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QNI Quality of
Nationality
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EXPERT COMMENTARY

Georgia

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Georgia



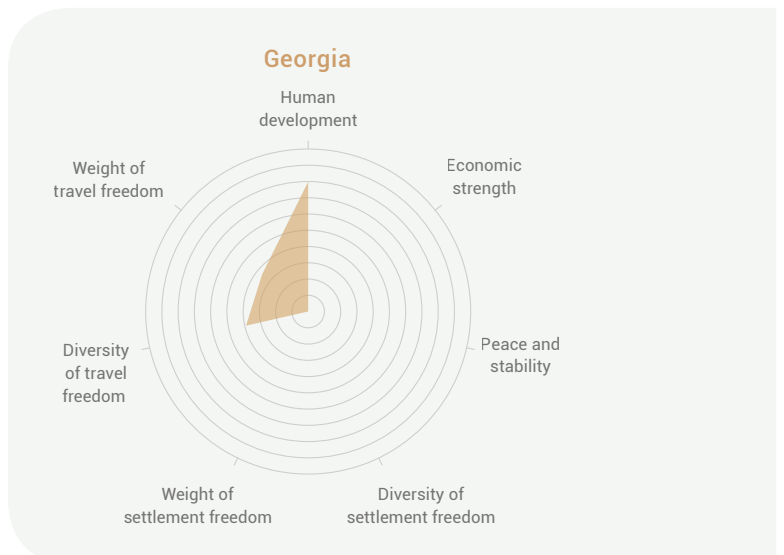
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Georgia, a post-Soviet country, has developed the most welcoming migration policy in the world, combined with an extremely liberal visa regime. Yet this open policy is in sharp contrast to how Georgian citizens are treated worldwide: Georgia indeed belongs to the Medium Quality tier of the QNI. Over the past five years, it has consistently been ranked around 105th place, achieving only limited progress between 2012 (105th) and 2016 (104th). Among post-Soviet countries, only four Central Asian republics (Turkmenistan, Tajikistan and Kyrgyzstan from 2012 onwards and Uzbekistan after 2013) have ranked behind Georgia, while Kazakhstan has consistently done better. In addition, in 2016 all the other countries included

in the EU's European Neighbourhood Policy/Eastern Partnership (except Azerbaijan) were better positioned in the QNI, even though Georgia enjoys closer relations with the EU than some of them, for instance Armenia or Belarus.

Georgia ranks low by all QNI indicators, yet the country's position is comparatively worse in terms of Settlement Freedom. In 2016 the country was part of the group of states which were ranked in the bottom in the QNI. It is in fact the only post-Soviet country belonging to this group. Most other post-Soviet states do substantially better; this is clearly the case for the members of the EAEU (Armenia, Kazakhstan, Kyrgyzstan, the Russian



Federation and to a lesser extent Belarus) which enjoy freedom of movement between themselves, but also for countries which do not belong to any regional integration organizations, such as Azerbaijan and Uzbekistan. In terms of Travel Freedom, Georgia ranked between 98th and 105th place from 2012 to 2015. However, the country's position improved in 2016 (92nd). Georgian citizens can now travel freely (i.e. visa-free or visa-on-arrival) to 69 countries (as compared to 62 in the previous year). These are mostly located in the post-Soviet space (with the major exception of the Russian Federation), Central and South America and Asia for a few of them (e.g. Turkey; e-tourist visas for India) and Africa (e.g. e-visas for Kenya and Rwanda).



The passports of the non-recognised republics of Abkhazia and South Ossetia

Georgia's foreign policy course since the collapse of the Soviet Union can substantially explain the poor performance of the country's quality of nationality. Since the early 1990s, Georgia has been extremely reluctant to engage in any of the regional cooperation or integration schemes with other post-Soviet states. It joined the Commonwealth of Independent States (CIS) in December 1993, yet withdrew from the CIS' Council of Defence Ministers in 2006 and decided to withdraw completely from the organization in the wake of the August 2008 conflict with the Russian Federation. Georgia never joined any of the other regional initiatives established by the

Russian Federation; for instance, though it signed the Collective Security Treaty in 1994, it refrained from renewing its participation in 1999 and did not become a member of the Collective Security Treaty Organization when the latter was created. Like Turkmenistan (albeit for different reasons), Georgia has therefore remained absent (or at best marginal) in any of the post-Soviet cooperation attempts. This detachment from the post-Soviet space has gone hand-in-hand with increasingly strained relations with the Russian Federation, first over the conflict in Abkhazia and in the mid to late 1990s over the first conflict in Chechnya. As a consequence, the Russian Federation unilaterally introduced a visa obligation on Georgian citizens (with the exception of citizens living in the two secessionist regions of Abkhazia and South Ossetia, who benefited from a simplified border-crossing procedure) in December 2000. In fact, Georgia is one of only two post-Soviet countries (along with Turkmenistan) to see the introduction of a visa regime from the Russian Federation. After the 2003 Rose Revolution, the sharp deterioration of relations with the Russian Federation and the new Georgian government's clear prioritization of accession to NATO and the EU only exacerbated retaliatory actions of the Russian Federation. Georgian migrants living in the Russian Federation were deported *en masse* in the wake of the 2006 diplomatic crisis and conditions for obtaining a Russian visa became significantly tougher after the 2008 conflict, not least because of the rupture of diplomatic relations between the two countries.

The limited travel and residence freedom available to Georgian citizens is in sharp contrast to their country's own liberal approach to migrants entering Georgia. Throughout the 2000s, migration was considered a pillar of the authorities' economic strategy, which primarily sought to attract foreign investment and to create a favorable business environment. However, owing to weak regulation of visa, residence and work permits, the country did not comply with EU demands as part of the visa liberalization process. As a result of both increased EU conditionality under the visa liberalization action plan granted to Georgia in early 2013, and the new authorities' more flexible approach to EU

demands, Georgia has shifted toward a stricter regulation of migration flows. Yet the law ‘On the Legal Status of Foreigners and Stateless Persons’ which entered into force on 1 September 2014, was sharply criticized as a disincentive for tourism or applying for residence to work, study or reside in the country. While clear-cut visa categories remain in force in line with EU requirements, the Georgian Parliament adopted in May 2015 a package of amendments to the law which reintroduce 360-day visa-free stays for citizens and permanent residents of 94 countries listed in a governmental decree.¹ This demonstrates how deeply entrenched the liberal approach to migration is in Georgian society.

While Georgia has consistently belonged to the Medium Quality tier of the QNI, this is likely to change in the near future as the result of two processes. Firstly, in December 2015, President Putin suggested lifting visa obligations for Georgian citizens traveling to the Russian Federation. This was a result of the slow normalization of relations between Georgia and the Russian Federation after the departure of Mikheil Saakashvili. As a first step towards visa liberalization, the Russian Ministry of Foreign Affairs decided a few days later to facilitate the visa regime for Georgian citizens. This includes in particular the possibility to issue multiple entry visas for business, work, educational, humanitarian or private purposes. Secondly and most importantly, the long-awaited liberalization of the visa regime with the EU has materialized in 2017. In fact, a visa-free regime should have been introduced already in 2016, but the EU delayed the whole process. In essence, Georgia met all the EU’s requirements for a visa-free regime in 2015 and on 9 March 2016, considering that the country had met all benchmarks in all four blocks of conditions, the European Commission recommended lifting the visa obligation for Georgian citizens holding a biometric passport. However, the process was marred because of the resistance of EU Member States, fueled by the refugee crisis and the general environment around migration in the EU. The Council of Ministers therefore demanded the introduction of a suspension mechanism (allowing the temporary suspension of the visa-free regime in the event of abuse or breaches to the conditions set by the EU) prior to granting visa liberalization. However, this demand triggered disagreements with the European Parliament, which co-decides with the Council yet holds more liberal views on visa-free travel with neighboring countries. The Member States and the Parliament finally agreed on the simultaneous entry into force of both mechanisms on 13 December 2016 and the European Parliament overwhelmingly voted in favor of visa liberalization for Georgia on 2 February 2017. Visa-free travel for Georgian holders of biometric passports came into effect in March 2017. Georgian nationality is therefore likely to significantly improve in 2017.

¹ Available at informedmigration.ge/cms/sites/default/files/pdf/IBM_Georgia_ENG.pdf accessed 4 February 2017

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