

“Unexpected” Europeanization: The Impact of EU-Georgia Association Agreement on Occupational Safety and Health Policy in Georgia

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Abstract: The article investigates Georgia’s ongoing Europeanization process, a well-established topic in contemporary research. The study, on the other hand, focuses on the highly complex and largely unexplored field of labor relations, which has been in constant motion since the signing of the Association Agreement between Georgia and the European Union in 2014. The article explores the development of the Occupational Safety and Health Policy as a unique case study, showing the Georgian government’s partial commitment to meeting its obligations under the Association Agreement. This commitment has raised the Occupational Safety and Health Policy to a critical component of public policy-making, paving the way for considerable changes in labor relations across the country.

Keywords: *Europeanization, European Union, Georgia, labor law, labor policy*

1. Introduction

Since achieving independence, Georgia has consistently pursued integration into Western institutions. This journey began with its accession as the 41st member of the Council of Europe in 1999. Subsequently, Georgia reaffirmed its commitment to Western integration by conducting a plebiscite in 2008, expressing its desire to join NATO. In 2014, Georgia further solidified its

Western orientation by signing the Accession Agreement (AA) with the European Union. Most notably, in 2018, the preamble of Georgia's newly amended Constitution enshrined its aspirations to join both NATO and the European Union (*Agenda.ge*, 2018). In response to Russia's aggression against Ukraine, in June 2022, the European Union undertook substantial measures aimed at expanding its enlargement efforts to the East. During this period, Moldova and Ukraine were granted the candidate status, while Georgia was presented with the prospect of European integration (*EU Neighbors East*, 2022). This decision underlines that Georgia still has work to do to strengthen its partnership with the European Union. However, over the last few decades, Georgia has embarked on significant reform initiatives, affecting various aspects of its politics and governance (*EU Neighbors East*, 2022).¹

The Association Agreement made urgent labor law reform one of the EU's key requirements towards Georgia, highlighting the reforms begun in 2014 to bring these laws in line with the objectives set out in the Agreement. Specifically, Article 228 stresses the importance of maintaining high standards of the Occupation Safety and Health (OSH) policy in Georgia. The emphasis on the OSH continues in Article 229, where reference is made to the 86th Session of the International Labor Organization (ILO). In this context, the parties recognize the significance of fundamental principles and rights at work. They commit to respecting and disseminating information about these principles and pledge to ensure their implementation. This commitment encompasses the freedom of association and collective action, the elimination of all forms of forced and compulsory labor, the prohibition of child labor, and the fight against discriminatory practices in the workplace (Association Agreement between the EU and the European Atomic Energy Community, 2014).

When evaluating the effectiveness of reforms that Georgia is undergoing, it is imperative to acknowledge that while shortcomings have been identified in areas such as the judicial system and governance, with the European Parliament advocating for de-oligarchization in 2022, notable progress has been made in the transformation of labor laws and policies since the Association Agreement. Enabling Georgia to draw closer to European standards, as stipulated by the provisions of the Association Agreement.

¹ The manuscript was submitted to the journal in October 2023. In mid-December the same year, Georgia had achieved the EU candidate status, which highlights the importance of the topic and heightens the debate on Georgia's Europeanization.

Georgia's pursuit of stronger ties with Western institutions and its active engagement in collaborative efforts, characterized by institutional alignment and a comprehensive reform agenda involving institutions like the International Monetary Fund and the European Union, and also Western nations, unquestionably bore the impact of its ongoing and highly volatile relationship with Russia. Furthermore, it is crucial to contextualize this institutional convergence with the West within the broader context of escalating tensions between Russia and NATO. For instance, following the Five-Day Russo-Georgian War in August 2008, the Eastern Partnership initiative was launched, representing a significant milestone in the quest to foster closer relations between the European Union and Eastern European countries, with Georgia being a notable participant. Additionally, the ratification of association agreements in 2014 introduced a fresh point of resistance for the trio composed of Georgia, Ukraine, and Moldova as they moved further forward against Russia's influence. Furthermore, Russia's unexpected invasion of Ukraine in 2022 presented this trio with a newfound opportunity to expedite their journey towards integration with the European Union in times of regional war.

The Europeanization process within Moldova, Georgia, and Ukraine spans beyond the realm of technocratic and policy considerations, encompassing a multifaceted political dimension. This dimension covers factors such as the geopolitical alignment of mentioned nations, their foreign policy inclinations in international affairs, and their stance regarding Russia. Therefore, despite Georgia's modest achievements in terms of the country's cooperation with Western actors and the adoption of Western governance norms, particularly evident in various indicators of good governance, it remains imperative to recognize that additional governance facets, such as foreign policy orientation and the rule of law instead of informal influence, are deemed equally significant by the West, in tandem with the proficient implementation of reform agendas.

Examining the case of Georgia's OSH policy, the article underscores the state's notable emphasis on labor relations regulation, a commitment mandated by the Association Agreement, thus facilitating the process of "Europeanization" in this domain. Consequently, despite encountering constraints and hurdles, it is plausible to assert that Georgia has advanced its engagement with the European Union in distinct occasions. This empirical exploration is essential and valuable for further study.

In recent years, scholars have examined Georgia's Europeanization from various angles, including its role as a catalyst for modernization, where

society demonstrates its willingness to embrace the values of the European Union (Tsuladze & Osepashvili, 2021), or as the tool for “de-Sovietization” by changing the outdated understanding of governance with the new (Kakachia & Minesashvili, 2015), or just as the acceptance of the EU norms (Delcour, 2013). More policy oriented is the inquiry by Samkharadze (2019), in which the author discusses the Europeanization of the energy policy and how the energy law is being transformed in Georgia on municipal levels under the EU energy law.

Europeanization at the policy and institutional level is the central theme of this article. It looks at the Europeanization of labor relations in Georgia and highlights it as an exceptional success in the broader context of the country’s Europeanization efforts. The text dissects the concept of Europeanization and leaves open the question of Georgia’s possible accession to the EU. Nonetheless, Europeanization is explored as a powerful catalyst capable of redesigning certain institutions and policy-making in Georgia. Through an empirical analysis focusing on the transformation of one particular facet of Europeanization—namely, the OSH policy—this article makes a particular contribution to the evolving body of research on Europeanization in Georgia, thereby enhancing the overall relevance of the text. Thus, the research question explores how the 2014 Accession Agreement between the EU and Georgia transforms the OSH policies in Georgia, by exploring its implications on legal, institutional, and practical levels in three separate chapters of the article.

Through an examination of the transformation of labor security in Georgia, this article has the potential to make a valuable contribution to the existing Europeanization literature. This body of work typically explores how the EU influences the policies and institutions of its associate members, or countries in the process of accession. Notably, the article underscores that the EU can exert a transformative impact even in cases where the likelihood of the target country’s eventual accession to the EU remains remote.

This study requires essential materials and evidence, comprising several critical elements. Firstly, it necessitates access to labor relations and labor safety laws sourced from Georgia’s legislative archives. Equally vital is the information regarding the institutions tasked with overseeing labor safety. Reports from trade unions and non-governmental organizations, which have played pivotal roles in addressing labor safety concerns, hold significant importance. Additionally, the annual reports on the Association between the EU and Georgia serve as crucial documents to trace the progress and shortcomings of Georgia’s path in the Europeanization process.

Conducting interviews with 52 individuals from February 2020 to March 2023 among problematic enterprises, activists, emerging left-wing students, and trade union members, constitutes a central aspect of this research. Secondly, an examination of the role and effectiveness of the labor inspection, as a state institution directly responsible for addressing labor safety concerns, was undertaken as a separate facet of this study.

Lastly, for the purpose of conducting a robust comparative analysis, it is imperative to explore two most similar cases: two cities facing similar challenges in labor safety—Tkibuli and Chiatura. These mining towns, situated in close proximity in Western Georgia, have grappled with critical labor safety issues over an extended period, rendering them pertinent case studies for this research.

This article is firmly rooted in Radaelli and Exadaktylos' (2012) framework, which encapsulates Europeanization as a dual concept encompassing both outcomes and a transformative process with profound implications for policy dynamics and institutional structures. The primary objective here was to thoroughly explore how Europeanization influences labor policies and institutions, with a specific focus on labor legislation, within the realm of political occurrences and implications. Semi-structured interviews were held with diverse stakeholders, an exhaustive analysis of primary and secondary sources coupled with a thematic analysis to discern recurring patterns was carried out, and discourse analysis techniques were applied to uncover the communicative strategies that advocacy groups use to push changes in the OSH policies and the incorporation of regulations to meet “European” safety norms.

Furthermore, the study looked into the semantic evolution associated with the advocacy of novel labor policies under the sway of post-Association Agreement agenda by pro-labor groups, shedding light on the transformation of political discourse. Also, labor institutions and legislative documents were meticulously examined to gain insights into changes that have transpired since 2014, thus providing a nuanced understanding of policy development. To bolster the validity and rigor of my findings, key stakeholders were involved in the implemented validation processes, which was important not only for corroborating research outcomes but also enabling a comprehensive assessment of the practical ramifications of these changes in real-world context.

2. Europeanization as a transformation: Impacts and limits

In the article, Europeanization is depicted as the onset of a profound shift, often referred to as a transformation, as Heather Grabbe (2006) has termed it. Specifically, Georgia's process of Europeanization aligns with the broader pattern of Europeanization observed in the post-Socialist sphere, where countries in Central and Eastern Europe have progressively integrated into the European Union, often in connection with the different waves of EU enlargement (the years 2004 and 2007 are particularly relevant, with eight post-Socialist states having joined the European Union).

However, Russia's growing opposition toward NATO and EU enlargement has been a major factor in the Europeanization dynamics of Georgia (as well as Moldova and Ukraine). The Eastern Partnership, advocated and developed after the 2008 August War, was the first critical instrument in which the EU's impact on the remaining regions of post-Soviet Eastern Europe was expanding. However, the 2014 Association Agreement marks a watershed moment in Georgia's Europeanization since its transformation has begun, and within the framework of the Association Agenda, Georgia has begun to undertake reforms and has allowed the EU development agenda to influence policy-making in Georgia. Frank Schimmelfennig (2012) analyzes the EU's enlargement with a new institutional perspective and observes that the EU can have a substantial impact on the target country (in our case, Georgia, which is an associate member and has the prospect of joining the EU). According to Schimmelfennig (2012), the EU extends its development agenda in the target nation through two mechanisms: (1) conditionality and (2) socialization. According to the author, the EU offers a number of benefits to the associated states, such as financial packages, visa-free travel, or market access. However, it also requires that the governments of the target countries take their interests into account, which means that the government of the target country "studies" and "implements" the way public policy is pursued in the EU, which essentially implies the importing of relevant agenda. Schimmelfennig (2012) underlines that the EU has a significant influence on how reforms are implemented in target countries, and punitive measures (such as the suspension or withdrawal of numerous benefits) can be activated if changes are not delivered on time or not at all.

Definitions similar to Schimmelfennig's can also be found in the works of other authors, who argue that Europeanization occurs after resistance

when the target country is unwilling or unable to fulfil its obligations under the bilateral agreement with the EU (Börzel, 1999; Knill, 1998). According to this statement, notably the year 2014 marks the period, when Georgia underwent a substantial transformation, as Georgian Dream government's priorities veered away from the previously established labor policies, which had been strongly market-oriented since 2006.² This shift gave rise to a conflict between the government and the existing legal and institutional framework, necessitating a re-evaluation of labor policies and exposing the differences between the EU and Georgia in this specific sphere. It is precisely for this reason that the harmonization of these disparities found its place on the agenda of the EU-Georgia Association Agreement. The neo-functional perspective on Europeanization postulates a linear trajectory, whereby the dominant EU legislative agenda is reflected in the target country's public policy procedures and norms, as Robert Ladrech (1994) argues. To achieve Europeanization, the target country takes the initiative to develop a policy agenda that aligns with EU objectives and allows the transmission of policy and institutional intentions from the European to the local level. Ladrech (1994) notes that signing of the AA (or similar documents) by both parties, as well as their mutual willingness to implement reforms, is an essential precondition for the launch of the Europeanization process.

As noted above, when countries adopt EU norms and policies, they often encounter opposition, leading to a gap between their specific policy agenda or institutional structure and that of the EU. This gap has been referred to as "incompatibility" by Börzel (2002) and "inconsistency" by Héritier (1996). However, the success of reform efforts hinges not only on the actions of the government but also on those of different stakeholders. For example, in the case of labor policy reform in Georgia, trade unions, activists, and non-governmental organizations advocate for more regulatory reforms, while business interests prefer minimal regulations.

Ian Bache's (2003) research identifies two modes of adopting EU commitments by the target countries—voluntary and forced. In the former, domestic actors in the target country accept the commitments, whereas in the latter, some political actors resist them. These contradictions reveal the tension between the Europeanization process and the on-the-ground reality. It is essential

² For example, the extremely liberal Labor Code, introduced in Georgia in 2006, took a remarkably radical approach to labor protection regulations. In particular, it abolished the Labor Inspectorate, thus introducing a deeply deregulatory approach to labor relations in Georgia that lasted until 2014. For further information, see Christian Timm's (2013) work on Georgia's deregulatory experiments.

to highlight that Georgia continues to operate as a "hybrid regime," and when we employ the Europeanization theory as an analytical tool, certain limitations become evident. Notably, the issue of oligarchic governance in Georgia holds significant importance from a European perspective. However, it is noteworthy that since 2003, all elections in Georgia have been conducted without substantial violations, as per international assessments, and key political players strive for electoral success. Moving closer to the European Union ranks as one of the primary objectives for Georgia's populace. Consequently, I assert that the path of Europeanization and the fulfillment of at least some of the commitments outlined in the Association Agreement carry substantial significance for the Georgian government, even from an electoral standpoint.

3. Europeanization of labor legislation in Georgia after the Association Agreement

In the European Union, the development of OSH policy standards has progressed over several decades through a combination of rules, experiences, and political deliberations. Conversely, the foundation of workplace safety and health protection policy within the EU can be traced back to three primary documents and institutions:

Social Action Program. The European Union periodically implements this program, primarily aimed at examining public issues within the EU and devising initiatives to address them. One of the critical concerns addressed by this program is labor safety and, in a broader context, workers' rights (Eurofound, 2007).

Common Charter of Fundamental Rights at Work for Workers. Adopted by the European Union in a declaration dating back to 1989, this charter was based on the unanimous agreement of all Member States, except the United Kingdom. It delineates the fundamental principles that underpin the labor law framework of the European Union and laid the groundwork for the creation of the European social model in the subsequent decade (Eurofound, 2011).

The European Union Charter on Fundamental Rights, released on October 26, 2012, serves as a shared text for all Member States of the EU. This comprehensive document is structured into seven distinct chapters,

each elaborating on the core principles and values that underpin the charter. To illustrate, the initial chapter centers on the principle of dignity, followed by chapters on freedom, equality, solidarity, citizens' rights, justice, and the fundamental prerequisites for implementing and disseminating the charter. Of particular relevance to workplace safety is the fourth chapter, 'Solidarity.' Article 31 within this chapter underscores the imperative that every worker possesses the entitlement to labor in conditions that prioritize their health, safety, and dignity. Additionally, Article 34 emphasizes the necessity of establishing a system of social security and benefits to address circumstances such as maternity leave, illness, or workplace-related injuries. (Charter of Fundamental Rights, 2012)

The 2014 Association Agreement between the European Union and the State of Georgia places a significant responsibility on Georgia to enhance workplace safety and health. In Article 228, the agreement outlines the need for Georgia to refine its legal framework for environmental and labor rights protection while also implementing effective policy measures. Article 229 dives into this commitment in detail. Firstly, it emphasizes the importance of shared labor standards and agreements to foster productive work and decent working conditions in the face of challenges of globalization. Secondly, the agreement incorporates the International Labor Organization (ILO) by committing both parties to uphold the ILO's 1998 Declaration of Fundamental Principles and Rights of Labor, demonstrating their joint dedication to adhering to internationally recognized labor standards found in ILO conventions (Association Agreement between the EU and the European Atomic Energy Community, 2014).

Following the 2012 parliamentary elections, the newly formed Georgian Dream government initiated a review of the labor legislation, resulting in the amendment of the Labor Code and the enactment of new laws with the endorsement of various trade unions (Independent Trade Union, 2013). The reforms introduced by these amendments have brought about a significant improvement in workers' rights. However, occupational safety measures were not innovated as part of these changes. It is noteworthy that the workers' right to join unions and their protection against deliberate dismissals by employers, which had been deprived between 2003 and 2012 as part of a market fundamentalist strategy, were restored through the labor reforms adopted by the Georgian Parliament in 2013.

In 2013, the government made significant changes to labor laws, including new regulations governing overtime pay and compensation. Although the OSH was not part of this reform, the 2014 EU-Georgia AA brought about gradual changes in OSH policy (Avalishvili, 2013). To comply with the AA, the Georgian government committed to implementing measures to enhance OSH, such as amending the Labor Code to align with EU labor standards. Legal documents are crucial in laying the foundation for the improvement of OSH measures, as they serve as the impetus for change and a prerequisite for the advancement of OSH institutions. Part of the reforms that became mandatory after the AA only became a necessity because for many years there were no proper OSH standards and control mechanisms, whereas in Georgia the necessary policies existed for many years until they were abolished in 2006. For instance, the Labor Inspectorate was abolished in 2006 with the amendment of the Labor Code, although prior to that it had been an administrative institution with wide powers in Georgia (since its establishment in 1973).

The Labor Inspectorate, which existed from 1991 to 2006 in post-Soviet Georgia, was an institution inherited from the Soviet Union, despite the country's deindustrialization and the closing of numerous enterprises, including in Tkibuli and Chiatura. Alongside the Labor Inspectorate, the Labor Code was another remnant of the Soviet era in Georgia, adopted in 1973 by the Presidium of the Supreme Council of the Georgian SSR (Code of Labor Laws of Georgia, 1973). The document survived the first 15 years of privatization waves and was eventually replaced by the 2006 Labor Code, characterized by radical deregulations, and regarded as the primary evidence of the extreme market-oriented policies from 2003 to 2012 (Labor Code, 2006).

After a comprehensive revision of the Labor Code in 2006, the Labor Inspectorate was eliminated but eventually reintroduced in 2014. However, due to operational challenges, the inspectorate could not be reinstated as an institution until 2019. Nonetheless, a partially bureaucratized Labor Inspectorate was operating since 2015. Later in 2020, the inspectorate was finally converted into an administrative entity through the enactment of the 'Organic Law of Georgia on the Implementation of the Labor Inspectorate' (On Labor Inspection, 2020), a law passed by the Georgian Parliament that created a regulatory framework for its establishment. Notably, three distinct preparatory measures were initiated a year prior to the enactment of this law, which helped pave the way for the incorporation of labor inspection into the Labor Code of Georgia.

- The Resolution ‘Endorsing the 2019 government program for workplace inspections’ (Resolution no. 682 of the Government of Georgia) begins with emphasizing the responsibility that employers have in adapting to the changing landscape of labor regulations. Although the Resolution is not a law, it provides instructions and implies that employers should be aware of the possible consequences if they fail to comply. Additionally, the resolution highlights the urgent need to review and improve current health and safety standards and frameworks. It also mentions that amendments to the Labor Code will be introduced to establish a framework of preventive measures to address issues such as the lack of a secure and safe working environment. This resolution resulted in new obligations and financial responsibilities for Georgian Industrial Group, owner of the Tkibuli coal mining company, also known as Saknakhshiri, in the relevant period.

Georgian Industrial Group opted to dispose of Saknakhshiri in response to the aforementioned policy shift, and the Ukrainian Steel International Trade Corporation took over the company and established a new subsidiary known as Georgian Coal. The resolution also detailed a novel protocol for the control and monitoring of mines, which was to be implemented for the first time. Going forward, the corporation would receive official notice five days prior to any upcoming inspections. The Tkibuli mines were found to be technologically deficient and outdated, and deteriorated further in 2018–2019. Consequently, the prospect of a successful inspection was unlikely from the outset. The program, in the meantime, had only a constrained punitive function and provided mere recommendations. However, a recent law has enabled the Labor Inspectorate to take criminal action against infractions related to the exploitation of faulty infrastructure one year later.

- The Approval of the List of Hazardous, Heavy, Harmful and Dangerous Works (Resolution no. 318 of the Government of Georgia, 2018) drew attention to the risks posed by mining and extractive industries to human life. As a result, the companies operating in Tkibuli and Chiatura were subjected to labor inspections. This resolution was a culmination of sustained efforts by NGOs and trade unions to highlight safety concerns in these firms.
- The Decision of the Government of Georgia on the definition of the rules and conditions of selective inspection during the inspection of compliance with the OSH standards for high-risk, heavy, hazardous and dangerous work (Resolution no. 318 of the Government of Georgia, 2018). With this decision, it was announced that the Labor Inspectorate would be further strengthened and eventually transformed into a state bureaucracy.

After five years since the AA, the Georgian Parliament passed the Organic Law on Occupational Safety and Health in 2020 (On Labor Inspection, 2020). The new Law has brought significant changes to the nature and trends of labor policies in Georgia. Chapter 2 of the Law includes Articles 5 to 8, establishing multiple regulations and obligations for employers. These requirements hold employers accountable for ensuring the implementation of health and safety standards within an industry, as well as the proper functioning of technical equipment and efficient work protocols. The legislation provides for three types of sanctions in case of non-compliance with safety requirements: a warning, a substantial fine, or suspension from work/court proceedings. Chapter 5 outlines the employer's duties, which include ensuring worker safety in the workplace, preventing physical, chemical, or biological dangers from harming employees or others, and documenting and reporting incidents that may jeopardize workers' health. Chapter 6 emphasizes the importance of preventive measures and encourages employers to establish a long-term, well-organized program to maintain a safe working environment. This program should involve reducing hazards, eliminating sources of danger, and identifying and managing unavoidable risks and hazards. Additionally, the Law stresses the need to create a consistent and long-term policy for preventive measures to minimize potential hazards. In Chapter 7, employers are required to designate a person (or persons) responsible for continuous supervision of OSH and ensure that internal control procedures are always in place.

Hence, numerous significant commitments have been made, which include enhancing workers' rights and providing the opportunity to monitor labor conditions in the presence of potential hazards. Moreover, workers are now authorized to appoint a safety representative who would be responsible for communicating with the employer. Nevertheless, concerning the incidents in Tkibuli and Chiatura, the Center of Social Justice has criticized the adequacy of these modifications, arguing that the government should promptly ratify the ILO Conventions protocols (1947, 1969, 1970, 1981, 1985, and 1995) which address OSH and the particularities of the mining industry.

4. Restoring labor inspection and its limits (2015–2018)

In 2006, the Government of Georgia made the decision to disband the Labor Inspectorate under the revised Labor Code, citing allegations of corruption and outdated practices as the primary reasons. At the time, the government believed that the regulatory burden was detrimental to business and the dissolution of the agency would attract more investment. Nevertheless, the immediate aftermath of the abolition of the Labor Inspectorate was marked by an increase in industrial accidents and worker fatalities. For instance, 95 work-related deaths were recorded in Georgia between 2002 and 2005, while 193 people died at work between 2007 and 2010, and 142 fatalities were reported between 2011 and 2014 (Tchanturidze, 2018).

The 2021 Center of Social Justice Report explicitly stated that the focus on business facilitation and deregulation policies has sacrificed labor rights. In the same report, the AA signed between the EU and Georgia in 2014 is cited as a catalyst for the establishment of a labor inspection system (The Social Justice Center, 2021a; 2021b), which is well in line with the perception of Europeanization as an occurrence that brings institutional transformation (Bache, Bulmer & Gunay, 2012; Radaelli, 2002; 2003; Börzel, 2002; Ladrech, 1994).

Upon signing the Association Agreement, the creation or reinforcement of a labor inspectorate was immediately made a priority by the Georgian state. In 2015, the Labor Inspectorate was established as a department under the Ministry of Health, with its functions mostly limited to issuing referral documents. By 2016, the department had a workforce of 26 individuals and had only examined 0.07% of Georgia's commercial establishments (The Social Justice Center, 2021a; 2021b), indicating a lack of resources and capacity.

During the period of 2015–2016, the labor inspection in Georgia received considerable criticism. Firstly, the inspection was solely focused on workplace safety rather than encompassing a broader understanding of labor rights. Secondly, the Labor Inspectorate was only authorized to conduct inspections with the consent of the employer, which limited its effectiveness. Thirdly, the Inspectorate had only advisory functions, which hindered its ability to take proactive measures. Consequently, the Labor Inspection Department was not fully functional during this time. In late 2016, a report by the High Representative of the EU for Foreign Affairs and Security Policy evaluated

the development of labor inspection in Georgia. The report concluded that the existing model was not an efficient labor control mechanism and that under this model, Georgia would not be able to meet the AA's requirements (Joint Staff Working Document, SWD(2017) 371 final).

5. Extending and strengthening the Labor Inspectorate (from 2018 to date)

The tragic incidents in Tkibuli in 2017–2018, which claimed the lives of up to seventeen individuals, highlighted the urgent need for effective labor inspections. In June 2017, Georgian Parliament introduced the Law on Occupational Safety and Health for legislative approval, which was eventually passed in 2018. However, the Law stipulated that labor inspections could only be carried out after obtaining permission from the court and only in limited industries (The Social Justice Center, 2018). As a result, the scope and effectiveness of labor inspection for ensuring OSH remained inadequate. The adoption of Georgia's Constitutional Amendment in 2019 led to the repeal of the 2018 Law, and the subsequent adoption of the Organic Law on OSH significantly increased the state's role in labor inspection. Since then, the Labor Inspectorate has been granted the right to inspect all workplaces, and the requirement for court authorization to conduct inspections has been abolished.

Despite the substantial changes made to the legislation, a considerable number of non-governmental organizations and other stakeholders expressed dissatisfaction with the phrasing of the law, calling for the state to play a more prominent role in enhancing working conditions. Consequently, the Parliament, in collaboration with these groups, passed another amendment to the Law in 2020. The concerned stakeholders highlighted the absence of provisions on occupational safety in the legislation and lent their support to the European parliamentarians' appeal to the Georgian authorities to complete the reform process (The Social Justice Center, 2020).

Following the 2020 modifications, the Labor Inspectorate was established as a public entity in early 2021, leading to its institutional consolidation and expansion of its activities. The Labor Inspectorate's new responsibilities included providing consultation and information to employers regarding implementation of labor standards, informing the public about labor rights, investigating received complaints, continuously inspecting problematic

companies, and improving legislation and proposals. The changes also guaranteed the unrestricted right to the inspection of problematic companies. These modifications were introduced in response to the needs of stakeholders and the public, as well as to improve the overall effectiveness of the Labor Inspectorate (The Social Justice Center, 2021a; 2021b).

In contemporary times, labor inspections can be instigated either by the Labor Inspectorate or by an individual. However, unless the issue pertains to OSH and is not of a different nature, the individual requesting an inspection must be a direct employee of the establishment. Nonetheless, any individual may contact the inspection agency and request an inspection. The legislative amendments have brought forth a roster of high-risk enterprises that are subject to regular, meticulous inspections. It is noteworthy that the reform has led to an expansion in the number of personnel employed in labor inspections. Currently, the Labor Inspectorate has over 200 personnel, including 100 inspectors. This government institution, which operates under the Ministry of Health, is endowed with substantial powers and abundant human and financial resources. The relationship between the Georgian state and the European Union has led to the creation and strengthening of the Inspectorate, which is a comprehensive entity capable of conducting numerous inspections throughout the country each year. It is important to note that in conjunction with the amendments to the Labor Code and the establishment of the Labor Inspectorate, the country's data on workplace accidents indicates a decreasing trend. According to the United Trade Unions, there were 59 worker fatalities in 2018, 45 in 2019, 39 in 2020, and 33 in 2021. Despite the pandemic, the pace of production and construction has remained consistent.

In recent years, the labor inspections have been criticized for neglecting the mining sector, while focusing primarily on the construction industry. Even though new safety regulations have been introduced for the mining sector, certain facilities, such as the coal mines in Tkibuli and the manganese mines in Chiatura, have not been inspected. A particular concern pertains to manganese deposits in the village of Shukruti in the Chiatura District, where extraction mining, including soil extraction and extraction of manganese from quarries, is prevalent, often using unorthodox and illegal methods. Despite only eight inspections conducted, a total of 177 violations were found, yet no fines were imposed on the company responsible for these operations (The Social Justice Center, 2021a; 2021b).

6. Two cities: Death and strikes

It is worth noting that the acknowledgment of the challenge posed by OSH in the AA as a distinct issue was based on the realities of Georgian factories. In particular, from 2006 to 2014, numerous reports were generated emphasizing the inadequate conditions prevalent in the mining industries of Tkibuli and Chiatura. These reports were compiled by media outlets (Mtchedlishvili, 2012; Kuntchulia, 2011; Tsuladze, 2014), trade unions (Dolaberidze, 2013; GTUC, 2014), and non-governmental organizations (Rimple, 2012; Bokuchava, 2010). Although the EU has prioritized the right to decent work as part of its broader human rights framework, the inclusion of the right to decent work as an objective of the AA was also influenced by the problematic cases of labor accidents, rising in numbers in Georgia.

6.1 The Tkibuli crisis

OSH emerged as a critical issue in Tkibuli, where fifteen workers reportedly lost their lives in the mines between 2009 and 2014, according to the Georgian Trade Union Confederation (GTUC). This problem persisted even after the AA was signed and reached its climax in 2018 when thirteen miners died in Tkibuli's coal mines in a single year.

The events that unfolded in Tkibuli and Chiatura played a vital role in Georgia's compliance with the AA requirements. These events prompted the implementation of concrete decisions and legal documents aimed at reforming the country's OSH policy. This process culminated in significant legislative changes between 2018 and 2020. However, the period from 2014 to 2018 was a watershed moment for Georgia's civil society. During this time, local citizens, non-governmental organizations, and student activists joined forces to raise their concerns about the problematic labor conditions prevalent in the country. These protests often grew into larger demonstrations, including city-wide strikes, the occupation of administrative offices belonging to Georgian Industrial Group in February 2016, and protests on Tbilisi's central Rustaveli Avenue. Throughout this period, activists engaged in clashes with law enforcement personnel, leading to the detention of some individuals.

When discussing the Tkibuli issue, which currently pales in contrast to the absence of workplace fatalities³ (no deaths in coal mines since 2018, including in the most critical location, Mindeli mine), it is crucial to divide the case into two stages: *2006–2014* and from *2014 to the present*.

The first phase of resuming mining in Tkibuli started with the acquisition of the assets of the joint-stock company by Georgian Industrial Group, accompanied by a commitment to revitalize the semi-abandoned town and uplift it from the destitution of the 1990s.⁴ Coinciding with the acquisition, the 2006 reform of the Labor Code marked a significant development in the mining industry. However, it is important to note that little progress has been made in terms of physical or technical upgrades despite the resuming of mining activities, and the infrastructure employed remains almost identical to that utilized in the 1950s (Natsvlishvili, 2022).

Hence, the implementation of deregulatory schemes in the Labor Code has greatly worsened the existing risks. According to Human Rights Watch (2019), prior to the AA, each company would verbally sign an employment contract with miners, limiting employees' capacity to defend their rights and interests. The same analysis establishes a definite correlation between the 2006 deregulation initiative and an increase in fatalities in the mining industry (Human Rights Watch, 2019).

Initially, despite the relaxing of labor regulations, mining operations were initially resumed in Tkibuli without any significant incidents, except for a single worker fatality during the early months of operation. Furthermore, from 2006 to 2009, there were no mining-related deaths recorded, and creating over 1,200 mining jobs had a significant impact on employment opportunities, ensuring that there was at least one miner in every household of the city. However, the years 2010 and 2011 were marked by tragedy in Tkibuli, with coal mining claiming the lives of eight and five workers, respectively. Additionally, one miner died each year between 2013 and

³ It should be noted that, in addition to the Tkibuli coal mining company Saknakshiri, there is also artisanal coal mining practice in the town. This practice claimed the lives of two miners in 2021, when a layer of coal collapsed in a mine, killing two miners. Artisanal mines are less controlled and operate virtually unofficially, and after 2020 such mines are banned by the Labor Inspectorate.

⁴ Tkibuli is a small town that has experienced significant depopulation and difficulties since the beginning of the post-Soviet era. According to the latest census data in 2022, the population stands at 10,000, which is a drastic decline from 15,000 inhabitants in 2006 and 22,000 in 1989. The town has struggled with depopulation since the mines closed, resulting in a loss of around 7,000 residents between 1989 and 2006. Despite efforts to rehabilitate the mines, the town has continued to experience depopulation, with a further 5,000 people leaving to settle elsewhere since 2006.

2016, indicating a continuous pattern of fatalities. Despite the potential employment benefits, dissatisfaction arose in the community due to the working conditions and the associated hazards that put miners' lives at risk.

Prior to 2016, the Trade Union Confederation held the dominant position in discussions related to the Labor Inspectorate and working conditions. However, by February 2016, preparations were underway for a more militant strike, following the first one in 2012, which was prompted by concerns over OSH. The insurgent movement, which focused on strikes, became increasingly organized in 2016, with support from non-governmental organizations, trade unions, and student unions rallying behind the striking miners (*netgazeti.ge*, 2012b). The supporters of the striking miners presented an existing argument based on the normative principles of international labor standards and the AA between Georgia and the EU. The AA obligated Georgia to align its labor policies with EU norms, which required a thorough reform of the existing labor policy. The seven-year development strategy for the Imereti region, which includes the Tkibuli and Chiatura municipalities, underscored the need to synchronize the region's environmental and labor policies with the provisions of the AA. This policy alignment was considered necessary for promoting economic development, meeting the EU's accession criteria, and enhancing democratic governance (Administration of State Trustee in Imereti, 2014).

The AA, signed in 2014, was anticipated to come into effect in the spring of 2016, and thus, the strike that commenced at the beginning of that year alleviated numerous challenges and empowered the miners to more effectively advocate for their entitlements. Intriguingly, although the strike received widespread endorsement, the GTUC leaders were not implicated in its orchestration and execution, owing to the fact that the miners organized the strike themselves and lacked confidence in the GTUC. Consequently, the contribution of the unions in the collective action of Tkibuli remains elusive, despite their significant role in advancing the dialogue on workers' rights.

In February 2016, the miners and their supporters resorted to aggressive tactics by taking over the administrative building of Saknakhshiri to demand a list of concessions, including a substantial increase of 30–40% in wages and enhancement in safety standards. Given Tkibuli's reliance on the mining industry, the Social Justice Center highlighted the potential repercussions of an extended strike, which included a risk of town-wide paralysis and a severe crisis. Thus, the Centre suggested two key solutions that emphasized effective communication and resolution of workers' grievances. These

proposals comprised the creation of a tripartite social partnership committee and a robust Labor Inspectorate with an expanded range of activities (The Social Justice Center, 2016).

After extensive negotiations, a consensus was reached to implement a wage increase of 10% over the following two months and to undertake a review of the OSH measures. The talks were attended by four parties, namely the representatives of the striking miners, the Georgian Trade Union Confederation (GTUC), the state, and Georgian Industrial Group (Meparishvili, 2016). It is worth noting that in 2016, the issue of OSH in Tkibuli was not as grave as it became in subsequent years, and the 2016 strike cannot be regarded as the culmination of the crisis, but rather as a starting point for a more assertive movement.

In May 2017, a mine operated by Saknakhshiri experienced a fatal accident resulting in the death of four miners, which spurred widespread mourning and protests in Tkibuli and Tbilisi. The following year, in April 2018, another industrial accident claimed the lives of six Tkibuli miners in a single day, prompting the government to declare a period of mourning (Bogveradze, 2018). A tripartite meeting was subsequently convened at the Ministry of Health between trade unions, the state, and Georgian Industrial Group. During the meeting, the miners' initiative group expressed their desire to participate independently, despite not being authorized to do so. Drawing on the miners' narratives, it can be observed that the GTUC did not effectively articulate their members' concerns, resulting in the lack of efficacy of the tripartite meeting. In contrast to the 2016 protests, the negotiations in 2018 were characterized by increased difficulty, and the disproportionately high incidence of fatalities underscored the tenuous state of occupational safety. The independent miners' union was marginalized in the bargaining process, and the GTUC's consistent adoption of a moderate approach, although significant in the 2016 Tkibuli strike, was no longer perceived to wield significant influence.

In the spring of 2018, Georgian Industrial Group found themselves in a state of vulnerability due to persistent infrastructure challenges and an abrupt increase in fatal incidents in the workplace. In order to ensure the safety of workers in the Saknakhshiri mining industry, located in Tkibuli, the group had to make significant financial investments. The culmination of the crisis occurred in July of the same year with a devastating disaster that resulted in the tragic loss of four miners' lives in a single day. The state's adoption of a new Labor Code in December that year substantially bolstered its regulatory powers over the employer–employee relationship.

The ratification of the new Labor Code, which explicitly covers OSH and workers' rights in general, is clearly the result of the demands of the AA and the combined efforts of the Tkibuli and Chiatura miners and their supporters.⁵ While the 2006 amendments reduced the state's role as a mediator in labor disputes, the 2018 amendments restored the state's ability to judge and referee through additional laws and new agencies. The state's approach to OSH has evolved as a result of years of struggle and has run in parallel with the post-AA reforms in Georgia. It should be noted that attempts by the state to resolve crisis situations through tripartite meetings and negotiations (with business groups and workers) have proved futile. The transformation of labor policy is the result of internal and external pressures, in particular the synthesis of domestic labor rights advocacy and the EU's Association Agenda. This synthesis can be interpreted as the "forced" Europeanization described by Bache (2003). Finally, the government of Georgia decided to incorporate EU labor rules, standards, and laws into Georgia's new Labor Code in 2018.

The decision of Georgian Industrial Group to sell Saknakhshiri was largely driven by the potential financial burden that the proposed changes in labor regulations would have placed on the company. These changes were part of the Georgian government's efforts to comply with the labor standards set forth in the AA signed with the EU. According to the European Parliament's Research Centre, OSH was a key issue addressed in the AA, and the Georgian government had taken initial steps towards implementing reforms in this area within a year of signing the agreement (EPRS, 2020). The mining industry is highlighted in the report, and it is noted that the government has taken into account the demands of protest groups and NGOs (the actions and strikes that took place in Tkibuli and Tbilisi are also mentioned here). At the same time, the report positively assesses the re-establishment of the Labor Inspectorate and recommends that the Labor Inspectorate must be given a broader mandate (EPRS, 2020).

Amidst the peak of the COVID-19 pandemic in July 2021, another strike was initiated by miners in Tkibuli, demanding better working conditions and a pay raise. To examine the impact of the new Labor Code and the mine's ownership on the issue of OSH, as well as the pandemic situation, I conducted a series of in-depth interviews with ten miners. The results revealed significant improvements in the area of OSH, which is crucial in a hazardous occupation like mining. For instance, one miner highlighted that

⁵ This type of support is further analyzed as the "advocacy coalition."

the mines, including the most dangerous Mindeli mine where the recent disasters occurred, were operating at full capacity despite the pandemic.

According to interviewed Miner 1, the extraction protocol has undergone significant modifications following the enforcement of labor inspection measures. Previously, miners were required to evacuate 100 meters from the blast site during operational explosions in the mine, but since 2021, this distance has been increased to 300 meters (Interviews with employees of Saknakshiri, 2021a). The interviewee attributed this alteration to the new owners of the mine,⁶ who frequently emphasized the significance of prioritizing safety in their interactions with miners, a point that was corroborated by two other accounts (Interviews with employees of Saknakshiri, 2021a–c).

Despite the measured satisfaction with the advancements in OSH, the protest had specific goals and demands, which brought to light a distinct aspect of the discontent. In particular, the miners identified that the new owner had introduced changes to the payment system that had formerly been tied to productivity.⁷ The new owner announced a new payment policy that required miners to adhere to monthly payment agreements. Failure to comply with this plan would have had a negative impact on earnings, with real wages being cut in half (Interviews with miners, 2021c). In June 2021, the introduction of a new payment policy led to miners' protests, as they refused to leave the mine until receiving their full salary, causing the mine to shut down. To resolve the crisis, an MP of Georgia from Tkibuli intervened, and the company agreed to transfer the full compensation owed to the miners. In exchange, the miners promised to increase their operating rates (*Radio Free Europe/Radio Liberty*, 2021).

6.2 The Chiatura crisis

Despite the relatively lower likelihood of accidents and fatalities in the manganese mines of Chiatura, owing to the shallower depth of the mines (compared to Tkibuli) and the extraction of manganese from the upper layers of soil, the city has been embroiled in a severe crisis over the past decade. Both the Chiatura and Tkibuli mines remained inactive from 1991 to 2006. Subsequently, Georgian Manganese took over and began mining operations

⁶ Georgian Industrial Group has sold its assets in Tkibuli (including the whole mining enterprise) which was eventually purchased by the new company, Georgian Coal.

⁷ Under this system, miners earned more money for producing greater quantities of coal. However, the previous system was a major flaw as it resulted in miners prioritizing productivity over safety, thereby raising the likelihood of severe accidents.

in Chiatura. However, much like Georgian Coal in Tkibuli, the company's infrastructure is outdated, relying on obsolete Soviet-era machinery, and includes damaged tunnels and broken rails. These concerns have raised serious apprehensions among advocates of labor safety regarding OSH standards.

In October 2012, a historic strike took place in Chiatura as 3,700 miners demanded a pay rise and technical improvements to the mine. Initially, they demanded a 100% increase in wages, and later a 25% increase. After negotiations, the parties reached an agreement on a 10% wage increase, mediated by Tina Khidasheli, a member of parliament from the new ruling party, Georgian Dream. However, the company representative stated that Georgian Manganese had no more funds for additional wage increases. The miners also claimed that they faced political pressure before the 2012 parliamentary elections and requested a list of those responsible for the pressure.

Tamaz Dolaberidze, leader of the GTUC, highlighted the significance of the regime change in 2012 as a turning point for the union. From 2003 to 2012, the GTUC faced constant discrimination, intimidation, and threats of physical harm and arrest. In contrast to Tkibuli, where the accumulation of methane gas posed a severe safety risk, Dolaberidze emphasized that Chiatura's primary safety concern was the faulty rails leading to the mine (Dolaberidze, 2013).

Dolaberidze provides a comprehensive account of the problems plaguing the mine. He notes that despite the continuous operation of the mine, the rails were damaged in several places. The electric motors often failed to touch the power cables, forcing workers to resort to grabbing them with their hands. This, in turn, led to tragic accidents. Additionally, there were instances where the wagon rolled over, crushing miners underneath. The absence of adequate lighting systems in the mines, where there is no natural light, was the second major concern highlighted by Dolaberidze. The provision of sufficient lighting is essential to ensure the safety of workers. To illustrate this point, Dolaberidze recounted an incident in 2011 where a miner was hit by a train and lost his life due to poor lighting conditions (Dolaberidze, 2013).

In November 2015, an industrial accident occurred in Chiatura, resulting in two miners losing their sight (Kevanishvili, 2015), thereby raising concerns over OSH. It is worth mentioning that, unlike Tkibuli, the safety

risks in Chiatura are considerably lower, and the raw material extracted is manganese, which is more expensive and profit-producing compared to coal, and thus entails less salary-related disputes. However, in a show of solidarity, the Chiatura miners joined the Tkibuli strike in February 2016 (*Imedineews.ge*, 2019).

The AA has opened new horizons in the struggle for workers' rights in Tkibuli and Chiatura. It has become clear that the reform agenda needed momentum to be enforced. In Tkibuli, this momentum was achieved between 2016 and 2018; in Chiatura, the first major industrial action since the 2012 strike took place in 2019, when more than 3,000 miners demanded a 30% wage increase, better health care and re-equipping of infrastructure to ensure workers' safety. The agreement was reached in the presence of Georgian Economy Minister Natia Turnava. The company agreed to a 25% salary increase and the gradual fulfilment of further demands (The Social Justice Center, 2019). Following the tragic death of a miner in a mining accident in Chiatura on August 24, 2020, the Social Justice Center raised concerns about the unsatisfactory labor conditions in the Chiatura mines. The Center called on the government to take immediate action by expediting the institutional strengthening of the Labor Inspectorate and implementing the proposed legislative changes. The Social Justice Center also emphasized the need to allocate human and financial resources to the inspectorates for effective enforcement of safety measures in the mining industry and urged the inspectorate to promptly investigate and address the situation at the Chiatura mines, calling also on the Public Prosecutor's Office to initiate an investigation (Pertaia, 2020).

The Chiatura miners went on strike again in April 2021, demanding another 25% wage increase. It is worth noting that costs had risen due to inflation during the pandemic, thus, miners based their demand on this circumstance (Pertaia, 2021). According to Georgian Manganese, the company has actively started the replacement and reinforcement of the mine shafts and the re-equipping of the entire mine since early 2023. The company notes that special protocols have been in place for years to ensure worker safety. In addition, special safety teams (of the company) monitor potential hazards on a daily basis and ensure that they are addressed (Georgian Manganese, 2023).

In conclusion, the state has regularly amended its labor laws since 2014, which has culminated in the implementation of modifications in 2018 and the passing of a new Labor Code in 2019, as elaborated below. Despite this, the

crises that have occurred over the years reveal the state's active involvement in the bargaining process, such as during the 2016 Tkibuli strike, the strikes following the 2018 Tkibuli tragedy, the 2021 Tkibuli protests, and the 2019 and 2021 Chiatura strikes. However, starting in 2019, the state has enacted laws that have drastically improved the labor conditions not just in Tkibuli and Chiatura but throughout the country.

7. Activism: The other layer of Europeanization

Georgia's commitment to neoliberal and deregulatory reforms, initiated in 2006, persisted until the parliamentary elections in October 2012. Subsequently, there was a gradual shift in economic policy away from staunch adherence to radical free-market principles, influenced notably by the Association Agreement. This transition, observed from 2012 to 2014, marked a period of discernible alterations in both rhetoric and policy orientation. During this pivotal period, the Georgian Dream party held observer status within the European Socialists Party from 2012 to 2023, driven by the diverse composition of the Georgian Dream coalition since 2012. This coalition included liberals, such as the Free Democrats and Republicans, alongside the Social Democrats and Conservatives, positioning the party as a center-left political force already by 2023.

Moreover, this alignment with the European Socialists signified a waning of support from the previous government for the radical free-market discourse. This shift is exemplified in the case of Chiatura, where miners faced informal pressure on trade unions immediately after the government change. Miners asserted that organizing a strike before 2012 was exceptionally challenging due to persistent pressure from the representatives of both the government and Georgian Manganese. This underscores the intricate interplay between political developments and the influence of informal pressures on shaping economic policies and labor dynamics in Georgia during this transformative period. In his evaluation of the same timeframe, Stephen Jones (2013) highlights Georgia as a unique experimental ground, where the pursuit of economic growth and the concurrent adoption of a neoliberal political path, despite the remarkable economic progress evident in various indices and official reports, struggled to secure widespread societal backing. This divergence in perspectives resulted in political conflicts. As per the author's analysis, ultimately, the trust placed in the concept of "Singaporeanization"

and the principles of free-market capitalism played a role in causing Saakashvili's government to become increasingly isolated and detached from society (Jones, 2013).

In parallel with the resurgence of workers' strikes, which became a prominent topic of public discourse, a distinct discursive framework emerged, as well as interest groups that cooperated with both trade unions and individual workers. In this context, in parallel with the GTUC, notable entities include NGOs, such as the Centre for Human Rights Training and Observation. Established in 2012, it is now known as the Centre for Social Justice and has consistently focused on issues related to labor protection and the protection of workers' rights since its inception. Furthermore, student organizations such as "Laboratoria 1918" and "Auditoria 115" played a key role in this field.

"Laboratoria 1918" was established in 2011 by students of Tbilisi State University with the initial aim of advocating for changes in education policy. However, thanks to its left-wing ideological orientation, the group quickly developed cooperation with trade unions. Among these contacts, "Laboratoria 1918" was particularly involved in the Chiatura strike of 2012 (*netgazeti.ge*, 2012b). In May 2013, this group organized the first May Day (World Labor Day) march from Tbilisi State University to the Rustaveli Avenue,⁸ carrying the slogan "solidarity with workers," as during the Chiatura strike. This student group soon disbanded, although a tradition of left-wing self-organization can be said to have been established at Tbilisi State University.

In 2016, a coalition of non-governmental organizations, including the Social Justice Center and the Young Lawyers Association of Georgia, as well as left-leaning students, a substantial portion of whom were previously associated with "Laboratoria 1918" between 2011 and 2013, took actively part in the extensive strike that transpired in Tkibuli. Subsequently, in March 2016, the formation of "Auditoria 115" at Tbilisi State University occurred, with strong support from Tkibuli and Chiatura miners. To illustrate, in March 2016, a group of miners from Tkibuli visited Tbilisi State University to express their appreciation and support for "Auditoria 115," acknowledging

⁸ The May Day marches were marginalized in post-Soviet Georgia in parallel with the dissolution of the Soviet Union.

the students' involvement in the strikes that unfolded in Tkibuli during February 2016.^{9, 10}

Interviews conducted with members of "Auditoria 115" reveal a link between the Tkibuli protests and the legislative alterations of 2020. These changes effectively shifted Georgia towards an interventionist labor policy and, under the framework of the new Labor Code, amplified the state's role and responsibilities in labor relations. Notably, one of the group's members underscores that the proactive engagement and vocal protests by "Auditoria 115" played a pivotal role in bringing attention to the issues in Tkibuli and catalyzing their resolution (Interviews with members of "Auditoria 115," 2023a). The second member of the group pointed out that labor regulations and the 2020 Labor Code are largely achievements of "Auditoria 115" (Interviews with members of "Auditoria 115," 2023b).

The protests against the labor standards established in 2006 started with the Chiatura strike in 2012 and student protests since the first manifestation of 2011 and 2013. These movements picked up again in 2014, spurred on by the Association Agreement, which notably amplified the rhetoric in favor of labor law reform. On the one hand, the United Trade Unions and, on the other, various non-governmental organizations have invested considerable resources in defending workplace safety and other workers' rights, while disseminating knowledge on these relevant issues. The reform of labor legislation was boosted by a growing number of industrial incidents, frequently followed by demonstrations and mass marches, both in Tkibuli and in the capital. In addition, the issue of safety standards in the construction sector has made the situation particularly precarious in terms of workplace safety. "Auditoria 115" orchestrated several vocal marches in the streets of Tbilisi in response to tragic industrial/construction incidents, which often resulted in the arrest of activists (Devadze & Khutsishvili, 2018). Actions in favor of occupational safety continued for many years, from 2014 to 2020, until the adoption of the new Labor Code, and grew in scope. Among them, the "1209" action (in the history of independent Georgia, the number of workers killed or maimed in the workplace between 1991 and 2018) is worth mentioning, in which trade unions participated with activist groups.

⁹ See, for instance, the viewpoint of Alexandra Aroshvili, a left-wing activist and author involved in "Laboratoria 1918," "Auditoria 115," and numerous other movements, in which she points to the importance of solidarity between miners and students as a key factor in the influence of "Auditoria 115" (<https://liberali.ge/articles/view/21410/auditoria-115>).

¹⁰ Three former members of "Auditoria 115" and two miners from Tkibuli also highlighted the importance of the alliance between students and miners in the years 2016–2020.

In June 2018, “Auditoria 115,” in conjunction with the Social Justice Center and Solidarity Network,¹¹ threw their weight behind the strike led by Tbilisi metro drivers, who were advocating for an increase in wages. The active involvement of both activists and non-governmental organizations was instrumental in supporting the metro drivers during their wage negotiations. The strike culminated in a resounding victory for the drivers, with the Tbilisi City Council acquiescing to their demands and consenting to raise their salaries as per their requests (Gvadzabia, 2018). Between 2012 and 2020, the protests were strategically aimed at restructuring the government’s role in industrial relations and introducing a new Labor Code. The new Code was designed to address labor challenges and adapt existing labor standards, prompting criticism from trade unions, international organizations, NGOs, and activist collectives. Notably, the Association Agreement Agenda and external advocacy for labor reform have consistently reinforced the current local discourse underlining the need for reform.

According to Claudio Radaelli (2002), the Europeanization process also affects local levels in target countries. One of the main layers of influence at a local level is discourse, which Radaelli divides into two parts: formed at elite level (coordination) and transmitted to the general public (communication) in the form of discourse. Communicative discourse is not just about transmitting information; it also involves forming social identities, shaping perceptions and potentially influencing the political decision-making process. At the same time, it fosters the development of collective knowledge and a solid public discourse. Consequently, the local discourse on labor reform that emerges from the process of Europeanization is a tangible reflection of Europeanization itself.

This discourse not only forges distinct identities between supporters and opponents of the reform, but also functions as an indicator of European orientation. Given Georgia’s aspirations to EU integration, it is imperative that the country adopts a similar approach in its political strategies and legal frameworks, aligning them with EU standards. The result was a unique “alliance” that combined direct and indirect pressure from national and international stakeholders to demand reforms. This pressure developed in response to changes initiated by the Georgian government between 2012 and 2020, culminating in the revision of the Labor Code in September 2020. This revision can be seen as a kind of “reaction” of the political establishment to the concerted efforts of various “pressure groups.”

¹¹ Solidarity Network is a left-wing organization which since 2017 has been active as the new trade union, mostly consisting of healthcare and service sphere employees.

For example, Sabatier and Jenkins (1993) introduced the concept of "advocacy coalitions" as a framework for analyzing the development of policies and outcomes of pressures in political systems. Within this theoretical framework, they highlight the pivotal role played by coalitions of individuals who share common beliefs, values, and preferences concerning the outcomes of political strategies and responses to prevailing challenges. According to the authors, advocacy coalitions wield substantial influence over the political decision-making process, and the extensive political discourse on labor relations challenges from 2012 to 2020 predominantly revolved around these advocacy coalitions. Throughout this period, various groups, including student organizations, activists, professional unions, non-governmental organizations, and, in times of crisis, individuals directly affected (such as the Tkibuli and Chiatura miners) joined forces to drive changes in the political landscape. The foundational document that underpinned the activities of these advocacy coalitions was the Association Agreement. Conversely, the EU underscored the imperative of labor policy reform, and the response from the Georgian state materialized in the form of the 2020 Labor Code, which served as a culmination of the sustained and intensive efforts of the advocacy coalition, being the union of workers, media, activists, lawyers and students. Furthermore, the framework of the advocacy coalition underscores the role of the "foreign political environment" as a catalyst for altering the political trajectory, which, in this context, was cultivated through the obligations undertaken as a consequence of the Association Agreement.

8. Conclusion

The Association Agreement between Georgia and the European Union has effectively demonstrated the transformative impact of the EU on Georgia. A notable illustration of this is the shift in labor policy, which stands out as an exception among post-Soviet states (with the exception of the Baltic region), where labor concerns typically do not receive top government priority. This demonstrates how European-style governance and policies can be successfully adopted in a country that is politically close to the European Union but not yet a member. The case of Georgia serves as an example of a nation that, despite facing numerous challenges in terms of democratic governance and lacking official EU candidate status, has achieved a certain level of "Europeanization" in its governance practices. This progress is also acknowledged and underscored by the European Union in reports on the

association implementation by Georgia. As an illustration, in a report from 2017, the European Union expressed its approval of the creation of a Labor Inspectorate but emphasized the need for this inspectorate to have a more extensive scope of authority. Furthermore, the EU welcomed the introduction of a new law addressing occupational safety but voiced concerns about the delay in its formal adoption (Joint Staff Working Document, SWD(2017) 371 final).

In its 2019 report, the European Union underscored that the Labor Inspectorate required additional enhancements to effectively address the complexities in the realm of labor safety. While the EU expressed appreciation for the enactment of legislation pertaining to occupational safety and hazardous work, it highlighted the importance of labor inspections encompassing a wider array of businesses beyond those specifically designated by the government. The European Union, nevertheless, commended Georgia for the enactment of the Workplace Safety and Health Law in 2018, recognizing the substantial strides the country has made in this particular area (Joint Staff Working Document, SWD(2019) 16 final). Moreover, after the same report, the European Union published a press release, where it was noted that Georgia has made “clear progress” on the path of Europeanization (EEAS, 2019).

In its 2020 report, the European Union praised the expansion of labor inspection, viewing it as a noteworthy step in the positive direction. Additionally, the European Union has issued a favorable assessment of the recent amendments introduced to the Labor Code (Joint Staff Working Document, SWD(2020) 30 final). In the 2021 report, the European Union offered a more positive evaluation of the Labor Inspectorate’s enhanced independence, noting that it had evolved into a more autonomous institution. Additionally, the EU viewed the further amendments to the Labor Code in a more favorable light (Joint Staff Working Document, SWD(2021) 18 final).

The Georgian government has taken significant steps to align its labor inspection practices and labor legislation with European standards. These actions were not solely undertaken voluntarily but were influenced by various pressure groups. Mass strikes in Tkibuli and Chiatura, spontaneous solidarity movements, and the sustained efforts of non-governmental organizations and trade unions have contributed to the formation of an advocacy coalition. It is important to highlight that these advocacy coalitions, as well as the amended Labor Code and inspection procedures, have been shaped by the process of Europeanization.

The non-governmental organizations involved in this process, such as the Social Justice Center and the Association of Young Lawyers, have strong connections to the European Union and Western charitable organizations. Consequently, as evidenced in the text, the space for discourse on the need of reforming labor policies in Georgia was primarily created in response to the Association Agreement's agenda. The coalition in advocacy of labor reform has consistently addressed the issue of the "Europeanization" of labor at various levels. The discourse ranged from moderate trade unions or NGOs to Marxist student groups.¹² In their demands about the reform of the labor law, all these organizations referred to the obligations arising from the association agreement. This development shows that, first, discourse about labor was "Europeanized," and then the government-driven reforms followed.^{13,14} The government subsequently made a political decision to implement labor reforms due to both internal pressures from trade unions, workers, students¹⁵ and the population of Tkibuli and Chiatura, as well as external influences from the European Union and the International Labor Organization.

Despite the ongoing debate on the extent of Europeanization in Georgia, it is evident that in recent years, particularly in the realm of labor policy, the country has committed to meeting European Union's obligations. This commitment meant, above all, institution building, legal regulations and, finally, much more interventionist state and bureaucracy in labor policy than Georgia has experienced before the signing of the Association Agreement. Labor regulations, the interventionist restructuring of labor law and the more careful industrial protocols introduced by companies indicate that Georgia is gradually becoming a state of this kind and adopting the EU values. Therefore, the concept of Europeanization as a driving force for changes in institutional and political courses has been largely affirmed in Georgia's case.

¹² Even when the miners were forming an alliance with Marxist/anarchist students, demands never went too far and were focused on the immediate need of enhanced workplace safety.

¹³ As evidenced in the text (Administration of State Trustee in Imereti, 2014), quite often, the government itself associated the issue of labor safety and human well-being with the issue of Georgia's Europeanization.

¹⁴ Here we can clearly observe the Radaellian interconnection between "Europeanizing" discourse and "Europeanizing" political decision-making, which initially developed via an Association Agreement, then evolved into protest discourses, then into the language of the different agents of pro-labor reform advocacy, and eventually into government-driven policy-making.

¹⁵ It is remarkable that most of the interviewed students, without my indication, linked labor reforms to their activism.

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