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## **LEGISLATIVE POWERS, GOVERNMENT OVERSIGHT, AND IMPLEMENTATION OF THE EUROPEAN INTEGRATION POLICY BY THE PARLIAMENT OF GEORGIA**

**Malkhaz NAKASHIDZE**

Professor, Batumi Shota Rustaveli State University, Georgia

E-mail: [malkhaz.nakashidze@bsu.edu.ge](mailto:malkhaz.nakashidze@bsu.edu.ge)

### **Abstract**

National parliaments play an important role in the European integration process. Parliaments are the main law-making bodies in defining European integration policies, and on the other hand, the parliament *oversights* the implementation of these policies by the government. This article discusses the practice of the Georgian Parliament's legislative activity on EU issues, the main forms of government *oversight* on the European integration policy, the powers of the European Integration Committee of the Parliament, and the forms of reaching a multi-party consensus on the European integration affairs. The article shows that the Parliament of Georgia focuses more on legislative activities and is weak in the field of government *oversight* on the European integration issues. These findings increase our understanding of the role of parliaments in the EU candidate countries where often the executive power dominates the process of policy implementation on European affairs.

**Keywords:** *European Union, Parliament, Oversight, Government, Committee, Georgia*

### **Introduction**

In the face of many challenges to the European integration process, the role of national parliaments has been the subject of growing scientific research. The studies are focused on the role of the parliaments of the candidate countries before joining the EU, as well as the institutional participation of national parliaments in the implementation of European policies after joining the EU. In modern parliamentary studies, the subjects of research on the national

parliaments are issues such as conceptual “Choices in the European Union’s Constitutional Debate, Measuring Parliamentary Strength and Activity in EU Affairs, Interparliamentary Cooperation in the European Union, Parliamentary Administrations in the Scrutiny of EU Decision-Making and other significant challenges” (Hefftlar, Neuhold, Rozenberg, Smith, 2015).

The role of national parliaments is also subject of study in the context of the Europeanization of national institutions, the “Scope and Impact of the Europeanization of Law Production, EU Legislative Activities and Domestic Politics. Europeanization” studies attempt to analyze the various characteristics of how EU level dynamics are gradually considered at the domestic level (Brouard, Costa, Ko’ning, 2012). In the European tradition, parliaments are the central institutions for political legitimacy. At the same time, many national parliaments, reacting to an increasing erosion of national sovereignty and a decline in parliamentary decision-making capacity, have sought to institutionalize parliamentary control over their governments’ actions at the European level (Katz, Wessels, 1999). The question of whether the EU should be legitimated through national or European level institutions is closely tied to the question of whether the EU itself should be understood principally as an international, inter-governmental organization a developing (almost certainly federal) state (Katz, Wessels, 1999).

Parliamentary scrutiny of governments in European affairs is noteworthy in the study of national parliaments. These studies include the impact of the power of parliament on integration, public opinion on membership, party positions on integration, political culture, producing tighter scrutiny by the parliament, a powerful legislature for high level of control over the government (Raunio, 2005). In examining the role of parliament, attention is paid to issues such as the power of opposition party in scrutinizing their governments’ decision-making concerning European Union issues. Some analysis shows that opposition parties in parliaments with minority governments have the greatest power to scrutinize their government, followed by parliaments with coalition governments. Opposition parties in parliaments with majority governments have the least power (Holzhacker, 2005). In assessing the role of parliament, the responsibility of individual members of parliament is also important. In some contexts, members of national parliaments are faced with a dilemma: Successful scrutiny can undermine the effectiveness of European governance whereas a permissive parliament causes a legitimacy deficit (Auel, Benz, 2005).

The role of the Parliament of Georgia in the political life of the country is almost always weak (Scrivener, 2016). This was due to the fact that since 1995, when the constitution was adopted, Georgia was a presidential, then a semi-presidential republic with strong power of the president, with the parliamentary majority of the president’s party, which is why the role of the parliament in the sphere of control of the executive power was rather weak (Nakashidze, 2010), dependent on the executive power (Lanskoy, Areshidze, 2008). Strengthening the role of the parliament has always been a subject of discussion in Georgia, and it can be said, for example, that one of the goals of the 2009-2010 reform

was to increase the role of the parliament. (Demetrashvili, 2013). Finally, at the legislative level, as a result of the constitutional reform of 2017-2018, Georgia switched to a parliamentary system of government, the supervisory powers of the parliament were changed, which was followed by the reform of the rules of procedure of the parliament, which more or less refined the mechanisms of supervision (Menabde, 2019)

This paper advances existing literature by examining the role of the Parliament of Georgia in the field of European integration, based on the analysis of both the legislative and oversight powers of the Parliament, as well as the activities of the Parliamentary Committee on European Affairs. Using a new dataset of Georgia's Parliament between 2014-2022, the article shows that the Parliament spent a lot of time in its activities on the implementation of legislative initiatives, rather than on the oversight of the government on European affairs. The article discusses in detail various mechanisms of parliamentary control of the executive power based on legislation and specific examples. The article shows that the high polarization and one-party majority in the parliament led to the fact that the parliament paid less attention to the implementation of parliamentary control over the executive. This kind of political configuration led to the dominance of the executive power over the implementation of the European Integration agenda of the parliament.

The article makes several important contributions. First of all, it provides an opportunity to understand the activities of the Parliament of Georgia, a relatively less studied, potential EU candidate country. The activities of the Parliament in general, as well as the powers of the Parliamentary Committee on European Integration, are of crucial importance for the implementation of the recommendations made by the European Union to Georgia. On the other hand, the article presents new data on the functioning of the Parliament of Georgia. These data will enrich future quantitative studies on the activities of the parliaments of Georgia and other EU candidate countries, as well as studies on established democratic legislatures in general.

## **Role of the National Parliament in the European Union**

In the following period, the role of national parliaments in the governance of the European Union gradually increased. In this regard, it should first be noted that the Treaty of Lisbon, amending the Treaty on European Union and the Treaty establishing the European Community (in force since 1 December 2009), first took into account that the norms national parliaments should play an important role in EU governance. The Protocol on the role of national Parliaments in the European Union and the Protocol on the application of the principles of subsidiarity and proportionality lent legitimacy to a new form of involvement of national Parliaments in dealing with EU matters. The Protocol on the Role of national Parliaments in the European Union defined the role of

national Parliaments in adopting EU decisions. The Protocol specifies the scope of information provided to national Parliaments and sets the minimum timeframe for parliamentary scrutiny of EU legislation and the institutional framework for inter-parliamentary cooperation (The Protocol (No 1) Official Journal C series 202, 7.6.2016). In addition, to examine a role of national parliaments, there is also important to mention the protocol on the application of the principles of subsidiarity and proportionality. This Protocol outlines in more detail the application of the principles and establishes a permanent mechanism for monitoring and evaluation of their application (The Protocol (No 2) Official Journal C series 115, 9.5.2008). According to the article, (Article 12 of the Treaty on European Union) national Parliaments contribute actively to the good functioning of the union through different ways including by taking part in the inter-parliamentary cooperation between national Parliaments and with the European Parliament, in accordance with the Protocol on the role of national Parliaments in the European Union (The Treaty on European Union, C326/13).

There are different formats of cooperation with national parliaments in the EU today: the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC), the Interparliamentary Conference for the Common Foreign and Security Policy, and the Common Security and Defence Policy, the Interparliamentary Conference on Stability, Economic Coordination and Governance in the EU, the Conference of Speakers of EU Parliaments, Meetings of the Secretaries General of European Union Parliaments, the Interparliamentary EU Information Exchange (IPEX), Representatives of national Parliaments in the EU, the European Centre for Parliamentary Research and Documentation (ECPRD).

Examining the role of Parliament always considers that all Member States of the EU are parliamentary democracies where the head of government, and his/her cabinet are accountable to parliament and can be removed from office through an expression of no confidence. Studies show that there are the institutional reforms of national parliaments as a reaction to European integration and which has an impact on the workings of parliamentary systems (Auel, 2005). It is also noteworthy that the accession countries are still emerging democracies and are confronted by the dual challenge of Europeanisation and constitutional transformation (Benz, 2005). The last few years were marked by a real creativity regarding the rules, practices and procedures related to national parliaments. Whereas the 1990s saw the reform of domestic Constitutions and standing orders pertaining to the role of national parliaments, the recent period saw the multiplication of rights and forums at the EU level (Rozenberg, 2017).

### **Legal Framework of the Georgian Parliament's Powers in the EU Affairs**

As a result of the constitutional reform of 2018, Georgia established a parliamentary system of governance, and the powers of the Parliament were

significantly strengthened. The Parliament of Georgia is the supreme representative body of the country that exercises legislative power, defines the main directions of the country's domestic and foreign policies, controls the activities of the Government within the scope established by the Constitution, and exercises other powers (Constitution of Georgia, 1995). As a result of the constitutional reform of 2017-2018, Article 78 – “Integration into European and Euro-Atlantic Structures” was added to the transitional provisions of the Constitution which states that “The constitutional bodies shall take all measures within the scope of their competencies to ensure the full integration of Georgia into the European Union and the North Atlantic Treaty Organization” (Constitution of Georgia, 1995). According to this article, the Parliament of Georgia has a constitutional obligation to implement the policy of Georgia's accession to the European Union. Considering the recent recommendations of the European Union (European Commission, 2022), the Parliament is the main state body that should determine the legal basis of the reforms to be carried out and then control their implementation.

It should be noted that the Constitution of Georgia recognizes the high legal force of international acts in relation to domestic legislation. According to Article 4, Paragraph 5 of the Constitution of Georgia, the legislation of Georgia complies with the universally recognized principles and norms of international law. An international treaty of Georgia, if it does not contradict the Constitution of Georgia or a constitutional agreement, has precedence over a domestic normative act (Constitution of Georgia, 1995). It is also important to note that Georgia exercises constitutional control over the compliance of international acts with the Constitution. In particular, according to Article 60 of the Constitution of Georgia, the Constitutional Court shall consider the issue of the constitutionality of an international treaty (Constitution of Georgia, 1995).

According to Article 192 of the Rules of Procedure of the Parliament of Georgia, the Parliament of Georgia shall ratify, denounce and annul international treaties including acts related to the European Union. The Rules of Procedure of the Parliament of Georgia also defines the procedures for ratification, denunciation and annulment of international agreements. According to Article 192 of the Rules of Procedure, an international treaty submitted for ratification, denunciation or denunciation shall be considered by the Parliament in plenary session in accordance with the procedure established for the first reading of the draft law and a decision shall be made by a majority of the full membership, except for international treaties relating to territorial integrity or alteration (Rules of Procedure of the Parliament of Georgia, 2018). In the field of EU integration, it is especially noteworthy that on June 13, 2018, the Parliament of Georgia amended the Law of Georgia on Normative Acts, according to which all draft laws submitted to the Parliament of Georgia, which has been prepared in accordance with the Association Agreement or other bilateral and multilateral commitments concluded with the European Union and to approximate Georgian legislation with EU legal acts, must be accompanied by a table of compliance with the said act, which must reflect the

degree of compliance (Rules of Procedure of the Parliament of Georgia, 2018). This mechanism gives the Parliament of Georgia the authority to control the process of approximation of Georgian legislation with EU legislation.

In addition to the general powers of Parliament, the Parliamentary Committee on European Integration has a special role in defining EU policy. According to Article 27 of the Rules of Procedure of the Parliament of Georgia, a Committee on European Integration is established. According to Article 103 of the Rules of Procedure of the Parliament of Georgia, the draft law submitted to the plenary sitting of the Parliament shall be accompanied by the information of the Organizational Department of the Parliament on the draft law and the conclusions of the Legal Department of the Parliament and the Budget Office of the Parliament. The Legal Department, among other issues, decides whether the draft law complies with or contradicts Georgia's obligations under international treaties and agreements. The Parliamentary Committee on European Integration participates in the evaluation of the fulfillment of the mentioned obligations (Rules of Procedure of the Parliament of Georgia, 2018). Thus, the Parliamentary Committee on European Integration of the Parliament of Georgia has important powers, both in determining the directions of the European integration policy, and in the field of supervision of the government's policy implementation in this area.

### **The Georgian Parliament's Oversight Powers in the European Affairs**

According to the Constitution of Georgia, the leadership and coordination of policy on European affairs is the responsibility of the Prime Minister. Individual ministers are involved in resolving important EU-related issues within their powers. Not always, but there are times when a Prime Minister or a minister is heard before attending a high-level meeting in the European Integration or Foreign Affairs Committee. Monitoring of the Association Agreement by the Parliament of Georgia was assessed as weak by specialists in the first years after the entry into force of the Agreement, as issues were not properly heard and discussed in the Parliament (Farulava, Gvedashvili, 2017). However, the fundamental constitutional reform of 2017-2018 affected the parliamentary control of the government. The Parliament of Georgia adopted new regulations, which clarified many control instruments, and also proposed new mechanisms to the Parliament.

Interpellation is an important form of parliamentary control over European issues in the Parliament of Georgia. According to the constitution, a faction of at least seven members of Parliament has the right to address a question by interpellation to the Government of Georgia, another body accountable to Parliament, or a member of the Government. The question must be in writing. The addressee is obliged to answer the question in person at the plenary sitting

of the Parliament, as well as to submit the answer to the question in writing to the plenary sitting. The addressee is obliged to answer the question in person at the plenary sitting of the Parliament, as well as to submit the answer to the question in writing to the plenary sitting. The addressee of a question by way of interpellation shall appear in the Parliament, as a rule, during the regular session on the Friday of the last week of the plenary sessions of each month (except December and June) and shall answer all the questions submitted to him no later than 10 days before the said time. After the completion of the response procedure at the sitting of the Parliament, a debate is held with the participation of members of the Faction Parliament, representatives of the parliamentary opposition factions, representatives of the parliamentary majority factions. After the debate, the addressee is given 20 minutes to make a final speech. After the debate and the final speech of the addressee, a resolution can be adopted (Rules of Procedure of the Parliament of Georgia, 2018).

As part of this procedure, on May 27, 2022, four members of the government, including the Prime Minister, were heard by interpellation in Parliament. The questions were sent to the Prime Minister Irakli Gharibashvili, the Minister of Economy Levan Davitashvili, the Minister of Foreign Affairs Ilia Darchiashvili and the Minister of Justice Rati Bregadze. Foreign Minister Ilia Darchiashvili was asked questions about the state of Georgia's application process for the EU membership. After the Foreign Minister, an interpellation of the Prime Minister was held. The opposition asked the Prime Minister what legal and administrative measures the Georgian government was taking to prevent the Russian Federation and their representatives from violating the sanctions regime by using Georgian territory, individuals, and legal entities registered in Georgia or other entities. The Minister of Economy Levan Davitashvili was also heard by interpellation. The questions were about inflation, the current events in the region and the effects of the war on the Georgian economy (Interpressnews, May 27, 2022).

An important procedure of the Parliament is the annual report of the Prime Minister of Georgia. The Prime Minister of Georgia is obliged to submit a report on the implementation of the government program to the Parliament once a year, in the last month of the plenary sessions of the Spring Session. The report should be submitted to the Parliament in writing by June 1. After the completion of the report of the Prime Minister of Georgia, the discussion of the report continues in accordance with the procedure of the first reading of the draft law. A resolution may be adopted after consideration (Rules of Procedure of the Parliament of Georgia, 2018). For example, On June 25, 2021, the Prime Minister of Georgia, Irakli Gharibashvili, presented to the Parliament a report on the activities of the government of the previous year and an outline of a 10-year action plan for the future development of the country (Civil Georgia, June 25, 2021). In this case, one oddity was that the government, which usually exercises its power for a term of four years, had submitted a 10-year action plan to the parliament, which was actually a populist decision. The Prime Minister of Georgia made one of his last speeches before the Parliament on June 23,

2022, where he mainly discussed the issue of obtaining the status of EU candidate, which was followed by a serious confrontation between the ruling party and the opposition in Parliament. The opposition accused the Prime Minister of pursuing a failed policy towards European integration, which led to the refusal of the EU to grant Georgia candidate status (Civil Georgia, June 23, 2022 ).

The Parliament has the right to request the Prime Minister of Georgia to submit a report on the implementation of a separate part of the government program, which may be about the relationship with the EU. For example, in May 2022, such a report was presented by the Prime Minister to Parliament. The first chapter of the report, Foreign Policy, Security, Conflict Resolution and Human Rights, provides an overview of the state of cooperation with the EU (Government Program Implementation Report, 2021). The Prime Minister of Georgia shall submit the report referred to in paragraph 1 of this Article in writing to the Parliament within two weeks of receiving the relevant request and shall submit it to the Parliament with the relevant report no more than three weeks later. The report shall be considered in accordance with the procedure of the first reading of the bill. A resolution may be adopted after consideration.

In addition, the Rules of Procedure of the Parliament provide for the appearance of an official at the plenary session. Parliament, at the request of a committee or faction, by a majority vote of those present at the plenary session, but by a decision of at least one-third of the full membership of the Parliament, shall invite a member of the Government, an official accountable to Parliament and the head of a body accountable to Parliament. They are obliged to appear at the plenary session, answer the questions asked at the session and submit a report on the activities performed. Within 30 minutes after the official's report is completed, members of parliament have the right to ask questions about the report and hear the answers. After the speech of the official and the question-answer session, a political debate is held. After hearing the official, the Parliament may adopt a resolution (Rules of Procedure of the Parliament of Georgia, 2018).

One of the forms of parliamentary control over the activities of the government in Georgia is the Ministerial Hour. In the framework of this procedure, once a year certain members of the Government of Georgia (except the Prime Minister of Georgia) address the plenary session of the Parliament on the relevant direction of the implementation of the government program. A member of the Government of Georgia, an official accountable to the Parliament, will be heard by the Parliament. The official is obliged to submit in writing to the Speaker of the Parliament no later than three days before addressing the Parliament on the issues on which he/she wishes to address the Parliament. For example, on November 19, 2021, the Minister of Foreign Affairs of Georgia, Minister's Hour, was held in the Parliament, where he spoke, among other things, about Georgia's integration into the European Union (Rules of Procedure of the Parliament of Georgia, 2018).



The Parliament of Georgia exercises control over European affairs in various ways, one of which is the question of a Member of Parliament to members of the government (Rules of Procedure of the Parliament of Georgia, 2018). A Member of Parliament is authorized to ask a question to the Government of Georgia, another body accountable to the Parliament, a member of the Government, a government body of a territorial unit of all levels, or a state institution. A timely and complete answer to the question is mandatory. The question must be in writing. Each body or official to which a question is addressed is obliged to submit a complete written answer to Parliament within 15 days of receiving the question. The deadline for the relevant person to answer the question in agreement with the author of the question may be extended by 10 days. The answer to the question is given by the staff of the Parliament to the author of the question and is published on the website of the Parliament, except for confidential information. In case of exceeding the deadline for answering the question, the excess shall be mentioned at the time of its publication. Table 1 shows which officials were heard most often in the European Integration Committee of the Parliament of Georgia in 2015-2021, which is important for assessing the level of accountability of the executive power to the Parliament.

**Table 1.** Hearings by the Committee on the European Affairs (2015–2021)

<b>Hearings of State Officials</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Prime Minister	-	-	-	-	-	-
Minister	3	3	1	1	-	-
Deputy Minister	-	8	-	-	8 <sup>1</sup>	8
Civil Servants	-	5	-	1	-	1
Ambassador	1	-	-	-	-	-
State Audit Office	-	-	-	1	-	1
National Bank	-	-	-	1	-	1
Total Hearings	2	7	12 <sup>2</sup>	20 <sup>3</sup>	10	11

*Source:* Prepared by Author using data from website  
<http://www.parliament.ge>

According to the Parliament of Georgia, 615 questions were registered in 2013-2022. Table 2 shows that 150 questions from these questions were submitted to the government and 130 to the Ministry of Foreign

Affairs (Parliamentary Oversight, Member of Parliament Question, 2022). One trend that emerged here is that during this period only three questions were directly related to EU issues, which indicates that European integration policy was not relevant among the members of the Parliament. During this period, there were many problems on the part of the executive in the field of implementation of the European integration agenda, which should have been noteworthy for the Parliament.

**Table 2.** Questions to the Government/Prime Minister/Minister of Foreign Affairs (2013–2022)

<b>Institutions</b>	<b>Number of Questions</b>	<b>Opposition Fractions</b>	<b>Parliamentary Majority</b>	<b>Independent MP's</b>	<b>Questions on EU Affairs</b>
Government, Prime Minister	150	137	10	3	3
Minister of Foreign Affairs	130	97	33	-	16

*Source:* Prepared by Author using data from the website of the Parliament of Georgia <https://parliament.ge/supervision/deputy-question>

Based on data from individual members of the political groups of the Parliament of Georgia, the study showed that only 0.5% of the questions of the members of the Parliament were related to EU issues, and only 5% of the parliamentary hearings were attended by the Minister, 15% by the Deputy Ministers, and 4% by civil servants. Such a result can be caused by various factors. Opposition parties often prefer to criticize the ruling party through the media, and they rarely use parliamentary control mechanisms because they believe it to be less effective. At the same time, ministers often avoid political responsibility, and do not attend the committee meetings, and deputy ministers appear in this role, whose answers are often only of a technical nature. In many cases, members of parliament and groups prefer to ask questions about social or corruption issues instead of European issues, which require less preparation and which they believe are more interesting for citizens.

In order to study the European integration issues and prepare a draft decision, a thematic inquiry group may be appointed from among the members of Parliament, by a decision of the Committee or the Standing Council of Parliament, which shall select a keynote speaker from among its members. In the framework of the investigation of the issue, it is obligatory to hold a hearing

in which the interested persons, specialists in the relevant field, experts, and representatives of the administrative body directly concerned with the issue will be invited. Based on the conclusions of the group, the relevant committee or Parliament will develop recommendations which should be sent to the relevant administrative bodies and published on the Parliament's website (Rules of Procedure of the Parliament of Georgia, 2018). For example, in 2021, the Committee on European Integration conducted a thematic study on "Challenges of small and medium-sized businesses in Georgia when exporting products to the EU market", "Challenges and Opportunities for Exporting Agricultural Products to the European Market", and "EU labor market integration - opportunities and challenges" (Report of the European Integration Committee, 2021). However, it should be said that the creation of thematic groups in the Parliament of Georgia is relatively rare. Effective use of this mechanism would significantly help the Parliament of Georgia in the process of preparing quality legislation on European integration issues and in the process of government supervision.

### **The Role of the European Integration Committee**

The Parliamentary Committee on European Integration of Georgia was established in early 2004. According to the Committee's Statute, it aims to facilitate Georgia's integration into the European Union, as well as the European Union and the European Atomic Energy Community, and the timely and effective implementation of the Association Agreements (including the Deep and Comprehensive Free Trade Area). The Committee participates in the definition and implementation of its foreign policy toward the European Union within its competence. The Committee prepares legislative issues in advance, facilitates the implementation of Georgian laws, international agreements, resolutions of the Parliament of Georgia, and other decisions, and controls the activities of the Government of Georgia and other bodies accountable to the Parliament within its competence.

In addition, the Committee should review and analyze the European Commission's annual country assessment reports on Georgia's implementation of the Association Agreement and the Association Agenda. The Committee oversees the work of the EU-Georgia Parliamentary Association Committee and the Euronest Parliamentary Assembly of the Eastern Partnership, drafting political and legal documents, statements, and recommendations, and submitting comments and suggestions. The Committee, if necessary, by the approved plan, on its initiative or the basis of a relevant statement, appeals, petitions, examines the activities of administrative bodies, requests relevant materials, and submits the report to Parliament for consideration (Decision of the Bureau of the Parliament of Georgia, 2020).

The Parliamentary Committee on European Integration of Georgia annually prepares an action plan. The Committee's work plan for 2022, based on the Committee's strategic goals and objectives, outlines the specific legislative, oversight, organizational, and public relations activities planned by the Committee, their timelines, indicators, those responsible for the event and its stakeholders, the measures related to the implementation of the Association Agreement with the European Union. According to the last action plan of 2022, the strategic goals and objectives of the committee are defined. First is to participate in the definition of foreign policy towards the European Union. To achieve this goal, one of the first tasks of the Committee was to coordinate the activities of Parliament and the decision-making process for applying for EU membership in 2024. Russia's invasion of Ukraine and Georgia's application for EU membership on March 3, 2022, changed this goal in terms of time. However, to achieve this goal, the tasks of the Committee should be unchanged: to hold meetings with civil society and research centers on Georgia's integration into the European Union, political consultations with representatives of the EU Member States, coordination meetings with the friendship groups of the Parliament of Georgia, participation in the Government Commission for EU Integration of Georgia (Action Plan of the European Integration Committee, 2022).

The second strategic goal of the Committee is the implementation of parliamentary diplomacy on European integration issues. To achieve this the Committee aims to participate in the relevant parliamentary formats: organizing and holding meetings of the EU-Georgia Parliamentary Association Committee (PAC), participation in the activities of the Euronest Parliamentary Assembly, including the Bureau, Committees and Working Groups, and participation in the Conference of European Affairs Committees (COSAC) of the National Parliaments of the EU Member States (Action Plan of the European Integration Committee, 2022). The special task of the Committee is to strengthen bilateral relations, and cooperation with the parliaments of the EU Member States and candidate countries, the legislatures of the Western Balkan countries, and the countries associated with the EU (including in the format of the Association Trio). The special strategic goal of the Committee is also to promote the approximation of Georgian legislation with the EU legislation at the parliamentary level. To achieve this the Committee implemented the legislative activities of the Parliament provided for in the Association Agreement and the Association Agenda. Table 3 below provides statistics on the legislation adopted by the Committee on European Integration since the entry into force of the Association Agreement.

**Table 3.** Bills adopted by the Committee on European Integration (2016–2021)

	2016	2017	2018	2019	2020	2021
No. of draft acts	25	23	28	98	68	48

*Source:* Prepared by Author using data from website  
<https://parliament.ge/parliament/committees/50926/documents>

In addition, working groups are set up with the Committee on European Integration to study individual issues of European integration. For example, in 2021, a working group was set up with the Committee on Georgia's entry into the Single Euro Payment Space System (SEPA) and on the draft law of Georgia on the Protection of Consumer Rights. In 2018–2022, five thematic studies were conducted by the Committee on European Integration, both individually and together with other sectoral committees, to control the implementation of the Association Agreement.

The institutional arrangement of the Parliament of Georgia, including the parliamentary committees, is also important. The Committee on European Integration has 16 members, of which four are representatives of the opposition, one is an independent MP, the other is a representative of the majority and none of the deputy chairperson is from the opposition (Committee for European Integration, Parliament of Georgia, 2022). There are also 16 members in the Foreign Affairs Committee, of which three are representatives of the opposition party, one is independent, and the other is a representative of the remaining majority. One deputy chairperson is from the Georgian Patriot Alliance. There are 15 members in the Legal Affairs Committee, of which four are from the opposition, and none of the deputy chairperson is from the opposition. The fact that the majority of these committees, which are important for European integration, are made up of representatives of the parliamentary majority party, affects the decision-making process. Given the high political polarization in Georgia, there is often conflict between members of the majority and the opposition in the committees, the opposition does not participate in the sessions, and there are fewer decisions based on consensus, which is very important when solving European integration issues.

### **Political Polarization and *Multi-Party Consensus* on Foreign Policy**

Political polarization is not new in politics and is a topic of active discussion in scientific research (De Giorgi, Ilonszki, 2020). The activity of the Parliament of Georgia on European affairs is influenced by its party composition. Since the signing of the Association Agreement with the European Union, the

Parliament of Georgia has functioned under a strong one-party majority, and the achievement of political agreement has been one of the most difficult tasks. According to the Constitution of Georgia, the Parliament consists of 150 members, where currently 120 seats are elected proportionally, and 30 are elected by majoritarian rule (Constitution of Georgia, 1995). In 2024 elections will be held with a fully proportional electoral system with a 5% electoral threshold. Table 4 shows the party composition of the Parliament of Georgia according to the results of the last three elections.

**Table 4.** Political Parties in the Parliament of Georgia (2012-2022)

Political Parties	No. of seats in parliament (% of seats/No. seats) <sup>4</sup>		
	2012	2016	2020
Georgian Dream	85 (54.9)	114 (48.67)	90 (48.22)
United National Movement	65 (40.4)	27 (27.11)	36 (27.18)
Patriot's Alliance of Georgia		6 (5.01)	4 (34.14)
European Georgia			5 (3.79)
Lelo			4 (3.15)
Strategia Agmashenebeli			4 (3.15)
Girchi			4 (2.89)
Citizens			2 (1.33)
Labor Party			1 (1.00)

*Source:* Prepared by Author using data from the website of the

Central Election Commission <https://cesko.ge>

However, it should be noted that during the last 10 years, even under the conditions of such a political composition, the Parliament periodically managed to express a bipartisan position in its resolutions on the issue of foreign policy. The resolutions on foreign policy were adopted by the Parliament of Georgia in 2013 (Civil Georgia, March 7, 2013), on December 29, 2016 (Parliament of Georgia, December 29, 2016), and in 2020, following the highly contested parliamentary elections, at the extraordinary session on December 25, 2020 (Civil Georgia, December 29, 2020). Finally, on March 15, 2022, the Parliament of Georgia adopted a resolution on Georgia's integration into the European Union (Civil Georgia, March 16, 2022). These resolutions express the political will of the majority of the Georgian people to be a member of the European Union and set out the tasks of the Georgian government to achieve this goal in the coming years. However, today, reaching such agreements remains one of the biggest challenges for the Parliament of Georgia.

In the conclusion published in June 2022, the European Commission noted that Georgia should address the issue of political polarization, through ensuring cooperation across political parties in the spirit of the April 19 agreement (European Commission, 2022). This agreement was created with the direct participation of the President of the European Council to overcome the political crisis caused by the 2020 parliamentary elections (A way ahead for Georgia, Apr 19, 2021). Although the majority of the opposition returned to the parliament, this document did not completely eliminate political controversy and polarization. The EU integration is an issue that requires consensus among political parties, although the prospect of an agreement in the Georgian Parliament is not as likely due to high polarization.

### **Implementation of the European Commission's Recommendations**

In June 2022, the European Commission did not grant Georgia candidate status and issued 12 recommendations, in the implementation of which the role of the Parliament is special. In the beginning, the Georgian government was critical (Civil Georgia, July 06, 2022) of the decision of the European Commission, but later changed its position (Georgian Dream, 2022) and submitted a plan to implement the recommendations of the European Union (BMG, 2022). For the implementation of the recommendations, working groups were created in the Parliament, in particular, working groups for de-oligarchization, judicial reform, election code revision, anti-corruption measures, special investigation service, and further institutional strengthening of the personal data protection service (Working Groups, 2022). However, this plan was met with skepticism by the opposition (Civil Georgia, 04/07/2022), and the ruling team discussed the implementation of the recommendations with only a part of the opposition (Civil Georgia, July 08, 2022). All working groups, except a group on election code revision, were chaired by the chairman of the legal committee, and leading non-governmental organizations did not participate in the work of the group. Unfortunately, the Parliament failed to ensure an inclusive process, which contradicted the 10th point of the recommendations of the European Commission, which implies the broad involvement of civil society in the decision-making process.

Despite such a less inclusive and rapid legislative process, the working groups of the Parliament's Legal Committee completed their work and presented changes to the legislation to comply with the European Commission's recommendations (Results of Work of Working Groups, 2022). Table 5 below clearly explains which draft laws have been prepared by the working groups of the Legal Committee of the Parliament of Georgia.

**Table 5.** Bills Prepared by the Legal Issues Committee

<b>Working Groups of the Committee</b>	<b>Bills Prepared by the Groups</b>
De-oligarchization	1
Judicial Reform	5
Election Code Revision	2
Anti-corruption Measures	25
Special Investigation Service and Further Institutional Strengthening of the Personal Data Protection Service	6

*Source:* Prepared by the Author using data from the website

<https://parliament.ge/parliament/committees/50928/documents>

As a result of such a process, draft laws prepared by the parliament became the object of criticism, especially due to the de-oligarchization bill, which was directly translated from Ukrainian law. The context of Ukraine is different from Georgia in many ways (Konończuk, W., Cenuşa, D., & Kakachia, K., 2017) and this law cannot work in Georgia, because the law does not apply to former Prime Minister Ivanishvili, who is referred to as an oligarch in European Parliament's resolution (European Parliament (June 9, 2022)). In addition, despite the request of the European Union, the Parliament did not submit the draft law to the Venice Commission of the Council of Europe for review. Later, the draft law was sent to the Venice Commission, which urged the Georgian authorities not to adopt the draft law on de-oligarchization, citing the potential danger of using the law for political purposes (Venice Commission, 2023). The ruling party thinks that the goal of the de-oligarchies campaign is to discredit the country's government system (Civil Georgia, July 12, 2022) and Ivanishvili is not meant to be an oligarch (Publika, 2022), but in their opinion, several people who are directly connected to the opposition can be included under this term (First Channel - 1TV, 2022). According to experts, only one of the recommendations of the European Commission was fulfilled, 2 were mostly fulfilled, 4 were partially fulfilled, and 5 were not fulfilled (Georgian Reforms Association, 2023). In this process, the role of the Parliament was the most important. Thus, due to high political polarization, the Parliament could not fully ensure the adoption of draft laws based on consensus, and at the end of this year, the European Commission will review how the recommendations have been fulfilled by Georgia to decide on granting candidate status to Georgia.



## Conclusions

This paper has shown that the work of the Parliament of Georgia on European issues varies depending on the nature of legislative relations. The Parliament is a legislative body with broad oversight constitutional powers, but it cannot still force executive bodies to more effectively implement European integration policies. This is due to one-party majorities, high levels of political polarization, and a lack of a political culture of cooperation between political parties.

The paper showed that the Parliament of Georgia failed to conduct an inclusive legislative process for implementation of the European Commission's recommendations with the participation of leading non-governmental organizations, and opposition parties, and the presented legislative amendments are not the result of national consensus. There was expected an opportunity for cooperation between the opposition and the parliamentary majority on the EU recommendations in the plenary sessions, however, this goal was not finally achieved. At the same time, in some cases, the Parliament was able to use its constitutional authority to make multi-party decisions based on consensus in the form of resolutions on foreign policy.

The study of the activities of individual members of the parliament and political factions showed that only a small part of the parliamentary questions were related to the issues of European integration. Also, parliamentary hearings were mostly attended by deputy ministers and civil servants of ministries, in rare cases by ministers, which indicates that political officials of the executive power often avoid public debates and responsibility for European integration issues.

The European Integration Committee whose goal is to promote Georgia's integration into the European Union and European institutions, the timely and effective implementation of the association agreement and the association agenda, is mainly under the control of the parliamentary majority and does not reflect the will of the opposition voters. During the studied period, the European Integration Committee was mainly engaged in the preparation of legislative initiatives and their consideration. The Committee could also play a more active role in the field of hearing and holding senior executive officials accountable, although research has shown that this activity has been relatively weak.

Overall, the study on the example of Georgia points to a new potential for political accountability in the national parliament on EU issues. Future research could explore how to improve cross-party cooperation in national parliaments, legislative activity, and government scrutiny in the European issues. Scholars can also examine a comparative perspective on how the model of legislative activity and government oversight on European issues works in other candidate countries, for example, Ukraine and Moldova.

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## Notes

1. There was a hearing of two open society NGOs working on European integration.
2. In 11 cases it is indicated, only in general, to assume that the report was submitted by the Deputy Ministers or public officials.
3. All other participants are specified as the Ministers.
4. These data do not include seats won in majoritarian constituencies: in 2012 - "Georgian Dream" 41 seats, and "United National Movement" 32 seats. In 2016 - "Georgian Dream" 71, Topadze-Industrialists 1, Independent MP 1 seat. "Georgian Dream" 30 places in 2020.

## References

- Auel, K., & Benz, A. (2005). The Politics of Adaptation: The Europeanisation of National Parliamentary Systems, *The Journal of Legislative Studies*, 11, No.3/4, 372–393.
- Auel, A. (2005). Introduction: The Europeanisation of Parliamentary Democracy, *The Journal of Legislative Studies*, 11, No.3/4, 303–318.
- Action Plan of the Committee (2022). The European Integration Committee of the Parliament of Georgia, 2022 <https://bit.ly/3tTGytJ> accessed: 21.06.2023
- A way ahead for Georgia (2021), The document proposed by President of the European Council Charles Michel and signed by representatives of the ruling party and a segment of opposition parties of Georgia, April 19 <https://bit.ly/3EYxgBi> accessed: 21.06.2023
- Benz, A. (2005). Conclusion: Linking Research on Europeanisation and National Parliaments, *The Journal of Legislative Studies*, 11, No.3/4, 508–521.
- BMG (2022). "Georgian Dream" submitted a plan to implement the 12-point recommendation of the EU, July 01 <https://bit.ly/3fQQ6C1> accessed: 21.06.2023
- Brouard, S., Costa, O., Ko'nig, T., Delors' & Myth, D. (2012). The Scope and Impact of the Europeanization of Law Production, in *The Europeanization of Domestic Legislatures, The Empirical Implications of the Delors' Myth in Nine Countries*, Brouard, S., Costa, O., Ko'nig, T., (Editors), Springer, New York, NY, 4, 1-21
- Civil Georgia (2021). PM Garibashvili Reviews Year, Unveils 10-Year Plan During Parliamentary Address, 25 June <https://civil.ge/archives/429232> accessed: 21.06.2023

- Civil Georgia (23 June 2022). 'Maniacs' and 'Traitors': Garibashvili's Parliamentary Address Devolves Into Chaos, <https://civil.ge/archives/497524> accessed: 21.06.2023
- Civil Georgia (March 7, 2013). Resolution of the Parliament of Georgia "On the Main Directions of Georgia's Foreign Policy", Civil Georgia, <https://old.civil.ge/geo/article.php?id=26644?id=26644> accessed: 21.06.2023
- Civil Georgia (29 December 2020). Parliament Adopts Foreign Policy Resolution, <https://civil.ge/ka/archives/389537> accessed: 21.06.2023
- Civil Georgia (March 16, 2022). Parliament Unanimously Backs Resolution on Georgia's EU Integration, <https://civil.ge/ka/archives/479613> accessed: 21.06.2023
- Civil Georgia (July 06, 2022). GD Chair Sees Connection Between Joining War, EU Candidacy <https://civil.ge/archives/499699> accessed: 21.06.2023
- Civil Georgia (July 04, 2022). The opposition, President Skeptical About GD's EU Candidacy Plan <https://civil.ge/archives/499344> accessed: 21.06.2023
- Civil Georgia (July 08, 2022). Opposition Hesitant, as Speaker Hosts First EU Candidacy Strategy Meeting <https://civil.ge/archives/499877> accessed: 21.06.2023
- Civil Georgia (July 12, 2022). Deoligarchization Campaign Aimed at 'Discrediting' Governance System, Says PM <https://civil.ge/archives/500216> accessed: 21.06.2023
- Constitution of Georgia (August 24, 1995). Sakartvelos Parlamentis Utskebebi, 31-33 <https://matsne.gov.ge/en/document/view/30346?publication=36> accessed: 21.06.2023
- Committee for European Integration (2022). Parliament of Georgia <https://parliament.ge/parliament/committees/50926/deputies> accessed: 21.06.2023
- De Giorgi, E. D., & Gabriella Ilonszki, G. (2020) (eds). *Opposition Parties in European Legislatures Conflict or Consensus?* Routledge.
- Demetrashvili, A. (2013). Specifics of the relationship between the branches of government in light of the constitutional changes of 2010: essential problems, in: *From Super-Presidential to Parliamentary, Constitutional Changes in Georgia*, Ilia State University Publishing House, Tbilisi, 23 [http://www.library.court.ge/upload/kas\\_35708-1522-1-30%20\(1\).pdf](http://www.library.court.ge/upload/kas_35708-1522-1-30%20(1).pdf) accessed: 21.06.2023
- European Commission (2022), *The European Commission Opinions on the EU Membership applications* [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_22\\_3790](https://ec.europa.eu/commission/presscorner/detail/en/IP_22_3790) accessed: 21.06.2023
- European Integration Committee of the Parliament of Georgia (2022). 8 years of association with the European Union, *German Society for International Cooperation* (GIZ), 38 <https://bit.ly/3Y1JkKB> accessed: 21.06.2023

- European Union (2016). Consolidated version of the Treaty on the Functioning of the European Union, Protocol (No 1) on the Role of National Parliaments in the European Union, Official Journal C series 202, 7.6.2016, 203–205
- European Union (2008). Consolidated version of the Treaty on the Functioning of the European Union, Protocol, (No 2) on the application of the principles of subsidiarity and proportionality, Official Journal C series 115, 9.5.2008, 206–209
- European Union (2012). Consolidated Version of the Treaty on European Union, Official Journal of the European Union, C326/13.
- European Parliament (June 9, 2022). Resolution of 9 June 2022 on violations of media freedom and the safety of journalists in Georgia, (2022/2702(RSP))  
[https://www.europarl.europa.eu/doceo/document/TA-9-2022-0239\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0239_EN.pdf) accessed: 21.06.2023
- Farulava, D. & Ghvedashvili, K. (2017). How We Control the Implementation of the Association Agreement, Liberal, February 28  
<https://bit.ly/3bh6toC>
- First Channel - 1TV (2022). Irakli Kobakhidze - the concept of an oligarch does not suit Bidzina Ivanishvili... July 06 <https://bit.ly/3UpiHgy> accessed: 21.06.2023
- Georgian Dream (2022). Irakli Kobakhidze's statement, Georgian Dream, July 1, 2022  
<https://www.facebook.com/GeorgianDreamOfficial/videos/2133915780145471> accessed: 21.06.2023
- Georgian Reforms Association. (2023). The state of implementation of the 12 priorities of the European Union, Tbilisi, May 16, <https://grass.org.ge/uploads/other/2023-05-16/1595.pdf> accessed: 21.06.2023
- Heffttler, C., Neuhold, C., Rozenberg, O., & Smith, J. (2015). The Palgrave Handbook of National Parliaments and the European Union, Palgrave Macmillan, 43-153.
- Holzhaecker, R. (2005). The power of opposition parliamentary party groups in European scrutiny, *The Journal of Legislative Studies*, 11:3-4, 428-445.
- Interpressnews (2022). members of the government, including the Prime Minister, will be heard by interpellation in the Parliament today, May 27 <https://bit.ly/3xEAmXu> accessed: 21.06.2023
- Katz, R. S., & Wessels, B. (1999). The European Parliament, the National Parliaments, and European Integration, Oxford University Press, 10.
- Konończuk, W., Cenuşa, D., & Kakachia, K. (2017). Oligarchs in Ukraine, Moldova, and Georgia as key obstacles to reforms, 4-9.  
<https://3dcftas.eu/publications/oligarchs-in-ua-mo-and-ge-as-key-obstacles-to-reforms> Accessed: 21.06.2023
- Lanskoy M. & Areshidze, G. (2008). Georgia's Year of Turmoil, *Journal of Democracy*, 19, Number 4, 16

Law of Georgia on Amendments to the Law of Georgia on Normative Acts (2018). *Legislative Herald of Georgia*, 22/06/2018.

Menabde, V . (2019). Twenty years without parliamentary control, second revised edition, Vakhushti Menabde (Editor), Tbilisi, 32

Nakashidze, M. (2010). Peculiarities of the President's Relations with Government Branches in Semi-Presidential Systems of Government, Dissertation, Tbilisi State University, 75 [http://press.tsu.ge/data/image\\_db\\_innova/Disertaciebi/malxaz\\_nakashidze.pdf](http://press.tsu.ge/data/image_db_innova/Disertaciebi/malxaz_nakashidze.pdf) accessed: 21.06.2023

Parliament of Georgia (2022). Government Program Implementation Report, June 202-May, 2022, <https://bit.ly/3bm1LpJ> accessed: 21.06.2023

Parliament of Georgia (2022). Minister Hour - Speech by the Minister of Foreign Affairs, David Zalkaliani, Website of the Parliament of Georgia, <https://parliament.ge/supervision/minister-hours> accessed: 21.06.2023

Parliament of Georgia (2022). Prepared according to the documents of the Parliament, Committee on European Integration, Website of the Parliament of Georgia, 2022 <https://parliament.ge/parliament/committees/50926/documents> accessed: 21.06.2023

Parliament of Georgia (2018). Committee on European Integration of the Parliament of Georgia, Report, Tbilisi <https://bit.ly/3NhvxZQ> accessed: 21.06.2023

Parliament of Georgia (2022). Prepared according to Parliamentary Documents, Parliamentary Oversight, Member of Parliament Question <https://parliament.ge/supervision/deputy-question> accessed: 21.06.2023

Parliament of Georgia (2016-2021). Prepared by the author according to the reports of the European Integration Committee of the Parliament of Georgia <https://parliament.ge/parliament/committees/50926/documents> accessed: 21.06.2023

Publika (2022). Bidzina Ivanishvili is not mentioned in the record of de-oligarchization - Kobakhidze, June 17 <https://publika.ge/4141-3/> accessed: 21.06.2023

Raunio, T. (2005). Holding governments accountable in European affairs: Explaining cross-national variation, *The Journal of Legislative Studies*, 11:3-4, 319-342.

Rozenberg, O. (2017). The Role of National Parliaments in the EU after Lisbon: Potentialities and Challenges, Directorate General for Internal Policies Policy Department C: Citizens' Rights and Constitutional Affairs, European Union 2017, 12.

Rules of Procedure of the Parliament of Georgia (2018). *Legislative Herald of Georgia*, 8, 06/12

<https://matsne.gov.ge/en/document/view/4401423?publication=27>  
accessed: 21.06.2023

- Results of work of working groups (2022). Legal Affairs Committee of the Parliament of Georgia  
<https://parliament.ge/parliament/committees/50928/documents>  
accessed: 21.06.2023
- Rezolution of the Parliament of Georgia (2016). On Foreign Policy, December 29  
<https://info.parliament.ge/file/1/BillReviewContent/139023?>  
accessed: 21.06.2023
- Report of the Committee (2021). The European Integration Committee of the Parliament of Georgia on the activities carried out in 2021, 17-18.  
<https://info.parliament.ge/file/1/BillReviewContent/296034> Accessed: 21.06.2023
- Statute of the Committee (2020). The European Integration Committee of the Parliament of Georgia, Decision of the Bureau of the Parliament of Georgia, #1/39, December 16  
<https://bit.ly/3n7gPdk> accessed: 21.06.2023
- Scrivener, A. (2016). Constitutional Reform in Georgia: Difficulties and Obstacles to Implementing the Idea of a Strong Parliament, Georgia Institute of Politics, Policy document, 2-3. [https://gip.ge/wp-content/uploads/2016/06/policy\\_brief\\_GEO-3.pdf](https://gip.ge/wp-content/uploads/2016/06/policy_brief_GEO-3.pdf) Accessed: 21.06.2023
- The European Integration Committee Report (2021). The Parliament of Georgia on the activities carried out in 2021, 12.  
<https://info.parliament.ge/file/1/BillReviewContent/296034> Accessed: 21.06.2023
- Venice Commission. (2023). European Commission for Democracy Through Law (Venice Commission), Final Opinion on the Draft Law "on De-oligarchisation" of Georgia, Strasbourg, 12 June, Cdl-ad(2023)017 or. Engl.  
[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDLAD\(2023\)017-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDLAD(2023)017-e) accessed: 21.06.2023
- Working Groups (2022). The Parliament of Georgia, Legal Affairs Committee  
<https://parliament.ge/parliament/committees/50928/documents>  
accessed: 21.06.2023