Expanding the EU Digital Agenda to Georgia

Increasing Digital Cooperation and Connectivity

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Executive Summary

The European Union has shown its support for the development of the Eastern Partnership (EaP) by formulating various policy frameworks such as the Association Agreement, the DCFTA, 20 Deliverables for 2020, and Beyond 2020. However, the EU's digital agenda has not been integrated into this framework, and policy issues within the digital domain have not been sufficiently addressed. This policy paper proposes the expansion of the EU's digital agenda into the EaP region, with a particular focus on Georgia. The paper analyzes the potential impact of an extension of the EU's Digital Service Act and Digital Market Act to Georgia. Through this analysis, it advocates for the extension of the EU's digital agenda to better align with the strategic priorities and needs of Georgia, outlining two potential models for integration.

Key words: EU digital agenda, EU integration, Eastern Partnership (EaP), Digital Services Act (DSA), Digital Market Act (DMA), Georgia's Candidacy Status, Western Balkan Model, Candidate Country Model

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Introduction

Russia's war of aggression against Ukraine has highlighted the need for both improved transportation links and better digital connectivity between the EU and Eastern Partnership (EaP) countries. In particular, the conflict has exposed immediate threats posed by disinformation and unprotected information integrity, highlighting the need for increased cooperation in the digital realm. However, gaps in the EU's engagement with different EaP countries have widened since the Associated Trio (i.e., Georgia, Moldova, and Ukraine) was informally dismantled in 2022 as Ukraine and Moldova gained EU candidate status while Georgia received a membership perspective and a list of conditions needed to obtain candidate status. Despite strong support from the Georgian population, the political class has shown a lack of political will to address the twelve conditions outlined by the EU as necessary for Georgia to obtain this status. According to a recent evaluation by the EU Commission, only three out of the twelve steps have been completed. "Some progress" has been made in seven of the remaining steps, while "no progress" has been made around media pluralism (EU Commission, 2023).

While Georgia continues its democratic backsliding (Freedom House, 'Georgia', 2023), there is a rising risk of losing the momentum for EU expansion that arose in the context of unprecedented European solidarity in the face of Russia's war against Ukraine. Despite recently announced sectoral projects such as the Black Sea underwater internet cable (FT, 2023) and Black Sea Energy Cable (EU Commission, 2020), these announcements seem more reminiscent of the type of formal sectoral cooperation the EU has pursued with Azerbaijan than projects aimed at facilitating full EU integration of the sort once espoused by Georgia's top leadership.

Given the overwhelming support of the Georgian people and this unprecedented opportunity for accelerated EU membership, adopting the EU's digital agenda is crucial to maintain momentum towards European integration for Georgia. Additionally, implementing the digital agenda is essential in the face of the growing threat of disinformation, which jeopardizes Georgia's democratic development. This presents an opportunity for Georgia to keep pace with Ukraine and Moldova's progress on the European path. At the same time, deeper EU integration will not only ensure regional democratic development in the South Caucasus but also counteract negative influences from Russia and other malign actors in the region. Furthermore, it will create opportunities for the secure and sustainable control of alternative energy routes for the EU from Central Asia.

The EU Digital Agenda

The European Union's digital agenda (European Parliament, 2020) has been deemed crucial for reform and innovation across the union. First initiated in 2010, the EU's latest five-year plan introduced in 2020 outlines three specific pillars: 1) providing better access for consumers and businesses to digital goods and services across Europe; 2) creating the right conditions for digital networks and services to flourish; and 3) maximizing the growth potential of the digital economy (European Parliament, 2020). These pillars aim to ensure that Europe can take full advantage of the digital transformation by driving innovation and growth, while also prioritizing social inclusion and protecting human rights.

In recent years, the digital strategy has introduced various initiatives such as the **General Data Protection Regulation (GDPR)**, which introduced the world's strongest set of data protection rules dictating how personal data can be used, processed, and stored; the **European Electronic Communications Code (EECC)**, which updated and merged EU telecommunications rules under one regulatory framework designed to boost connectivity and better protect users within the EU; and the **Artificial Intelligence Act,** which is currently moving through the legislative process and aims to ensure that AI systems used in the EU are safe, transparent, traceable, non-discriminatory, and environmentally friendly.

In coordination with these legislative initiatives, the EU also introduced the **Digital Services Act (DSA)** and **Digital Markets Act (DMA),** which were codified in 2022 to create a safer digital space. The main motivation behind these pieces of legislation was to address the growing concern that large tech platforms have too much power and control critical ecosystems in the digital economy, which can be employed for harmful purposes or misused by manipulative algorithmic systems to amplify the spread of disinformation. These challenges and the way platforms address them have a significant impact on fundamental rights online. The DSA seeks to curb illegal content on online platforms. It mandates that counterfeited and hazardous products be removed promptly by online platforms upon notice from a trusted flagger. Under the DSA, platforms will be forced to limit and remove misinformation and disinformation under the "know your business customer" principle, which, among other obligations, puts responsibility on very large online platforms (VLOPs) to address harmful and misleading content.

# Why the EU Digital Agenda is Important for Georgia

These policies have not been extended to Eastern Partnership (EaP) members, leaving the region vulnerable to disinformation and threats to information integrity. However, there has been some attention to digital connectivity in the EaP region through the European Union's EU4Digital initiative, which was launched in 2019. The EU4Digital initiative, along with country-specific Association Agendas, aim to align the digital policies and practices of these countries with EU standards. This included policies like the elimination of roaming charges between EaP countries by 2026, although it did not aim for integration with the EU. The war in Ukraine has led to a significant reevaluation of the EU's engagement in the region. Now that Moldova and Ukraine are on the path to EU membership, and Georgia has been granted a membership perspective, the prospect of continued policy engagement through the EaP framework appears increasingly unlikely.

Since Georgia's Association Agenda for 2021-2027 does not cover this area, integrating the regulations and provisions of the EU's digital agenda is crucial for the following reasons: 1) the high level of internet access, 2) the country's growing vulnerability to disinformation, and 3) the necessity of closer EU integration in anticipation of Georgia gaining candidate status. Simultaneously, the EU would benefit from deeper digital integration with Georgia as this would help counteract the influence of Russia and other malign actors in the South Caucasus, thereby promoting regional democratic development. Furthermore, such integration would create new prospects for secure and sustainable control over alternative energy routes from Central Asia, significantly benefiting the EU.

I. High Levels of Internet Adoption

With the rapid advancement of digital connectivity, there has been a significant increase in the volume and speed of user-generated content and services shared through online platforms in the EaP region. Currently, the region boasts an impressive internet adoption rate of 86%, with approximately 70% of the population actively registered on social media platforms. (Digital, 2023), Furthermore, mobile connectivity has reached 147% (Digital, 2023), meaning the average person has access to over one device or sim card, underscoring the widespread use and impact of digital technologies in the EaP region.

Figure 1: Internet adoption, 2023
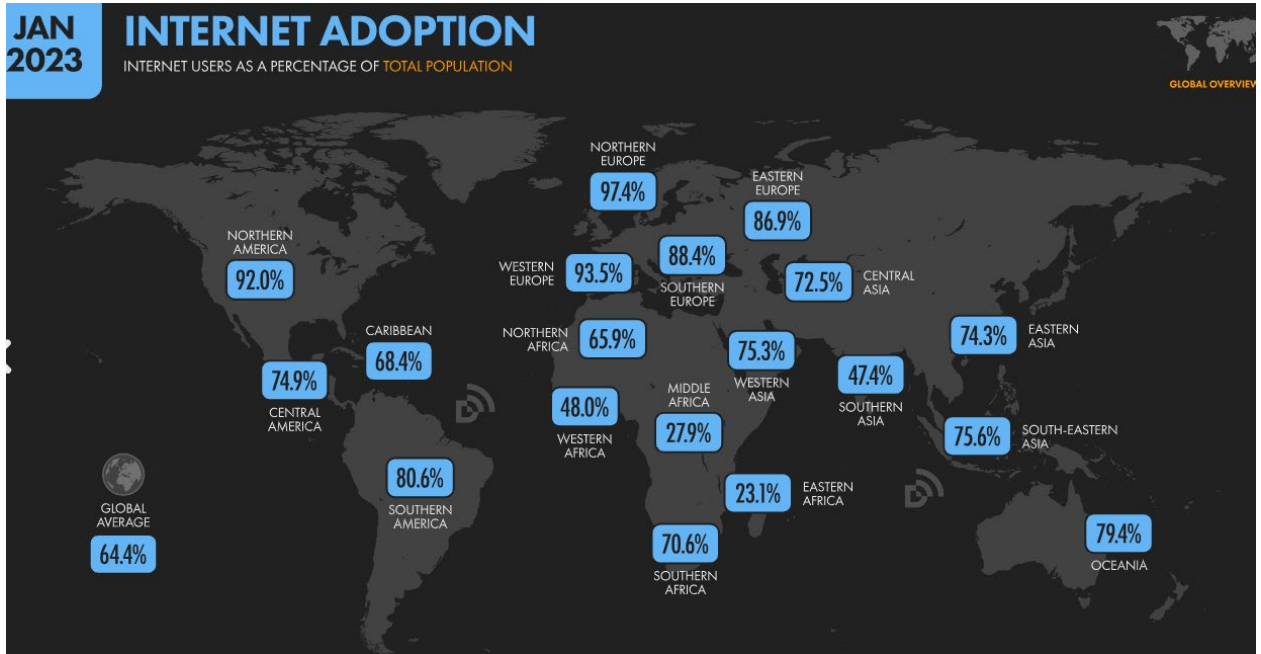
Source: We Are Digital 2023 Report

Georgia's internet connectivity ranks higher than the regional average. Data released by the National Statistics Office of Georgia in August 2023 shows that 89% of households in Georgia have internet access, with 93% of people over the age of 15 reporting using the internet daily (BM.ge 2023).

Georgia has also made remarkable progress in terms of digital transformation preparations and now ranks as a '4th Generation' country in terms of its utilization of information and communications technology (ICT) with a score of 90.50 (ICT Regulatory Tracker, 2023). Despite having a less developed telecommunications environment, Georgia has a growing IT sector that is being further bolstered by efforts to create a vibrant innovation ecosystem and a regional start-up hub (*Investor.ge*, 2022). As a result of developments in this sector together with rising tourism and e-commerce (*ecommerceDB.com 2023)*, adopting parts of the EU digital agenda represent both a critical need and an opportunity for further economic development through closer alignment with the EU.

II.   Fighting Disinformation

While high levels of internet connectivity and social media usage have given users the ability to share valuable content, this has also translated into a surge in misinformation and political

disinformation. This has become a growing concern, with the gravity of such issues becoming even more evident during the COVID-19 pandemic, in which the spread of false information posed risks to public health and sought to undermine democratic processes in the region. Russia, drawing from its history of information manipulation during the Soviet era, has adeptly utilized social media platforms to sow discord and polarization within the EU and Eastern Partnership region. Moreover, the Russian war in Ukraine has further intensified propaganda efforts related to the conflict, with a specific focus on targeting countries in the region.

Georgia, in particular, has been heavily impacted by Russian disinformation. In addition to grappling with information manipulation within its weak media environment (Reporters Without Borders, RSF 2023) and conflict-affected context, Georgia has witnessed a significant rise in the prevalence of online hate speech and disinformation in recent years. Various individuals and disruptive actors have exploited online platforms to exacerbate polarization for political gain. According to META's first quarterly report in 2023, a substantial number of Facebook accounts, pages, groups, and Instagram accounts were suspended due to coordinated inauthentic behavior (META, 2023). The report shed light on a network originating in Georgia that targeted multiple platforms, including Facebook, Instagram, and TikTok. Notably, Georgia was mentioned alongside countries like Russia and Iran, which are notorious for disseminating disinformation campaigns.

Furthermore, according to a 2020 report, Georgia ranked as the fifth most targeted country worldwide for misinformation campaigns ('Countries Targeted the Most by Domestic CIB Networks,' 2020). Throughout the last five years, disinformation tactics have been employed by various political actors in the country, which has led to the removal of entities linked to both the ruling party and the main opposition party from the platforms ('Coordinated Inauthentic Behavior Report,' April 2020).

The prevalence of opportunistic political actors spreading disinformation in the region, coupled with the success of populist-nationalist political platforms in neighboring countries such as Russia, Turkey, and Hungary, have exacerbated the problem and provided a fertile ground for the dissemination of false information. The Covid-19 pandemic and conflicts like the wars in Ukraine and Nagorno-Karabakh have further compounded the issue. Propaganda, misinformation, and contradictory government communication have significantly contributed to the vulnerability of the information space, resulting in information vacuums, confusion, and societal divisions that disinformation agents readily exploit.

In the face of this increasing polarization and vulnerability, Georgia could benefit greatly from aligning with the EU's regulatory framework. Under measures in the DSA and DMA, the

country could not only benefit from the protective measures provided under the EU's umbrella but also use the collective bargaining power of partnering with the union's 27 member states to hold VLOPs accountable for their role in mitigating online malign activity and disinformation.

III.   Increased Integration and Connectivity with the EU

Integration into Euro-Atlantic structures like the European Union, while explicitly outlined as a national priority in Article 78 of Georgia's constitution, is also a sentiment overwhelmingly held by most of the country's population. Adopting the EU's digital agenda and relevant regulatory frameworks would serve both the legislative approximation process and bring Georgia's telecommunications sector into closer alignment with the EU. It would also offer opportunities for increased human connectivity between Georgia and the EU.

The topic of mobile roaming charges is one such element of the EU's digital agenda that could be incorporated in Georgia. Mobile roaming charges, or additional fees for the use of mobile services outside of the country of service, were abolished within the EU and EEA in 2017. In Georgia, revenue from roaming services was on the rise before the Covid-19 pandemic as the country continued to benefit from increased travel and tourism. Up 15% year-on-year, revenue from roaming services amounted to GEL 26 million in 2019 (approximately 5% of retail sales) as more than 690,000 mobile users utilized roaming services outside of Georgia. [2] Of the top ten countries where customers of Georgian mobile providers utilized roaming, four were EU members and three were EaP countries (ComCom.ge, 2019). In 2019, the top 10 source countries for tourism in Georgia spent approximately GEL 22.9 million total in roaming fees. Of these, five countries were EU members and one was an EaP member (ComCom.ge, 2020).

Eliminating roaming charges between Georgia, the EU, and its fellow EaP countries would serve the country in several ways. Such a move would build on the EU's decision to grant Georgians visa-free travel to the Schengen Area in 2017. The reduction of costs and hassle associated with using mobile services in the EU would thus lower another barrier for Georgians to travel to the EU, further encouraging human connectivity between the EU and Georgia. Furthermore, the reduction of costs for travelers from the EU and EaP in Georgia could bolster the country's tourism sector, which remains a vital part of its economy, accounting for 25% of Georgia's GDP in 2016 (Driving the Tourism Recovery in Georgia' 2021). While a feasibility study has not yet been conducted on the estimated benefit of eliminating roaming charges

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[2] The tourism sector faced significant disruptions due to travel restrictions related to COVID-19, and the latest available data from 2021, which amounted to 19.5 million Gel, may not accurately reflect the longer-term trends.

between the EU and Georgia, a 2017 feasibility study on eliminating roaming charges between EaP members estimated that it could lead to a potential EUR 2 million in annual savings for Georgian consumers and EUR 39.25 million in annual savings for customers throughout the entire EaP region (EU4Digital, 2017).

How Can the Digital Agenda be Extended to Georgia?

Considering that the European Union's flagship initiative, the EU4Digital initiative, is likely to be modified to accommodate the membership bids of Moldova, Ukraine, and Georgia, it would be prudent to urgently prioritize enhanced digital connectivity for Georgia. This proactive approach will ensure the maintenance of momentum towards EU integration and a seamless transition to full membership in the future.

However, not all issues covered by EU digital policies such as the DSA and DMA, are immediately applicable to Georgia. Some major online shopping platforms, like Amazon, are not yet established in Georgia. Nevertheless, the rules dictated by these regulations have broader implications for protecting citizens from information manipulation and improving the quality of digital goods and services. Therefore, the gradual implementation of these policies with a focus on securing the information space and facilitating better communication will play a crucial role in creating an environment conducive to policy reforms.

I. Candidate Country Model

To expand the digital agenda in Georgia, several established frameworks can play a significant role in future discussions. One such framework is the Candidate Country Model, which entails formal membership negotiations, the adoption of established EU law, and preparations to effectively apply and enforce it. It guarantees the implementation of judicial, administrative, economic, and other necessary reforms to meet the accession criteria for joining the EU. This model provides a structured pathway for countries to align themselves with EU standards and requirements in the digital realm as well.

Currently, eight countries are engaged in the EU enlargement process as candidate countries, although their progress and timelines for accession vary. For example, Turkey is not expected to accede to the EU in the near future. However, all candidate countries have a strong presence of EU telecommunications operators conducting business within their borders. All candidate

countries are expected to have fully liberalized their electronic communications markets and aligned their national legislation with the E-Commerce Directive. They have also established national regulatory authorities (NRAs) to oversee digital communications. However, the majority of candidate countries have not closed Chapter 8 on competition policy and Chapter 10 on the information society and media. Regarding audio-visual policy, only Montenegro and Albania have achieved full compliance with the Audio-Visual Media Services Directive. Concerns persist regarding freedom of expression and media in several candidate countries, and in some cases, the situation has been described as "deteriorating" (EU Commission, 2023).

Given these considerations, the existing Candidate Country Model serves as a valuable framework for discussions and collaboration. When Georgia obtains candidacy status and opens accession negotiations, emphasizing digital connectivity on the accession process negotiation will be a crucial aspect of tackling disinformation and malicious information campaigns. One such country that may also serve as a model is Moldova. After receiving candidate status in 2022, Moldova added the EU's "roam like at home" policy as a priority in its EU-Moldova Priority Action Plan in June 2023, incorporating it into its Association Agreement as it awaits the next steps in its accession process.

II. Western Balkan Model

Another approach to extending the EU digital agenda to Georgia that may prove useful if Georgia does not receive candidate status in 2023 is by adopting a similar model to that of the Western Balkans. In 2018, the European Commission adopted the Digital Agenda for the Western Balkans Strategy, which involves not only cooperation among the regional countries but also their alignment with EU standards and requirements (EU Commission, 2018). Currently, the Western Balkan countries actively participate in annual reporting for the Digital Economy and Society Index (DESI) using the EU DESI methodology. The European Commission has also recognized the future involvement of the Western Balkans in the Digital Europe Program, indicating a commitment to collaboration. Additionally, the establishment of an AI Working Group demonstrates a focus on addressing AI-related topics and fostering joint action with EU countries. It is also worth mentioning that the Western Balkans have already implemented a regional roaming-free regime and are working towards further reductions in roaming charges between the EU and the Western Balkans.

Considering significant developments resulting from the Russian war in Ukraine, which have accelerated regional integration with the EU; it is important for Georgia to outline its path for advancement before obtaining candidacy status. One potential avenue is to focus on digital connectivity and explore the extension of the EU digital agenda to Georgia, particularly through the implementation of legislation in line with the provisions of the Digital Services Act (DSA) and Digital Markets Act (DMA). These acts offer solutions to address the country's challenges related to the information environment through the EU's regulatory framework, facilitating policy reforms and improving connectivity while countering foreign disinformation agendas. While existing political polarization in the country may impede the adoption of some of these frameworks and legislation in their entirety, Georgia still stands to benefit greatly from enacting selected elements that could be less politically contentious, like the elimination of mobile roaming charges between Georgia and the EU.

While candidate status remains the most straightforward path for Georgia to adopt the EU's digital agenda, the Western Balkan model could become an option if it does not achieve this status in 2023, as it provides for closer cooperation with EU members and institutions in the area of digital connectivity.

Recommendations

Georgian Parliament:

- Initiate additional reforms in the EU-Georgia Association Agenda to support the future development of the EaP Regional Roaming Agreement (RRA) and revise the agenda of the Roaming Expert Working Group (REWG).
- Prioritize the implementation of singular policies, such as 'roam like at home'.
- Establish working groups dedicated to addressing specific digital challenges and opportunities arising from the Digital Services Act (DSA) and Digital Markets Act (DMA).
- Foster cross-regional digital cooperation by facilitating collaboration on joint research and development projects with EU member countries, promoting the sharing of best practices, and encouraging digital trade and investment.

Georgian Government:

- Prioritize digital connectivity and instill confidence in digital technologies by integrating EU digital policy extensions into Georgia's 2030 strategy.

- Encourage local academia, as well as telecommunication companies and ecommerce actors, to analyze the potential benefits and drawbacks of gradually adopting the Digital Services Act (DSA) and Digital Markets Act (DMA) by engaging industry associations, creating policy forums, or establishing research partnerships.

- Enhance knowledge sharing by exchanging experiences on digital connectivity with Western Balkan countries.

- Foster academic connections to promote digital innovation and research in the region, leveraging initiatives like Horizon 2020, Erasmus, and EU4Digital programs.

- Provide a strategy on how Georgia can catch up to EU members in digital development and ensure the seamless transition to the adoption of the Digital Services Act (DSA) and Digital Markets Act (DMA).

- Prioritize and advocate for the adoption of key provisions of the Digital Services Act (DSA) as a countermeasure to disinformation, especially in the lead-up to the 2024 election year.

Communications Commission:

- Take proactive measures to reform regulations and eliminate barriers for digital businesses, fostering competition and innovation in the telecommunications field.

- Engage in regulatory discussions with Western Balkan countries, ensuring the sharing of best practices and promoting digital connectivity.

- Ensure engagement with private businesses to address issues and highlight the potential benefits of gradually adopting the Digital Services Act (DSA) and Digital Markets Act (DMA).

European Commission:

- Address the Digital Connectivity gap in the region.

- Provide a vision for coping with malign Russian influence in Georgia and escalating disinformation campaigns.

- Enhance cooperation with tech companies to effectively monitor and counter disinformation campaigns, particularly during pre-election campaign periods. Include

Georgia, Ukraine, and Moldova in the EU Code of Practice on Disinformation and Digital Service ACT coverage.

- Promote and support research on the adoption of digital connectivity among Georgian private businesses in cooperation with academia.

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