

Beyond Protection: Why the EU Should Shift to Ethnic Minority Integration in Georgia

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Executive Summary

- > Whereas a large part of ethnic minorities present in Georgia is geographically concentrated and isolated from the rest of society, the country's authorities have been failing to take the measures necessary to facilitate their integration.
- > In the context of European Union (EU)-Georgia relations, association instruments properly address issues related to the protection of minority rights, but pay limited attention to the integration component.
- > Efforts on minority integration, especially in the fields of bilingual education, access to information and participation to the civic, political and cultural spheres, are essential elements of minority rights. They should therefore be viewed by the EU as a cornerstone in the development of democracy and human rights in Georgia.
- > Strengthening minority integration could also be one of the keys to improving stability and security in a country and region affected by several frozen conflicts. To this end, the EU should make objectives related to the integration of ethnic minorities more visible in the association process, and acknowledge their regional dimension.

In the context of the association process, the protective aspect of minority rights (non-discrimination, equal treatment and safeguarding of cultures) is clearly put forward by the European Union (EU). Yet, in a country such as Georgia, where geographical and cultural isolation affect the largest ethnic groups, issues related to minority integration (empowerment, access to labour, social, civic and political opportunities) are more prominent. Societal

integration is an essential part of minority rights for ethnic groups in Georgia; yet it remains too timid an objective within the context of the EU-Georgia political dialogue. Focusing on ethnic minorities, this brief examines the minority situation in Georgia and how the EU-Georgia association instruments encourage reforms. I argue that an EU insistence on integration is not only essential to minority rights, but would also serve its interests of promoting democracy, stability and security in the broader region.

Ethnic minorities in Georgia: a long-standing implementation gap

Ethnic minorities used to constitute a third of Georgia's population when the country was still a part of the Soviet Union. Even though their presence progressively decreased, they still account for more than 13% of the population, according to a 2014 census. Azerbaijanis and Armenians are the largest groups (almost 11% of the total population), but Georgia is also home to various other ethnic minorities (including Russians, Ossetians, Abkhazians, Chechens, Yazidis, Kurds, Greeks, Ukrainians, Assyrians and Jews). This reality of Georgian society calls for a holistic approach to minority protection that preserves individuals from discrimination and abuses, safeguards the diversity of their cultures, and empowers them as active citizens of their country, all at the same time.

For a post-Soviet country that struggles with state-building and is involved in two conflicts with breakaway regions, promoting a protective and inclusive minority policy is a complex challenge, as illustrated by frequent institutional reorganisations in this area (Institute of Social Studies and Analysis 2019, 12). Georgia officially follows a policy based on multiculturalism, which values the role played by different ethnic groups in the country's development and the preservation of their identities. This approach is detailed in a multiannual State Strategy for Civic Equality and Integration, adopted in 2015 along with a 5-year Action Plan. It focuses on the following key objectives: minorities' participation to civic

life, equality of social and economic conditions, access to quality education and improvement of the Georgian language capacities among minorities with other native languages, as well as the preservation of minorities' culture. To implement them, the document outlines various activities, based in particular on awareness-raising (information campaigns) and training of civil servants. In the field of education, it foresees support to the Georgian Language Preparatory Educational Program (also called the '1+4 program'), which provides ethnic minority students who passed a general skills test in their native language with a one-year intensive Georgian language course prior to starting their bachelor's degree in a Georgian university. This programme is considered as one of the "most successful" initiatives focused on civic integration (Ombudsman 2019, 247).

The gap between the declared objectives and the means taken to achieve them is, however, still dramatically wide (Ombudsman 2020, 291). This is in particular the case regarding access to education, teaching of the state language, access to information and participation in the decision-making process. The aggregation of several ethnic groups in large communities is a particularity of Georgia and a source of important challenges regarding their societal integration. Ethnic Azerbaijanis are mainly gathered in the Kvemo-Kartli and Kakheti regions, and ethnic Armenians in Samtskhe-Javakheti. Access to bilingual education (in both minority and state languages) is complicated due to the lack of material and human resources. Despite efforts provided in this area, there is still a need for updated handbooks, and for both the (re)training of educators in Georgian language teaching and the recruitment of new ones. Furthermore, the language barrier remains an obstacle to the access to information and a reason for minorities' general disengagement from Georgian politics. As a result, participation in the public sphere is another failure of minority integration. (Ombudsman 2019, 244; Institute of Social Studies and Analysis 2019, 16). For several years, the national public defender, local NGOs and international observers have all been insisting on prioritising measures related to civic integration. Despite being in line with the general recommendations of international organisations, Georgia's minority policies lack the necessary large-scale measures and financial efforts to effectively tackle the challenge of integrating ethnic minorities in the Georgian society.

How the EU supports Georgian minority policies: solid on protection, weak on integration

In the context of structured cooperation between Georgia and the EU as part of the European Neighbourhood Policy, the EU supports Georgian minority policies. In the framework of EU-Georgia relations, promoting minority rights is actually one of the objectives of the political dialogue established by the association agreement and the visa liberalisation action

plan (VLAP), which is aimed at guaranteeing citizens' rights, including those of minorities. However, upon examining the scope of these political commitments, it is striking to note that these documents mainly focus on the *protective* aspect of minority rights.

The association agenda and VLAP are the key instruments that have been setting the objectives and benchmarks for Georgia's approximation with EU standards. In the domain of minority rights, they prioritise the signature, ratification and implementation of relevant United Nations (UN) and Council of Europe (CoE) instruments aimed at fighting discrimination, including in particular the European Charter for Regional or Minority Languages (ECRML). The Charter considers regional and minority languages as a "threatened aspect of Europe's cultural heritage", and aims at safeguarding their usage and teaching. Moreover, the 2017-2020 EU-Georgia Association Agenda expressly calls for the implementation of anti-discrimination policies and equal treatment between representatives of ethnic minorities and other citizens. Equal treatment and anti-discrimination were also the main focus of the VLAP in the sphere of minority rights, as it aimed at ensuring equal access to travel documents and transparency in the process of acquisition of Georgian citizenship.

These objectives are essential in building a state based on the respect of human rights; they are especially vital to small communities. At the same time, however, measures targeting ethnic minority integration, though not entirely ignored by the EU, are always only referred to indirectly and seem to be left in the background of EU-Georgia relations. The association agenda calls for the application of the National Human Rights Strategy and for the safeguarding of human rights based on the 2013 EU Special Adviser report, two instruments that do focus on minority empowerment. At the regional level, however, minority integration-related issues are entirely absent from the 20 Deliverables for 2020 for the Eastern Partnership (EaP).

This gap reinforces a general feeling, highlighted by critics already a few years ago, that pledges towards minority rights are not an inherent element of the association package (Ferrari 2014, 4). There is no doubt that Georgian authorities are mainly responsible for the shortcomings in the field of minority integration. However, this trend has only been exacerbated by the lack of an assertive EU position on the matter – and this despite the fact that Brussels is aware of the importance of ethnic minorities, as state language learning, participation to social, economic, political and cultural life and access to information are the top recommendations of the abovementioned EU Special Adviser report "Georgia in Transition" (Hammarberg 2013, 24). Therefore, one may wonder why the EU does not give more visibility to these objectives in the framework of its association with Georgia, a country which proved particularly successful in the

implementation of the association agreement, and which could probably deliver tangible results, were these objectives more expressly referred to in association instruments.

The EU's approach to promoting the application of human rights in its neighbourhood could suggest the start of an answer to this question. Brussels refers to non-EU instruments and the legal and political obligations that stem from them, and relies on information exchange with relevant international organisations, amongst which the CoE, to monitor their effective implementation. This cooperation is a win-win for both parties: the EU benefits from the implementation of binding instruments, and other international organisations from the influence of the EU and its funding (Gawrich 2016, 529). In the context of association relations, the signature, ratification and implementation of international agreements is the clearest benchmark in the field of minority rights. Logically, when it comes to the ECRML, it is the CoE that is on the front line of the monitoring process; the European Commission derives its country reports' analysis from the CoE's own monitoring reports. This methodology is identical to the one used in the enlargement processes since the formulation of the Copenhagen criteria, and critics towards it have remained the same in both the contexts of enlargement and neighbourhood policies: outside the framework of obligations defined by the conventions, benchmarks are vague, implementation mechanisms are weak, and the minority factor, in general, appears as a "floating condition" to enlargement or association (Tóth 2006, 76; Sasse 2008, 848; Ferrari 2014, 3).

The fact that this methodology used in EU enlargement policy is simply transposed to the neighbourhood context raises a major question, namely how the EU could offer more ambitious conditionality to partner countries than to those bound to access the bloc. Similarly, can the EU set the bar for social objectives higher for Georgia than for prospective members? It is evident that without the prospect of EU membership, strengthening conditionality in the field of human rights for associated countries would raise questions of double-standards that would be very hard to justify.

Beyond a rights-based approach to minority protection: options for the EU

So are the EU's hands truly tied? It is undeniable that its credibility as a normative power is, in part, dependent on the coherence and consistency of its engagement with third countries. Nevertheless, a better application of minority rights and the pursuit of other interests that transcend them

could legitimise a slightly more determined approach towards the integration of minorities in Georgia.

Minority rights involve more than non-discrimination, equal treatment and preservation of cultures. A comprehensive legislative framework on minority protection is essential, but it does not guarantee per se either the civic and political existence of ethnic minorities, or their ability to voice their interests at the local and national levels. Those are, in fact, the weakest aspects of minority rights in Georgia. The larger Azerbaijani and Armenian communities, which are geographically regrouped, are the most impacted by a lack of integration in Georgian society. The fact that a majority of the population does not speak Georgian is both a contributing factor and a consequence of this isolation. It also entails difficulties in accessing higher education opportunities and the national job market, lack of interest in local and national media and politics (Azerbaijani/Armenian and Russian sources in Georgia are more often used as references; they are also more likely to be channelling single narratives and disinformation) and, consequently, weak involvement in the Georgian political and civil society areas. Issues regarding access to information also entail difficulties for the state in communicating with these communities. This was for instance the case regarding sanitary precautions during the early Covid-19 outbreak (the first village to be quarantined in Georgia was of Azerbaijani majority). Since the presence of civil society organisations (CSOs) representing minorities is weak, awareness-raising campaigns also struggle to reach these communities, which are still the most affected by certain crimes (abduction of girls, age of sexual consent) despite the progress made in the national legislation. Investing in bilingual education, improving access to information and targeting higher participation of minorities in the country's civic, political and cultural life thus seem to be some of the most crucial steps to take towards the democratic development of Georgia. The EU should ensure that its instruments convey the importance of and support these objectives in the context of the association process.

Adopting an innovative perspective, the EU could also acknowledge that the minority situation in Georgia is linked to regional security stakes, and that it could be a key to the stabilisation of the South Caucasus. Georgia has been encountering abiding difficulties in engaging and cooperating directly with the breakaway regions of Abkhazia and South Ossetia¹. The latest peace initiative ("Step Toward a Better Future"), launched in 2018 to facilitate commercial exchanges and mobility in the field of education, was rejected by these regions for not reflecting their needs and expectations; they accused Georgia of having no other

¹ The term "South Ossetia" is used in this paper to facilitate the reading and does not reflect a political position of the author.

intention than showing good faith to the international community. The initiative might lack ambition and concessions, and be confronted with opposition of principle; in any case, it is obvious that its major flaw is to be a unilateral policy of the Georgian government. As long as discussions without the Russian intermediary remain practically impossible, the elaboration of successful policies of rapprochement seems compromised.

Ethnic minorities' empowerment is an innovative avenue towards conflict resolution that Georgia could explore. Efforts in guaranteeing the interests, quality of life, civic and political existence and cultural identities of minority representatives, including Abkhaz and Ossetian ones, could be one element convincing the populations of breakaway regions to push for the restoration of dialogue with the Georgian state. Such efforts could have some positive repercussions on the resolution of the Nagorno-Karabakh conflict as well. The July 2020 flare-up, which occurred despite the recently displayed will of Armenian and Azeri leaderships to work towards peace, showed that the situation remains extremely fragile and at permanent risk of escalating into violence. Georgia has vital stakes in regional peace, yet the political sensitivity of the conflict (and notably the fact that it touches upon the issue of self-determination, which is also central to the Abkhazian and South Ossetian cases) prevents it from getting involved (Le Grix 2019, 5). Georgia could still play a valuable role in facilitating contacts and fostering mutual understanding between the ethnic communities of these two countries, something that is prevented in both Armenia and Azerbaijan by the strict entry regulations and mutual grievances. Measures focused on social integration could, thanks to the diversification of their information resources, help pull these minorities away from single narratives, and eventually create a new cluster of influence with more moderate views on the conflict. This potential is currently completely unexploited.

Policy implications and recommendations for the EU

Through the lens of existing EU policy, however, these stakes and challenges related to the integration of minorities are barely visible. Neither the association instruments nor the objectives of the EaP put these issues in the spotlight, or instil confidence that they are considered as decisive attainments for the country's development. The methodology used by the EU lacks the necessary benchmarks and direct involvement to sufficiently stimulate large-scale efforts in the domain. Promoting democracy and human rights, but unable to reinforce conditionality without raising Georgia's expectations in terms of European integration, the EU is stuck between a rock and a hard place. The 'more for more' principle of the European Neighbourhood Policy (ENP), according to which the development of partnerships depends

on the progress made by partners, also reveals a weakness: more detailed directions remain important to guide reforms.

This inability to encourage progress as a weakness of the ENP and EaP clearly shows in the area of minority rights. The policy is notably criticised by the countries the most committed to Europeanisation (Georgia, Moldova, Ukraine) for not applying enough differentiation and offering better prospects of integration as a reward for their efforts (Makszimov 2020). It is apparent that as distinct challenges exist in each country, specific domains, such as the minority situation, also lack differentiation. Moreover, the EaP also fails where it could be more directly empowering minorities in voicing their interests. The Eastern Partnership Civil Society Forum (EaP CSF) aims at including civil society to the EaP by providing it with a platform for exchange and experience-sharing, and allowing it to participate in the processes of programming and monitoring the EaP. The Forum is organised in national platforms, which regulate the membership of local CSOs. Due to the low level of civic participation of ethnic minorities and lack of knowledge in the EaP and its processes, only a small number of CSOs representing the interests of ethnic minorities are engaged in the EaP CSF and contribute with recommendations on improving the existing policies (Ferrari 2014, 29).

To be better in line with the ENP's objectives of democracy and human rights promotion, but also of stabilising the country through promoting youth, employability and security, the EU needs to acknowledge sound societal integration of ethnic minorities as an integral part of minority rights. The EU should encourage efforts in areas specific to minority empowerment without exceeding the level of conditionality it applies to other EaP partners.

Against this backdrop, this brief thus recommends the EU:

- To make objectives linked to the integration of minorities into the Georgian society more visible, notably by referring expressly to them in the association agenda.
- To focus on specifically selected targeted measures that correspond to the top recommendations of institutional and civil society reports, in particular, reinforcement of bilingual education, facilitated access to information, and enhanced participation to the civic, political and cultural spheres.
- To adopt a regional approach to help prioritise specific areas of conditionality, taking into account in particular the objectives of security and stability of the South Caucasus region. The EU should acknowledge the regional dimension of minority rights and consider the resolution of frozen conflicts, including Nagorno-

- Karabakh, as a stake linked to the minority situation in Georgia.
- To pursue the objective of better involvement of minority CSOs to the EaP processes, including the EaP CSF. This could be done by:
 - Being more present and visible in the regions of Georgia that are largely populated by minorities.
 - Allocating funds to build capacities of minority CSOs in understanding the EU action in Georgia, EaP tools and how to engage with them.
 - Requiring national platforms to apply CSO membership criteria that ensure equal representation.
 - Encouraging the enrolment of Georgian students and pupils from ethnic minorities in European studies programmes, including in the newly established Eastern Partnership European School in Tbilisi.

Further Reading

Ferrari, H. 2014. "Partnership for all? Measuring the Impact of Eastern Partnership on Minorities", *Policy Paper*, Minority Rights Group Europe.

Gawrich, A. 2017. "Inter-Organizational Relations in the Field of Democratization: Cooperation or Delegation? The European Union, the OSCE and the Council of Europe". In *The Palgrave Handbook of Inter-Organizational Relations in World Politics* Biermann, edited by R. & J. Koops, 527-546. London: Palgrave Macmillan.

Hammarberg, T. 2013. "Georgia in Transition: Report on the Human Rights Dimension: Background, Steps Taken and Remaining Challenges". Report. Brussels, September 2013.

Institute of Social Studies and Analysis, 2019. "Study of the Participation of Ethnic Minorities in Political Life", Tbilisi, 6 June 2019.

Le Grix, V. 2019. "A Positive Influence in the South Caucasus? Georgia's Potential as a Regional Stabilizer", *Georgian Institute of Politics*, Policy Brief 15/2019, Tbilisi.

Maksimov, V. 2020. "Eastern Partnership's Champions Expect More From the 'Geopolitical Commission'", *Euractiv*, 9 March 2020.

Public Defender of Georgia (Ombudsman). 2020. "Report on the Situation and Protection of Human Rights and Freedoms in Georgia (2019)". Tbilisi, 2020.

Public Defender of Georgia (Ombudsman). 2019. "Report on the Situation and Protection of Human Rights and Freedoms in Georgia (2018)". Tbilisi, 2019.

Sasse, G. 2008. "The Politics of EU Conditionality: the Norm of Minority Protection During and Beyond EU Accession", *Journal of European Public Policy* 15(6): 842-860.

Tóth, J. 2006. "Kin Minority, Kin-State and Neighbourhood Policy in the Enlarged Europe". In *Beyond Sovereignty: From Status Law to Transnational Citizenship?*, edited by Ieda, Osamu & al., 73-88. Sapporo: Slavic Research Center.

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