

**Europeanization of Georgian Higher Education**

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## Abstract

Europeanization of higher education is a relatively new phenomenon in studies of Europeanization. Furthermore, there is a lack of literature on the Europeanization of higher education of the European Union member states as well as beyond the border of the EU. Taking into a consideration mentioned research gap, the underlying study takes the case of Georgia and tries to identify the degree of harmonization of the Georgian higher education system with the European standards. The thesis offers two theoretical concepts for explaining Europeanization of the Georgian higher education: the concept of “Europeanization” and the concept of “Policy Transfer”. The concept of Europeanization is used for explaining the developments occurred in Georgia from a broader perspective. Whereas, the concept of policy transfer explains the developments occurred in Georgian higher education through analyzes of main aspects of implemented reform. The thesis argues that, at the formal level, the Georgian higher education is almost fully harmonized with the European standards, however there are apparent deficiencies, which have hindered a full harmonization of the system.

**List of abbreviations:**

EA	European Union
ENP	European Neighborhood Policy
HEI	Higher Education Institutions
EHEA	European Higher Education Area
ECTS	European Credit Transfer System
NEAC	National Education Accreditation Centre
QA	Quality Assurance
NCEQE	National Centre for Educational Quality Enhancement
NQF	National Qualifications Framework
NARIC	National Academic Recognition Information Centre
NAEC	National Assessment and Examination Centre
CIS	Commonwealth of Independent States
NPM	New Public Management
ESG	European Standards and Guidelines
ENQA	European Association of Quality Assurance
BFUG	Bologna Follow up Group

## Introduction

Since Georgia has gained an independence in 1991, the Georgian society's demand has been a strong higher education system, which would be designed in a way, that it would be able to provide all citizens with equal opportunities to improve their knowledge and to realize their full potential. The 90s developments and events have placed the knowledge and the education in the center of the state's priorities. In order to modernize and to respond to international standards, the Georgian government has started reforming the higher education system. A consideration that, in the modern globalized world the education is the most important driver towards the global economic competitiveness, has made an alignment of higher education system with modern European systems more important. (Charekishvili, 2015, p.3)

The process of harmonization of higher education with the European systems is known as Europeanization of higher education. While discussing phenomenon of Europeanization of higher education, scholars identify it with the "Bologna process." (Huisman, 2014, p.1) This process aimed at creation of a common European Higher Education Area by 2010, by provision of different recommendations, which should be followed by the participant countries, in order to achieve the goals of the process. (Bache, 2006, p.3) The Decision of joining the "Bologna Process" by Georgia in 2005 in Bergen at the ministerial meeting, has been considered as the most apparent step regarding "Europeanization" of the Georgian higher education. With mentioned decision, the Georgian government showed its willingness to Europeanize the higher education system that is a harmonization of the system with the "Bologna process" recommendations.

The underlying research tries to identify the degree of harmonization of the Georgian higher education with the European standards. Proceeding from this goal, the thesis will attempt to answer the research question: to what extent the Georgian higher education has been harmonized with the

Bologna process recommendations? The thesis will argue that, despite a fact that, at the formal level the Georgian higher education has been almost fully harmonized with the “Bologna process” recommendations, there are apparent deficiencies, which hindered a full harmonization.

While dealing with the Europeanization of higher education, one should provide a definition of the meaning of Europeanization and specifically its impact on higher education. According to one of the definitions of Europeanization, it is the process of translation and dissemination of the EU policies, norms and rules into the domestic agenda of policy-making. (Radaelli, 2003, p.3). Regarding the Europeanization of higher education, the scholars explain it as a process of addressing domestic educational problems by the national government by taking into account the experience of European countries (Duclaud-Williams, 2004, p.5)

There is an apparent scarcity of scholarly literature regarding Europeanization of higher education of Georgia. The underlying research will try to fill this gap.

In order to answer the research question, the thesis will use the method of qualitative research, specifically, the document analyses. Since, the objective of underlying study is an identification of the degree of harmonization of the Georgian higher education with the “Bologna process” requirements, the thesis will rely on the analyses of the secondary sources such as, the latest reports and evaluations published by the local as well as international governmental and non-governmental organizations. These documents highlight the achievements and the challenges of the “Bologna process” in Georgia. In addition, the study will also rely on scholarly articles, referring to the mentioned process in Georgia. Since, the thesis identifies the “Bologna process” with Europeanization of the Georgian higher education system, the main aspects of the process (Prague Communiqué, 2001) such as: Quality Assurance, Lifelong Learning, European Credit Transfer System (ECTS), Internalization and Mobility, Easily Recognizable Three-Cycle Degree System will be used as the indicators for measuring the degree of harmonization.

Considering the above mentioned, the thesis will be structured in the following way: the thesis starts with an introduction, which is followed by the chapter of the literature review. Since there is a scarcity regarding scholarly articles on the Europeanization of higher education, the chapter of literature review mostly focuses on the theoretical framework. It is divided in two parts: 1.the theoretical framework, which focuses on the theory of “Europeanization’ and its application for the European Union member countries as well as beyond its borders. Furthermore, the part of theoretical framework includes the theory of “policy transfer” and its application to the topic of the underlying research. Literature review is followed by chapter discussing the case of the Georgian higher education. This chapter starts with context part, which provides an information of the Soviet legacy in the country and a detailed review of the basic changes that had occurred in the higher education of Georgia since gaining an independence. Context is followed by the analyses. It provides an analyses of above mentioned different aspects of the “Bologna process” in Georgian higher education. Finally, the thesis ends with the short conclusion, summarizing the main points of the thesis.

## 1. Literature Review

### 1.1 Europeanization

The Georgia-EU relations is mostly discussed under the theory of Europeanization, which has emerged in the end of the last century. It has attracted the attention of different scholars working on the issues existing within the entity and in its neighborhood as well. Initially, the studies of Europeanization were largely limited to the results of governance and European integration of the member countries of the EU. (Ladrech, 2009, p.3) Just a limited number of scholarly articles have

tried to expand a scope of Europeanization to quasi-member states. (Lavenex and Lehmkuhl, 2009, p.8) Lately, the study of Europeanization has encompassed the states, which have a real membership perspective. (Shimmelfennig, 2015, p.4) Even more recently, the scholars have widened the scope of Europeanization and currently one can observe a tendency of emergence of a large literature about the impacts of mentioned theory beyond the borders of the EU and candidate states, more specifically in the Eastern and Mediterranean neighborhood of the European Union.

Since, the development of the relationship of Georgia and the European Union is mostly discussed under the theory of Europeanization, it would be worth noting to refer to different definitions of this theoretical concept provided in the literature by different scholars. Mentioned theory is used with slightly different meanings. Some researchers define it as a process of a creation and then development of the institutions at the European level, which are responsible for the solution of existing issues in the country. (Borzel and Riise, 2000, p.3) The mentioned problems have to have political character and have to be related to Public Administration field respectively. On the other hand, Borzel and Risse define the theory of Europeanization as following: “Europeanization depicts an incremental process re-orienting the direction and shape of politics to the degree that EU political and economic dynamics become part of the organizational logic of national politics and policy-making”. (Borzel and Risse, 2000, p.3) Some scholars have specified a narrower concept of Europeanization. For instance, Dyson and Goetz describe it as a process of adoption of norms and rules existing in the European Union at the national level, or if it would be seen from broader perspective, the concept can be defined as a transfer of the national and domestic policies to the level of the European Union. (Dyson and Goetz, 2003, p.23) Graziano and Vink (2013, p.8) propose their own definition of Europeanization, which is following: “the process of domestic adaptation to the European regional integration”. Gamble and Buller (2002) also offer a broad definition of the mentioned theory and define it as a conversion



of the different characteristics of national politics to the models of the European governance. Another broad and comprehensive description belongs to Radaelli and Featherstone. (2003) They describe mentioned process as creation, institutionalization and spreading of formal and informal rules, different procedures, styles, policy paradigms, common beliefs, the ways of doing things, shared norms, styles, which have been first developed and combined in the making of the EU decisions and thereafter integrated in the logic of national discourse, political structures, identities and public policies. (Radaelli and Featherstone, 2003, p.7) Gamble and Buller (2002) also offer a broad definition of the mentioned theory and define it as a conversion of the different characteristics of national politics to the models of the European governance. In his article “The Many Faces of Europeanization”, Johan P. Olsen states that the concept of Europeanization is used while describing the process of change and since, it does not have an exact definition or meaning it should not be used as an organizing theory. The most relevant application of mentioned concept would occur, when a debate comes to a comparison of the governance systems of the European Union to the systems existing beyond the borders of the EU. Generally, the concept of Europeanization has been occurred while embedding the rules, standards and norms of the European Union in a policy-making process of non-EU states. (Olsen, 2002, p.2) It is worth noting that, the above mentioned definitions of the concept are not mutually exclusive, moreover they complement each other.

Knill and Lehmkuhl (1999) identify three mechanisms of Europeanization, which have an impact on the national systems of governance and lead to domestic changes. It should be pointed out that, mentioned mechanisms initially have been used for reforming systems in the members of the EU. A bit recently, the same mechanisms have been considered as relevant for changes of national systems of non-member states. The first mechanism envisages an application and implementation of certain institutional requirements created on the supranational level, aimed for minimizing an

opportunity of discretion by the member states and currently by non-members as well. The second mechanism is more implicit compared with the first one and causes the changes on the domestic level with an intervention in legislation that itself leads to substantial changes in the local arrangements. The third, and the last mechanism is used for changing beliefs and expectations that leads to a modification of the institutional frameworks at the domestic level. Thus, the style of the European policy-making integrates at the national level that leads to the significant changes in the local policy agenda. It is worth noting, that the last mechanism is considered as the weakest one. (Knill and Lehmkuhl, 1999, p.7) In case of Georgia and specifically in terms of Europeanization of the Georgian higher education, one can say that the second and the third mechanisms seem to be used. Since, reforming of higher education system and aligning it with the European systems has been voluntary rather than coercive action, one can say that it was driven by the expectations that aligning it with the European standards would result in enhancement of quality of higher education. On the other hand, a desire of Europeanization of higher education has caused significant changes at the domestic level, ranging from institutional to normative.

As it was mentioned above, recently, large and growing literature regarding Europeanization beyond Europe have been emerging. (Shimmelfennig, 2015, p.5) More precisely, this term has been developed by different scholars since the end of the last century. Shimmelfennig identifies three main developments in the process of the European integration, which have triggered an emergence of the concept of “Europeanization beyond Europe”. The first cause, of the concept’s expansion beyond the borders of the EU has been a creation of “the Single Market”, which has caused a prospect broadening for the non-members of the EU. Creation of the “Single Market” has given a chance to the EU to spread its rules, norms and standards of the policy-making, specifically in a field of economics, beyond its borders. Entering the “Single Market” has become very attractive for the non-member

states. In order to enter the market, they had to comply with the EU standards. Hence, mentioned development in the process of the European integration has been causing significant changes in the policy-making process of the non-member states. The second development was caused by an initiation of a new and the biggest round of enlargement, which is known as the “Eastern Enlargement”. (Diez, Stetter and Albert, 2006, p.566) Mentioned fact, enabled the European Union to expand and implement its values, standards, norms and governing principles in the countries, which joined the entity in this period. The last development in a process of the European integration has been a formation of different arrangements and frameworks for the states from neighboring regions. One of the most obvious examples of such frameworks is the “European Neighborhood Policy” (ENP) created by the EU in 2004. According to Shimmelfennig “the ENP can be seen as a most-likely case for Europeanization beyond Europe, because it deals with close neighbors, covers a broad range of policies, and is based on the explicit commitment of the EU to extend its *acquis* beyond membership.”(Shimmelfennig, 2015, p.6)

Generally, several theoretical approaches, which have been developed and used for the analyses of Europeanization phenomenon in member states, could have been beneficial for the study of Europeanization beyond the Europe. However Shimmelfennig and Sedelmeier (2004) have limited themselves to the theoretical perspectives, which have been used more recently for analyzing Europeanization beyond the EU. In their analyses these scholars mention several mechanisms of Europeanization and differentiate them according to two dimensions. They propose a logic, which says that, Europeanization can be driven either domestically or by the EU. (Shimmelfennig and Sedelmeier, 2004, p.9) Furthermore, mentioned scholars also point out that, the process of Europeanization can be also driven by two different institutional logics: the “logic of appropriateness” and the “logic of consequences”. Under the logic of consequences the actors try to choose a behavior,

which under the circumstances will maximize their utility. As for logic of appropriateness, the actors choose the behavioral option, which is considered as appropriate to their social norms and role in a given situation. Under the logic of consequences the main drivers of Europeanization can be rewards and sanctions, which change the cost-benefit calculations of the state. An effect of the external incentives can be increased when the EU's conditions are clear and credible, also when the size of net benefits is relatively big. Under the logic of appropriateness the process of Europeanization can be stimulated by social learning. The EU chooses a strategy of persuasion, which means that, the entity tries to persuade target states to adopt the EU rules if they are considered as legitimate and also are identified with the Union. The main instruments used for implementation of mentioned mechanisms are either intergovernmental interactions or transnational processes, which can be driven by societal actors in the target country. (Shimmelfennig and Sedelmeier, 2005, p.11)

Borzel and Risse (2012) differentiate indirect and direct instruments and also logics of action for analyzing the process of Europeanization beyond the EU borders. There are four main mechanisms used by the EU for spreading its standards, rules and values in neighboring regions. These mechanisms are: conditionality, socialization, externalization and imitation. (Borzel and Risse, 2012, p.5) The EU uses them according to a specific context.

“Conditionality” is a direct mechanism, which is based on the EU's sanctioning impact on the target state and incorporates the compulsory impact, the intergovernmental channel of external incentives and the compliance mode of governance. In this case, for following and meeting the EU demands, the entity provides the non-member states with different kind of rewards, such as: institutional ties, financial aid or the market access. Furthermore, the EU helps the countries with additional resources, which are used for meeting the EU's conditions. (Capacity building) Conditionality is based on the “logic of consequence”. The effectiveness of this mechanism highly

depends on the credibility of its conditionality and on the size of the EU's rewards. Credibility derives from superiority of bargaining power and consistency of application of conditionality, which means that the European Union should be less interested or dependent in agreement than other side. Furthermore, it should be clear for the partner that it will be rewarded only after meeting the conditions. It is also worth noting, that the national governments usually compare external incentives to domestic costs. The costs of adoption of the EU incentives should not be higher than the rewards, otherwise it is logical that the states will not comply with the EU requirements. (Shimmelfennig, 2015, p.8)

Another direct mechanism is "Socialization", which is based on the "logic of appropriateness". The EU puts all its effort to teach outsider its policies, the values, norms and ideas and tries to persuade the national governments in appropriateness of these policies that will result in adoption of them. Socialization includes intergovernmental social learning, communication and constructive impact. Instead of direct manipulations and indirectly affecting the external actor's cost-benefit calculations, the European Union tries to teach them the rules and principles of European governance. The national governments comply and adopt the EU standards if they are convinced of their appropriateness and legitimacy and also if authority of the EU is acceptable for them. This mechanism is seen more appropriate when the outsiders are in an uncertain and novel environment and aspire to belong to EU as well as identify themselves with Europe. Under Socialization the external actors and the EU are engaged in a very intense and dense deliberative process. It is also worth noting, that the main condition for an effective socialization is a high resonance of EU governance with local norms, practices and traditions. (Checkel, 2001, p.562) All other mechanisms are considered as different variations of the above mentioned two main logics and they are seen as more indirect, in regard to trigger the process of Europeanization in non-member countries.

Externalization is an indirect mechanism based on a “logic of consequence”. In this case, the EU takes more passive stance. (Damro, 2012, p.686) The EU’s impact on the outsiders is a result of being very important in terms of market and regional governance system. According to “the logic of consequences”, the negative externalities towards the outsider state’s governments can be produced by internal EU governance. The reason of compliance with the EU rules is an evasion of net costs, which can be generated due to violating and ignoring the European norms. The corporations, which have an interest of entering the EU market have to follow the EU’s standards. Externalization is mostly produced by the EU’s competition policy and internal market. The countries, which want to interconnect their economies with the entity, have to make their internal standards compatible with those created at the EU level. Generally, the effectiveness of Externalization increases with the size of the market of the EU and also with the strength of regulatory institutions. (Drezner, 2005, p.847) Moreover, an effectiveness of externalization increases when the EU is very important trade partner. For instance, when a share of the EU in the foreign trade of the country is very large. It is also worth noting, that if the rules existing in the EU are more centralized and binding, there is a higher likelihood of Europeanization pressures on the countries.

Another indirect mechanism is “Imitation”, based on “the logic of appropriateness”. The processes within the EU, also policies created at the EU level serve as the role models for other regions, societal actors and states. The non-members adopt and implement the rules and policies due to considering them as the best solutions of their own problems. According to different scholars, this mechanism works in the same way as socialization. However, there is one main difference such as a stance taken by the EU. Under “Imitation” the EU acts more passively and as mentioned above is seen as a role model. The states are more likely to imitate the EU if they are in a close contact with the

entity or identify themselves with it and the EU governance modes are seen similar with their prior practices and beliefs. (Diez, Stetter and Albert, 2006, p.574)

## 1.2 Policy Transfer

While discussing the European Union's relations with non-member countries, one should mention an importance of the concept of "Policy Transfer", "which is an analogue of the concept of "lesson drawing". Mentioned concept is also extensively used for the analyses of public policies as well as political studies. (Benson and Jordan, 2011, p.371) "Policy transfer" is seen as "the process by which the knowledge about policies, administrative arrangements, institutions and ideas in one political system is used in the development of policies, administrative arrangements, institutions and ideas in another political system." (Dolowitz and Marsh, 2000, p.4) Currently, "policy transfer" is used for analyzing broader phenomena such as globalization, Europeanization and policy innovation. For instance, in the literature about Europeanization, it is cited as one way for explaining a policy convergence. (Holzinger and Knill, 2005, p.8) It should be pointed out that, whereas the concept of "lesson drawing" has been used for analyzing a voluntary transfer by rational actors, working in particular political context, the concept of "policy transfer" includes as voluntary as well as coercive practice, "noting that the latter can occur when one government or supra-national institution is pushing, or even forcing another to adopt a set of policy innovations. "(Benson and Jordan, 2011, p. 367) Radaelli offers three mechanisms of policy transfer such as: coercive, mimetic and normative. Coercive is considered as the response to dependence on important organizations, or pressures as a mandate of government. Mimetic transfer can be stimulated by forces other than dependence and power. Forces such as uncertainty, when goals are ambiguous and also when environment creates

uncertainty. In this case, the organizations and policies can be modeled on other successful organizations or policies. (Radaelli, 1997, p.7) Mimetism derives from the need to deal with uncertainty by mimicking organizations or specific policies, which are considered more successful or legitimate. According to Radaelli, the third mechanism of policy transfer is normative pressure, triggered by professionalization. “Professionals, their associations and mechanisms of formal education, socialization and recruitment produce a common cognitive base and shared legitimation of occupational autonomy, which make organizational structures similar one to another.”(Radaelli, 1997, p.8)

Since Georgia has been a part of the “European Neighborhood Policy” and mentioned policy is considered as the main mechanism of the Europeanization of beyond borders of the EU,(Shimmelfennig, 2015, p.4) it is worth to engage with the literature, discussing the concept of the policy transfer specifically in ENP context. In his article “To Adopt or Not to Adopt: Explaining Selective Rule Transfer under the European Neighborhood Policy” Casier refers to a concept of a “policy transfer” and specifically to a phenomenon of a selective transfer in the ENP countries and tries to explain the reasons of mentioned phenomenon. According to Casier, with the ENP the EU has clearly defined the new goals of its regional foreign policy. For creating stability and developing privileged relations with countries beyond the borders, the entity aimed to expand its standards and governing models to its neighboring states, which haven’t had membership perspective. (Casier, 2011, p.38) According to Magen, although the ENP and the Enlargement Policy had different goals, they could be seen as similar in perspective. The ENP used the same policy instruments and methods for spreading the EU’s rules and governing models, which had been used under the “Enlargement Policy.” (Magen, 2006, p.427) The policy documents such as “Progress reports” and “action Plans” were almost the same with language and structure as the “Accession Documents”. In both cases, the main



instruments for an expansion of the EU's norms have been monitoring mechanisms and negotiations. (Albi. 2009, p.2018)

The rule transfer under ENP was included in "Action Plans", which are documents concluded between the EU and neighboring states. These documents reflected the different character of the ENP and were adjusted to the needs of the states involved. The mentioned Action Plans were based on joint ownership, meaning that they were mutually agreed and fully negotiated. (Casier, 2011, p.40) Generally, the Action Plans were an extended lists of particular, mainly technical requirements, being included in the *Acquis Communautaire*, existing international norms and agreements. Majority of them were related to rule adoption, capacity-building and implementation in the neighboring countries. (Bobitski, 2008, p.455) The Action Plans were the models for the alignment of the norms of the ENP states to those of the EU, which is related to the model of "hierarchical governance". Mentioned plans did not aim a coordination of the policies among formally equal partners, which is central to a model of "network governance". (Lavenex 2008, p.956)

Within the context of ENP, the central explanation for policy transfer was connected with conditionality. However, according to Cadier (2014), in terms of fostering of domestic reforms and aligning them with the EU norms and standards, the ENP offered a combination of conditionality and socialization. Cadier thinks that, in a context of the Eastern Enlargement the greatest explanatory value was offered by "external incentive" model. The Candidate countries were willing to accept the norms of the EU, due to having a real perspective of membership. Many scholars tried to apply this model to ENP that have led them to a negative conclusion. (Cadier, 2014, p.79) The ENP lacked a perspective of membership and therefore it was difficult for the EU to convince the neighboring countries to make radical changes at the national level. It is worth noting that, still some rules and principles have been adopted by ENP states in a selective way and there comes a question about the reasons of a selective

transfer and about the extent to which the ENP operated with the mechanism of conditionality. (Shimmelfennig and Sholtz, 2008, p.194) There is a need of a presence of three elements under conditionality: conditions, rewards and a link between those two. Whereas the “Accession Documents” included very clear conditions and reward, the ENP Action Plans were vaguer in this regard.

Along with the membership prospect, another explanation which cannot fully explain a phenomenon of a selective rule transfer can be an asymmetrical interdependence, which creates a potential source of power. This is relevant to ENP states to an extent to which they tried to implement the norms which were essential for the market accession. (Casier, 2011, p.45) “Although there are forms of conditionality at the meso-level, the ENP does not rely on a conditionality logic. Also economic dependence is not a sufficient condition to explain an effective rule transfer, as the latter does not correlate with degrees of interdependence in various countries and sectors.” (Casier, 2011, p.45)

In his article, Casier offers an alternative explanation of a selective transfer to both above mentioned. An alternative model presented by the scholar describes that a reason of a selective policy transfer cannot be explained due to the state’s willingness to maximize utilities or to reduce the costs, but as a result of the collaboration between three interrelated factors: a perception that ENP provisions are useful for domestic agendas, the states have a subjective accession perspective in the long-term and itself an institutional design of the ENP. Some neighboring countries were found to align their norms and standards with those of the EU, due to seeking legitimacy with the entity and expecting that this would have been revealed at least in a privileged status or even would have increased the membership chances. The mentioned alternatives are related to the concepts of “lesson drawing”, “social learning” and “institutional isomorphism.” (Chekel, 2001, p.559)

In order to analyze a higher education reform in Georgia, especially an introduction of the Bologna process, it is useful to refer to the concept of “policy transfer,” which itself is used for analyses of a broader concept of Europeanization. As it was mentioned above, ENP is a mechanism for Europeanization of neighboring states. However, since ENP countries lacked a membership perspective, one can observe a high degree of a selective transfer in different fields. As it has been emphasized, the concept of “policy transfer” is analogue to the concept of “lesson drawing”, which itself derives from the “logic of appropriateness”. From the perspective of the theory of Europeanization it is also related to the mechanism of “Socialization”. Even though, ENP uses the same mechanism and approach, used in case of the Eastern Enlargement, in case of ENP and specifically Georgia, due to a lack of membership perspective as well as ambiguity of other rewards, conditionality is not relevant for analyzing the changes at the domestic level. Proceeding from this, one can state that, the mechanism used by the EU for ENP countries and specifically for Georgia, has been “Socialization”, which is indirect mechanism based on the “logic of appropriateness”. As it was mentioned above, “Socialization” works through the concept of “lesson drawing”, which is an analogue of the concept of “policy transfer”. ‘Policy Transfer’ seems to be the most appropriate theoretical approach for analyzing implementation of the Bologna process requirements at the national level. (Jibladze, 2017, p.8)

Proceeding from the voluntary nature of the “Bologna process”, meaning that, an introduction of its recommendations has not been coercive action, one can state that, an implementation of the “Bologna process” requirements by Georgia was driven by “lesson drawing” and was based on the “logic of appropriateness”. Furthermore, it was aimed to solve uncertainty existing at that time in a field of higher education of Georgia. (Glonti and Lezhava, 2018, p.3) Hence, it was a mimetic transfer. The Georgian government transferred a policy, which has been considered as successful. The

Georgian government did not copy a specific model from one developed country but transferred a model constructed internationally and considered as European.

## 2. Case of Georgia

### 2.1 Context

As it was mentioned in introduction, after reviewing of the theoretical framework, the next section of the thesis focuses on the case of Georgia, specifically, on the Georgian higher education. Proceeding from the main goal of the thesis that of provision of evaluation of the degree of harmonization of the Georgian higher education with the “Bologna process”, this part of the thesis, deals with provision of background information. In particular, the section highlights the changes and developments in education field that have been undergoing in the system since Georgia has gained an independence. Proceeding from the research objective, it emphasizes those reforms that have been implemented under the “Bologna process” requirements. As it has been highlighted earlier in the thesis, joining the “Bologna process” is considered as the main step towards Europeanization of the Georgian higher education. (Glonti and Lezhava, 2018, p.4)

After the collapse of the Soviet Union, Georgia has gone through numerous reforms, which have led to transformative changes in different policy fields. One of the priorities of a newly emerged independent state has been the education, which required reforming from old Soviet type system to more modern European. (Glonti and Jibladze, 2018, p.1) The changes occurred in education system and specifically in higher education can be divided into two periods. The first phase from 1991 to 2003, which can be characterized as post-Soviet inertia and the second from 2003 onward, which has led to a radical institutional transformation.

There is an obvious scarcity regarding scholarly literature about the Soviet times higher education of Georgia. However, as part of Soviet Union, the Georgian higher education system shared a lot of similarities with other Soviet republic's systems and therefore, assumptions can be made based on the scholarships existing on the HE systems of other Soviet republics. (Jibladze, 2013, p.4)

In 1991, three hundred million population of the former Soviet Union were divided by the boundaries of fifteen newly emerged independent states. Economic, political, socio-cultural environments in these states, neoliberal reforms encouraged by the West, also globalization in its many expressions have shaped the way each of the state chose or had to follow at least in the next twenty years. (Smolentseva, 2012, p.2) The changes in educational systems mostly were similar: changes in rules and procedures of admission to higher educational institutions, two-tier bachelor and master system has been introduced, as well as private higher educational institutions have emerged. There was also a trend of shrinking of free higher education. Furthermore, the states also faced reduction in public funding, decline of the academic profession and massive willingness regarding participation in higher education. (Heyneman, 2010, p.1)

In times of Soviet Union, the higher education was under control of the Communist party and was serving the aims of the regime. The higher educational institutions lacked academic freedom and institutional autonomy. (Sabloff, 1999, p.5) The program offerings, the mission and enrollment level for higher educational institutions were defined by the Ministry of Education. The centralized authority was no longer the case after collapsing of Soviet Union and there was not found a quick decision to fill an emerged power vacuum. This moment was used by private Higher Education Institutions (HEI) to emerge and flourish. The state HEIs separated themselves from the state, while remaining state-subsidized. (Sharvashidze, 2005, p.7). Alike other Soviet states education systems, the Georgian system also struggled to survive in conditions of an absence of a common guidance,

which was the main characteristic of the Soviet system. One can say that, the Georgian education system failed regarding developing into a functional system. It was nominally centralized and higher educational institutions stayed as a part of centralized state hierarchy. (Jibladze, 2013, p.4) As a consequence, the higher education system was developing without considering states priorities and was not able to respond to labor market demands.

Despite being to some extent centrally commanded, the higher educational institutions were given academic autonomy. The decisions about the academic programs, curriculum and research activities remained as a right of HEIs. Moreover, scholarship distribution and admission policies were the main responsibilities of HEIs. (Lorentzen, 2000, p.7) However, there was an obvious lack of organizational autonomy, due to a fact that the institution's funding system remained highly dependent on the state subsidy and the president of the country appointed the rectors of the institutions. (Glonti and Jibladze, 2018, p.2) As during the Soviet times, the state government owned the right to define the number of students that were able to be enrolled each year. It is worth noting that, at that time state funding was significantly decreased. From 7% of the whole GDP in 1991, the share of the funding of education in 1994 in the state budget was only 1%. Mentioned decrease allowed the institutions to hardly survive in the next ten years. (Jibladze, 2013, p.5) After 1994, the state slowly started to separate itself from the universities, while still keeping the level of state funding at the minimum that led to a fast deterioration of the higher education system. Almost a total absence of the state control and financial difficulties, created an environment for private higher educational institutions to emerge and develop. The private educational institutions emerged in two forms, either separate private institutions or the branches of fee-paying state universities. The private institutions were mostly focused on the subjects, which were in high demand at that time. The programs in social sciences, business and economy prevailed in private sector. One could observe a dramatic increase in a number

of private institutions. By 2000, the country accounted 162 private institutions, which accounted about 30% of the whole number of students. (Sharvashidze, 2005) As a consequence, in 2004, the new government inherited the education system with 194 higher educational institutions, from which 150 were private and 44 public. (Glonti and Jibladze, 2018, p.3)

Despite a fact that some changes in the field of higher education occurred, one can say that there was a stagnation from 1994 to 2004 and mentioned reforms have not produced a positive result. The lack of public financing and also lack of accountability mechanisms led to a high level of corruption in higher education system. (Westerheiden, 2008) Mentioned ten years period can be characterized by skyrocketing of corruption in certification and admissions. Consequently, the quality of education has significantly declined. (Rostiashvili, 2011, p.33)

In 2004, the new Georgian government, has started an implementation of radical reforms in education and specifically in higher education. After the period of post-Soviet inertia, which lasted about 13 years in Georgia, there has started a phase of institutional transformation. As mentioned above, the new government, declaring itself as pro-western, for integrating the country with Europe and for transforming it into a liberal democracy, initiated system-wide reforms in different policy areas. (Glonti and Jibladze, 2018, p.5) As the most apparent step regarding “Europeanization” of the Georgian higher education has been considered a decision of joining the “Bologna Process” in 2005 in Bergen at the ministerial meeting. With mentioned decision the Georgian government showed its willingness to align the higher education system with the “Bologna process recommendations”. The “Bologna process” aimed at creation the European Higher Education Area (EHEA) by 2010. (Dobbins and Knill, 2009, p.4) Despite a significant variation in the rapidity and degree of reforms across signatory states, the participant countries have started to develop strategies, which fitted the European agenda in order to converge higher education systems. (Huisman and Van der Wende 2004, p.6). Specifically, in Georgia, the higher education has been changed to three cycle’s system. The European

Credit Transfer and the Accumulation System (ECTS) was implemented and the degree programs were harmonized with the new ECTS system. Furthermore, joining the Bologna process resulted into a removal of doctoral education and training to the universities, aiming to bring teaching and research together. Previously, these programs were the part of Academies of Science. Mentioned changes aimed at a significant enhancement of the quality of higher education in the country. (Jibladze, 2016, p.7)

It is also worth noting that, some other significant changes have been implemented in higher education field under the “Bologna process” recommendations. One of them, was creation of the National Education Accreditation Centre (NEAC), which was the public agency under the management of the Ministry of Education and Science and served as the main mechanisms of the Quality Assurance (QA) in higher education. The main responsibility of this agency was to create the mechanisms of the Accreditation of higher educational institutions and then according to those mechanisms control as public as private institutions. (Jibladze, 2016, p.8) At the same time, the institutions created their internal Quality Assurance mechanisms. An Introduction of the external Quality Assurance mechanisms immediately resulted into a tangible outcome, which means that the number of higher educational institutions was significantly decreased, from 196 to 42. (Glonti and Jibladze, 2018, p.3) In 2010, with creation of the National Centre for Educational Quality Enhancement (NCEQE), the next step was taken towards meeting of the “Bologna process” recommendations. It should be pointed out that, mentioned recommendations are voluntary to fulfil. NCEQE, as its predecessor, operates under the management of the Ministry of Education and Science and by a legal form is “legal entity of public law.” The duties of the agency have been widened and include external Quality Assurance for the whole education system. General, vocational and higher education is combined now within this public agency. (Okrodashvili, 2012, p.32)



Another step, taken by the Georgian government towards an implementation of the Bologna recommendations, refers to a development of the National Qualifications Framework (NQF) in 2010. Mentioned framework is in a line with the European Qualifications framework for lifelong learning and “brings together qualifications at all levels of the education system.”(Glonti and Jibladze, 2018, p.3) NQF determines skills, types of knowledge and values, which are essential for a person to get a completion certificate at a relevant level of education. In order to accelerate the degree recognition system, the Georgian government created the National Academic Recognition Information Centre (NARIC), which has started its operation under the management of NCEQE. (Jibladze, 2016, p.9)

For the completion of the implementation of the Bologna process guidelines, the institutional transformation of the higher education have been steered by the principles of market economy, good governance and a very strong anti-corruption agenda. Since, one of the main sources of corruption in higher education were considered the university entrance examinations, the government implemented significant change for solving mentioned issue. Until 2004, the decision about student’s admission remained as a right of HEIs. However, with creation of the National Assessment and Examination Centre (NAEC) in 2004, the government deprived the institutions of student’s admission responsibility and directed it to NAEC. Mentioned reform has been considered as one of the most efficient regarding combating corruption in higher education. (Okrodashvili, 2012, p. 30) The main duty of NAEC has been a development and administration of Unified National Admission Examinations (UNE). “Based on three examinations, the NAEC determines the level of success of the prospective students and grants student vouchers according to an achievement of 100%, 70%, or 50% on the success scale. Successful students compete for places at state as well as private HEIs.”(Glonti and Jibladze, 2018, p.3)

Implementation of voucher system in higher education is related to the principles of the market economy. The new funding mechanism enables as public as private institutions to get funds from

state. (Chankseliani, 2014, p.285) Mentioned funding system aimed a creation of an environment for fair competition and also provision of an equal opportunities for students regarding access to higher education. Furthermore, its goal has been to increase an efficiency and transparency, in terms of allocation of public finances under conditions of the minimal state funding for the higher education domain. (Chankseliani, 2014, p.285) Research grants and student grants replaced the direct budgetary allocations. The share of the state funding remained low and decreased gradually. (Jibladze, 2013, p.7) Nowadays, the public expenditures on higher education amount 0.47% of the whole GDP, which is the lowest among CIS countries. As a result, the highest share in funding scheme is taken by the private funding. Almost two-third of students pay their tuition fees themselves. In numbers it is following: 62% of students fund themselves fully, 25% pay a part of tuition fees. (Chankseliani, 2014, p.286) On the one hand, the voucher funding system was introduced to guarantee an equal access for students to higher education and to provide them with an opportunity of free choice. However, whether the limited public funding has reached its goals, can be questioned. Especially in a society such as Georgian, where the level of poverty still remains too high, which means that the majority of the population lacks an opportunity to fund themselves. Hence, an issue of unequal access to higher education still remains unsolved.

As mentioned above, one of the aspects of institutional transformation of the higher education has been an introduction of the principles of good governance in this domain. Mostly, an implementation of those principles aimed to downsize the level of bureaucracy at the level of the Ministry and also decentralization of the centralized system in different directions. Good governance also has transformed the higher educational institution's governance structure as well as has changed their operating principles. (Jibladze, 2016, p. 10) Good governance mostly is associated with New Public Management (NPM) model, which has been extensively used mainly in Western countries and also in post-Soviet countries, mostly in those, which succeeded regarding democratization. At the

school level education the NPM has changed the local management of schools. This includes “changes in the exercise of power and leadership within schools and the relationship of schools to the wider system of management and control”. (Raab and Arnott, 2002, p. 19) One of the main features of NPM at the school level has been decentralization of School education. More precisely, an introduction of a model of school governing boards. Those boards have to contain representatives of different stakeholders. (Tolofari, 2005, p.13) Decentralization of the school’s management includes the transfer of some features of management to schools, specifically: appointments, budgeting, personnel and planning. Another aspect of school’s decentralization is a share of the power among the stakeholders of a school board. (Raab and Arnott, 2002, p. 19)

At the level of higher education, decentralization and consolidation have been two main features of NPM. On the one hand, for bureaucracy reduction, redundant bodies have been eliminated within the Ministry of Education and Science and HEI’s. On the other hand, new units have been created. Moreover, the purpose of already existing different institutions was revisited. Whereas the Ministry previously had governed in a centralized manner, after 2004 only policy-making remained its duty. Regulatory functions and policy implementation have been delegated to newly emerged governance units, which with legal form are “legal entities of public law.” (Jibladze, 2016, p.11)

As mentioned above, decentralization has been one of the main aspects of introduction of NPM at the level of higher education. The higher educational institutions were given autonomy that led to creation of internal governing structures, which allowed them to operate under conditions of being minimally dependent on the Ministry. Program and institutional accreditation were introduced as measures of an external accountability for an independent actors of the system. (Glonti and Jibladze, 2018, p.4) The institutional autonomy of the HEI’s is guaranteed by the law on higher education. It defines the autonomy as the “freedom of the HEI and its main units to independently decide and implement its academic, financial and economic, and administrative activities”. (Law on higher

education) Moreover, mentioned law defined principles of HEI's governance, formed separate decision-making units, separated administrative and academic functions. The Senate and the Academic council are the main decision-making bodies by the law. Furthermore, it defines the procedures of an election of the Rector of the university. However, one should point out that the principles defined in legislation neither have been fully followed by the Ministry nor by the HEI's. (Jibladze, 2017, p.9)

Academic autonomy, regarding the management of academic content is strongly recognized by the HEI's, but another aspect of academic autonomy, which is a right of a decision on a number of enrolled students and admission criteria, have not been that strong. The new funding system has weakened a capacity of the universities to choose their potential students. According to the new procedures, after passing the unified entrance examinations and becoming eligible in terms of state voucher, the student chooses the HEI. (Jibladze, 2017, p.9)

After decentralization of the higher educational institutions, the accountability mechanisms were implemented as well. However, the system of accountability is more state centered, which means that it does not directly target employers, students, alumni or other stakeholders. (World Bank, 2014)

One can conclude that, after collapsing of Soviet Union the socio-economic and political environment and different policy areas of newly emerged independent states, could have been characterized with many similarities. The education domain was one of those, which shared the Soviet legacy and needed rapid transformation from the old to the more modern European system. The development of the Georgian post-Soviet higher education system can be divided in two phases. The first is post-Soviet inertia, which lasted until 2004 and then have been replaced by the second phase of institutional transformation. The main step towards "Europeanization" of the Georgian higher education has been joining the "Bologna process" in 2005. Mentioned development forced the Georgian government to implement several radical changes in higher education. The

recommendations of the “Bologna process” are voluntary to fulfil but crucial for “Europeanization” of the system. Mentioned recommendations vary from an introduction of Quality Assurance mechanisms to implementation of NPM model in higher educational institutions. After 2005, the majority of those recommendations have been implemented in Georgia at the formal level that has caused a full transformation of the system.

## 2.2 Analyses

In order to reach the objective of the research and answer the research question: to what extent the Georgian higher education has been harmonized with the “Bologna process” recommendations, the thesis analyses the latest reports and evaluation documents of different domestic and international organizations and also research articles, highlighting the achievements and challenges of the Bologna process in Georgia. In order to answer the research question, the study will provide assessment of most essential aspects of Bologna process, such as Quality Assurance, (NCEQE) Internalization and Mobility, Lifelong Learning, Easily Recognizable Three-Cycle Degree System, European Credit Transfer and Accumulation System (ECTS)

## 2.2.1 Quality Assurance - National Center for Educational Quality Enhancement (NCEQE)

### 2.2.1.1 Accreditation and Authorization

As it was mentioned above, creation of NCEQE has been one of the most important changes introduced under the recommendations of the “Bologna process”. In order to assess the degree of harmonization of quality assurance with the bologna process requirements, the analyses attempts to identify the achievements and challenges regarding a performance of NCEQE, which is the main responsible body for Quality Assurance in Georgia.

One of the main function of the agency has been a creation and implementation of the standards of accreditation and authorization of the universities. (Bologna declaration, 1999) These standards are the main mechanisms for external quality assurance. One can state that, at the formal level these standards are established that can be considered as an achievement. However, in order to evaluate the degree of their harmonization with standards existing in European Higher Education Area, one should refer to the reports, evaluating a level of their convergence with those in EHEA.

In case of program accreditation standards, one can say that formally they are almost in a line and cover the same elements as other agencies, existing in the EHEA. However, the monitoring process showed that, a lack of joint interpretation and understanding between HEI’s representatives and review panel experts and also NCEQE’s different internal bodies affect the application and the implementation of those standards. (Amashukeli and Lezhava, 2016) Accreditation process remains one of the fundamental issues in higher education system. Especially, in terms of accreditation standards, which are unclear. (State Audit Office, 2016) Mentioned issue leads to some deficiencies in decision-making process. Specifically, it leads to inconsistent decision-making by the two councils

and the decisions of the councils are considered as biased by the HEI's. This situation adversely affects agency's credibility. The members of two councils, members of expert groups and staff, also lack of a joint understanding of the existing regulations. Potential threat of mentioned issue is a limited confidence of experts and council members in their performance, hence lack of trust towards decisions made by the two councils. In order to achieve a high level of harmonization with the "Bologna process", regarding external quality assurance, the standards of accreditation and authorization should be clear and do not have to be a subject of interpretation. (Khitarishvili, 2016, p.4) To have a reliable external quality assurance system is one of the main indicator for the Europeanization of the system. It should be mentioned that the "Report of the 2016 Action Plan for the Implementation of the Association Agreement and the Association Agenda" highlights that, NCEQE has taken steps towards reviewing the standards of accreditation and authorization. Action plans were created. Furthermore, under the management of the agency a working group has been formed which aims an improvement of the standards of authorization. In addition, 12 thematic groups in accordance 12 different directions of the National Qualification Framework have been created. Those groups aimed at reviewing of the standards of accreditation and development of the subject matter characteristics. (The Government of Georgia, 2016) The same report indicates that from June of 2016 project of refinement and alignment of the National Qualification Framework with the European NQF's started. The aim of this project is a development of the Georgian NQF in accordance with the standards of the European higher education qualification frameworks. Mentioned project will facilitate the development of the new curriculums and the quality assurance in the country, as well as transparency of the Georgian qualifications and their recognition in Europe. According to the order of the director of the NCEQE, a working group was formed, which has produced the first draft of 8 level qualification framework, which was sent to higher educational institutions for remarks and comments. (The Government of Georgia, 2016) Thus, one can assume that an improvement of the accreditation and authorization

standards as well as development a new NQF, which will respond to the European standards, will result in an enhancement of the quality of higher education. Hence, in terms of Quality Assurance, the Georgian higher education will be more harmonized with the “Bologna process” requirements.

Another challenge, remaining in the process of accreditation and hindering the harmonization of external quality assurance with the “Bologna process” recommendations, is related to the list of experts, used for the evaluation of different programs. The number of experts is limited and is not sufficient for the accreditation of different programs. Further, in a process of evaluation of programs, in many cases, not a subject-matter professionals are used by NCEQE. Hence, this raises a question of quality and credibility of evaluation. (Amashukeli and Lezhava, 2016) One should also point out that, for a high quality assessment a reasonable time is needed that obviously is an issue in case of NCEQE. According to current regulations, the time allocated for the experts for assessing the programs is less than 5 days, after visiting the higher educational institution. In 5 days, it is impossible to evaluate an adequacy of the programs and produce credible assessment. (Lezhava, 2016) It is worth noting that, according to the “Report of the 2017 Action Plan for the Implementation of the Association Agreement and the Association Agenda”, above mentioned challenges seem to be taken into a consideration and as the report highlights, NCEQE has started working on the regulations in regard to improve the process of accreditation of the programs and to harmonize it with the standards existing in EHEA, in compliance with recommendation of the Bologna process. Specifically, the agency is currently in a process of discussion about refinement the regulations, which specify the time given to experts for the detailed assessment of the programs. Current regulation is considered as inefficient and irrelevant for producing a really credible evaluation. (The Government of Georgia, 2017) Moreover, the same report mentions that NCEQE has also started the process of reviewing the list of experts, both in terms of qualifications and in terms of quantity. According to mentioned report, the management of NCEQE has admitted that the number of experts is not relevant to the workload



they have to deal with and there is an apparent need of increase of the number of experts. It is also worth mentioning that, the agency has taken into account the peculiarities of different programs and tries to form a new list of experts, according to these peculiarities. (The Government of Georgia, 2017) One can state, that above mentioned deficiencies lead to the lower degree of harmonization of the aspect of quality assurance with existing in EHEA.

Another challenge revealed in a working process of NCEQE, which affects the quality assurance is a low level of involvement of experts and students in external and internal quality assurance process. The modern version of the European Standards and Guidelines (ESG) highlights an importance of mentioned aspect. (Council of Europe, 2014) Therefore, NCEQE is advised to take more active steps, in order to empower the students and the experts for being more active participants in this process. It should be also pointed out that, the modern version of ESG also highlights an importance of involvement of labor market experts and employers in review panels. Mentioned advice is not taken into a consideration by the Georgian agency so far. (State Audit Office, 2016)

In order to make more reliable decisions, as one of the standard practices in EHEA is a provision the universities with an opportunity to make comments on the draft reports of the experts. It aims an identification of the inaccuracies or factual errors in program's evaluation process. Based on experience, mentioned right of the universities can serve as very valuable source of information, which can positively affect the decision-making process regarding accreditation of different programs and authorization of the HEIs. (Council of Europe, 2014) It is worth noting that in performance of NCEQE mentioned practice is lacking.

The report of Council of Europe (2014) revealed that in some cases the council's members did not know how to solve the cases of accreditation and authorization, which include a cross-border provision of higher education. Mentioned issue raises from the lack of guidance and legal provisions, being necessary for dealing with such common cases. (Council of Europe, 2014) Furthermore,

mentioned weakness is a result of a lack of trainings for the staff that is very important for its professional development. A recommendation developed by experts, who monitored the agency, is to arrange the trainings for fostering shared understanding of standards and regulations that will be revealed in a consistency of decision-making. Hence, less ambiguity of the decisions and credibility of them will be guaranteed and the quality of performance of NCEQE will be higher.

Another aspect, which is obviously lacking in terms of performance of the agency is a written guidance in application and interpretation of its standards and regulations for all involved parties. Mentioned guidance aims fostering transparency and consistency of the agency's work.

One can state that, there is an ongoing process of improvement of some above mentioned deficiencies. As the "Report of the 2015 Action Plan for the Implementation of the Association Agreement and the Association Agenda" mentions, the agency is in a process of development of the regulations regarding cases of cross-border provision of higher education. (The Government of Georgia, 2015) However, in the following year's reports, there is nothing mentioned whether or not mentioned guidance and legal provisions are created.

According to the report of the State Audit Office, (2016) one of the achievements in performance of NCEQE is the process of public hearing of the universities, before the decision on the authorization and accreditation are made. It is considered as a unique aspect of external quality assurance in Georgia. The main goal of the public hearings is creation of transparency in a discussion and then decision-making process and also giving an opportunity to the universities to react on the verdicts of the experts of authorization and accreditation. (NCEQE, annual report, 2015) Actually, the public hearing accomplishes both purposes, but the agency is willing to assess whether other approaches are more relevant for serving these goals better. Furthermore, the agency might wish to asses, whether the public hearing's disadvantages overweigh its advantages. One of the apparent disadvantages is a lack the university's written comment in the expert's report. The members of a

decision-making council depend on oral information given as a response to specific questions. (NCEQE, annual report, 2016) Mentioned issue can hinder the HEI's opportunity to deliver information, which is relevant for credible decision. However, on the other hand, it seems more difficult for the council to make unbiased decisions when the relevant and important information is generated only orally. (NCEQE, annual report, 2016) In order to follow the European standard practice, the agency should introduce the written comment practice, leading to higher reliability of the council's decisions. (Council of Europe, 2014)

Another challenge faced by NCEQE refers to the link between external and internal quality assurance. This link is not clear, particularly for the representatives of higher educational institutions. It remains unclear, for all stakeholders involved, whether in the authorization and accreditation procedures the results of internal quality assurance are taken into a consideration by NCEQE. As it is stipulated in ESG, the internal quality assurance should serve as a main base of all activities of other types of quality assurance. Proceeding from this, it is important to take into account the results of internal quality assurance. This is specifically true when the procedures of accreditation are more enhancement oriented. The universities capacity of assuring the quality of their provision's should then be one of the crucial points of the reviews, at institutional as well as at program level. (Council of Europe, 2016)

Some weaknesses revealed in the monitoring process are related to the problem of communication. There is an apparent lack of communication between agency and the other stakeholders in a working process. Specifically, the agency should improve communication with the HEI's, in order to make them familiar with interpretation of the standards and regulations. Mentioned issue derives from a lack of concrete regulations, which would force both parties to keep permanent communication that itself will be revealed in a higher quality of their performance. (NCEQE, annual report, 2015) Mentioned absence of specific regulations also lead to a lack of communication among

internal structures. Especially, between two council's members that itself leads to ambiguous decisions regarding accreditation and authorization. (State Audit Office, 2016) Dialogues between the all parties involved in the working process of the agency, as well as trainings for the staff, which are a necessary aspect for further professional development, are essential for improvement of agency's performance. Furthermore, it will give an opportunity to get closer to the ESG, meaning that in terms of aspect of quality assurance the Georgian higher education will be harmonized with existing in EHEA. Formally, NCEQE should provide its staff with the professional trainings. However, in a working process this aspect is apparently missing that leads to less competency of the staff generally. Hence, the main aim that of an enhancement of the quality of the higher education and alignment it with the "Bologna process" recommendations, seems to be less achievable. (Amashukeli and Lezhava, p.49, 2016)

#### 2.2.1.2 Independence of the Agency

The monitoring of NCEQE showed that there is a progress in direction of the independence of the agency. Specifically, the current system of selecting and then appointing the members of two different councils seems to be a step in the right direction. (Council of Europe, 2016) However, one should pay attention to the process of appointing of the director of the agency. The appointment of the director by the minister of education and science of Georgia can adversely affect an independence of the agency. Under a condition, when the minister appoints the director, an involvement of all interested stakeholders in a public selection process, would make the process more transparent and would also be a better way for supporting the agency's independence. According to the standards of European Association of Quality Assurance (ENQA), the agencies operating at the national level should be totally independent from the state. (Council of Europe, 2016) As one can observe, it is not

guaranteed in case of Georgia. The Georgian agency operates under the management of the Ministry of Education and Science of Georgia as “legal entity of public law.” (Law on higher education) Furthermore, for aligning with ENQA standards and for gaining higher degree of independence, the experts recommend to the agency to review the term of the members of the councils. According to existing experience, as shorter the term of the members is, as higher is a chance and space of influencing them. (Council of Europe, 2016) In addition, longer terms for members of councils can facilitate to the maintenance of an organizational memory and generated expertise, which ensure the consistency of decisions and credibility of the agency.

It is worth noting that, in order to ensure NCEQE’s independence, which is one of the recommendations of the “Bologna process”, the agency should consult foreign experts in decision-making process. There are different ways of involvement of foreign professionals. It can be done either through creation of the international advisory committee or including foreign members in a decision-making bodies. (Lezhava and Amashukeli, 2016) An absence of an involvement of the international professionals leads to less credibility of the agency. One can assume that, in this regard, a compliance with the Bologna standards obviously lacks in case of NCEQE.

Since, the NCEQE was given a responsibility of accreditation and authorization of the higher educational institutions, it has played a crucial role in terms of harmonization of the Georgian higher education system with the “Bologna process” requirements. At the formal level, the main aspects of the quality assurance are established. However, the reports of different organizations have revealed some specific deficiencies in a working process of the agency. Mentioned weaknesses adversely affect the process of quality assurance and in this regard hinder harmonization of the Georgian higher education system with the “Bologna process” recommendations. (Council of Europe, 2016)

In its annual report, (2017) NCEQE also highlighted an importance of moving of the agency towards an enhancement of external quality assurance, in order to be in a line with the European agencies and to respond to the “Bologna process” standards. (NCEQE, annual report, 2017)

### 2.2.2 Lifelong learning

Lifelong learning has been considered as one of the main aspects of the “Bologna process”. It increases the possibility for people to get a chance to study for unlimited time period, through informal and formal education. (Darchia, 2013, p.6) It does not mean only adult’s education, who are willing to get skills and competences required for the labor market, but also to have an opportunity of getting formal education, “continue the terminated studies after several years or accumulate credits through short-term courses, which would be afterwards incorporated and counted in the degree programme, in case they wish to get one.”(Lezhava, 2016, p.5) The literature, regarding harmonization of the aspect of lifelong learning by the Georgian universities with the “Bologna process” recommendations is scarce. However, there is some mentioning specific deficiencies. According to Darchia, (2013) aspect of lifelong learning was observed as one of the weakest dimensions of the changes introduced under the “Bologna process” recommendations in Georgia. The majority of Georgian universities have neglected mentioned dimension. Just a small number of them applied for the vocational program’s accreditation. Furthermore, the majority of universities offered certificate courses only in Information and Communications Technologies and Languages, while largely ignoring other spheres. (Lezhava, 2016, p.6) Proceeding from this, one can assume that in terms of aspect of lifelong learning, the Georgian higher education has not been harmonized with the Bologna process requirements.

### 2.2.3 Easily recognizable, three-cycle degree system

Structurally, the performance of Georgia in terms of introduction of three-cycle degree system can be considered as positive. Nowadays, the Georgian higher education institutions, both as private as public, operate with this system. (Gurchiani, 2014, p. 6) However, there are some issues related to the quality of performance of the universities, especially it refers to the third cycle-doctoral studies. There are serious problems leading to disproportionate distribution of professors and students. The formality regarding relationship between academic supervisors and their students is also another issue. Moreover, issues such as inflexibility of the regulations, an apparent lack of courses, which are subject related, and one of the most important - a lack of PHD funding, remained unsolved. (Glonti and Jibladze, 2018, p.5) On the one hand, introduction of easily recognizable, three-cycle degree system can be considered as one of the achievements of the “Bologna process” in Georgia. However, as one can observe due to existence of above mentioned deficiencies, one can state that this aspect has been harmonized with the “Bologna process” recommendations just at the formal level.

### 2.2.4 European Credit Transfer and Accumulation System (ECTS)

Introduction of European Credit Transfer and Accumulation System is very solid instrument for ensuring a high quality of education. Moreover, to make the process of education more transparent and also to facilitate student’s mobility. With this system, the students would be provided an opportunity of getting some credits in foreign university, which would be recognized by local universities and would be counted in the total amount of credits, required for degree awarding. (Bologna Declaration, 1999) It is worth noting that, ECTS plays a key role in structuring of program’s curriculums. A portion of each course is recognized and assigned in advance. Furthermore, the course

workload is predetermined in accordance of credit numbers that results into a well-structured curriculum. (Lezhava, 2016, p.3)

As it was mentioned above, the Georgian higher educational institutions have accomplished their responsibility and have implemented ECTS, which has been the only method for assessing students formally, since 2006. However, it seems debatable, whether mentioned change has a formal character or is done substantively. (Darchia, 2014, p.5) Although, the accreditation process focuses on credit distribution and on student workload, some recent studies on the evaluation of the “Bologna process” in Georgia showed that, the student workload and ECTS have not been always in a line and the structure of ECTS have been used only for accomplishing formal duties regarding process of accreditation. (Glonti and Jibladze, 2018, p.4) Proceeding from this, one can conclude that, an introduction of ECTS in the Georgian higher education system can be considered as an achievement to a certain extent. On the one hand, formally it is in a line with the Bologna requirements, however there are apparent weaknesses in a working process.

#### 2.2.5 Internalization and Mobility

One of the main achievements of the Bologna process in Georgia is related to the aspect of internalization and mobility. International mobility is one of the key components of internalization of higher education. Main actors of international mobility are students and academic personnel. The students have an opportunity to get the competencies and skills, which are essential for being competitive as at national as well as at international level. Apart from this, international mobility forces the universities to permanently improve and refine the modes of management, as well to improve educational services and administration method and to adjust them to the needs of students. (Bologna Process Implementation Report, 2015)



According to the official statistic (National Statistics Office of Georgia), the number of students participating in international mobility has grown gradually by years. One of the main facilitators of the mobility of the students in Georgia has been “Erasmus+” program, since 2006. (European Commission) Mentioned program is funded by the European Union and includes different cycles of higher education. ( Amashukeli and Lezhava, 2016, p.134)

The international mobility is considered as one of the main achievements of the “Bologna process” in Georgia. The official statistics of the years of 2015-2016 (National Statistics Office of Georgia) showed that, in mentioned years Georgia received 6643 foreign students from different countries, and as for the number of the Georgian students, who participated in the international mobility, it was 403 in 2015-2016. (Amashukeli and Lezhava, 2016)

As the “Report of the Action Plan for the Implementation of the Association Agreement and the Association Agenda, 2017” highlights, under “Erasmus+” programs, which aims an enhancement of opportunities in higher education, have been funded 9 projects, which is the best result among the “Eastern Partnership” countries. Furthermore, in terms of international mobility, there have been funded 155 projects. Compared with 2015 there is a significant grow in the number of students, who received scholarships for studying in foreign universities. There is also a significant grow of participants in “Erasmus” programs. According to the official statistics, Georgia is on the 8th place among 131 “Erasmus” program participant countries. The same report also highlights an increase of the applicants willing participation in “Erasmus Mundus Joint Master Degree Programmes”. (The Georgian Government, 2017)

Apart from the international mobility, another aspect of internalization is related to the membership of NCEQE in the international organizations, which are of the same profile. Unlike many countries, which are the participants of the “Bologna process”, NCEQE is not a member of European Association of Quality Assurance (ENQA). Despite several tries, the applications of NCEQE have

been rejected. However, since 2013 it has been regarded as an affiliated member. (Glonti and Jibladze, 2018, p.4) It is also worth noting that, NCEQE is the member of the Bologna Follow up Group (BFUG) and permanently participates in meetings held in this format. Mentioned meetings include discussions aiming further improvement and refinement of different aspects of the “Bologna process”. (Jibladze, 2017, p.5)

Proceeding from analyses of the main aspects introduced under the “Bologna process” recommendations in Georgia, one can conclude: On the one hand, there are apparent achievements leading to a harmonization of the Georgian higher education system with Bologna standards. However, on the other hand, the reports highlighting achievements and challenges of mentioned process, have revealed significant deficiencies, which have hindered a full harmonization.

One of the main issues remained unsolved in the Georgian higher education refers to the aspect of quality assurance and specifically to the performance of NCEQE, since it has been the main responsible body for quality assurance in Georgia. One should mention that, at the formal level an aspect of quality assurance seems to be harmonized with the European standards. However, there are some details, which have not responded to the specific requirements of the “Bologna process”. For instance, formally the standards of accreditation and authorization are established, but they are unclear and are subject of interpretation that completely contradicts to requirements of the “Bologna process”. Moreover, there are some issues regarding an absence of different regulations and practices existing in EHEA. For instance, a lack of regulations ensuring an involvement of all stakeholders in the process of accreditation and authorization that would guarantee a higher credibility of the decisions. Furthermore, inadequacy and incompatibility of regulations existing at domestic level to those in EHEA, in terms of time needed for reliable evaluation of different programs. Proceeding from this, one can state that an aspect of Quality Assurance has been formally harmonized with the Bologna requirements but some specific incompatibilities have hindered its full harmonization.

Proceeding from analyses of other main aspects of the “Bologna process”, one can conclude: the highest degree of harmonization between the Georgian higher education and Bologna standards one can observe in aspect of internalization and mobility. As for three-cycle degree system, there is an apparent harmonization at the formal level, but one can observe some deficiencies in a working process. In terms of ECTS, the Georgian universities have formally fulfilled their duties. However, due to obvious incompatibilities between ECTS and student’s workload, there remains a question whether or not this aspect is in a line with the “Bologna process” recommendations. The lowest degree of harmonization of the Georgian higher education with the European, one can observe in aspect of lifelong learning. As it was mentioned in analyses, the HEI’s have totally neglected their obligations regarding compliance in this aspect.

### 3. Conclusion

Proceeding from the main objective of the thesis, that an identification of an extent to which the Georgian higher education has been harmonized with the “Bologna process” recommendations, the study has undertaken analyses of achievements and challenges of main aspects of the “Bologna process”. Based on the results of the research, one can conclude that, the Georgian higher education is harmonized with the European standards to a limited extent. At the formal level it has been almost fully harmonized, however there have been apparent deficiencies, which have hindered a full harmonization of the system.

In a light of the theoretical framework used in thesis, one can assume that, the Europeanization of the Georgian higher education has been domestically driven. In a period of uncertainty, when the old type soviet higher education system needed modernization to respond to challenges faced by the

newly emerged independent country, the Georgian government made a decision to adopt the policy, which has been considered as European and appropriate for overcoming existing uncertainty and for achieving the goal that of improvement of the quality of higher education. To analyze the changes occurred in the Georgian higher education from the theoretical perspective of Europeanization, one should state that, in a context of European Neighborhood Policy, part of which Georgia has been since 2004, the mechanism of “Socialization” seems to be the most relevant explanation. In an absence of membership perspective the decision of joining the “Bologna process” has been driven by the “logic of appropriateness”, as the Georgian government tried to adopt a policy, which has been associated with success and legitimacy of the European Union. Furthermore, aspiration of Georgia and its willingness to belong to EU could have also played a role in mentioned decision. If one connects the above mentioned development in Georgian higher education to the concept of “policy transfer”, one can conclude that, while implementing the “Bologna process” recommendations, voluntary and mimetic transfer has been in place. Furthermore, considering the results of analyses of the different aspects of the “Bologna process” in Georgia, one can observe a phenomenon of “selective transfer”. Some aspects have been fully harmonized with the European standards, however, in some dimensions specific recommendations have not been taken into a consideration by Georgia.

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Special Annex: Thesis Report

Thesis Report  
Central European University/University of York

Europeanization beyond Europe  
(Case: Justice System of Georgia)

Levan Abashidze  
Erasmus Mundus Masters program in Public Policy

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## 1. Introduction

The European Union is very important and powerful actor in the international affairs, which holds different mechanisms and tools to influence mainly the Europe and its neighboring regions politically as well as economically. On the different stages of its political history and context, the European Union has been perceived as a “super power”, “normative power” and “civilian power”. The union is based on the common values such as democracy, rule of law, human rights, which are shared by the member countries. Furthermore, the mentioned values form a base of every policy of the European Union in the internal as well as in external affairs. After a collapse of the Soviet Union, the EU has expanded its influence in its neighboring regions, trying to reform and change the post-soviet countries in terms of the democratic principles, which are very important for further successful development. A compliance with the standards and values of the European Union is important for the both side, on the one hand, it guarantees a rapid development for newly emerged independent states and on the other hand, the EU aims to have politically stable and reliable partners in the neighborhood, which itself guarantees a peaceful environment in the region. The European Union tries to approach the post-soviet states with several cooperation mechanisms and frameworks, which are revealed in different policy instruments and action plans, created and adopted jointly by the participating parties. According to the scholarships in EU studies, the European Union acts as a “normative power” in the external affairs, since the policies offered by the EU are based on the values shared by the member states, such as democracy, human rights and rule of law. Acting as a “normative power” makes the European Union more attractive for the former soviet countries aiming a membership of the union and motivates them to comply with conditions of the EU in a facilitating manner. Besides acting as a “normative power” the European Union is viewed as a rational actor, which means that the EU actions and policies are based on the cost benefit calculations.

After becoming an independent state, post-soviet Georgia has chosen the western vector of development, aiming to become a member of the European community and NATO as well. The western vector is mostly associated with high standards of living and a high level of democracy, meaning strong public institutions, rule of law and other basic values of democracy. The whole process of Georgia-EU relations can be discussed under the concept of Europeanization, which means an adoption of values, rules and norms existing in the European Union. The process of Europeanization has an impact on several fields in Georgia. One of them is the justice sector, which is vital for the democratic development of the country and regarding Georgia it is decisive for the future membership of the European Union. On the other hand, the Europeanization of the justice sector of Georgia is very

important for the EU in order to have a stable and democratic partner in the Eastern Europe which means spread of democratic values in the neighborhood, leading to more peaceful and politically stable environment.

The most problematic aspect of the reform of justice sector of Georgia is that in some cases the Georgian side does not comply with the conditions, defined in different agreements and frameworks concluded between the EU and Georgia, such as: “Single Support Framework for EU Support to Georgia”, “Associated Agreement”. Moreover, there are other frameworks and policies, which Georgia is involved in such as “Eastern Partnership Program” (EaP) and EU’s “European Neighborhood Policy” (ENP). On the one hand, it is obvious that an adoption of these conditions is feasible from a political perspective and administratively as well, but on the other hand, one can see an inconsistent behavior of the government. Although, the membership of the EU has been announced as the main priority of the country, in some cases the Georgian government has completely ignored the EU’s recommendations and directives. This is revealed in external evaluation reports, drafted by the different institutions of the EU and the respective state and non-governmental agencies of Georgia. Considering the above mentioned, the research will examine the reasons of non –compliance with the norms defined in different frameworks and agreements between Georgia and EU. Furthermore, it will analyze reports and documents of evaluation of different international and local organizations, mentioned in the concluded agreements (“Associated Agreement”, “Single Support Framework for EU support to Georgia”) to show, which specific norms have not been adopted by the Georgian side. Moreover, the paper will review the reasons of non-compliance with the EU standards, identified by different scholars in different studies about the EU. Since, there is an obvious lack of the research identifying the reasons of non-compliance with the EU norms by the Georgian government, a contribution of the underlying study will be a filling of a gap existing in this direction. The paper will examine the mentioned issue with following research question: Why has the Georgian government not complied with the EU directives related to the judiciary system for the period of 2014-2017 years?

Taking into a consideration the above mentioned, the thesis report will have a structure as the following: it will start with an introduction, which will be followed by a part of the literature review aiming to provide a background information and knowledge about the reasons of non-compliance with the EU norms. The research and methodology part will emphasize an importance of the research question and will highlight the research method, which will be used to answer the research question. The last section of the thesis report will be a conclusion.

## 2. Literature review/Conceptual framework

### 2.1 Europeanization

Since the whole process of Georgia-EU relations should be discussed under the concept of Europeanization, one should clarify how this concept is explained by different scholars in different

studies. The Europeanization is used with different meanings by some researchers: on the one hand, it is described as a process of formation and development of the institutions at the European level, which are directly connected to a solution of the problems, which have political character. On the other hand, "Europeanization depicts an incremental process re-orienting the direction and shape of politics to the degree that EU political and economic dynamics become part of the organizational logic of national politics and policy-making".<sup>1</sup> The concept Europeanization is narrowed down by Dyson and Goetz and explained as a process of an adoption of the European Union's legislation and norms on a domestic level or from a broader perspective a process of a transferring of the state's policies on the level of the European Union.<sup>2</sup> According to Johan P.Olsen, the concept of Europeanization is used for a description of a process of change and due to not having a precise meaning or definition it has not be used as an organizing concept.<sup>3</sup> This concept is applied in a way that provides an opportunity for comparing the European Union's system of governance with other existing ones.<sup>4</sup> In general, the term of Europeanization has been emerged when the standards, rules and norms of the European Union were embedded in a process of policy making of non-EU countries.<sup>5</sup> Another broad definition is offered by Vink and Graziano, which is "a process of domestic adaptation to the European regional integration".<sup>6</sup> Buller and Gamble also provide a broad definition of this term and define it as a transformation of the characteristics of a domestic politics to the different models of the European governance.<sup>7</sup> "Europeanization is set of processes of construction, diffusion and institutionalization of formal and informal rules, procedures, policy paradigms, styles ,ways of doing things and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies."<sup>8</sup> Different meanings of the concept of Europeanization are not mutually exclusive. With those several definitions, the scholars try to describe the same phenomena with insignificant differences.<sup>9</sup>

There are three mechanisms of an application of Europeanization identified by Knill and Lehmkuhl causing changes in domestic governing systems. The first is an application and then implementation of certain institutional requirements provided by the European policy making, which almost eliminates an opportunity of discretion by the members of the European Union. The second mechanism is not as explicit as the first one and tries to change the domestic rules of behavior with the intervention in legislation, leading to significant changes in the domestic arrangements. The last mechanism, which is considered as the weakest one, tries to alter expectations and beliefs, which means that the European policy making modifies states institutional framework, leading to changed domestic policy agenda.<sup>10</sup>

<sup>1</sup> Tanja A.Borzel and Thomas Risse, 2000, "When Europe Hits Home: Europeanization and Domestic Change", p.3

<sup>2</sup> Kerry Howell, 2002, "Developing Conceptualizations of Europeanization and European integration: Mixing Methodologies", p.5

<sup>3</sup> Johan P.Olsen, 2002, Arena, University of Oslo, " The Many Faces of Europeanization", p.2

<sup>4</sup> Ibid, p. 2

<sup>5</sup> Robert Ladrech, 1994, "Europeanization of Domestic Politics and Institutions", p.14

<sup>6</sup> Paolo Graziano and Maarten P.Vink, 2013, "Europeanization: Concept, Theory and Methods", p.8

<sup>7</sup> Jim Buller and Andrew Gamble, 2002, "Conceptualising Europeanization", p.17

<sup>8</sup> Claudio M.Radaelli and Kevin Featherstone, 2003, "The Politics of Europeanization", p.7

<sup>9</sup> Johan P.Olsen, 2002, Arena, University of Oslo, " The Many Faces of Europeanization", p.2

<sup>10</sup> Christoph Knill and Dirk Lehmkuhl 1999, "How Europe Matters. Different Mechanisms of Europeanization", p.4

## 2.2 Europeanization beyond Europe

Since the end of the last century, a term of Europeanization beyond the European Union has been developed by the scholars. Three developments and new steps in the process of the European integration have caused an expansion of a mentioned concept. The “Single Market” was the first development causing a broadening of a prospect. Since this program has been considered as attractive and important also for non-EU states, it has provided an opportunity for the European Union to expand its rules and norms of the economic policy making and governance beyond of its borders. The second new step in the process of the European integration was initiation of the “Eastern Enlargement” round by the EU, which has been the biggest in an enlargement history. This process enabled the EU to implement its standards, rules, norms and governing principles in countries being engaged in mentioned enlargement round. The third and the last development has been a creation of several frameworks and arrangements by the EU for the states from the neighboring regions, either willing to join the union or the countries not willing to become the members of the entity. One of the most apparent examples of such frameworks is the EU’s “European Neighborhood Policy”. (ENP)<sup>11</sup>

The scholars identify four different mechanisms used by the European Union to expand its values, norms and the principles of governance beyond its borders. These mechanisms are: externalization, conditionality, imitation and socialization.<sup>12</sup> A use of these mechanisms depends on a specific context. The scholars divide these mechanisms in two parts: direct and indirect. Direct ones are used by the EU intentionally to spread its rules and models of governance in non-EU states. In this case the EU takes an active position and through the direct directives tries to disseminate its influence. Contrary, in indirect mechanisms the non-EU countries take an active stance and the EU’s insignificant presence and participation “generates unintended external effects”.<sup>13</sup>

One of the direct mechanisms is socialization, which tries to persuade non-EU actors in the appropriateness of the EU’s values and principles leading to a spread of the model of the European governance. The European Union provides external actors with knowledge about the EU’s values, norms and principles and if non-EU states find these rules legitimate and appropriate, they try to adopt and comply with the EU’s standards.

Another direct mechanism of Europeanization is conditionality, based on logic of the consequences and manipulation. Under this mechanism, the EU sets conditions, which are necessary

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<sup>11</sup> Frank Schimmelfennig 2010, ETH Zurich, “Europeanization beyond the member states”, Paper for: *Zeitschrift für Staats- und Europawissenschaften* 2010 (see journal for final version), p.10

<sup>12</sup> Ibid. p.11

<sup>13</sup> Ibid. p.10

to meet for non-EU countries. A compliance with those requirements and goals define future rewarding of an external actors or an evasion of the sanctions by the European Union. The rewards can include different types of agreements, for example, trade agreement. Moreover, as a reward, external actors can be provided with an access to several treaties concluded by the EU members. The sanctions can be a delay of the agreements until a compliance with the EU's conditions. A size of the reward a reliability of its conditionality guarantees an effectiveness of this mechanism.<sup>14</sup>

Imitation is an indirect mechanism of Europeanization. According to scholars, it working principle is the same as of socialization, but with one main difference: the EU is not an active participant in this mechanism. The European Union poses as a benchmark or a role model and non-EU states seek to imitate the EU's principles and values, because from a perspective of an external actors, these values seem to be a key determinant of further rapid development, hence a solution of an existing problems.<sup>15</sup>

The second and the last indirect mechanism of Europeanization identified by Shimmelfennig is externalization, which as conditionality is based on logic of consequence. Contrary to conditionality, in this mechanism the European Union's is not forcing non-EU states to meet the conditions existing in the entity and adopt Union's values and principles. Externalization works via indirect effects on cost-benefit calculations, everyone willing to be involved in a trade with the EU has to subordinate the EU's requirements. This mechanism is mostly based on economic benefits.<sup>16</sup>

According to Borzel and Risse there has to be some degree of a "misfit" or "mismatch" between model of governance, institutions and policies of the non-EU countries and the EU's members.<sup>17</sup> A degree of a "misfit" defines a degree of an enforcement of a compliance to the EU's conditions. "The higher the misfit between domestic and European policies, institutions and processes the higher a degree of enforcement from the EU."<sup>18</sup> A reason of a compliance pressure has its roots in the differences in decision-making structures between members and non-members of the EU. The European states have an authoritative decision-making structure, which can come in a contradiction with decision-making style existing at the domestic level. In case of the member states there is the only rule, meaning that the EU's rules are superior to national ones.<sup>19</sup>

## 2.3 Reasons of Non-compliance

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<sup>14</sup> Ibid. p.10

<sup>15</sup> Ibid. p.11

<sup>16</sup> Ibid. p.11

<sup>17</sup> Tanja A.Borzel and Thomas Risse 2000, "When Europe Hits Home: Europeanization and Domestic Change", p.5

<sup>18</sup> Levan Abashidze 2017, Europeanization beyond EU, policy brief, p.4

<sup>19</sup> Tanja A.Borzel and Thomas Risse 2000, "When Europe Hits Home: Europeanization and Domestic Change", p.5



In order to answer the research question of the thesis one should refer to the scholarships that deal with the reasons and factors of non-compliance with the EU norms. Since there is an obvious lack of studies, examining the reasons of non-compliance in non-EU countries and specifically in Georgia, which is a case study of underlying research, the paper will review an existing knowledge on an issue of non-compliance in the member and the aspirant states.

In his paper, “Implementing and Complying with EU governance output”, Oliver Treib provides the theoretical insights on the causes of the state’s willingness to comply with the EU standards. In particular, the author identifies sectoral and country related differences. Out of the factors identified by the author, the thesis report will refer to those which are the most relevant for the scope of the research. Among different reasons influencing an adoption of the EU standards at the domestic level, the author points out four main indicators: party politics, misfit, public opinion and interest groups.<sup>20</sup>

The influence of party politics is more obviously shown by qualitative studies. For instance, a research about an implementation of the EU’s social policy and equality directives revealed that the countries with left-wing governments adopted the EU norms with more success rather than the countries with right-wing governments.<sup>21</sup> There are also other studies, which have shown that, in some cases the ideology of the ruling party is decisive regarding a transposition of the European Union’s directives and norms at the domestic level.<sup>22</sup>

The same picture can be seen in some quantitative studies. For instance Toshkov in their study: “Compliance with EU Directives in Central and Eastern Europe” identified that the aspirant states from Eastern and Central Europe transposed the EU directives much faster when during an accession period they were governed by more European and more right-wing parties.<sup>23</sup>

The studies about a compliance with the EU norms in the member states have revealed that the partisanship of the governments has played a huge role regarding a compliance with the EU directives in different sectors. For instance, a study by Jensen and Spoon showed that a case of partisanship among member states was decisive in terms of implementing Kyoto Protocol, which aimed a reduction of a greenhouse gas emission.<sup>24</sup>

A partisanship argument is hard to examine without the cross-sectional studies. Getting in more detailed analyses across different policy areas provides an opportunity to see a clearer picture to how governments with different ideologies act in specific fields when it comes to a compliance with the EU directives. Some studies show that left-wing governments more likely are to be favorable in specific policy fields and contrary more unwilling in others. One can observe the same picture towards

<sup>20</sup> Oliver Treib, “Implementing and complying with EU governance outputs”, 2014, p. 22

<sup>21</sup> Gerda Falkner, Oliver Treib and Elisabeth Holzleithner, 2008, “Compliance in the Enlarged European Union: Living Rights or Dead Letters?”, p.24

<sup>22</sup> Oliver Treib, “Implementing and complying with EU governance outputs”, 2014, p. 22

<sup>23</sup> Dimitar Toshkov, 2008, “Compliance with EU Directives in Central and Eastern Europe”, p. 19

<sup>24</sup> Christian Jensen, Jae-Jae Spoon, 2011, “Testing the ‘Party Matters’ Thesis: Explaining Progress towards Kyoto Protocol Targets”, p.22

the parties with other ideologies.<sup>25</sup>In their study “Troubles with Transposition? Explaining Trends in Member-State Notification and the Delayed Transposition of EU Directives”, Konig and Luetgert tried to develop their thoughts to a different direction, which does not consider the government’s partisanship but the diversity of partisan preferences in the local playground. The scholars observed a distance in an ideology of parties, presented in the national parliaments and showed that the higher the diversity of preferences, the more difficult the process of a compliance.<sup>26</sup>

The second indicator, which has an influence on the state’s willingness to comply with the EU standards, is “the degree of fit between the norms and policy goals enshrined in European legislation and pre-existing domestic norms and policy legacies”.<sup>27</sup>An importance of this variable was evidenced by several qualitative and quantitative studies. A Quite high number of studies show that ‘goodness of fit’ is one of the determinants of transposition.<sup>28</sup>According to Treib“ fitting norms and policies were expected to be implemented without any problems whereas misfitting ones would lead to protracted implementation processes involving delays or substantive flaws.”<sup>29</sup>

Some scholars tried to find a connection between the public opinion and the state’s willingness to transpose the EU’s directives at the national level. However, the only one study has shown that the public opinion can be a facilitator of a process of compliance, whereas many others contradict to this statement.<sup>30</sup>Consequently, the public opinion cannot be considered as a determinant of the State’s compliance or non-compliance. However, there comes one important detail, tied with policy and field-specific aspect, meaning that if in the country majority of the citizens are for transposition of norms in specific area there is a high possibility that the government will meet the EU requirements faster.<sup>31</sup>

The influence of interest groups is recognized in many researches as a key factor in terms of meeting the EU standards and transposes the policies on the domestic level. However, there is a dispute whether actions of interest groups are positive or harmful for appropriate and timely compliance or they are inappropriate altogether. Many of qualitative studies revealed that groups, “whose members profit from a particular piece of EU legislation can help overcome the resistance of unwilling governments or administrations by means of lobbying, public shaming, litigation or lodging complaints with the European Commission.”<sup>32</sup>Contrary, other researches show that the interest groups

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<sup>25</sup>Dimitar Toshkov, 2008, “Compliance with EU Directives in Central and Eastern Europe”, p. 18

<sup>26</sup> Thomas Konig, Brooke Luetgert, 2009, “ Troubles with Transposition? Explaining Trends in Member-State Notification and the Delayed Transposition of EU Directives”, *British Journal Of Political Science*, p. 20

<sup>27</sup>Oliver Treib, “ Implementing and complying with EU governance outputs”, 2014, p. 22

<sup>28</sup>Mariyana Angelova, Tanja Dannwolf, Thomas Konig, 2012, “How Robust are Compliance Findings? A Research Synthesis”, *Journal of European Public Policy*, p. 23

<sup>29</sup>Oliver Treib, “ Implementing and complying with EU governance outputs”, 2014, p. 23

<sup>30</sup> Heather Mbye, 2001, “Why National States Comply with Supranational Law: Explaining Implementation Infringements in the European Union” 1972-1993”, *European Union politics*, P. 11

<sup>31</sup>Aneta Spendzharova, Esther Versluis, 2013 “Issue Salience in the European Policy Process: What Impact on Transposition?”, *Journal of European Public Policy*, p.28

<sup>32</sup>Tanja Borzel, 2000, “Why There Is No ‘Southern Problem’: On Environmental Leaders and Laggards in The European Union”, *Journal Of European Public Policy*, p.25

whose members are adversely affected by the EU's norms will obstruct their transposition on the national level.<sup>33</sup>

To summarize a review of the indicators, which have an impact on the willingness of the state's to comply with the EU directives, one can assume that, the most systematic effect on the compliance have reform requirements which are associated with the directives, having an individual character. From Treib's point of view, the party politics influence a transposition process only in some cases, while public opinion is considered largely inappropriate for compliance. As for interest group's influence, it seems to be diverse, due to an acting manner of those interest groups.<sup>34</sup>

The scholarships about the EU, referring to the issue of compliance, also identify some domestic factors connected to the state's capacity to respond to the EU's directives. There are two basic reasons, which have an impact on a capability of the states to meet the EU requirements timely and in a correct manner: "the number of veto players and administrative capabilities."<sup>35</sup> According to Treib, the relevance of a factor of veto players was first discussed in a second-wave study about Europeanization. Tsebelis developed an idea about an influence of a number of veto players in transposition of the EU directives. The main point proposed by the scholar was that the more players are engaged in a process of compliance, there is a less probability of a timely and correct transposition. Thus, the process will be procrastinated.<sup>36</sup> Even though, there are other studies, which try to reject an idea of an importance of the number of veto players, many quantitative studies provide a confirmatory evidence of Tsebelis's statement. For instance the research conducted by Angelova et al. shows that a concept of "institutional decision-making capacity" and a concept of federalism, which itself means an engagement of several veto players, is a strong predictor of degree of state's compliance.<sup>37</sup> One can criticize the above mentioned findings, due to its inappropriateness with a process of compliance with the EU directives. For instance one can think that a concept of federalism is not relevant for our case, because mostly central government is responsible for meeting the EU requirements and federal chambers cannot be considered as veto players in this process. According to Treib, "most veto player indices cover aspects of political systems that may be relevant for cases where directives are transposed by formal legislation adopted by parliaments, but they do not seem relevant if directives can be transposed by ministerial orders."<sup>38</sup>

The second factor, which has an impact on a capacity of the state's to meet the requirements of the EU, timely and in a correct manner are administrative capabilities. In this regard, one can see more comprehensive picture. Some scholarships provide an analysis of countries and different sectors where politicized compliance processes are more dominant, while in other cases, bureaucratic modes of compliance are more widely spread. It is evidenced by many scholars that administrative

<sup>33</sup>Oliver Treib," Implementing and complying with EU governance outputs", 2014, p. 25

<sup>34</sup>Ibid. p. 25

<sup>35</sup> Christoph Knill, Andrea Lenschow, 2001, "Adjusting to EU Environmental Policy: Change and Persistence of Domestic Administrations", p.9

<sup>36</sup>George Tsebelis, 2002, Veto Players: How Political Institution Work, p.21

<sup>37</sup>MariyanaAngelova, Tanja Dannwolf, Thomas Konig, 2012, "How Robust are Compliance Findings? A Research Synthesis", Journal of European Public Policy, p. 17

<sup>38</sup>Oliver Treib," Implementing and complying with EU governance outputs", 2014, p. 26

capabilities are a crucial variable influencing transposition process. Furthermore, in many cases, this factor can play a decisive role in state's performance. Administrative capabilities involve different aspects such as: 1. Administrative capacity or efficiency, 2. Administrative experience, meaning an experience in a work with the EU directives. This factor is considered as one of the most important regarding timely and correct transposition of norms at the national level, since a gained experience can be a facilitator of the process of compliance. On the one hand, different sectoral administrations get used and become more familiar with a whole collaboration process with the EU and on the other hand, they get into details of the EU's legislation and are more informed with a degree of "misfit" or "mismatch" existing between national and the EU norms and policies. Thus, administrative experience can be considered as a very important explanatory variable, which has a huge influence on a transposition of the EU norms correctly and timely at the national level.<sup>39</sup> The next aspect, influencing a transposition performance of the state is effective administrative organization and co-ordination. Many studies have revealed that co-ordination plays a crucial role in a process of compliance with the EU directives and timely and correct adoption to a large extent depends on administrative organization and co-ordination.<sup>40</sup> An additional factor influencing a transposition performance of the state is related to a character of directives. According to Treib, this factor is discussed in the first-wave studies on the concept of Europeanization and provides an idea that an adoption of complex directives is much more difficult and problematic at the same time. In different researches a complexity of the directives is measured by the number of recitals. There are several researches showing that an adoption of a complex directives tend to be procrastinated.<sup>41</sup>

To conclude a review of domestic factors influencing a state's capacity to comply with the EU requirements, it is obvious that, the structural factors are an important determinant of a degree of transposition performance. This directly is connected with administrative capabilities and number of actors engaged in a law-making process. Moreover, every above discussed aspect and factor is crucial for compliance with the EU norms in a timely and correct manner.

### 3. Empirical Part: The EU-Georgia Bilateral and Multilateral Relations

After a collapse of the Soviet Union and gaining independence in 1991 aspiration towards membership of the European Union has become the one of the priorities of Georgia. Western political

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<sup>39</sup>Heather Mbaye, 2001, "Why National States Comply with Supranational Law: Explaining Implementation Infringements in the European Union" 1972-1993", European Union politics, P. 24

<sup>40</sup>Radoslaw Zubek, 2005, "Complying with Transposition Commitments in Poland: Collective Dilemmas, Core Executive and Legislative Outcomes", p. 28

<sup>41</sup>Michael Kaeding, 2006, "Determinants of Transposition Delay in the European Union", Journal of Public Policy, p.11

vector was chosen and followed by different governments, which were ruling the country in the last two decades. Independent Georgia has always tried to share the values and principles existing in the European Union. Hence, these values and principles were determinants of different policy areas, such as: justice sector, foreign policy, economic policy and security and defense sector. A membership of the European Union is associated with high living standards for the Georgian society and a willingness to be a part of Union mostly is driven by economic and security purposes.

The first tangible achievement of Georgia towards the European integration process was an affiliation of country in the Council of Europe in 1999. Since 2004, Georgia has been a part of European Neighborhood Policy. (ENP) ENP is considered as an instrument of an expansion of the norms and values of the EU in neighboring regions. Under ENP, the EU tries to incentivize governments of neighboring countries to adopt values such as: protection of human rights, rule of law, democracy and etc. However, ENP does not foresee a perspective of a membership; this issue is a subject of discussion of other frameworks.

Since 2009, Georgia has been a part of other framework created by the EU, which is Eastern Partnership (EaP) dedicated to Post Soviet countries. Under EaP the EU tries to support participating countries in different policy areas, aiming an implementation of good governance principles and as well as development of market economy principles, leading to a sustainable development of the country.<sup>42</sup> Eastern Partnership program initiatives have two dimensions: bilateral and multilateral. In bilateral co-operation more wider political and legal frameworks are discussed between the European Union and each country individually. Multilateral dimension is more focused on common issues of Eastern Partnership countries.<sup>43</sup>

The biggest achievement of Georgia regarding its relation with the EU is a conclusion of Associated Agreement (AA) in 2014 that went into a force in 2016. This agreement is considered as the main document and determinant of Georgia-EU collaboration. It does not foresee a membership perspective but does not exclude it in a further perspective. This document defines different objectives for Georgian side and one of the most important is a reform of justice system, which has to respond to the EU standards. A general goal identified in agreement is: “in their cooperation in the area of freedom, security and justice, the Parties shall attach particular importance to further promoting the rule of law, including the independence of the judiciary, access to justice, and the right to a fair trial. The Parties will cooperate fully on the effective functioning of institutions in the areas of law enforcement and the administration of justice. Respect for human rights and fundamental freedoms will guide all cooperation on freedom, security and justice.”<sup>44</sup>

Another important agreement concluded between Georgia and EU is “Single Support Framework to Georgia 2014-2017”, which includes collaboration between two parties in three policy areas: Justice Sector, Agriculture and Rural development and Public Administration. The EU provides

<sup>42</sup>European Neighborhood Policy (ENP) Office of the State Minister of Georgia on European and Euro-Atlantic Integration, <http://www.eu-nato.gov.ge/en/eu/neighborhood-policy> 21/12/2016 - 16:25

<sup>43</sup>Levan Abashidze 2017, Europeanization beyond EU, policy brief, p.7

<sup>44</sup> Official Journal of the European Union L 261, 2014, 30 August, p.13  
[https://eeas.europa.eu/sites/eeas/files/association\\_agreement.pdf](https://eeas.europa.eu/sites/eeas/files/association_agreement.pdf)

financial support for reforming these spheres, aiming implementation of its values in the partner states. A broad goal defined in mentioned framework regarding the Justice sector of Georgia is: “Development of a fair and efficient justice system in line with principles of Rule of Law and the protection of Human Rights with increased access to justice for Georgian citizens”.<sup>45</sup>The document also includes sub-objectives, which refer to the different dimensions of justice system and clearly identify what has to be changed in this sphere.

“Single Support Framework” and “Associated Agreement” identify expected results specifically for human right conditions and judiciary system. The outcomes of fulfilment of the agreements will be measured by a number of adopted directives, leading to the changes in a domestic legislation. The mentioned document also include means of verification such as: reports and evaluation documents of different authoritative international and local organizations and agencies, working on the issues of justice sector of Georgia.

One of evaluation documents, assessing ongoing reforms in justice system of Georgia was published by High Representative of EU of Foreign Affairs and Security Policy in November of 2016, which, on the one hand, highlighted achievements, but, on the other hand, stressed existing problematic aspects of the system. The document stated that, the country has made a significant progress towards an independence, effectiveness and professionalism of judiciary system but, on the other hand several problematic aspects remained and had to be improved. For example, a random case allocation model and accountability and functioning of High Council of Justice was improved, but not fully adopted, meaning that it needs further refinement in regard to comply with the EU standards. Furthermore, the document states that “the rationale for holding closed or public hearings is not always properly communicated.”<sup>46</sup>Moreover, there remain some problems regarding transparency of case allocation and selection of judicial candidates and administrators of courts that had to be ensured at that time, however , was not guaranteed with the last amendments. Mentioned document also points out an issue of temporary tenure of judges and criticizes three-year probationary period, which is not in a line with the EU standards and does not correspond to the directives of the “Associated Agreement.”

An issue of appointment of judges was also included in a joint report published by the Venice Commission and the Directorate of Human Rights in October of 2014. The report stated: “In its Final Opinion on the Draft Constitutional Law on Amendments and Changes to the Constitution of Georgia, the Venice Commission “strongly criticized probationary periods for judges introduced by the Article 86 § 2 of the Constitution and recommended removing the proposal for a trial period for judges14.”<sup>47</sup>Mentioned report explained that the permanent tenure for judges is a decisive aspect of the judiciary system in regard to achieve the highest standards of independence of the system. Without

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<sup>45</sup>Single Support Framework for EU Support for Georgia 2014-2017, EUROPEAN COMMISSION  
DIRECTORATE GENERAL FOR DEVELOPMENT AND COOPERATION - EUROPEAID

<sup>46</sup> Joint Staff Working Document, Association Implementation Report on Georgia, 25 November 2016, HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY, p.10

<sup>47</sup> JOINT OPINION OF THE VENICE COMMISSION AND THE DIRECTORATE OF HUMAN RIGHTS (DHR) OF THE DIRECTORATE GENERAL OF HUMAN RIGHTS AND RULE OF LAW (DGI) OF THE COUNCIL OF EUROPE ON THE DRAFT LAW ON AMENDMENTS TO THE ORGANIC LAW ON GENERAL COURTS OF GEORGIA, 2014, 14 October, p.9

a permanent tenure, it is impossible to get to the highest standard of judge's independence and impartiality. A permanent tenure for the judges is one of the main directives defined in "Associated Agreement" and timely and correct adoption of this recommendation is crucial for further EU-Georgia relations.<sup>48</sup>

According to the report published in 2017 jointly by the authoritative Georgian non-governmental organizations such as: "Transparency International", "GYLA", "EMC", "PHR", despite a significant achievement in terms of compliance with the EU standards in judiciary system, several problematic aspects still remain. One of them is a model of random distribution of cases, which has not been implemented timely. Existing model does not correspond to the EU standards and does not guarantee impartiality of the system. According to this report an implementation of this directive is very important in regard to fulfillment of the requirements of the "Associated Agreement." In their report, mentioned NGO's stated that the Georgian government did not provide any explanation why this norm has not been adopted by the Georgian side.<sup>49</sup>

The same report points out an issue of a transparency of the judge's appointment procedures and states that the current legislation is not in a line with the EU's norms. According to this document a reforming process of this specific aspect had been postponed. Existing legislation, which is considered as ambiguous by international organizations and does not ensure transparent appointment procedures of judges had to be reformed but still remains its ambiguity. A high level of transparency in every aspect is one of key determinants of independent judiciary system, which will lead to more professional and efficient system. However, an existing legislation does not respond and cannot guarantee an achievement of a goal regarding judiciary system of Georgia defined in the "Associated Agreement."<sup>50</sup>

#### 4. Research Design and Methodology

As it was mentioned in introductory and literature review parts, there is an obvious lack of scholarships, which identify the reasons of non-compliance with the EU directives in non-EU countries. Proceeding from this, it is logical that, there's also a lack of researches pointing out non-EU countries' motives of non-compliance in different policy fields. Taking into a consideration the above mentioned, the goal of the underlying research paper is to some extent fill this gap and examine the reasons of non-fulfilment of the EU requirements in Georgia, which is one of the non-EU states,

<sup>48</sup>Transparency International Georgia, 2016, "The situation in judiciary system of Georgia for the period 2012-2016", p.13, file:///C:/Users/Andro/Downloads/sasamartlo\_sistemis\_mdgomareoba\_2012-2016\_0.pdf

<sup>49</sup> Transparency International Georgia, GYLA, PHR, EMC, 2017, "სასამართლო სისტემა: რეფორმები და პერსპექტივები", "Judiciary System: Reforms and Perspectives", p.72

<sup>50</sup> Ibid, p.73

being in a developing relationship with the EU and aiming a membership of this entity. Moreover, the scope of the underlying study will be narrowed down and it will examine the reasons of non-compliance by the Georgian government in justice sector, more specifically in judiciary system of Georgia.

The case of Georgia was chosen due to its apparent progress towards an integration process in the European Union. Even though, a perspective of a membership of Georgia in the entity is not declared by the EU side, the Georgian side has tried to get closer with the EU since gaining its independence. In the last two decades, many spheres of the policy have been reformed to be in a line with the norms and policies existing in the EU. In the periods of different governments, Georgia-EU relations have been evolved on the different stages. An apparent intensification in Georgia-EU relations can be observed from 2006, when the country was engaged in a framework introduced by the EU, which was named as “European Neighborhood Policy” (ENP), aiming at an expansion of values and norms of the entity in neighboring regions.

As it has been mentioned in previous parts of the paper Georgia was part of different frameworks and then with a conclusion of different agreements with the EU, Georgia has taken a responsibility of reforming different policy fields, moreover, a responsibility to comply with the EU standards in those spheres. An intense process of provision of directives by the EU has started in 2014 after the “Associated Agreement”, which is the main document in Georgia-EU collaboration, went into a force. Despite, a success towards an integration process and a huge effort of the Georgian government to inform society about ongoing changes and advantages of the new reforms, the results of some surveys conducted by different local and international organizations show that an awareness of the society in terms of Georgia-EU cooperation has to be raised. Since 2006, an integration process of the country in the EU institutions has been announced as one of the main priorities of the government, the information centers of EU and NATO has been created aiming propaganda of values and norms of those entities and informing society about benefits of an integration process. Permanent propaganda has been needed to overcome Russian propaganda, aiming devaluation of the EU values and principles among Georgian citizens.

As it has been mentioned in previous parts the agreements concluded between Georgia and the EU foresee reforming of different policy fields. One of them is the justice sector, which is considered as one of the main policy areas, which needed an intervention and refinement, in order to comply with the EU norms. The justice sector itself encompasses several sub-sectors such as: judiciary system, human rights, penitentiary system and etc. Out of these, judiciary system of Georgia, which is considered as a base of the development of democratic state has been chosen for the scope of the underlying research. As it was mentioned above in their reports and evaluating documents, many international and local organizations stress an importance of reform of judiciary sector and actively follow changes in this sphere and provide the government with recommendations. Judiciary system can be considered as a crucial aspect of the whole justice field, which directly or indirectly plays a decisive role in every sector of the system. In this regard reforming of this sphere is very important for creation of democratic state. Proceeding from this, compliance with the EU norms, specifically in judiciary field is crucial for the further collaboration of the EU and Georgia. The whole process of Europeanization beyond Europe has been aimed for expansion of democracy and other EU values in neighboring regions in terms to have politically stable partners outside Europe. Hence, a judiciary



system, as a base of democratic development, has been one of the main targets of the EU. Proceeding from this and also considering that European integration is one of the main priorities of the Georgian government, one can observe an inconsistent behavior of the national government, which in several cases does not comply with the directives, related to judiciary system. It is obvious that, without taking into a consideration the recommendations of the EU in judiciary sector, it will be difficult to get on the next level of collaboration. Fulfilment of those directives greatly contributes to further European Integration of the country. Proceeding from this, an inconsistent behavior of the Georgian government seems illogical.

Since there are not studies, which identify the reasons of non-compliance with those directives, the underlying research will examine the motives of non-fulfilment with following research question: why has the Georgian government not complied with the EU directives related to the judiciary system for the period of 2014-2017 years?

Due to a lack of studies, which identify the reasons of non-compliance with the EU directives, the thesis will review the general causes of non-fulfilment, based on the experience of EU member and aspirant states and will compare their relevance with the Georgian case.

The thesis will also refer to the legislation existing on a domestic level and compare it with the norms of the EU. Furthermore, it will get into details of the directives regarding the judiciary sector based on the “Associated Agreement” and “Single Support Framework” to identify what kind of reforms have been expected to be implemented by the Georgian government and which norms have not been transposed timely and in a correct manner.

Moreover, the thesis will include reports and evaluating documents of different authoritative international and local organizations and agencies, showing which specific aspects of mentioned agreements have not been adopted timely and correctly and which of them require further reforming.

To respond to the main goal of the underlying research, which is an identification of the reasons of non-compliance with the EU directives in judiciary sector, the thesis will refer to the qualitative research methods, more specifically; the semi-structured interviews will be conducted with the members of various political party members, following different ideologies. Based on the recent surveys, these parties are considered as the top ranked parties. Furthermore, the members of local authoritative non-governmental organizations, working on the judiciary issues in Georgia, will be interviewed.

## 5. Conclusion

The underlying thesis report can be considered as a working plan of the thesis, which will be written in the next academic year. Since, there is an obvious lack of the scholarships, which study the reasons of non-compliance with the EU directives in non-EU countries, a contribution of the thesis to existing knowledge will be an identification of those reasons, specifically in Georgia. The findings of

this research will be relevant for the Georgia's current context in terms of eradication of different root-causes of non-compliance the EU norms in judiciary system of Georgia. Elimination of those reasons will accelerate reforming of judiciary field and will lead to a timely and correct accomplishment of the requirements identified in respective documents concluded between the EU and Georgia. In its turn, compliance of domestic judiciary system with the EU standards and norms will greatly contribute to the whole process of Europeanization of justice sector.

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**Appendix:****Table 1: Work plan and timetable for completion of the Master thesis**

April 30, 2018	Completion of the collection of the data, which are relevant for the thesis, in accordance with a methodology identified in the thesis report
May 17, 2018	Completion of the literature review part of the thesis
May 28, 2018	Completion of the methodology part
June 15, 2018	First draft of the thesis
June 27, 2018	Revised and final draft of thesis
July 1, 2018	Submission of the thesis
September 10-14, 2018	Oral defense of the thesis

## Mundus MAPP Thesis Report Author's Declaration Form

I, the undersigned Lvan Abashidze hereby declare that I am the sole author of this thesis report. To the best of my knowledge this thesis report contains no material previously published by any other person except where proper acknowledgement has been made. This thesis report contains no material which has been accepted as part of the requirements of any other academic degree or non-degree program, in English or in any other language.

This is a true copy of the thesis report, including final revisions.

Name (printed): Lvan Abashidze

Date: 29/08/2017

Signature: L. Abashidze