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**‘Georgian Way’ of Policy Advocacy:
Non-state Actors’ Influence on Public Policy in Georgia
A Comparative Analysis of Policy Advocacy under the United
National Movement’s and Georgian Dream’s Governance**

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Abstract

Georgia has often been the target of interest for public policy scholars, however, the ‘Georgian way of policy advocacy’, its peculiarities in modern Georgia, one of the post-Soviet country, is less explored. The research article aims to examine the relationship between the success of policy advocacy in Georgia initiated by non-state actors and the factors contributing their success. Thus, the article presents 16 cases of policy advocacy during 2003-2019, under governance of leading parties: The United National Movement and the Georgian Dream and provides the comparative analysis on advocacy achievements, opportunities and challenges.

According to the key findings of research, the consistency of undertaken actions, sound strategy and argumentation, heterogeneity of the advocacy group as well as a high level of internationalization are important elements for achieving success by non-state actors during the advocacy process. However, the mentioned elements are often not the ultimate determinants for getting the intended results. The main factors of success in Georgia turned to be a so-called ‘window of opportunity’ and its timely application for reaching the targets. The study also confirmed that in order to achieve a positive dynamic in the advocacy process, the influence of so-called ‘policy entrepreneur’ was essential under the rule of the both political parties.

In contrast to the world trend, another interesting point was the linkage of advocacy success to the changing of status-quo. Namely, as research data confirmed, the most of Georgian cases of policy advocacy were successful, where the coalition was in favor of changing the status-quo.

Key Words: Policy Advocacy, Window of Opportunity, Non-state actors, Policy Entrepreneur, Status-quo power.

Introduction

The Public Policy studies have extensively reviewed the processes of drafting the policy agenda and its implementation. The various policy researchers provide the comprehensive analysis of how this or that particular issue appears on the agenda of the ruling party, how the state policy changes, what methods and mechanisms are used in the political process to discuss particular points, *etc.* (Baumgartner and Jones 1993; Cobb and Elder 1983; Downs 1972; Kingdon 1984).

The issue of engagement of non-state actors in the process of public policy development and the policy implementation is extremely actual for Georgia as for the post-Soviet country being on the path of democratic development for the last decades. The EU – Georgia Association Agreement, signed with the European Union and the European Atomic Energy Community and the Member States (2014), among other commitments, also defines the obligations for Georgian Government to pursue a participatory, accountable, transparent public policy development process in the country. It should be noted, that the pre-election programs of Georgian Dream, the current ruling party - (Parliamentary elections of 2012, 2016) also emphasize the importance of participatory, open governance policy by active engagement of the civil society. GD had a vivid commitment to support the non-state actors' participation in shaping the policy agenda as well as the decision-making process. Thus, there is a great interest from practitioners, from the national and international scientific community towards exploring the non-state actors' participation in the process of public policy development.

Despite of a number of scholarly articles and researches on Georgian practice of the policy advocacy, there are some uncompleted, less studied topics that need further research. Among them, there is a particularly interesting how advocacy processes and their outcomes change under the rule of different political parties. Consequently, the said comparative analysis will make a significant contribution to a better understanding of the policy advocacy trends in Georgia and enrich the existing studies from different prism.

Thus, the purpose of the article is to present a key findings of comparative analysis concerning the degree of success of policy advocacy initiated by non-state actors and the dependence of policy change to particular factors. It examines the composition of the advocacy coalition, its quantitative and structural forms, advocacy strategies and argumentation, the level of internationalization and the role of the policy entrepreneur in the advocacy process at different periods of UNM and GD's governance in Georgia.

Literature review

Scientific literature offers a variety of definitions for public policy. This article applies Thomas Dye's definition, according to which public policy is "*anything that a government chooses to do or not to do*" (Dye, 1972, p.2). Focus on this definition derives from the fact that the article applies the term 'public policy' to those actions of the Georgian government that are implemented in response to advocacy efforts of non-state actors for changing the existing policies or maintaining the *status-quo*.

Although Dye refers to a government as the executor of public policy, he highlights the major role that non-state actors play in the process of policy implementation. The term 'non-state actors' may be applied to businesses, CSOs, trade unions, as well as diverse groups that take interest (are stakeholders) in specific policies (Howlett & Cashore, 2014).

The term used in this article non-state actors covers the above-mentioned groups that participate in public policy development and implementation processes and conduct conscious and targeted activities to maintain or change the *status-quo*. The team of authors applies the blanket term 'policy advocacy' (hereinafter advocacy) to [the unity of] actions performed by non-state actors to achieve the desirable public policy outcomes.

The term 'advocacy' is frequently used in discussions of policy changes in diverse research papers (e.g. Baumgartner et al, 2009; Jenkins, Leicht, and Wendt, 2006). Notwithstanding the absence of a single and universally agreed formal definition of advocacy, the term always refers to actions implemented by an individual group to achieve their policy goals.

The article defines advocacy as targeted and deliberate activities that are implemented to change concrete public policies or maintain the *status-quo*.

All authors usually highlight various details and characteristics while discussing the success of an advocacy process. Young and Quinn (Young & Quinn, 2012) examine differences and meanings of advocacy strategies. They also distinguish four types thereof [advocacy strategies]: 1) grassroots activism; 2) media campaign; 3) lobbying; 4) Advising. Authors strongly believe that if diversified, several types of strategies are in place, there is a greater chance that the government takes into consideration the position of the advocacy group (Young & Quinn, 2012).

The theory of advocacy coalition framework (AFC) developed by Sabatier and Jenkins-Smith suggests that the degree of internationalization may also be a variable to determine the success of an advocacy campaign. Internationalization is defined as a potential impact international actors may have on internal policy making processes. For this article, internationalization is measured in terms of the following three indicators: (1) international dimension (2) international obligation/commitments, and (3) search for the best practice.

Interestingly, Kingdon suggests a model of 'window of opportunity' as an opportunity for advocates and supporters of new proposals to achieve desired policy outcomes (change) or advance issues of their choice on the policy agenda (Kingdon, 1995). While describing a policy change, the author focuses on the connection of three major streams: 1) problems 2) politics and 3) policies. In Kingdon's view, the alignment of the above-mentioned streams creates a window of opportunity, while the actors who advocate for the implementation of specific changes are referred to as 'policy entrepreneurs.' Vital characteristics and resources for policy entrepreneurs include the following: 1) ability to make a statement and be heard (make one's proposals properly heard). They should have the right position of power for making relevant decisions, expertise, and an ability to talk to politicians concerning the specific topics; 2) negotiation skills and having a good network of persons with political power, which includes mastering a combination of political know-how and

technical expertise; and 3) persistency or consistence of behaviour when all possible platforms and outlets are employed in the advocacy process.

Diversity of theories about public policy change clearly demonstrates that the scholarly circles have not yet come to an agreement on this issue. Some researchers believe that policy change can be assessed against the *status-quo* change (Beland & Waddan, 2012). Others tend to measure the change of policy course by the fulfilment of demands of non-state advocates of a policy (Baumgartner & Jones, 1993).

Incremental model proposed by Charles Lindblom agrees with the opinions of the former group of researchers and the definition of policy change as a cumulative effect of periodically made minor changes (Deegan, 2017).

Authors Beland and Waddan also note that policy change is more related to *status-quo* modification rather than to its fundamental change. Modification is evidenced in institutional terms on the one hand (the degree of impact that institutional changes make), and, on the other - in wide economic, social, and political environments. In their opinion, changes are usually incremental and prompted by the above-mentioned factors (Beland & Waddan, 2012).

As opposed to the aforementioned view, the theory of punctuated equilibrium, developed by Baumgartner and Jones, highlights that political processes, notwithstanding their usual stability and incrementalism, still undergo major changes as authorities bow to pressure from non-state actors from time to time (James *et al* 2006). Moreover, they claim that a long-running advocacy campaign executed and sustained by advocates of change, if successful, will finally result in radical reversal of policy and not merely incremental changes (Macharashvili *et al*, 2015).

Although advocates and supporters of Punctuated equilibrium view change as a radical alteration to the *status-quo*, they actively discuss dividing the achieved changes in three major categories: '*major*', '*moderate*'/*incremental* and '*zero*' changes (Baumgartner *et al*, 2009). Based on this categorization, the level of policy change directly correlates with the success of policy advocacy process.

Methodology

In analyzing advocacy processes during the rule of the United National Movement (UNM), the authors of the article use the key findings of the publication by Georgian scholars: Dr. Nani Macharashvili, Ekaterine Basilaia and Nodar Tangiashvili, who studied the public policy, policy communication and public opinion formation issues under the research project *'Policy Advocacy Success in Georgia: The Role and Limitations of NGOs in Influencing Public Policy'* (Macharashvili et al, 2015). The authors of the present article share the basic methodology and the format of study applied by the above-mentioned scholars. They rely on their approaches in studying the factors of advocacy processes and their implementation during the rule of UNM. While analysing the Policy Advocacy in the period of the Georgian Dream's (GD) Governance, the authors use the key findings of their own research project, conducted under the Social Sciences PhD Programme of the Georgian Institution of Public Affairs (GIPA, 2019-2020). Both studies applied the qualitative research methods including the case studies, in-depth interviews, focus group and secondary literature analysis. In total, the article presents comparative analysis of 8 cases of policy advocacy during the UNM's authority and analysis of 8 cases with high-publicity features, conducted during the GD's governance. The first eight cases (UNM) refer to different policy areas such as *human rights, media, political parties and the electoral system*. Selection of cases during UNM can be characterized by levels of the policy changes, i.e.: in 3 of them the advocacy process ended with a major change, in 3 cases actors achieved only incremental changes, and in 2 cases there was a zero change. As for the selection of the cases during GD's period, it was accomplished from 4 thematic groups including *human rights, health-care, cultural heritage, and civil society*. Each thematic group had 2 types of cases with different outcomes of policy changes, which is - one case with successful and another one with failure or the less successful results.

The authors raise the following research questions:

1) What is the relationship between the success of policy advocacy in Georgia, initiated by non-state actors (1) and the factors (2) such as: a) the composition / structure of the advocacy group; b) strategy and argumentation; c) Internationalisation.

2) What were the similarities and differences between advocacy processes and their outcomes during the governance of different ruling parties, i.e.: UNM and GD.

Within the Article, **the policy advocacy is defined as an independent variable**. It's operationalised by the structure of non-state actors interested in change / or maintenance of *status-quo* (composition, size; thematic diversity), by the strategies used in advocacy (lobbying, advise, grassroots activism, media campaign) and argumentation, as well as the internationalisation component (the mode and quality of international actors' engagement). **The policy change is defined as a dependent variable** and degree of policy change to meet the requirements of non-state actors is used as a measurement of the policy advocacy success. Thus, the following types/levels of policy change are determined and applied:

Zero change – characterize the outcomes obtained through policy advocacy by non-state actors, where there is a complete failure of the advocacy group to succeed, there is no change in the *status-quo* and the advocacy group does not achieve the set goals and objectives at all.

Moderate / incremental change - describes the results achieved on the basis of the policy advocacy process initiated and implemented by non-state actors, during which the advocacy group had only partial satisfaction with the required changes.

Major change – refers to the result achieved on the basis of the policy advocacy process initiated and implemented by non-state actors, during which the coalition and its individual members achieved the vast majority or full package of the requested changes.

Analysis

Policy Advocacy Processes Initiated by Non-state Actors During the Ruling of the United National Movement

As mentioned above, when analyzing advocacy cases during the rule of the UNM, the article mainly relies on the survey conducted in 2015 by N. Macharashvili, E. Basilaia and N. Tangiashvili in which 8 specific cases of policy advocacy are discussed by non-state actors (For a brief description of the cases, find Appendix 1).

There are two distinguished phases of policy advocacy by the non-state actors during the rule of the UNM - (1) 2003-2007 and (2) 2007-2012, where the success of the advocacy process was defined by different characteristics. During the first period, public policy-making was rigid and the government was less open to alternative ideas; as for the second phase, as a result of the political crisis of 2007, the government, due to the threat of losing control, used to pay more attention to the opposite political discourse and the parties. According to the authors, the most important intermediate variable during both periods was the political context. It should be noted that by the case analysis covering the both periods, it was revealed that the process of advocacy in support of the *status-quo* is not more likely to succeed, as it is common in policy theory (Macharashvili et al, 2015).

The analysis of advocacy cases during the governance of UNM demonstrated, that well-arranged structure of advocacy and heterogeneity of groups were characteristics of successful advocacy processes. When advocacy was limited in the number of participating organizations or individuals and had a very narrow technical focus, the government was less responsive to pressure, than when the coalition brought together many local and international organizations and government officials. However, according to the authors, as a result of case analysis, desired outcome can be achieved regardless of the size of the policy advocacy group. In all eight cases discussed in the study of Macharashvili and co-authors, the parties involved in the advocacy process were heterogeneous. However, this factor was important in 5 cases, and only two of them had the significant policy changes (On granting LEPL status to religious organizations and LGTB-friendly Criminal Code of

Georgia), whilst three of them resulted incremental changes ("Must Carry / Must Offer", Political Union of Citizens and amendments of the Electoral Code).

The study also explores if an advocacy strategy has the influence on the successful completion of the process. According to the authors, consolidated and better coordinated groups that use different advocacy strategies can achieve better results than non-consolidated groups that operate with different strategies (Macharashvili et al, 2015). The study of thematic cases has shown that strategy and argumentation have an additional effects on the success of policy advocacy. This has been confirmed by two cases where policy advocacy has failed (Philanthropy, Charity and Social Partnership Bill and Volunteers Bill and the European Charter for Regional or Minority Languages). Accordingly, the study concludes that *"It is difficult to demonstrate that strategy, let alone argumentation, is a decisive factor"* for reaching success (Macharashvili et al, 2015, p.160).

Most cases have confirmed that the quality of internationalization has a significant impact on the outcome of the policy advocacy. The international obligations and the international dimension were highlighted in the specific cases. The analysis of the research revealed that, *"if NGO share policy sides with powerful international actors, they are likely to be successful; If NGOs do not share policy sides with powerful international actors, they are less likely to be successful"* (Macharashvili et al, 2015, p. 162). However, it should be noted that the study presents several cases when the desired results were not achieved despite the high level of internationalization ("Must Carry / Must Offer", Political Union of Citizens and amendments of the Electoral Code, Philanthropy, charity, the processes of European Charter about the Public Partnership and the Regional or Minority Languages).

The study of advocacy processes conducted under the rule of the UNM, has revealed that in most cases gradual and incremental changes were resulted in the major policy changes. Out of 8 cases 5 were finally successfully completed, i.e.: 1) Juvenile Justice, 2) Granting LEPL status to religious organizations, 3) Must Carry / Must Offer, 4) Law on Political Union of Citizens 5) Amendments to the low on the Electoral Code. In two of the said cases (Juvenile justice, granting LEPL status to religious organizations) the major policy changes

were achieved step by step - from zero changes to incremental changes, and then to major changes. In 3 cases ("Must Carry / Must Offer", Law on Political Union of Citizens, Amendments to the Electoral Code) zero policy change was transformed into incrementalism and still remained active on the political agenda.

In one case (an amendment to the law on Electoral Code) that represents the example of complex policy changes, the policy advocacy process exhibited double incrementalism. One case (LGTB-friendly Criminal Code of Georgia) had a very short process of advocacy, resulting directly in a major change.

According to the authors, the changes were achieved in five cases applying so called "layering" type of the incremental change (Juvenile justice, granting the status of LEPL to religious organizations, "Must Carry / Must Offer", law on political unions of citizens, change of the Electoral Code of advocacy processes). In three cases, the theory of punctuated equilibrium was relevant. The case that ended directly with a major change (LGTB-friendly Criminal Code), as well as the remaining two cases ended with zero change (philanthropy, the processes of European Charter about the Public Partnership and the Regional or Minority Languages) were in compliance with the theory of punctuated equilibrium (Macharashvili and etc, 2015).

Accordingly, it is legitimate to use the theory of punctuated equilibrium to the policy-making process during the rule of the UNM.

Policy Advocacy Processes Initiated by Non-State Actors under the Rule of Georgian Dream

Based on the analysis of eight (8) individual cases of advocacy studied by the authors of this article, it may be assumed that the process of policy advocacy has displayed heterogeneity during GD's governance. At the same time, it is also noteworthy that many of the processes discussed here had been initiated during the rule of UNM.

Appendix 2 offers a short description of the particular advocacy cases (examined here) during GD's time in power along with the factors that influenced their success or failure.

Analysis of the cases reveals that the following factors have significantly contributed to the success of policy advocacy by non-state actors under GD's rule, i.e.: heterogeneity of an advocacy group, multiplicity of actors, their role/functions clarity, employed human, financial, and technical resources. With the exception of one case (advocacy for the conservation and rehabilitation of Gudiashvili Square), multiplicity of engaged stakeholders and heterogeneity characterized all advocacy groups. Two of these cases (advocacy process for hepatitis C virus (HCV) elimination and the domestic violence related legislative change) were completed with major outcomes and assessed as successful advocacy processes; two more cases (advocacy for approving legislative changes for humane drug policy and gender quotation system) led to incremental changes, however, the involved parties and stakeholders evaluated them as unsuccessful; one case (Sakdrisi protection process) resulted in zero change, which may be solely attributed to the failure of the advocacy process.

It is also notable that in several cases, heterogeneity of advocacy groups proved to be an important challenge during the advocacy process. Multiplicity and heterogeneity of stakeholders, to some extent, hindered the establishment of common strategy as well as the development of solid and compelling arguments during the advocacy campaigns for drug policy decriminalization and Sakdrisi protection. In the two latter cases, coalitions were based on core values related to the immediate issue, and despite the fact that they had agreed on policy change, they failed to develop a common strategy and consistent argumentation for their advocacy campaigns. Besides, in two cases (advocacy processes for adopting the law on volunteering and state grant programs), multiplicity of participants could not be maintained. Namely, the one organization stood out as a prominent leader, while others in the group mainly limited themselves to supporting statements.

Analysis of the cases confirmed that the heterogeneity of an advocacy group, multiplicity of actors, their role/functions clarity, employed human, financial, and technical resources have been the important though not crucial factors in ensuring the success of policy advocacy initiated by Non-State actors during GD's ruling period.

The case studies demonstrated that the success of policy advocacy processes under GD's rule was largely caused by the efficient usage of various advocacy strategies. The analysis of these successful cases revealed that advocates used diverse strategies at various stages, i.e.: civic activism, member mobility, media mobilization, meetings with representatives of legislative and executive bodies/authorities to secure increasing support, preparation of various recommendations and particular, targeted policy papers.

It is also notable that at particular cases the flexible approaches were employed by the advocates. They used to alter the initially selected strategy, if it failed to produce desirable outcomes at a particular stage, in response to various phases/requirements of the advocacy process. For example, advocates of Gudiashvili Square conservation and rehabilitation changed the lobbying method that was chosen for the first stage of advocacy, when it did not bring specific desirable outcomes, and, instead, they actively engaged civil society and media outlets in the process. It is also notable that all advocacy campaigns placed special focus on media mobilization except for two cases of advocacy for the reform of state grant programs and approval of law on volunteering. The latter two did not employ media campaign based on the argument that the issue would be of no interest to wider audience.

In four out of six studied cases, the advocacy processes with planned strategy and solid argumentation resulted in major changes (advocacy processes related to law on volunteering, Gudiashvili Square conservation and rehabilitation, HCV elimination, and legislative change related to domestic violence); it was evidenced, however, that a conscious strategy, particularly selection of a leading strategy and solid argumentation of an advocating group are important and influential, though not exclusive and sole factors contributing to the success of an advocacy process.

In the examined cases, except for the advocacy for conservation and rehabilitation of Gudiashvili Square, the international actors were actively engaged in the processes, and the advocates often used the best international practices. In three examples of successful cases (advocacy processes related to law on volunteering, HCV elimination, and legislative changes related to domestic violence), internalization proved to be influential, while in one

of them (advocacy for supporting legislative changes related to domestic violence) the international obligations committed by the government assisted to open the so called 'window of opportunity' for advocates. Namely, during the introduction of the legislative changes necessary for the ratification of 2014 Istanbul Convention, the advocacy group members raised the issue of sexual harassment, which was not included in the initial package of changes. Similarly, the advocates of state grant program reform also found a 'window of opportunity' when Georgia began the elaboration of a new Action Plan (AP) for the platform of Open Governance Partnership (OGP). In parallel to this, international organizations voiced frequent criticisms of the government, underlining insignificant and non-ambitious nature of commitments implied by the AP, which helped to highlight and bring forth the reform issue to policy agenda.

Internationalization proved an important supporting factor in advocating the implementation of HCV elimination National Programme. Intense engagement of international actors as coalition members, partners, and experts who were involved in the monitoring activities, positively influenced the advocacy process. It is important that, in this case, internationalization proved positively influential not only on the successful finalization of the process in general but also on the development of a unified, sound, and coherent strategy as well as the attraction of respective required resources.

The four cases of unsuccessful advocacy (advocacy processes for state grant programs, Sakdrisi protection, legislative changes for humane drug policy and gender quotation) used the three mechanisms of internationalization, however, the desirable outcomes were never achieved. For example, internationalization factor actively operated at all three stages of advocacy for humane drug policy reform as evidenced by sharing best practices, responding to international obligations of protecting human rights, availability of resources (financial, expert / human, technical) mobilized from international foundations/donors. Notwithstanding the efforts, the first stage of advocacy (2004-2011) resulted in zero policy change, the second stage (2012-2014) was marked with incremental changes, while at the final stage (2015-2019), incremental but not major outcomes were achieved.

Accordingly, cases studied for GD's period demonstrate that internationalization may positively impact advocacy outcomes but cannot determine the overall success of the process.

Analysis of in-depth interviews with advocacy group members, conducted as part of the examination of the said eight cases, revealed that they characterized the GD government, especially, during their first term of governing cycle, as having greater degree of openness and acceptance than UNM. However, it is also remarkable that experts participating in the research described the increasingly negative trend in GD's communications with non-stateactors, which became particularly noticeable during their second term in power.

In the four successful cases (advocacy processes related to law on volunteering, conservation and rehabilitation of Gudiashvili Square, HCV elimination, and legislative change related to domestic violence), the opening of the so called 'window of opportunity' was a key driver of significant alterations. These particular cases were related to 2012 parliamentary elections and change of the government (UNM was replaced by GD as the ruling party) as a major factor to predict the opening of a 'window of opportunity'. It is also notable that all four cases of successful advocacy processes were initiated during the rule of UNM, and the advocates efficiently used opportunities emerging from government change to complete the advocacy processes with desired fundamental outcomes.

The absolute majority of experts and respondents participating in the research agree upon the great significance of the personal factors of engaged decision makers. Support provided by a governmental representative with strong will and relevant power to advocate for changes as well as the involvement of an active 'political entrepreneur' with good governmental connections are positively reflected on the overall success of the process. Experts also highlight the challenges and difficulties, which advocates face due to the frequent changes in the concerned public entities' relevant personnel (staff).

To summarize, it can be argued that a conscious strategy, argumentation, heterogeneity of policy advocating groups as well as high level of process internationalization have been important in ensuring success of advocacy campaigns under the GD's rule. However, it should be noted that these factors may cause the mere incremental changes and fail to

determine the overall success of the advocacy process. Based on the cases examined, major factors contributing to the efficient policy advocacy include the subjective component of the political context, the engagement of a powerful political entrepreneur, and the usage of 'window of opportunity'.

A Comparative Analysis of Advocacy Processes under the Georgian Dream and the United National Movement

Periodization of successful advocacy opportunities and Political Factors: Based on the studied cases, the analysis of advocacy processes covers period of 2003-2012 for UNM and 2012-2019 for GD. The success of the advocacy process for most of the cases during the rule of both governments was caused by the existing political context. Macharashvili and co-authors conclude that the political context was the most important intermediate variable during the UNM. During the first cycle of the UNM rule (2003-2007), the public policy-making was rigid and can be characterized as closed/non-collaborative towards the non-state actors' participation in the policy processes. The UNM's second cycle (2007-2012) commenced with a political crisis where the government realized the danger of losing its control, and became more receptive to the advocacy processes offered by Non-State actors (Macharashvili, et al. 2015). By studying the advocacy cases during the GD's period, unlike the UNM, showed that GD expressed greater readiness to cooperate with non-state actors in the first election cycle (2012-2016). Moreover, during the second cycle of its governance (2016-2020), while backed by high legitimacy from society/voters, the collaboration with civil society/non-state actors was decreased gradually. Also, the main difference between these two periods was the changes in the rhetoric of the authorities. Similar approach was typical within the UNM's rule as well. During the less acceptance period of the non-state actors' positions, the UNM representatives claimed that the civil activists were controlled by their political opponents. The same rhetoric was revealed during the Georgian Dream's second cycle of rule. At certain points, the high-level governmental officials were discrediting the civil society representatives, making emphasis on specific thematic issues

and initiating the active discussions on their political affiliation to opposition parties. Overall, in the context of policy advocacy campaigns, both governments actively accused the non-state actors as politically bias.

Composition and structure of the advocacy group: The analysis of the studied cases revealed that the heterogeneity of the advocacy group and the high number of members during the rule of both governments had certain significance in the successful implementation of the process. There have been cases where the advocacy process has been initiated by a particular homogeneous group. However, during the process they were transformed into heterogeneous groups, which contributed to the partially successful completion of the advocacy (“Must Carry / Must Offer”). It should also be noted that in several cases the heterogeneity of the advocacy group led to the absence of a unified coalition that was reflected in non-consolidated strategy, tactics and argumentation, which ultimately had a negative impact on the final result of advocacy process (Philanthropy, Charity, the Law on Public Partnership during the UNM and the process of protecting of Sakhdrisi during the GD).

By the experts, interviewed in the study, it is confirmed that the fragmentation of advocacy processes has a negative impact on the advocacy success. In addition, the consistency of the policy change by the non-state actors and limitation of resources as well as their high reliance on the donor organizations are significant challenges.

To summarize, the heterogeneity of the advocacy group, the variety of stakeholders, human, financial and technical resources are important but not crucial factors for the success of policy advocacy initiated by non-state actors during the rule of both governments.

Advocacy strategies: A comparative analysis of advocacy processes during the UNM and GD’s periods, revealed that grassroots activism was stronger and more frequent during the GD’s period, while lobbying was more effective during the UNM’s period. By experts’ view, during the UNM period, due to the rigid, repressive political context, the society as well as the other non-state actors had a fear of taking part in the street demonstrations, which

showed that this advocacy strategy was less applicable. This attitude changed during the GD's period and, consequently, advocacy coalitions began to use street demonstrations intensively. Particular emphasis was made on the activities targeting strategic communication with wider society.

It was important for advocacy groups to use different strategies for achieving the success during the rule of both parties, and often to change those strategies when needed. Based on the studied cases, consolidated and even better coordinated advocacy groups that use different advocacy strategies could bring better results than groups that operated with a restricted strategy. However, it should also be noted, that during the rule of both governments, although the strategy and argumentation are important factors in terms of the success of policy advocacy and accompany the advocacy process, still, they can only have some influence on the policy advocacy but not entirely determine its final results.

Internationalization: Internationalization has been identified as an important factor in the success of policy advocacy during the UNM's period. At that time, the effect of internationalization outweighed the following factors such as the structure of the coalition, strategy, and argumentation (Macharashvili, et. al., 2015). Internationalization is also important for the GD's period, however, less significant than for the UNM's period. Moreover, the focus group revealed that the UNM's political team was more dependent on international stakeholders (including due to the financial interests), which led to a high-level influence of internationalization on advocacy outcomes. The policy changes stipulated by the international commitments were significant for both parties. However, in both cases, there was more superficial implementation of international agreements and just 'putting the ticks' in the action plans while being executed.

It is true that there were cases during the rule of both governments when the involvement of international organizations did not lead to the successful completion of the advocacy processes, but the studied cases also confirmed that a high level of internationalization was an important contributing factor for final success of the advocacy process.

Personal factor: During the rule of both governments the high importance of the personal factor was revealed for achieving success of the advocacy process. Mentioned refers to the engagement of the persons being in power in the advocacy process by the governmental bodies, who had the desire of change and at the same time would actively lobby or pursue the policy changes. It is also actual for the Non-State actors with different political affiliations.

Influence of interest groups: Experts participated to the Focus group discussions underlined, that during the UNM and as well as GD's periods, the existence of strong financial or political influential interest groups, e.g. businesses, and the alignment of their interests to the goals of advocacy processes have been identified as a hindering factor. Also, one of the disruptive factors during the governance of both parties was incompatibility between the interests of law enforcement agencies on the one hand and advocacy group on the other (e.g. changes in local self-government in the Electoral Code). The fear of losing a power as well as the impact on the voters was also influential for changing the attitudes towards the advocacy process (e.g. decriminalization of drug policy, etc.).

The level of the policy change: The cases discussed in the article show that the majority of successful advocacy processes in the case of both governments are mostly characterized by incremental changes, which gradually are resulted into the major changes. It is obvious, that there are some cases when the advocacy process ended with a major change in a short period of time, but mostly, success is determined by the consistency of the process and the achievement of incremental change at all levels. Consequently, the explanation of the success of the advocacy process in both periods is in compliance with the theory of punctuated equilibrium.

In addition, the comprehensive analysis of discussed cases show that the main factor for the success of the policy advocacy process was the political context, the personal factor and the opening of the 'window of opportunity'. The focus group also revealed that the lack of institutional memory was one of the major challenges, as the frequent rotation of the public

servants and high-level decision makers in Georgia's public entities often leads to the initiation of the advocacy processes from the scratch.

Conclusion

The comparative analysis of advocacy cases under the United National Movement and the Georgian Dream's governance revealed that internationalization was more important for the success of the advocacy process during the UNM's period, but opening the 'window of opportunity' and using it successfully were more relevant during the rule of GD. Study revealed the importance of the personal factor, as well as the significance of the strong policy-makers' engagement and their active, persistent, consistent and continuous participation in the advocacy processes are in compliance with the global trends.

As opposed to the '*Status-quo Power*' concept in the public policy theory, the explored 16 cases showed that the advocacy processes in Georgia were mostly successful whilst advocating the *status-quo* change. Particularly, 10 cases out of 16 ended with some success. 5 out of 6 studied successful cases during the UNM's period as well as 4 out of 4 studied successful cases during the GD's periods were in favor of changing the *status-quo*. Accordingly, 90% of reviewed successful cases (i.e. 9 out of 10) advocated for a change of the *status-quo*. In Georgia, as a post-Soviet country, political processes are often seen as transforming from the Soviet legacy to Western values, while maintaining the *status-quo* is perceived as a "bad" and/or "harmful" experience that hinders the country's development. According to the authors, the desire to terminate all ties with the past of the Soviet Union leads to the trust and support of society and political organizations for change. Disruption of old connections and old practices is associated with the progress of the country in the Georgian political context, thus, it increases the probability of successful completion of the *status-quo* change advocacy processes. As a result, it can be said that during both, the UNM and the GD' rule, advocacy processes initiated by non-state actors had a chance to be more successful when advocacy coalitions / groups supported *the status-quo* changes which represents a significant deviation from the mainstream.

Based on the findings outlined in the article, the authors can also assume that there are some links between the success of advocacy campaigns in favor of changing the *status-quo* and the post-Soviet experience. This assumption requires further research of advocacy processes in other post-Soviet countries.

For future research, the authors of the article recommend to conduct an in-depth study of the *status-quo* change cases and explore the linkages with the probability of success of advocacy processes in post-Soviet regions. It is also important to analyze in Georgia the issue of personal influence, so called policy entrepreneur on the successful advocacy process and additionally examine the possible connections between the success of advocacy and different thematic focuses.

To conclude, the Georgian way of policy advocacy is a process where the success of advocacy process is not often determined by the consistency of the actions, the strategy or the argumentation, the heterogeneity of the advocacy group or the high-level of internationalization. The mentioned factors are definitely important influential aspects in most cases, however, the key point for success is to know how to use the ‘window of opportunity’ that generally arises in the Georgian political reality during the governmental changes or the fear of losing the political power. In addition, the policy entrepreneur has its important role in the success of the processes and is a person who along with the willingness of the policy-change possess the relevant know-how, expertise, resources, connections, access to the potential alternatives for effective decision-making, as well as the levers for influence.

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Conflict of Interest

None

Supplementary Files

- Appendix 1 - *Brief description and characteristics of advocacy cases studied during the rule of the United National Movement*
- Appendix 2 - *Short description and characteristics of individual cases of advocacy under the rule of Georgian Dream*
- Published copy of the extended research report '*Policy Advocacy in Georgia: Opportunities for external actors to influence the formation of the public policy agenda and its implementation in the period of the Georgian Dream's governance*'. The joint research project was conducted in the period of 2019-2020 and the printed copy of report is kept in the GIPA's library/repository).

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The linguistic policy as a non-violent means in the struggle for the autonomy: the case of Catalonia

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Abstract

Ethnic nationalism, which is still a relevant issue in many states, is historically linked with various ethnic groups in many places of the world, including Europe. Most European nationalist groups tend to take after each other, regarding the methods of struggle and goals. Nevertheless, there are certain minorities with their unique approaches to the central government. The Catalan nationalist group in Spain can be pointed out as a good example of such circumstances. It appears that the representatives of the region were mainly oriented on finding the solution to the problems which they faced with the central governments of their state by using the non-violent means, including the language strategy to unite the whole minority. It is also interesting that the representatives of the minority focused on enhancing their autonomy within the Spain rather than separating from the state. Actually, this aspect differentiates the case of Catalonia from the most nationalist tendencies in Europe.

The purpose of this paper is to study the case of Catalonia in Spain and analyze the language strategy as a means of their struggle for compromising the central government of the state. Firstly, the paper shows the essence of the situation carried out in the aforementioned region and the research thesis in the introduction. Furthermore, the focus is on the research methods, conceptualization, operationalization and the relevant literature sources. Afterwards, the detailed analysis of the Catalan nationalism stresses the major aspects of the use of Catalan language as a non-violent method and its link to the

struggle for the expanded autonomy by the ethnic group on the territory of the Spanish state. Last but not least, the findings are analyzed in the conclusion.

Keywords

Catalonia; Nationalism; Non-violent means; Language.

Introduction

The case of Catalonia is the important subject of the research for the scholars. The historical circumstances, happening in this region of the European state, demonstrate the maturity of the Catalan minority. According to Scott Greer (2007), “Scotland and Catalonia... are thickly institutionalized, dense societies with complex interwoven interests... in environmental stability and their own autonomy...” (p. 3). This shows that the Catalans were structurally well-groomed and did not have much trouble with the central government of their state. Based on this evidence, one might argue that such region would not focus on the violent measures. Therefore, it is important to study the nationalist tendencies in the region in details.

During the 60s and 70s of the 20th century, the ethnic nationalist waves were mostly oriented on the separation of certain territories from the sovereign states. However, the several ethnic groups would mainly call for the increased self-government capabilities (Greer, 2007). Due to these facts, it is interesting to study how helpful it was for the Catalan ethnic group to use the language strategy as a non-violent approach in order to articulate its needs during the nationalist processes. In other words, it has to be analyzed whether the use of the linguistic policy by the aforementioned groups became the important antecedent to the increased autonomy in Catalonia. Thereafter, the issue requires the careful analysis from the historical perspective of Spain. First and foremost, the existing literature has to be reviewed in order to analyze the essence of the academic works written in this field.

Literature Review

The analysis of the literature about the situation in Catalonia is crucial in order to get introduced to the different authors' views about the case itself and also find out the gaps which are important to fill by the new research. It has to be underlined that many scholars have studied this topic but only few of them focused on the linguistic policy as a non-violent factor for the Catalans in order to expand their autonomy in Spain.

Scott Greer focuses on the differences and similarities between the Scottish and Catalan nationalist groups. The author describes both regions of two diverse European states, UK and Spain, as the cases in which the nationalist tendencies ultimately resulted in the increased self-governance of the ethnic minorities. He acknowledges that historically both Catalan and Scottish societies were mostly oriented on tacit and cultural tools in order to persuade the central government in the necessity of fulfilment of their requests (Greer, 2007). This, actually, gives the reason to think of the peaceful dynamics of processes in Catalonia because it appears that the Catalan ethnic group was not combatant and did not strive towards militarist activities. Considering the author's opinion about the civilized nature of Catalan nationalism, which was oriented on establishing the efficient cultural autonomy within Spain rather than seceding from the state (Greer, 2007), it becomes clear that the long-term plans of the region could have easily been executed by the non-violent strategy, chosen by the Catalans. The fact that the author describes the process of positive change of the Catalan language status in the region (Greer, 2007) breeds more interest in reading and analyzing each extract of it. The source can be assessed as a helpful work in the process of studying the nationalist tendencies in Catalonia. Despite the fact that the linguistic tendencies are described in the source, it is not evaluated as the non-violent mechanism in the hands of the ethnic minority to accomplish its ends. In other words, its essence in the struggle for the expanded autonomy of Catalonia is not perfectly studied which shows the necessity of the further research in this field.

John Etherington's point of view is also significant while analyzing the Catalan nationalism. Taking into account the author's emphasis on the Catalan's desire to extend their self-rule as well as the historical necessity of the Catalan language for the minority

(Etherington, 2003), the source seems to be valuable for carrying out the in-depth research on the aforementioned ethnic minority. The author emphasizes the fact that Catalonia was involved in certain confrontations during the 1600s and 1700s (Etherington, 2003) which creates an atmosphere for reckoning of the existence of certain amount of violence in the region and once again depicts the necessity of foreseeing the author's opinion while working on the paper. Paying attention to the author's description of "Renaixença" (the so called "revival"), as an important event with regard to transforming the nationalist processes in Catalonia (Etherington, 2003), one might argue that this may be a key academic work to analyze the significant aspects of the case. It, actually, shows the importance of studying the phenomenon of the Catalan language as a non-violent source for the minority to strengthen its autonomous capabilities inside the Spanish state.

Moreno, Arriba and Serrano's work is also important, as they look the Catalan case through prism of the peaceful nationalism. They study the case during the different stages of history and show that the Catalan language was an important factor in the region (Moreno, Arriba & Serrano, 1998). This, actually, emphasizes that the linguistic factor has to be analyzed carefully while focusing on Catalonia. The source is crucial in order to assess the non-violent nature of the language policy for the minority. In spite of not depicting the precise link between the use of the linguistic leverage and the increase of autonomous status, the authors' opinions pave the way for conducting the comprehensive research on the issue.

Henry Miller and Kate Miller concentrate on the importance of the Catalan language for the minority. They analyze General Francisco Franco's merciless steps towards Catalonia. According to them, although Franco's government penetrated rudely into the life of the minority by spreading the Spanish language and limiting the space for the Catalan one, the biggest part of the Catalan society was in favor of the pacifist attitudes (Miller & Miller, 1996). All this proves the necessity to analyze each aspect of the case and pay the special attention to how these non-violent approaches affected the autonomous status of the minority.

Jude Weber and Miquel Strubell i Trueta also describe and analyze the essence of the native language in the reality of Catalonia. To their mind, Franco's policy painted a harmful picture for the Catalans, as their language was strongly oppressed. They are also oriented on studying the Catalan language issue after the end of Franco's dictatorship, emphasizing the fact that it played an important role in uniting the whole ethnos (Webber & Strubell i Trueta, 1991). The source is necessary due to the fact that it describes the linguistic advantage of the Catalans, as a vital non-violent method for the development of the minority in modern Spain. Nevertheless, the causal chain between the peaceful language approach and the improved Catalan self-government is not perfectly studied in it.

Daniele Conversi and Sanjay Jeram's paper also has an important meaning in order to study the circumstances in Catalonia. They analyze the issues of multiethnicity and migration with regard to the minority. As the authors describe, the political importance of the Catalan ethnos started growing gradually after the establishment of the democratic regime in a post-Franco period in Spain and the Catalan language obtained many advantages in the official life of the minority (Conversi & Jeram, 2017). This is a good proof of the fact that the language policy was a pivotal aspect in the development of the Catalan ethnic group and therefore, it is important to study its contribution to the issue of autonomy of the minority within Spain.

The literature review emphasizes the fact that despite the existence of certain scientific sources on the essence of the case of Catalonia, the separate research has to be carried out in order to study the impact of the Catalan language as a non-violent mechanism on the enlargement of autonomy of the ethnic minority. Thereafter, the analysis of the issue may result in new significant findings.

Methodology

The research mainly focuses on the use of non-violent means by the nationalists in Catalonia to reach their ultimate goals. The research question of the paper is the following: which factor made a pivotal influence on the increase of the Catalan's autonomy in Spain? Hereby, the following hypothesis is formulated: the use of the language strategy as a non-

violent mechanism made a pivotal influence on the increase of the Catalan's autonomy in Spain. This hypothesis has to be tested in the paper.

First and foremost, there is a necessity to emphasize the independent and dependent variables in harmony with the hypothesis (Van Evera, 1997). As it appears, the independent variable in this case is the use of the language strategy as a non-violent method and the dependent variable - the increase of autonomy in Catalonia.

The qualitative methods are used in order to study the research thesis. Process tracing (Keohane, King & Verba, 1994) is of central importance, as it provides an opportunity to find a link between the independent and dependent variables. The case study method (Babbie, 2016) is necessary in order to figure out the major details in the case of Catalonia. Furthermore, the textual analysis (Carley, 1997) is a relevant method, as it facilitates analyzing the messages and official positions of the politicians, public figures and authors. Apart from these methods, the historical analysis (Keohane, King & Verba, 1994) is also necessary in order to observe the processes, held in the region, in the historical perspective.

The conceptualization of the major concepts is vitally important to study the thesis (Babbie, 2016). The language strategy/linguistic policy carries the meaning of the native Catalan language which was used as a tool by the Catalans to unite the whole Catalan society to deal with the central government of the states (Moreno, Arriba & Serrano, 1998). The violent and non-violent means also have to be defined. The concept of the violent means refers to the brutal activities that involve the tensions and bloody consequences (e. g. the War of Succession in 1700s (Etherington, 2003)), whereas the non-violent means include the peaceful methods such as uniting the people by the linguistic ties, holding the bloodless demonstrations, etc. The autonomy is also an essential term for the paper, meaning the local self-government of the Catalan minority in the borders of Spain (Greer, 2007).

The operationalization of the basic aspects of the hypothesis (dependent and independent variables) is also crucial for the paper (Babbie, 2016). The essence of the linguistic policy as a non-violent method is analyzed by studying the use of the language

strategy and its results on various historical stages in Catalonia. In other words, it is observed whether the approach of gathering the Catalans by the language ties brought the non-violent circumstances or on the contrary, became the catalyst of the bloody and drastic activities. Furthermore, the process of Catalans' struggle for the autonomy is observed by the connection between the linguistic ties of the Catalan individuals and the increase or decrease of their autonomous capabilities inside the Spanish state. Additionally, the increase/decrease of the Catalans' self-governing capacities are evaluated by the evolution/decline of the legal mechanisms for the execution of the perfect autonomy (Webber & Strubell i Trueta, 1991) and also the nature of their significance in political and social life of Spain (Miller & Miller, 1996). The careful analysis of these aspects is significant to draw the interesting picture of the events in Catalonia.

The aforementioned research methods, concepts and practical steps to study the variables are vitally important for the paper. To my mind, this research design gives an opportunity to observe the causal relations between the language policy and the autonomous conditions of the region.

Analysis

The historical background

“Catalan Nationalism is not a new phenomenon: as a modern political movement in Catalonia, its roots can be traced back to the 19th century, as with so many other nationalist movements in Europe and beyond”, - says John Etherington (2003, p. 135). In fact, Catalonia seems to be the place where the nationalist groups did not appear first and therefore, it could have adopted the already existing trends of nationalism. Taking into consideration the fact that later the Catalans were mainly interested in the increase of their rights in the boundaries of the Spanish state (Etherington, 2003), it might be reasonable to think that the minority would not opt for the violent strategy. The analysis of the historical circumstances is necessary in order to find out all the important aspects.

First of all, it is remarkable that Catalonia, as a region, has a very interesting geopolitical past. In the 12th century, it was under the rule of the Kingdom of Aragon. Bearing in mind that the Catalan language was of central importance and the territorial aspects were not, actually, considered as the fundamental tools in case of constructing the Catalan nationalist approaches (Etherington, 2003), the minority could possibly be oriented on peaceful, civilized measures rather than heavily radical steps. Moreover, it might be reckoned that violence was not the part of approaches at the early stages of nationalism in Catalonia. However, the events were not carried out as positively as it could be forecasted according to this analysis.

After the unification of the two kingdoms of Castile and Aragon in 1400s (which remained on the world map till the beginning of the 19th century), Catalonia fell under a huge pressure of the dual reign. At the beginning of the 1710s, their language was no longer relevant in the general societal life and the situation became harder in the 1820s, when it was completely altered by the Castilian language in the education sphere (Etherington, 2003). These historical circumstances lead to reckoning about the probable violent protest from the Catalans, as the aforementioned restrictions instituted by the unified rule might seem unbearable for the ethnos. The War of the Reapers and the transfer of Roussillon (the territory in Catalonia) to the French rule in the 17th century and the War of Succession in the 18th century (Etherington, 2003) are the facts of the use of violence at the early stage of the nationalist tendencies in Catalonia. Nevertheless, if we attentively follow the flow of events, it can easily be observed that the “Renaixença” (“revival”), as a pivotal cultural phenomenon in the history of Catalonia in the 19th century, played an important role in shaping the norms for the future steps that should be undertaken by the Catalans (Etherington, 2003). It appears that despite certain past traumatic facts, coming from the governing style of Castile and Aragon, Catalonia chose the non-violent strategy to deal with the challenges in the 1800s. In fact, this is reflected in Moreno, Arriba and Serrano’s (1998) words: “Catalan nationalism... was more intellectual and has always been less secessionist in character” (p. 67). Therefore, it is evident that the use of violent methods such as injuring

and killing people, exploding the living areas, damaging and demolishing the infrastructure, etc., were not in the agenda of the Catalans.

It can also be assumed that the shift to the civilized nationalist policy was the product of the rapid economic enhancement of Catalonia. The fact that the Catalans were the most progressive manufacturers in Spain by the late 1800s contributed to their uniqueness in the state and evolved the cultural aspects in their nationalist attitudes which were in harmony with the “Renaixença” values (Etherington, 2003). This statement once again underlines the emergence of peaceful approaches in the population inside Catalonia and shows that the rich region did not have the goal of fighting the armed battle against the central government at that time.

The historical facts show that in spite of certain tensions and confrontations, the Catalans were mostly oriented on the non-combatant ways of coping with challenges from the early periods of the humankind development to the 18th and 19th centuries. Thereafter, it is interesting whether the same tendency continued afterwards when Catalonia, as a region in Spain had to deal with the central government of the state in the nearest history.

The strategy of the minority towards the central government

As the time marched on to the 1900s, the new processes were incepted in Spain. After the end of General Primo de Rivera’s brutal regime of 1923-1930, which hindered the formation of the alliance between certain provinces of Catalonia – Lleida, Girona, Barcelona and Tarragona, the establishment of the Second Republic led to the increased local rights of Catalans (Etherington, 2003). These circumstances demonstrate the interesting set of events because the new century began by the dramatic style of rule in Spain which was harmful for the Catalans in order to ensure stability in their region and articulate their requirements in a civilized manner. Thereafter, it can be reckoned that the minority might have chosen the violent path unless the Second Republic had provided new opportunities for them to feel comfortable inside the boundaries of the Spanish state.

Bearing in mind the fact that the new constitution of the Second Republic granted the autonomous status to Catalonia (Moreno, Arriba & Serrano, 1998), it may be considered

that the situation was becoming better for the Catalans for peaceful cohabitation with the representatives of the Spanish central government. Despite these positive steps, the establishment of General Francisco Franco's rule after the end of the Civil War led to the new policy towards minorities (Moreno, Arriba & Serrano, 1998). As Franco had an antagonistic approach to both categories of minorities that either demanded self-determination from Spain or self-government inside the borders of the state, he started an open war against any requests of minorities (Etherington, 2003). His rule was a real "cultural genocide" (Webber & Strubell i Trueta, 1991, p. 15) for Catalans, as the Spanish language was imposed on their educational, cultural and many other institutions (Miller & Miller, 1996). It may be argued that such kind of a scenario could be a motivational factor for the Catalans to start the radical struggle against the central government of Spain and this would reverse the situation to the violent conflict. Paradoxically, the minority chose another strategy. As Miller and Miller (1996) reckon, language can be a useful tool for a certain ethnic minority within a specific state in order to emphasize its own difference from the other groups and maintain relevance as an ethnos. Ensuring the cohesion of the whole Catalan population by the linguistic ties became an important means for the region to strive towards better future inside the Spanish state and deal with Franco's repressive policy (Miller & Miller, 1996). This demonstrates a clear picture of the attitude of Catalonia to the central government of the state: the minority, actually, decided not to fight for its rights by the violent means and decided to depend on the peaceful mechanisms such as language. It is also apparent that the minority mainly focused on increasing its autonomy in the boundaries of the Spanish state and secession was not part of its strategy.

It is noteworthy that the aforementioned tacit, cultural approach to the central government's activities was the policy of the middle class of minority, whereas the lower class was calling for the use of force (Miller & Miller, 1996). It seems that the idea of opting for the non-violent means for the articulation of requirements was supposed to be more pragmatic for the general population of the region. Taking into account the neat institutional arrangement of Catalonia as well as its beneficial social-economic conditions (Miller & Miller, 1996), it might be considered understandable why the region was mostly

able to take the peaceful steps rather than speaking in the language of weapons and bloody demonstrations. The major strategic-tactical arsenal of Catalans was based on the non-violent methods until the end of Franco's dictatorial style of rule.

To sum up, it is clear that despite the heavy periods caused by Franco's brutal regime, Catalonia decided not to respond to the central government's policy by the violent means, remain calm and gather the whole ethnos by the linguistic links. Therefore, the historical circumstances after the end of the General Franco's rule have to be analyzed attentively in order to find out whether Catalans continued relying on non-violent measures or not.

The issue of autonomy of the minority

After the termination of the dictatorship and the revival of democracy in Spain, the new values of freedom, equality and collaboration were spread between the various ethnic groups in the state (Miller & Miller, 1996). It is remarkable that the linguistic factor was an important aspect in Catalonia's relations with the central government of the state on many stages of mankind (Webber & Strubell i Trueta, 1991). Thereafter, it is interesting whether the language phenomenon still remained significant after the rise of the democratic tendencies in the state and whether it played a pivotal role in the restoration of the region's autonomous status.

Considering the fact that Franco's regime ended in 1975 and the new constitution, granting the autonomy to Catalonia, equalized the Catalan language to the Castilian inside the territory of the region in 1978 (Webber & Strubell i Trueta, 1991), it becomes evident that the native language itself did not lose actuality in case of Catalonia and it started preparing the firmer soil by legal instruments in the new era of the Spanish state. Realizing that the adoption of the new constitution contributed to the future prospects of the integrated Spain, inhabited by various ethnic groups that were given the right to choose the forms of self-rule on their own (Moreno, Arriba & Serrano, 1998), it can be emphasized that the attitude of the central government towards the minorities was becoming softer. The merciful multiethnic approach to the minorities, residing on the territory of the

Spanish state, might be an antecedent to the fruitful cohabitation between the titular majority and the ethnic groups. This could most probably motivate the Catalans to remain devoted to the non-violent strategy. The Language Normalization Act of 1983 inceptioned the process of teaching Catalan at schools. This process was supposed to be a catalyst for the large-scale linguistic influence in the region. It seemed that the peaceful manifestations of the population of Catalonia after the end of Franco's rule, having the linguistic aspect as one of the key issues of agenda, was yielding fruit (Miller & Miller, 1996). It may be believed that these processes could make an important influence on the future relations between the Catalans and the Spanish. The most significant is the circumstance that the Catalans were the peaceful demonstrators and not the bellicists with barbaric intentions. This, in fact, shows that there existed many conditions for the mutually beneficial negotiations between the majority and minority groups.

As the attitude towards the Catalan language was changing, it was transformed into an instrument for the official communications. It became mandatory for the citizens to study the language in order to start a labor according to the 1991 decision of the court (Miller & Miller, 1996). Needless to say that the linguistic leverage, which the Catalans opted for as a non-violent mechanism during the early days of struggle for their rights, remained a fruitful weapon in their hands to execute their plans. The fact that the number of the Catalan-speaking people fell by 30 percent in the region during Franco's dictatorship (Miller & Miller, 1996) is a good proof to consider the profitability of the democratic central government's innovative policy for Catalonia. All this led to the political encouragement of the Catalans in the state in the 1990s. Precisely, the Socialist ruling party needed an assistance from the Catalan peripheral political elite. This was an important opportunity for the Catalans to limit the influence of Castilians in the region, on the one hand and broaden their autonomy, on the other hand (Miller & Miller, 1996). These circumstances make clear one issue: the Catalans' peaceful means paved the way to the aims in the long-term perspective. It is doubtful whether the region would have the same influence on the political processes inside Spain in case it had chosen the violent strategy. The Catalan political figures quit being politically sympathetic towards the Socialist central

government, after the latter was blamed for the illegal activities and started encouraging “Partido Popular” to become the new ruling political force in Spain. This provided a *carte blanche* for the Catalans to increase their self-governing capabilities (Miller & Miller, 1996). This fact once again proves the flexibility of the use of linguistic ties as a motivational factor for uniting the Catalans and coping with the challenges in a peaceful, civilized manner. Actually, the non-combatant attitudes contributed to the desirable future of the Catalans after the demise of the dictatorial regime and spread of democratic standards in Spain. Bearing in mind the fact that the local ruling force from 1979 till 2003, called CiU (“Convergence and Union”), concentrated on the linguistic strategy by requesting the execution of the official clerical work in Catalan in both state and private sectors (Conversi & Jeram, 2017), it becomes evident that the non-violent policy of the ethnos was the successful long-term approach. The continuation of the same linguistic attitudes during the new coalition government and the encouragement of the Catalans’ tolerance towards other ethnic groups in the 2000s and 2010s in the region (Conversi & Jeram, 2017) can be emphasized as additional factual arguments for the peaceful policy of Catalonia towards the central government. This shows that the non-violent steps remained mostly acceptable for the Catalans in the modern era, too.

In sum, it can be assumed that the Catalans managed to widen their political importance as well as the autonomous status of their region in the Spanish state by choosing the non-violent steps towards the central government. To my mind, the analysis of the case may be summarized by Miller and Miller’s (1996) interesting point of view:

“Political forces in Catalonia... have managed to win ever increasing concessions to the Catalan interest of further autonomy. ...This may be one of the reasons why the civic culture of Catalonia leaves little room for extremism. This is illustrated by the fact that the separatist elements have a relatively small following. Catalan political and economic forces are on the whole trying to integrate and co-ordinate their own interests with those of the wider framework of Spain.” (p. 122).

Conclusion

The main results of the study indicate that the hypothesis is proved: the use of the language strategy as a non-violent mechanism made a pivotal influence on the increase of the Catalan's autonomy in Spain. It appears that the central government of Spain was ready to negotiate with the minority during most periods of history and this became an important antecedent to the improvement of the self-governing capabilities in the region.

The analysis depicts that the answer to the question on the willingness of the central government towards the Catalan society lies in the fact that historically the nationalist tendencies in Catalonia were oriented on the peaceful means, mainly the linguistic ties. As it is analyzed above, despite certain political clashes at the early period of the mankind, "Renaixença" ("revival") in the 1800s became a significant motivator of the Catalans to remain tolerant towards each challenge that they would face in life and use the major non-violent weapon, the language for the execution of their plans (Etherington, 2003). The non-separatist nature of the nationalist processes in Catalonia (Moreno, Arriba & Serrano, 1998) was a helpful contributor to the evolution of the peaceful tendencies in the region. In essence, the Catalans did not show antagonism towards the titular majority of the Spanish state and mostly concentrated on dealing with each issue in a more civilized, calm way. It can be assumed that the leading manufacturing characteristic of the ethnic group in the 19th century (Etherington, 2003) not only assisted the economic enhancement of the Catalan society but made an influence on the articulation of its general requirements. In other words, the study proves that Catalonia was not only the peaceful negotiator with the central Spanish political elite but also an economically advanced region, carrying a vital meaning for the state.

As argued above, the change of the central government's attitudes towards the minority rights after the establishment of Franco's dictatorship, involving the barbaric policy to the Catalan language (Moreno, Arriba & Serrano, 1998) did not become the causal factor for the periphery to start the violent activities against the central government. According to the analysis, sooner or later, the main goal was achieved by setting up the firm chain in each and every representative of the minority with the help of the native

language. The termination of Franco's rule and the flourishing of liberal-democratic tendencies in Spain emphasized the suitability of the Catalans' approaches: as Catalan language firstly became egalitarian with the Castilian language in the region and then gained the essence of the officially significant factor for schooling and labor activities, this contributed not only to the improvement of the autonomous conditions of the minority but to its political significance as well. The analyzed circumstances show that the region was important for the central political establishment of the state in different periods, ranging from the Socialist party rule to "Partido Popular" (Miller & Miller, 1996).

In conclusion, it seems that the non-violent strategy, reflected in uniting the whole ethnic group by the linguistic leverage, became a strong catalyst of the increased autonomy of Catalonia in Spain. Therefore, it is apparent that this policy was a profitable tool for the Catalans to execute their main plans without the severe damage of infrastructure and the dreadful killings of people.

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Organizational Communication

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Abstract

The article discusses the importance of organizational structural communication in terms of effective management. Author mentions General theoretical considerations as well as distinguishing marks between types of communication.

At the end, the considerations are summarized to present the concepts of internal and external structural communications.

Keywords: Organization, Communication, Internal, External, Structural.

The importance of organizational communication

Communication is a complex process in which the sender sends a message carrying a specific content through an appropriate source to the addressee, who is obliged to decrypt the message in the background of specific circumstances. This process is much more complicated when we talk about organizational communication, where both the volume of messages and the groups of recipients increases. Organizational communication carries a number of meanings that can be divided into different categories, however, all of them are ultimately aimed at the successful execution of a common organizational mission, as the organization views communication as a kind of mechanism and means. Organizational communication assists us in the implementation of any complexity or specific activity and guarantees the effective performance of certain tasks, procedures, and regulations. At the same time, it is through communication that the organizational culture is formed, which defines the values, priorities, goals, awareness, values, and specificity of the relationship between employees. It should also be noted that the quality of communication is directly related to the quality of success, and the more efficiently the communication process is conducted, the more effective the organizational goals will be. Organizational communication is divided into internal and external structural communications, which will be discussed in more detail in other chapters of the article.

Internal Structural Communication

Relevant exchange of information between employees is especially important for the effective functioning of the organization, and these processes will take place at the expense of internal structural communication. The internal environment of the organization essentially determines how it interacts with external structures, thus increasing its potential, precisely that is achieved through an effectively developed internal organizational structure. Conversely, the internal environment can be a source of problems and even the cause of an organization's failure if it does not provide the required functioning of the organization. Factors that determine the internal environment of an organization include variables such as the structure of the organization, its goals, objectives,

technologies, and people. The internal environment can be considered as a set of structural components of an organization's interaction. Internal organizational structure refers to the communication within the organization, which creates an environment conducive to employees in the organization, thinks of common ways to solve problems, exchange important information, etc. Which in itself contributes to a high degree of strategy orientation, which is directly proportional to achieving the maximum desired result. That is why internal organizational communication should be based on openness, clarity and simplicity, reliability, and mutual respect, both among the employees themselves, as well as between the employees and the representatives of the management.

Employees need to feel connected to the company - these are solutions, initiatives, common problems, plans developed, and so on. These connections are essential for employees to understand why executives make decisions and make changes. When they realize what drives these decisions and changes, they are more likely to feel a sense of teamwork and are motivated to bring more benefits to the organization that values it. It is also noteworthy that with the effective internal structured communication the company seeks to avoid bureaucracy. Mechanisms such as face-to-face, telephone, or e-mail communication are used for direct internal communication. As well as, proven practice is meetings in the workplace, publishing corporate newspapers, individual conversations and more. It should also be noted, that there are various barriers to the transmission of information that may arise from the sender. This happens when the message is vague, unstructured, and conveyed in an appropriate way. This can lead to misinterpretation and distortion of the content. This result may arise even if linguistic and cultural differences are not taken into account.

Types of Internal Structural Communication

Organization's internal structural communication can be divided into both formal and informal. Formal communication follows hierarchical structures, established rules, and norms. The formal channel of communication, which is related to the labor process, is defined and implemented by the governing body of the organization itself. It provides

employees with a variety of information, messages, announcements, changes, and feedback. All other types of information, personal or social type, are transmitted through informal networks. Informal groups are formed within the organization based on common interests or other similar common social preconditions and in turn contribute to the creation of a healthy organizational atmosphere. Internal structural communications can be vertical or horizontal depending on the type of relationship:

During vertical communication, information messages are transmitted from the upper tier to the lower tier. In such cases, the subordinates are mainly given specific tasks, and information through the control ring. An example of this is the case when a director issues specific information to employees about organizational change. However, when we talk about vertical communications, we must not forget that in addition to downward communication, there is also communication in the opposite direction, when the message is transmitted from the subordinate link, in the direction of the control ring. Through ascending communication, the top management of the organization is given the opportunity to receive direct feedback from users, learn about identified problems, receive general information about ongoing processes in the lower echelon, and so on. Consequently, the specificity of the vertical communication between the superior and the subordinate depends on the specific organizational goals and requirements. As we know any kind of organization consists of different divisions and departments, therefore for their overall organizational success it is important to have constant communication and coordinated cooperation. The relevant means to ensure this is horizontal communication, which is a prerequisite for the formation of an equal and equal relationship in the organization.

External Structural Communication

External structural communication refers to the communication between the organization and the environment around it. During external communication, the organization is presented to a wide audience, as well as directly to the target audience. It is in the process of interaction with various organizational structures or people that the

reputation and image of the organization is formed, which can bring a lot of positive results in the long run. For this reason, the organization has to cooperate with various private or state structural units on a daily basis, communicate with existing or potential customers, communicate with partner organizations, etc. At the same time, external communication and internal communication are closely related to each other, as external communication is a kind of link between the environment and the internal spaces of the organization. By establishing communication with various members of society or government agencies, the organization receives a wealth of feedback or information, which it uses to promote organizational success and internal structures. Gathering information and constantly integrating with the outside world is vital to the organization as it is the only way to balance customer needs and requirements.

Types of External Structural Communication

External structural communication Like internal structural communication, can be both formal and informal. Informal communication, especially when it comes to organizational negotiations, dissemination of information messages, etc. Email communication is actively used as it shortens the communication time and gives us a guarantee that the message has really reached the addressee. Of course, the form of formal communication with the environment depends on the specifics of the message itself, for example, if an organization wants to spread information about a new product or service offering, it may also use mechanisms such as advertising, releases, and blogs. There is another form of formal communication, such as conference meetings. It is important that business meetings are pre-arranged and scheduled in advance. It is necessary to write in advance the schedule of the meeting, as well as the competence and relevance of the persons present at the meeting. It is necessary to have a predetermined meeting schedule and everything to be organized as much as possible in order for all this to further emphasize the organizational image. As for informal communication, it means communication between those who are not directly involved in the control of the organization, which means indirect communication of employees with the outside world. For example,

employees gain different experiences and gain new knowledge on a daily basis, exchanging innovations, diversifying their knowledge, and when they discuss this in the organization's external environment, it uniquely reflects the company's reputation as informal external communication. It should also be noted that some managers use informal communication methods to find out what employees think honestly and this information is obtained through feedback. In addition, some employees inadvertently use informal communication methods to inform managers of their attitudes without submitting a written form or face-to-face conversation. Ultimately, informal communications include conversations between people, such as discussing any non-formal topic, which aims to share information in an unplanned, random manner.

Conclusion

Any kind of communication for a public or private organization is a definite determinant of success. From the description of the internal and external structural communication presented in the article, we can boldly say that there are two concepts of different meanings. Internal structural communication determines the proper formulation of the organization's action plan, defines the organizational structure, creates a healthy atmosphere, takes relevant actions based on internal feedback, and etc. Especially when the range of programs and tools in today's digital world helps to improve communication between company employees, and these processes are a prerequisite for the successful operation of the organization with the outside world, as external structural communication involves interaction with any entity or organization outside the organization.

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The history of Wine law from the European Economic Community to the European Union

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Abstract: This article, by referring on the comparative analysis and historical approach, explores the regulations of EEC and then EU shaping the European Common Wine Policy, in order to find out what was the reason of introducing certain regulations and what was the outcome of these legislative actions.

Key Words: Common Wine Policy, EEC, EU, Wine Regulations,

Introduction

As Andrea Zappalaglio says: '...one cannot fully understand a legal concept without exploring its history first.' (Zappalaglio, 2021, p. xxiii). Since wine markets have been subject to numerous government regulations, which have been significantly varying between and within countries for centuries, it is an outstanding field to study in terms of these regulations. (Meloni, Anderson, et al., 2019, p. 620).

This article will explore the regulations of European Economic Community (EEC), and then European Union (EU), from 1950s until early 2000's in order to demonstrate how Common Wine Policy (CWP) was established and developed in Europe, what was the aim of this policy and what requirements were established for European wine production.

The literature review being the foundation and inspiration for the research (Boote, Beile, 2005, p. 3), has following purposes for this article: 1) to examine and assess existing academic papers (Thomas, Hodges, 2010, p. 105); (Boote, Beile, 2005, p. 8); (Cooper, Hedges, 1994, p. 3); 2) to identify the most effective research methods (Thomas, Hodges,

2010, p. 105); (Cooper, Hedges, 1994, p. 3). (Boote, Beile, 2005, p. 8); and 3) to assist in placing the article in context (Thomas, Hodges, 2010, p. 105); (Boote, Beile, 2005, p. 8).

There are number of books and academic papers focusing on legal aspects of wine regulations, more precisely on Geographical Indications (GIs), books of: Zappalaglio (2021), Blakeney (2014), O'Connor (2007), Gangjee (2012), and academic papers of: Meloni, Anderson et al (2019), Meloni and Swinnen (2018a), Meloni and Swinnen, (2018b), and Josling (2006).

Although being very useful, these literatures are not giving overall picture regarding what circumstances shaped European policy regarding quality wine production. Thus, for the aim of this article major part of the structure is inspired by work of Munsie (2002). The way author puts EEC and EU regulations, represents valuable source in analyzing European approaches towards wine production in historical perspective.

Research of this article is based on comparative analysis and historical methodology. Comparative analysis examines how various legal systems and cultures have approached problems that they faced, and to what level of apparent success or failure they have achieved (Salter, Mason, 2007 p. 183); (Schlesinger, 1995, p. 477); (Kahn-Freund, 1974, p. 1); (Legrand, 1996 p. 232); (Legrand, 1997, p. 111); (Curran, 1998, p. 657); (Mattei, 1998, pp. 709–718); (Reimann, 1998, pp. 637–646); (Bradney, Cownie, 1999, p. 51); (Collins, 1991, pp. 396-397). In this case regulations of EEC and EU will be discussed and compared, and in order to better understand what processes forced regulations to emerge, historical approach becomes a very useful tool as well. The effect of changing contexts, and the following lessons of how and why things have changed, are firmly emphasized by historical contextualization (Salter, Mason, 2007 p. 193). It analyzes the past not for its own sake, but rather to enable a better understanding of the significance and consequences of existing events (Salter, Mason, 2007 p. 194).

Regulations of the EEC and the EU from 1950s until early 2000's

In 1957 the signing of the Treaty of Rome and the creation of the EEC caused drastic changes in wine production of Europe (EC Treaty, Preamble); (Munsie, 2002, p. 18). The

Treaty of Rome was an attempt to eliminate trade barriers and to establish an international market (EC Treaty, Preamble); (Munsie, 2002, p. 18). Certain bilateral agreements existed between European Countries, but these agreements were permanently obstructed by customs duties, excise taxes and other factors (Niederbacher, 1983, p. 33); (Munsie, 2002, p.19).

One of the important factors of the Treaty of Rome was that it established the Common Agricultural Policy, which applied to a wide range of products, including wine. The objectives of the policy were: rising of agricultural productivity, providing a fair standard of living to the community, stabilizing markets, guaranteeing the availability of supplies and guaranteeing that supplies reach consumers at reasonable prices (EC Treaty, art. 39); (Munsie, 2002, p.19).

Following six countries, Belgium, France, Germany, Italy, Luxembourg, and the Netherlands were the initial member states of the EEC (Munsie, 2002, p.19); (Meloni, Swinnen, 2013, p. 264), but in bringing these countries together, the main problem that had to be solved, was the integration of wine industries of France and Italy, since being the biggest wine producing countries, the ways in which France and Italy were organized in terms of wine production, were drastically different (Niederbacher, 1983, p. 321); (Munsie, 2002, p.19); (Meloni, Swinnen, 2013, p. 264).

In 1959 when the Common Custom Tariff act was passed, the EEC started the process of unifying the wine industry. The aim was to reduce outside competition by placing customs duties on imported wines based on the type of wine, alcohol volume and sugar content (Niederbacher, 1983, p. 36); (Munsie, 2002, p.20).

In 1962 Regulation 24/62 "on the progressive establishment of a common organization of the market in wine" contributed to the foundation of the common market in wine (Council Regulation 24/62, preamble); (Munsie, 2002, p.20); (Meloni, Swinnen, 2013, pp. 248, 266). This Regulation set out four main provisions: 1) Each country was to establish a vineyard register, 2) A central authority was to keep track of annual production levels, 3) Strict rules were to be established regarding quality wines produced in specified regions, 4) Future estimates of resources and requirements were to be compiled annually

(Council Regulation 24/62, preamble, arts. 1, 2, 4, 6.); (Niederbacher, 1983, pp. 321-232); (Munsie, 2002, p.20).

In spite of the fact that the foundation of the common wine market had been set in 1962, the true organization of it did not come until 1970, when the Common Wine Policy (CWP) was passed in Regulations 816/70 and 817/70. Regulation 816/70 set out the basic provisions implementing the common organization of the wine market, and Regulation 817/70 on the other hand, set out provisions specifically for the quality wines (Council Regulation 816/70, preamble, art. 1); (Council Regulation 817/70, preamble, art. 1); (Niederbacher, 1983, p. 322); (Spahni, 1988, p. 3); (Munsie, 2002, p.21); (Meloni, Swinnen, 2013, pp. 250, 267).

And what's most important here is that, the EEC was to be considered as a single market and wine was to travel without restraint within it (Spahni, 1988, p. 3); (Munsie, 2002, p.21). While free movement within the EEC was supported by prohibiting duties and charges, trade with non-EEC member countries was to be controlled (Council Regulation 816/70, arts. 8, 31); (Munsie, 2002, p.21).

Regulation 816/70 also set out the certain boundaries for the wine industry, so the alcohol content of the "table wine" was to be between 8.5 - 15% (Council Regulation 816/70, Annex II); (Niederbacher, 1983, p. 42); (Munsie, 2002, p.21) and it could not be fortified (Council Regulation 816/70, art. 25); (Munsie, 2002, p.21). Moreover, the EEC was divided into five zones, and for each of them requirements regarding alcohol content and chaptalization differed (Council Regulation 816/70, art. 18); (Munsie, 2002, p.22). (Chaptalization is addition of sugar to the grape juice or must, before or during the fermentation, in order to increase alcohol volume. (Munsie, 2002, p.22); (Robinson, 2015, p. 159)).

As mentioned above, Regulation 817/70 focused on the production of quality wines, taking into consideration the traditional methods of wine production used in Member States (Council Regulation 817/70, preamble); (Munsie, 2002, p.22). Thus, each Member State had to create a list of those vine varieties, which were needed to produce particular quality wines (Council Regulation 817/70, art. 3); (Munsie, 2002, p.22), as well as to define

the wine production methods and even were allowed to create legislation that was stricter than regulations of EEC itself (Council Regulation 817/70, arts. 4, 7, 15); (Munsie, 2002, p.22). All these wines had to be made from *Vitis vinifera* and had to pass analytical and organoleptic tests (Council Regulation 817/70, arts. 3, 11); (Munsie, 2002, p.22).

Regulation 1338/70 established the general rules for the classification of vine varieties, thus supplementing the CWP. So, vines based on their characteristics and suitability for certain regions, were classified into three categories: 1) Recommended, 2) Authorized, 3) temporarily Authorized (Munsie, 2002, p.22).

Recommended category included vine varieties able to produce grapes, which were suitable for production of high-quality wines. Authorized category included vines able to produce grapes of slightly less quality than Recommended vines. Provisionally Authorized category contained vines that still had some sort of economic importance to a specific region (Council Regulation 1338/70, art. 6); (Munsie, 2002, p.23). Quality wine had to be made only from Recommended or Authorized categories (Council Regulation 817/70, art. 3); (Munsie, 2002, p.23), later Regulation 2005/70 categorized all the vine varieties from Recommended and Authorized categories for each region of the EEC, and completed the classification process (Council Regulation 2005/70, art 1); (Munsie, 2002, p.23).

Soon after EEC created these regulations, the massive overproduction took place within its boundaries, reasons of which were: consumption reduction in France and Italy while not increasing in other member countries, increasing of productivity of vineyards, increasing of imports from non-member countries, the quality of table wine did not improve to match with the increasing demand for quality wines (Voss, 1984, p. 71); (Munsie, 2002, p.23). Consequently, French market was flooded with low priced Italian wine, to fight this France imposed an import tax on Italian wine, thus violating the general agreement on the free movement of wine. Additionally, the port of Sète, where most of the wine was imported was blocked by the French producers (Unwin, 1991, p. 322); (Munsie, 2002, p.23).

In dealing with this issue of overproduction, Regulations 1162/76 and 1163/76 was passed by the EEC. Regulation 1162/76 restricted new vine plantings for table wine, but

replanting was permitted if the vines met recommended or authorized categories. all this served as an attempt to increase the quality of table wine (Munsie, 2002, p.23). Regulation 1163/76 on the other hand, established the system of subsidies for abandoning vineyards for six years or for uprooting, in order to replace vines with other crops (Munsie, 2002, p.24); (Meloni, Anderson, et al., 2019, pp. 622-623).

In order to improve things, additionally it was decided by the EEC, to create the classification not only of vine varieties but of vineyards as well. Regulation 1338/70 already set out the classification of vine varieties, so the Regulation 454/80 fulfilled this process by establishing the Categories of land for winegrowing areas (Munsie, 2002, p.24). Later Regulation 456/80 relied on these land categories in setting out another series of subsidies for the winegrowers to abandon their vineyards on temporary or permanent basis, the main aim yet again was to reduce the production volume of low-quality wines (Munsie, 2002, p. 24).

In spite of all these affords, huge harvests of 1979 and 1980 provoked more protest among French wine producers, they attacked boats trying to import Italian wine into the port of Sète (Niederbacher, 1983, p. 322); (Munsie, 2002, p.24); (Meloni, Swinnen, 2013, p. 269). So, in 1982 distillation was established as a main tool in dealing with surpluses (Niederbacher, 1983, p. 322); (Munsie, 2002, p.24). In 1984, Dublin Summit called upon for further activities such as: compensation for uprooting of vineyards, restrictions on replanting of vineyards, and compulsory distillation (Munsie, 2002, p.25).

Since the adoption of the CWP and making of numerous regulations afterwards, the creation of Regulations 822/87 and 823/87 represented combination of economic and qualitative rules, taking into consideration past policies (Vialard, 1999, pp. 235, 237); (Munsie, 2002, p.25), recognizing the necessity "to stabilize markets and ensure a fair standard of living for the agricultural community concerned." (Council Regulation 822/87, preamble); (Munsie, 2002, p.25).

Regulation 822/87 included many similar provisions created in the past, but it tried to reinforce them to increase wine quality. The interventionist activities regarding table wines still included provisional storage of surpluses as well, as compulsory distillation and

other measures (Council Regulation 822/87); (Munsie, 2002, p.25). new planting of vines suitable for table wine was banned for three years and replanting was under strict limitations (Council Regulation 822/87, arts. 6, 7); (Munsie, 2002, p.25). All temporarily authorized vine varieties were subject of time-by-time elimination (Council Regulation 822/87, art. 13); (Munsie, 2002, p.25).

Regulation 823/87, like Regulation 817/70, focused on quality wines, thus included many identical provisions. Member Countries were obliged to establish the criteria for quality wines, such as: the demarcation of production areas, varieties of vine, methods of cultivation and winemaking, minimum volume of natural alcohol, yield per hectare, analysis, and organoleptic assessment (Council Regulation 823/87, art. 2); (Munsie, 2002, p.25). Each Member Country had to create a list of vine varieties suitable for individual quality wine. These vine varieties had to be *Vitis vinifera* and from recommended or authorized categories. All vines out of this list were subject of removal from land suitable for quality wine production (Council Regulation 823/87, art. 4); (Munsie, 2002, p.25). Countries were free in determining conditions and characteristics of wine production if they met or exceeded the basic requirements (Council Regulation 823/87, art. 18); (Munsie, 2002, p.26).

Regulations 822/87 and 823/87 represented main legal acts of the wine industry, before EU as part of Agenda 2000, attempted to maintain competitiveness of wine producers along with expansion of international wine market (Robinson, 1999, p. 265); (Munsie, 2002, p.26); (Meloni, Swinnen, 2013, p. 255). On This way, the first step was issuing Council Regulation (EC) No 1493/1999 of 17 May 1999, on the common organization of the market in wine (Regulation 1493/99), it replaced and repealed the main regulations of previous times regarding wine policy. Regulation 1493/99 tried to take into consideration the changing circumstances in the wine market as well as to consolidate the numerous amendments that had been created previously. The inefficiency of previous interventionist activities and long adaptation period to competitive changes were recognized and taken into account (Council Regulation 1493/99, preamble); (Munsie, 2002, p.26).

Regulation 1493/99 restricted new vine plantings until 2010, not only for table wine, but for quality wine as well, but still certain exemptions were allowed, if production of a particular vine of a geographical indication was sufficiently low in comparison to market demand (Council Regulation 1493/99, arts. 2, 4); (Munsie, 2002, p.26); (Meloni, Swinnen, 2013, p. 255). Subsidies for uprooting and alteration with other plants have been remained (Council Regulation 1493/99, arts. 8, 11); (Munsie, 2002, p.26); (Meloni, Swinnen, 2013, p. 255); (Josling, 2006, p. 346), but storage and distillation activities, although being still in force, became more loose (Council Regulation 1493/99, Title III); (Munsie, 2002, p.26); (Meloni, Swinnen, 2013, p. 255). Regulation 1493/99 like Regulation 823/87 repeated provisions concerning quality wine, and obliged Countries to create criteria for the delimited areas of wine production (Council Regulation 1493/99, art. 55); (Munsie, 2002, p.26). Lastly, minimum limitations and conditions of winemaking that Member Countries were to comply or exceed, were established (Council Regulation 1493/99, Annexes IV-VI); (Munsie, 2002, p.27).

Additionally, to winemaking provisions, Regulation 1493/99 also established minimum requirements for the wine labeling (Council Regulation 1493/99, Annex VII); (Munsie, 2002, p.27), but the most important result of this restriction was that within the EU it was forbidden to use any designation of origin for which producer was not specially qualified and approved (Council Regulation 1493/99, Annex VII); (Spahni, 1995, pp. 98-99); (Munsie, 2002, p.27); (Josling, 2006, p. 343).

Conclusion

After exploring and comparing wine regulations of EEC and then EU, it becomes clear what Europe wanted to achieve. Establishing the single market, was an attempt to give member countries better opportunity to develop their wine productions, and it was anticipated to achieve within the Agricultural Policy, but after the Treaty of Rome established Common Agricultural Policy, it can be seen how EEC's wine policy started emerging gradually.

It started by placing customs duties on imported wines in order to reduce outside competition and in 1970, it became fully distinguishable strategy by setting out the basic provisions implementing the common organization of the wine market, and by setting out provisions specifically for the quality wines. This approach was later inherited by following regulations and in some cases stickered according to what level of intervention was assumed to be relevant in dealing with overproduction, which in this case happened twice, involving tensions between France and Italy.

It seems that, in spite of all affords, heavy interventional activities were not as effective as it was anticipated, so in 1999 EU tried to adapt to the new challenges in the wine market and some interventionist measures regarding overproduction were softened.

Although not being effective in terms of dealing with overproduction, the legislative activities of EEC and EU definitely can be considered meaningful in supporting quality wine production, since the quality requirements set out by the regulations would have been affecting wine production of member states in a positive way for sure.

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Success and challenges of Georgian tobacco taxation policy

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Abstract. Georgia has recently taken a major step toward compliance with the WHO FCTC, Georgia also ratified the association agreement with the European Union. According to these Agreements Georgia is obliged to harmonize its tobacco tax policy and substantially expand smoke-free places. The article overviews achieved goals toward smoke reduction and budget revenues using secondary data and reveals the reasons why tobacco policy was not successful in recent years.

Key words. Tobacco policy, taxation, tax, excise, ad valorem, budget, revenues, prevalence, harm reduction, smoking.

Introduction

The goal of tobacco policy in Georgia, as in the world, is to reduce the number of tobacco users and related diseases caused by tobacco consumption and to ensure budget revenues at an appropriate level. Legal restrictions and tax rates are actively used to achieve these goals.

Since 2017, in order to reduce the harm to health and economic costs caused by tobacco consumption, Georgia adopted impressive amendments to the “law on tobacco control”, “law on advertising”, “law on broadcasting” and the Code of Administrative Offenses. These changes banned smoking in public places; All types of advertising of tobacco products, tobacco accessories and/or devices for tobacco consumption were prohibited; Tobacco manufacturers became limited in providing sponsorship to any activities; The area of warnings on the dangers of smoking was Increased from 30 to 65 percent on cigarette boxes, and graphical images on health risk warnings have become mandatory. From January 2023, a new law - “the technical regulation on the standardization of tobacco products and their packaging” comes into force, and all tobacco products intended for sale in Georgia will be sold in accordance with standardized technical specifications (packaging color, box size, weight, inscription).

Tax Structure of Tobacco Taxation in Georgia

Along with legislative restrictions, important steps were taken in the field of taxation. The legislation of Georgia defines the following types of tobacco products, which, like other countries, are combined into codes of the national commodity nomenclature of foreign economic activity. the Tax Code of Georgia (Article 188) and the National Commodity Nomenclature of Foreign Economic Activity give the definition of the following tobacco products:

2401* - raw tobacco; Tobacco waste:

2402 10* - Cigars, cigars with the cut ends, and cigarillos (thin cigars), containing tobacco:

2402 20* - Cigarettes, containing tobacco:

2403 11 000 00 - "Hook" tobacco, according to Note 1 to the subheading of this group

2403 91 000 00 - "Homogenized" or "reconstituted" tobacco

2403 99 100 00 - Chewing or snuffing tobacco

2403 99 900* - Tobacco products consumed by means of electrical equipment:

3824 90 980 01 - Liquids, with or without nicotine, for use with electronic cigarettes

The structure of taxation of tobacco products in Georgia is simple. The following four types of taxes apply: VAT, fixed excise duty, ad valorem excise duty, and customs duty. All taxes and their rates are defined in the Tax Code of Georgia.

VAT - Value Added Tax, which applies to all goods that are sold to end users. The base for calculating VAT is retail price exclusive of tobacco products and equals 18%.

Import tax - The base for calculating is the CIF value which equals 12%.

Excise duty - fixed and ad valorem. An excise is an effective tool in tobacco policy management. Between 1991 and 1997 there was no tax on either locally produced or imported cigarettes. The situation changed in 1997 when imported cigarettes were levied a specific excise and customs tax of 0.25 GEL (about US\$ 0.19) and 0.19 GEL (about US\$ 0.15) per pack of filter and non-filter cigarettes, respectively. Locally produced cigarettes, on the other hand, were levied an excise tax worth 100 percent of their production costs. The following year, both imported and domestic cigarettes were levied a specific excise tax with substantially lower rates for domestic cigarettes. A new era of tobacco taxation in Georgia began in 2010 the government equalized the excise tax rates for imported and locally manufactured cigarettes by raising the rate for domestic cigarettes to the level for imported cigarettes. On the other hand, the gap between the tax rates on filtered and non-filtered cigarettes still remained and encouraged downward substitution instead of a reduction in smoking.

In 2015 Georgia adopted a mixed tobacco tax system by adding an ad valorem component to the excise duty. The base for calculating the ad valorem tax is retail prices set each year by order of the Ministry of Finance.

In addition, substantial tax increases took place in 2015-2019 with the goal of reaching the current EU tax level (1.8 Euro per pack, or about 6 GEL) within about 10 years following the Association Agreement. These tax increases resulted in a higher share of tax in the retail price and additional tax revenue. As of January 2019, all sorts of imported and

domestic cigarettes, incur a specific excise tax of GEL 1.70 (0.70 USD) per pack. In addition, each pack is also levied 30 percent ad valorem excise.

Excise taxes are also levied on pipe/loose tobacco at GEL 60 per kilogram. This translates to GEL 1 per pack, assuming 0.8-1 g of tobacco per cigarette, a rate lower than the rate of conventional cigarettes (1.7 GEL).

The evolution of tobacco taxation in Georgia is provided below in table 1.

		1997	1998	2001	2005	2006	2010	2013	2014	2015	2016	2017	2018	2019	2022
Cigarettes (1 pack of 20 cigarettes, GEL)	Imported filter, Fixed excise	0.25	0.25	0.4	0.9	0.6	0.6	0.75	0.75	0.9	1.1	1.7	1.7	1.7	
	Imported without filter, Fixed excise	0.19	0.19	0.2	0.25	0.15	0.15	0.2	0.2	0.25	0.3	0.6	0.6	1.7	
	Local filter, Fixed excise	100% of production cost	0.15	0.2	0.7	0.4	0.6	0.75	0.75	0.9	1.1	1.7	1.7	1.7	
	Local without filter, Fixed excise	100% of production cost	0.05	0.07	0.15	0.1	0.15	0.2	0.2	0.25	0.3	0.6	0.6	1.7	
	Ad valorem rate. %									5%	10%	10%	10%	30%	
Pipe/loose tobacco	Fixed excise (GEL per 1 kg.)									20	25	35	35	60	
HTP	Fixed excise											1.7	1.7	1.7	
	Ad valorem rate. %											10%	10%	30%	
E-liquids	Fixed (1ml, GEL)											0.2	0.2	0.2	

Table 1. Evolution of Georgia's excise rates on tobacco products (gel)

Comparative indicators in Georgia, Moldova and Ukraine

For more clarity, taxes on tobacco products in Georgia (fixed excise, ad valorem excise, VAT) are converted into euros and compared with similar figures in Ukraine and Moldova.

Tax	Tobacco products			Tax unit			Tax rate		
	GEO	UKR	MDA	GEO	UKR	MDA	GEO	UKR	MDA
VAT	Applied to all tobacco products			%			18	20	20
Fixed excise	2401* - raw tobacco, tobacco waste		-	€ per 1 kg	€ per 1 kg	-	17,00	43,00	-
	2402 10 000 01 - Cigars, cheroots, containing tobacco;		-	1 cigar	€ per 1 kg	-	0.50	43,00	-
	2402 10 000 02 Cigarillos, containing tobacco;	2402100090 Cigarillos, containing tobacco;	-	20 pcs	€ per 1000 pcs	-	0.60	34,22	-
	2402 20* - Cigarettes, containing tobacco			20 pcs	€ per 1000 pcs	€ per 1000 pcs	0.45	34,22	29,68
	2403* (except 2403 99 9*) - pipe tobacco, Homogenised or recovered tobacco, Chewing tobacco, and snuff			€ per 1 kg	€ per 1 kg	€ per 1 kg	17	43,00	7,54
	2403 99 9* - HTP			20 pcs	€ per 1000 pcs	€ per 1000 pcs	0.45	45,78	39,87
	3824 90 980 01 liquids with or without nicotine content, intended for use in electronic cigarettes	3824909720 liquids with or without nicotine content, intended for use in electronic cigarettes	-	1 ml	€ per 1000 ml	-	0.05	94,31	-
Ad valorem	2402 20* - Cigarettes, containing tobacco			%			30	12	13
	-	2402100090 Cigarillos, containing tobacco;	240210000 Cigarillos, containing tobacco;	-	%	%	-	12	41
	-	-	2402 10 000 00 - Cigars, cheroots, containing tobacco;	-	-	%	-	-	41

Table 2. Tax rates on tobacco products in Georgia, Ukraine, and Moldova in 2021. Source: tax codes, Georgia, Ukraine, Moldova, based on the report “Налогообложение Табачных Изделий: Опыт Украины и Рекомендации для Молдовы” 2021

A comparison of Georgian tax rates with the tax rates of Ukraine and Moldova shows that they are much lower in Georgia. However, on the other hand, these data can be

analyzed according to the share of a tax burden in the retail price of tobacco. Table #3 reflects the share of the tax burden on popular tobacco brands sold in Georgia, Ukraine, and Moldova. For Georgia, the tax burden on the indicated cigarette brands is in the range of 72-76%. Similar figures are much lower in Moldova (tax burden 57-68%), and in Ukraine (tax burden 63%-66%). The only higher tax burden is on HTP, caused by adding customs duty -78%).

Countries	Retail price and tax ingredients	Tobacco brands			
		Winston xs blue	Sobranje	Parliament	Heated tobacco
Georgia	Retail Price	1.73	2.00	2.00	1.73
	Customs duty 12%	0.06	0.077	0.077	0.06
	Fixed excise	0.45	0.45	0.45	0.45
	Ad valorem	0.52	0.6	0.6	0.52
	Vat	0.26	0.30	0.30	0.26
	Tax burden	75%	72%	72%	75%
Ukraine	Retail Price	1.98	2.31	2.28	2.15
	Customs duty	0	0	0	0.32
	Common excise tax	0.92	0.95	0.94	0.92
	Vat	0.29	0.39	0.41	0.34
	Retail excise tax	0.09	0.11	0.11	0.1
	Tax burden	66%	63%	64%	78%
Moldova	Retail Price	1.73	2.36	2.46	1.88
	Customs duty	0.06	0.06	0.06	0.1
	Common excise tax	0.82	0.9	0.91	0.8
	Vat	0.29	0.39	0.41	0.31
	Retail excise tax	0	0	0	0
	Tax burden	68%	57%	56%	64%

Table 3. Retail price, tax ingredients, and tax burden in Georgia, Ukraine, and Moldova. Source: based on the report “Налогообложение Табачных Изделий: Опыт Украины и Рекомендации для Молдовы” 2021

Tax burden and affordability

Although the tax burden is high, tobacco taxation rates in Georgia remain unchanged since 2019. This led to two undesirable results. First, the availability of tobacco products has increased in 2020 and 2021 years, and second, there is an imbalance between the tax rates on regular cigarettes (+heated tobacco) and other tobacco products, which distorts the taxation effect and stimulates consumers to switch to cheaper tobacco products. In this regard, it is noteworthy that the tax burden on RYO products and e-liquids is quite low: RYO-55%, E-liquids (1ml) – 40%, Disposable e-cigarettes (2ml, 500 puffs) – 17%.

Table #4 shows another important factor of affordability. Affordability is calculated as the share of GDP per capita needed to purchase 100 packs of cigarettes. Affordability is increased on all sorts of tobacco products except RYO and E-liquids, which are themselves very low compared to other tobacco products.

Share of GDP per capita needed to purchase 100 packs of cigarette						Share of GDP per capita needed to purchase	
Year	Affordability local without filter	Affordability local with filter	Affordability imported with filter	HTP	RYO	Affordability 50 disposable devices, 2ml, 500 puffs	Affordability E-liquid 100ml
2017	1.21%	2.98%	3.77%				
2018	2.31%	3.34%	4.18%				
2019	2.66%	3.40%	4.15%				
2020	2.80%	3.63%	4.53%	4.91%	1.37%	6.80%	0.60%
2021	2.41%	3.10%	4.02%	4.02%	1.41%	5.57%	0.74%

Table 4. Affordability and tobacco goods in Georgia

A combination of affordability and tax burden shows where the demand will shift - this is RYO products. Figure #1 shows the import trend of RYO tobacco, which went high in 2021, in addition, increased affordability caused the increased trend in HTP import.

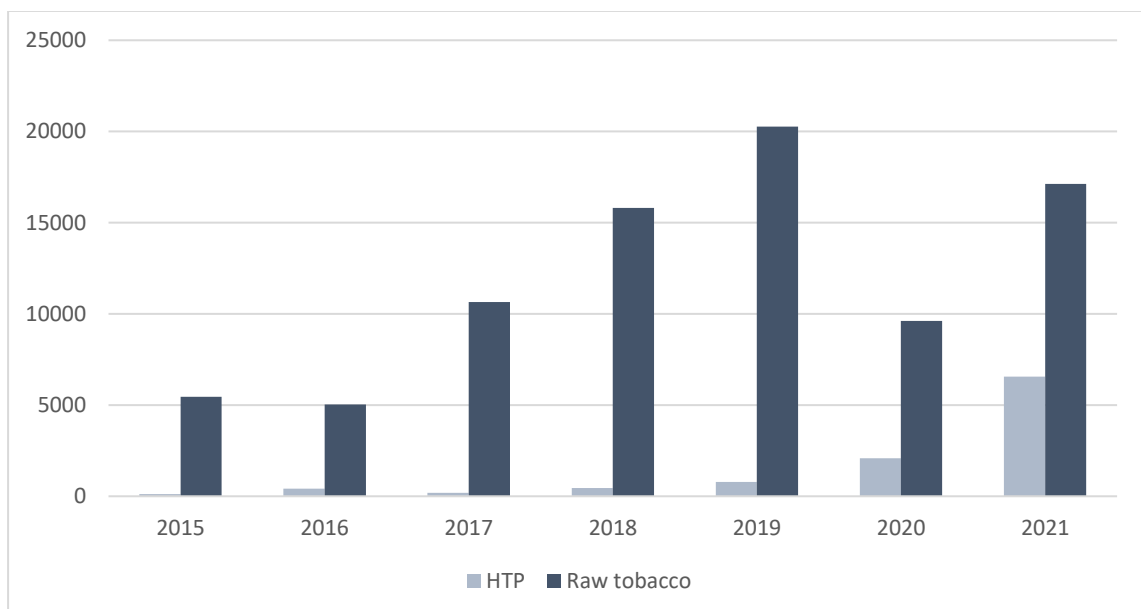


Figure 1. Imported RYO and HTP in Georgia (thousand USD). Source: Geostat. MoF

Conclusion

In conclusion, the last figure clearly shows both positive and adverse results of the Georgian tobacco taxation policy and its impact on consumption and budget revenues. Two goals of tobacco policy were successful till 2020 when excise taxation rates were new. Tobacco consumption and prevalence decreased by 12% compared to 2019, while budget revenues increased year by year. However, the indicators of tobacco consumption have worsened in 2021. Among the main factors which stimulated increased consumption and prevalence (most likely, no data for prevalence in 2021) rates, are frozen excise tax rates and affordability encouraged by inflation (average annual rate of 9% in 2021), and increased personal incomes (13% higher in 2021 than in the previous year).

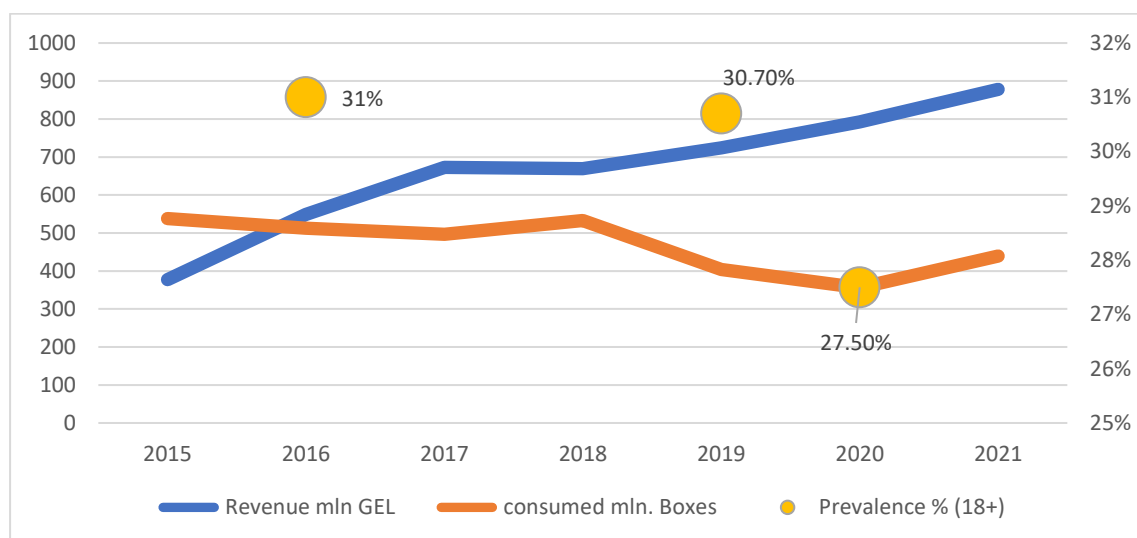


Figure 2. Budget Revenue (excise, mln GEL), consumed tobacco (mln packs), and smoking prevalence in Georgia.
Source: Geostat, ISSA 2020.

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