

**SUPPORTING GEORGIA'S SOVEREIGNTY AND
DEMOCRACY**

HEARING

BEFORE THE

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE

U.S. HELSINKI COMMISSION

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

JUNE 5, 2024

Printed for the use of the Commission on Security and Cooperation in Europe

[CSCE118-4]



Available via www.csce.gov

U.S. GOVERNMENT PUBLISHING OFFICE

WASHINGTON : 2024

55-937

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

U.S. HELSINKI COMMISSION

U.S. HOUSE

JOE WILSON, South Carolina *Chairman*
STEVE COHEN, Tennessee *Ranking Member*
ROBERT B. ADERHOLT, Alabama
EMANUEL CLEAVER II, Missouri
RUBEN GALLEG0, Arizona
RICHARD HUDSON, North Carolina
MICHEAL LAWLER, New York
VICTORIA SPARTZ, Indiana
MARC A. VEASEY, Texas

U.S. SENATE

BENJAMIN L. CARDIN, Maryland *Co-Chairman*
ROGER F. WICKER, Mississippi *Ranking Member*
RICHARD BLUMENTHAL, Connecticut
JOHN BOOZMAN, Arkansas
TIM SCOTT, South Carolina
JEANNE SHAHEEN, New Hampshire
TINA SMITH, Minnesota
THOM TILLIS, North Carolina
SHELDON WHITEHOUSE, Rhode Island

EXECUTIVE BRANCH

Department of State - Erin Barclay
Department of Defense - Celeste Wallander
Department of Commerce - Don Graves

C O N T E N T S

Page

COMMISSIONERS

Hon. Joe Wilson, Chairman, from South Carolina	1
Hon. Steve Cohen, Ranking Member, from Tennessee	3
Hon. Richard Blumenthal, from Connecticut	12
Hon. Victoria Spartz, from Indiana	15

WITNESSES

Ivane Chkhikvadze, EU Integration Program Manager, Civil Society Foundation, and Georgia Country Consultant, European Endowment for Democracy	5
Natalie Sabanadze, Senior Fellow, Chatham House, and former Georgian ambassador to the EU	7
William Courtney, [ret.], Adjunct Senior Fellow, RAND Corporation, and former U.S. Ambassador to Georgia	9

SUPPORTING GEORGIA'S SOVEREIGNTY AND DEMOCRACY

COMMISSION ON SECURITY & COOPERATION
IN EUROPE,
U.S. HELSINKI COMMISSION,
HOUSE OF REPRESENTATIVES,
Tuesday, June 5, 2024.

The hearing was held from 2:16 p.m. to 3:20 p.m., Room 210, Cannon House Office Building, Representative Joe Wilson [R-SC], Chairman, Commission for Security and Cooperation in Europe, presiding.

Committee Members Present: Representative Joe Wilson [R-SC], Chairman; Representative Steve Cohen [D-TN], Ranking Member; Senator Richard Blumenthal [D-CT]; Representative Victoria Spartz [R-IN].

Witnesses: Ivane Chkhikvadze, EU Integration Program Manager, Civil Society Foundation, and Georgia Country Consultant, European Endowment for Democracy; Natalie Sabanadze, Senior Fellow, Chatham House, and former Georgian ambassador to the EU; Ambassador [ret.] William Courtney, Adjunct Senior Fellow, RAND Corporation, and former U.S. Ambassador to Georgia.

OPENING STATEMENT OF JOE WILSON, CHAIRMAN, U.S. HOUSE, FROM SOUTH CAROLINA

Chairman WILSON: [Sounds gavel.] Ladies and gentlemen, good afternoon. I am Congressman Joe Wilson, the chairman of the Helsinki Commission. I am very grateful to be here today. On behalf of the United States Helsinki Commission, I want to welcome everyone here and thank you for joining us today for this very important hearing.

Thank goodness that we have really talented staff who know how to move microphones. [LAUGHTER.]

This hearing comes at a critical moment for the nation of Georgia. Since it regained its independence in 1991 the United States and Georgia have come to a close, inseparable relationship based on the shared vision of democratic principles and a strong and free Euro-Atlantic.

Our two countries have worked closely together to develop deep and far-reaching reforms in Georgia, spurring investment and economic development, and we have worked side by side for the common cause of regional and European peace. Our soldiers have fought together in Afghanistan, Iraq, and beyond, and the United States has contributed over six billion in direct assistance and

much more to provide opportunities and open horizons for the Georgian people.

The United States, along with our colleagues in Europe, have long, strong, and steadfast friends through the people of Georgia. Unfortunately, this powerful bond has recently come under a withering attack by the ruling Georgian Dream Party led by the billionaire founder Bidzina Ivanishvili.

The Georgian Dream government has openly renounced their long-standing democratic and Euro-Atlantic choice of the Georgian people, ramming a Putin-esque style foreign agent law through parliament despite months of mass protests, as you see from the posters behind us, and damning public opinion.

This law is openly intended to stigmatize and undermine the nation's independent civil society and media and suppress avenues for alternative thought or dissent. Worse, this foreign agent law appears to be only the tip of the iceberg of the government's anti-democratic turn.

Additional policies and legislation are gutting the independent remaining vestiges of the Central Election Commission, finalizing the capture of the beleaguered judiciary and civil society actors and activists as well as their families as being actively threatened, intimidated, and even assaulted by government-linked thugs.

Opposition offices have been raided, destroyed, and with graffiti vandalized. Georgian Dream is actively embracing war criminal Putin and other authoritarians despite Putin occupying 20 percent of its internationally recognized territory and it illegally seized that territory in a longer brutal history of colonial Soviet subjugation and aggression.

The ruling party has found common cause with war criminal Putin, which has been all too happy to cosign Georgia Dream's conspiracy-riddled anti-Western turn. Russian intelligence assets operate in Georgia with impunity. Georgia's security services have been turned on the population while Georgian sovereignty has been bargained away to the Russian empire for the cheap baubles of power and material gain.

Georgian Dream is also expanding its ties with the Chinese Communist Party rapidly and handing over key infrastructure to the People's Liberation Army military-linked companies as another aspect of his dictatorial turn. The United States must not allow this attack on Georgian democracy and its Euro-Atlantic future to go unanswered. That is why I welcomed the State Department's recent announcement of a visa ban policy against any individual undermining Georgian democracy.

We must do more to keep our promises to the people of Georgia. I am grateful to introduce the MEGOBARI Act along with my colleagues and friends of the nation of Georgia Ranking Member Steve Cohen, Congressman Richard Hudson of North Carolina, and Congressman Marc Veasey of Texas. Bipartisan.

This legislation will provide the State Department with additional tools and guidance for promulgating visa restrictions and financial sanctions against those who undermine Georgian democracy and engage in repressive measures against the Georgian people.

It will also produce reporting to highlight the extent of Russian and Chinese malign influence in Georgia and the way those efforts have become closely intertwined with key individuals in Georgia. It also will require the administration to move quickly to establish a pre-election task force in Georgia to work urgently to help protect the democratic environment ahead of the October 2024 elections.

Additionally, the spirit of the MEGOBARI bill highlights a more robust and positive framework for U.S.-Georgia bilateral relations. That is why the legislation calls for expanded trade ties, streamlined people-to-people contacts, and robust economic and security assistance packages when the Georgian government returns to the long-standing democratic and Euro-Atlantic choice of its people.

It is critical to show the Georgian Dream that we are serious about our support for the Georgian population with whom we seek to continue a positive and collaborative future. I am pleased to say that the MEGOBARI Act has strong bipartisan support and we are grateful to welcome endorsements from Freedom House, the Georgian Association of the USA who are here today in dynamic leadership. We appreciate you being here.

The Central and East European coalition Razom, which has been so effective in promoting freedom and democracy for the people of Ukraine, the North Caucasus Nations Committee, and others. I look forward to working with Commissioner Jeanne Shaheen to combine our efforts for the tremendous people of Georgia.

Today we will hear from some of the leading experts in Georgia about this dynamic and worrying situation. I am pleased to welcome Ivane Chkhikvadze who is here in the middle —thank you— who is the European Union integration program manager at the Civil Society Foundation in Tbilisi and a Georgia country consultant for the European Endowment for Democracy; Ambassador Natalie Sabanadze, who is a senior fellow at Chatham House, the Royal Institute of International Affairs in London, the former Georgian ambassador to the European Union, and a former senior official at the OSCE; and Ambassador William Courtney, an adjunct fellow at the RAND Corporation and a former U.S. ambassador to Georgia.

We are grateful for your presence and your testimony today, and before we hear from our witnesses I would like to give the floor to my very honored colleague Congressman Steve Cohen, the ranking member from Tennessee.

**STATEMENT OF STEVE COHEN, RANKING MEMBER, U.S.
HOUSE, FROM TENNESSEE**

Representative COHEN: Thank you, Mr. Chair. Thank you to all the folks in attendance here. This is a very important issue for the United States and for the world. Our witnesses will enlighten us on what has been occurring in Georgia and what the impact is on the world and freedom.

I happened to have been in Georgia in 2012, I believe it was when the Georgia Dream came to power, and at the time Mr. Ivanishvili gave the impression that he was going to be a reformer and it was, indeed, a dream and a good dream. Mr. Saakashvili was running a pretty draconian prison system and had quite a bit

of opposition because of the lack of liberties that he was seeing for people in prison and the use of the prison system to punish folks.

Mr. Ivanishvili has held power now for 12 years, and while he is not the prime minister or the president he is the man. He runs the show. I do not like to necessarily judge people by the way I see them and the first time I see them, but the first time I saw him I thought, this is no dream. He looked like so many corporate businesspeople who want to run everything and autocrat types and powerful folks who are looking for a government as a way to expand their desires and interests and fulfill their destiny as they see it, and I think he has proved that to be true. That first glimpse, I think, was appropriate.

Mr. Saakashvili now I think resides in jail, has been there for quite a while, and is treated pretty awfully. I am the OSCE special representative on political prisoners. I am concerned about Mr. Saakashvili, who is a political prisoner. He has, I think, been in very ill health and his life may be in danger.

This law that was just passed it was said that they wanted to make sure that there were not foreign agents dealing in Georgia. What it was, I think, it is not so much foreign agents as they labeled civil groups and NGOs but transparency and freedoms which the NGOs encourage and espouse.

They are not really interested in that. They are interested in government control. A country that tries to bully its NGOs is a country that is not a democracy. It is not Western values. Georgia, obviously, we know wants to join the European Union. That would be good for them economically. They would like to—I guess they would like to be in NATO. I do not know.

Ms. SABANADZE: Yes.

Representative COHEN: Okay, good. Yes. [LAUGHTER.]

They are not—their being so close to Russia, and they should have learned from South Ossetia Russia is not their friend. Of course, they still have a reverence for Stalin. I went up to—what is the name of the—it starts with a G, maybe.

Chairman WILSON: Gori.

Representative COHEN: Gori went to the Stalin Museum. It is kind of interesting to see that and he has kind of come back and always looked upon as a Georgian that had done good. Well, he did good. He did bad and that is how he did good. Kind of a mix. They seem to have somewhat of a reverence for him.

I would like to—I am just looking forward to hearing from the witnesses where is Saakashvili and how is he—what is his conditions if you know and, Ambassador, you probably have knowledge on that and appreciate your being here to edify us.

I yield back the balance of my time.

Chairman WILSON: Thank you very much, Ranking Member Steve Cohen of Tennessee.

As we begin today, I would like to ask for unanimous consent. We have a letter submitted for the record from the leader of the Georgian Labor Party Shalva Natelashvili, and so without objection, this shall be entered into the record.

We will now begin with each witness and my goal is that each have five minutes and then we will proceed, and we will have members of Congress and Senate and the House coming back and

forth. To give everybody time, we could limit it to five minutes each, and then equally, we are limited to five minutes each, too.

With this in mind, I would like to begin with Ivane Chkhikvadze and so thank you very much for your being here today.

TESTIMONY OF IVANE CHKHIKVADZE, EU INTEGRATION PROGRAM MANAGER, CIVIL SOCIETY FOUNDATION, AND GEORGIA COUNTRY CONSULTANT, EUROPEAN ENDOWMENT FOR DEMOCRACY

Mr. CHKHIKVADZE: Thank you, Chairman Wilson and honorary members of the Commission. Allow me please to express my genuine appreciation for holding this very timely and important hearing and also giving me the opportunity to address the distinguished guests and participants of this meeting.

I would like to focus your attention on the latest developments in Georgia regarding democratic backsliding, which is taking place in the country, with a particular emphasis on the adoption of the Russian-style law on transparency of foreign influence that the ruling Georgian Dream Party recently adopted.

First, allow me to present myself. I am Ivane Chkhikvadze, as it was already mentioned here, and I have been working as a leader of the EU integration program at the Civil Society Foundation for more than 10 years, and together with my colleagues, some of them are here, we have been supporting and promoting Georgia's Europeanization and democratization process for decades.

We have spent almost entire our lives fighting for Georgia's freedom, democracy, and the future, that is, with Europe and with the West, and now when it comes to the topic of today's hearing my country and my people are standing at the crossing point.

Georgia will either continue its stride to become part of a free whole of Europe or yet again become part of Russia's backyard as it was during the Soviet times. The choice of Georgian people is crystal clear. We are choosing freedom, democracy, rule of law, and see Georgia's future in the European Union and NATO.

As I am speaking here now the Georgian people are taking to the streets of Tbilisi and other towns of Georgia to ensure the country's freedom and democracy. While the loud voice of Georgian people has been heard here in Washington, D.C., and in the capitals of the European Union it has not been heard by the ruling party Georgian Dream.

Contrary to the will of the people the Georgian authorities are erecting the wall between Georgia and the West through adopting the law on transparency of foreign influence. The law will fully erase the critical voices and destroy the vibrant civil society that has been built in the country with the generous support of our friends and partners over the years including the U.S. Agency for International Development.

The law goes against the U.S.-Georgia charter and strategic partnership that aims to bolster independent media, freedom of expression, and access to objective news and information. This law requires all organizations which receive more than 20 percent of their funding from abroad to register as agents of foreign influence, and in cases they refuse the law envisages forced registration and crippling fines.

The law applies not only to organizations but also to individuals. It would allow the state institutions to demand and access sensitive personal data of private citizens and seize their assets without due process.

In less than five months Georgia will have crucial general elections. There is a high threat that these elections will take place without critical media, independent civil society, and local election observers. The law depicts civil society activists as traitors to the country and foreign agents and is being used by the ruling party to discredit the organizations and individuals that could otherwise help to preserve Georgia's democracy in October.

Even before the formal implementation of the law, many peaceful protesters have already been facing state-promoted terror. Hundreds of peaceful protesters have been arrested and beaten up and civil society experts like myself face regular threats against our lives and our families. Graffitis and posters, which one is here as you can see, with terms such as "enemy of the nation" and "a foreign agent lives here" are appearing at the offices and private homes of pro-democracy activists.

Unidentified assailants have ambushed thousands of activists with impunity. Despite hundreds of arrests of peaceful protesters there has not been a single case where the state authorities effectively investigated and held accountable officials for excessive use of force or their responsibility for assaulting protest participants.

It is clear that these types of actions are fully condoned or even encouraged by the ruling party. I would remiss if I did not mention one of the key drivers behind the foreign agent law which is the richest man in Georgia, the oligarch Bidzina Ivanishvili. Mr. Ivanishvili, the founder and the leader of the Georgian Dream Party, in his recent speech on April 29 openly threatened civil society and any political opponents of the Georgian Dream with repression.

The ruling party is severely undermining Georgia's future through increasing hostility towards Western democratic values and capturing the state institutions such as judiciary, law enforcement, prosecutor's office, et cetera. All Georgian governments since the restoration of its independence in 1991 have been pursuing membership in the European Union and NATO and closer ties with the United States.

The ruling party is the only government that is going against the will of the people and now is seeking to oppress them for wanting a closer alignment with Western democrats. The overwhelming majority of the Georgian society says its future in Europe is without Western friends—with Western friends and with the United States. The history of Georgia shows that fighting for freedom is part of our life. We know that we are fighting for our ancestors and also for our future generations and hold no desire to lose it.

We acknowledge that we are not alone in this fight. We see and appreciate that our Western friends and allies are standing with us. In this regard, we value the recently initiated bill entitled MEGOBARI Act and I sincerely hope that this legislation will be adopted and enacted soon.

We are now in a race against time and every minute counts when it comes to stopping Georgia's turn away from democracy.

The stakes are very high for Georgia, Georgian people, and for our friends. It would be a real missed opportunity if Western friends of Georgia do not act now.

We appreciate always all statements and supporting words. At the same time, we need concrete steps that will stop the current Georgian government from moving the country into the Russian orbit. The Georgian government cannot be allowed to sabotage our hard-fought democracy without consequences.

Let me take this opportunity again to express my genuine appreciation for organizing this very timely and important hearing and I will be happy to address your questions.

Thanks for your invitation.

Chairman WILSON: Thank you very much, Mr. Chkhikvadze.

We now proceed to Dr. Natalie Sabanadze.

TESTIMONY OF NATALIE SABANADZE, SENIOR FELLOW, CHATHAM HOUSE, AND FORMER GEORGIAN AMBASSADOR TO THE EU

Ms. SABANADZE: Thank you, Chair, honorable members of the Commission.

Being able to address you today is a rare privilege and a great responsibility, first, because I am deeply honored and, second because I hope to do justice to the courage of thousands of my countrymen who are out in the streets defending their rights, their liberty, and their European future.

If Georgia still feels like a free country it is thanks to popular resistance to authoritarianism and the spirit of defiance that is vividly manifested today. Popular protest is an antidote to political apathy but more so it is a response to the blocked arteries of public institutions.

When institutional channels for voicing dissent or achieving change are closed mass protest is the only available form of civil engagement. In response, Georgia's increasingly insecure ruling regime is reviving the Stalinist playbook and hunting treasonous agents inside and global enemies outside.

Violence and intimidation rule the day and conciliation is not an offer. In today's Georgia democracy is being destroyed by the hands of parliamentary supermajority. At the instruction of one unaccountable man, the supermajority is reversing George's long-standing foreign policy priorities.

It is destroying 30 years of gains, friendships, and partnerships that have sustained us since the end of Soviet rule. By adopting laws such as the one on transparency on foreign influence the ruling regime is subverting Georgia's long-standing dream to rejoin the European family of free nations while blatantly denying that it is doing anything of the sort.

As if in an Orwellian dystopia Georgians are being told that friends are enemies who wish war and destruction on us while enemies who occupy parts of the country are no longer a threat. Georgia's rulers maintain that a law that contradicts the principles of democracy and human rights is good for us. They insist that it will only advance rather than derail Georgia's European integration despite endless pronouncements from European officials to the contrary.

Having spoken to many international partners, and having read the Venice Commission's and OSCE's highly negative yet detailed assessment, Georgia's rulers insist that they have not heard a single valid argument against their new legislation in the runup to parliamentary elections this fall. In this dialogue [of the death?], truth falls victim. Black is white and white is black. Transparency and accountability are transformed into means of arbitrary persecution. Calls by well-meaning European partners for depolarization become justification for silencing opponents and stifling dissent.

Ladies and gentlemen, at stake, is not just a law. The law is a symptom, not the cause, of the current political crisis, and Georgia is part of the trend, not an exception. Autocratic regimes from Russia to Venezuela are adopting such legislation to equip themselves with the legal instruments of repression to destroy civil society not only through imprisonment and violence but also through financial audits and technically lawful harassment.

They are working to steal elections, not on the day of the vote with crude ballot stuffing but weeks and months in advance with elaborate systems of incentives and pressures. The methods set by autocracies are becoming more sophisticated, and more veiled in vocabularies of sovereignty and traditional values. Civic protest movements now tend to be described as color revolutions, the work of outsiders and of local traitors who are manipulated by foreign governments.

These tactics aim at persuading people to stay out of politics and to trade their freedom for order, their rights for a chance to prosperity, and to accept the abuse of power for the sake of preserving the peace.

The Georgian government has joined the anti-liberal anti-Western revolt spearheaded by Russia. In its war on Ukraine Russia does not seek only to subjugate the Ukrainian nation and to reestablish its sphere of influence. It also seeks to de-Westernize the global order. Ukraine is a major front while lesser ones have emerged in Georgia and elsewhere around the world.

Recent policies of the Georgian government such as the foreign agents legislation, the handing over of critical infrastructure projects to the Chinese, the parroting of the Russian narrative about the decadent West, and the adherence to calls for de-dollarization of the global economy are all signs of this transformation.

Make no mistake, in this battle, the Georgian people and its government stand on opposite sides. This is why the aptly named MEGOBARI Act is so important. Georgians must fight this fight for themselves as we have been doing.

We need friends. Those who disregard our peaceful and democratic will and who deny us the future we want for our children need to bear the consequences. Georgia as a country deserves your continued support. Individuals who decided to turn us into Russia's grey zone for their shady business deals have to be punished.

This is part of a global fight. If the world is to be divided by a new Iron Curtain once more then help us in our struggle not to end up on the wrong side again.

Thank you.

Chairman WILSON: Dr. Sabanadze, thank you so much.

We now proceed to Ambassador William Courtney.

TESTIMONY OF WILLIAM COURTNEY, [RET.], ADJUNCT SENIOR FELLOW, RAND CORPORATION, AND FORMER U.S. AMBASSADOR TO GEORGIA

Mr. COURTNEY: Thank you, Chairman Wilson, Ranking Member Cohen.

I am grateful for the opportunity to testify regarding—[off mic]—and address the U.S. interests in Georgia, review U.S.—Georgian relations, and comment on implications.

The United States has voiced strong support for the sovereignty, independence, and territorial integrity of Georgia since its independence. The U.S. seeks to protect the interests of thousands of American citizens who live in or visit Georgia and the U.S. businesses and NGOs.

The United States wants to continue cooperation to ensure that critical components of Russia's war on Ukraine do not pass through Georgia. Other law enforcement cooperation includes countering nuclear smuggling and terrorism.

The United States supports independent Georgian NGOs that work to strengthen the country's democratic institutions, an open trading route through Georgia as a lifeline for Armenia. The United States is concerned about Russia's plans for a naval base in occupied Abkhazia.

After the traumatic civil war in the early 1990s, President Eduard Shevardnadze managed to stabilize Georgia. The U.S. helped by providing large-scale humanitarian Food for Peace aid. Shevardnadze and his young allies made reforms but over time their momentum slowed.

In 2003 unrest led to the Rose Revolution. Its leader, Mikheil Saakashvili, led a government that undertook anti-corruption reforms and built state institutions. Some 30,000 Georgian troops fought alongside U.S. forces in Iraq and Afghanistan.

In 2005, President George W. Bush visited and declared Georgia a beacon of democracy—sorry, a beacon of liberty. In 2008, Russian forces invaded. The U.S. provided one billion in aid to help Georgia rebuild.

In the 2012 elections, the Georgian Dream coalition funded by Bidzina Ivanishvili, as you mentioned, defeated Saakashvili's party. In 2020, however, virtually all opposition parties boycotted parliament to protest against alleged election violations. Georgian Dream was angered by U.S. sanctions against officials engaging in illicit conduct.

In recent years Georgian Dream has taken a more pro-Russian and anti-democratic course. A recent law could make Georgia a tax haven for dark money, as you mentioned. A foreign agent law modeled on the repressive Russian law has sparked the largest popular protests since independence.

Georgian Dream may abuse the law to protect its hold on power. A new report by the German Marshall Fund foresees political violence around parliamentary elections in October. For nearly three decades a values-based partnership has been at the core of U.S.-Georgian relations. Now prospects are dimming.

The U.S. has announced a more restrictive visa policy for those who suppress civil society. Relations will take a turn for the worse if Georgian Dream rigs the October elections. As in Russia, the government might deny access to independent election monitors; ban advertising in, quote, "foreign agent," end quote, media; and disqualify candidates.

Georgian Dream could emulate Russia in other ways. It may ban organizations it deems as undesirable. Ivanishvili threatens that Saakashvili's party will strictly answer for all its crimes. This hints at show trials.

Targeted sanctions might raise costs to Ivanishvili and Georgian Dream of further repressive measures. The United States could specify more individuals as specially designated nationals, blocking their assets and prohibiting Americans from dealing with them. Coordinated U.S. and European measures are best. The leverage of the EU has a special weight. Germany says the European Union will not start accession negotiations so long as the foreign agent law is in effect.

Polls show that large majorities of Georgians back EU membership and see Russia as the greatest political threat. These encouraging views and three decades of democratic progress in Western ties will influence Georgia's future. Too, in a negative way will Russia's occupation of one-fifth of Georgia's territory.

In closing, Georgians will not be denied their democratic and European futures and the West will not be deterred from helping them achieve these noble ambitions. Thank you.

Chairman WILSON: Ambassador, thank you very much. We have been joined by Senator Richard Blumenthal of Connecticut.

Just as we begin now with questions, we will be limiting ourselves to five minutes each and then very likely we will also be joined by other members and, in fact, a superstar just walked in, Congresswoman Victoria Spartz, who was born in the USSR. She was actually born in Ukraine and now is a member of Congress in the United States from Indiana.

With this in mind, the five minutes now begins with me so begin the five-minute clock. Here we go.

I actually want to begin in a very positive way. I am grateful to be joined by one of my grandsons today, Houston Wilson. Our family appreciates the people of Georgia and that his dad served with Georgian troops in Iraq. His dad is a Navy orthopedic surgeon and I know that he always was so appreciative of the courageous Georgian troops. You could count on them to provide the best security. Then, again, I am grateful that Houston is here as an intern with U.S. Senator Tim Scott.

As we begin, too—

Representative COHEN: Would you like Houston to come sit behind you like Representative Rose's son? [LAUGHTER.]

Chairman WILSON: No, we are not doing that. See, I told you all what a troublemaker the ranking member is. It is just a—no, hey, you have to see that. That was a—they do not allow this in the U.S. Senate, but in the House, we had a spectacle yesterday of a House member speaking with his son behind him who was actually communicating with his brother at home with different facial ex-

pressions that were somewhat distracting. Anyway, back to what we are doing, okay? [LAUGHTER.]

Hey, I had a wonderful visit to Tbilisi. The people are inspiring, how beautiful the countryside is, and then very humbling to Americans who see buildings hundreds and hundreds of years old and it just—the antiquities are such a reminder of what a great heritage the people of Georgia have and how it can be built upon.

Then it was particularly interesting to me to be there with a joint parachute jump with—there were National Guard members from the state of Georgia who in a joint jump with troops from the nation of Georgia and as—when they landed and we were able to greet them and thank them for their service you had to look very carefully on the patch to see if it was the United States flag or the flag of the nation of Georgia because they—it was just really humbling to see how well—but it is part of something that is occurred and that is a friendship between the United States and Georgia.

Mr. Chkhikvadze, a question I have for each of you and with the limited time, but what has America actually done to assist the people of Georgia over the years?

Mr. CHKHIKVADZE: Thank you. Thank you, Mr. Chair.

I think that you already provided some information at the beginning of our discussion, although support has been appreciated and provided by the United States, first and foremost, a lot has been done when it comes to the military support training and equipment of our military forces and also we do see and appreciate when it comes to the democratic support every—annually and every year.

I think that this is something which is—as I mentioned at the beginning, which is something which is also at stake, and this support—I mean, the support to the people, to the Georgian society and Georgian country should be there. This is very much appreciated, very much supported, and very much welcomed.

At the same time, as it was already repeated—my colleagues here—I think that those who are undermining the U.S.—Georgia partnership and also the future of Georgia towards the European Union they have to bear the responsibility.

Chairman WILSON: Thank you.

Dr. Sabanadze?

Ms. SABANADZE: Thank you.

Well, basically, since the regaining of independence United States has been supporting Georgia on its path to democratization and to European and Euro-Atlantic integration. It was mentioned here that every single government, despite of its color, despite of its problems, ups and downs, there has been one constant in Georgian foreign policy and that has been a drive towards the West and that drive has been very much supported by you.

It was mentioned also that in the very difficult years in the 1990s, humanitarian assistance helped thousands in Georgia to survive and then the U.S. assistance helped Georgia to consolidate as a state, to consolidate its institutions, and to help promote democracy and promote civil society.

In fact, the reason why we have such a vibrant civil society is thanks to your assistance and assistance of our European partners, and when I said that what Putin is doing at the global scale, which is to de-Westernize the global order, these kind of laws the Geor-

gian government is now adopting aim at de-Westernization of Georgia.

That is why these things are connected. Thank you.

Chairman WILSON: I am going to—we are going to have a second round so I will get with Ambassador Courtney at that time.

Indeed, we are in a global conflict that you have identified as dictators with the rule of gun invading democracies with the rule of law. Sadly, it was somewhat begun in 2008 with the illegal annexation of South Ossetia and Abkhazia.

We are now—we can talk about bicameral. Well, we are going to prove it right now in that we have House and Senate, we have Republicans—Democrats and Republicans—and so this is a unique Commission in that it is bicameral and bipartisan.

Senator Blumenthal?

STATEMENT OF RICHARD BLUMENTHAL, U.S. SENATE, FROM CONNECTICUT

Senator BLUMENTHAL: Thank you, Chairman Wilson, and thank you to our very distinguished witnesses today.

This issue is of tremendous importance, I think, to the American people. We need to make them more aware of it and that is why I am grateful to the bipartisan leadership of the Helsinki Commission—Chairman Wilson, Representative Cohen, and the entire Commission—for focusing on Georgia.

I was part of a letter with Senate colleagues written recently to the Georgian prime minister about the proposed foreign agent law that would force nongovernmental organizations and independent media that receive more than 20 percent of their funding from foreign donors to register as foreign agents and I am deeply disappointed that this measure has been signed into law despite significant protests from the Georgian people.

I think it is just one example of how autocratic subjugation of freedom and independence in those areas is languishing and I think it undermines our relationship with Georgia.

I would like to hear from our witnesses how you assess how effective this new law has been in, in effect, discouraging or deterring or degrading the kinds of organizations that pose alternatives to the government.

Maybe we begin with you, Mr. Ambassador.

Mr. COURTNEY: Thank you, Senator.

The law has just come into effect. The best way to assess how the Georgian Dream is likely to use it is to look at what happened in Russia. In 2012 Russia passed a foreign agent law and then started banning independent media, for example, from receiving commercial advertising. Used the law to disqualify candidates for election.

Russia—Putin did not think that was enough so in 2015 Russia passed an undesirable organization law. Russia has used the two of them together plus cynical means of implementing them basically to wipe out independent civil society in Russia.

In Georgia, we may or may not be at the bottom. The downward spiral could continue if Georgia follows the path that Russia took after passing its foreign agent law.

Senator BLUMENTHAL: Thank you.

Dr. Sabanadze?

Ms. SABANADZE: Yes, I would agree with that. I think the law only recently has been enacted so it is a little bit early to see its effect. In fact, we can see the rhetoric that surrounded the adoption of this law. It had not been passed yet and yet the entire hierarchy of the ruling party was accusing basically everybody with a different opinion of being either a foreign agent or a traitor.

It will and has unleashed a campaign of intimidation, which is extremely disconcerting. This law violates many principles of international law and the Georgian constitution but most importantly it stigmatizes organizations, media, and individuals for promoting Georgia's democratic, independent, and pro-European future and it stigmatizes them calling them foreign agents.

It is an extremely difficult label to carry so a lot of organizations will simply shut down. The fines are disproportionate and they will impact gravely because this is not a very rich civil society. I mean, and it is actually very transparent all the funding. They will have to close down and, of course, it contradicts the principles of freedom of association and freedom of expression.

It also has violated due process because the adoption of the law was rushed through. The third reading took a grand total of sixty-seven seconds and there has been no consultation, no public debate. In fact, we know what it caused and it simply added to polarization.

I think the signs so far are pretty bad and we do fear that unless there is a very—a response there will be more crackdown on freedoms and individual rights.

Senator BLUMENTHAL: I do not know whether we have time for Mr. Chkhikvadze.

Mr. CHKHIKVADZE: I will try to be short. I think that one of the biggest challenge here is discrimination and discreditation of those organizations which have been promoting democracy there. The Ministry of Justice is supposed to set up the list, the registry where all the organizations are supposed to register. Registration is something that civil society organizations, most of them, are not going to do because this is absolutely unlawful and unjustified.

Then there will be the fines and there will be also the blocking of the accounts and this would be a big blow to the country's democracy. This is what we are facing and this is happening five months before the general elections in the country.

Senator BLUMENTHAL: Thank you. Thank you, Mr.—

Chairman WILSON: Thank you very much, Senator.

We now proceed to Ranking Member Steve Cohen of Tennessee.

Representative COHEN: Thank you. Let me ask you—maybe we could start with Dr. Sabanadze. I asked the question earlier—and I thought I knew the answer and we got a little help—that there is a great desire to be part of the European Union and NATO and go Western and I heard that from everybody.

Yet, Ivanishvili does not necessarily agree with that. Am I not correct?

Ms. SABANADZE: Well, the truth is that our government and Mr. Ivanishvili know very well that about 80 percent of the population support Georgia's membership in the European Union and a little

bit less but it is above 70 percent support membership in the NATO.

For any political force to come out and openly say that they are against it will be a political suicide. That is why we have this kind of dystopian situation where the government pursues policies that openly contradict European values and undermine our chances for European integration while at the same time saying that nothing has changed, and that EU and NATO remain Georgia's priorities.

This is the problem. I do not think they want to do it. I do not think that they will take steps. There are nine suggestions there tabled for us to pursue and instead, we are adopting these Russian laws that do not serve Georgia's interest and definitely do not serve Georgia's European prospects. They maintain—

Representative COHEN: Are you saying Ivanishvili does a good job of hiding his—

Ms. SABANADZE: Yes. He is hiding behind the propaganda and very often he is positing the choice to the Georgian people between far away European integration prospects and peace, between prosperity now and protection of human rights. It is a devil's bargain and this is what he is offering, and it is really, really veiled with the propaganda, veiled in the language of sovereignty, in the language of traditional values. This is a Russian playbook, and we need to call his bluff.

Representative COHEN: Let me ask you, and if you do not—cannot help me one of the gentlemen might be able to help me. Tell me to the best of your knowledge what Saakashvili's condition is—his health, his prison term, the support he might have in the country.

Ms. SABANADZE: His support, I think, is best measured by the support for his party, which is UNM. According to polls, it is something between 10 percent to 15 percent, which has been quite consistent. I think his health is improving. He is not in prison. He is in a hospital, and the latest judgment from the European Court of Human Rights has been that his conditions are decent.

Representative COHEN: Does anybody have anything different? Different prognosis? Diagnosis? Treatment? Nothing?

Ambassador Courtney, what years were you in Georgia? What years were you an ambassador?

Mr. COURTNEY: I was there from 1995 to 1997. I was our second ambassador.

Representative COHEN: Okay. Things have changed. I yield back the balance of my time.

Chairman WILSON: Thank you very much, Congressman.

We now proceed to Congresswoman Victoria Spartz of Indiana.

STATEMENT OF VICTORIA SPARTZ, U.S. HOUSE, FROM RHODE ISLAND

Representative SPARTZ: Thank you, Mr. Chairman.

I just kind of have a few questions to just follow up on what you mentioned. I think, Dr. Sabanadze, you mentioned it is a Russian playbook and the Russian playbook did not work in Russia very well. You know, a lot of people do not realize that, you know, really aggression—Russian aggressions pretty much started in 2008, you know, under Republican administration. Then continued under

Democrat administrations, and it is continuous and, you know, they advance quite a bit.

The lay of the land is not the best, and the West has been extremely, extremely weak in dealing with this situation. From your assessment, you know, just understanding the situation in Georgian politics—and I am not even—will try to claim my understanding on this issue—but what do you think the things need to happen and we—as Americans, we should do to really start dealing with this situation? Because it is escalating further and further, and it is not going to get better. From your perspective, what needs to happen with what we are doing or not doing related to Georgia right now?

Ms. SABANADZE: Thank you. It is a million-dollar question and a difficult one to answer, of course. As you say it has a local Georgia dimension—American policy towards Georgia—and it also has a global dimension which is U.S. policy towards Russia because these two are interconnected.

If Russia succeeds Georgia will turn into a gray zone, which I mentioned, and Russia will be able to benefit from the transit routes. Russia will be able to benefit from infrastructure. It does not have to invade again Georgia. It only needs to control it through local government.

Georgia will be turning away from the West, and we see this happening already, the kind of multi-vectoring of Georgia's foreign policy, which has never been the case before —rapprochement with Russia despite 2008 and despite the occupation of Georgian territories, strategic partnership with China, and so on and so forth.

Russia's war against Ukraine has enabled autocrats around the world and leaders such as we have to challenge rules, challenge democracy at home, maximize power, and think that they can go unpunished. Here is the second part and that is to impose consequences for this because like Ukraine Georgia is also a battleground, and in Ukraine, you have—

Representative SPARTZ: What—if you can give me some examples, you know, just kind of concrete things that you believe that we have mechanisms to start kind of you know—[LAUGHS]—be a little bit maybe tougher, maybe tougher on some of these issues. What consequences you think would be effective to say these governments need to decide which sides they are taking?

Ms. SABANADZE: There are punitive measures such as sanctions that I think have to be targeted and individuals need to bear responsibility and these include visa bans. These include financial sanctions—you know, their inability to send their children to study in expensive universities here in this country. These affect individual lives and they are individually responsible.

I think this should not affect support in general because, on the contrary, Georgia and Georgian civil society, and media, need greater support today, and I also believe that one policy choice would be to look at the election situation very closely and to think about the election observation in long term because, as I said, methods are getting sophisticated.

It is not so obvious that you see—I mean, they may be but, you know, there is a long system of completely unraveling the political

playing field in a way that basically elections become useless, that this is a foregone conclusion.

There will be a competition because Georgians—there are parties, and they will be contested. This contestation will only give legitimacy but not provide for a real change. This is something that needs to be looked at.

Representative SPARTZ: Right. Sanction some individuals particularly and then also, look at the election. This Commission has an observation function and I actually always think it is problematic that we do not look—that they take—do not take risk-based approach how we deal with elections and potential abuses, not, you know, a kind of one-time-fits-all approach. I think that is something that has to change because we are involved in that.

You know, I think my time has expired. If we go again, I might ask Ambassador questions, but I think you brought—and the structural system, a lot of these former Soviet republics, you know, unfortunately, did not create a legislative framework. They did not have some, like, Founding Fathers, unfortunately—[LAUGHS]—to really create a proper legal system of checks and balances. It allowed them to centralize power back so quickly and it, unfortunately, happened to most of them.

I yield back.

Chairman WILSON: Thank you very much, Congresswoman

Congresswoman Spartz has been a leader on behalf of fair and free elections around the world and so her interest is proven by her actions.

Now, we will have a second round and the question that I had initially asked nobody can answer better now with the ambassador as to the benefits of the relationship between the nation of Georgia and the United States.

Mr. COURTNEY: Thank you, sir.

As I mentioned in my testimony and Dr. Sabanadze noted—[off mic]—in the early years when people were hungry were coming out of a civil war. That was tens of millions of dollars, maybe over a hundred million dollars. That was quite substantial at the time and pretty important.

Then also at the beginning we and our European allies worked together to try to promote civil society, democratic reforms, rule of law reforms, economic reforms, and that has been consistent all the way through.

The U.S. has been particularly active on the security front. We had a Georgian training and equipment program for a number of years which helped Georgian forces in Afghanistan and Iraq fight and those were—they took on some of the toughest assignments in those wars.

Then we developed a program to help Georgia with its territorial defense and that program has been more recent. That is the program that Georgia needs to deal with a potential Russian threat. We have played a quite substantial role in all the areas, especially security.

Chairman WILSON: It is really humbling to know the assistance of food, on something as basic as that, at a time so important. Then, Dr. Sabanadze, I really am so grateful for you raising how a foreign agent law sounds so benign except for one thing. It has

been a precursor of dictatorship—a precursor, sadly, in the Russian Federation.

I have been to Russia a number of times. I thought they were going to be part of modern Western civilization—their art, their literature, their architecture that we have adopted. It did not occur to me that Putin would be successful in creating a dictatorship but that is, sadly, true. Then you flash forward to another country that at one time was one of the wealthiest in the Western Hemisphere. No longer, and that is Venezuela. Over and over again there is an example.

It is a precursor to a dictatorship and—but doing away with the abilities of political advertising—it says foreign agent. Well, it is really not a foreign agent; it is domestic political activity.

Again, explain step-by-step how a dictator—and, hey, I want to mention something. I try to call it dictatorships. People talk about authoritarians. They talk about autocrats. People do not understand that but something that really offends dictators is to be called dictators, and so the dictatorship of Putin, the dictatorship of Xi, Khamenei, we need to address this. How can we help the people of Georgia not experience a dictatorship?

Ms. SABANADZE: Well, that is exactly what Georgians are fighting for right now. I think it is very important to understand how these new types of autocracies come around. We do not see tanks rolling through the streets anymore. Very often you see democratically-elected governments subverting democracy. Institutions that brought them to power they are busy destroying those institutions, and the freedom of expression, freedom of media, that they took advantage of, and the power which was out there to be contested they took advantage of this. They are destroying this through parliamentary supermajorities, for example, which is what happened in Georgia and is happening in many other parts of the world.

This is a gradual process. It goes by the destruction of one institution after another. Sometimes it is called a reform. Sometimes it is just a change of leadership. It is—because it is gradual it is difficult to spot. It is not, as I said, a coup d'état which you see and very easy to respond to.

Elections, again, are something that are being stolen long before because you have such an uneven playing field that democracy does not function anymore and the political space for democratic contestation is no longer there.

These are the kind of hybrid dictatorships, if you would like, who maintain at the same time a facade of democracy and maintain that they are democracies and like in our case they maintain that they want to pursue European and Euro-Atlantic integration even though everything they do goes against it.

This is the kind of contradiction that we have to see and understand, and very often our methods are outdated—the methods of responding. Their methods have become more sophisticated but our democracy promotion methods, and election observation methods, are rather outdated so they do not really capture what is going on.

The real help for Georgia is to empower these people and those who are out in the streets they need protection because if they are left and if Georgian society is left alone facing a regime that is in-

creasingly insecure and as a result increasingly violent, I think there will be a lot of disappointment.

Your assistance, this discussion, the MEGOBARI Act, and more legislation of this type would be a very important signal.

Chairman WILSON: Thank you so much. It is interesting to think of incrementalism as to dictatorships being established as opposed to a Bolshevik revolution or whatever that totalitarians come to power.

We now proceed to Congressman Steve Cohen of Tennessee.

Representative COHEN: I think I am going to pass.

Chairman WILSON: I have never heard him this quiet. Anyway, this—but hey, I know we can count on pithy questions from my dear friend Congresswoman Victoria Spartz of Indiana.

Representative SPARTZ: Thank you, Mr. Chairman.

Ambassador, my first question is for you. I think you were an ambassador in the early—late 1990s, right, in Georgia, correct? Yes. I actually lived in the late 1990s, in fact, Ukraine at that time. My observation after the Soviet Union fell apart, you know, it was Wild West. The early 1990s were terrible.

At the end of the 1990s, there were—some positive things were happening. There were some trends and building some democratic institutions. I do not think they have ever been built, you know, unfortunately. That is why it was so easy to really corrupt and erode them and not really have, you know, no democratic institutions and a lot of this is just appearance of that.

From your perspective, you were involved, you know, in 1995, 1997. That was very challenging times and very —and most of these Republicans at that time still were more pro-American, I would argue, because even Russia was not—you know, so what things went wrong and what things we did not do as a policymaker here?

I was not American at that time. I came here in 2000. [LAUGHS.] You know, I have my observations. You have been actually a leader at that time reading foreign policy. What do you think we should have not done and maybe we should look back and make some adjustments now?

Mr. COURTNEY: Let me make a comparison between Ukraine and Georgia. For a long time, Ukraine and Georgia seemed to be on pretty much a parallel path moving to the European Union, moving to a pro-Western future.

Occasionally there were problems with stolen elections or leaders who wanted to turn the clock back so popular revolutions took place. The first one was the Rose Revolution in Georgia. Then a year or so later it was the Orange Revolution in Ukraine and then in 2014 a second popular revolution in Ukraine in the Maidan.

What we see today is a vibrant democracy in Ukraine that has benefited from both of those popular revolutions which have been mid-course corrections in the democratic path, if you will. We see a democracy in Ukraine that is so strong that it is surviving even an all-out war with Russia.

What happened to Georgia? Georgia had won but then Georgia had different traditions—you know, a less Western tradition, if you will, than Ukraine had and so it became easier for authoritarian-

minded people to take Georgia away off the path. Crime and corruption were a bigger issue in some cases in Georgia.

Now Georgia may be at another crossroads like Ukraine was in 2014. These elections are in October, if those elections are rigged in a major way then as in Ukraine there could be another color revolution in Georgia.

We really should keep our eye on those elections. Now, the West can help. We fund independent election monitors. We criticize authoritarian moves. It is useful to understand that the West really is not a major player. We can help at the margins but it is what the people or the country do themselves.

The Ukrainians built their democracy themselves with some Western support. Georgians are building their future as well.

Representative SPARTZ: Right. I agree. Democracy can be only built, you know, from the ground up, but I would probably disagree with your definition of a vibrant democracy. We are not going to go there—in Ukraine, so we are not going to go there.

A question for you, Mr. Chkhikvadze. I do not know if I said it right. You know, you are dealing with the EU a lot, and where is the position right now with the EU? Because in a lot of ways EU with all of this initiative has an opportunity, really, to help to reform some of these institutions and how—and I have not seen them really doing much. You know, I will be honest with you. I was—you know, dealing with European I get, like—[LAUGHS]—in the wake of dealing with them I do not know how I used to live there.

You know, what is your perspective and assessment of what is really happening right now with—I understand you dealt with the EU, and what they are doing, and how helpful they are, maybe, to incentivize some of these countries to move in more democratic directions, including Georgia?

Mr. CHKHIKVADZE: Thank you.

I will just start with your previous question, if I may, when it comes to what the U.S. should do and when it comes to the support to Georgia.

First and foremost, I think that you can help us in regards not to allowing the ruling party to rig the elections in October. This is extremely, extremely crucial.

Secondly, I think that some of the proposals are already in the MEGOBARI Act but, first, we should start from the election observations and allow this to be free, fair, and competitive.

Thirdly, it was already mentioned that one of the crucial supports which U.S. is providing to Georgia is its nonrecognition policy. As you know, the two parts of Georgia is occupied by Russia and there is an attempt by Russians to— and then also others to recognize its independence, and the U.S. is very much backing us not to—to make sure that this does not happen. To continue that policy would be very valuable.

Also, when it comes to security support this is also very important and, last but not least, civil society support. This is also, very important.

Coming back to your question about the European Union, as you know, we are now in the process of accession and we are now in the—I mean, there is a proposal that Georgia has to implement the nine steps—nine recommendations—from the European Union side.

Unfortunately, six months after it was proposed nothing has been done by the Georgian authorities. The ball is in our court now, and we have to deliver on very important issues and very important policy fields like the judiciary, fighting against elite corruption, et cetera, et cetera.

We do not see that there is a political will there that is there in the case of our government. Unfortunately, there is not much progress in that regard. Otherwise, as we hear every time from the EU member states and the European Union in general, is that the door is open, and we have to deliver on that progress further on this road. Thank you.

Representative SPARTZ: Yes. Thank you. Yield back.

Chairman WILSON: Thank you very much, Congresswoman Spartz. She always proves her enthusiasm and so we can count on that.

As we conclude, I also want to point out that I am the co-chair of the EU Caucus and I have visited the European Union countries and, gosh, the economic benefit and opportunities that are provided are just—would be so wonderful for the people of Georgia.

At this time we shall adjourn and I would like to invite the three witnesses to please come up front to get a picture with the members of the Commission who are here. With that, we are—and I want to thank the staff members who have helped make the Helsinki Commission so successful on behalf of the people of the United States.

With that, we are adjourned. [Sounds gavel.]

[Whereupon, at 3:20 p.m., the hearing ended.]





The United States Helsinki Commission, an independent federal agency, by law monitors and encourages progress in implementing provisions of the Helsinki Accords.

The Commission, Created in 1976, is composed of nine Senators, nine Representatives and one official each from the Department of State, Defense and Commerce.

All Commission publications may be freely reproduced, in any form, with appropriate credit. The Commission encourages the widest possible dissemination of its publications.

WWW.CSCE.GOV

[youtube.com/HelsinkiCommission](https://www.youtube.com/HelsinkiCommission)

[facebook.com/helsinkicommission](https://www.facebook.com/helsinkicommission)

[flickr.com/photos/helsinkicommission](https://www.flickr.com/photos/helsinkicommission)

[twitter.com/@HelsinkiComm](https://twitter.com/HelsinkiComm)