

Names, not Passports!

The EU Should Use Its Visa-Free Carrot More Wisely

The European Union positions itself as a global actor committed to preventing and resolving conflicts, supporting resilient democracies, championing human rights, promoting sustainable development, and upholding a cooperative, rules-based global order. The unfolding crisis in Georgia presents yet another litmus test for the EU to demonstrate its commitment to these principles. Losing Georgia and its people to Russian oligarchic influence and authoritarianism is a luxury the EU cannot afford.

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On November 28, 2024, Georgian Dream's (GD)

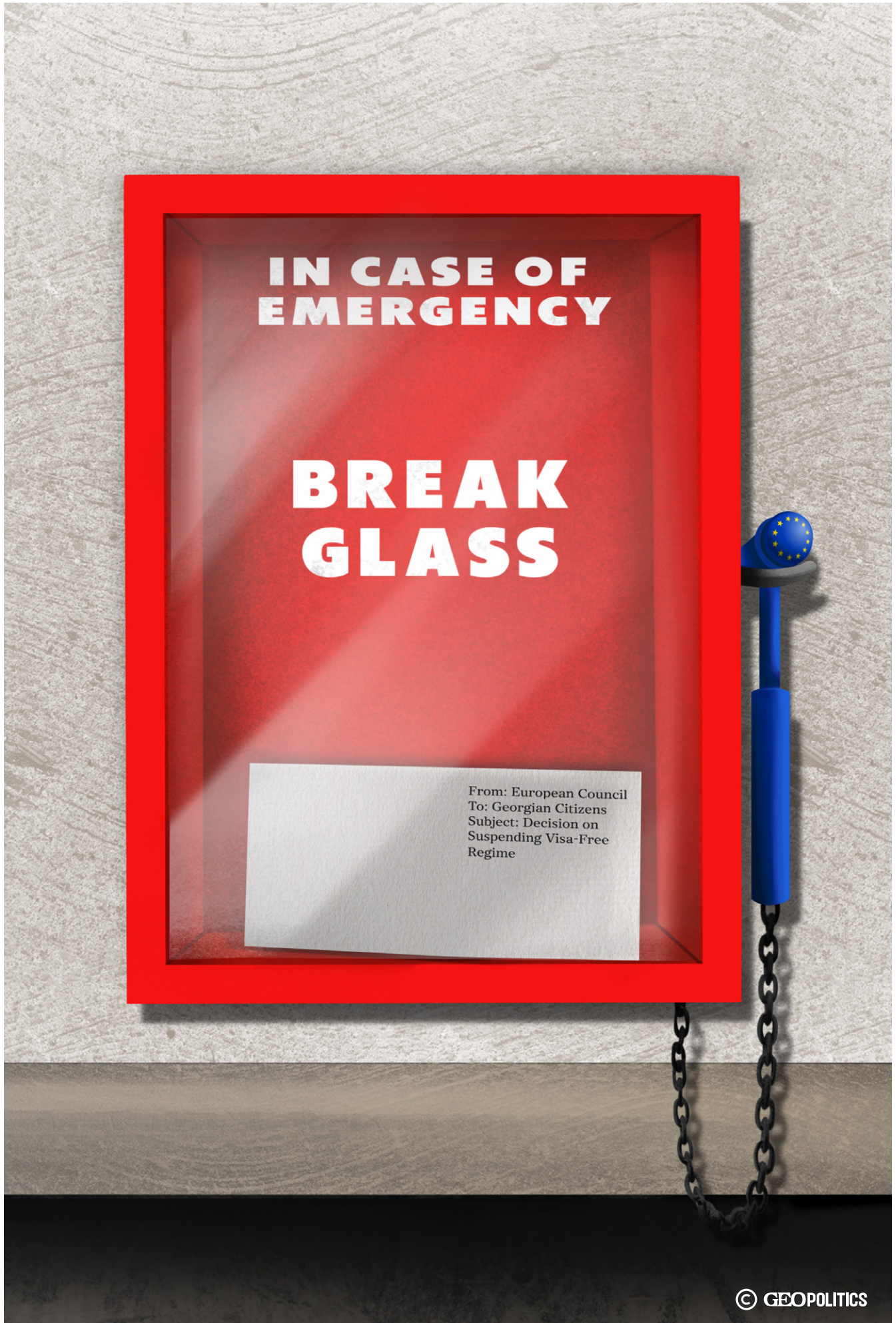
Prime Minister, Irakli Kobakhidze, delivered a blow to both Georgian citizens and the EU by announcing the government's decision to abandon efforts toward EU accession negotiations. This declaration, orchestrated under the influence of Russian oligarch Bidzina Ivanishvili, marked a formal rejection of the reforms tied to the EU accession process—a process seen as a Damocles' Sword to the Georgian Dream's grip on power.

This move ignited massive, ongoing protests across Georgia, met with brutal repression by the Georgian Dream government. State security forces, controlled by GD loyalists, resorted to violence, arrests, and intimidation to quash dissent, leaving hundreds of Georgians beaten, detained, and threatened. The GD-stacked courts upheld the criminal charges against over thirty persons and sentenced several hundred to short-term and administrative detentions.



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Draconic new laws were passed within a week in December to cripple the protests, suppress dissent and tighten control over civic life, marking a stark departure from democratic norms. Changes to the Law on Assemblies and Demonstrations banned items like pyrotechnics, lasers, and face coverings at protests, while amendments to the Administrative Offenses Code sharply increased fines for protest activities and expanded police powers for detention and searches without court orders. The Police Law enabled non-competitive recruitment, raising concerns about politically motivated hires, and the Law on Civil Service politicized public administration, allowing arbitrary dismissals and making civil servants more vulnerable to political pressure. Together, these measures undermined freedoms, weakened civil society, and signaled Georgia's continued regression from its European aspirations.

By turning its back on the EU path, the Georgian Dream not only betrayed the 80% of Georgians who support European integration but also dared the EU to act. Once again, the EU's patience and resolve were tested. However, its response—measured and cautious—fell short of the robust action demanded by the gravity of the crisis.

Such violations of democratic norms and human rights merit EU sanctions, however, serious human rights-related sanctions require consensus. However, the EU's common stand on Georgia is held hostage by spoilers like Hungary and Slovakia. In response to this challenge, the EU sought a face-saving solution. With no consensus in sight over serious financial or human rights-related sanctions, the Union faced two options: either activate the visa suspension mechanism (which requires only a simple majority) to target diplomatic passport holders from Georgia or take a broader political step by suspending visa-free travel for all Georgian citizens, a privilege enjoyed since 2017. Ultimately, the EU chose not to undermine ordinary Georgian citizens defending the European

future and [opted](#) for the first route. In December, the EU halted visa-free travel for Georgian diplomatic passport holders and called on the European Commission to present a proposal on this matter. This decision sent a clear signal: while the EU door narrowed for Georgian officials, it remained open for citizens.

Visa-Free In Danger?

Since 2017, Georgian citizens with ordinary passports have enjoyed visa-free travel to EU and Schengen zone countries, granted after meeting the Visa Liberalization Action Plan (VLAP) requirements. The European Commission is tasked with monitoring compliance with these requirements. Since 2018, the EU has had the authority to [activate](#) a visa-free travel suspension mechanism if the beneficiary country fails to meet specific criteria, including:

- A significant increase (over 50%) in the number of irregular arrivals from visa-free countries, including those overstaying their visas or being refused entry at the border;
- A substantial rise (over 50%) in asylum applications from countries with low recognition rates (around 3-4%);
- A decline in cooperation on readmission;
- An elevated security risk to EU Member States;
- Failure to meet specific benchmarks required for visa liberalization.

The European Union is currently [revising](#) the visa suspension mechanism, introducing updates to the criteria for triggering it in cases of significant and sudden deterioration in relations with a third country, particularly concerning human rights and fundamental freedoms. The new framework proposes raising the asylum recognition rate threshold to 20% (instead of the previously suggested 4%) to classify it as low. Additionally, the duration of temporary visa exemption suspensions will be extended

	2022	2023
Asylum Applications	26,555	24,375
Irregular Stays	22,015	24,595
Refusal to Entry	4,015	3,680

Source: 7th report under the visa suspension mechanism; 6.12.2024

from 9 to 12 months, with the possibility of further extension to 24 months (up from 18 months under the current system). The reference period for identifying circumstances leading to a suspension has also been expanded to cover at least two months.

In December 2024, the European Commission [published](#) its seventh report under the visa suspension mechanism as part of its ongoing monitoring of the visa liberalization process. From a technical perspective, the report highlights some improvements in Georgia's performance regarding key criteria, including fewer persons refused entry at the border, a reduced number of asylum seekers, improved cooperation on readmission, and a lower perceived security risk to EU Member States compared to the previous year. The number of asylum seekers decreased slightly, from 26,555 in 2022 to 24,375 in 2023, with a recognition rate of 7%. Refusals of entry also declined, from 4,015 in 2022 to 3,680 in 2023. However, the number of Georgian citizens irregularly staying in the EU rose from 22,015 in 2022 to 24,595 in 2023. The Commission report also noted that the Georgian authorities continued cooperating with the EU on readmission (see the table above).

However, in 2024, Georgia's relationship with the European Union has deteriorated significantly, alongside notable backsliding on the requirements of the Visa Liberalization Action Plan (VLAP). This decline has been particularly evident in the areas of human rights and fundamental freedoms. Despite widespread public protests and aspirations for closer ties with the EU, the ruling Georgian Dream

party passed Russian-style laws on "transparency of foreign influence" and "family values and protection of minors," undermining the country's democratic credentials. These moves posed a direct challenge to the EU, prompting the Union to consider its response. European Commission spokesperson Peter Stano underscored this shift, [stating](#) that "all options are on the table" if Georgian Dream continues its authoritarian trajectory, "including the potential temporary suspension of the visa liberalization scheme." The cohort of new anti-democratic December laws further added fuel to Georgia's non-European path.

For years, Georgia met the criteria for suspending visa-free travel, but the EU and its member states chose to overlook these issues as a gesture of goodwill. However, following Georgian Dream's decision to backtrack on EU accession, this goodwill no longer holds. Yet, suspending visa-free travel remains a matter of consensus, creating a dilemma. On the one hand, the suspension is now fully justified based on the established rules and criteria, especially as the Georgian government shows little interest in maintaining a strategic partnership with the EU. On the other hand, removing visa-free travel does not require unanimous approval. However, the main consequence would fall not on the government but on ordinary Georgian citizens.

It was because of these considerations that the EU opted for a targeted suspension of the visa-free regime for Georgian officials holding diplomatic passports and refrained from "punishing" ordinary Georgians.

Diplomatic passport holders in Georgia have long enjoyed privileges denied to ordinary citizens. Since 2011, an [agreement](#) between the European Union and Georgia on visa facilitation allowed holders of diplomatic passports to travel to EU Member States without a visa for up to 90 days within a 180-day period. Meanwhile, ordinary citizens were left to contend with the so-called “Schengen wallpaper,” enduring time-consuming and often humiliating visa application processes.

The Foreign Affairs Council's decision to suspend the visa-free regime for diplomatic passport holders reversed this dynamic, putting ordinary citizens in a more favorable position than the elites and those closely tied to the Georgian Dream government. This move carried significant political weight. It signaled that the EU acknowledges and supports the Georgian people's struggle for democracy and European integration. At the same time, it undercut Georgian Dream's potential narrative that the EU's actions are punitive towards the public, a message often exploited for propaganda.

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Moreover, maintaining visa-free travel for ordinary citizens is practical and humane. It ensures that activists and others facing regime pressure can temporarily leave the country without the additional burden of navigating the visa application process. Closing the EU door to ordinary citizens while leaving it open for government-affiliated elites would have been seen as unjust and counterproductive.

Implementation Matters

Now, the EU faces a critical challenge. It needs to prove whether the decision on suspending visa-free for diplomatic passport-holders is a symbolic,

face-saving gesture, as some Georgian Dream officials [claim](#), or a meaningful act that can be enforced to the detriment of the political interests of the ruling party and its cronies.

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As it stands, the European Commission's [approach](#) focuses on targeting diplomatic and service passports as categories rather than identifying the specific individuals responsible for Georgia's democratic backsliding. Decree #176, [issued](#) on April 20, 2015, regulates the issuance of diplomatic and service passports in Georgia. It lists the positions entitled to such passports while granting discretion to the Ministries of Defense and Internal Affairs, as well as the State Security Service, to allocate up to 145 diplomatic passports for additional personnel. In total, several hundred individuals qualify for diplomatic passports under this system.

The EU's decision to suspend visa-free travel for these passport holders while maintaining it for ordinary Georgian citizens is a step in the right direction. It sends a strong message: Georgian officials are no longer welcome in the EU, and their privileges are being stripped away. However, this should not be seen as the final step. Georgian Dream of-

officials have openly vowed to continue visiting EU Member States, exploiting the remaining loopholes.

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To close these gaps and assert itself as a global actor committed to the rules-based international order, the EU should take further action. This includes gathering personal data on diplomatic passport holders through its delegation, Member State embassies, and local partners, and compiling a list of individuals to restrict from entering the EU and

Schengen Zone—even with ordinary passports. By adding these individuals to the Schengen Information System (SIS)—which contains biometric data such as photographs, fingerprints, and palm prints—the EU could ensure that those undermining Georgia’s democracy are effectively barred from entering.

Without such measures, Georgian Dream officials will continue to mock the EU’s actions as “toothless,” exploiting visa-free travel while disregarding the consequences of their anti-democratic actions. To uphold its credibility and values, the EU must go beyond symbolism and make its decisions impactful and enforceable ■