

Visa Liberalization Under Threat: The Responsibility of the Georgian Dream and the EU's Legal Mechanisms

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Introduction

The history of visa liberalization with the European Union for Georgia begins in 2009. On May 7, 2009, the EU's "Eastern Partnership" initiative was launched at a summit in Prague. This initiative included multilateral formats for cooperation, including migration-related issues. In November of the same year, 16 EU countries and Georgia signed a joint declaration on cooperation in the framework of the EU's Partnership for Mobility. This partnership aimed to jointly combat illegal migration and promote legal migration.² In the summer of 2010, the "Agreement between the European Union and Georgia on the facilitation of the issuance of visas" was signed in Brussels. At the same time, negotiations began on the "Association Agreement between Georgia and the European Union," which included the "Deep and Comprehensive Free Trade Agreement" (DCFTA), and various migration-related agreements were concluded.³ In 2012, the Georgia–EU dialogue on visa-free travel was launched, after which Georgia successfully passed a number of stages, which will be discussed in the following subsections of this article. On February 2, 2017, the introduction of a visa-free travel regime with Georgia was approved by the European Parliament, and on February 27, by the Council of the European Union. Although the visa liberalization process began well before the Georgian Dream came to power, the party considered visa liberalization to be the crown achievement of its government, describing it as "the celebration of the European idea" and "coming even closer to the European family."⁴

It is worth noting that by certain technical indicators (such as the [number](#) of asylum seekers and the [crime rate](#) among Georgian immigrants), Georgia fell significantly short of the requirements set by EU visa regulations. Nevertheless, the abolition of the visa-free regime was not considered until April 2024. After

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² Georgia State Commission on Migration Issues. Georgia and the European Union. Accessible at https://migration.commission.ge/index.php?article_id=17&clang=0

³ Ministry of Foreign Affairs. Chronology of Major Events of EU-Georgia Cooperation. Accessible at: <https://mfa.gov.ge/european-union/903144-saqartvelo-evrokavshiris-urtiertobebis-mnishvnelovani-movlenebis-gronologia>

⁴ Government of Georgia (27 February 2017) Remarks by the Prime Minister Giorgi Kvirikashvili and EU Commissioner Dimitris Avramopoulos. Printable version. Accessible at: https://www.gov.ge/index.php?lang_id=-&sec_id=462&info_id=60061

the introduction of the Russian-style law on transparency of foreign influence and the “anti-LGBTQ law,” the European Parliament was the first to call for a review of the visa-free regime.⁵ In 2024, the Georgian Dream initially claimed that abolishing visa liberalization with the EU was technically impossible, but later shifted its rhetoric to accusations of political blackmail and unfair decision-making. According to its message, if the EU ends visa-free travel with Georgia, it will not be based on any legal document. In fact, the European Union already has sufficient legal grounds within the visa liberalization framework to abolish visa-free travel with Georgia.

In this article, we will examine how the EU visa liberalization mechanism works, the stages Georgia went through to obtain visa-free travel, and the legal grounds for abolishing the regime. We will focus on the foreign relations between the EU and a non-member country with a visa-free regime, the state of human rights and fundamental freedoms in that country, and their impact on the continuation of the visa-free regime.

How Visa-Free Travel with the EU Works?

In 2001, the Council of the European Union adopted Regulation No. 539/2001, which formally introduced the visa-free regime. Under this Regulation, the decision on whether a third country⁶ would be granted visa-free travel depending on a case-by-case assessment based on several criteria. These included (1) illegal immigration, (2) public policy and security, and (3) the EU’s external relations with the third country, taking into account the regional context and whether the third country granted visa-free travel to states that already enjoyed such travel with the EU.⁷

The 2001 Regulation was updated in 2018, when its first article was amended to include a reference to human rights and freedoms. At present, the criteria for visa-free travel include “illegal immigration, public policy and security, economic benefits, in particular in terms of tourism and external trade, and the EU’s

⁵ European Parliament (April 25, 2024). Attempts to reintroduce a foreign agent law in Georgia and its restrictions on civil society. Accessible at https://www.europarl.europa.eu/doceo/document/TA-9-2024-0381_EN.html

⁶ A country that is not a member of the European Union as well as a country or territory whose citizens do not enjoy the European Union right to free movement. Accessible at: https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/third-country_en

⁷ COUNCIL REGULATION (EC) No 539/2001 of 15 March 2001. Accessible at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001R0539>

external relations with the relevant third country. These relations include, inter alia, issues of human rights and fundamental freedoms, as well as regional cohesion and reciprocity.”⁸

Countries wishing to establish visa-free travel with the EU go through the following steps:⁹

1. The third country submits a formal application to begin a visa liberalization dialogue. The EU then assesses the country’s readiness and political will to carry out the necessary reforms.
2. If the EU agrees to launch the dialogue, the European Commission prepares a Visa Liberalization Action Plan (VLAP). This plan outlines a set of legislative, institutional, and administrative reforms, grouped into four blocks:

Block 1: Document security, including biometrics

Block 2: Integrated border management, migration management, asylum

Block 3: Public order and security

Block 4: External relations and fundamental rights

1. The EU assesses the implementation of the Visa Liberalization Action Plan and publishes regular progress reports.
2. Once the EU concludes that a third country has successfully implemented all four blocks of the Action Plan, it issues a final positive report. On this basis, the European Commission submits a legislative proposal to the European Parliament and the Council of the EU to amend Regulation No. 539/2001, moving the country from the visa-required list to the visa-free list.
3. The proposal then goes through the legislative process. Both the European Parliament and the Council of the EU must approve the changes by qualified majority. If adopted, the Regulation is amended and visa-free travel officially enters into force on a specified date.

As for the visa liberalization suspension mechanism, the EU adopted it in 2013 through Regulation No. 1289/2013, which was updated in 2017 to make it more comprehensive. Under the current mechanism, the EU can suspend visa-free travel more quickly and flexibly. A simple majority of Member States (at least 14 countries) may notify the Commission of their decision to suspend the visa-free regime. The Commission then temporarily suspends visa liberalization for certain categories of third-country nationals

⁸ REGULATION (EU) 2018/1806 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 November 2018. Accessible at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02018R1806-20230515>

⁹Migration Commission. EU-Georgia Visa Dialogue, Action Plan of Visa Liberalisation. Accessible at <https://migration.commission.ge/files/vlap-eng.pdf>

for a period of nine months. These categories may be defined by passport type, for example, holders of diplomatic or official travel documents. During this nine-month period, the Commission must initiate an enhanced dialogue with the third country to address the underlying issues. If the situation remains unchanged, the Commission will adopt an act extending the suspension to all citizens of the third country for an additional 18 months. Before this period expires, the Commission must submit a report to the European Parliament and the Council of the European Union. This report may be accompanied by a legislative proposal to transfer the third country from the visa-free list to the list of visa-required countries. The final decision is taken by qualified majority: at least 15 countries representing 65% of the EU's population must vote in favor.¹⁰

Since 2017, the European Commission has published an annual report under the Visa Suspension Mechanism, assessing countries' compliance with the visa liberalization criteria.¹¹ So far, the mechanism has been considered for activation twice. The first case was in May 2019, when the Netherlands requested its activation against Albania, citing a high number of unfounded asylum applications and rising crime. In response, the EU launched a dialogue with Albania and later concluded that the country was ready to address these challenges, so visa-free travel was not revoked. The second case came in 2022, when the mechanism was triggered against Vanuatu due to its "golden passport" scheme, which granted citizenship to investors through a simplified process. In 2024, the European Union removed Vanuatu entirely from the list of visa-free countries.¹²

Another important change, officially coming into effect in June 2025, was initiated in the visa regulations in 2023. While some of the changes are technical, the introduction of new grounds for suspending visa liberalization is particularly significant. In particular, *„it will now be possible to trigger the visa suspension mechanism not only in case of sudden and substantial increase in irregular migration, lack of readmission cooperation, or security risks, but also in cases of insufficient alignment with the EU's visa policy, hybrid threats, the operation of investor citizenship schemes, and the deterioration of the external relations between the EU and visa-free non-EU countries.“*¹³

¹⁰ European Commission (February 27, 2017). Revision of the Visa Suspension Mechanism - Frequently Asked Questions. Accessible at https://ec.europa.eu/commission/presscorner/detail/en/memo_17_362

¹¹ European Parliament (November 2023). Visa suspension mechanism: Revision of Regulation (EU) 2018/1806. Accessible at [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747462/EPRS_BRI\(2023\)747462_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747462/EPRS_BRI(2023)747462_EN.pdf)

¹² Ibid

¹³ European Commission (June 17, 2025). Commission welcomes political agreement on a stronger and more flexible visa suspension mechanism. Accessible at https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1517

History of Georgia's Visa-Liberalization

The first step towards visa-free travel, as mentioned earlier, is to initiate a dialogue between the EU and a third country. In June 2012, Georgia officially [launched](#) a dialogue with the EU on the abolition of the visa regime. In 2014, the country successfully completed the first phase of the Action Plan, and on December 18, 2015, it concluded the second phase. On March 9, 2016, the European Commission officially submitted a legislative proposal to the European Parliament and the Council of the European Union to amend Regulation No. 539/2001. After approximately one year of discussions, a visa-free travel regime with Georgia was approved in early 2017, and from March 28, 2017, Georgian citizens were able to travel to EU/Schengen member states without a visa for the first time.¹⁴

As noted earlier, the abolition of visa-free travel for Georgia was not on the agenda until 2024. Up until the 2024 report, the European Commission's annual report on the visa suspension mechanism included recommendations that Georgia, according to the Commission, was implementing, although some improvements were still needed. The 2024 report, however, marked a departure from this pattern. In particular, in April, after the Georgian Dream initiated the Russian-style law on transparency of foreign influence and the "anti-LGBTQ law," the European Parliament both called on the Georgian Dream to withdraw the "anti-LGBTQ law" and appealed to the European Commission to promptly assess the compliance of the law on foreign agents with the visa liberalization criteria, including the human rights component.¹⁵

Accordingly, the 2024 report devotes a significantly larger portion to the fourth block—foreign relations and human rights—than previous reports. In particular, it states that the "Law on Transparency of Foreign Influence" and the "Law on Family Values and Protection of Minors" undermine fundamental human rights. The adoption of these laws is characterized as a democratic setback. The report explicitly calls on the "Georgian Dream" to implement specific recommendations to prevent the activation of the visa-free travel suspension mechanism. These include repealing the contradictory laws on foreign influence and family values, aligning the country's visa policy with EU standards, and addressing the increase in illegal migration and unfounded asylum applications.¹⁶

¹⁴ State Commission on Migration Issues. Georgia and the European Union. Accessible at https://migration.commission.ge/index.php?article_id=17&clang=0

¹⁵ European Parliament (April 25, 2024). Attempts to reintroduce a foreign agent law in Georgia and its restrictions on civil society. Accessible at https://www.europarl.europa.eu/doceo/document/TA-9-2024-0381_EN.html

¹⁶ European Commission (December 9, 2024). Commission adopted the seventh report under the Visa Suspension Mechanism. Accessible at https://home-affairs.ec.europa.eu/news/commission-adopted-seventh-report-under-visa-suspension-mechanism-2024-12-09_en

Threat of Suspension of the Visa-Free Regime and Response of the Georgian Dream

Since the EU raised the issue of visa liberalization on the agenda, the Georgian Dream has expressed its positions in varying ways. In April 2024, Tbilisi Mayor Kakhi Kaladze [stated](#) that “there is no mechanism” for the abolition of visa liberalization and that “not only the abolition of visa liberalization, but also the initiation of this process requires the consent of the 27 EU member states.” Similarly, Deputy Prime Minister Tea Tsulukiani [asserted](#) that the abolition of visa liberalization, “given the procedure, is unthinkable and impossible.” As noted earlier, however, the consent of a single member state is sufficient to initiate the procedure for suspending visa liberalization, while a qualified majority is enough to make the final decision. Therefore, the statements by members of the Georgian Dream were not accurate.

The Georgian Dream took a different stance in 2025, when the threat of suspending the visa-free regime became more apparent. This time, the focus shifted from claiming that the abolition of visa liberalization was technically impossible to framing the potential suspension as unjust and as a form of “blackmail.” For example, Prime Minister Irakli Kobakhidze [stated](#) that visa-free travel was not an existential issue and that if “either peace and stability or visa liberalization” were at stake, they would “definitely choose stability and peace.” Tea Tsulukiani, unlike in the previous year, [acknowledged](#) in June 2025 that the EU was indeed discussing the suspension of visa liberalization and that this was “not a facade,” though she considered the decision unfair. Shalva Papuashvili, Chairman of the Georgian Dream parliament, [argued](#) that the issue was politicized and used by the EU as a tool for speculation: “Laws such as the Law on Family Values and Protection of Minors and the Law on Transparency of Foreign Influence have nothing to do with visa-free travel. This is an attempt to use the issue of visa-free travel as leverage to impose their own political tastes on the Georgian people.” In reality, these statements are inaccurate; the European Union does have the legal authority to suspend the visa-free regime as a sanction against Georgia.

Why does the Georgian Dream bear responsibility for a possible suspension of the visa-free regime, and what legal mechanisms does the EU have?

As mentioned earlier, the European Commission has been publishing an annual report on the Visa Suspension Mechanism since 2017, assessing countries’ compliance with the visa liberalization criteria.¹⁷ In its report published in December 2024, the Commission issued eight recommendations to Georgia, which the country must implement to maintain its visa-free regime. The European Commission set August

¹⁷ European Parliament (November 2023). Visa suspension mechanism: Revision of Regulation (EU) 2018/1806. Accessible at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747462/EPRS_BRI\(2023\)747462_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747462/EPRS_BRI(2023)747462_EN.pdf)

31 as the deadline for Georgia to implement these recommendations.¹⁸ These recommendations are as follows:¹⁹

- a) Ensure and uphold the protection of fundamental rights of all Georgian citizens, including the freedoms of association, assembly and expression, the right to privacy, the right to participate in public affairs, as well as the prohibition of discrimination.
- b) Avoid and repeal any legislation that may restrict fundamental rights and freedoms, go against the principle of non-discrimination and contradict relevant European and international standards. In particular, repeal the Law on 'transparency of foreign influence' and the legislative package on 'family values and protection of minors', and amend the national strategy and action plan on human rights to ensure that the rights of LGBTIQ persons are fully upheld.
- c) Align Georgia's visa policy with the EU list of visa-required third countries, in particular with regard to countries presenting irregular migration or security risks to the EU.
- d) Step up action to address the issue of unfounded asylum applications and irregular stays in Member States, such as information campaigns on the visa-free regime to relevant migrant profiles and stricter border checks.
- e) Set up an Asset Recovery Office and Asset Management Office, and continue efforts in asset tracing, freezing, management, confiscation and disposal.
- f) Adopt a new anti-corruption strategy and action plan, ensuring adequate resources for their implementation and pay special attention to investigation, prosecution, and adjudication of high-level corruption cases.
- g) Amend the Law on Anti-Corruption Bureau to address key Venice Commission recommendations, particularly those pertaining to the Anti-Corruption Bureau's effective independence, political neutrality and functions.
- h) Align the Law on Personal Data Protection with the EU acquis.

According to Papuashvili, "this is not the first August 31," and since 2017, Georgia has been submitting an annual report "on the situation in the country, and the extent to which both the legislative framework and migration statistics comply with the requirements for visa-free travel." He stated that the conditions a

¹⁸ European Commission (December 9, 2024). Commission adopted the seventh report under the Visa Suspension Mechanism. Accessible at https://home-affairs.ec.europa.eu/news/commission-adopted-seventh-report-under-visa-suspension-mechanism-2024-12-09_en

¹⁹ Ibid

country must meet for visa-free travel are that it “does not pose a threat to the European Union in terms of increasing migration flows, crime, and so on.”

In fact, Papuashvili overlooks other EU requirements for visa-free travel. The action plan, published on the website of the State Commission on Migration Issues, clearly states that it “relates to four blocks of relevant factors identified within the framework of the dialogue: document security (including biometric passports); integrated border management, migration management, and asylum policy; public order and security; and external relations and fundamental human rights.”²⁰ Accordingly, even without considering the 2025 changes to the visa liberalization suspension mechanism, Georgia has been preparing annual reports since 2017 on the status of all criteria required for visa-free travel, including one of the key criteria: external relations and fundamental human rights.

Regarding the amendments introduced in June 2025, which state that “the visa suspension mechanism may be activated in cases of insufficient compliance with EU visa policy, hybrid threats, the existence of ‘golden passports,’ and the deterioration of foreign relations between the EU and non-member countries with a visa-free regime, while also taking into account the situation of human rights and fundamental freedoms,” the EU’s legal leverage to suspend visa-free travel becomes more explicit.²¹ Considering these criteria, it is clear that if visa liberalization were to be revoked, the responsibility would lie not with the EU, but with the “Georgian Dream.” For example,

- **Insufficient visa policy alignment with the EU:** According to the 2024 report of the European Commission „Georgia made no progress towards further visa policy alignment; on the contrary, with the signature of the visa waiver agreement with China in April 2024 the divergence with the EU visa policy increased.” According to the European Commission’s report, Georgia claims that, since it does not share any direct land border with the EU, its lack of visa policy alignment does not pose a risk for the EU in terms of irregular migration or security. However, the Commission recalls that visa policy alignment is a key objective for all countries in the EU’s neighborhood and with EU membership goals.
- **State of human rights and fundamental freedoms:** As has been repeatedly noted, Georgia fails to adhere to the first article of the Visa Regulation, which includes respect for human rights and fundamental freedoms in a third country as a criterion for visa-free travel. The new laws on the

²⁰ State Commission on Migration issues. EU-Georgia visa dialogue, Visa Liberalization Action Aplan. Accessible at: https://migration.commission.ge/files/savizo-liberalizaciis-samoqmedo-gegma_qartulad.pdf

²¹ European Commission (October 18, 2023). REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism. Accessible at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2023%3A642%3AFIN>

“Transparency of Foreign Agents,” “Anti-LGBT” measures, and grant regulations severely undermine these rights. They are aimed at dismantling civil society, further marginalizing vulnerable groups, and consolidating authoritarian control.²² In January 2025, the EU Foreign Affairs Council suspended the visa-free regime for holders of Georgian diplomatic and service passports. The suspension was prompted by the adoption of the Law on “Transparency of Foreign Influence” and the legislative package “On Family Values and the Protection of Minors.” The EU considers that “these legislations undermine the fundamental rights of the Georgian people, including the freedom of association and expression, the right to privacy, the right to participate in public affairs, and increase stigmatization and discrimination.”

- **Deterioration of foreign relations between the EU and a non-member country with a visa-free regime:** The anti-Western rhetoric and actions of the Georgian Dream, particularly given Georgia’s status as an EU candidate country, directly indicate a deterioration in relations between the EU and a non-member country with a visa-free regime. Referring to EU representatives as a “global war party,” “enemies of Georgia,” and “agents of a destabilization campaign” clearly contradicts the positive dynamics of bilateral relations.²³ Moreover, the Georgian Dream’s decision to suspend the process of opening accession negotiations with the EU confirms that Georgia itself has taken steps to worsen its bilateral relations with the EU.

Since 2017, Georgia has enjoyed visa-free travel with the European Union. However, in 2024, following the introduction of Russian-style “Transparency of Foreign Influence” and “anti-LGBTQ” laws, the EU raised the issue of revising the visa-free regime for the first time. The EU’s visa liberalization mechanism allows for the suspension of visa-free travel if certain criteria are not met, including violations of human rights and fundamental freedoms. Despite the Georgian Dream government’s claims that revoking visa liberalization is technically impossible or political blackmail, the EU has legal grounds to suspend the regime.

The Visa Liberalization Action Plan includes four blocks: document security, border and migration management, public order and security, and most importantly in the current context - external relations

²² Gnomon Wise (September 2, 2025). Democracy under Siege: Georgia’s Authoritarian Takeover. Accessible at: <https://gnomonwise.org/public/storage/publications/September2025/Iz9c5zKgolhIII8t8x.pdf>

²³ Lika Khutsiberidze (1 September 2025). Georgian Dream’s Damaging Policy – A Threat to the de-occupation Strategy. Accessible at: <https://gnomonwise.org/ge/publications/analytics/283>

and fundamental human rights. It is precisely the violation of this last criterion that prompted the European Union to issue strict recommendations to Georgia in its 2024 report. The EU noted that the “Transparency of Foreign Influence” and “Family Values” laws undermine fundamental rights and contradict democratic principles, providing grounds for the activation of the visa suspension mechanism. Moreover, the Russian-style “Transparency of Foreign Influence” law, misleadingly presented as an American-style law, renders European institutions and organizations (including the EU itself) undesirable and even dangerous. By accepting grants from these organizations, local NGOs are effectively turned into agents deemed unacceptable by the state. As the Venice Commission [concluded](#), “The Law, under the alleged aim of ensuring transparency, has the objective effect of risking the stigmatizing, silencing and eventually elimination of associations and media which receive even a low part of their funds from abroad. A strong risk is created that the associations and media which come to be affected will be those who are critical of the government, so that their removal would adversely affect open, informed public debate, pluralism and democracy.”

Therefore, if the European Union (which the Georgian Dream refers to as a foreign power and a sponsor of “agents”) were to revoke Georgia’s visa-free regime, the responsibility would rest entirely with the Georgian Dream.