

2024 – A Juncture Point for Georgia's European Path

November 8, 2023, marked a significant milestone in Georgia's quest to join the European Union. On this day, the European Commission included Georgia's dossier in the EU enlargement package for the first time and advised the European Council to grant EU candidate status to Georgia.

This pivotal suggestion will be considered in the Council's mid-December deliberations. Georgia's candidate status is conditional, with the stipulations now numbering nine, a reduction from the previous 12. However, these conditions are notably specific, challenging to fulfill without political will, and measurable. With only three of the 12 original conditions being met by Georgia, the European Commission has revised the remaining objectives, integrating them into a new set of priorities, including additional tasks.

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The Commission plans to re-evaluate Georgia's advancements by the end of 2024. Coinciding with this timeline, the EU enlargement package presentation is anticipated to occur around the same time as Georgia's general elections, which are slated for late October. Consequently, Georgia's efforts towards EU accession and the necessary reforms are expected to become central themes in the upcoming election campaigns, heavily influencing the political discourse.

Dem Georgischen volke!

The European Commission's endorsement for the European Council to confer candidate status upon Georgia rests on three pivotal factors:

Firstly, the Commission acknowledged the determined stance of the Georgian people who ardently support EU integration and successfully thwarted attempts by the Georgian Dream to pass legislation reminiscent of Russian foreign agent laws in March 2023.

Secondly, the Commission held its strategic consideration to maintain Georgia's alignment with Moldova's and Ukraine's EU trajectories and not allow an increase in the gap.

Thirdly, the Commission recognized the Georgian government's limited progress in addressing the 12 recommendations.

When presenting the Georgian file, the President of the European Commission, Ursula von der Leyen, [was](#) crystal clear, stressing the will and the determination of the Georgian people. According to her, the European Commission “*fully supports the genuine aspirations of the overwhelming majority of Georgian citizens to join the European Union. These aspirations need to be better mirrored by the authorities who should engage more with the opposition and civil society on matters of national interest.*”



On the same day, the European Commission recommended opening accession negotiations with Kyiv and Chisinau, sending a clear signal to Russia that the EU would neither abandon Ukraine and Moldova nor leave Georgia and its people behind, encouraging Georgian society to push the authorities to deliver on EU reforms.

The European Union's aspiration to deepen ties with Armenia should also be factored into the context of its decision regarding Georgia. In autumn 2023, Azerbaijan's offensive military operation in Nagorno-Karabakh demonstrated that Russia is not able to provide security guarantees to Armenia despite its membership in the Collective Security Treaty Organization and the Eurasian Economic Area. In response, disappointed Yerevan, well aware of growing anti-Russian sentiments, started rapprochement with the EU. The leaders of Germany and France and the EU institutions also welcomed this desire of the Armenian leadership. The EU seems willing to initiate a visa liberalization dialogue and extend assistance to Armenia through the European Peace Facility. Thus, the EU's approach indicates a broader strategy of engagement and partnership with the region.

Finally, the European Commission took good note of the fact that the Georgian authorities demonstrated limited progress in implementing the 12 conditions mentioned above. Only three out of 12 criteria - ECtHR rulings transposition into the national legislation, electing the Public Defender and ensuring gender equality, were fully met. These reforms were politically less sensitive; thus, their fulfillment posed no threat to the Georgian Dream's quest to maintain power for a fourth consecutive term in October 2024.

Nine steps towards the talks

The Commission's recommendation on granting candidate status comes with nine conditions the Georgian authorities must fulfill to start accession negotiations. The European Union has not set a timeline for initiating accession talks, leaving the timing to the pace at which the Georgian Government addresses and completes the nine specified priorities. The European Commission's next enlargement package and the assessment of Georgia's progress is scheduled for autumn 2024, coinciding with Georgia's October 2024 general elections.

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Because of this overlap, European integration is expected to play a significant role in the pre-election campaigns of Georgian political parties. The Georgian Dream must prove that it is possible to move to the next stage of EU accession with the Georgian Dream in office. Meanwhile, the opposition parties must provide clear ideas on implementing reforms and fulfilling the conditions. They also face the challenge of proving to the electorate and the European Union that they are better fit to move Georgia closer to EU accession.

The European Commission did not allow the Georgian Dream to get away with unfulfilled priorities or window-dressed reforms. The Commission modified and incorporated the conditions of deoligarchization, depolarization, the fight against corruption, and judiciary reform in the new nine priorities. Ensuring free, fair, and competitive elections in

2024 was underlined as a new precondition, focusing on “ensuring adequate representation of the electorate.” This demand is interpreted as a hint to create a more conducive environment for Georgian immigrants scattered worldwide, who often turn out in low numbers to the polls due to limited polling stations opened abroad. “Adequate representation” could also be considered a subtle push to lower the electoral barrier from 5%.

The Commission also introduced new conditions in those areas which blatantly deteriorated or where Tbilisi showed no progress. The EU now officially requires Georgia to align its foreign policy with the EU. From 2020 to 2022, Georgia’s alignment rate dropped from 61% to 43%. Last year, Georgia did not align with the EU’s sanctions against Russia, including the airspace closure and the restrictive measures against Belarus. Georgia also did not join EU common positions on Iran, Türkiye, and several African countries and did not align with the statements and sanctions under the EU Global Human Rights regime. The ruling party argued that aligning with these sanctions would contain risks for Georgia’s non-recognition policy of Abkhazia and the Tskhinvali region/South Ossetia or would negatively impact Georgia’s economy. Considering this reality, the Georgian Dream will have to find a balanced approach to address these EU requirements and ensure that the non-recognition policy is not threatened.

The EU also requested that Georgian authorities deal with the fight against disinformation and foreign information manipulation interference directed against the EU and its values. This priority seems to refer to the Georgian Dream’s anti-European and an-

ti-Western propaganda, which picked up pace after Russia’s unprovoked and unjustified attack on Ukraine and the EU’s decision not to grant Georgia candidate status in June 2023. The anti-EU propaganda often originated from the far-right Alt-info group and the government-sponsored/controlled media however, Georgian Dream leaders often fueled it for their political purposes. One of the leading accusations towards the EU and European officials was that the EU was demanding that Georgia open a second front against Russia.

Last but not least, the EU also expects Georgia to ensure the institutional independence and impartiality of key state institutions like the Central Election Commission (CEC), the National Bank of Georgia (NBG), and the Communications Commission (GNCC) since these institutions are often instrumentalized by the ruling party to achieve political goals and gain political capital.

A major sign of concern about the independence of the National Bank of Georgia (NBG) emerged in the summer of 2023 when the International Monetary Fund (IMF) delayed the second review of Georgia’s Stand-By Arrangement (SBA) because of the structural changes in the NBG management by the Parliament. The President vetoed the amendment, but the Georgian Dream overrode it. As a result, the Georgian Dream’s ex-Minister of Economy, Natia Turnava, became the NBG’s acting President. Another blow to the institutional independence of the NBG was made in September 2023 when the US State Department imposed sanctions on former Georgian Prosecutor General Otar Partskhaladze for cooperating with the Russian FSB and influencing Georgian society and politics in favor of Russia. This was followed by Natia Turnava’s excep-

tional decree preventing the implementation of international sanctions on Georgian citizens unless they were found guilty by a Georgian court. In protest of the decree, three vice presidents of the NBG resigned, creating a leadership vacuum in the Central Bank, promptly filled in by the Georgian Dream Parliamentary majority with the party loyalists with dubious professional backgrounds.

The Commission also noted the importance of the GNCC's independence following a years-long discussion in Georgia about the interference of the GNCC in the editorial policies of the critical broadcasters and favorable treatment of the pro-government media. In autumn 2023, the Parliament amended the Law on Broadcasting to the surprise and the dismay of Georgian CSOs and the media, transferring hate speech and obscenity from the realm of self-regulation by the broadcasters to the regulation by the GNCC. This gave the GNCC the power to sanction broadcasters critical of the government. The EU, which allegedly endorsed the proposed change by the Georgian Dream, responded to this by underlining the independence of the GNCC as one of the preconditions for Georgia's further European path.

Regarding the Central Election Commission, the issue is related to the election process of the chairperson and the Commission's members. The chair and the professional members (8 out of 17) of the Central Election Commission are selected by the Chair of the Parliament of Georgia (a political figure) and approved by the Parliament with a simple majority. This leaves a massive opportunity for the ruling party to influence the process. The political agreement reached in April 2021

with the mediation of the European Council's President Charles Michel provided for the high quorum appointment of the Commission Chair; however, the Georgian Dream reneged on the deal a few months after signing it, and the composition of the CEC has been a major area of disagreement with the opposition and civil society since then.

In the previous set of 12 conditions, the EU expected Georgia to address high-level corruption cases, although the Georgian Dream limited itself to establishing the Anti-Corruption Bureau without investigative functions with its head appointed by the Prime Minister. In 2022, seven high-level officials were prosecuted, and six were convicted of corruption. In the new set of conditions, the EU expects Georgia to establish a "strong track record" in investigating corruption cases and have appropriate follow-up on high-level corruption cases. This request could be one of the hardest for the Georgian Dream to implement since the anti-corruption bureau has not followed up on any corruption allegations made by investigative journalists and opposition politicians towards the Prime Minister and high-level Georgian Dream members.

The European Commission also maintained the deoligarchization requirement, albeit by switching its attention to the action plan that the Georgian Dream prepared without consulting any major political or civil society stakeholder. Initially, the Georgian Dream copied the Ukrainian law on deoligarchization, but after receiving a clear [message](#) from the Venice Commission to apply a systemic approach instead of a personal one, it came up with an action plan which it shared with the European Commission, but not with the

civil society or the opposition parties until the European Commission's recommendation of November 8. In response, the European Commission tasked the Georgian Dream with "improving the current action plan to implement a multi-sectorial, systemic approach to deoligarchization in line with Venice Commission's recommendations and following a transparent and inclusive process involving opposition parties and civil society."

Among the nine new conditions, minority and human rights protection, the media, and civil society-related priorities were grouped. The ruling party demonstrated no progress in investigating and prosecuting the organizers of the violence against journalists on July 5, 2021, and against the private Tbilisi Pride event on July 8, 2023. The government has also not investigated cases related to the wiretapping of journalists and other attacks against them. The lack of cooperation with civil society organizations and the attempt to label all foreign-funded NGOs as "foreign agents" and "spies" almost destroyed the trust between the third sector and the government. These developments led the European Commission to task the Georgian Dream again with "consulting and engaging with civil society, allowing for their meaningful involvement in legislative and policymaking processes" and ensuring that CSOs "operate freely."

Less time for more reforms

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sensitive, giving the Georgian Dream a second chance to deliver on them. The ruling party must now demonstrate strong political will and convince the voters that it can carry the country into the EU accession process. Unlike the previous stage, the Georgian Dream now has less time to prove that it is serious about EU membership and keen to conduct reforms.

The Georgian Dream took 18 months to implement only three of the 12 conditions, while it now has less than 11 months to deliver on nine, which are more robust, wide-ranging, and arduous than the previous 12. In addition to the already discussed reforms, the ruling party must show significant progress on the priorities it failed to address in 2023.

Namely, clear measures are expected to be taken in judicial reform. The European Commission [requested](#) that Georgian authorities "establish a system of extraordinary integrity checks, with the involvement of international experts with a decisive role in the process, for candidates and persons currently appointed to all leading positions in the judiciary; in particular, the HCJ [High Council of Justice], the Supreme Court and court presidents." This condition is the biggest headache for the ruling party, considering that they have repeatedly used the judiciary for their political interests through the influential group of judges known as the "clan." Three "clan" members were recently sanctioned by the US State Department for corruption, causing dismay for the Georgian Dream and the Prime Minister's public expression of support for the sanctioned judges.

The Georgian Dream will face another outstanding priority - depolarization, which rolled over from the previous 12. Polarization is a useful political tool for the government, used to demonize political opponents and mobilize the voters. In the condition of proportional elections in 2024, the more polarized the society, the better the incumbent's chances to garner approximately 40% of the votes, which could be sufficient for continuing the one-party rule. This priority hangs over the ruling party as the sword of Damocles since it needs to win the elections and demonstrate sufficient progress vis-à-vis the European Union.

Another opportunity not to be missed

Georgia's European integration process will reach a juncture point in 2024 with the opening of accession talks at stake. Moldova and Ukraine will likely have cleared this hurdle when Georgian progress is assessed in late 2024. The political will and the determination of Georgia's leaders will be critical for implementing the necessary reforms for the EU accession talks to start. While the Georgian Dream has successfully delivered on three less contentious priorities, their strategy of picking the low-hanging fruits may not suffice this time. The European Union has recalibrated its expectations, emphasizing political reforms that may not align with the Georgian Dream's primary objective of securing a fourth consecutive term in power. The EU-pushed reforms may not necessarily serve the ruling party's interests but are demanded by the pro-European public and civil society, which expect tangible progress on EU integration. Therefore, the EU's focus on predominantly political and democratic con-


ditions for beginning accession talks presents a significant challenge to the Georgian Dream's interests.

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The European Commission recommended granting candidate status to Georgia largely because of geopolitical factors and the Georgian people's European identity. The EU is expected to be more inward-looking in 2024, busy with the European Parliament elections in spring and forming the new College of Commissioners in autumn. These leave the Georgian Dream ample opportunity to maneuver and avoid the EU's stern assessments.

Since gaining independence, foreign policy has seldom been a focal theme in Georgia's election campaigns. Yet, given the current dynamics of Georgia-EU relations, European integration is anticipated to emerge as a critical issue in the forthcoming electoral debates. Opposition parties will need to articulate their strategies for implementing the nine priorities outlined by the EU, essential for commencing accession talks. On the other hand, the European Union anticipates that the Georgian Dream will align with the European aspirations of the Georgian people and collaborate with the opposition and civil society - the very groups it has previously labeled as "foreign agents" and "traitors."

This period represents a critical juncture for Georgia's path toward the EU, necessitating commitment and political resolve. Failure to seize this opportunity could result in an indefinite postponement of Georgia's EU membership ambitions. ■

read about the contributor 



Vano Chkhikvadze
Contributor

Vano Chkhikvadze is an EU Integration Programme Manager at Open Society Georgia Foundation (OSGF), specializing in EU-Georgian relations and advancing projects for Georgia's European integration. With a background as a country analyst for the European Stability Initiative and prior roles at the Eurasia Partnership Foundation and the Office of the State Minister on European and Euro-Atlantic Integration in Georgia, he has extensive experience in monitoring EU program implementation in various areas. Vano Chkhikvadze also oversees EU projects related to regional cooperation. He holds a Master's Degree from the College of Europe in European Advanced Interdisciplinary Studies and another from the Georgian Institute of Public Affairs in Policy Analysis.