

Has Georgia Abandoned its European Path?

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Georgia's ruling party, Georgian Dream, reintroduced a Russia-inspired draft law on 'foreign agents', intended to severely limit the space for civil society and independent media, which was abandoned last year amid massive public outcry and protests. This time around, the government's strategy seems to be to prolong the process to outlast popular dissent and Western attention. The law is designed to bolster the ruling party's position before parliamentary elections in October but, if passed, will also likely jeopardize Georgia's EU accession process.

On April 3, Georgian Dream (GD) again announced legislation requiring organisations that receive more than 20 % of their funding from abroad to register with government authorities as foreign agents. According to GD itself, the draft law, on "Transparency of Foreign Influence", is merely a renaming of a law introduced in March 2023 but then quickly abandoned after two days of huge protests in Tbilisi as well as strong criticism from the West.

The law, applicable to NGOs, media and trade unions, is justified by the government as a measure to ensure funding transparency. However, it would impose burdensome reporting requirements, inspections, and administrative and criminal liabilities. According to Human Rights Watch, it is a "transparent attempt to control, stigmatize and limit the influence of independent media and civil society". Many informally call this legislation the "Russian law" due to its resemblance to similar legislation enacted in Russia in 2012 – and tightened in 2022 during the invasion of Ukraine – to suppress Russian civil society.

The Internal Georgian Context

The bill, like last year, has predictably resulted in a big public outcry from Georgia's civil society and opposition, sparking protests on the streets of Tbilisi starting April 8 and growing in the following days to several thousand. The law was also criticised by Georgia's pro-European president, Salome Zourabichvili, who also promised to veto the law.

Importantly, GD seems to have learnt its lesson from last year and has a different strategy this time around. By protracting the process it hopes to outlast the stamina of protesters, civil society and opposition – and also the attention of the West. Thus, the bill was announced on April 3, passed the first stage in parliament on April 8, while the first committee hearings started on April 15 – amid brawling lawmakers and renewed protests. The bill could likely be passed in May or June.

The vital and highly uncertain question is whether the societal outrage and demonstrations – and Western pressure – will force GD to back down again. The protests so far do not yet seem to be as strong as in 2023, which could hint both towards the potential success of GD's new tactics, and possibly also the outlook of the upcoming parliamentary elections in October. The law should also be seen in the context of other recent Russian-inspired and EU-misaligned legislation being pushed by GD, including a broadcasting law and a new anti-LGBTQ+ law.

International Responses

Also similarly to last year, the bill has prompted strong Western and international pushback, including from the UN in Georgia, the US Ambassador to Georgia, NATO, and the EU, who criticised the law as raising serious concerns and being inconsistent with previous promises by the Georgian government. On April 12, German Chancellor Scholz emphasized that “there is no such law in the European Union”, while President of the European Council Charles Michel stressed that the law “will bring Georgia further away from the EU”.

Interestingly, the US State Department also hinted at the potential for sanctions against the officials responsible for the bill, which was later dismissed by GD parliamentary leader Mamuka Mdinardze. In April 2023, the US imposed sanctions on four Georgian judges, thus utilizing an instrument and taking a step the EU so far has been unwilling to do, despite numerous calls from Georgian CSOs. The EU's reluctance may stem from concerns about jeopardizing the already fraught relations with GD, naive illusions about the motivations of the current Georgian government, or internal EU disunity regarding how to handle Georgia.

Why Reintroduce the Bill?

Introducing the bill again might seem peculiar, considering the overwhelming support of the Georgian population for EU membership and the strong societal backlash last time, which compelled GD to retract the bill in a humiliating step. One popular explanation emphasizes Russia's role in pushing GD toward an authoritarian direction, viewing the development in the context of a wave of similar laws being implemented recently across Eurasian autocratic or hybrid regimes with Russian ties, including Kyrgyzstan, Republika Srpska in Bosnia and Herzegovina, Slovakia, and earlier Hungary. Russia also defended the reintroduction of the bill, echoing GD's (thoroughly debunked) talking points that the US started with such legislation and that it is standard practice across the West.

However, attributing everything to Russian influence oversimplifies the situation, as GD is not necessarily a pro-Russian vassal despite its often Russian-aligned policies and rhetoric. There are several other potential reasons for why GD chose to reintroduce the bill.

Firstly, GD's main goal, like many other hybrid regimes with increasingly authoritarian tendencies, is to maintain power. Georgia's capable and active civil society represents one of the biggest threats to this goal. In the upcoming parliamentary elections, GD aims for an unprecedented fourth consecutive victory, and neutralizing civil society is thus a crucial step toward achieving this. This is also one of the fundamental reasons why GD has not, does not, and likely never will try seriously to bring Georgia closer to the EU – because the

very reforms necessary for EU integration would undermine GD's control over the political system, and thereby threaten its grip on power.

Secondly, and related, is vendetta and vehemence. Humiliated by the need to backtrack on the law previously, incensed by Western criticism, and fueled by its own narratives regarding Western-funded NGOs allegedly dragging Georgia into war with Russia, GD is seeking revenge. Additionally, Georgia's fragmented opposition has recently been uncommonly united and coherent in their messaging, while Georgian NGOs have been especially vocal in criticizing the government.

Thirdly, GD may seek to further intensify the country's already sky-high polarization ahead of the elections, seeing this as advantageous for its narrational efforts. One way to describe the ongoing battle for Georgia's future is as a clash of two competing narratives of dichotomy. GD's narrative is the binary of "GD or war" – either GD remains in power, or Georgia will be plunged into conflict with Russia by the opposition and its Western overlords. Conversely, the opposing dichotomy is that of "GD or the EU" – either GD loses power, or the country will never move closer to the EU. However, this strategy is a double-edged sword, as this law and its polarizing effects could potentially be the decisive factor finally uniting the deeply divided opposition.

Finally, the timing of the bill should also be considered in the international context. With both EU and US elections approaching, and the situation in Ukraine becoming increasingly dire due to delayed Western aid, GD might have calculated this as an opportune moment to minimize Western attention and resolve. Through this law, Georgia's ruling oligarch Bidzina Ivanishvili and his GD might want to either test or gain leverage against the West. The apparent strengthening of Russia's hand in its aggression against Ukraine may have also influenced GD's hedging strategy, namely, to avoid having a strained relationship with Russia in the event of a Russian victory against Ukraine.

Georgia's path away from the EU

Perhaps the most important context of the bill is Georgia's (non)path towards the EU. In December 2023, Georgia was granted candidate status, conditioned upon the implementation of several crucial reforms. While the decision was celebrated as an enormous success by Georgians – government, opposition, and civil society alike – it was clearly a geopolitical decision, contrary to EU values. The EU made this decision not because Georgia had met the previously stipulated requirements (which it had not), but out of fear that a "negative" decision would push Georgia into the arms of Moscow.

The EU also feared that not granting Georgia candidate status would bolster GD's hostile anti-EU narratives, such as claiming that "the EU does not really want Georgia except to open a second front against Russia". However, the opposite was and is also true – GD is using the decision as a significant victory that demonstrates its success in bringing the country closer towards the EU, thereby boosting its popularity ahead of the elections.

The perceived geopolitical necessity of this approach by the EU is understandable. Similar to the cases of Armenia and Azerbaijan, the EU relies on functioning relations with Georgia to achieve several strategic goals in the Southern Caucasus and broader Eastern Europe

region: isolating and countering Russia, securing and strengthening trade routes eastward through the Middle Corridor, and showcasing its geopolitical potency and ability to create a secure, prosperous, democratic and EU-integrated neighbourhood.

However, with the reintroduction of the old-new foreign agent law, it becomes increasingly difficult to envision a European future for Georgia, as it contradicts several of the most critical reforms that the country needs to implement. If enacted, Georgia will have taken a fateful step away from the EU. At the same time, such a development is in line with the sober reality that in the past 5 months since the “positive” candidate status decision, Georgia has made minimal progress on the 9 reform priorities identified by the EU.

Therefore, increasingly, with its current government and evolving foreign policy trajectory, one could argue that Georgia should no longer be considered part of the group of other EU candidate countries whose governments genuinely strive to become part of the EU, despite many challenges and with varying success. Instead, Georgia appears to be pursuing a so-called multi-vector policy, similar to other post-Soviet countries such as Azerbaijan and Kazakhstan. Such a policy entails balancing relations with various global powers and poles – including the EU, the US, Russia, China, and Turkey – without becoming too close with any of them, thereby simultaneously extracting benefits from all while leveraging them against each other.

It also reflects the country's unwillingness to align strictly with one side, particularly if it perceives that side to be on the losing end in the global battle between democracy and autocracy. Like Orbán's Hungary, GD sees the future not belonging to the liberal West but rather to the global illiberal forces and coalitions.

Time for the West to be Clear

The foreign agent law represents a grave threat to Georgia's European aspirations, and thereby to the security, prosperity and democracy of the EU's eastern neighbourhood. Despite the strong desires of its population and the best wishes of the West, Georgia's current government has done very little to further the country's Euro-Atlantic integration. Instead, it is pursuing an increasingly Russia-friendly and EU-sceptical approach aimed at maintaining its grip on power.

The EU's approach towards these developments so far has been largely guided by geopolitical fear, offering many carrots but few sticks. Rather than assigning blame where it is due for Georgia's stalled reform process and ominous geopolitical trajectory, the EU has resorted to general language praising Georgia and its current government's supposed European path. It is high time for the EU to abandon any self-deceptive illusions about where Georgia is headed and to be clear about the rules of engagement. Deterring the 'foreign agent law' through lucid and resolute signals about the costly and painful consequences for the ones responsible would be a good first step.



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