May 2013), 81.

²⁴ Akaki Saghirashvili (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 19, 2019.

²⁵ Robert Cemovich, “Privatization and Registration of Agricultural Land in Georgia,” *Post-Soviet Affairs* 17, no. 1 (May 2013), 83.

²⁶ Rusudan Kinkladze, “Modern Trends and Prospects to Develop the Agrarian Sector of Georgia,” *Procedia - Social and Behavioral Sciences* 213 (December 2015), 564.

²⁷ Natia Turnava (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 21, 2019.

²⁸ *Ibid.*

²⁹ Robert Cemovich, “Privatization and Registration of Agricultural Land in Georgia,” *Post-Soviet Affairs* 17, no. 1 (May 2013), 90.

³⁰ Nimfuehr, Marcell, “Blockchain Application Land Register: Georgia and Sweden Leading,” Bitcoin-Blasé, December 3, 2017, <https://medium.com/bitcoinblase/blockchain-application-land-register-georgia-and-sweden-leading-e7fa9800170c>.

lacking legal documentation of ownership of property, this poses problematic when forming cooperatives.

Furthermore, various governments throughout Georgia's recent history did not pursue the structural reformation of agriculture. In 2004, the United National Movement's Mikheil Saakashvili came to power in the Rose Revolution, bringing sweeping reforms to various sectors, however, consciously chose not to reform agriculture.³¹ Saakashvili's reforms were neo-liberal in nature, inspired by principles from the East Asian Tigers—entailing radically improving the economy, reducing corruption, and facilitating a strong business climate.³² He and his party opted for developing Georgia as a hub economy, thus disregarded agriculture as he deemed it fruitless and unprofitable, with high level Member of Parliament for the United National Movement, Zurab Japaridze, consolidating his stance, "Instead of agriculture, people should be employed in services or industry."³³ This was detrimental for agriculture, as free market policies resulted in 80% of food in Georgia being imported, thus domestic producers were unable to compete with such imports, resulting in Georgian farmers being pushed out of the marketplace and becoming self-subsistent.³⁴ In 2012, the Georgian Dream party under Bidzina Ivanishvili came to power due to widespread disillusionment with Saakashvili—with Ivanishvili reverting back to supporting agricultural development.³⁵ However, the former Minister of Education and Science of Georgia, Ghia Nodia, asserts that Ivanishvili's approach to agriculture did not produce any changes as he did not conduct any structural reforms, choosing to subsidize agriculture via giving hand-outs without any guidelines on what farmers must spend such funds on.³⁶

The need to make agriculture competitive in the market economy

Small-scale farmers must become more competitive via economies of scale in order to be able to compete in the market economy.³⁷ Nodia states that production capacities can become more cost-efficient by attaining bigger plots and subsequently larger farms, but this entails partial movement of the rural population into cities.³⁸ Fundamentally, the rural population must become urban via moving into other industries as modern agriculture cannot handle so many workers on such scarce land.³⁹ Thus cities must develop, other than Tbilisi, in order to attract peoples from periphery areas.⁴⁰ However,

³¹ Ibid.

³² Sopiko Japaridze, "Georgian Land, Georgian Freedom," Open Democracy, September 21, 2017, <https://www.opendemocracy.net/en/odr/georgian-land-georgian-freedom/>.

³³ "Zurab Japaridze: The Peasantry Kills," Imedi News, July 11, 2017, <https://imedinews.ge/ge/saqartvelo/19387/zurab-japaridze-glekhoba-tekhavs>.

³⁴ Rusudan Kinkladze, "Modern Trends and Prospects to Develop the Agrarian Sector of Georgia," *Procedia - Social and Behavioral Sciences* 213 (December 2015), 564.

³⁵ Ghia Nodia (Former Minister of Education), interviewed by University of Toronto ICM Students, group interview, February 22, 2019.

³⁶ Ibid.

³⁷ Andrés Rodríguez-Pose and Daniel Hardy, "Firm Competitiveness and Regional Disparities in Georgia," *Geographical Review* 107, no. 2 (May 2016), 390.

³⁸ Ghia Nodia (Former Minister of Education), interviewed by University of Toronto ICM Students, group interview, February 22, 2019.

³⁹ Ibid.

⁴⁰ Ibid.

Nodia stresses that realistically this will not occur.⁴¹ Nevertheless, although Georgian agriculture is unable to expand production through attaining additional ownership of physical land, they can do so through cooperatives; which entail the sharing of land, resources, and knowledge.⁴² By becoming larger farmers also gain more legitimacy and can attain better prices and better terms in the markets. However, a large factor preventing the formation of cooperatives is a prevailing Soviet mentality that cooperatives resemble collectivized farming.⁴³ The Deputy Dean of Social Sciences at Ivane Javakhishvili Tbilisi State University, Valerian Melikidze, notes that farmers remain distrustful of the government.⁴⁴ Program Manager of the organic produce company Elkana, Tamaz Dundua, affirms that farmers are concerned they will lose ownership of their land if they legally merge their land with that of other farmers.⁴⁵ Thus, Natia Turnava reiterates the importance of education in order to debunk the myth of the reminiscence of collectivized agriculture in cooperatives, as there is a lack of awareness surrounding modern cooperatives.⁴⁶

Although the primary means to become competitive is through forming economies of scale, which Georgia can attain if it continued to create cooperatives, there are other methods such as attaining a competitive advantage (also referred to as acquiring a differentiated product). Dundua states that in order for Georgian produce to enter into a competitive market, farmers need to produce a niche commodity.⁴⁷ For instance, Georgian wine presents an excellent example of Georgian products entering international markets and remaining competitive. Georgian wine is niche as it is based on millennia-old Georgian traditions of biodynamic wine-making prepared in special clay vessels called *qvevri*.⁴⁸ Thus, Dundua emphasizes the need for Georgia to focus on organic produce.⁴⁹ Already several farmers in Georgia primarily produce organically, however do not get the certifications verifying their produce as organic.⁵⁰ The certification process takes at least three years and is fairly expensive and complex as farmers have to prove that their crops are grown organically over the course of three years and must keep their crops away from water sources to prevent chemical runoff; thus, Dundua emphasizes the need for the government to subsidize this process.⁵¹ The organic produce industry has proven strong over the years, hence would prove profitable and realistic for Georgia.⁵² Tamar Toria also

⁴¹ Ibid.

⁴² Natia Turnava (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 21, 2019.

⁴³ Valerian Melikidze (Ivane Javakhishvili Tbilisi State University: Deputy Dean of Social Sciences), interviewed by author, personal interview, February 19, 2019.

⁴⁴ Ibid.

⁴⁵ Tamaz Dundua (Elkana: Program Manager), interviewed by author, personal interview, February 20, 2019.

⁴⁶ Natia Turnava (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 21, 2019.

⁴⁷ Tamaz Dundua (Elkana: Program Manager), interviewed by author, personal interview, February 20, 2019.

⁴⁸ David Kitai (Journalist) interviewed by author, personal interview, February 23, 2019.

⁴⁹ Tamaz Dundua (Elkana: Program Manager), interviewed by author, personal interview, February 20, 2019.

⁵⁰ Ibid.

⁵¹ Nadiradze, K. "Organic Farming as Great Challenge for Georgian farmers," *Sustainable and Climate-Smart Agriculture Development in Georgia*, 295.

⁵² Ibid.

supports this stating that not all farmers can increase production capability, however, a farmer can produce limited quantities and sell high for a differentiated product such as organic produce.⁵³

The objectives & results of the Regional Development Programme

The RDP attempts to reduce regional disparities through its five priorities: the improvement of physical infrastructure and environmental protection, supporting the development of small and medium enterprises and the creation of new jobs, tourism development, the improvement of human capital and development of vocational institutional capacity at national and sub-national levels, and rural development.⁵⁴ Reviewing the success of the priority of rural development, the RDP has attempted to aid agriculture primarily through economic means of providing credit and capital and creating cooperatives, but also through education via vocational education training (VET) programs and agricultural extension services.⁵⁵ Accordingly, loans and investment are essential to any business, particularly when modernizing.⁵⁶ In order to transform agriculture, credits are needed to purchase new machinery and new inputs, such as fertilizer and pesticides.⁵⁷ Such can make farming easier and more efficient, allows harvests to yield higher returns and reduces risk, and as a corollary, higher productivity and reduced risk facilitates investment. In addition, the RDP has planned to enable easier access to loans, concessional credits, and insurance in order to foster investment.⁵⁸ These concessional agro-credits (which have better terms relative to non-concessional credits via lower interest rates and longer grace periods) will become cheaper and agricultural machinery will be open to leases.⁵⁹ Furthermore, Natia Turnava states that collateral is a pre-requisite to attaining loans, however, banks value farmers' assets too low, thus the government will step in and add its own funds as collateral.⁶⁰ The government will also subsidize interest rates in regards to loans.⁶¹ Ultimately, investment is congregated in Tbilisi and is lacking in rural regions, thus the RDP and the Georgian government emphasize the need to open access to finance for farmers in order for the agricultural sector to modernize and become more productive which will attract further investment.

The RDP has dedicated a massive amount of funds in order to improve rural development and agriculture totalling to 784.8 million GEL; as this priority was allocated the second most funds from the program, following the improvement of physical

⁵³ Tamar Toria (Georgian Farmer's Association: Executive Director), interviewed by author, personal interview, February 21, 2019.

⁵⁴ The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017* (Tbilisi), 41-42.

⁵⁵ *Ibid*, 31-32.

⁵⁶ "Innovation is Key to Improving Productivity, Sustainability and Resilience in Food and Agriculture" OECD, <http://www.oecd.org/agriculture/topics/agricultural-productivity-and-innovation/>.

⁵⁷ *Ibid*.

⁵⁸ The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017* (Tbilisi), 32, 47.

⁵⁹ *Ibid*, 47.

⁶⁰ Natia Turnava (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 21, 2019.

⁶¹ *Ibid*.

infrastructure and environmental protection which expended 239.8 billion GEL.⁶² The RDP handed out 29,986 loans and leases to farmers, with 2376 loans of 291,775,225 GEL and 37 loans of 4,870,384 USD.⁶³ Under the Co-financing of the Beneficiary Agreement, 12 beneficiaries from the private sector co-financed loans alongside the government; the former financing 4,352,032 USD and 8,388,673 GEL and the latter financing 1,585,474 USD and 2,310,308 GEL.⁶⁴ Total investment amounted to 6,644,009 GEL, with a total of 117 beneficiaries co-financed with the state to a whopping 2,618,230 GEL.⁶⁵ The RDP was also successful in terms of creating cooperatives. At the end of the program, 1352 agricultural cooperatives were registered, 67 particularly from the RDP.⁶⁶ The RDP also gave bee-keeping cooperatives supplies, providing farmers with “4592 units of hive, 25 honey storage tanks able to contain 550 00 liters, 22 units of honeycomb knives, and 21 units of honey extract.”⁶⁷

Alongside investment and economic development, in order to modernize agriculture, VET and agricultural extension services are essential. The Deputy Minister of Foreign Affairs, Vakhtang Makharoblishvili, emphasizes the necessity of VET, stating that following the Cold War, the Soviet-style economy of mass production entailed many architects allocated in one industry, and with the transition to market economy, there was no need for workers of this magnitude concentrated in one field.⁶⁸ Furthermore, VET has been overlooked as many Georgians went into university following Georgia’s re-independence, however, significant fraud transpired as bribery was institutionalized in universities.⁶⁹ The Rector of Ivane Javakhishvili Tbilisi State University, George Sharvashidze, asserts that universities received funding based on enrolment numbers, thus admission was not competitive as entry examinations were not standardized, such that students in order to enter schools and subsequently attain diplomas had to pay bribes.⁷⁰ There is currently a huge skills deficit in regards to farming, as during the Soviet days there was no education for agriculture—with the term ‘peasants’ being synonymous to farmers.⁷¹ Agriculture is an inter-generational family occupation, thus it is a job which gets passed on throughout the ages, however, skills and practices do not improve.⁷² However, Tamar Toria states that agricultural extension services, a farm advisory service which provides consultancy to farmers, is another resource for modernization.⁷³ The RDP validates that Georgia needs a more qualified rural workforce and that VET and agricultural extension services are in drastic need of reform. The RDP plans to bring

⁶² The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017: Final Monitoring Report* (Tbilisi, September 2018), 11.

⁶³ *Ibid.*, 16.

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*, 17.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ Vakhtang Makharoblishvili (Deputy Minister of Foreign Affairs), interviewed by University of Toronto ICM Students, group interview, February 22, 2019.

⁶⁹ George Sharvashidze (Ivane Javakhishvili Tbilisi State University: The Rector), interviewed by Mia Đurković, personal interview, February 19, 2019.

⁷⁰ *Ibid.*

⁷¹ Tamar Toria (Georgian Farmer’s Association: Executive Director), interviewed by author, personal interview, February 21, 2019.

⁷² *Ibid.*

⁷³ *Ibid.*

teachers up to contemporary standards, to increase infrastructure in colleges, create new agricultural programs, and to increase institutional capacity.⁷⁴ The Programme also emphasizes that education will be provided for farmers to fall in line with EU standards and to prevent dangerous pests, follow food safety measures, provide laboratory checks, and to prevent epizootic diseases.⁷⁵ Efforts will also be made to develop viticulture through providing support in undertaking certification, registering wineries, attaining new markets, and in specifying borders of definite zones.⁷⁶

The RDP was successful in its goal of implementing and modernizing VET and agricultural extension services and in assisting local farmers to follow federal and EU safety standards. Sixteen VET colleges and Information Consultancy Centres introduced agricultural study programs and extension services.⁷⁷ 130 VET and extension service providers have been trained—ranging from specializations on agriculture, food processing, machinery, animal food producers, and veterinarians and zoo-technicians.⁷⁸ In addition, ten individuals from the private sector have provided their input in professional re-training and innovation in agriculture and four public-private cooperation platforms were created in order to ensure the “coordination of consultation service and provision of agricultural training and extension services.”⁷⁹ 212 research projects on agriculture were completed.⁸⁰ In addition, the RDP conducted laboratory checks—collecting a total of 4766 samples for regulation standards, 37,609 agricultural enterprises were monitored to ensure food safety measures, 12,230 food safety tests and quality control were conducted, and 1474 cooperatives were formed.⁸¹

The failures of the Regional Development Programme: organizational weaknesses

Although the RDP has been successful in regards to improving agricultural life via providing easier access to credit and capital, modernizing VET and agricultural extension services, and creating cooperatives, the RDP has been uneven in its implementation. The RDP favours regions as it provides the most support to profitable industries. For instance, the largest number of loans, beneficiaries, laboratory samples, and credits were allocated to Kakheti, which is dominated by the wine industry—the most successful and wealthy sector in Georgia, which in 2018 exported over 86 million bottles to 52 countries.⁸² The RDP also conducted 706 supervision related activities in Kakheti and Racha-Lechkhumi

⁷⁴ The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017: Final Monitoring Report* (Tbilisi, September 2018), 30.

⁷⁵ The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017* (Tbilisi), 48.

⁷⁶ *Ibid.*, 48.

⁷⁷ The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017: Final Monitoring Report* (Tbilisi, September 2018), 30.

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*, 28.

⁸¹ *Ibid.*

⁸² Amy Jones, “86,2 Mil Bottles of Georgian Wine Exported in 2018,” *Georgia Today*, January 14, 2018, <http://georgiatoday.ge/news/14059/86%2C2-Mil-Bottles-of-Georgian-Wine-Exported-in-2018>.

and 239 events were funded for a promotional wine campaign.⁸³ The Advancing Regions for Sustainable Development's (implemented with the support of the EU) Project Assistant, Salome Sichinava, states that the official course of the Ministry of Regional Development and Infrastructure is to identify the regions in which economic activity is stronger and promote and support these industries.⁸⁴ Tamar Khuntsaria confirms that the government prioritizes certain industries which are wealthier; priorities being honey, nuts, and wine.⁸⁵ However, Ivane Shamugia, the Capacity Development Adviser Support to Rural Development for the United Nations Development Bank, and the Deputy Minister of Economy and Sustainable Development of Georgia, Akaki Saghirashvili, counter that the government and by extension the RDP does not favour particular regions, but supports particular profitable Georgian industries.⁸⁶ Commodities are naturally concentrated due to Georgia's 49 different types of soil and its diverse climate and topography.⁸⁷ For example, Adjara's tropical climate renders it best for citrus, while mid-Georgia's slightly cooler climate is better suited for peaches.⁸⁸ Shamugia also notes that although the government may favour particular agricultural industries in certain regions, this is balanced as the government will support non-agricultural activities in other regions, such as tourism or services.⁸⁹ However, although it is practical to invest in profitable industries, it is not practical in regards to reducing regional disparities. By providing supplementary resources to certain industries, thus to particular regions, this will exacerbate regional disparities rather than reduce them, especially when additional support is given to already profitable industries.

However, the most significant drawback of the RDP regards its organizational deficiencies, as the federal government lacks an overarching regional development policy, hence the RDP lacks a clear framework, the Programme sustains a dearth of inter-municipality and inter-ministry cooperation pertaining to its implementation, and it lacks evidence-based policy-making due to a shortage of data.⁹⁰ Thus, although the RDP has made significant improvements in rural development, the program has failed in regards to reducing regional disparities due to the absence of a cohesive regional development framework.⁹¹ Sichinava states that the key problem with the RDP is that it defines

⁸³ The Ministry of Regional Development and Infrastructure of Georgia and Support to Regional Development Policy Implementation II in Georgia, *Regional Development Programme of Georgia 2015-2017: Final Monitoring Report* (Tbilisi, September 2018), 16.

⁸⁴ Salome Sichinava (The Advancing Regions for Sustainable: Project Assistant), interviewed by author, personal interview, February 19, 2019.

⁸⁵ Tamar Khuntsaria (European Neighbourhood Policy for Agriculture and Rural Development's Communication Unit: Team Leader), interviewed by author, personal interview, February 20, 2019.

⁸⁶ Akaki Saghirashvili (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 19, 2019 and Ivane Shamugia (United Nations Development Bank: The Capacity Development Adviser Support to Rural Development), interviewed by author, personal interview, February 21, 2019.

⁸⁷ "Georgia at a Glance," Food and Agriculture Organization of the United Nations, <http://www.fao.org/georgia/fao-in-georgia/georgia-at-a-glance/en/>.

⁸⁸ Akaki Saghirashvili (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 19, 2019.

⁸⁹ Ivane Shamugia (United Nations Development Bank: The Capacity Development Adviser Support to Rural Development), interviewed by author, personal interview, February 21, 2019.

⁹⁰ Salome Sichinava (The Advancing Regions for Sustainable: Project Assistant), interviewed by author, personal interview, February 19, 2019.

⁹¹ *Ibid.*

priorities, but there is no overarching strategy in place.⁹² Likewise, the EU wants Georgia to adopt such a legislative framework in order to foster sustainable regional development, as without such a structure, this has resulted in the RDP overemphasizing infrastructural development and overlooking social policies.⁹³ Sichinava attests that 68% of the Programme's funding goes towards economic development, leaving only 32% for social programs.⁹⁴ The RDP defines priorities of agro-credits, cooperatives, and investment and concentrates on creating infrastructure which nurtures a friendly business climate. However, in order to reduce disparities, social services are necessary as periphery regions are poor socio-economically. The issue is that the RDP is not a policy document, but rather dictates infrastructural aims, thus regional disparities cannot be effectively countered without the accompanying social programs.⁹⁵

In addition, Sichinava states that there is a lack of inter-municipality and inter-ministry coordination when implementing the priorities of the RDP which undermines efficiency.⁹⁶ Municipalities lack cooperation as they conduct projects unilaterally, thus if municipalities increased communication, projects would become more cost-effective and efficient.⁹⁷ For instance, if an initiative involved building new dog shelters, rather than build one dog shelter per municipality, they could place one in select few municipalities according to statistics such as the population of dog owners, then build roads to other municipalities for accessibility.⁹⁸ Yet, even within the ministries there is a lack of synchronization as ministries have action plans but independently of one another.⁹⁹ Thus the RDP is not structural, as it is implemented by the Ministry of Education, the Ministry of Labour, Health, and Social Affairs, the Ministry of Agriculture, the Ministry of Environment and Natural Resources Protection, the Ministry of Regional Development and Infrastructure, and the Ministry of Economy and Sustainable Development, but with weak inter-ministry coordination; tangible effects on reducing disparities are compromised. In order to reduce regional disparities, projects must be completed with further cooperation within the local and federal government structures rather than municipalities and ministries conducting independent infrastructure projects.

Besides the Programme's organizational problems, the RDP also suffers from a lack of accurate statistics which inhibits evidence-based policy-making.¹⁰⁰ Shamugia and Sichinava confirm that Georgia lacks data due to a dearth of resources, as their main database, the National Statistics Office of Georgia (also referred to as GeoStat), lacks human capability, technical capability, and funds.¹⁰¹ This is problematic, as in order to resolve regional disparities, it is essential to know the causes of such in order to

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ivane Shamugia (United Nations Development Bank: The Capacity Development Adviser Support to Rural Development), interviewed by author, personal interview, February 21, 2019.

¹⁰¹ Ibid and Salome Sichinava (The Advancing Regions for Sustainable: Project Assistant), interviewed by author, personal interview, February 19, 2019.

intervene.¹⁰² Shamugia states that the federal government is too focused on the input and output of injecting a certain amount of funds into a program, rather than studying the actual impact of these policies.¹⁰³ Shamugia and Sichinava posit that with a lack of evidence it is not possible to have effective policies which take account of local specificities.¹⁰⁴ Ghia Nodia asserts another problem with statistics—that there is no legislation which defines who a farmer is.¹⁰⁵ Many Georgians own small plots and formally half of the Georgian workforce is employed in agriculture and are deemed self-employed, however, no officials check if a farmer has cultivated the land, or if their produce is for markets or for self-subsistence.¹⁰⁶ Equivocal definitions of who a farmer is creates statistical discrepancies.¹⁰⁷ In addition, Tamar Toria states that there are statistical inconsistencies between the two primary statistics providers, GeoStat and the Ministry of Agriculture, as they conflict with each other as they have differing statistics.¹⁰⁸ There is no database of registered farmers as small-scale farmers do not get taxed, thus without a definition, when GeoStat conducts its data collection via random sampling, in which they may survey one who is self-subsistent thus does not contribute to the economy—this produces inaccurate data.¹⁰⁹ However, the Ministry of Agriculture bases statistics on registered beneficiaries who are confirmed farmers, thus Toria deems the Ministry a more reliable source than GeoStat.¹¹⁰ Ultimately, legislation must be changed in order to provide a clear definition of who constitutes a farmer, which will allow for accurate data collection, as statistics are essential to enact effective evidence-based policies in order to successfully reduce regional disparities.

The European Union’s demands to Georgia: harmonization of legislation

The European Union has been heavily involved in developing and modernizing Georgian agriculture, and has offered integration, a long time goal of Georgia’s, on the pre-requisite of Georgian farmers following parts of the EU *acquis communautaire*; however, the benefits of exporting EU legislation to Georgia is questionable for Georgian farmers.¹¹¹ EU-Georgian relations entail Georgia receiving benefits of better economic prospects on the basis of conditionality, the most significant condition entailing the adoption of the EU safety standards as outlined by policy frameworks such as the Association Agreement and the Deep and Comprehensive Free Trade Agreement

¹⁰² Ivane Shamugia (United Nations Development Bank: The Capacity Development Adviser Support to Rural Development), interviewed by author, personal interview, February 21, 2019.

¹⁰³ Ibid.

¹⁰⁴ Ibid and Salome Sichinava (The Advancing Regions for Sustainable: Project Assistant), interviewed by author, personal interview, February 19, 2019.

¹⁰⁵ Ghia Nodia (Former Minister of Education), interviewed by University of Toronto ICM Students, group interview, February 22, 2019.

¹⁰⁶ Tamar Toria (Georgian Farmer’s Association: Executive Director), interviewed by author, personal interview, February 21, 2019.

¹⁰⁷ Ghia Nodia (Former Minister of Education), interviewed by University of Toronto ICM Students, group interview, February 22, 2019.

¹⁰⁸ Tamar Toria (Georgian Farmer’s Association: Executive Director), interviewed by author, personal interview, February 21, 2019.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Adarov, A. and Havlik, P. “Challenges of DCFTAs: How can Georgia, Moldova and Ukraine Succeed?”, *The Vienna Institute for International Economic Studies and Bertelsmann Stiftung*, (June 2017), 6.

(DCFTA). The DCFTA allows access to larger markets, increased foreign direct investment, cheaper imports, technical support, a stable business environment (as a result of harmonization with EU law), the ability to participate in global value chains, and increased opportunities within the labour market.¹¹² However, liberalization of non-tariff trade barriers is only partial for agricultural products and produce is still subjected to entry price regulation and tariffs.¹¹³ In addition, the EU market is highly competitive, finding business partners within EU states proves difficult, and small-scale Georgian farmers are unaware of distribution networks and have weak marketing strategies.¹¹⁴ Georgia must also harmonize to 80-90% of EU legislation according to a timeline, but as Georgia lacks membership prospects, adoption of EU laws may not prove relevant for Georgia.¹¹⁵ In addition, farmers lack easy access to finance making the harmonization process very challenging.¹¹⁶ Furthermore, EU policies fluctuate over time, however, Georgia must comply with these dynamic policies in order to attain access to larger markets.¹¹⁷ Ultimately, the EU has contributed massive resources and efforts in modernizing Georgian agriculture, proving positive to regional development. However, the adoption of EU legislation and standards pose questionable for Georgia's well-being, yet must be followed in order to attain further access to EU markets on better terms, which will improve Georgia's economy and will result in Europeanizing Georgia.¹¹⁸

It is essential for Georgian farmers to be able to export their produce, however, due to weak capacity outputs, Georgian farmers struggle to conform to EU legislation and struggle to meet the high standards of EU commodities. There is a value chain in transitioning from farm to market in order to make it to exporting level—constituting of harvesting, processing, and distributing. Following harvesting, a farmer must process their product, referring to cleaning, laboratory checks for safety standards and nutritional information, and packaging—succeeding to the final stage of distribution.¹¹⁹ However, for small-scale farmers, this value chain is difficult to attain.¹²⁰ Natia Turnava corroborates this stating that buyers in Armenia and Turkey will buy produce from local Georgian producers, and process, package, and store the produce in their respective country, then will sell the produce back to Georgia during the off-season for higher prices.¹²¹ She emphasizes that Georgian farmers must learn the process of reaching the next stages of the value chain independently.¹²² However, the EU Delegation to Georgia, Carlo Natale, states that the caveat is that EU states have taken 60 years in order to get their markets, regulations, quality and standards at their current level, however, Georgia has only been

¹¹² Ibid, 7.

¹¹³ Ibid, 5.

¹¹⁴ Ibid.

¹¹⁵ Ibid, 6.

¹¹⁶ Ibid.

¹¹⁷ Ibid, 5.

¹¹⁸ Ibid.

¹¹⁹ Roger Norton, "Agricultural value chains: A game changer for small holders," Devex, July 28, 2014. <https://www.devex.com/news/agricultural-value-chains-a-game-changer-for-small-holders-83981>.

¹²⁰ Natia Turnava (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 21, 2019.

¹²¹ Ibid.

¹²² Ibid.

given five years.¹²³ Currently under the DCFTA, dairy and meat products cannot be exported to the EU, with the exception of honey.¹²⁴ Honey is in high demand by Europe and is one of Georgia's largest commodities, thus the European Commission has permitted it to enter into the EU market as of 2017.¹²⁵ Problems remain in the Georgian honey industry as there is a lack of safety measures to prevent diseases, which has left high levels of antibiotics and excess levels of humidity in honey.¹²⁶ Georgian honey must also work to become more cost-efficient in order to compete with Ukraine's honey supplies and Georgia needs to provide a consistent supply of honey to the EU.¹²⁷ Tamar Khuntsaria emphasizes that food safety is very complex and time consuming and requires lots of resources which small-scale farmers do not have.¹²⁸ Ultimately, exportation is necessary for the growth and productivity of Georgia's agricultural sector, however, the EU is very demanding in terms of its standards, and its markets remain highly competitive, thus a majority of Georgian commodities are unable to enter into the EU.

Although challenging, small-scale Georgian producers are capable of following EU regulations and making it to the exporting standard. Baia Abuladze is a striking example of a small-scale farmer who became able to export internationally; exporting 7000 bottles of wine to the EU and the United States annually as of 2017.¹²⁹ Abuladze's family has owned a small, two-hectare winery in Imereti for generations.¹³⁰ Her family grows wine in traditional Georgian fashion, utilizing *qvevri* which lay underground, allowing the wine to ferment.¹³¹ Her wine-making follows biodynamics as the process is low-intervention and allows nature to take its course in facilitating the growing process.¹³² Abuladze chose to turn her family's winery into Baia's Wine, planning to sell domestically and eventually hit the international markets. Abuladze got her start from the government program Enterprise Georgia in 2015, run under the Ministry of Economy and Sustainable Development of Georgia, which financed her company 5000 lari in order to buy bottles, labels, machinery, and corks—all essentials in wine processing.¹³³ Following this, Abuladze attained further assistance from the Georgian Farmer's Association, in which they aided her transition to market by subsidizing the cost of barcodes.¹³⁴ Barcodes are essential for exporting and are very expensive, thus the program allowed her to make barcodes for a tenth of the cost—200 lari.¹³⁵ Initially, Abuladze sold to small wine

¹²³ Carlo Natale (the EU Delegation to Georgia), interviewed by University of Toronto ICM Students, group interview, February 20, 2019.

¹²⁴ Tamar Toria (Georgian Farmer's Association: Executive Director), interviewed by author, personal interview, February 21, 2019.

¹²⁵ "EU Association Agreement Honey Production, Export, And Hindering Factors," Europe for Georgia, April 15, 2015. <http://eugeorgia.info/en/article/208/honey-production-export-and-hindering-factors/>.

¹²⁶ The European Union for Georgia ENPARD: Support to Agriculture and Rural Development, *Honey Value Chain*, by Irakli Javakhishvili, 18.

¹²⁷ Ibid.

¹²⁸ Tamar Khuntsaria (European Neighbourhood Policy for Agriculture and Rural Development's Communication Unit: Team Leader), interviewed by author, personal interview, February 20, 2019.

¹²⁹ Baia Abuladze (Baia's Wine: Founder), interviewed by author, personal interview, February 22, 2019.

¹³⁰ Benjamin Kemper, "This 25-Year-Old Winemaker Is Making Some of Georgia's Buzziest Wines," *Food & Wine*, September 13, 2018, <https://www.foodandwine.com/wine/baia-abuladze-georgian-wine>.

¹³¹ Ibid.

¹³² Ibid.

¹³³ Baia Abuladze (Baia's Wine: Founder), interviewed by author, personal interview, February 22, 2019.

¹³⁴ Ibid.

¹³⁵ Ibid.

boutiques in Georgia, eventually expanding to wine fairs and festivals, then to restaurants; restaurants being a huge step up as it allows for high mark ups.¹³⁶ In 2017, Abuladze began exporting—starting with 88 bottles headed for Austria.¹³⁷ To export, Abuladze had to follow Georgian and EU regulations, thus she went to attain laboratory checks in order to ensure the sulfates and the pH levels in her wine were at the correct level and to obtain the nutrition facts necessary for labeling.¹³⁸ She then acquired the Certification of Origin to confirm her product was made in Georgia and is currently working on attaining organic certification.¹³⁹

Baia's Wine displays a case in which a small-scale farmer has made it to exporting levels with the aid of government programs. Abuladze is also independent as her winery is fully family-run with only 70 producers.¹⁴⁰ Her mother is the accountant, her brother the distributor, her father the teacher of wine-making, and her sister the manager of social media.¹⁴¹ Her sister is currently getting a Masters in agronomy and her brother is studying oenology studies.¹⁴² Baia's Wine has also proven successful for regional development. Abuladze created guesthouses and wine tastings to support her winery, and with the food she serves she sources her livestock and produce from local farmers.¹⁴³ Furthermore, with the increase in tourism to her winery, this incentivizes the government to invest in her region.¹⁴⁴ However, Baia's Wine is a special case as it is inherently niche due to Georgia's unique method to wine-making and Georgia having the reputation of being the architect of wine.¹⁴⁵ Abuladze is also not the typical winemaker as a young female, thus makes for great media coverage which allows for easy marketing. But fundamentally, Abuladze is a case of a small-scale farmer being able to successfully penetrate a market and make it to the exporting level, as she was able to complete all stages of the value chain—of production, processing, and distribution independently, as Abuladze is not part of any cooperatives due to wine farms being far away and each diverse in its type of wine production.¹⁴⁶ Baia's Wine exemplifies a successful case in which a small-scale farmer has followed EU standards and subsequently began to export at the competitive level, thus depicts that it is possible for other small-scale Georgian farmers to do likewise.

Conclusion: The European Union's offer to Georgia—Europeanization

The EU remains the largest actor in supporting rural development and agriculture in Georgia, and by harmonizing Georgian legislation with that of the EU and with the mutual assistance the EU provides; Georgia is slowly becoming Europeanized. Europeanization is synonymous with integration as it entails Georgia becoming closer with the EU by adopting EU norms, values, and legislation.¹⁴⁷ Following the collapse of

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ David Kitai (Journalist) interviewed by author, personal interview, February 23, 2019.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

¹⁴⁶ Baia Abuladze (Baia's Wine: Founder), interviewed by author, personal interview, February 22, 2019.

¹⁴⁷ Ketevan Bolkvadze, "Cherry Picking EU Conditionality: Selective Compliance in Georgia's Hybrid

the Soviet Union, Georgia has followed a pro-Western trajectory, and has attempted since re-independence to join Western institutions such as the EU and the North Atlantic Treaty Organization. Georgia's keenness regarding integration is exhibited via their agreements with the EU, and likewise the EU has demonstrated reciprocal interest in developing Georgia through their programs such as ENPARD. ENPARD was created in 2013 which consolidated an EU structure towards agriculture in Georgia.¹⁴⁸ As mentioned, Georgia lacked an overarching, cohesive policy of regional development during the RDP. However, in 2017 the first ever overarching national strategy was created (however was not applied to the RDP as it was already in progress) with the aid of ENPARD.¹⁴⁹ The EU requested Georgia to adopt a clear legislative structure towards regional development thus aided in creating the Rural Development Strategy of Georgia 2017-2020.¹⁵⁰ ENPARD further facilitates Georgian integration via Pillar III of the program—the European Leader Approach to Rural Development in Georgia. The Leader Approach takes successful agriculture-related practices which have been implemented in EU nations and applies them to Georgia.¹⁵¹ The Leader Approach is an EU model exported to Georgia, thus it promotes integration, however projects are not carbon copy as they are adjusted in order to take account of Georgia's specificities.¹⁵²

Furthermore, ENPARD has been working to democratize and decentralize policy-making in Georgia in regards to agricultural legislation. Part of the European Union's agenda has been decentralization, as they believe that pushing power down to the local level allows for representation, and by extension democracy. Following the end of the Cold War, Eastern bloc nations vied for integration, in which decentralization was perceived as an essential element in the democratization process.¹⁵³ Eastern European nations were offered member state status on a number of conditions, including the adoption of the *acquis communautaire* and the formation of a regional system of governance.¹⁵⁴ These two conditions implanted decentralized institutions by implementing pre-existing European decentralized policies and creating regional bodies of local-level government structures. The EU has also been pushing Georgia towards decentralization, as Natia Turnava affirms that the Georgian government is very centralized, thus ENPARD advocates for bottom-up representation in regards to agriculture.¹⁵⁵ ENPARD created Local Action Groups (LAGs) which allow for local-level actors engaged in agriculture to implement the policies they desire.¹⁵⁶ LAGs comprise of civil society members such as

Regime," *Europe-Asia Studies* 68, No. 3 (May 2016), 411.

¹⁴⁸ Tamar Khuntsaria (European Neighbourhood Policy for Agriculture and Rural Development's Communication Unit: Team Leader), interviewed by author, personal interview, February 20, 2019.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ James T. LaPlant, Michael Baun, Jiri Lach and Dan Marek, "Decentralization in the Czech Republic: The European Union, Political Parties, and the Creation of Regional Assemblies," *Publius* 34, no. 1 (Winter 2004).

¹⁵⁴ Ibid.

¹⁵⁵ Natia Turnava (Deputy Minister of Economy and Sustainable Development), interviewed by author, personal interview, February 21, 2019.

¹⁵⁶ Tamar Khuntsaria (European Neighbourhood Policy for Agriculture and Rural Development's Communication Unit: Team Leader), interviewed by author, personal interview, February 20, 2019.

farmers, representatives from municipalities, and private sector actors.¹⁵⁷ Individual actors within the community will send an application to the Ministry of Agriculture delineating what they want in regards to agricultural support and resources, which will then be assessed by the ministry and possibly approved, thus allows for ground-level actors' voices to be heard.¹⁵⁸ Ivane Shamugia stresses that before ENPARD III, the UNDP was working with the Georgian government, however, was only focusing on working with front-line actors such as the Ministry of Agriculture in policy-making, and was less involved with those at the local-level.¹⁵⁹ ENPARD also ensured decentralization, as within a LAG there is a 50% maximum quota for municipality members, thus government representatives cannot become the key decision makers.¹⁶⁰ LAGs drive the local development strategy process and with such checks and balances in place different interests are represented within a LAG. Pillar III under ENPARD allows for further democracy and decentralization, and is better suited for farmers as they can directly participate in the policy-making process. Ultimately, the EU has dramatically changed Georgian legislation and policy-making, and in conjunction with the EU pushing for partial adoption of the *acquis communautaire* in regards to regulations and safety standards; Georgia has become further integrated with the EU.

The EU has invested substantial efforts into developing and integrating Georgia, via bilateral agreements such as the Association Agreement and the DCFTA, and through programs such as ENPARD. The EU requires Georgian agricultural producers to conform to EU legislation, and albeit legislation adoption's arduousness and uncertainty regarding its benefits to Georgia as membership is not on the table, regulation harmonization is essential for Georgian farmers to be able to export products to the EU. Although difficult, it is possible for small-scale farmers to make it to EU markets, as proven by Baia's Wine. Furthermore, the EU as a co-financer of the RDP has been heavily involved in improving the agricultural sector in Georgia in order to reduce regional disparities. However, with various organizational defects such as a lack of an overarching framework depicting clear goals and aims of the project, it was impossible for the RDP to reduce disparities. In addition, a three-year program is not enough to change disparity levels, however, the RDP has been extended as the RDP 2017-2020 is currently in place. Nevertheless, the RDP has been successful in strengthening agriculture as it created cooperatives, opened access to finance for farmers, and improved agricultural education programs and services. Ultimately, although the RDP has enhanced agricultural prospects, Georgian agriculture is in need of structural reforms in order for farmers to be able to compete in the market economy both domestically and internationally. As agriculture holds 50% of the workforce, primarily located in the periphery areas, regional disparities could be resolved if the agricultural sector was modernized, which would lift rural Georgians out of poverty and would facilitate the economic integration of Georgia alongside the current political integration efforts.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Ivane Shamugia (United Nations Development Bank: The Capacity Development Adviser Support to Rural Development), interviewed by author, personal interview, February 21, 2019.

¹⁶⁰ Tamar Khuntsaria (European Neighbourhood Policy for Agriculture and Rural Development's Communication Unit: Team Leader), interviewed by author, personal interview, February 20, 2019.

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Dealing with Saakashvili's Legacy: Georgia's Transitional Justice Efforts and Reforms to the Justice System

Anahid Najafizadeh

Introduction

The European Union (EU) has been a successful project that has, arguably, transformed European space to one that is more cooperative, peaceful, and democratic. An invitation to join the EU has proven attractive to many states, so much so that the EU has gained transformative power over the territory. Wanting to integrate with the EU, states will overhaul their constitutions, judicial systems, and political processes in order to meet the EU's criteria. One state in the Caucasus has this desire for European integration that is unmatched in its neighbourhood – Georgia. Heralded as a poster child for effective Europeanization and meeting the demands of transformations, Georgia has proven itself to be a country optimistic for even greater EU integration.

However, Georgia has not (and will continue to not) follow an easy path towards the EU as its domestic affairs overshadow many of its positive gains. While former Georgian President Mikheil Saakashvili was a major supporter of the EU and integration with the West, certain actions during his presidency resulted in the violation of human rights, the overpoliticization of ministries, and a lack of judicial independence. Following Saakashvili's electoral defeat, the successive Georgian Dream (GD) government promised to “restore justice” for the abuses that occurred.¹ Beginning in 2012, Georgia entered the process of transitional justice, involving the redress of previous violations and implementation of measures such that said violations do not occur again.²

This paper will provide an overview of the transitional justice efforts of the GD but will take a closer, crucial look at the ongoing steps being taken to reform the judicial system in Georgia. Following personal interviews with members of civil society in Tbilisi and an examination of government actions, this paper will argue that while some meaningful steps have been taken to restore justice for prisoners and decrease the politicization of institutions, the reforms to the judicial system have only created change on paper; in reality, the judiciary lacks independence and works as a mechanism to further the goals of Bidzina Ivanishvili, chairperson of the GD. To demonstrate that the above is true, this paper will analyze the era of Saakashvili, highlight the transitional justice efforts (or lack thereof), and delve into the reform of the judiciary in Georgia.

¹ Margarita Antidze, “Opposition Says Georgia Vote A Choice Between ‘Good and Evil’,” *Reuters*, September 22, 2012, <https://www.reuters.com/article/us-georgia-opposition/opposition-says-georgia-vote-a-choice-between-good-and-evil-idUSBRE88L0CX20120922>.

² “What is Transitional Justice?” International Center for Transitional Justice, last accessed March 10, 2019, <https://www.ictj.org/about/transitional-justice>.

The Reforms of Saakashvili's Presidency

The year is 2003 and Georgia is in trouble. President Shevardnadze has been in power since 1992 and post-Soviet corruption has spread like a virus; the mafia-like thieves-in-law (also known as the *vory*) appear to control every institution, ministry, and political process in the country.^{3, 4} In November of 2003, parliamentary elections are held, and it is announced that Shevardnadze's coalition and main ally have won the majority of the seats with a vote share of 21.31 percent and 18.84 percent, respectively.⁵ However, corruption in Georgia has made its way to the country's elections. Following the official release of the results, some made allegations regarding electoral fraud by the ruling party.⁶ Refusing to accept the outcome of the election and instigating protests, the United National Movement (UNM) declared itself victorious instead.⁷ The leader of the UNM, Saakashvili, who had been the former Minister of Justice to Shevardnadze, led the successful Rose Revolution and called for new elections.⁸

The Rose Revolution ushered in a new era for Georgia: at the helm of the change was the Western-educated and optimistic Saakashvili. The revolution resulted in a new presidential election being held in 2004, and this handed Saakashvili the presidency as he received 96 percent of the total votes.⁹ Saakashvili had many solid presidential promises, but to paint the overarching picture of his proposed reforms, one could describe them as he did: "to consolidate the nation' and 'end the division of Georgian society into rival camps.'"¹⁰ His campaign promises included restoring law and order, reintegrating Abkhazia and South Ossetia (the breakaway regions of Georgia), reforming the government and its institutions, and eradicating corruption in ministries, the police and other sectors.¹¹ When the *vory* dominated politics during Shevardnadze's rule, post-Soviet state building in Georgia had been relatively unsuccessful; as such, the main

³ Robert C. Austin, "Confronting the Soviet and Post-Soviet Past in Georgia," in *Transitional Justice and the Former Soviet Union: Reviewing the Past, Looking toward the Future*, ed. Cynthia M. Horne and Lavinia Stan (Cambridge: Cambridge University Press, 2018), 244.

⁴ Matthew Light, "Police Reforms in the Republic of Georgia: The Convergence of Domestic and Foreign Policy in an Anti-Corruption Drive," in *Policing & Society* 24, no. 3 (2012): 322, <http://dx.doi.org/10.1080/10439463.2013.784289>

⁵ Office for Democratic Institutions and Human Rights, *Georgia Parliamentary Elections 2 November 2003: OSCE/ODIHR Election Observation Mission Report, Part 1* (Warsaw: OSCE/ODIHR, 2004), 20, <https://www.osce.org/odihr/elections/georgia/22206?download=true>.

⁶ *Ibid.*

⁷ *Ibid.*, 21.

⁸ Robert C. Austin, "Confronting the Soviet and Post-Soviet Past in Georgia," in *Transitional Justice and the Former Soviet Union: Reviewing the Past, Looking toward the Future*, ed. Cynthia M. Horne and Lavinia Stan (Cambridge: Cambridge University Press, 2018), 244.

⁹ Office for Democratic Institutions and Human Rights, *Georgia Extraordinary Presidential Election 4 January 2004: OSCE/ODIHR Election Observation Mission Report* (Warsaw: OSCE/ODIHR, 2004), 20, <https://www.osce.org/odihr/elections/georgia/24600?download=true>.

¹⁰ Jean-Christophe Peuch, "Georgia: Leader Walks Thin Line Between Patriotism and Nationalism," *Radio Free Europe/Radio Liberty*, April 9, 2004, <https://www.rferl.org/a/1052243.html>.

¹¹ Robert C. Austin, "Confronting the Soviet and Post-Soviet Past in Georgia," in *Transitional Justice and the Former Soviet Union: Reviewing the Past, Looking toward the Future*, ed. Cynthia M. Horne and Lavinia Stan (Cambridge: Cambridge University Press, 2018), 245.

priority of Saakashvili became to restore “the efficacy of the Georgian state.”¹² Moreover, since Saakashvili himself was Western-educated, as well as many of his ministers, Georgia began to heavily focus its efforts on integration with the West and the EU.

Saakashvili had inherited a severely dysfunctional system: traffic police were deeply corrupt and Shevardnadze’s Ministry of Internal Affairs was over-politicized and filled with “corrupt syndicates headed by high-ranking officials.”¹³ Delivering on his campaign promises, Saakashvili implemented reforms, which were noticeably applauded by western states. Sopho Verdzeuli, Director of Democracy and Justice Programme at the Human Rights Education and Monitoring Center, explains how prior to Saakashvili Georgia was facing systemic corruption and had very weak democratic institutions.¹⁴ Verdzeuli goes on to list UNM’s reforms to the public sector, education system, and the police force.¹⁵ In fact, the police force had become infamous for its corruption. The Traffic Police, in particular, had become a victim of “state dysfunction” as the officers’ incredibly low wages forced them to earn money through corrupt methods of “arbitrarily impos[ing] fines and fees” or fully joining the mafia groups of the *vory*.¹⁶ In response, Saakashvili fired the entire Traffic Police force and hired new recruits.¹⁷ The same radical tactics also took place in government ministries. The KGB-style Ministry of State Security had its own police who ensured investigations benefited Shevardnadze’s regime.¹⁸ Saakashvili dissolved this ministry and also fired another 15,000 employees from the Ministry of Internal Affairs (MIA).¹⁹ Among his less radical measures, Saakashvili successfully reformed the public service, and as Verdzeuli explains this meant there were more service centers to provide the “everyday services that citizens” need.²⁰

The Reforms Unravel: Zero Tolerance Policy

Given what Shevardnadze had passed on to him, Saakashvili did well to provide some of the reforms he had promised to his UNM supporters. Unfortunately, some of his major promises were to come at any cost. It is fair to say that most strive to live in a society with minimal to no crime and, as such, Saakashvili’s attempt to restore law and order by advocating for a zero tolerance policy on crime made some sense (also considering the

¹² Matthew Light, “Police Reforms in the Republic of Georgia: The Convergence of Domestic and Foreign Policy in an Anti-Corruption Drive,” in *Policing & Society* 24, no. 3 (2012): 323, <http://dx.doi.org/10.1080/10439463.2013.784289>

¹³ Ibid.

¹⁴ Sopho Verdzeuli (Director of Democracy and Justice Programme, Human Rights Education and Monitoring Center), interviewed by Anahid Najafizadeh at EMC Offices, February 19, 2019, Tbilisi.

¹⁵ Ibid.

¹⁶ Matthew Devlin, “Seizing the Reform Moment: Rebuilding Georgia’s Police 2004-2006,” in *Innovations for Successful Societies*, Princeton University (2010): 1-2, https://successfultsocieties.princeton.edu/sites/successfultsocieties/files/Policy_Note_ID126.pdf.

¹⁷ Ibid., 5.

¹⁸ Ibid., 3.

¹⁹ Robert C. Austin, “Confronting the Soviet and Post-Soviet Past in Georgia,” in *Transitional Justice and the Former Soviet Union: Reviewing the Past, Looking toward the Future*, ed. Cynthia M. Horne and Lavinia Stan (Cambridge: Cambridge University Press, 2018), 246.

²⁰ Sopho Verdzeuli (Director of Democracy and Justice Programme, Human Rights Education and Monitoring Center), interviewed by Anahid Najafizadeh at EMC Offices, February 19, 2019, Tbilisi.

corruption and crime Georgia had been experiencing).²¹ What did not make sense, however, was the zealous vigor with which Saakashvili pursued this zero tolerance policy. Soon, Georgia had such a large *per capita* prison population that it ranked only behind the US and Rwanda.²² Its 99.6 percent conviction rate meant that almost every single criminal trial resulted in a prison sentence, and some of these trials were for minor charges like petty theft – not serious crimes.²³ From 2003 to 2012, the prison population in Georgia grew by an astronomical 300 percent.²⁴

Prison Torture and Human Rights Violations Begin to Surface

Soon enough the prisons in Georgia became overcrowded. The prison guards were understaffed and undertrained.²⁵ These aforementioned shortcomings were a result of the zero tolerance policy; however, they act as no excuse for the rampant torture and abuse that occurred in Georgia's prisons, with many of these violations being "condoned at the highest levels."²⁶ Right before the 2012 parliamentary election, videos surfaced showing the rape and inhumane treatment of inmates at Prison Number 8 Gldani and public outrage ensued.²⁷ These videos provided tangible evidence to the Georgian people that while the *vory* no longer controlled the prisons, the guards Saakashvili had replaced them with were committing even worse human rights violations. Open Society Georgia Foundation (OSGF) conducted a report on the ill-treatment of prisoners and it appears to implicate Saakashvili's government in the wrongdoings; it states that the "[z]ero tolerance policy was achieved by disregarding human rights" and that these violations were justified "by the mission of reform and state building."²⁸ Saakashvili's efforts to rid the country of crime subsequently overpopulated the prisons and gave guards unlimited leeway to do as they pleased. In fact, the report concludes that torture also occurred in other prisons, helped with the extraction of guilty pleas, and, for most inmates included in the data, torture appeared to be "a systemic part of corrections policy."²⁹

²¹ Gavin Slade, "Georgia's Prisons: Roots of Scandal," openDemocracy, September 24, 2012, <https://www.opendemocracy.net/en/georgias-prisons-roots-of-scandal/>.

²² Ibid.

²³ Robert C. Austin, "Confronting the Soviet and Post-Soviet Past in Georgia," in *Transitional Justice and the Former Soviet Union: Reviewing the Past, Looking toward the Future*, ed. Cynthia M. Horne and Lavinia Stan (Cambridge: Cambridge University Press, 2018), 247.

²⁴ Ibid.

²⁵ Gavin Slade et al., *Crime and Excessive Punishment: The Prevalence and Causes of Human Rights Abuse in Georgia's Prisons* (Tbilisi: Open Society Georgia Foundation, 2014), 17, http://www.osgf.ge/files/2015/Publication/Final_Report_ENG.pdf.

²⁶ Howard Varney, "Assessing the Prospects for Transitional Justice in Georgia," The International Center for Transitional Justice, February 23, 2017, 6, https://www.ictj.org/sites/default/files/ICTJ_Report_GeorgiaTJ_2017_EN.pdf.

²⁷ Gavin Slade et al., *Crime and Excessive Punishment: The Prevalence and Causes of Human Rights Abuse in Georgia's Prisons* (Tbilisi: Open Society Georgia Foundation, 2014), 34, http://www.osgf.ge/files/2015/Publication/Final_Report_ENG.pdf.

²⁸ Ibid., 60.

²⁹ Ibid., 52.

A Corrupt Judiciary Makes Matters Worse

However, it was not just the zero tolerance policy that was to be blamed for the human rights violations: the blatant lack of independence of the judiciary and the Prosecutor's Office facilitated the abuses in the criminal justice system. As Saakashvili demanded lower crime rates, the pressure on the judiciary and prosecutors increased. Prosecutors were subjected to massive pressure as they had to get guilty pleas or verdicts in order to achieve the zero tolerance policy.³⁰ One of such ways to meet the policy was to coerce the accused parties into accepting plea bargains. Many of the arrests and charges were applied inappropriately and most criminal cases failed to follow the law; therefore, plea bargains became necessary in "covering up [the] flaws" in the system.³¹ As well, the judiciary lacked any real independence as their decisions simply became a "rubber stamp" for the guilty pleas of the prosecution.³² As the practice of plea bargaining became more unwarrantable in the system, the judiciary became a part of the "state-sanctioned corruption" as it became more dependent on the political wills of the prosecution and the government.³³ Lacking an independent judiciary is a major problem as this prevents the proper restoration of law and order, and fails, what one would consider to be, a fundamental democratic principle of an independent court system.

The Georgian Dream Mandate: Restoring Justice

Even more abuses came to light than can be listed in this paper. However, as these violent and inhumane events became public knowledge, Saakashvili was on even shakier ground. The UNM won a majority in the 2008 election, but Saakashvili's popularity was plummeting.³⁴ When the videos of torture in Number 8 Gldani were leaked prior to the 2012 election, Saakashvili had no hope of winning another term. Instead, the coalition of parties under the GD gained a majority in the government with the promise to restore justice, as billionaire leader of the GD, Ivanishvili claimed.³⁵ Just as there was hope for substantive change following the Rose Revolution, people once more hoped for a transformation in Georgia, but this time by the GD. As this paper argues, there were some efforts for transitional justice, but not all steps were meaningfully done for said endeavour. Moreover, as this paper will highlight Georgia's process for transitional justice, it will also illuminate the ways in which the GD itself has facilitated further violations, proving itself to be (in some ways) no different from its predecessor.

³⁰ *Ibid.*, 61.

³¹ *Ibid.*, 14.

³² *Ibid.*

³³ *Ibid.*, 11.

³⁴ Robert C. Austin, "Confronting the Soviet and Post-Soviet Past in Georgia," in *Transitional Justice and the Former Soviet Union: Reviewing the Past, Looking toward the Future*, ed. Cynthia M. Horne and Lavinia Stan (Cambridge: Cambridge University Press, 2018), 248.

³⁵ Margarita Antidze, "Opposition Says Georgia Vote A Choice Between 'Good and Evil'," *Reuters*, September 22, 2012, <https://www.reuters.com/article/us-georgia-opposition/opposition-says-georgia-vote-a-choice-between-good-and-evil-idUSBRE88L0CX20120922>.

The Amnesty of Prisoners

To demonstrate the party's willingness to restore justice (especially for the abuse and torture of inmates), the GD quickly began the mass amnesty of almost half of the prison population.³⁶ Many had come forward wanting reparations for the abuses that occurred in the prisons and for the unfair legal processes that had either wrongly imprisoned or handed too harsh of a sentence to defendants.³⁷ Among those granted amnesties were individuals who were classified as political prisoners, persecuted by Saakashvili's regime.³⁸ Dramatically decreasing the prison population and amending the wrongs done to prisoners throughout the process was definitely a good place for the GD to start transitional justice. However, in what will quickly become a theme among GD's efforts, the granting of amnesties was a political decision, and the classification of political prisoners lacked transparency and legitimacy.

Koba Turmanidze, Director of the Caucasus Research Resource Center, hesitates to describe the amnesties as a fulfillment of transitional justice.³⁹ Turmanidze explains that using the amnesties, the GD gained the "flexibility to... inflate the meaning of political prisoner." In fact, the Venice Commission points out that the GD neither defined a 'political prisoner' nor did it provide the criteria it used to determine whether criminal cases had been political.⁴⁰ This obvious lack of transparency casts doubt on GD's actions, and begs the question of whether these amnesties were to address past abuses or to curry favour among supporters. Transparency, as sought by international watchdogs and this paper, does not require publishing the names of said prisoners, as this could lead to further abuse. Instead, a clear set of criteria would have buttressed the amnesties as legitimate efforts under transitional justice.

Turmanidze goes on to describe that very few of the cases would have qualified as political prisoners.⁴¹ "I don't think [the amnesties] had anything to do with any justice," explains Turmanidze.⁴² This is a sentiment echoed by Erekle Urushadze, Program Manager at Transparency International, who affirms that while everyone agreed amnesties were necessary for dealing with over-crowdedness and the harsh penalties given for nonviolent crimes, two more problems arose as a result: there "was no kind of consideration for individual cases" and many people were declared political prisoners without any clear indications of said classification.⁴³ Furthermore, once these prisoners were released, those who had suffered torture and abuse were greeted with only general

³⁶ Howard Varney, "Assessing the Prospects for Transitional Justice in Georgia," The International Center for Transitional Justice, February 23, 2017, 11, https://www.ictj.org/sites/default/files/ICTJ_Report_GeorgiaTJ_2017_EN.pdf.

³⁷ *Ibid.*, 10.

³⁸ *Ibid.*

³⁹ Koba Turmanidze (Director, Caucasus Research Resource Center), interviewed by Anahid Najafizadeh at CRRC Offices, February 19, 2019, Tbilisi.

⁴⁰ Howard Varney, "Assessing the Prospects for Transitional Justice in Georgia," The International Center for Transitional Justice, February 23, 2017, 10, https://www.ictj.org/sites/default/files/ICTJ_Report_GeorgiaTJ_2017_EN.pdf.

⁴¹ Koba Turmanidze (Director, Caucasus Research Resource Center), interviewed by Anahid Najafizadeh at CRRC Offices, February 19, 2019, Tbilisi.

⁴² *Ibid.*

⁴³ Erekle Urushadze (Program Manager, Transparency International), interviewed by Anahid Najafizadeh at TI Offices, February 20, 2019, Tbilisi.

rehabilitation programs and not specific ones so as to atone for the torture they suffered.⁴⁴ As such, the blanket decree of amnesty, while a necessary step towards restoring justice, was merely a political decision and demonstrates the GD's lack of will to deliver genuine transparency and justice.

Arresting Former UNM Officials – Just or Politically Motivated?

The GD, following its ascension to power, embarked on several high-profile arrests and trials of former UNM officials. The individuals targeted included those in the Ministries of Justice, Defence, and Internal Affairs, the mayor of Tbilisi, and most famously: Merabishvili (the former Interior Minister and Prime Minister) and Saakashvili himself.⁴⁵ Before delving into the nature of the aforementioned arrests, it is worth noting that in order for the abuses to have gone on for as long as they did during Saakashvili's presidency, those in high-ranking positions in the government must have known or instigated them. As such, if sufficient evidence proved criminal wrongdoings, then former UNM officials should have been brought to justice. However, many experts inside and outside of Georgia have pointed out that the arrests by the GD may not have directly aligned with the values of transitional justice, but rather promoted the GD's political interests.

The arrests proved to be a targeted method for removing the power of the UNM. The EU became increasingly worried as the number of arrests rose because it appeared as though the investigations and trials were being mishandled and rushed, and former UNM officials were being unnecessarily placed in pre-trial detention.⁴⁶ The investigations were not conducted by an impartial, independent third party, but rather by the partisan ministries and officials involved with those accused of crimes.⁴⁷ As Turmanidze explains, some of the charges were based on “real, substantive cases” of criminal violations; however, in order to please its electorate, the GD went too far.⁴⁸ Some of the outlandish accusations against Saakashvili and his officials overshadow what Turmanidze considers to be the serious allegations of human rights violations and abuse of power in “the state bureaucracy and law enforcement.”⁴⁹

The trials that came out of the arrests turned into show trials that helped consolidate the power of the GD, and Ivanishvili. It becomes plainly clear that for the GD, hollow rhetoric on transitional justice can disguise its politically charged efforts to weaken the opposition. When asked about political motivations, Urushadze answers that the GD was too eager to receive guilty convictions against its opponents and, subsequently, was willing to resort to unlawful measures.⁵⁰ Urushadze speaks of the Merabishvili case, which he describes as a case that would have been legitimate had it not been undermined

⁴⁴ Howard Varney, “Assessing the Prospects for Transitional Justice in Georgia,” The International Center for Transitional Justice, February 23, 2017, 12, https://www.ictj.org/sites/default/files/ICTJ_Report_GeorgiaTJ_2017_EN.pdf.

⁴⁵ *Ibid.*, 13.

⁴⁶ *Ibid.*, 14

⁴⁷ *Ibid.*

⁴⁸ Koba Turmanidze (Director, Caucasus Research Resource Center), interviewed by Anahid Najafizadeh at CRRC Offices, February 19, 2019, Tbilisi.

⁴⁹ *Ibid.*

⁵⁰ Erekle Urushadze (Program Manager, Transparency International), interviewed by Anahid Najafizadeh at TI Offices, February 20, 2019, Tbilisi.

by unlawful coercion tactics, like having Merabishvili removed from his cell and pressured into giving a guilty confession.⁵¹

These accusations of political motivations behind highly publicized arrests were dismissed by Ivanishvili in an interview with *Deutsche Welle*; when asked about Merabishvili's arrest, Ivanishvili replied, "Georgia... is about restoring justice," and not "political repression and selective justice."⁵² However, such dismissals of criticism are hard to accept when all government action seems to be pointed at removing the opposition, while only few of those accused of committing prison torture have been found guilty.⁵³

Judicial and Prosecutor's Reform: Overview

The next major set of reforms to restore justice came to the judiciary and the Prosecutor's Office. As elucidated previously, judges in criminal cases lacked any power in determining the course of a trial – prosecutors controlled the show. The justice system had become the way the Saakashvili government imprisoned opponents, cruelly enforced the zero tolerance policy, and ensured legal decisions would benefit only the UNM. Representatives of the Council of Europe explain that prior to GD's reforms, public trust of the prosecution had reached an all-time low of almost zero percent.⁵⁴ Both the judiciary and the Prosecutor's Office were overdue for meaningful reforms. First, the prosecutors must be separated from the judiciary. Second, independence must be afforded to the judiciary and the appointment of its judges to various courts, and to the General Prosecutor through the Prosecutors' Council.

Waves of Reform to the Prosecution: Paper versus Reality

Verdzeuli details that the GD has embarked on reforming the prosecution by conducting three distinct waves of reform: first, separating the Prosecutor's Office from the Ministry of Justice; second, establishing the independent Prosecutors' Council; third, amending the constitution so as to permanently separate the powers of the Ministry of Justice and the prosecution.⁵⁵ These efforts were to demonstrate the GD's commitment to making prosecutors independent and free from any pressure to meet a political goal.

Previous to these reforms, the Ministry of Justice had no degree of separation from the Prosecutor's Office. Following another set of reforms in 2015, the Chief Prosecutor (now called the General Prosecutor) was to be elected by the Prosecutors' Council, but this Council was chaired by the Minister of Justice.⁵⁶ As one of the members of a supposed

⁵¹ Erekle Urushadze (Program Manager, Transparency International), interviewed by Anahid Najafizadeh at TI Offices, February 20, 2019, Tbilisi.

⁵² Amalia Oganjanyan, "Georgian Prime Minister: 'It is All About Restoring Justice,'" *Deutsche Welle*, July 2, 2013, <https://www.dw.com/en/georgian-prime-minister-it-is-all-about-restoring-justice/a-16922005>.

⁵³ Erekle Urushadze (Program Manager, Transparency International), interviewed by Anahid Najafizadeh at TI Offices, February 20, 2019, Tbilisi.

⁵⁴ Council of Europe (Representatives of Various Programs), interviewed by University of Toronto ICM Students at Council of Europe Offices, February 19, 2019, Tbilisi.

⁵⁵ Sopho Verdzeuli (Director of Democracy and Justice Programme, Human Rights Education and Monitoring Center), interviewed by Anahid Najafizadeh at EMC Offices, February 19, 2019, Tbilisi.

⁵⁶ Agenda.ge, "Current Head of Gov't Administration On Verge of Becoming New Chief Prosecutor," *Agenda.ge*, July 11, 2018, <http://agenda.ge/en/news/2018/1472>.

independent committee, the Minister of Justice acted as the partisan chair that could dominate both the discussions and the final decision on the Chief Prosecutor. With the new constitutional amendments enacted in 2018, the Justice Minister is no longer a member of the Prosecutors' Council.⁵⁷ Instead of being beholden to the executive branch, the Council is now only responsible to the parliament.⁵⁸ Therefore, the elected General Prosecutor will not be pressured into acting in such a way that benefits the party controlling the executive.

While the aforementioned reforms and policies have established independence on paper, the reality is far from it. These reforms were meant to have made the process neutral and impartial, says Verdzeuli, but instead still allow for the GD to dominate the prosecution.⁵⁹ The General Prosecutor does not need the political consensus of the entire parliament; a simple majority in favour of the election of the prosecutor is enough to be approved.⁶⁰ The problem here lies in that the GD holds a supermajority in the parliament; the candidate the party approves of will be elected, as the opposition cannot gather enough votes to counter the GD's majority rule.

Furthermore, in order to test the true independence of the prosecution, the analysis of test cases, involving sensitive political issues or high-profile individuals, will reveal how the prosecution responds to accusations and whether it will act impartially by imposing criminal charges when necessary. Said analysis provides a bleak picture. Cases involving ill-treatment by law enforcement officers go largely ignored, with very few being charged; cases that Verdzeuli describes as sensitive and capable of forging social trust are also frozen.⁶¹ These test cases prove that among the Prosecutor's Office, even after significant reforms, there appears to be a lack of independence and impartiality.⁶²

What is even more distressing, is the possible lack of impartiality on behalf of the current General Prosecutor, Shalva Tadumadze. Elected prior to the recent constitutional changes, Tadumadze's ascent would have still involved the Minister of Justice. However, that is not the only problem. Instead, it is the fact that Tadumadze had previously worked as the personal lawyer to Ivanishvili and is affiliated with the current Minister of Justice, states Verdzeuli.⁶³ Tadumadze can be given the benefit of the doubt that he can put aside past alliances and act impartially, but the problem is more of a systemic one. Politics in Georgia has a history of polarization and imbedded corruption. Unfortunately, even following reforms, Georgia has not reached a point at which it can nominate a General Prosecutor who has established links with an unelected and powerful chairperson, and minister, and hope for the best. To be truly impartial, the General Prosecutor must be independent from all possible sources of government pressure. Otherwise, the prosecutor can still be "selective in the application of justice."⁶⁴

⁵⁷ Parliament of the Republic of Georgia, "Constitution of Georgia," Legislative Herald of Georgia, 2018, art. 65, <https://matsne.gov.ge/en/document/view/30346?publication=35>.

⁵⁸ Ibid.

⁵⁹ Sopho Verdzeuli (Director of Democracy and Justice Programme, Human Rights Education and Monitoring Center), interviewed by Anahid Najafizadeh at EMC Offices, February 19, 2019, Tbilisi.

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Thomas Hammarberg, *Georgia in Transition: Report on the Human Rights Dimension: Background, Steps Taken and Remaining Challenges* (Tbilisi: European Union, 2013), 16,

Reforming the Judiciary and Battling the Clan

During Saakashvili's presidency, judges were put in place to serve an ultimate purpose: to submit to the demands of the prosecution, and the government. According to Urushadze, judges had no independence (formal or substantive) from the Prosecutor's Office.⁶⁵ When facing a criminal case, judges were pressured into handing out convictions, without giving due regard to the complexities of the law. Turmanidze brings up the Constitutional Court and claims that it had been filled with Saakashvili's friends.⁶⁶ Furthermore, given that judges in the criminal system did not exercise powers to stop the prosecution, many judges were seen as being responsible for delivering verdicts to wrongly imprison dissenters and the opposition. Georgia faced criticism and pressure from the EU to reform the judiciary and rebuild an independent system following a report on the challenges to human rights by Hammarberg.⁶⁷

Once again, the constitutional amendments taking place last year were instrumental in facilitating change in the judiciary. The amendments aimed at establishing independence and increasing the transparency and merit-based process of judicial appointments, which had been recommended by the Venice Commission as part of the necessary and "profound reforms" the judiciary must go through in order to be independent and impartial.⁶⁸ The constitution is explicit in determining the judiciary as being independent, and judges free from any pressure or interference meant to influence their judgments.⁶⁹ Hatia Jinjikhadze, Deputy Director and Media Program Manager at OSGF, compares the "disproportionately high" number of guilty verdicts in Saakashvili's time to much lower numbers today, which shows a considerable change.⁷⁰ Moreover, there were significant reforms implemented in order to change the nomination procedure of judges to various courts, most importantly the Supreme Court of Georgia. First, the number of seats in the Supreme Court increased to 28, requiring the High Council of Justice to nominate more judges to then be approved by a majority of the parliament.⁷¹ Said nominations were to show transparency and ratify the independence of the judges.

To return to the theme of this paper, the reforms to make the judiciary independent and the nominations of judges impartial has been effective on paper. The public actions taken by the High Council of Justice appear to follow the letter of the law; however, in reality, the judiciary is still far from independent. Before analyzing current events in

http://eeas.europa.eu/archives/delegations/georgia/documents/human_rights_2012/20130920_report_en.pdf.

⁶⁵ Erekle Urushadze (Program Manager, Transparency International), interviewed by Anahid Najafizadeh at TI Offices, February 20, 2019, Tbilisi.

⁶⁶ Ibid.

⁶⁷ Howard Varney, "Assessing the Prospects for Transitional Justice in Georgia," The International Center for Transitional Justice, February 23, 2017, 17,

https://www.ictj.org/sites/default/files/ICTJ_Report_GeorgiaTJ_2017_EN.pdf.

⁶⁸ Howard Varney, "Assessing the Prospects for Transitional Justice in Georgia," The International Center for Transitional Justice, February 23, 2017, 12,

https://www.ictj.org/sites/default/files/ICTJ_Report_GeorgiaTJ_2017_EN.pdf.

⁶⁹ Parliament of the Republic of Georgia, "Constitution of Georgia," Legislative Herald of Georgia, 2018, art. 63, <https://matsne.gov.ge/en/document/view/30346?publication=35>.

⁷⁰ Hatia Jinjikhadze (Deputy Director and Media Program Manager, Open Society Georgia Foundation), interviewed by Anahid Najafizadeh and Sanjana Shah at OSGF Offices, February 21, 2019, Tbilisi.

⁷¹ Parliament of the Republic of Georgia, "Constitution of Georgia," Legislative Herald of Georgia, 2018, art. 61, <https://matsne.gov.ge/en/document/view/30346?publication=35>.

Georgia that demonstrate the above, this paper will discuss the power of the so-called Clan of judges. Ghia Nodia, Director of the International School of Caucasus Study at Ilia State University, describes that when Saakashvili came to power, he replaced all of the Shevardnadze-era judges with new ones; however, the new ones lacked independence and were made obedient to the government.⁷² Many of these judges remain today and have morphed into a group of roughly 30 judges called the Clan.⁷³ Instead of removing the Clan from power, Jinjikhadze says that Ivanishvili struck a deal with these judges, who now have become subservient to his demands.⁷⁴ The Clan permeates at all levels of the judiciary and provides a network to have great influence over judicial decisions.⁷⁵ According to Jinjikhadze, the Clan manages the system.⁷⁶ Nodia goes on to explain that when someone says something negative about the Clan, they are stripped of their powers.⁷⁷

Theoretically, the laws regarding appointments of judges are impartial and have been followed, but the spirit of the law has been discarded. The aforementioned is true due to the following premises: first, the Clan was indoctrinated to be obedient to the government by Saakashvili. Second, Ivanishvili has taken advantage of such indoctrination and linked the Clan to the current administration. Third, when linked to the government, the members of the Clan are perceived to be more powerful. So then fourth, such linkage affords the Clan informal power, but with this power comes the responsibility to follow government demands.

Testing the Independence of the Judiciary

A scan of current events involving sensitive political trials or high-profile nominations elucidate the substantive lack of independence among the judiciary. Following the adoption of the constitutional amendments, the High Council of Justice was tasked with the nomination of Supreme Court judges to fill the 28-member requirement; Georgia only has 11 such judges, thereby needing another 17 to be voted in.⁷⁸ Given the agreements Georgia has made with the EU to adopt Strategies and Action Plans to reform the judiciary, most people expected the list of nominations to become public ahead of time, with a clear set of criteria to explain the basis of each nomination. However, the High Council of Justice did not act in accordance with said assumptions. On December 24, 2018 the Council released the names of 10 judges it had nominated to the Supreme Court, which then required a simple majority approval by the parliament.⁷⁹ The High Council of Justice blindsided international watchdogs and domestic civil society

⁷² Ghia Nodia (Director of the International School of Caucasus Study, Ilia State University), interviewed by University of Toronto ICM Students at Ilia State University, February 22, 2019, Tbilisi.

⁷³ Hatia Jinjikhadze (Deputy Director and Media Program Manager, Open Society Georgia Foundation), interviewed by Anahid Najafizadeh and Sanjana Shah at OSGF Offices, February 21, 2019, Tbilisi.

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Ghia Nodia (Director of the International School of Caucasus Study, Ilia State University), interviewed by University of Toronto ICM Students at Ilia State University, February 22, 2019, Tbilisi.

⁷⁸ "CSOs Slam Judicial Council's Supreme Court Nominations," Open Society Georgia Foundation, December 25, 2018, <https://osgf.ge/en/csos-slam-judicial-councils-supreme-court-nominations/>.

⁷⁹ Ibid.

organizations (CSOs) by nominating 10 individuals without any public scrutiny or transparent criteria.⁸⁰

Criticism of the Council's action came swiftly, from both the EU Delegation and CSOs. Asuncion Sanchez Ruiz, Head of Political, Press and Information Section at the Delegation of the EU to Georgia, had expected the appointment of judges to proceed after the adoption of rules that would explicitly define the process.⁸¹ A lack of transparency with the nominations would undermine the entire process of judicial reforms. Deputy Head of the EU Delegation Carlo Natale shares the same sentiment, stating that institutional issues in the judiciary, like the nomination of judges, must come up to par.⁸² Furthermore, experts in CSOs pointed out that many of the judges named in the list had served under Saakashvili's presidency and "used to deliver unfair verdicts under the [UNM] leadership."⁸³ Since no guidelines were offered to the public, it became hard for experts to substantiate the nomination of judges who had previously, while completely obedient to political forces, dealt verdicts that led to the miscarriage of justice.

Another group vocal with criticism is a section of the GD itself. Some GD members or their affiliates had been the victims of unfair criminal proceedings under these former Saakashvili judges, and, as such, will not support the nomination of the 10 candidates.⁸⁴ The internal tension, however, has not gone over well. One of the GD members who has criticized the nominations, Eka Beselia, is now facing a public scandal as a video of her of a sexual nature has been publicly released.⁸⁵ Giorgi Gotsiridze, constitutional litigation lawyer of the Georgian Young Lawyers' Association, argues the release of the sex tape is no coincidence.⁸⁶ "Covertly recorded" archives of sex tapes by Saakashvili's government were said to have been expunged by the GD yet any time a new political crisis arises (that threatens the current government), another video from the archive is found, Gotsiridze points out.⁸⁷ Sex-tape scandals are not a new form of political pressure, but the ongoing release of sex tapes when it suits the GD points out the obvious: the party has not moved beyond the political smear tactics and motives of its predecessor. Furthermore, taking a step back and looking at the political motives behind releasing this tape, it appears as though the GD is unwilling to accept criticism when it comes to the proper reform of the judiciary and the transparency of the High Council of Justice.

⁸⁰ Ibid.

⁸¹ Asuncion Sanchez Ruiz (Head of Political, Press and Information Section, Delegation of the EU to Georgia), interviewed by Anahid Najafizadeh at EU Delegation Offices, February 20, 2019, Tbilisi.

⁸² Carlo Natale (Deputy Head of Delegation, Delegation of the EU to Georgia), interviewed by University of Toronto ICM Students at EU Delegation Offices, February 20, 2019, Tbilisi.

⁸³ Agenda.ge, "Venice Commission Ready to Help Georgia Make Clear Procedures for Selection of Judges," *Agenda.ge*, March 13, 2019, <http://agenda.ge/en/news/2019/698>.

⁸⁴ Ibid.

⁸⁵ Alan Crosby, "Georgia Might Be Led By a Woman, But That Hasn't Stopped the Sex Smears," *Radio Free Europe/Radio Liberty*, January 29, 2019, <https://www.rferl.org/a/georgia-might-be-led-by-a-woman-but-but-that-hasn-t-stopped-the-sex-smears/29740145.html>.

⁸⁶ Giorgi Gotsiridze (constitutional litigation lawyer, Georgian Young Lawyers' Association), interviewed by Anahid Najafizadeh and Gloria Dragić at GYLA Offices, February 21, 2019, Tbilisi.

⁸⁷ Ibid.

What Makes Georgia Different: Double Standards or a Unique Political Situation?

When it comes to judicial reform, the demands of third parties like the Venice Commission, CSOs, and other EU bodies are warranted. As well, Georgia is demonstrating a willingness to reform its institutions, as the parliament recently sought the opinion of the Venice Commission in order to create “clear and transparent procedures for the selection and appointment of judges” to the Supreme Court following the criticism it faced in December.⁸⁸ Furthermore, Ruiz explains that the GD government is very receptive to what the EU Delegation has to say, which provides the EU a lot of leverage to increase engagement with democracy and rule of law.⁸⁹ However, at times one can wonder whether too much is being asked of Georgia, in terms of EU integration at least, relative to western Member States. As Ruiz rightly points out, in many western states the government, through its justice department or presidential appointments, is involved with the judiciary.⁹⁰ While the judges are still independent, justices in the US Supreme Court require the nomination of the President. Why can Georgia not have the same level of government involvement in the nomination process? Nodia argues that it comes down to the political culture of the country.⁹¹ A cultural change needs to occur where judges truly feel independent from, and no longer think it pays to be obedient to, the executive.⁹²

Verdzeuli and Urushadze both answer the previous question by pointing out the lack of political will for change and Georgia’s one-party system.^{93, 94} Verdzeuli speaks of the effects of the constitutional changes regarding the prosecutors and argues that while the reforms look good on paper, real independence will not be achieved until the GD’s political will changes and allows for consensus decision-making.⁹⁵ When the approval of the General Prosecutor requires a simple majority among parliament, the only candidate that will win is the one that the GD approves of, because of their majority power. Therefore, Verdzeuli suggests that not only should the heads of impartial institutions require approval through consensus, but that the parliament itself should also represent different interest groups – not just the GD.⁹⁶

Urushadze also argues that the reason why Georgia is different from EU Members goes back to the country’s fundamental problem: it is a one-party state that lacks a

⁸⁸ Agenda.ge, “Venice Commission Ready to Help Georgia Make Clear Procedures for Selection of Judges,” Agenda.ge, March 13, 2019, <http://agenda.ge/en/news/2019/698>.

⁸⁹ Asuncion Sanchez Ruiz (Head of Political, Press and Information Section, Delegation of the EU to Georgia), interviewed by Anahid Najafizadeh at EU Delegation Offices, February 20, 2019, Tbilisi.

⁹⁰ Ibid.

⁹¹ Ghia Nodia (Director of the International School of Caucasus Study, Ilia State University), interviewed by University of Toronto ICM Students at Ilia State University, February 22, 2019, Tbilisi.

⁹² Ibid.

⁹³ Sopho Verdzeuli (Director of Democracy and Justice Programme, Human Rights Education and Monitoring Center), interviewed by Anahid Najafizadeh at EMC Offices, February 19, 2019, Tbilisi.

⁹⁴ Erekle Urushadze (Program Manager, Transparency International), interviewed by Anahid Najafizadeh at TI Offices, February 20, 2019, Tbilisi.

⁹⁵ Sopho Verdzeuli (Director of Democracy and Justice Programme, Human Rights Education and Monitoring Center), interviewed by Anahid Najafizadeh at EMC Offices, February 19, 2019, Tbilisi.

⁹⁶ Ibid.

pluralistic system.⁹⁷ The solution proposed by Urushadze is to have an electoral system based on complete proportional representation (PR).⁹⁸ While the 2018 constitutional amendments require a PR system to be in place for the 2024 parliamentary election, Urushadze believes this should be coming sooner for the elections being held next year.⁹⁹ The core part of reforms must be to the electoral system, says Urushadze, as this will make another GD supermajority unlikely.¹⁰⁰ When one party holds an almost three-quarter majority and can control the appointment of institution heads (through what could be a legitimate practice of making parliaments approve the final candidate) no institution will be truly impartial, regardless of what the law says.

Conclusion

The successful restoration of justice requires years of efforts and reforms, making it a complex process. Viewing it as a process allows for one to draw both optimistic and pessimistic visions for the future of Georgia's efforts. It is important to not lose sight of the reforms that have taken place, in both the Saakashvili and GD governments. Saakashvili remains a divisive figure, and his legacy is as complicated. His leadership of the Rose Revolution facilitated a transformation that has set Georgia apart from its neighbours. The country has moved past its post-Soviet status to further prove itself a willing partner in European integration. It would be difficult to imagine Georgia as modernized as it has become today without the reforms Saakashvili instigated to the police force and the public service. What does taint his legacy was his steadfast commitment to state-building and eradication of crime and corruption, at the cost of violating the human rights of the people in his state. Saakashvili's legacy serves as a cautionary tale: state-building requires the support of the people, and no one will support the creation of a state that displays a flippant disregard for the fundamental rights of citizens.

It is noteworthy to point out that Georgia, through the GD, has been willing to acknowledge the human rights violations that occurred and publicly support the restoration of justice. Countries with even worse atrocities have failed to deliver the same rhetoric. Therefore, to be in a position where one can critique the ongoing reforms to the ministries, judiciary, and prison system means that reforms *are* taking place. Moreover, when criticized, the GD has approached EU bodies to seek advice and redress reforms. The EU is not forcing such an association – Georgia wants to cooperate, as it should.

Nevertheless, recognizing the position Georgia is in does not mean turning a blind eye to the shortcomings of reforms or continued miscarriages of justice. Pressure must remain to ensure that transitional justice is carried out in such a way that effectively changes the political will and mindset of Georgia. If judges need to believe they are independent in order to act accordingly, that is a change of power dynamics that pages of impartial policies cannot alter. Granting amnesties to prisoners while knowing that many had been tortured, but not providing the tools and services of rehabilitation to address their experiences seems like a half-hearted effort that otherwise could have been

⁹⁷ Erekle Urushadze (Program Manager, Transparency International), interviewed by Anahid Najafizadeh at TI Offices, February 20, 2019, Tbilisi.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

deservedly applauded. Even with the steps taken and the promises offered, transitional justice efforts have been a failure; the GD has engaged in selective justice that has done more to advance its supermajority power than genuinely address the abuses of the past. It goes without saying that the GD will not be in power forever. If the next parliamentary election in 2020 results in the GD losing seats, or even a majority win by the opposition, will the minimal transitional justice efforts be maintained? The answer should be yes based on the reforms and amendments in writing, but Georgia appears to operate under a theme of paper versus reality. Much like how integration with the EU has become an ingrained institutional understanding that transcends political administrations, transitional justice should be viewed similarly. Transitional justice is not a political tool for the GD to consolidate power and target its opposition. Addressing the harms of the past is not to gain the approval of the EU. Transitional justice is for Georgia and its people, for the restoration of trust, and for the healing of wounds that weakened the democratic stability of a nation.

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Feminism v Patriarchy: Georgia's European Integration Efforts Through Female Political Participation

Tami Piovesan

Introduction

In 1184, Queen Tamar began her 29-year rule that would become known, at least in popular lore, as the most successful period in Georgian history. Despite her accession to the throne being challenged by numerous noblemen, Tamar would be the first woman to rule Georgia independently. Tamar's sex became a central issue during her sovereignty, and surrounding nations – ruled by men – viewed Georgia as inferior for having a queen as their sovereign. However, during Tamar's reign, Georgia reached its most vast territorial expansion, including the areas of historic Georgia, Armenia, and Azerbaijan. Her military power was felt across Arab and Seljuk territories as far as eastern Persia. Over the centuries, she has become the symbol of Georgia's 'Golden Age,' with the country hitting its cultural climax during this time. She shaped a Georgia that was seen as successful and glorious. She was shown to have both the powerful masculine attributes that a strong traditional ruler must have while simultaneously having the ideal feminine beauty. Tamar became known as the King of Kings.¹ Even in the twelfth-century Georgian society was ready for gender equality.

Many eras later, Georgian society is once again ready for gender equality, but the government is not. In 2014, a public opinion poll conducted by the National Democratic Institute (NDI) found that half of the Georgian population believe that increasing the number of women in parliament would have a positive impact on the country. The same poll found that 64 per cent of the population does not believe that there is gender equality in Georgia, an additional six per cent stated that they did not know what 'gender equality' meant. Further, this lack of equality was not only identified by 64 per cent of women, but 62 per cent of men also noticed this discrepancy.² Throughout recent years the government of Georgia has shown a willingness to create change by signing an Association Agreement (AA) with the European Union (EU). This agreement focuses on bringing the country and the EU closer both economically and politically. The agreement has outlined some gender imbalances within the country, suggesting changes to laws impacting sexual harassment and improvement of overall equality. While the government has attempted to implement changes specifically within parliament through soft gender quotas, the effort was met with failed results. Further, many obstacles, caused by myths, have attempted to keep women out of Georgian politics. These myths have endured over many years and continue to block and discourage women from joining politics. Said myths and

¹ Eastmond, Antony. 1998. "The Imagery of Queen Tamar (1184-1213)." In *Royal Imagery in Medieval Georgia*, 93-187. University Park: The Pennsylvania State University Press: p. 93-110

² National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019. https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

obstacles withstand without any attempt to implement changes to help women in politics or to discontinue these fallacies.

Additionally, the new constitutional amendments have made presidential powers almost obsolete, making the office of the president a purely ceremonial position. These changes have made the election of a female president almost irrelevant since she cannot influence much change in support of feminist views. Finally, the influence the EU has on Georgia has persuaded the government to make changes to some issues that affect women. While the Georgian government has shown willingness to implement policies that will positively impact women, they have yet to implement any policies to even the playing field for women in politics. Using secondary source research and information collected from nine personal interviews with academics and Georgian stakeholders, this paper will attempt to examine the Georgian government's lack of willingness to enact change that will create equality in politics, despite demands and support from the majority of the Georgian population. While Georgian society has moved forward in support of women's political participation, the government has failed to do the same as it continues to facilitate gender inequality by preventing the implementation of reforms that would make the political process more inclusive for women.

Electoral System

Since 2004, following the events of the Rose Revolution, Georgia has been considered a semi-presidential democratic republic. The president acted as head of state, while the prime minister acted as head of government and head of the Cabinet of Ministers.³ There are 150 members of parliament, elected through a mixed electoral system. Since the implementation of the electoral system until the most recent elections in 2018, 77 members of parliament were elected by party ballot list, a proportionate representation system (PR), and 73 members of parliament were elected by single-mandate districts, a majoritarian system. To enter parliament, political parties had to receive five per cent of the vote to be included in the allocation of proportional representation seats.⁴ Constitutional amendments adopted in 2017, commencing implementation following the 2018 presidential election, have made changes to the way the electoral system will function in the future and the political system as a whole. Beginning in 2020 the electoral threshold for political parties will be lowered from five per cent to three per cent. Further, in 2024 the electoral system for parliamentary members will be changed to only proportional representation. Finally, the president will be elected through an electoral college system by a special counsel, also beginning in 2024.⁵ All of these constitutional amendments have changed the political system of Georgia away from a semi-presidential system towards a parliamentary system. While

³ Nakashidze, Malkhaz. 2016. "Semi-Presidentialism in Georgia." In *Semi-Presidentialism in the Caucasus and Central Asia*, edited by Robert Elgie and Sophia Moestrup, 119-142. London: Palgrave Macmillan: p. 119-120

⁴ Government of Georgia. 1995. "The Constitution of Georgia, 2006 amendments ." August 24. Accessed February 10, 2019. http://www.parliament.ge/files/68_1944_951190_CONSTIT_27_12.06.pdf.

⁵ Agenda.ge. 2019. "New bill to make sexual harassment punishable offence in Georgia." February 4. Accessed March 15, 2019. <http://agenda.ge/en/news/2019/330> : Georgia, Departments of the Parliament of. 1995. "Constitution of the Republic of Georgia, 2018 amendments." *Legislative Herald of Georgia*. August 24. Accessed March 14, 2019.

these amendments may make Georgia more progressive, some of these changes will have problematic implications for women in politics.

Historically, PR systems produce greater representation of women in parliament; however, this is only true in consolidated democracies.⁶ Academics have found that in post-communist states women do marginally better in majoritarian or single-member district (SMD) elections than women in the West, but fair worse in PR elections.⁷ In Georgia, the parliamentary system uses a closed party-list system of PR. This essentially means that each political party orders their candidates prior to the election. Instead of voting for a particular candidate, voters choose which party they would like to win. Seats are distributed based on how the party listed their candidates, therefore the top candidates are the most likely to enter parliament, while those on the bottom of the list are less likely.⁸ The use of closed party lists over open party lists in regard to female representation is heavily debated. Closed list systems are preferable over open list systems towards female inclusion in traditional societies. Systems where candidates are more visible (open list systems, SMD) might lead to fewer female nominations if the party does not believe that voters will support them. These nominations potentially reduce electoral success and the party's chance of winning.⁹ However, if female politicians are even named on the closed list, they are frequently placed in an unfavourable, or ornamental, position. More often than not, they are positioned lower on closed list systems and it takes more votes for them to be elected to government.¹⁰ Closed list systems are only preferable when parties are more supportive than voters are for female candidates.¹¹ In the 2012 parliamentary elections, of the 2,757 candidates that ran 783 (28.4 per cent) of them were women. While only 12 per cent of the 783 women were elected to parliament. This is unusual compared to most elections internationally. It is much more common that the number of female candidates elected approximates the female candidates that ran. While this discrepancy can be partially explained by the 2,313 candidates that contested the 77 proportional seats, it still does not completely explain the 16.4 per cent discrepancy. Ultimately, only 14.3 per cent of the candidates elected through the PR system were female.¹² It is probable that many of the female candidates on the closed party lists were placed lower on the list and were, therefore, less likely to enter parliament. A few further changes could be made to the electoral system to improve women's ability to enter into parliament.

⁶ Moser, Robert G. 2001. "The effects of electoral systems on women's representation in post-communist states." *Electoral Studies* (Pergamon) 20: 353-369: p. 353

⁷ (Ibid, 365)

⁸ fairvote.org. 2019. "Variations of Party List Proportional Systems: Closed List, Open List and Free List." Accessed March 3, 2019. <http://archive.fairvote.org/factshts/partylst.htm>.

⁹ Allik, Mirjam. 2015. "Who stands in the way of women? Open vs. closed lists and candidate gender in Estonia." *East European Politics* 31 (4): 429-451: p. 430

¹⁰ Golder, Sona N., Laura B. Stephenson, Karine Van der Straeten, André Blais, Damien Bol, Philipp Harfst, and Jean-François Laslier. 2017. "Votes for Women: Electoral Systems and Support for Female Candidates." *Politics & Gender* (Cambridge University Press) 13 (1): 107-131.

¹¹ Allik, Mirjam. 2015. "Who stands in the way of women? Open vs. closed lists and candidate gender in Estonia." *East European Politics* 31 (4): 429-451: p. 431

¹² Connolly, Eileen, and Karolina Ó Beacháin Stefańczak. 2015. "Women's Political Representation in Post-Soviet Republics: Parliamentary Elections in Georgia and Abkhazia." *Studies of Transition States and Societies* 7 (1): 41-57: p. 48

Closed list PR systems only improve women's representation if all parties support female candidates to the same extent. However, party-level research found that left-wing parties are more likely to be supportive of female candidates and tend to have more female candidates in higher positions or first list positions in the party. Therefore, the closed party list is only effective if the country's party system was dominated by political parties who are supportive of female candidates.¹³ Of the two major parties in Georgia, the United-National Movement (UNM) is considered to be the most centre-right party, but it identifies as 'liberal.' Yet the UNM is the strongest opponent to the implementation of gender quotas and has a poor record of nominating women, with only 17 women (11 per cent) on their party list in 2012¹⁴. The Georgian Dream Party identifies itself as a left-wing social democratic party, however, it has closely aligned itself with the Orthodox Church and party leaders have expressed conservative ideals. While it has nominated more women than the UNM, the Georgian Dream only included 33 women on its party list (16.5 per cent) in 2012. Interestingly, it is the right-wing Christian Democratic Union party (CDU) that has been the most supportive of female candidates, nominating 47 women (28.8 per cent) to its party list in 2012.¹⁵ While both major parties, the Georgian Dream and the UNM, claim to be 'liberal' neither party is extremely supportive of female candidates, proving that the closed list PR system is not functioning in its best capacity. Due to parties being more biased than voters, it can be argued that in egalitarian and progressing societies where voters are more welcoming to the idea of more female politicians, open list PR is more effective at electing women to parliament.¹⁶ The results of a public poll carried out by NDI in 2014 show that 55 per cent of citizens believe that there are too few female members of parliament (17 out of 150 in 2014). Over half of the Georgian voting population is open to including more women in parliament¹⁷, yet the government has not taken corroborative action to improve the prospects for females entering politics. If the system was changed to an open list PR system, it could increase the number of women in parliament since it appears that voters are more open to including a higher number of women in parliament than political parties are in Georgia.

Further, similar to many national delegations, Georgia's legislature also underrepresents women compared to the proportion of female voters.¹⁸ While 59 per cent of the voting population in Georgia is female, only 14.5 per cent of the current legislature

¹³ Allik, Mirjam. 2015. "Who stands in the way of women? Open vs. closed lists and candidate gender in Estonia." *East European Politics* 31 (4): 429-451: p. 432 ; Kunovich, Sheri. 2003. "The Representation of Polish and Czech Women in National Politics: Predicting Electoral List Position." *Comparative Politics* 35 (3): 273-291: p. 282

¹⁴ Connolly, Eileen, and Karolina Ó Beacháin Stefańczak. 2015. "Women's Political Representation in Post-Soviet Republics: Parliamentary Elections in Georgia and Abkhazia." *Studies of Transition States and Societies* 7 (1): 41-57: p. 47-49

¹⁵ Ibid

¹⁶ Allik, Mirjam. 2015. "Who stands in the way of women? Open vs. closed lists and candidate gender in Estonia." *East European Politics* 31 (4): 429-451: p. 431

¹⁷ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019. https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

¹⁸ Golder, Sona N., Laura B. Stephenson, Karine Van der Straeten, André Blais, Damien Bol, Philipp Harfst, and Jean-François Laslier. 2017. "Votes for Women: Electoral Systems and Support for Female Candidates." *Politics & Gender* (Cambridge University Press) 13 (1): 107-131.

is made up of women.¹⁹ One of the key reasons for a weak correlation between the use of a PR system and an increase in the number of female candidates is due to the absence, or implementation of weak, gender quotas.²⁰ In 2012, the Georgian government implemented soft gender quotas prior to the parliamentary elections. A ten per cent increase of state funding to the political party was offered in exchange for the fulfilment of a 20 per cent gender quota that was equally distributed throughout the party list,²¹ with two women per every ten candidates.²² However, this new measure had minimal impact. Tamar Dekanosidze, a lawyer and project coordinator at the Georgian Young Lawyers' Association, stated that "it [the gender quotas] had no effect I would say."²³ This was the general consensus from the majority of interviewees. While gender quotas had good intentions, they were not implemented properly. Etuna Nogaideli, a former Gender Programme coordinator at the Heinrich Boll Foundation, stated that "no big parties [the Georgian Dream or the United National Movement] considered the quota or the increase in funding. The funding was such a low amount that only really small parties cared about the 10 per cent increase."²⁴ While Salome Mukhuradze, a senior program officer at the Eastern Europe Centre for Multiparty Democracy (EECMD), stated, "neither of the ruling parties used it as a tool – a businessman might have had more money to offer them than the 10% increase in state funding."²⁵ Of the four influential political parties, three did not fulfil the quota criteria.²⁶ The ultimate failure of the optional quotas can be mainly attributed to the lack of participation by the two main parties, the Georgian Dream and the UNM. Neither party met the 20 per cent minimum to fulfil the quota.²⁷ An additional issue with the soft gender quotas was that the placement of the female candidates, 2 per 10 candidates, was not properly followed. While the Labour Party of Georgia met the 20 per cent gender quota, they ranked four women in the first 20 candidates, but then neglected to place any female candidates from 19 through 49 on the list.²⁸

If Georgia would like to continue its EU aspirations, they will have to comply with the European Council's mandate that requires 30 per cent of the under-represented sex to be included in national delegations.²⁹ An increase in female representation to 30 per cent in the parliament would align with findings of a 2014 public opinion poll that showed

¹⁹ Stefańczak, Karolina Ó Beacháin. 2015. "Georgian Politics: Gender Imbalance and Women's (Under) Representation." *Caucasus Analytical Digest* 71: 2-6: p. 2

²⁰ Connolly, Eileen, and Karolina Ó Beacháin Stefańczak. 2015. "Women's Political Representation in Post-Soviet Republics: Parliamentary Elections in Georgia and Abkhazia." *Studies of Transition States and Societies* 7 (1): 41-57: p. 46.

²¹ Stefańczak, Karolina Ó Beacháin. 2015. "Georgian Politics: Gender Imbalance and Women's (Under) Representation." *Caucasus Analytical Digest* 71: 2-6: p. 3

²² Connolly, Eileen, and Karolina Ó Beacháin Stefańczak. 2015. "Women's Political Representation in Post-Soviet Republics: Parliamentary Elections in Georgia and Abkhazia." *Studies of Transition States and Societies* 7 (1): 41-57: p. 50

²³ Dekanosidze, Tamar, interview by Author. 2019. (February 21).

²⁴ Nogaideli, Etuna, interview by Author. 2019. (February 18).

²⁵ Mukhuradze, Salome, interview by Author. 2019. (February 22).

²⁶ Connolly, Eileen, and Karolina Ó Beacháin Stefańczak. 2015. "Women's Political Representation in Post-Soviet Republics: Parliamentary Elections in Georgia and Abkhazia." *Studies of Transition States and Societies* 7 (1): 41-57: p. 50

²⁷ *Ibid*, 44

²⁸ *Ibid*, 50

²⁹ Council of Europe. 2018. "National Delegations." Accessed March 3, 2019. <https://www.coe.int/en/web/congress/national-delegations>.

that 70 per cent of Georgian citizens think that the number of women in parliament should be at least this plentiful.³⁰ If the system were to remain as a closed list PR system, an increase in female participation could only be made more successful through the implementation of mandatory gender quotas or placement mandates. Anna Khizanishvili, a human rights lawyer working for the United Nations in Georgia, clarified that “if no quotas are passed it is unlikely that women will be involved voluntarily.”³¹ It is clear that soft gender quotas are not going to be properly followed by political parties. Gender quotas mandated by law would be the only way that political parties would be more inclined to follow them. Dekanosidze argued that “if there are mandatory quotas sanctioned by the law, yeah, I think they would work, they would be a good option. The number of women politicians does not grow without intervention so mandatory quotas would be a good idea.”³² It is relatively unlikely, though, that the Georgian parliament would be willing to implement these quotas on its own. Tamar Jakeli, a prominent figure in the feminist movement in Georgia, pointed out that, “men [would] use quotas to discredit women. You [female politicians] are only in parliament because the state wants to appear more feminist, or more democratic to the West.”³³ While Kornely Kakachia, a professor of political science at Tbilisi State University and Director of the Georgian Institute of Politics argued that, “because of these [gender quotas] parties will feel like they have to sideline some men, so that will not get the support of political parties.”³⁴ In a 2014 public opinion poll, 68 per cent of respondents stated that they would support the parliament adopting mandatory gender quotas.³⁵ It will take external pressure from Georgian citizens and the European Union to force the government to implement gender quotas. Further, the gender quotas would have to include a placement mandate as well to ensure that women are evenly distributed throughout the closed party list system. Nogaideli pointed out, “they [political parties] will put women in positions where they will never actually go to the parliament because it does not state where women [should] be and they will, of course, place them in unelectable positions.”³⁶ In order for any implemented quotas to be successful, this additional placement mandate would secure spots at the top of the party list for women, increasing the possibility that they will enter parliament.

³⁰ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019. https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

³¹ Khizanishvili, Anna, interview by Author. 2019. (February 21).

³² Dekanosidze, Tamar, interview by Author. 2019. (February 21).

³³ Jakeli, Tamar, interview by Author. 2019. (February 23).

³⁴ Kakachia, Kornely, interview by Author. 2019. (February 18).

³⁵ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019. https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

³⁶ Nogaideli, Etuna, interview by Author. 2019. (February 18).

Parliamentary System

The parliament exercises legislative power regulates domestic and foreign policy and controls the activities of the government within the framework outlined by the Constitution.³⁷ Following the most recent parliamentary elections that took place in December of 2016, three main political parties emerged in Georgia: the Georgian Dream, the UNM, and the Alliance of Patriots.³⁸ Georgian Dream was able to easily reclaim their position as the majority party, while UNM remains the official opposition. Unlike the 2012 elections, which resulted in multi-party ruling coalitions, the most recent election resulted in the parliament being dominated by two major parties that radically oppose one another.³⁹ Through the PR party list system, Georgian Dream received 48.67 per cent of the vote (44 seats), while United National Movement received 27.11 per cent (27 seats) and Alliance of Patriots 5.01 per cent (6 seats). An additional 71 members from the Georgian Dream party were elected by the majority system, one member from Industry Will Save Georgia party, and one independent.⁴⁰ Of the elected members of parliament, only 22 are female, or 14.8 per cent, placing Georgia 139th of 193 countries in reference to the number of women in their national delegation.⁴¹ While a 2014 public opinion poll found that 74 per cent of the population believe that men and women would do an equally adequate job as members of parliament⁴², there has never been more than 15 per cent sitting female members of parliament.⁴³ However, it is not only a flawed electoral system that prevents women from entering politics. There are a number of internal and external obstacles that women must deal with on their way to gaining success in the political sphere. Some of the most prominent myths, identified in a 2017 study, completed with the assistance of the United Nations Development Programme for Gender Equality on the internal party obstacles for women included – the need for women to establish ‘masculine qualities’ to be successful in politics, women can only be successful in politics if they are brought into the party or supported by men, women prefer different jobs or marriage over involvement in politics, family barriers, and the patriarchy.

³⁷ Government of Georgia. 1995. "The Constitution of Georgia, 2006 amendments ." August 24. Accessed February 10, 2019. http://www.parliament.ge/files/68_1944_951190_CONSTIT_27_12.06.pdf.

³⁸ Administration of the Government of Georgia. 2016. "Georgian Parliamentary Elections 2016: Preliminary results." Accessed March 3, 2019.

³⁹ Avalishvili, Levan. 2016. *Parliamentary Election Results - Challenges of Democratic Development in Georgia*. October 19. Accessed March 17, 2019. <https://idfi.ge/en/results-of-2016-parliamentary-elections-in-georgia-challenges-on-its-way-to-democratic-development>.

⁴⁰ Administration of the Government of Georgia. 2016. "Georgian Parliamentary Elections 2016: Preliminary results." Accessed March 3, 2019. http://gov.ge/files/58034_58034_905803_20161019Factsheetonelectionresults.pdf.

⁴¹ Inter-Parliamentary Union. 2019. "Women in national parties ." January 1. Accessed February 10, 2019. <http://archive.ipu.org/wmn-e/classif.htm>.

⁴² National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019. https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

⁴³ Stefańczak, Karolina Ó Beacháin. 2015. "Georgian Politics: Gender Imbalance and Women's (Under) Representation." *Caucasus Analytical Digest* 71: 2-6: p. 2

Women must establish 'masculine qualities' to be successful in political parties

A negative view of feminism due to the communist legacy has been classified as one of the main barriers to female political power in post-Soviet countries. Conservative gender ideologies have experienced public wide acceptance in post-Soviet states over the feminist movement. This has resulted in an absence of demand for female participation in politics.⁴⁴ Politics is perceived as a 'masculine' business, and in order to be successful in this business, one must possess 'male' qualities to become a good politician. For women to become successful in politics, not only must they acquire masculine qualities, but they must also abandon their traditionally feminine attributes.⁴⁵ As a consequence, male candidates are generally chosen as heads of parties because political parties claim that women are not perceived as powerful.⁴⁶ One of the major internal obstacles for women, as Jakeli pointed out, "the [mindset] that it takes a lot of masculine thinking and acting to be a successful politician."⁴⁷ Many women believe that to be successful in politics they must ignore their feminine qualities. Numerous party members buy into the idea that women who are 'too feminine' or 'too attractive' will not fare well in politics. Female politicians should not be viewed as 'sexy,' young, or feminine. These qualities are seen as disadvantageous to women who want to be successful politicians. Men in parties have stated that they do not take female politicians with these characteristics seriously.⁴⁸ If women in politics are considered 'sexy' many party members believe that voters will not pay attention to what she says, but instead will focus on her appearance.⁴⁹ Many women in politics have anxiety over their perceived image and the way in which they dress.⁵⁰ There is no room in politics for beautiful women.⁵¹ There is also a myth that women cannot participate in politics because they are too vulnerable, however as Renata Skardžiūte, the deputy director of the Georgian Institute of Politics, argued, "women leaders in politics, they don't seem fragile at all, to be honest."⁵² These myths of vulnerability, femininity, and attractiveness are limiting to women who want to become politically active and successful.

⁴⁴ Connolly, Eileen, and Karolina Ó Beacháin Stefańczak. 2015. "Women's Political Representation in Post-Soviet Republics: Parliamentary Elections in Georgia and Abkhazia." *Studies of Transition States and Societies* 7 (1): 41-57: p. 42-43

⁴⁵ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.
http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 44

⁴⁶ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.
http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p 30

⁴⁷ Jakeli, Tamar, interview by Author. 2019. (February 23).

⁴⁸ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.
http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 35

⁴⁹ Ibid, 36

⁵⁰ Ibid, 34

⁵¹ Ibid, 55

⁵² Skardžiūte, Renata, interview by Author. 2019. (February 18).

Women only enter politics because they are supported by or brought in by a man

There are no clear recruitment policies or documents describing the requirements or responsibilities of candidates in many of the political parties in Georgia. Many candidates enter the party through the recommendation of another party member.⁵³ However, this generally leads to a 'boys club' atmosphere, as Nogaideli argues, "there is a strong fraternity culture [in Georgian politics]. Men advanced better, women aren't included as much as men."⁵⁴ The myth that women are only able to get into politics with the help of men is one of the biggest reasons that women do not enter the political realm. Female politicians do not want to be seen as only being able to enter into politics because of their sexuality, or the idea that they are "some man's mistress."⁵⁵ However, it is not only men who see feminine women in politics in this manner, but also the many other female party members who were only able to enter into politics because of their own connections. Such criticism by fellow female party members may possibly be to take the attention off of them and direct it towards a new female candidate in hopes of earning acceptance by the other men in the party.⁵⁶ Many party members and civil society believe that without the support of men, women could not succeed in politics.

Further, women generally do not have comparable financial support as men to aid in their own electoral campaigns. It is also common for parties to allocate fewer funds to the campaigns of female candidates than they would a male candidate's campaign.⁵⁷ If a female politician decided to run as an independent it would be more difficult due to Georgia's requirements for independent candidates. Citizens who would like to run as independent candidates must fulfill certain requirements, including; demonstrating that they have the support of at least one per cent of their electoral district, and paying a deposit of 5000 GEL, the equivalent of seven months of an average salary, which will be reimbursed on the condition that the candidate receives a minimum of ten per cent of the vote. This is a high and difficult barrier to meet, making it increasingly more difficult for independent candidates.⁵⁸ Moreover, it is more likely that women will generally not have a high enough income to pay for the deposit as well as run their own campaign. Kakachia identified, "they [female politicians] are not financially independent, that's probably the biggest problem."⁵⁹ Only candidates who have the support and means would be able to meet these qualifications, in which case it is likely that they have already been approached

⁵³ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.
http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 21

⁵⁴ Nogaideli, Etuna, interview by Author. 2019. (February 18).

⁵⁵ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.
http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 46

⁵⁶ Ibid

⁵⁷ Ibid, 13

⁵⁸ Connolly , Eileen, and Karolina Ó Beacháin Stefańczak. 2015. "Women's Political Representation in Post-Soviet Republics: Parliamentary Elections in Georgia and Abkhazia." *Studies of Transition States and Societies* 7 (1): 41-57: p. 46

⁵⁹ Kakachia, Kornely, interview by Author. 2019. (February 18).

to be a member of another party. The lack of monetary resources generally means that a woman must depend on the finances allocated to them from a political party. However, this does not mean that women who chose not to join a political party but do not have the means to run as an independent remain politically stagnant. Skardžiūte argued that “when it comes to civil society women are very active. You can see many NGOs, they are led by women, run by women, their initiatives are permitted by women. You cannot say they are just sitting at home and not being politically active.”⁶⁰

Patriarchy

In a 2014 public opinion poll, 52 per cent of the population identified perceptions, such as “no place for women in politics” and “lack of solidarity” as the biggest obstacle for women trying to engage in politics in Georgia. In the same 2014 public opinion poll, 53 per cent of Georgians believe that male politicians do not treat their female colleagues as equal, while 55 per cent believe that female politicians do treat their male colleagues as equal.⁶¹ Due to the deeply ingrained patriarchal tendencies in Georgia, Ekaterine Skhiladze, Deputy Public Defender of Georgia, identified that “women are not seen as resources.”⁶² Women are viewed as inadequate for completing some tasks because they are assumed to be weak, vulnerable, and fragile. Many male party members use these perceived characteristics as a way to maintain inequality within political parties.⁶³ Women involved in politics generally complete tasks or work jobs that most men would be ashamed of taking on. Women in political parties are generally responsible for: writing, accountancy, communication with the media, election-day tasks, propaganda, and other low-paid tasks. They also tend to work as public relations managers of campaigns.⁶⁴ Consequently, without the work of women in political parties, many election campaigns would not get run, and day-to-day activities of the party would collapse.⁶⁵ Men in political parties have a fear of losing their power and privilege to female politicians. This fear, however, also comes with the realization that female politicians have the ability to take this power away from them.⁶⁶

Further, many female politicians have stated that due to the way that political promotion is handled in Georgia, a majority of Georgian society gets wrapped up in the private lives of female politicians. For female political candidates, their private and public lives overlap.⁶⁷ Georgia has been known to have a history of sex espionage with videos

⁶⁰ Skardžiūte, Renata, interview by Author. 2019. (February 18).

⁶¹ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019. https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

⁶² Skhiladze, Ekaterine, interview by Author. 2019. (February 19).

⁶³ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019. http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 28

⁶⁴ Ibid, 27

⁶⁵ Ibid, 57-58

⁶⁶ Ibid, 44

⁶⁷ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.

being released prior to elections in hopes of ruining the opponent's campaign.⁶⁸ Saakashvili's government was accused of filming individuals who were considered to be potential trouble makers in 'inappropriate' acts to use as blackmail for a later time. Although the Georgian Dream Party claimed to have destroyed all of these tapes during the transition of power in 2012, it has been suspected that some of the videos were successfully exported in the 25-day transition.⁶⁹ Most recently, in 2016, another sex tape scandal ensued prior to the parliamentary election.⁷⁰ During this scandal, several politicians and journalists were targeted by opponents who demanded their resignation from their positions. Inappropriately, this has become normalcy in Georgian politics. During the scandal, many Georgian citizens gathered to protest these actions, with one protester stating, "They should be held responsible, and unfortunately we expect that since it is an election year, more videos will be published."⁷¹ Dekanosidze stated that "when female politicians sex tapes are leaked it reaffirms the theory that women who are in politics are women like that, who do these kinds of things. It falls into this stereotype that women who got into these positions [in politics] did not get them because they are smart because they are educated, but because they are corrupt, or indecent, or because they slept with someone. This stereotype in most cases is not true, it can't be true. It is just mere sexism."⁷²

Moreover, many female politicians feel the pressure to prove their intelligence and skills to voters in order to convince them that they are in politics because they are able and competent, not because of connections they have.⁷³ A 2014 public opinion poll found that almost 50 per cent of the Georgian population believe that male and female politicians represent their interests as citizens equally.⁷⁴ However, even though citizens believe that women are equally as good as their male counterparts at representing the public's interests, female candidates still feel the need to 'prove' themselves. Women in Georgian politics preoccupy so much of their time with proving that they are worthy candidates that it becomes an obstacle for them in party activities. This is something that

http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 47-48

⁶⁸ North, Andrew. 2016. "Georgian PM orders inquiry into videos allegedly showing cheating politicians." *The Guardian*. March 14. Accessed March 13, 2019.

<https://www.theguardian.com/world/2016/mar/14/georgia-pm-inquiry-videos-sex-tapes-politicians>.

⁶⁹ Democracy and Freedom Watch. 2016. "New Georgian sex tape posted online." March 31. Accessed March 13, 2019. <https://dfwatch.net/new-georgian-sex-tape-posted-online-41411>.

⁷⁰ North, Andrew. 2016. "Georgian PM orders inquiry into videos allegedly showing cheating politicians." *The Guardian*. March 14. Accessed March 13, 2019.

<https://www.theguardian.com/world/2016/mar/14/georgia-pm-inquiry-videos-sex-tapes-politicians>.

⁷¹ Democracy and Freedom Watch. 2016. "New Georgian sex tape posted online." March 31. Accessed March 13, 2019. <https://dfwatch.net/new-georgian-sex-tape-posted-online-41411>.

⁷² Dekanosidze, Tamar, interview by Author. 2019. (February 21).

⁷³ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.

http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 47-48

⁷⁴ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019.

https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

male candidates do not have to deal with.⁷⁵ Additionally, while many men within parties feel connected and support one another, this is not true for female candidates. Women within parties are generally unsupportive of one another. Generally, political parties in Georgia will only take on so many female candidates and it becomes a battle to try to claim any position they can. Female politicians are also more inclined to make deals with men that may protect their position within the party because they have more power and are always the majority of candidates.⁷⁶

Additionally, it has been found that it is more advantageous to nominate female candidates because they are more willing to meet with locals and listen to their needs and issues in a way that does not result in conflict. Manana Kvachakhia, Minister of Education and Culture for the Government of the Autonomous Republic of Abkhazia, argued that “women are better suited for politics, [because] they are more flexible.”⁷⁷ Due to these qualities, it has been found that female candidates do better at door-to-door campaigning than their male counterparts. However, many male politicians have argued that female candidates have argued that women should not go campaigning door-to-door because it is dangerous, and they might end up in an argument that they are too vulnerable and weak to win. Female candidates’ success at this campaigning style contradicts the myth that voters tend to prefer male candidates over female candidates.⁷⁸

Women prefer different jobs/ they choose marriage over politics

A 2014 public poll found that when identifying the most important characteristics of politicians, 18 per cent of citizens believe that a woman's marital status is important to their identity, while only 12 per cent of the population is concerned with a male politician's marital status.⁷⁹ Men in political parties, specifically in provinces outside the capital, tend to believe that young women would rather leave to gain further education or get married over joining political parties. They believe that middle-aged women are not used to being in the public sphere and are uncomfortable in public settings and meetings. They use these beliefs as reasons to keep women from joining their political party. Women, however, state that there are many smart, young, motivated women in the regions and

⁷⁵ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.
http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 47-48

⁷⁶ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.
http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 52

⁷⁷ Kvachakhia, Manana, interview by Author. 2019. (February 21).

⁷⁸ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.
http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 59

⁷⁹ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019.
https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

men in political parties are not using them as a resource.⁸⁰ Dekanosidze identified another way, besides gender quotas, to get women motivated to join politics, “there are also other ways of changing that [women’s participation in politics] which is encouraging women to go into politics since a very young age or the start of their career.”⁸¹ However, if political parties continue to discourage young women from joining politics, this cycle will never change. Due to political parties’ lack of encouragement towards women, they often do not want to stay working for the party. It is common for women to pursue another job that includes better pay and where their time and work will be appreciated.⁸² It is political parties’ lack of support and pushing out of women in their party that continues to cycle into the myth that women would rather work somewhere else.

Family barriers

The myth that pregnancy or motherhood is a barrier for female candidates trying to enter into politics, or who are already members of parties was created due to Georgian society having a traditional outlook. In a 2014 public poll, 57 per cent of respondents identified family-related issues as being the biggest obstacle for women in Georgia who are trying to engage in politics.⁸³ Kakachia stated that “women in traditional Georgia they have a lot of other [roles] they have to care for children, take care of family and they have to be strong for that. To be a player in politics you have to have time.”⁸⁴ Many women in Georgian politics negotiate with the feelings of having to be a ‘good woman.’ They believe they must act as good mothers, wives, relatives, and friends to be able to preserve their perceived femininity.⁸⁵ However, they also must be able to commit time to their careers in order to be successful. While according to Georgian law, men can also take paternity leave, meaning it is no longer up to only the mother to care for the children⁸⁶, as Skardžiūte pointed out, “[it is] mostly women [who] are expected to take care of the family and the household. Most party events take place in the evenings when you have to put your kids to sleep and be at home. It’s very difficult.”⁸⁷ Family and home environment have been found to have a great influence on how well women do within political parties.

⁸⁰ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.

http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 60

⁸¹ Dekanosidze, Tamar, interview by Author. 2019. (February 21).

⁸² Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.

http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 38

⁸³ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019.

https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

⁸⁴ Kakachia, Kornely, interview by Author. 2019. (February 18).

⁸⁵ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.

http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 44

⁸⁶ Ibid, 62

⁸⁷ Skardžiūte, Renata, interview by Author. 2019. (February 18).

Female politicians with supportive families, or those without families but have parents that support their political aspirations tend to be more successful in Georgian politics. Women who have cultural anxieties, or do not receive support from their parents, partners or families tend to do worse.⁸⁸ While it may be untraditional, fathers have the ability to be involved in raising the children and have the option to stay home while his wife goes back to work.⁸⁹ If the idea of men staying home to care for children was destigmatised it would make it easier for women, not only in politics but on other career paths as well, to be able to work and support the family the same way as a man would, breaking the idea of the family barrier myth.

Presidential System

In 2013, the majoritarian Georgian Dream party reduced the powers of the president to simply a ceremonial position. As opposed to being generally elected by the public, beginning in 2024, the outcome of the presidential election will be chosen by an electoral college.⁹⁰ This electoral college will be made up of a board of 300 delegates, 150 deputies, and 150 local administration representatives. The term of the president will also be changed back to five-year terms, as opposed to the six-year term currently in progress. The prime minister and parliament's powers were also greatly expanded during this constitutional change. However, the president will remain the formal head of state and commander in chief.⁹¹

In 2018, the first female president of Georgia, Salome Zurbishvili, was elected in the country's final open presidential election. While President Zurbishvili officially ran as an independent, she had the help and the backing of the Georgian Dream Party, as well as Ivanishvili. Some claim that the party backed her because they did not want her main rival in the campaign, Grigol Vashadze, who was backed by the opposition parties, to win.⁹² Kakachia stated that "she didn't have enough social capital to win this election alone."⁹³ Whatever the reason for the Georgian Dream party's support may be, many people believe that her position as president is positive. In a poll taken by NDI in December of 2018, 60 per cent of respondents agree or somewhat agree that the new

⁸⁸ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.

http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 40

⁸⁹ Urchukhishvili, Giorgi. 2017. "Women in the Parties: Deconstructing Myths ." Accessed February 10, 2019.

http://www.ge.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_Women_in_Politics_survey_2017_eng.pdf : p. 62

⁹⁰ BBC News . 2019. "Georgia country profile." January 29. Accessed February 10, 2019.

<https://www.bbc.com/news/world-europe-17301647>.

⁹¹ TASS Russian News Agency. 2018. "Georgia prepares to elect new president in its last direct elections." October 28. Accessed February 12, 2019. <http://tass.com/world/1028210>.

⁹² The Associated Press. 2018. "Salome Zurbishvili Wins Georgia Presidential Runoff." *The New York Times*. November 29. Accessed March 3, 2019.

<https://www.nytimes.com/2018/11/29/world/europe/georgia-president-salome-zurbishvili.html>.

⁹³ Kakachia, Kornely, interview by Author. 2019. (February 18).

president will positively represent Georgia.⁹⁴ Both the Georgian Dream party and President Zurabishvili believe that her background as a diplomat will help her serve as president as Georgia seeks to strengthen their ties with Europe.

While her new position as president may be helpful for the country to move towards the West, many academic respondents argue that she will actually hurt women's positions in politics, and not help. Mukjuradze suggests, "On paper, it looks good – but will she be a champion of women's issues or not?"⁹⁵ Thus far, President Zurabishvili has not acted as a champion of women's rights. Jakeli noted that "she is not a feminist. She is not supportive of anything related to women's rights. She didn't even go to a meeting that a group of feminists [had] organized with the presidential candidates to tell them about issues that women are dealing with and their vision."⁹⁶ The new constitutional amendments, which have weakened presidential powers, are also causing people to doubt the president's ability to actually implement change for issues that matter. When asked "how will the election of President Zurabishvili impact politics in Georgia?" Khizanishvili expressed concern for any backlash to poor decisions that the president may receive, explaining that, "when a female candidate makes a mistake, it is because she is a woman. When a male politician makes a mistake, it is because he is just a bad candidate."⁹⁷ This idea that women cannot make mistakes in a 'man's world' deters women from wanting to run as candidates and political parties from wanting women to participate.

During the presidential election campaign, a very controversial campaign strategy was implemented by the Georgian Dream Party in hopes of increasing Zurabishvili's chances of winning the presidency. Election banners and posters from the Georgian Dream party with party founder and chair, Bidzina Ivanishvili's face, were put up in support of Zurabishvili. Many believe that this decision was aimed at improving ratings for the candidate. Criticisms of this decision came rolling in not soon after the posters were first displayed. NGO's stated that the "replacement of the female candidate photos by male one's underlines that a woman cannot succeed without the help of a man."⁹⁸ However, it was not only NGO's that recognized that the move from the Georgian Dream Party was a mistake. Many respondents to personal interviews remarked that their friends on social media, even those not interested or involved in politics, also thought this was a terrible decision that undermined Zurabishvili as a candidate. Jakeli commented, "just the fact that people recognize that this [the female presidential candidate not appearing on her own campaign posters] is wrong is a huge step forward from five or ten years ago. Even five years ago not as many people would have talked about this that much."⁹⁹ This further shows that society in Georgia as a whole is aware of the inequality in politics. In a 2014 poll by NDI, results showed that half of the Georgian population believed that increasing the number of female politicians in Georgia would have a positive impact on

⁹⁴ National Democratic Institute. 2018. "Agree or Disagree - New President will positively represent Georgia (%)." *Caucasus Research Resource Centre*. December. Accessed February 18, 2019. <https://caucasusbarometer.org/en/nd2018ge/NPFRPOS/>.

⁹⁵ Mukhuradze, Salome, interview by Author. 2019. (February 22).

⁹⁶ Jakeli, Tamar, interview by Author. 2019. (February 23).

⁹⁷ Khizanishvili, Anna, interview by Author. 2019. (February 21).

⁹⁸ Morrison, Thea. 2018. "Zurabishvili's New Election Billboards Show Ivanishvili." *Georgia Today*. November 16. Accessed March 15, 2019. <http://georgiatoday.ge/news/13225/Zurabishvili>.

⁹⁹ Jakeli, Tamar, interview by Author. 2019. (February 23).

the country.¹⁰⁰ Society is ready to increase the participation of women in politics. The government is the one who remains holding female politicians back.

Influence of the European Union

In June 2014, Georgia and the European Union signed an Association Agreement (AA) which officially entered into force in July of 2016. The foundation of the agreement focused on political and economic integration with the EU. The political objectives for Georgia include continuing to increase democracy and rule of law, human rights, and good governance.¹⁰¹ In regard to equal treatment, the AA outlines the importance of enhanced gender equality, equal treatment, and strengthening legislation against gender-based violence as short term goals for the country – while taking steps to “increase women’s representation in political decision making” is a medium-term priority.¹⁰² When asked how the AA has changed politics for women in Georgia, Skhiladze stated “not much has changed in the political field [with the signing of the association agreement]. We can talk a lot about domestic violence and prevention and protection of women, a huge step was made over these years. But about women’s political participation or economic independence, there is no steps taken by the government, no change since the association agreement was adopted.”¹⁰³ However, the push towards Europeanization may be beneficial for female politicians.

In early 2019, the Georgian government displayed its willingness to implement change to move the country closer to western ideals. On the 4th of February, the Georgian Dream Party drafted a bill that would make sexual harassment in Georgia punishable by law.¹⁰⁴ If officially passed by parliament, this will have fulfilled one of the AA’s short-term goals of strengthening legislation against gender-based violence.¹⁰⁵ While this policy change may not directly impact women trying to get into politics, it shows that the Georgian government is willing to create change that would positively impact women and potentially lead to a more gender equal Georgia.

The EU and European Council have encouraged a fair representation of men and women in politics. Since 2008, it has been demanded that a minimum of 30 per cent of

¹⁰⁰ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019. https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

¹⁰¹ European Union External Action. 2018. "Georgia and the EU." August 8. Accessed January 30, 2019. https://eeas.europa.eu/headquarters/headquarters-homepage_en/49070/Georgia%20and%20the%20EU.

¹⁰² European Union. 2017. "Association Agenda between the European Union and Georgia, 2017-2020." Accessed January 30, 2019. https://cdn1-eeas.fpfis.tech.ec.europa.eu/cdn/farfuture/vPC8CCL_R7r6sb6dRefYxMUTHAWbkmfN321tPBtP4rk/mtime:1511177255/sites/eeas/files/annex_ii_-_eu-georgia_association_agenda_text.pdf : p. 21

¹⁰³ Skhiladze, Ekaterine, interview by Author. 2019. (February 19).

¹⁰⁴ Agenda.ge. 2019. "New bill to make sexual harassment punishable offence in Georgia." February 4. Accessed March 15, 2019. <http://agenda.ge/en/news/2019/330>.

¹⁰⁵ European Union. 2017. "Association Agenda between the European Union and Georgia, 2017-2020." Accessed January 30, 2019. https://cdn1-eeas.fpfis.tech.ec.europa.eu/cdn/farfuture/vPC8CCL_R7r6sb6dRefYxMUTHAWbkmfN321tPBtP4rk/mtime:1511177255/sites/eeas/files/annex_ii_-_eu-georgia_association_agenda_text.pdf : p. 21

the under-represented sex is included in national delegations.¹⁰⁶ This requirement may be the push that gets Georgia beyond the stagnated 15 per cent female representation that the country has been plateaued at. This increase of women in parliament would also align with the views of 70 per cent of Georgian citizens who stated that they believed that at least 30 per cent of the parliament should be made up by female politicians.¹⁰⁷ Nogaideli agreed with the notion that “if anything works in Georgia, it is from the pressure from the EU.”¹⁰⁸ Since both of Georgia’s main political parties have supported a pro-EU orientation for the country, continued demands from the EU may be the encouragement the government needs in order to realize that women in politics are beneficial to the nation.¹⁰⁹

Conclusion

Recently the issue of gender equality has become prominent in society worldwide. From the Women’s March to the #Metoo movement that have both gained prominence over the past two years, women are finally pushing the patriarchal limits set by men. Feminist ideals and equality have taken the world by storm and are being recognized by businesses and governments globally. If the Georgian government wants to continue its European aspirations, then gender equality must become a priority. While Georgian society has moved forward in support of women’s political participation, the government has failed to do the same as it continues to facilitate gender inequality by preventing the implementation of reforms that would make the political process more inclusive for women. These changes need to happen at all levels of government, including within their electoral system. Gender quotas and placement mandates must be implemented to force political parties to include women and make the closed party list electoral system fairer. A change of attitude from the Georgian parliament towards women who are in politics and women who are trying to get involved in politics is the only way to break the myths and obstacles that they face. If female politicians were accepted and seen as equal and necessary in parliament, they could make a positive impact on the everyday woman’s life. The government must also realize that while the election of a woman to the presidency looks good on paper, in practice, her rejection of feminist ideas and lack of power to make a change does not help any women in Georgia. Change, however, only seems to be possible if citizens and the EU continue to pressure the government. In the Georgian epic *The Man in the Panther’s Skin* written in the twelfth century, poet Shota Rustaveli asserted, “The lion’s whelps are equal, be they male or female.”¹¹⁰

¹⁰⁶ Council of Europe. 2018. "National Delegations." Accessed March 3, 2019.
<https://www.coe.int/en/web/congress/national-delegations>.

¹⁰⁷ National Democratic Institute. 2014. "Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia." October. Accessed February 18, 2019.
https://www.ndi.org/sites/default/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf.

¹⁰⁸ Nogaideli, Etuna, interview by Author. 2019. (February 18).

¹⁰⁹ Connolly, Eileen, and Karolina Ó Beacháin Stefańczak. 2015. "Women's Political Representation in Post-Soviet Republics: Parliamentary Elections in Georgia and Abkhazia." *Studies of Transition States and Societies* 7 (1): 41-57: p. 45

¹¹⁰ Rustaveli, Shota. 1912. *The Man in the Panther’s Skin*. Translated by Marjory Wardrop. London : p. 8

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Silencing the Georgian People: Freedom of Expression, Government Interference, and Structural Constraints on Georgia's Media Environment

Sanjana Shah

Introduction

Amidst the post-Soviet transition economies in Eastern Europe, and specifically so in the Caucasus, Georgia has considered itself to be unique. Viewing itself as inherently European, geographically, historically, and culturally, Georgia has ambitiously pursued democratic reforms since the 2003 Rose Revolution as part of its European Union integration efforts. In 2014, the European Union (EU) signed an Association Agreement with Georgia, as a result of which the Deep and Comprehensive Free Trade Agreement came into force in 2016, and a visa-free regime for Georgian citizens in 2017. In exchange, Georgia is expected to continue reform with respect to improving democracy and the rule of law, human rights, good governance, and economic development.¹

As a “key indicator of a country’s readiness to become part of the EU,” freedom of expression is a central component of Georgia’s democratization efforts.² Securing freedom of expression for its citizens remains a key challenge for the post-Soviet transitioning economies in particular, given the Soviet traditions of state propaganda and repression of individual freedoms. Given the centrality of freedom of expression to a liberal democratic society, Article 10 of the European Convention of Human Rights (ECHR) specifically states that “Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.”³ Further enshrined in Article 11 of the EU’s Charter of Fundamental Rights, media freedom is central to the values of the EU, and by extension, to the democratization process of EU aspirants like Georgia.

Freedom House considers Georgia to have “the freest and most diverse media landscape in the region.”⁴ As the one of the most trusted domestic institutions in Georgia after the church and the army, the media represents one of Georgia’s most successful

¹ “EU Georgia Agreement fully enters into force,” Ministry of Foreign Affairs of Georgia, 1 July 2016. <http://www.mfa.gov.ge/News/EU-Georgia-Association-Agreement-fully-enters-into.aspx?CatID=5&lang=en-US>

² “Freedom of Expression and Media,” European Neighborhood Policy and Enlargement Negotiations (European Commission). Last updated 18 February 2019. Accessed 19 March 2019. https://ec.europa.eu/neighbourhood-enlargement/policy/policy-highlights/freedom-of-expression-and-media_en

³ European Convention on Human Rights, Council of Europe. Accessed 19 March 2019. https://www.echr.coe.int/Documents/Convention_ENG.pdf

⁴ Report on Freedom of the Press (Georgia), Freedom House, 2016. Accessed 19 March 2019. <https://freedomhouse.org/report/freedom-press/2016/georgia>

instances of post-Soviet liberalization policy.⁵ Key in facilitating the Rose Revolution in 2003, the media environment has developed to be increasingly diverse and dynamic. However, increased government influence over the media since the run-up to the 2016 election, in addition to structural constraints such as the judicial, financial, and political situation in the country continue to present substantial challenges to media freedom in the country. Moreover, these challenges appear to be even more pertinent in light of the shift to the digital space thanks to increased internet access across the country.

This essay therefore argues that the main challenges to media freedom in Georgia today weaken Georgia's likelihood of future accession into the EU in two ways. Firstly, increased government interference with the media directly undermines key European values such as freedom of expression and media pluralism. Secondly, the structural challenges to media freedom in Georgia are crucial in themselves given the importance the EU places on the following for non-member accession: a strong judiciary, a thriving economy, and government transparency. I will begin by examining the relationship between democratization and media freedom, present an overview of the traditional television-dominated media environment in Georgia and discuss the main challenges in this domain, and finally evaluate the benefits and dangers presented by the move towards the digital space and social media.

Methodology

This paper relies on information obtained through interviews in Tbilisi with civil society organizations including the Georgian Charter for Journalistic Ethics, the Georgian Young Lawyers Association, and the Open Society Georgia Foundation. Since both primary and secondary sources were chosen on the basis of English-language availability, this essay draws upon a somewhat narrow perspective, for the English-speaking section of Georgia is by no means reflective of the population at large. Information about Georgia's regional media that caters to its ethnic minorities was limited, most likely due to the narrow selection of Tbilisi-based, English speaking sources. Moreover, radio and newspapers, two key sources of information in Georgia, are not dealt with in this paper due to the disproportionate dominance of television in Georgian society, and the disruptive impact of the internet (globally and domestically). Finally, this paper does not attempt to present a detailed description of Georgia's diverse and pluralistic media landscape, choosing instead to focus on key challenges as demonstrated by the experience of major stakeholders in Georgia's media environment, primarily since the re-election of the Georgian Dream in 2016.

Democracy and Media Freedom

The media is crucial to the functioning of a democracy because it facilitates the process of inquiry by which public consensus is formed.⁶ The right to self-government in a democracy goes beyond the mere to right to vote: it reflects the idea that every citizen

⁵ Caucasus Research Resource Center (2017) "Caucasus Barometer Time Series dataset Georgia," Trust towards Media. Accessed 19 March 2019. <https://caucasusbarometer.org/en/cb2017ge/TRUMEDI/>

⁶ Pamela Taylor Jackson, and James Ronald Stanfield, "The Role of the Press in a Democracy: Heterodox Economics and the Propaganda Model," *Journal of Economic Issues* 38, no. 2 (2004), 476.

has a voice, and diverse voices come together to determine the government in power.⁷ A free media environment therefore provides a site of contestation, where citizens discuss and debate matters of public interest without fear of government influence.⁸ The more diverse the media, the more diverse the information voters receive, and the more accurately can citizens make political decisions.⁹ Additionally, a free media acts as a “watchdog” of society – “the fourth estate” supplementing the executive, the legislature, and the judiciary – in providing checks and balances on issues of public concern.¹⁰ By definition, such a role requires non-interference by government interests. Given the importance of a free media to democracy due to these two functions, it is a significant yardstick by which social scientists measure the effectiveness of a nation’s commitment to a democratic future.¹¹ Article 2 of the Treaty on the European Union specifically mentions democracy as a fundamental value essential to the very idea of the European Union.¹² Media freedom is therefore central to the EU not only in virtue of Article 10 of the ECHR, but a necessary consequence of its commitment to democracy. The case law of the European Court of Human Rights indicates that the freedom of the press must protect the content delivered by the press as well as ensure that structural issues do not substantially obstruct its functions (excessive licensing requirements, restrictions on access to government information, etc).¹³ Insofar as pluralism is tied with media independence, a free and pluralistic media must be independent not only of government control, but it must also avoid media concentration under the ownership of a small number of companies. The European Parliament therefore states that the more pluralist the media landscape, the larger is the legitimising effect of the media on the political process.¹⁴

Overview of Georgian Media

The history of freedom of expression in Georgia is rather interesting. Maia Mikashavidze argues the importance of free speech is indigenous to the Georgian people: Georgians do not like to be silenced.¹⁵ The Georgian Constitution of 1995 therefore enshrined the freedom of expression, deemed censorship to be impermissible, and prohibited the monopolization of media by the state or private individuals.¹⁶ Indeed, the media played a strong role in bringing about the Rose Revolution, for on the eve of the

⁷ Ibid.

⁸ Saima Saeed, "Negotiating Power: Community Media, Democracy, and the Public Sphere." *Development in Practice* 19, no. 4/5 (2009), 466.

⁹ Jackson and Stanfield, 476.

¹⁰ Saeed, 466.

¹¹ Ibid.

¹² Briefing on Press Freedom in the UN: Legal Framework and Challenges, European Parliament, April 2015. Accessed 19 March 2019. <http://www.europarl.europa.eu/EPRS/EPRS-Briefing-554214-Press-freedom-in-the-EU-FINAL.pdf>

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Maia Mikashavidze, Georgian Institute of Public Affairs, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 19 February, 2019.

¹⁶ Georgia’s Constitution of 1995 with Amendments through 2013, 27 July 2018. Accessed 19 March 2019. https://www.constituteproject.org/constitution/Georgia_2013.pdf?lang=en

elections, “we witnessed the transformation of Rustavi-2 into a political party.”¹⁷ The deep-rooted value for media freedom was on display at the large demonstrations triggered by a government raid on the Rustavi-2 offices, resulting in the dismissal of the entire cabinet and the resignation of the speaker of Parliament.¹⁸ Yet until 2003, with the exception of privately-owned Rustavi-2, the major electronic media were controlled by the government.¹⁹ When Saakashvili came to power, as part of his efforts to move closer to the EU, he decriminalized libel and enacted the Law on Freedom of Speech in 2005, the most progressive law in the former Soviet Union.²⁰ Media freedom suffered as criticism of his reforms grew, however, resulting in the opposition joining forces with the press in calling for greater media freedom. In 2013, following the election of the Georgian Dream, the law was amended to include must-carry and must-offer rules, which protect television channels from possible pressures coming from cable operators.²¹ Hence resulted a proliferation of broadcasters, increased media pluralism, and increased media freedom. Today, the media landscape is characterized by 92 television channels, 51 radio stations, and about 300 print publications.²² 73 percent of the population relies on television for their main source of information, with the key national players being pro-opposition Rustavi-2, pro-government Imedi TV, and the Georgian Public Broadcaster.²³

Rustavi-2, Media Polarization, and the Judicial System

The former Head of the EU Delegation to Georgia once compared being in Georgia to dancing the tango – “two steps forward, one step backward.”²⁴ Georgian politics has demonstrated this pattern, with waves of liberalization often being followed by waves of “de-liberalization” or increased centralization.²⁵ Most recently, despite unseating the Saakashvili government based on an anti-corruption, transparency, and openness campaign, the Georgian Dream has been criticized for increased government interference with the media since the lead-up to the 2016 election. Specifically, Freedom House’s Nations in Transit 2018 report downgraded Georgia’s independent media score from 4.0 to 4.25 in 2018, on a scale of 1 to 7, with 7 being the least democratic, and 1 being the most democratic.²⁶ In particular, the 2017 Supreme Court ruling that transferred the

¹⁷ Philipp H. Fluri & Eden Cole, *From Revolution to Reform: Georgia’s Struggle with Democratic Institution Building and Security Sector Reform*, GKS Vienna (Vienna, July 2005), 224.

¹⁸ *Ibid.*, 214.

¹⁹ Maia Mikashavidze, Personal Interview.

²⁰ *Ibid.*

²¹ Giorgi Jangiani, “Media Influence Matrix: Georgia,” CEU Center for Media, Data and Society (CMDS) (Budapest: February 2019), 4. Accessed 19 March 2019. <https://cmds.ceu.edu/government-politics-and-regulation-3>

²² “Media Sustainability Index 2018 Europe & Eurasia,” IREX (Washington, 2018), 160. Accessed 19 March 2019. <https://www.irex.org/resource/media-sustainability-index-msi#europe-eurasia>

²³ Caucasus Research Resource Center, (2018) “Knowledge and Attitudes of the Population of Georgia towards Judiciary,” Main source of information about current events.” Accessed 19 March 2019. <https://caucasusbarometer.org/en/emc2018ge/INFSOU1/>

²⁴ “Per Goran Eklund: Being in Georgia is like dancing the Tango,” Tabula.ge, 4 October 2010. Accessed 19 March 2019. <http://www.tabula.ge/en/story/69982-per-goran-eklund-being-in-georgia-is-like-dancing-the-tango-two-steps-forward-one-step>

²⁵ Maia Mikashavidze, Personal Interview.

²⁶ Freedom House Nations in Transit 2018, Georgia Country Profile. Accessed 19 March 2019. <https://freedomhouse.org/report/nations-transit/2018/georgia>

ownership rights of Rustavi-2 to its former owner, Kibar Khalvashi, has attracted international condemnation and concern. The significance of the case lies first and foremost in the deeply politicized and polarized character of the media environment in Georgia. While the bureaucratic requirements to launching new broadcasters have been eased under the GD, the major stakeholders remain the same between 2012 and 2019.²⁷ With clearly aligned political affiliations, the media environment is deeply divided along political lines, with a UNM-supportive Rustavi audience holding 30 percent of the market share, and a GD-supportive Imedi audience with 35 percent of the market share.²⁸ On the one hand, the very fact that two players dominate the media landscape indicates the media environment is not diverse enough in the first place.²⁹ On the other hand, insofar as it exists, media pluralism in Georgia effectively stands on the existence of Rustavi 2, for relatively independent and critical media sources such as Pirveli TV face financial constraints and low ratings amongst the population at large.³⁰³¹ The political ties to the key media stakeholders are especially evident closer to elections. In 2018, in the run-up to the presidential election, Imedi TV issued a statement stating it would not allow the United National Movement to return to power.³² Meanwhile, although Rustavi-2 reporting “went off the rails” in comparing GD supporters to traitors of the country, and probing into the private life of the female GD presidential candidate, on the whole it remains the most effective media outlet in presenting a critical perspective and conducting investigations into government scandals.³³ Therefore, in an already highly polarized and politicized media environment, the Rustavi-2 ownership ruling is considered to be part of the broader problem of increased government control over various parts of public life.³⁴

Moreover, the Rustavi-2 case raised concerns regarding Georgia’s judicial system and continuing structures of informal and non-transparent politics. The OSCE Representative on Freedom of the Media Dunja Mijatovic pointedly condemned the court’s decision to replace management as an effort to “unduly influence” the content of the channel, viewing this as an “abuse of the rule of law and democratic foundations in a society.”³⁵ The Georgian Young Lawyers Association (GYLA) in particular pointed out that the problematic changes in the composition of the review panels indicated efforts to exert influence on the Court’s decision. Concerns over the objectivity of the ruling (in addition to implications for media pluralism) thus prompted the European Court of Human Rights to intervene immediately with a temporary suspension on the decision of

²⁷ Nata Dzelishvili, Georgian Charter of Journalistic Ethics, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 21 February, 2019.

²⁸ Maia Mikashavidze, Personal Interview.

²⁹ Christian Urse, Council of Europe, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 19 February, 2019.

³⁰ Mamuka Andguladze, Transparency International Georgia, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 18 February, 2019.

³¹ Hatia Jinjikhadze, Open Society Georgia Foundation, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 21 February, 2019.

³² Ana Dabrundashvili, United Nations Development Programme, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 21 February, 2019.

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ Cory Welt, “The Curious Case of Georgia’s Rustavi-2,” OpenDemocracy, 2 December 2015. Accessed 19 March 2019. <https://www.opendemocracy.net/en/odr/curious-case-of-georgia-s-rustavi-2/>

the Georgian Supreme Court. Rustavi-2's current owners are known to be close associates of Saakashvili, while Nika Gvaramia, the current general director of the channel, served in high level-government positions in Saakashvili's administration.³⁶ Indeed, senior GD government officials have indicated they want to see the station's ownership given to Khalvashi, an opponent of Saakashvili's. In addition to the individuals involved, concerns arose regarding the very conduct of the case, for the court issued a verdict less than three months after Khalvashi filed his lawsuit, rather atypical for the Georgian judiciary, especially given the complicated claims of ownership surrounding the case.³⁷ Given that judicial reform under the GD remains a key area of concern for the EU, specifically in regards to the effectiveness and independence of its judges, the media environment is but one of the platforms subjected to the shortcomings of Georgia's judiciary.³⁸ Despite putting transparency and rule of law at the center of its 2012 election campaign, the GD has demonstrated a similar proclivity towards informal governance and opacity.³⁹ Unsurprisingly, 33 percent of respondents believe the court system is going in the wrong direction, while 30 percent believe it is not changing at all.⁴⁰ Moreover, the very style through which the country is governed, with the most powerful individual Bidzina Ivanishvili pulling the strings despite having resigned from his position as Prime Minister in 2013, perpetuates a culture of political opacity and favoritism. When it comes to the media, a 2011 change in the law on broadcasting obliged broadcasters to disclose their owners publicly. Yet, a recent acquisition in 2017 by Imedi TV of smaller pro-government channels GDS and Maestro (in contravention to Article 60 that prohibits the same person from possessing multiple over-the-air television channels) indicates the persistence of informal networks that remain unknown to the public at large. Indeed, media experts consider Ivanishvili to be the driving force behind the merger.⁴¹ Zviad Koridze, a well-known journalist argues, "Do the people know who own the media they use? No they do not."⁴² The oligarchic structure of the media environment (and the GD's governance at large) point to the persistence of the problematic patterns associated with the Saakashvili government. The Rustavi-2 case in particular, is the "most persuasive sign" that the government is willing to engage in the "same kind of abuses" they supposedly hoped to eliminate by removing the Saakashvili government.⁴³

³⁶ Ibid.

³⁷ Ibid.

³⁸ Carlo Natale, EU Delegation to Georgia, Interviews by the International Course Module Team 2019, Group Interview. Tbilisi, 22 February, 2019.

³⁹ Ghia Nodia, Ilia State University, Interviews by the International Course Module Team 2019, Group Interview. Tbilisi, 22 February, 2019.

⁴⁰ Caucasus Research Resource Center (December 2018) "Public Attitudes in Georgia." Is situation going in the wrong/right direction – Court System. Accessed 19 March 2019.
<https://caucasusbarometer.org/en/nd2018ge/DIRCOURT/>

⁴¹ Kornely Kakachia, Bidzina Lebanidze, Joseph Larsen, and Mariam Grigalashvili, "The First 100 Days of the Georgian Dream Government: A Reality Check," Georgian Institute of Politics Report 2017, 32.
http://expertpolls.ge/wp-content/uploads/2017/02/Report_2017.pdf

⁴² "Media Sustainability Index 2018 Europe & Eurasia," 169.

⁴³ Cory Welt, "The Curious Case of Georgia's Rustavi-2."

Georgian Public Broadcaster, Advertising, and the Economy

Given the highly polarized character of the media environment, the role of the Georgian Public Broadcaster is all the more important in providing balanced reporting and diverse viewpoints to the public.⁴⁴ While the Public Broadcaster had never truly functioned in this respect due to the Soviet legacy of state television, it demonstrated signs of improvement between 2012 to 2014 by allowing greater editorial freedom.⁴⁵ However, with the second term of the Georgian Dream came increased centralization and an accompanying drastic change in government policies. In January 2017, Vasil Maghlaferidze, who previously worked for Ivanishvili owned GDS, was elected to be the new director general of the GPB. His election was followed by the hiring of about 100 individuals from GDS by the GPB, the closure of critical political talk shows, and the relegation of minority-language programming to the GPB website.⁴⁶ Media expert Ekaterine Basilaia attributes the increased politicization of the GPB to a fundamental misconception of the purpose of the public broadcaster and the role of the media in Georgian society.⁴⁷ While public trust in the Public Broadcaster is low in light of these changes, an additional source of concern is its increased access to advertising revenue thanks to changes in media policy by the Georgian National Communications Commission.⁴⁸ Amendments to the Broadcasting Law in 2017 enabled the GPB to carry advertising throughout its timeframe, distorting the advertising market and establishing unfair competition, given that the GPB already enjoys funding from the state budget.⁴⁹ The entry of the GPB into the commercial advertising market has particularly ominous implications given the state of the advertising market and private media funding in Georgia.

White actual revenue figures were not revealed by the GNCC, TVMRGE, ABG Nielsen's licensee for audience measurement in Georgia estimated that television advertising revenue fell from 93 million GEL in 2016 to 70 million GEL in 2017, representing a market contraction of about 25 percent.⁵⁰ Media experts argue that the media market has suffered in light of Georgia's economic slowdown, and will only worsen in light of the amendments to the Law on Broadcasting.⁵¹ Nino Jangirashvili, director of regional broadcaster Kavkasia TV, argues that "the market is already overloaded," with even the largest players barely earning sufficient revenue.⁵² BBC Georgia Correspondent Temo Kighuradze verifies this analysis, claiming Rustavi-2, one of the two biggest stakeholders in terms of ratings and advertising revenue, is "severely underfunded,"

⁴⁴ "Assessment of Public Broadcaster's Performance," Transparency International Georgia, 15 December 2017. Accessed 19 March 2019. <https://www.transparency.ge/en/post/assessment-public-broadcasters-performance>

⁴⁵ Hatia Jinjikhadze, Personal Interview.

⁴⁶ "Media Sustainability Index 2018 Europe & Eurasia," 161.

⁴⁷ Ekaterine Basilaia, Tbilisi State University, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 21 February, 2019.

⁴⁸ "Assessment of Public Broadcaster's Performance," Transparency International.

⁴⁹ Nata Dzelishvili, Personal Interview.

⁵⁰ "Media Sustainability Index 2018 Europe & Eurasia," 169.

⁵¹ *Ibid.*

⁵² *Ibid.*

relying upon decades-old Saakashvili-era equipment.⁵³ Financing in media remains a key challenge, with regional media affected even more than national media, partially contributing to the politicized character of the media since significant funding comes essentially from either the Georgian Dream or Saakashvili's UNM. In turn, such politicization exacerbates the problem of funding through actions such as the aforementioned amendments to the Law on Broadcasting. Given that Georgia is a developing economy, the financial constraints on the media market should not be underestimated, for public polls indicate citizens consider the most important issues facing Georgia to be unemployment and poverty.⁵⁴ Under the Saakashvili regime, Horchilava Vakhtang, Editor-in-Chief of the newspaper "Martiali Gazeti" described the media situation as follows:

*"Perhaps, it is too much to expect objectivity and adherence to principles from journalists who have not received their salary for several months. If the economic situation in the country improves, then fully independent publications will appear."*⁵⁵

Needless to say, Vakhtang's description remains relevant to the Georgian media environment in 2019. The oversaturated advertising market therefore has implications for the quality of media coverage as much as it does for media pluralism. Beyond restricting the public reach of smaller broadcasters, financial constraints that result in political affiliations undercut prospects for critical, high quality reportage. While this most obviously occurs due to politicized and polarized coverage, financial constraints also translate to poor funding for journalistic training and resources.⁵⁶ An absence of journalistic analysis, in particular, creates a gap of information that the government enters in to fill: journalists do not explain the issues of the day, audiences remain confused and demand an explanation, and the government steps in to offer a state-sponsored narrative.⁵⁷ As Khatia Jinjikhadze puts it, "we see all sides of the story present, but the journalists themselves cannot tell a story."⁵⁸ Furthermore, low standards of professionalism also result in the prevalence of disinformation, even on national carriers like Rustavi and Imedi. Polls show that over 46 percent of respondents believe Imedi spread disinformation, while the figure stands at over 37 percent for Rustavi.⁵⁹ Meanwhile, 64 percent agree that Georgian TV stations often spread disinformation.⁶⁰ To be sure, Mikashavidze argues that when it comes to the mainstream television media, "misinformation" better characterizes the issue instead of "disinformation."⁶¹ She argues

⁵³ Temo Kighuradze, BBC Georgia Correspondent, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 22 February, 2019.

⁵⁴ Caucasus Research Resource Center, "Caucasus Barometer time series dataset Georgia," Most Important Issue Facing Georgia. Accessed 19 March 2019.

<https://caucasusbarometer.org/en/cb2017ge/codebook/?q=trust&w=>

⁵⁵ Philipp H. Fluri & Eden Cole, 222.

⁵⁶ Ana Dabrundashvili, Personal Interview.

⁵⁷ Ekaterine Basilaia, Personal Interview.

⁵⁸ "Media Sustainability Index 2018 Europe & Eurasia," 165.

⁵⁹ Caucasus Research Resource Center (December 2018) "Public Attitudes in Georgia." How often do they spread disinformation – Imedi & Rustavi-2. Accessed 19 March 2019.

<https://caucasusbarometer.org/en/nd2018ge/DISIMD/> and

<https://caucasusbarometer.org/en/nd2018ge/DISR2/>

⁶⁰ Caucasus Research Resource Center, (December. 2018) "Public Attitudes In Georgia " Do you agree or disagree that Georgian TV stations often spread disinformation? Accessed 19 March 2019.

<https://caucasusbarometer.org/en/cb2017ge/TRUMEDI/>

⁶¹ Maia Mikashavidze, Personal Interview.

the letter refers to false information, while the former refers to “partial truths” used out of context, and manipulated for political objectives.⁶² Broadly speaking, the question to which a free market (even one supported by rich economy) can deliver the high-quality media content associated with a functioning democracy is itself debated.⁶³ Hence Kighuradze contends that low journalistic quality has as much to do with public preferences as it does with funding, with education and increased exposure to the EU being equally important components of the solution.⁶⁴ While there is likely some truth to such a demand side explanation for low quality media coverage, the overarching constraints presented by a struggling economy on the media market as a whole, broadcasting channels, and individual journalists remain key challenges.

Internet, Media Diversity, Russian Propaganda

Media experts generally agree that the increasing dominance of the internet is a positive development for the media environment in Georgia. The internet allows Georgians to sidestep many of the constraints facing the traditional media markets, allowing for greater independence, higher quality coverage, and greater diversity of viewpoints. While the ease of publishing information undoubtedly poses challenges in terms of the reliability of content, the internet also promotes increased fact-checking and social media activism. Indeed, social media activists who verified factual claims made by the GD and the UNM (and their respective supporters) were a key factor behind the widespread recognition that coverage of the 2018 presidential campaign was politically motivated.⁶⁵ Additionally, the internet has promoted the proliferation of media outlets, some of which include netgazeti.ge, liberali.ge, and tabula.ge.⁶⁶ Studio Monitor, in particular, publishes investigative work in collaboration with Radio Free Europe/ Radio Liberty, with funding assistance from the European Commission.⁶⁷ With internet usage on the rise, 54 percent of respondents claim to use the internet every day, while 15 percent list social networks as their main source of information about current events.⁶⁸⁶⁹ In 2017, the Georgian Constitution was amended to include access to internet as a fundamental right, although action is yet to be taken in terms of implementation. All in all, however, the use of the internet both “broadens and fragments the contexts of communication,” for “the price we pay for the egalitarianism offered by the Internet is the decentralized access to unedited stories.”⁷⁰ In particular, in the context of Georgia’s “hybrid war” with Russia,

⁶² Ibid.

⁶³ Classen, Rutger. "Communication as Commodity: Should the Media Be on the Market?" *Journal of Applied Philosophy* 28, no. 1 (2011), 66.

⁶⁴ Temo Kighuradze, Personal Interview.

⁶⁵ Nata Dzvelishvili, Personal Interview.

⁶⁶ Teona Turashvili, Institute for Development of Freedom of Information, Interviewed by Sanjana Shah, Personal Interview, Tbilisi, 18 February, 2019.

⁶⁷ Ibid.

⁶⁸ Caucasus Research Resource Center, (December 2018) “Public Attitudes In Georgia, ” Frequency of Internet Usage. Accessed 19 March 2019. <https://caucasusbarometer.org/en/nd2018ge/FRQINTR/>

⁶⁹ Caucasus Research Resource Center, (2018) “Knowledge and Attitudes of the Population of Georgia towards Judiciary,” Main source of information about current events.” Accessed 19 March 2019. <https://caucasusbarometer.org/en/emc2018ge/INFSOU1/>

⁷⁰ Lesley Hitchens, "Media Regulatory Frameworks in the Age of Broadband: Securing Diversity," *Journal of Information Policy* 1 (2011), 222.

Georgia finds itself increasingly vulnerable to Russia's disinformation campaign on the internet.⁷¹

Hybrid warfare is a broad term that is meant to cover the range of conventional and unconventional, regular and irregular, overt and covert dimensions of warfare used by adversaries to “combat western superiority” in conventional warfare.⁷² A key component of Russia's hybrid war in the west has been its strategic counter-narrative in the informational space.⁷³ In Georgia, Russia's counter-narrative is dominated by three key themes: Georgia's EU integration will result in the “legalization” of Western life that are considered threats to Georgian values and cultures; the West has destructive objectives in Georgia; and Western-funded pro-democracy NGOs are branches of foreign intelligence services.⁷⁴ While the first theme played on conservative interests in light of the increasingly dominant LGBT movement, most recently the second theme was at play through information circulated online about the US-funded Lugar Laboratory in Georgia. Russia successfully disseminated messages about America testing biological weapons under the guise of the peaceful laboratory.⁷⁵ Minorities who do not speak Georgian are especially susceptible to such disinformation, for there is little if any media catering to their needs in non-Georgian languages.⁷⁶ Since 2013, the number of media organizations representing Russian “soft force” or soft power have been increasing in Georgia, although the individuals involved with such efforts remain primarily the same.⁷⁷ Sputnik Georgia is a case in point, for after being banned from broadcasting by the GNCC, it has been gaining momentum in the digital space.⁷⁸ Given that over 63 percent of internet users state their most internet activity is to use Facebook, exposure to disinformation is a widespread problem across Georgian society.⁷⁹ Moreover, while the pressing issue continues to be Russian influence, disinformation is as much of a domestic issue as it is international. Facebook has effectively entered the mainstream as a platform for political discussion, with “misinformation” of “disinformation” by both political parties growing increasingly predominant in election campaign periods.⁸⁰ Last June, a Facebook post by Prime Minister Giorgi Kvirikashvili attracted much attention for allegedly using online bots, with thousands of likes coming from people with non-Georgian names.⁸¹ Together

⁷¹ Mamuka Andguladze, Personal Interview.

⁷² “Hybrid War – does it even exist?” NATO Review, 2015. Accessed 19 March 2019.
<https://www.nato.int/docu/review/2015/also-in-2015/hybrid-modern-future-warfare-russia-ukraine/en/index.html>

⁷³ Niklas Nilsson, “Russian Hybrid Tactics in Georgia,” Central Asia-Caucasus Institute (Washington: January 2018), 42. Accessed 19 March 2019.
https://silkroadstudies.org/resources/pdf/SilkRoadPapers/2018_01_Nilsson_Hybrid.pdf

⁷⁴ *Ibid*, 44.

⁷⁵ Teona Turashvili, Personal Interview.

⁷⁶ Temo Kighuradze, Personal Interview.

⁷⁷ Nata Dzvelishvili and Tazo Kupreishvili, “Russian Influence on Georgian NGOs and Media,” Institute for Development of Freedom of Information, June 2015, 51. Accessed 19 March 2019.
<https://idfi.ge/public/upload/russanimpactongeorgianmediadaNGO.pdf>

⁷⁸ *Ibid*, 49.

⁷⁹ Caucasus Research Resource Center (2017) “Caucasus Barometer Georgia,” Most frequent internet activities – Use. Facebook. Accessed 19 March 2019.
<https://caucasusbarometer.org/en/cb2017ge/INTACFB/>

⁸⁰ Maia Mikashavidze, Personal Interview.

⁸¹ Temo Kighuradze, Personal Interview.

with concerns regarding Russia's propaganda campaign, false information on social media currently poses a crucial challenge to the media environment in Georgia.

Regulation: Disinformation & Libel

The regulation of social media and internet at large remains a contentious issue across the globe. Democracies must find a balance between allowing freedom of expression to prevail, while protecting their citizens from counter-narratives propagating false information. Civil society representatives in Tbilisi argue that government regulation must be avoided at any cost. Teona Turashvili of the Institute of Development of Freedom and Information, for example, asks who would decide what is "fake" in the face of a disinformation law?⁸² In a country already wary of increasing government control, such a disinformation law would be dangerous in Georgia, for such regulation requires a strong judicial system and institutions committed to openness and democratic ideals. Given that the legislative foundations of Georgia media freedom are based upon an American model of free speech (minimum regulation in contrast to the EU), a potential disinformation law would effectively empower the government to silence critical voices further and propagate a one-sided state narrative.⁸³ A related issue concerns libel legislation, for in light of the hate speech, disinformation, and defamatory coverage that marked the 2018 presidential campaign coverage, the new president has raised the possibility of libel legislation in the near future. If libel is indeed criminalized, the burden of proof would be reversed so as to disadvantage the journalist rather than the applicant.⁸⁴ Given the financial constraints facing Georgia media already discussed, such legislation would have a "chilling effect" on Georgian media.⁸⁵ Generally speaking, a widespread consensus on the net positive impact of internet on media underlies such arguments against regulation. For as much as disinformation undermines democracy, the internet also enhances the shaky foundations of democracy in Georgia by allowing critical, diverse, independent, and analytical reporting.

Perhaps the most pressing concern remains the question of Russia. Specifically, in light of the way Russia has allied with the church in the face of progressive movements, its disinformation campaign in Georgia remains a point of key concern. However, Nata Dzvelishvili of the Georgian Charter of Journalistic Ethics argues that Russia's disinformation campaign is a symptom of the problem rather than the problem itself. "Since Russia is aware of our pro-EU position, it will disseminate such counter-narratives through whatever platform it can."⁸⁶ Instead of centralizing government control, the Georgian government must be proactive in drafting a strategy to counter Russian narratives. "Strategic communications," after all, "is a key component of a hybrid war."⁸⁷ In addition to a lack of long-term vision with respect to this problem, lack of transparency on the Georgian political scene is in large part responsible for the effectiveness of Russian media.⁸⁸ On the question of the Lugar Lab ordeal, for example, increased government

⁸² Teona Turashvili, Personal Interview.

⁸³ Ekaterine Basilaia, Personal Interview.

⁸⁴ Maia Mikashavidze, Personal Interview.

⁸⁵ Teona Turashvili, Personal Interview.

⁸⁶ Nata Dzvelishvili, Personal Interview.

⁸⁷ Ibid.

⁸⁸ Ibid.

openness regarding the laboratory could have hindered Georgians from taking the various speculations online seriously. In essence, regulation would not address Russian interference but instead empower the government to further weaken the rule of law and Georgia's democratic foundations given its political culture, weak economy, and fragile judicial system.

Self-Regulation and Media Literacy

Georgia has a surprisingly robust, effective, and dedicated civil society that continues to work on improving media freedom. In large measure, these organizations advocate self-regulation and media literacy as the most effective solutions to address the challenges facing digital media. The Georgian Charter of Journalist Ethics has been rather successful in functioning as a self-regulatory body amongst journalists in the country. While they are unlikely to be capable of resolving the problem of disinformation completely, greater access to funding and resources to help improve standards of professionalism and journalistic ethics is likely to have a positive impact. Moreover, it may be worth noting that if the media is to play its part in the public sphere, the public needs also to be equipped to make the best use of what the media provides.⁸⁹ In 2018 the GNCC established a state organization to increase media literacy, but chose instead to focus on training journalists. While such training is undoubtedly beneficial, media literacy entails educating the audience instead of merely the journalists. Websites such as guardian.ge and cnn.ge gain much attention in Georgia for they are understood to represent “western” interests, while of course, they are nothing but fake websites.⁹⁰ To be sure, media literacy seems to be an essential requirement across the globe, but it is all the more important in a country like Georgia where the kinds of regulations the EU is likely to adopt are unlikely to be successful here. France and Germany have already adopted variants of “disinformation” laws, and EU-wide regulation on this matter is likely to be of high priority in the aftermath of the 2019 European Parliament elections. As Georgia proceeds to harmonize its legislation with the EU, the media will prove to be a contentious issue given that freedom of expression and media pluralism are unlikely to be protected by EU-style measures in Georgia's transitional democracy.

Conclusion

Georgia's two democratically elected governments – first under Saakashvili, and now informally under Ivanishvili, have both struggled to reconcile their interest in maintaining power while liberalizing Georgia along the lines of western democracy. While the country is unique in its success in securing the extent of media freedom that it has, especially given its Soviet history and regional environment, Georgia strives for a future where it is compared to Germany and France, rather than to Armenia and Azerbaijan. So far, it has demonstrated its commitment to liberal democracy while nonetheless maintaining its penchant for centralized control, informal governance, and political favoritism. It has yet to demonstrate which of the two it will choose in the long-term going forward. While the Georgian public for the most part remain ardent supporters of western

⁸⁹ Hitchens, 222.

⁹⁰ Teona Turashvili, Personal Interview.

style democracy, the extent to which governments in power are willing to allow genuine opposition and criticism is yet to be seen.

Media freedom in Georgia is constrained by direct government interference, a weak judicial system, a struggling economy, and a political culture of opacity fundamentally opposed to real transparency. While these challenges are of relevance to the media environment specifically as well as to Georgia's broader attempts to democratize, the dedication of its civil society, the commitment of its public to a democratic future, and a young population exposed to the EU thanks to a visa free regime seem to sow the seeds for a positive future.

Georgia should pay particular attention to maintaining its young population, who despite their liberal leanings, are likely to leave the country in the face of a struggling economy and unemployment. While Georgia may continue to see its future with the EU, in the interim it must develop alternative development strategies to improve the welfare of its people, and establish an environment conducive to liberal democracy. For in order to maintain a sustainable culture of media freedom and pluralism, in addition to overcoming the challenges facing digital media today, wide-ranging reform that addresses Georgia's structural issues will be absolutely essential.

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