



ინფორმაციის თავისუფლების  
განვითარების ინსტიტუტი

# **The Draft Law of Georgia "On De-oligarchization": Concluding Recommendation of the Venice Commission and Prospects for its Implementation**



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## **Brief review**

The European Union considers "oligarchization" to be one of the fundamental challenges facing Georgia's democracy, specifically the excessive political influence of the oligarch(s) on the country's democratic institutions and political processes. An obvious manifestation of this is the determination of "de-oligarchization" as a necessary precondition for granting the EU candidate status to Georgia.

The mentioned priority immediately became the subject of vigorous political debate both in the Parliament of Georgia and outside it. In the end, the ruling party decided to adopt the Ukrainian model of "De-oligarchization" law and solve the problem of "de-oligarchization" in this way. However, when endorsing the Ukrainian experience, the specificities of the problem of "oligarchic" influences in Georgia were completely ignored. It should be mentioned that this fact was confirmed by the political power of the initiator of the draft law - the ruling political party and its representatives stated that they translated the Ukrainian law. Thus, the logic is that if Ukraine was able to obtain the candidate status while this law was in force, it would mean that with the adoption of this law the priority of "de-oligarchization" will be considered fulfilled in Georgia as well.

From our perspective, this argument of the ruling party is manipulative and does not reflect reality. Before sharing the experience of another country, the state must first assess its context, namely the severity and scale of the problem, especially when the problem concerns such a sensitive issue as the impact of excess financial resources on policy formation in developing democracies. Accordingly, the state should evaluate the extent to which there is a need to adopt the "de-oligarchization" law, and if so, what type of restrictions should be provided by the law, who should enforce it, etc. Georgia has not done so, and moreover, the ruling party ignored not only the influence of the oligarch(s) on the party and state institutions, but also the idea of considering the context.

The final opinion of the Venice Commission on the draft law "On De-oligarchization" draws attention to the failure to take into account the particular challenges specific to Georgia. The Venice Commission points out that the law on "de-oligarchization" is not a universal tool that fits all states in the same way. In general, the Venice Commission believes that, first of all, the state should fight the influence of oligarchs using existing democratic mechanisms. Only after that the state can apply the law of "de-oligarchization" and a "personal" approach.

Indirectly, the Venice Commission calls the draft law on "de-oligarchization" developed by Georgia paradoxical, since the (impartial) enforcement of this law is entrusted to the institutions in which oligarchic influences are seemingly rooted in the first place.

According to the Venice Commission, Georgia should drop the developed version of the "De-Oligarchization" Law and implement in-depth, comprehensive, and relentless reforms to ensure the independence of the judiciary and the justice system, as well as the independence of democratic institutions, and to strengthen the relevant legislative mechanisms. As indicated in the opinion, Georgia can return to the development of the "de-oligarchization" law when the independence of institutions is ensured and the law is relevant to the specific challenges existing at the time, which cannot be solved using a "systemic" approach.

Despite the critical opinion of the Venice Commission, the Parliament of Georgia supported the "De-oligarchization" law in the second reading. It is important to note that the ruling party's argument about the conflict between the Venice Commission's findings and the EU's demands is far from the truth. Therefore, Georgia's disregard of the opinion of the Venice Commission and adoption of the law in its current form will have a negative impact on the state's European integration process.

## Key Findings/Conclusions

- On June 12, 2023, the Venice Commission published its final opinion regarding the draft law of Georgia "On De-oligarchization". The commission's opinion regarding Ukraine's and Moldova's approaches to combating oligarchic influence were also published;
- The Venice Commission approved Moldova's decision to refuse to adopt a specific law to combat oligarchic influences, and with regard to Ukraine and Georgia, recommended the implementation of the law "On De-oligarchization" be legally deferred or not adopted;
- As indicated in the opinion of the Venice Commission, after its interim opinion, Georgia has not in any way negated the main shortcoming of the law;
- According to the opinion of the Venice Commission, all three states should solve the problem of de-oligarchization through a systemic approach/reforms;
- Based on the position of the Venice Commission, given the complexity of the problem of "oligarchization", each state should choose the appropriate approach to combat it considering the specific historical, legal, political situation of the country, with duplicating the legislation of another country not being considered the way to deal with the problem.
- The Venice Commission calls the draft law "On De-oligarchization" developed by Georgia paradoxical, since the (impartial) enforcement of this law is entrusted to the institutions in which oligarchic influences are seemingly rooted in the first place.
- As noted by the Commission, states should use a systematic multi-sectoral approach to solve the challenge of oligarchic influences. In this regard, the Venice Commission pays particular attention to reforms to be carried out in terms of ensuring the independence of the justice sector and democratic institutions and strengthening of anti-corruption, anti-monopoly legislation and the accountability of state bodies.
- Based on the opinion of the Commission, the proposed draft law in the current form is not only ineffective in eliminating the influence of oligarch(s), but also poses a threat to the democratic system, the rule of law, and human rights;

- According to the Venice Commission, Georgia should drop the developed version of the law “On De-oligarchization” and implement in-depth, comprehensive, and relentless reforms;
- The need to reform state institutions in terms of their real independence, efficiency, coordination, and accountability was significantly increased by this opinion of the Venice Commission;
- Despite the opinion of the Venice Commission, the ruling party supported the "de-oligarchization" law in the second reading. The argument of the ruling party regarding the contradiction between the opinion of the Venice Commission and the demands of the European Union is inaccurate.

## 1. The Draft Law on "De-oligarchization" in Georgia and the First (interim) Opinion of the Venice Commission

### 1.1. The Draft Law of "De-oligarchization" in Georgia: Major Events

In accordance with the European Commission's opinion<sup>1</sup> dated June 17, 2022, the draft law "On De-oligarchization" was adopted to represent the implementation of the 5th priority task (implement the commitment to "de-oligarchization" by eliminating the excessive influence of vested interests in economic, political, and public life). To accomplish the aim of "de-oligarchization," Georgia opted for the Ukrainian model. More specifically, the government actually translated the Ukrainian law, without taking into account how the problem of "oligarchic" influences manifests itself in Georgia and to what extent the Ukrainian law responds to Georgia's needs.

Based on the Venice Commission Interim Opinion,<sup>2</sup> the Draft Law "On De-oligarchization" was returned to the second reading stage and certain revisions were implemented. The draft law was once again sent to the Venice Commission on April 13, 2023, for evaluation. On June 12, 2023, the Commission published its final opinion<sup>3</sup> regarding the draft law.<sup>4</sup>

### 1.2. Main Findings of the Interim Opinion of the Venice Commission.

The interim opinion of the Venice Commission delineated two approaches, "systemic" and "personal". If the "personal" approach is aimed at identifying specific persons and taking restrictive measures against them, the "systemic" approach involves the adoption and strengthening of legal tools in many fields of law (such as legislation relating to the media, anti-monopoly, political parties, elections, taxation, anti-corruption, etc.), while further emphasizing the significance of efficient coordination among these domains.

The Commission clearly expressed its support for the "systemic" approach and called on the Georgian authorities to carry out systemic reforms in various areas. According to the Commission's perspective, any specific legislation on oligarchy should only take place within the wider systemic framework of these reforms. As for the path chosen by the Georgian draft

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<sup>1</sup> Commission [Opinion](#) on Georgia's application for membership of the European Union, Brussels 17 June, 2022, COM(2022) 405 final,

<sup>2</sup> Venice Commission Interim [Opinion](#) on The Draft Law "On De-oligarchisation", Strasbourg, 13 March 2023, CDLAD(2023)009

<sup>3</sup> Venice Commission final [Opinion](#) on The Draft Law "On De-oligarchisation", Strasbourg, 12 June 2023, CDLAD(2023)017

<sup>4</sup> [The draft law](#) "on De-oligarchization"

law "On de-oligarchization", it is based on a "personal" approach that requires special institutional and legal guarantees. As per the evaluation of the Venice Commission, the law presents risks of inconsistent enforcement and the potential for its exploitation as a tool against political opponents. According to the position of the Commission, the designation of an individual as an "oligarch" should not depend on the will of the political majority.

### **1.3. Changes Made by the Parliament of Georgia after the Release of the Interim Opinion**

After the publication of the Venice Commission's interim opinion, the draft law returned to the second reading stage. Some changes have been made. In particular, instead of the government, the Anti-corruption Bureau was defined as the body with the competence to recognize a person as an oligarch. The criteria for the recognition of an individual as an oligarch were specified, and for this purpose, the criteria related to a person's participation in political life and substantial impact on mass media were clarified, as well as abolishing the ambiguous notion of an "impeccable business reputation".

Some restrictions related to the funding of political parties, electoral campaigns, and demonstrations were removed, and in terms of procedural guarantees, the procedure for considering the issue by the Anti-Corruption Bureau and the rules of appeal have been written in more detail.

## **2. Legal Standards by which the Venice Commission Assessed the Final Version of the De-oligarchization Draft Law**

### **2.1. The Venice Commission Supports a Systemic Approach to De-oligarchization, but does not Exclude the Use of Personal Approaches**

In its final opinion, the Venice Commission once again notes that it prefers a "systemic" approach in order to fight "oligarchic" influences. This preference for a "systemic" approach implies the importance of upholding the independence of the judiciary and other state institutions, as well as the adoption and strengthening of legal tools in many fields of law such



as legislation relating to the media, anti-monopoly, political parties, elections, taxation, anti-corruption, etc., and effective coordination between relevant authorities.<sup>5</sup>

The "personal" approach, which the draft law of Georgia on "De-oligarchization" is based on, can be used only after the "systemic" approach is not effective. In particular, the "personal" approach should be considered as an ultima ratio, reserved as an extreme measure to be used only in highly critical situations.<sup>6</sup> One such example where the "personal" approach may be justified is when there is a significant threat to state sovereignty. In such cases, it may be necessary to employ this approach to swiftly and decisively make immediate and crucial decisions that are deemed extremely necessary. However, the Commission emphasizes that even in such cases, the use of the "personal" approach is a temporary and exceptional method, and it is not an alternative to the "systemic" approach.

## **2.2. The Venice Commission Considers the Enforcement of the Law "On De-oligarchization" by Institutions that are under the Influence of the Oligarch(s) to be a Paradox.**

For the effectiveness of a "personal" approach, it is crucial to ensure that any decision-making body, whether it is the Anti-corruption Bureau or a court, is provided with robust guarantees of independence. Otherwise, attempting to achieve the legitimate goal of diminishing oligarchs by using institutions subject to oligarchic influence presents a paradoxical scenario.<sup>7</sup>

In other words, the law presented in this form is paradoxical, because if state institutions are strong and sufficiently independent to ensure the effective and impartial implementation of the "personal" approach, then there is no need to resort to such extreme measures. In such cases, the prerequisites for a more effective and comprehensive "systemic" approach are already in place. On the contrary, if the decision-making bodies are "captured" by the interest they are going to fight against, such an arrangement of the issue will be ineffective.<sup>8</sup>

## **3. Implementation of the Standards Established by the Venice Commission in Relation to Georgia**

Considering the mentioned standards, the Venice Commission did not acknowledge the law developed by the ruling majority to be a democratic and effective answer to the problem of

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<sup>5</sup> Venice Commission Interim Opinion on The Draft Law "On De-oligarchisation", Strasbourg, 13 March 2023, CDLAD(2023)009, par. 13.

<sup>6</sup> Venice Commission final [Opinion](#) on The Draft Law "On De-oligarchisation", Strasbourg, 12 June 2023, CDLAD(2023)017, par. 21.

<sup>7</sup> *ibid*, 22.

<sup>8</sup> *ibid*.

"de-oligarchization". The law not only is ineffective given the existing context in Georgia (lack of independence of institutions), but also threatens the rule of law and human rights in general. This is the reason why the Commission did not support the adoption of the proposed draft law.<sup>9</sup>

### **3.1. The “Systemic” Approach in Georgia**

Despite the firm position of the Venice Commission that each state, with a full understanding of the existing context, should choose the specifics of the "systemic" approach, the opinion summarizes the Georgian context, the problems of the "system", and a manner of guiding directions for Georgia. First of all, for the purposes of formation and effective implementation of such a "system", the reasons for the ineffectiveness of the existing legal mechanisms should be understood in terms of why they cannot adequately respond to the problem of "oligarchic" influences, while at the same time strengthening the efficiency, independence, and coordination mechanisms of various institutions.

According to the Commission, in order for the above-mentioned system to function effectively, the holistic and comprehensive reform of the judicial system is crucial to ensure the independence of the judiciary, as well as other democratic institutions, and to strengthen the relevant legislative mechanisms.

For instance, according to the recommendations of the Venice Commission, Georgian authorities should:

- Establish an effective competition policy in accordance with EU regulations;
- Strengthen the fight against high-level corruption in line with GRECO's recommendations. In the same context, the Venice Commission considers the creation of an Anti-corruption Bureau a positive step, although it notes that its political and functional independence must be fully guaranteed;
- Uphold the transparency of and accountability in public procurement in line with EU directives;
- Strengthen media pluralism and transparency of media ownership;
- Carry out anti-money laundering measures, create and implement an effective policy in line with MONEYVAL and FATF recommendations;
- Carry out a reform regarding the rules of financing political parties and election campaigns, which will contribute to the equalization of the political space;

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<sup>9</sup> Ibid, 23.

- Amend tax legislation in order to avoid the possibility of the "oligarchs" to use tax "loopholes" and benefits.

The Venice Commission also states that these reforms should be implemented in the context of a "systemic" approach to combating "oligarchization", which requires effective coordination at both the legislative and executive levels and an extensive effort by the state authorities.

### **3.2. According to the Opinion of the Venice Commission, after the Release of its Interim Opinion, Georgia Did Nothing to Correct the Main Identified Deficiency**

Although the Parliament of Georgia made some changes to the draft law following the interim opinion of the Venice Commission of March 13, 2023, the main problem related to unequal and politically motivated enforcement were not be eliminated.<sup>10</sup> The proposed version of this law is not only ineffective in reducing the influence of "oligarch(s)", but also threatens the democratic system and political pluralism in Georgia, which is once again confirmed by the high level of political polarization and "public statements indicating that the law, after its adoption, will be used against political opponents".<sup>11</sup>

Given what has been said, the Venice Commission once again reiterated that "the fight against oligarchic influence in Georgia is to be carried out through a well-designed and effective comprehensive "system", instead of through the Law under consideration".<sup>12</sup> The main problem that the Venice Commission perceives in the steps taken by the Georgian government is that it did not take into account the context in the country, the problems related to the independence of state institutions, and instead chose a "personal" approach, which can be effective as a complementary mechanism or a measure of last resort in conditions where institutional guarantees are ensured. Given the complexity of the influences of the "oligarchs, each state should choose the appropriate approach to combating oligarchization by considering the specific historical, legal, political situation of each country. "It is clear that the prevailing domestic context is very different in Georgia, as compared to Ukraine and the Republic of Moldova," and thus the scope and the extent of the measures to be taken against "oligarchs" should differ accordingly.<sup>13</sup>

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<sup>10</sup> Ibid, 41.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid, 42.

<sup>13</sup> Ibid, 16.

As a means of combating "oligarchization", the Georgian authorities chose to translate the Ukrainian law literally and did not consider the specific problems facing Georgia, where "oligarchic influence seems to have taken root and could represent a hurdle for the democratic functioning of the institutions of the state".<sup>14</sup> Keeping the above-mentioned in mind, the standard established by the Venice Commission, that the "personal" approach cannot work in conditions where the executive and judicial system itself is under "oligarchic" influence,<sup>15</sup> is also relevant in relation to Georgia.

Based on this, the Venice Commission clearly called on the Georgian authorities that "de-oligarchization" cannot be achieved in the current situation without "systemic" reforms, within the framework of which the problem of independence of state institutions will be analyzed and thorough and coordinated steps will be taken to solve it. Otherwise, the adoption of the proposed draft law will not only be ineffective in solving the problem, but will also significantly hinder the democratic development of Georgia.

#### **4. Assessment of the Venice Commission on the Laws of Ukraine and Moldova**

On June 13, 2023, the Venice Commission also published its final opinions regarding the "De-oligarchization" laws of Ukraine<sup>16</sup> and Moldova<sup>17</sup>.

In relation to Ukraine, the Venice Commission notes that in order to overcome "oligarchic" influences, Ukraine chose a "personal" approach instead of a multi-sectoral, "systemic" approach. Based on the opinion, the Law of Ukraine "On Oligarchs" cannot be regarded as a democratic response to the problem of oligarchization. The law of Ukraine is incompatible with the principles of political pluralism and the rule of law due to its potential to be abused for political purposes. The Commission explicitly highlights that "as long as the core of the current "personal approach" has not been changed, even substantial amendments to the Law on Oligarchs will not remedy the unavoidable frictions with Council of Europe standards on human rights, democracy and the rule of law."

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<sup>14</sup> Ibid, 18.

<sup>15</sup> Ibid, 22.

<sup>16</sup> Ukraine - Opinion on the Law on the prevention of threats to national security, associated with excessive influence of persons having significant economic or political weight in public life (oligarchs), adopted by the Venice Commission at its 135th Plenary Session (Venice, 9-10 June 2023), CDL-AD(2023)018.

<sup>17</sup> Republic of Moldova - Final Opinion on limiting excessive economic and political influence in public life (de-oligarchisation), adopted by the Venice Commission at its 135th Plenary Session (Venice, 9-10 June 2023), CDL-AD(2023)019.

**The Venice Commission unequivocally recommends adopting a "systematic" approach and, at the very least, deferring the implementation of the Law.** The Venice Commission further emphasizes that “for the above-mentioned system to function effectively, the reform of the judicial system aimed at ensuring its independence, integrity and impartiality in line with European standards, should be relentlessly pursued.”

As for Moldova, the Commission positively evaluated Moldova's decision to refuse to adopt the law and to go for a "systemic" approach. Moldova submitted an action plan<sup>18</sup> aimed at conducting sectoral analysis, consolidating legislative and institutional frameworks, and increasing accountability of state institutions, in addition to pursuing reforms in a number of areas such as: anti-money laundering and anti-monopoly measures; transparency of beneficial ownership; political party financing, etc. “The Action Plan also foresees a monitoring mechanism to consolidate input from various agencies and ensure their good cooperation and coordination.”

The Venice Commission positively evaluated the "systemic" approach chosen by Moldova and emphasized once again that immediate and thorough implementation of judicial reform is necessary for its effectiveness.

## **5. Opinion and Recommendations of the Venice Commission to Georgia.**

Based on the argumentation of the Venice Commission, it is clear that the draft law of Georgia on "de-oligarchization", which was prepared within the framework of the implementation process of 12 priorities, does not respond to the real challenges of "oligarchic" influences. Indirectly, the Venice Commission calls the draft law on "de-oligarchization" developed by Georgia paradoxical, since the (impartial) enforcement of this law is entrusted to the institutions in which oligarchic influences are seemingly rooted in the first place.

According to the Venice Commission, Georgia should drop the developed version of the “de-Oligarchization” law and implement in-depth, comprehensive, and relentless reforms to ensure the independence of the judiciary and the justice system, as well as the independence of democratic institutions, and to strengthen the relevant legislative mechanisms.

In the context of systemic reforms, the Venice Commission recommends that Georgia should:

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<sup>18</sup> CDL-REF(2023)026-e Republic of Moldova - [Plan](#) of measures to limit the excessive influence of private interests on economic, political and public life (de-oligarization)

- Carry out an in-depth and comprehensive analysis of the existing systemic measures, of their shortcomings in terms of structure, powers, and coordination;
- Devise corrective, additional, or complementary legislation or measures, which, inter alia, include: establishing and implementing an effective competition policy; strengthening the fight against high-level corruption and the prevention of corruption, in line with GRECO's recommendations; upholding the transparency of and accountability in public procurement; strengthening media pluralism and transparency of media ownership; further enhancing the anti-money laundering policy in line with MONEYVAL and FATF recommendations; ensuring timely and effective access to beneficial ownership information; reinforcing rules on the financing of political parties and election campaigns and existing control mechanisms; amending tax legislation in order to avoid tax evasion by persons with oligarchic influence;
- Strengthen the independence and effectiveness of the key regulatory and controlling authorities;
- Assess the way various institutions (anti-corruption bodies, anti-monopoly committee, state audit, banking supervisory authorities etc.) can work better together in preventing and eliminating the influence of "oligarchs" over political, economic, and public life;
- Carry out an impact assessment of such measures at regular intervals;
- Put in place a comprehensive system to prevent and fight oligarchic influence through a focused strategy/action plan to address oligarchization, recognizing the interconnected nature of the problem;
- Implement all these without delay in a transparent and accountable manner.

Based on the opinion, Georgia can return to the development of the "de-oligarchization" law when the independence of institutions is ensured and the law is relevant to the specific challenges existing at the time that cannot be solved using a "systemic" approach.

The opinion of the Venice Commission significantly increased the need to reform state institutions in terms of their real independence, efficiency, coordination and accountability, since implementation of the de-oligarchization priority set by the European Union will happen with reforms.

## 6. The Vision of Civil Society on "De-oligarchization" and Its Involvement in the Drafting Process of the Law

The civil sector also indicated at the initial stage that instead of adopting a special law, the state should have focused all its efforts on the full implementation of the remaining 11 recommendations, with special attention paid to ensuring the effectiveness of the judiciary and the anti-corruption agency/bureau and real independence of state institutions.<sup>19</sup> As a way to implement the 5<sup>th</sup> priority of the European Union, the ruling party chose to adopt a special law like Ukraine.<sup>20</sup> According to the decision of the Legal Issues Committee of the Parliament of Georgia on August 18, 2022, a working group was created to prepare the relevant draft law. Only 2 places were provided for civil organization representatives in the working group, but we do not know which civil organization was given the opportunity to join this group. Nevertheless, it is clear from the minutes of the meetings<sup>21</sup> of the working group that the process took place without the involvement of the civil sector.

IDFI was actively involved in the process of consideration of the draft law from the stage of the committee discussions. On this issue, we presented to the leading committee – the Legal Issues Committee – our views on the flaws of the draft law and the need for its adjustment to the challenges in Georgia, as well as the need to forward it to the Venice Commission and take into account its opinion.<sup>22</sup> We also prepared an analysis of the Venice Commission's interim opinion.<sup>23</sup>

Regrettably, the ruling political power did not take into account the vision of the civil society regarding the implementation of the priority of "de-oligarchization".

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<sup>19</sup> [12 Steps Towards EU Candidacy.](#)

<sup>20</sup> [Georgian Dream Strategy for EU Membership Candidacy.](#)

<sup>21</sup> Meeting of the Working Group of the Legal Issues Committee "De-oligarchization", [working group meeting minutes N1, August 4, 2022;](#)

Meeting of the Working Group of the Legal Issues Committee "De-Oligarchization", [working group minutes N2 October 3, 2022.](#)

<sup>22</sup> Sitting of the Legal Issues Committee of the Parliament of Georgia, November 11, 2022. The opinion of the representative of the Institute for Development of Freedom of Information (IDFI) on the need to send the draft law "On De-oligarchization" to the Venice Commission and on the necessity to evaluate the context: <https://youtu.be/KW-rPk48MB4?t=7168>

<sup>23</sup> [Law of Georgia "On De-oligarchization": Analysis of the conclusion of the Venice Commission.](#)

## 7. Prospects of Implementation of the Venice Commission's Opinion

The parliamentary majority did not take into account the systemic vision of the civil society regarding the implementation of the "de-oligarchization" priority, and as it turns out, it does not plan to share the final opinion of the Venice Commission. Specifically, the ruling party supported the "de-oligarchization" law in the second reading despite the critical opinion of the Venice Commission.<sup>24</sup>

We believe that it is important to respond to the ruling party's position, according to which the priority tasks of the European Commission and the opinion of the Venice Commission contradict each other, and their demand for the removal of the priority of de-oligarchization from the list.<sup>25</sup> This position does not reflect the truth and is manipulative. First of all, it should be mentioned that the clear position of the European Commission is to implement the de-oligarchization measures in accordance with the recommendations of the Venice Commission.<sup>26</sup> The language used by the European Commission - "legally sound manner" unequivocally indicates its careful attitude towards the law. In addition, the European Commissioner for Neighborhood and Enlargement, Oliver Warheim, also suggested submission of the draft law to the Venice Commission.<sup>27</sup> According to him, the Commission's opinion will make it clear how close this legal instrument will bring the country to the fulfillment of the recommendation defined by the European Union. In addition, the EU representation in Georgia also made an official comment on this matter: "We reiterate our strong suggestion: a Venice Commission opinion should be requested and implemented before its adoption."<sup>28</sup> The US ambassador also shared the position of the European Union and noted that this is the best way to understand that the Georgian legislation takes into account the current situation in Georgia.<sup>29</sup>

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<sup>24</sup> [The Parliament adopted the draft law "On De-oligarchization" in the second reading.](#)

<sup>25</sup> [Kobakhidze: As soon as the European Commission removes the indication on de-oligarchization, we will abolish the adopted law.](#)

[Anri Okhanashvili - we are focusing on the decision of the European Commission, in order not to leave room for speculation, it is appropriate to adopt a law on "de-oligarchization" - we have a situation of collision between two European structures.](#)

<sup>26</sup> "Implement the Anti-Oligarch law to limit the excessive influence of oligarchs in economic, political, and public life; this should be done in a legally sound manner, taking into account the forthcoming opinion of the Venice Commission on the relevant legislation". [Commission Opinion on Ukraine's application for membership of the European Union.](#)

<sup>27</sup> [Várhelyi: We suggest the government to submit the law of de-oligarchization to the Venice Commission.](#)

<sup>28</sup> [Remark on the "de-oligarchisation" draft law.](#)

<sup>29</sup> [Kelly Degnan - US strongly agrees EU advice to send "de-oligarchization" draft law to Venice Commission.](#)



It is obvious that the European Union demands the implementation of the "de-oligarchization" process in accordance with the recommendations of the Venice Commission. There is no contradiction between the opinion of the Venice Commission and the priorities defined by the European Commission, and furthermore, these two complement each other and represent an important guideline for Georgia. This is confirmed by the June 14 statement of the EU Representation in Georgia.<sup>30</sup>

**Accordingly, it is critically important that the ruling party leaves behind political manipulations and starts working on ways to solve "de-oligarchization" problem in a systemic manner, like Moldova. Ignoring the opinion of the Venice Commission and adopting the "de-oligarchization" law in its current form will have a negative impact on the European integration process of Georgia.**

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<sup>30</sup> [Statement of the EU Representation in Georgia, June 14, 2023.](#)