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An Analysis of Georgia-EU Relations through the Expectation of Candidacy Status

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ABSTRACT

Since Georgia's inclusion in the European Neighborhood Policy program in 2006, Georgia-EU relations have been in a stable and gradual development process, taking into account the geopolitical balances in the region. During this process, the European Union provided Georgia with a political framework for integration, both at the institutional and legislative levels. Georgia, on the other hand, concluded this process positively, which resulted in the Association Agreement, and succeeded in taking its relations with the EU to the next level. This rapid reform process, which brought Georgia closer to the EU acquis, has also made the European Union the most important and influential external actor in the country. In this context, as opposed to Moldova and Ukraine, the EU's unwillingness to grant a candidate status to Georgia has created a great disappointment in Georgia. The primary goal of this article is to assess the effects of the EU Commission's decision to link Georgia's EU candidacy status to the reform conditions, following Georgia's application in 2022. Using qualitative research methods and utilizing a variety of primary and secondary sources, this study examines the problems encountered in the implementation of reforms on political polarization, oligarchization, and the protection of vulnerable minorities, which we consider will be the most difficult to resolve. The conclusions of the study are important in terms of the steps that Georgia should take to fulfill the EU candidacy status requirements, the technical assistance that the EU can provide to Georgia in this regard, and the possible implications of this process on Georgia's politics.

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1 Introduction

With the disintegration of the Soviet Union in 1991, Georgia, which had the chance to restore its independence like other Soviet Socialist Republics, found itself both in a bloody civil war incited by Russia and surrounded by ethnic conflicts in its neighbors' thanks to the legacy of the Soviets in the Caucasus region. Having been in Soviet captivity since 1921, Georgia embarked on a challenging but equally important state-building process to reposition itself in the international arena. Seeing Europeanness as an integral part of its self-identity and state-building, Georgia has identified integration with the West as a major strategic objective in its foreign policy, and active engagement with the European Union and the Trans-Atlantic community has been a constant struggle for the past three decades.

Even though the European Union initially limited its engagement with the Caucasus region, where ethnic conflicts abound in the 1990s compared to the other post-Soviet states in Europe, for instance, from the beginning of the 2000s, significant political developments both in Europe and in Georgia, led to the new era of cooperation, which was practically not possible earlier. These political developments that we are referring to are the Rose Revolution in Georgia, which helped Georgia to get rid of its Soviet political legacy and the strategic goals set by the consecutive government to integrate the country with the Trans-Atlantic Community. While at the same time European Union has experienced its largest and maybe the most important enlargement in its history, welcoming the post-Soviet states as full members on its eastern borders. The inclusion of Georgia in the European Neighborhood Policy (ENP) in 2004 and the adoption of the respective action plan in 2006 had no doubt paved the way for the development of bilateral relations for the first time since independence, based on the principle of conditionality and, more importantly, the integration of Georgia into the European Union, in line with *EU's acquis*. In this context, EU-Georgia relations have accelerated and strengthened for the past decade. Numerous agreements have been signed between the EU and Georgia, such as the Association Agreement, the Deep and Comprehensive Free Trade Area, and the Visa Liberalization.

On 17 June 2022, European Commission recommended to Council confirming Ukraine, Moldova, and Georgia's perspectives to become members of the EU and providing its opinion on granting them candidate status. While the statement advocated for full support for Ukraine's and Moldova's potential candidate status, in the case of Georgia, it said candidate status should be granted after some priorities have been addressed. Nevertheless, the decision came as a shock and certainly caused great disappointment in Georgian society; in response to Commission's decision, numerous different rallies were held in support of the European path of Georgia, supported by various political parties, the president of the country, and ordinary people alike. However, initial responses from the Georgian government were more calculated and appreciative of the support of the EU. For example, Prime Minister Garibashvili said that as soon as the Council approves these recommendations, they will immediately start working with Brussels and acknowledge the difficult positions in which Ukraine and Moldova were at the time, helping them to get candidate status (Georgian PM on European Commission's Recommendations, 2022).

The main objective of the paper is to find out how Georgia's candidacy application has failed, and to that end, the article addresses the following research questions: What are the reasons behind the EU's decision not to grant candidate status to Georgia? What are the most glaring issues between the EU and Georgia that impacted the EU's decision not to grant candidacy status to Georgia? How will the decision of the EU's Commission impact the overall EU-Georgia relations going forward? To answer the relevant research questions mentioned above, the paper conducts its research using qualitative research methods utilizing a broad variety of sources, including news articles, press releases, official documents, speeches, and interviews which constitutes the backbone of the discourse for analysis. In addition to the main aims and objectives of the study, the paper also aims to contribute to the ongoing debate and literature about the candidacy status of Georgia by answering the said research questions.

In this context, this article is structured as follows. In the introduction, we will introduce the study and provide some useful information regarding the brief history and current state of relations between the EU and Georgia by posing the relevant research questions that we will try to answer throughout the study. This will be followed up by the research design and methodology section,

which will be dedicated to explaining the reasoning behind the research as well as the methods that have been utilized in the entirety of the study. In the main body of the research, the paper discusses the European path of Georgia towards candidacy, preconditions set by the EU for granting Georgia candidacy status, political polarization in domestic politics, de-oligarchization, protection of vulnerable minorities in Georgia, and impacts of the candidacy debacle on Georgia's society and politics. Finally, the paper concludes with its findings in the conclusions and recommendations. We discuss possible outcomes and recommendations for both Georgian and European decision-makers based on our findings.

1.1 Research Design and Methodology

We have approached this study as a single case study research based on qualitative research methods while analyzing the reasons behind the EU Commission's decision not to grant candidate status to Georgia and reviewing the relevant discourse based on our experience in Georgia during the last four years, we have identified three glaring issues over EU-Georgia relations that we think influenced EU Commission's decision to leave out Georgia without a candidacy status as opposed to Moldova and Ukraine. Therefore, this study will revolve around the three main issues that we think will be the most difficult to resolve. They are multifaceted problems that require different perspectives to understand and explain.

As part of the research, we also conducted expert interviews with academics in Georgia. We added relevant correspondence into the paper that we think is interesting regarding EU-Georgia relations and particularly the candidacy situation. In addition to the personal communications with experts regarding the possible impacts of the EU commission decision on society and politics in Georgia, throughout the study, we also utilized the available secondary data gathered by NGOs and their contracted survey companies regarding Georgia's candidacy debacle as these sources helped us to give a clearer picture of public opinion in Georgia as well as saved time and effort collecting the relevant data which would otherwise have to be collected directly. During the literature review, we tried to include discussions, which are most up-to-date and limited to the past couple of years in line with the requirements of the publication and due to the nature of the candidacy debacle. As it's known, candidacy application was not in the cards until 2024 for Georgia under normal circumstances.

Overall, the methodological approach of this study will be a case study based on qualitative research, analyzing the state of relations between the EU and Georgia in recent years regarding the candidacy process, which resulted in the failure to get a candidacy status for Georgia in contrast to Moldova and Ukraine. We are also seeing a downward pattern in Georgia-EU relations since 2019, with the current GD government being the most critical towards the EU, maybe in a decade. To achieve the aims and objectives of the paper, the study conducts its research using a wide variety of primary and secondary qualitative sources, including surveys, news articles, press releases, official documents, speeches, and interviews which constitute the backbone of the discourse for analysis.

1.2 Literature Review

It is an undeniable fact that in the past decade, Georgian-EU relations evolved from a simple neighborhood policy and entered a bilateral multifaceted integration process thanks to significant initiatives such as Eastern Partnership and Association Agreement, Deep and Comprehensive Free Trade Area, Visa liberalization, and ultimately Georgia's application for EU membership status.

Of course, looking at the recent literature, everything is not rosy regarding EU-Georgia relations. In particular, it can be seen in many publications in the literature claiming that EU reforms have slowed down or are not implemented in practice in Georgia in recent years; the Georgian dream of the ruling party has become increasingly authoritarian and has oppressed free media and opposition leaders and that there has been a significant democratic backsliding in the country. Kelly, Kramer, and Inayeh (2021) point out the democratic backsliding in the country in recent years, noting as time passed Georgian Dream took a familiar approach toward more authoritarian rule, consolidating as much power as it could in the country, including investigations, prosecutions, and imprisonment against leading UNM politicians as well as a crackdown against opposition media (Kelly, Kramer, & Inayeh, 2021, p. 17). Some people think recent democratic backsliding in the country is the result of single-party majority decisions and apparent attempts by the government to weaken independent state

institutions and judiciary in order to consolidate more power. For instance, Sopho Verdzeuli (2022) argues that institutional independence in the country has worsened in recent years due to government actions that hinder its quest to consolidate power which does not conform with European goals and shared values (Verdzeuli, 2022).

Political polarization in the country can be considered another factor contributing to democratic backsliding today. Archil Gegeshidze and Thomas de Waal summarize the political polarization in Georgia today as the 'winner takes all game' between the ruling GD party and the main opposition party UNM even though on most issues regarding the economy, security, and geopolitics, their ideologies overlap. Therefore, Gegeshidze and De Waal (2021) characterize the struggle between GD and UNM as a top-down elite struggle to capture the economic resources for their voter base (Gegeshidze & De Waal, *Divided Georgia: A Hostage to Polarization*, 2021). While some argue that this struggle between ruling and opposition parties mainly stems from the intensive rivalry between their leaders. For instance, Ozlem Ozturk points out that the party cleavages in Georgia are based on charismatic leaders as opposed to programmatic differences since most parties almost agree on domestic and foreign policy issues (Ozturk, 2021). Elene Panchulidze and Richard Youngs (2021) also mention this political feud between GD and UNM as the reason behind the major democratic reversal in Georgia. While the governments under UNM and GD have remained committed to highly personalized clientelism. As a result, Georgian democracy and institutions have become the victim of this mentality and the political situation in Georgia today resembles a dominant party regime (Panchulidze & Youngs, 2021).

There was also this expectation that as a result of the 19 April agreement brokered by EU president Charles Michel himself, the EU could deliver immediate, almost magical results regarding political polarization in the country. For instance, Tinatin Akhvlediani argues that the 19 April agreement shows that stronger engagement from the EU can bring immediate results for the political impasse between the ruling party and the opposition (Akhvlediani, 2021). However, in time we have seen not even the EU itself can undo the polarization and fierce rivalry between the ruling elite and opposition party leaders even though it is largely viewed as the most influential external actor in Georgia.

The protection of vulnerable minorities is another thorny issue in Georgia's EU relations for years. As part of the Visa liberalization plan agreed upon with the EU in 2013, Georgia has legally committed itself to enact the anti-discrimination law. However, the adoption of the anti-discrimination law has been a controversial topic in Georgia to this day as numerous attacks have been recorded against Pride demonstrators in Georgia in recent years. Yelda Karadag argues that many including the powerful and well-respected Church and the clerics of the Patriarchate of Georgia, denounced the law as the legalization of 'sodomy' and issued a warning to the MPs that they can lose the support of the public (Karadag, 2019). Gegeshidze and De Waal also point out this clash of tradition versus modernization and argue that even though the GD government adopted the anti-discrimination law as part of the EU reforms, it still does not hesitate to have conflicts with the EU and the USA over the rights of the LGBTQ community (Gegeshidze & De Waal, *Divided Georgia: A Hostage to Polarization*, 2021).

It is a visible fact that the European Union is turning to a strategy change in terms of enlargement due to the war in Ukraine. Until today, a perspective on candidacy or full membership for the Eastern Partnership countries has not been provided. According to Cenusa, providing a candidacy path to Georgia, Moldova, and Ukraine reflects the strategic shift in the EU's calculations toward Eastern Partnership countries. However, significant mismatches exist in those countries with EU standards (Cenusa, 2022). Of course, it is a matter of curiosity where this attitude, which has changed due to the Ukraine war, will evolve in the coming years. It would not surprise anyone that the European Union stakeholders kept these countries in candidate status for decades.

Naturally, the candidacy debacle has been one of the major discussion points in EU-Georgia relations in recent years. Some find the 12 pre-conditions set by the EU rather political rather than technical for Georgia. For instance, Thomas de Waal (2022) argues that EU demands regarding the priority reforms that need to be addressed are political demands, not technical requirements in line with the EU's *acquis*. His reasoning behind this is, during previous enlargement cases EU was able to hide behind technical requirements considering the magnitude of EU's *acquis*, thousands of pages of laws,

treaties, and regulations, but according to him, demands of the EU from Georgia are purely political rather than technical. Therefore, EU needs to treat them for what they are (de Waal, 2022).

As a result of the literature review above, we have identified three main issues around Georgia's candidacy debacle; these are political polarization, de-oligarchization, and protection of vulnerable minorities. Recent literature supports the view that the preconditions of the EU, are rather political demands than technical requirements, and they will be difficult for Georgian policymakers to solve, considering the current political situation in the country. So, in light of these findings, the next chapters of the study will focus on these three main issues and their possible impacts on EU-Georgia relations going forward.

2 Georgia's Candidacy Debacle

2.1 Providing a European Perspective to Georgia

Since its restoration of independence in 1991, Georgia has long sought closer relations with the European Union and made its aspirations toward European integration clear. In the 1990s European engagement towards the Caucasus region remained fairly limited to programs like TACIS providing technical assistance to the Commonwealth of the Independent States and Georgia. In 1996, Partnership and Cooperation Agreement (PCA) was signed between the EU and Georgia, and the agreement entered into force in 1999. Obviously, in that particular period, the region had secondary importance compared to the post-Soviet states located within the imminent borders of the European Union. However, the Rose Revolution in November 2003 in Georgia that ousted President Eduard Shevardnadze, practically ended the reign of Soviet-era leadership of the country. The revolution not only changed the government and triggered new presidential and parliamentary elections in Georgia that led to significant changes in the political scene but also fundamentally changed Georgia's foreign policy orientation as well as the positioning of the country in the international arena. With the subsequent inclusion of Georgia in the European Neighborhood Policy (ENP) and the adoption of the EU-Georgia ENP Action Plan relations have moved to a much different level.

With the launch of the Eastern Partnership Initiative, the EU aimed to engage with partner countries in multilateral dimensions. Therefore, providing future European perspectives to the EaP countries has been one of the key aspects of the European Neighborhood Policy. Georgia often has been touted as the most progressive of the trio, Georgia, Moldova, and Ukraine, regarding the implementation of the Association Agreements and reforms that brought its legislation closer to that of the EU. However, from the very onset of Eastern Partnership initiation, the EU was very careful about possible enlargement towards EaP partners, considering the shortcomings of the countries regarding rule of law and governance problems that were a far cry from the EU standards (Cenusa, 2022, p. 3). However, even without the promise of prospective candidacy status or membership, *"from 2004 to 2012, Georgia pursued far-reaching reform of the public sector, from cutting red tape and right-sizing public institutions to rewriting tax laws and improving public services, which resulted in a dramatic reduction in bribery"* (USAID, 2022). As a result of Georgia's outstanding reform period that brought its legislation closer to that of the EU, the EU and Georgia signed an Association Agreement which entered into force in July 2016. Evidently, Association Agreement has been a key element of Georgia's Europeanization aiming to develop the country in the fields of democracy, human rights, rule of law, good governance, and economy (European Parliamentary Research Service).

The EU has also been one of the major economic partners of Georgia in the last decade. In addition to the increasing trade volume between the EU and Georgia, the EU has provided significant financial assistance to Georgia in form of grants and loans making it the biggest provider of financial assistance to Georgia. Between 2014-2021 the EU's financial assistance to Georgia amounted to EUR 1.145 billion under ENP and Macro-Financial Assistance programs, in addition to the billions of euros in loans allocated by the European Bank for Reconstruction and Development and the European Investment Bank for the development of Georgia (European Commission, 2022). Therefore, when examining EU-Georgia relations, it is necessary to take into account the fact that the EU has become an indispensable economic partner and benefactor of the Georgian economy in the last decade.

Under normal circumstances Georgia was going to apply for EU candidacy status in 2024 however, Russia's further occupation of Ukraine in 2022 and subsequent application of Ukraine for accelerated

candidacy status prompted the other two of the trio to also follow suit with their applications. Following shortly after Russia's occupation of Ukraine in February 2022, Ukraine reiterated its intention to apply for membership. On 28 February Ukraine officially submitted its letter of application for EU membership and called for an accelerated membership process. Other Eastern Partnership countries Moldova and Georgia also formally applied for membership on 3 March. After an expedited consideration, On 17 June 2022, EU Commission recommended EU Council provide European perspectives to Ukraine, Moldova, and Georgia with one small caveat. While granting candidate status to Ukraine and Moldova, the EU Commission recommended that candidate status in the case of Georgia should be only granted after the country addressed the priority list of reforms.

However, it is important to note that Georgia's commitment to the EU reforms has been declining steadily since 2019. According to the European External Action Service report which was published on 13 August 2022 that evaluates Georgia's progression regarding the Association Agreement, has noted Georgia's alignment rate with the EU has been declining in recent years. The alignment rate which was 62% in 2020 has declined to 53% in 2021 and 42% in the first half of 2022. So, the view that this downward trend in Georgia's EU alignment has undoubtedly affected the candidacy status decision of the country in the eyes of the EU Commission would not be far-fetched.

2.2 12 Points Referenced by the EU for Not Granting Candidacy Status to Georgia

Shortly after conveying its decision to Georgia that it will be recommended to the EU Council that Georgia should be given the perspective to become a member of the European Union but not be granted a candidacy status alongside Moldova and Ukraine; EU Commission published a 12-item document that it deemed as priority reforms that Georgia needs to tackle before getting a candidacy status. The 12 conditions can be summarized as such;

- Political polarization and return to the 19 April Agreement
- Independent and accountable state institutions
- Judicial reforms
- Anti-corruption
- De-oligarchization
- Fight against organized crime
- Ensure a free and independent media environment
- Protection of vulnerable groups
- Gender equality
- Involvement of Civil society in decision-making
- Compliance with ECHR rulings
- Independent and transparent nomination of public defenders (European Commission, 2022)

When we take a look at the preconditions that Georgia needs to fulfill in order to gain the EU candidacy status, the list includes fairly broadscale technical reforms. However, the recommendations include some serious political conditions in addition to technical requirements that Georgia needs to fulfill in order to gain candidacy status. Therefore, this situation also begs the question of whether there are other unannounced reasons behind the decision of the EU to postpone Georgia's candidacy status as opposed to Moldova and Ukraine. For instance, just on the eve of the EU commission's decision regarding the candidacy status of the trio, French President Emmanuel Macron said on tv that Georgia was in a different geopolitical reality compared to Moldova and Ukraine (Caulcutt, 2022). Obviously, this geopolitical reality President Macron refers to is Georgia's difficult position in the Caucasus, where more than 20% of its territories remain under Russian occupation since 2008 in breakaway regions of Abkhazia and South Ossetia. In this context, Georgia's leadership seems aware of the potential impacts of its territorial integrity problem. For example, Georgia's current PM Irakli Garibashvili, in response to his country's Euro-Atlantic integration at Qatar Economic Forum said that integration of Georgia into an alliance did not only depend on

Georgia but requires a consensus among all members adding “We are not naive. We understand Georgia has territorial problems. We must solve it first, and then become a member of NATO” (Agenda.ge, 2022). Therefore, despite the disappointment regarding the EU’s decision, there is also the realization in the current Georgian government that the current occupation of Georgian territories by the Russian Federation hinders its membership perspective in the EU and NATO.

2.3 Political Polarization and the Role of the EU

One of the events that highlight how the European Union has become maybe the most important external political power in Georgia over the last decade is the political crisis experienced in the country after the 2020 parliamentary elections. The political crisis after the parliamentary elections resulted in a political deadlock between the ruling party Georgian Dream, and several opposition parties during which several parties refused to participate in parliamentary sessions. The European Union’s course of action and efforts at the highest level to reconcile the political parties in Georgia is truly admirable. It emphasizes the importance of Georgian democracy to the European Union. In this consensus, the fact that the political parties in Georgia see the European Union as an impartial mediator and facilitator shows the trust and political power that the European Union has gained over Georgia so far. However, following the main opposition party’s refusal to sign the agreement for a long time, the ruling party GD decided to scrap the agreement. This is in fact a sign that the European Union’s influence on political parties in Georgia is limited despite all the well-intentioned efforts.

Therefore, the 19 April Agreement is a significant political development for those who study Georgian domestic politics not only because it was brokered by EU president Charles Michel himself but also because it shows how irreconcilable the ruling party and the opposition are when it comes to domestic politics regardless of the enormous effort of the EU, which shows the importance of Georgia’s decades-long integration with the EU.

Georgian Dream’s decision to withdraw from the 19 April agreement was met with disappointment in the EU. However, the EU continued to state that the agreement remains the best solution for free and fair local elections in Georgia and called all parties to reconsider their decisions (European Council, 2021). As we can see from the preconditions for candidacy, the EU still believes the 19 April political agreement is the best way forward for Georgian political parties and calls for a return to this arrangement. However, chances of such reconciliation remain very thin in practice while the former President of the country and the leader of the UNM Mikheil Saakashvili remain behind the bars alongside the prosecution of other opposition leaders and the government’s crackdown on the opposition media.

Recently, the Georgian political scene has also been dominated by allegations of a widescale wiretapping scandal conducted by the SSG (State Security Service of Georgia) targeting opposition figures. Georgian Parliament has enacted a law on wiretapping enabling its law enforcement to conduct covert investigations and surveillance actions for longer periods of time and even for life in some cases and the list of crimes that are eligible for covert surveillance has been increased to a staggering 360 crimes, despite open oppositions and criticisms against this legislation by the United States and EU (JAMnews, 2022). In light of international concerns, Georgian President Salome Zourabichvili vetoed the wiretapping legislation citing human rights concerns and democratic erosion in the country. However, the Georgian Parliament overrode the President’s veto on wiretapping legislation thanks to the GD’s majority in the Parliament.

Overall, tensions in Georgian politics remain high, particularly between the ruling GD party and the main opposition UNM as their attitude toward each other involves highly belligerent accusations that also lead to political polarization in Georgian society. Remarkably, the share of Georgians who think Georgia is a democracy declined to the lowest level in a decade in 2022 (Caucasus Research Resource Centers, 2022). As long as this state capture competition continues between the current ruling elite versus the former ruling elite based on a winner takes all mentality, the Georgian political agenda will remain hostage to a conflict between the two which will have an impact on Georgia’s democratic standings as well as its relations with the EU.

2.4 De-oligarchization

Another item on the list that seems like there is no consensus of what the item actually refers to between the Georgian Government and the EU is the de-oligarchization. When the EU commissioned

released the reform list, which included ‘de-oligarchization’ as a reform, many interpreted this as aimed at Bidzina Ivanishvili, a billionaire entrepreneur and businessman whose personal wealth is almost equivalent to one-third of Georgia’s annual gross domestic product. Bidzina Ivanishvili also happens to be the founder of the ruling party Georgian Dream and served as prime minister of Georgia between 2012-2013. Many claims that despite his retirement from politics, Bidzina Ivanishvili keeps his grip on the ruling party, judiciary, and state institutions, making him the de-facto leader of Georgia (Kelly, Kramer, & Inayah, 2021).

While Georgian Government is adamant that de-oligarchization does not refer to Ivanishvili since he is not an oligarch and calling him an oligarch is an insult to Georgian democracy (InterPressNews, 2022). After the candidacy debacle, many members of European Parliaments responded negatively (InterPressNews, 2022) to Georgian Dream’s narrative that de-oligarchization is not aimed at Bidzina Ivanishvili since he quit the party and politics twice in 2013 and 2021 however some MEPs specifically stated that de-oligarchization is indeed aimed at Ivanishvili’s hold over Georgian politics (GeorgiaToday, 2022).

EU delegations’ Ambassador Carl Hartzell also held an extensive Q&A session following the decision and its impact on politics in Georgia. These questions and answers are important in terms of reflecting the views of the European Union on the events in the country in recent years. Ambassador Hartzell stated that Georgia has clearly demonstrated over recent years that it has the capacity to deliver what is necessary to advance its European aspirations by successfully concluding the Association Agreement, Deep and Comprehensive Free Trade Area, and visa-free regime. While the ambassador hailed peaceful demonstrations held by Georgians in support of the countries’ European path, he made clear that the ball is in the court of Georgia. It is up to the Georgian politicians to meet the 12 conditions set out in Commission’s report and emphasized the evaluation and decision were based on merit, and Georgia’s candidate status is within reach. However, in the case of de-oligarchization Ambassador Hartzell avoided naming any individuals and stated that Commission’s opinion focuses on systemic challenges rather than individuals. He also pointed out that successful implementation of the other 11 conditions would reduce the oligarchic influence in the country (EU Delegation to Georgia, 2022).

While a recent report from USAID was more forthcoming about the situation of oligarchization and state capture in Georgia.

“As it became clear over the past decade that the richest oligarch in Georgia has captured the state, their research examined the impunity of corrupt officials, Georgia’s growing economic dependence on Russia, and the oligarch’s secret businesses in Russia.” (USAID, 2022)

However, responses from both government and Georgian Dream officials against the allegations of state capture by Bidzina Ivanishvili have been quite harsh and portrayed the former PM and the founder of the GD as a philanthropist that defends Georgia’s interests. Therefore, this defensive behavior coming from the top officials of the government as well as the Georgian Dream only reinforces the suspicions that Bidzina Ivanishvili maintains his grip over the Georgian Dream as the de-facto leader contrary to the claims of his retirement from the party ranks.

2.5 Protection of Vulnerable Minorities

The protection of vulnerable minorities draws attention as another point of disagreement in Georgian-EU relations. However, as we have mentioned in other issues, this issue is not black and white or political as it seems from the outside, and there are other reasons as well such as sociology and religion behind this misalignment. As part of the Visa liberalization plan agreed upon with the EU in 2013, Georgia has legally committed itself to enacting the anti-discrimination law. The bill was submitted to the Georgian parliament in 2014 and it was accepted by the parliament and approved by the then-president, Margvelashvili, and the ‘Law on the Elimination of All Forms of Discrimination’ officially entered into force on May 7. On 18 December 2015, the European Commission published its fourth and final progress report on Georgia’s implementation of the Visa Liberalization Action Plan (VLAP). On 9 March 2016, based on the European Commission’s final progress report on Georgia’s implementation of the Visa Liberalization Action Plan (VLAP), the Commission presented the legislative proposal on the establishment of a short-term visa waiver for Georgian citizens amending Regulation (EC) No 539/2001. Subsequently, on 28 March 2017 Visa-free travel with the EU came into force for Georgian citizens.

However, adopting the anti-discrimination law has been a controversial topic in Georgia. Many including the powerful and well-respected Church and the clerics of the Patriarchate of Georgia denounced the law as the legalization of 'sodomy'. They warned the MPs that they could lose the support of the public (Karadag, 2019). While the law ensures the protection of vulnerable minorities and their rights, neither the government nor certain parts of the Georgian society such as the Georgian Orthodox Church, haven't been thrilled that this law also protects LGBTQ rights in the country. Georgian Orthodox Church is one of the most trusted and respected institutions in Georgia (Center for Insights in Survey Research, 2021) due to its inseparable historical role in representing Georgian statehood and identity and preserving Georgian culture. Therefore, official views of the Patriarch and the Church hold an important weight in society and domestic politics in Georgia. This is especially true regarding the "anti-discrimination law" and its turbulent implementation in Georgia.

Georgian Patriarchate regularly disavows the Pride week demonstrations and calls the government and European officials not to support it, stating it is destabilizing for Georgia (Agenda.ge, 2021). On that account, Georgian Orthodox Church represents an important challenge for Georgia-EU integration. For instance, according to Jones (2020) "Georgian Orthodox Church remains a powerful barrier to change towards a political inclusion which is largely immune from domestic criticism as a symbol of Georgian identity, political and cultural survival" (Jones & Macfarlane, 2020). While the Georgian Orthodox Church enjoys this immunity thanks to its strong association with Georgian identity and history, violent attacks aimed at Pride demonstrations by right-wing extremists (France24, 2021) have no doubt damaged Georgia's reputation in European capitals at a very important time. However, when it comes to the fact why Georgian Orthodox Church is actively working against this law compared to other European Orthodox Churches, Gegeshidze and Mirziashvili (2021) argue that the Georgian Orthodox Churches' conservative view stems from Orthodox practices, however, as opposed to the European Orthodox Churches such as Greece and Bulgaria, Georgian Orthodox Church was not exposed to Renaissance and Enlightenment nor to the post-Soviet reforms after Georgia's independence in 1991. Therefore, Georgian Orthodox Church sees itself as the protector of Georgian values which are difficult to define (Gegeshidze & Mirziashvili, The Orthodox Church in Georgia's Changing Society, 2021).

The turbulent post-Soviet environment also contributed greatly to the powerful image of the Orthodox Church as the protector of the Georgian identity, culture, and history. For instance, Gegeshidze and Mirziashvili also argue that the ideological power vacuum left after the collapse of the Soviet Union was hastily filled by the Georgian Church as Georgian Orthodoxy had been suppressed by the Soviet totalitarian regime which imposed atheism upon the Georgian population. Therefore, at the time Georgians saw the church as a way to get rid of the Soviet legacy quickly (Gegeshidze & Mirziashvili, The Orthodox Church in Georgia's Changing Society, 2021). Overall, it is true that the Georgian Orthodox Church has unique and enormous respect among the Georgian people, but the indisputable conservative views of the Georgian Orthodox Church and its aggressive attitude towards vulnerable minorities are sabotaging European and Georgian relations. The silence of the Georgian government on this issue and the immunity status enjoyed by the Georgian Orthodox Church is one of the most important contradictions in front of Georgia's integration with Europe.

Following a very turbulent 2021 pride week in Georgia, which resulted in attacks against Pride offices in Tbilisi and the death and injury of several people, there was an international outcry by Western NGOs and European officials. Consequently, these incidents were also referred to in EU preconditions for candidacy status as the EU urged Georgia to bring the culprits of these attacks to justice swiftly. However, in 2022 Georgian government and its security apparatus ensured that there would be no such extremism towards the Pride demonstrations. The next year just after the EU commission's decision to not grant candidate status to Georgia, Georgian police arrested 26 people who were associated with far-right groups planning to disrupt Pride week activities in Georgia (Civil.ge, 2022).

2.6 Impacts on Georgian Society and Politics

Even before the final decision of the EU Commission, the possibility of leaving out Georgia while granting candidacy status to Moldova and Ukraine has sent shivers throughout the whole country. As a result of the early leaks regarding the decision of the EU Commission, numerous demonstrations were organized by different political parties and NGOs. The President of Georgia, Salome

Zourabichvili, also encouraged people to show their support for Georgia's European path, whose citizens took to the streets all over the country and once again showed the overwhelming support of the Georgian people to both domestic and foreign politicians.

However, there is also a feeling of resentment among Georgian people towards the EU mainly because they were left out as the only country without candidacy status out of the trio as most of our interviewees think they were far ahead of Moldova and Ukraine in terms of EU reforms. For instance, one of our expert interviewees Giorgi Iakobishvili who studies the populism among Georgian political parties clearly stated that the EU's decision to leave out Georgia as opposed to Moldova and Ukraine was not fair and in terms of conditions to meet EU criteria and reforms, Moldova and Ukraine have a lot more to do to than Georgia (G. Iakobishvili, personal communication, September 26, 2022).

Some experts believe that the twelve preconditions have been designed from the start, so Georgia cannot fulfill them anytime soon. For example, according to Mikheil Shavtvaladze, who is an academic in Georgia, by making vague political demands EU tries to make the candidacy status of the Georgia mission impossible. Because they know these demands cannot be met in six months or so in the current political situation. It's unrealistic to make these demands, and the demands are quite tenuous, so there will be disillusion and skepticism towards the EU in the Georgian public going forward. However, Dr. Shavtvaladze also acknowledges that the EU's decision to delay Georgia's candidacy status also shielded Georgia from possible provocations in the regions occupied by Russia in an already tense period because of the war in Ukraine (M. Shavtvaladze, personal communication, September 28, 2022).

Another potential impact area might be the domestic political scene in Georgia, as we mentioned above the same interviewee also wanted to attract our attention to the possible impacts of the candidacy status in the upcoming parliamentary elections that this decision will no doubt strengthen the narratives of the right-wing populist parties in Georgia and decrease the overall support for the European Union among Georgia's voters (G. Iakobishvili, personal communication, September 26, 2022).

Instead of reducing the political polarization, it seems the decision of the EU Commission and controversial list of recommendations have achieved the opposite in Georgia's domestic politics so far. According to a survey conducted after the decision of the EU commission by the National Democratic Institute (NDI) and Caucasus Resource Research Centers (CRRRC), despite a small drop, 75% of the population remains supportive of the Euro-Atlantic integration of the country while 56% blamed the government for not doing enough to secure the candidacy status and only 32% is confident that the current government will meet EU criteria regarding candidacy (Caucasus Research Resource Centers, 2022). Therefore, the upcoming parliamentary elections in 2024 will be interesting to follow in case the country does not achieve candidacy status by then, as surveys show a brewing unpleasantness among the Georgian population over the candidacy debacle.

It is obvious there is a significant disappointment in every part of Georgian society over the EU's decision to not grant a candidate status alongside Moldova and Ukraine as most agree in Georgia that they were ahead of these countries in terms of EU reforms. The EU's decision and the preconditions for candidacy have already set political debates between the government and opposition in motion. It will be interesting to see whether the current GD government can fulfill the EU's requirements for candidacy until the next parliamentary elections in 2024 since public opinion in recent surveys seem rather mixed about the current government's commitment to the EU's preconditions.

3 Conclusion and Recommendations

As a result of the study, we found out that there are outstanding issues in front of Georgia to fulfill the preconditions set by the EU before granting the country candidacy status. Political polarization runs high both in politics and society due to fierce rivalry between the ruling party GD and the main opposition party UNM. This political situation certainly contributes to the political impasse for the EU reforms and prevents the political scene to unify towards the EU candidacy status while the political parties refuse to partake in EU brokered April 19 Political Agreement.

Regarding the de-oligarchization of Georgia, this issue might be the most debated and difficult to resolve in the EU Commission's recommendations due to different interpretations of the de-oligarchization by different political groups in the country. The EU avoided pointing a finger at any certain individual in the de-oligarchization case but for anyone who closely follows Georgian politics the first name that comes to mind is Bidzina Ivanishvili, former prime minister and founder of the ruling party Georgian Dream, who also happens to be the wealthiest businessman in the country. So far, the ruling GD party has chosen to commit itself to defending Bidzina Ivanishvili against these allegations from the opposition and MPs of the European Parliament instead of distancing itself from its retired chairman.

Protection of vulnerable minorities also poses a serious risk to Georgia's EU relations and integration in general. As we can see in the preconditions list that Georgia needs to fulfill its commitments to gain candidate status. Protection of vulnerable minorities and bringing the perpetrators and instigators of the recent violent attacks to justice swiftly will be critical for the EU's evaluation of those criteria going forward. Therefore, Georgian authorities should once again show their commitment to the anti-discrimination law that was enacted by the Georgian Parliament and entered into force in 2015.

Another conclusion we have reached as a result of the research is that the timeframe until the 2024 parliamentary elections will be highly critical for the ruling GD party. As most in Georgia agree that the ruling party in Georgia needs to obtain candidacy status until the next elections otherwise, the situation will seem like a failure of the government, and the impacts of this failure will certainly affect the decision of the Georgian public in upcoming parliamentary elections.

It seems, for now, both Georgia's government and opposition parties are committed to finding a way to overcome the issues that were listed in EU Commission's 12-item preconditions for candidacy. However, for the time being, both the government and opposition parties follow their different tracks to find solutions for candidacy instead of unifying for possible candidacy status, which again indicates that political polarization in the country is not easy to solve. Remarkably, the EU reiterates its support for Georgia to fulfill the preconditions for the candidacy status. However, if we start from the 12-item preconditions published by the EU, we can clearly say that these demands in fact, include quite vague and general political conditions as well. At this point, the EU should provide specific assistance to Georgia in the necessary reforms and convey to the Georgian authorities in a clear and direct manner in which cases these conditions will be fulfilled.

It is also important to note that Georgia's alignment rate with the *EU acquis* has been declining in recent years. Therefore, it is the EU's interest to facilitate and mediate to unify Georgia's political scene toward the EU candidacy goal as soon as possible. To that end, EU diplomats have to utilize the EU's enormous influence in Georgia, which has culminated over the past decade to levels never seen before, and reach out to all stakeholders in the country that there is much to gain by unifying toward candidacy goal and much to lose otherwise.

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References

Agenda.ge. (2021, June 29). *Georgian patriarchate calls on MEPs, diplomatic corps not to support Tbilisi Pride*. Retrieved September 14, 2022, from Agenda.ge: <https://agenda.ge/en/news/2021/1780>

Agenda.ge. (2022, June 21). *Georgian PM highlights “determination” to become NATO member*. Retrieved September 11, 2022, from <https://agenda.ge/en/news/2022/2353>

Akhvlediani, T. (2021, September 13). *EU comes to the rescue of Georgia in its struggle for democracy*. Retrieved August 28, 2022, from CEPS: <https://www.ceps.eu/personal-site/tinatina-akhvledianiceps-eu/eu-comes-to-the-rescue-of-georgia-in-its-struggle-for-democracy/>

Caucasus Research Resource Centers. (2022, September 16). *Taking Georgian's pulse*. Retrieved October 2, 2022, from National Democratic Institute: <https://www.ndi.org/publications/ndi-poll-eu-remains-destination-choice-vast-majority-georgians-disenchantment>

Caulcutt, C. (2022, June 15). *Macron wants ‘clear and positive’ signal on EU candidacy for Ukraine, Moldova*. Retrieved September 9, 2022, from Politico: <https://www.politico.eu/article/macron-hint-ukraine-visit-before-eu-summit-next-week/>

Center for Insights in Survey Research. (2021, February). *Public opinion survey: Residents of Georgia*. Retrieved September 17, 2022, from https://www.iri.org/wp-content/uploads/legacy/iri.org/iri_poll_presentation-georgia_february_2021_1.pdf

Cenusa, D. (2022, August 30). *The EU membership for Ukraine, Moldova and Georgia: Enlargement from the Western Balkans to the Eastern Partnership*. Retrieved September 20, 2022, from Eastern Europe Studies Centre: <https://www.eesc.lt/en/2022/08/30/the-eu-membership-for-ukraine-moldova-and-georgia-enlargement-from-the-western-balkans-to-the-eastern-partnership/>

Civil.ge. (2022, July 2). *26 Arrested as far-right takes aim at gay festival*. Retrieved September 4, 2022, from <https://civil.ge/archives/499198>

Civil.ge. (2022, June 20). *Georgian PM on European Commission's recommendations*. Retrieved August 28, 2022, from Civil.ge: <https://civil.ge/archives/496922>

de Waal, T. (2022, July 7). *How Georgia stumbled on the road to Europe*. Retrieved September 17, 2022, from foreignpolicy.com: <https://foreignpolicy.com/2022/07/07/georgia-moldova-ukraine-european-union-membership/>

EU Delegation to Georgia. (2022, July 14). *Ask the Ambassador: Questions & answers*. Retrieved September 8, 2022, from Official Website of EU Delegation to Georgia: https://www.eeas.europa.eu/delegations/georgia/ask-ambassador-questions-answers_en

European Commission. (2022, June 17). *Commission opinion on Georgia's application for membership of the European Union*. Retrieved August 28, 2022, from <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Georgia%20opinion%20and%20Annex.pdf>

European Commission. (2022, June 17). *Opinion on the EU membership application by Georgia*. Retrieved August 28, 2022, from Official website of the European Commission: https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_3800

European Council. (2021, July 29). *Statement by president Charles Michel on the political situation in Georgia*. Retrieved September 7, 2022, from European Council Official Website: <https://www.consilium.europa.eu/en/press/press-releases/2021/07/29/statement-by-president-charles-michel-on-the-political-situation-in-georgia/>

European Parliamentary Research Service. (n.d.). *Association agreement between the EU and Georgia*. Retrieved September 9, 2022, from [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/699489/EPRS_STU\(2022\)699489_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/699489/EPRS_STU(2022)699489_EN.pdf)

France24. (2021, July 6). *Georgia: Right-wing extremists and Orthodox Church attack activists and ransack LGBT associations*. Retrieved September 3, 2022, from France24: <https://observers.france24.com/en/europe/20210707-georgia-lgbt-pride-march-right-wing-orthodox-attacks>

Gegeshidze, A., & De Waal, T. (2021, December 8). *Divided Georgia: A hostage to polarization*. Retrieved September 5, 2022, from Carnegie Europe: <https://carnegieeurope.eu/2021/12/08/divided-georgia-hostage-to-polarization-pub-85937>

Gegeshidze, A., & Mirziashvili, M. (2021, July 23). *The Orthodox Church in Georgia's changing society*. Retrieved September 7, 2022, from Carnegie Europe: <https://carnegieeurope.eu/2021/07/23/orthodox-church-in-georgia-s-changing-society-pub-85021>

GeorgiaToday. (2022, July 13). *MEP: 'De-oligarchization' means 'de-Bidzinization' or 'de-Ivanishvilization' of Georgia*. Retrieved September 12, 2022, from <https://georgiatoday.ge/mep-de-oligarchization-means-de-bidzinization-or-de-ivanishvilization-of-georgia/>

InterPressNews. (2022, July 13). *Andrius Kubilius: An oligarch is a person who has a lot of money, who holds the state captive - there is only one such person in Georgia and we know his name, Bidzina Ivanishvili*. Retrieved September 15, 2022, from InterPressNews: <https://www.interpressnews.ge/en/article/120815-andrius-kubilius-an-oligarch-is-a-person-who-has-a-lot-of-money-who-holds-the-state-captive-there-is-only-one-such-person-in-georgia-and-we-know-his-name-bidzina-ivanishvili>

InterPressNews. (2022, July 13). *Shalva Papuashvili: I call on MEPs not to be the instigators of polarization - instead of promoting the radical agenda of the opposition, they should look into the recommendation regarding depolarization*. Retrieved September 13, 2022, from InterPressNews: <https://www.interpressnews.ge/en/article/120813-shalva-papuashvili-i-call-on-meps-not-to-be-the-instigators-of-polarization-instead-of-promoting-the-radical-agenda-of-the-opposition-they-should-look-into-the-recommendation-regarding-depolarization>

JAMnews. (2022, April 22). *Georgia to change rules for covert surveillance and wiretapping*. Retrieved September 15, 2022, from <https://jam-news.net/georgia-to-change-rules-for-covert-surveillance-and-wiretapping/>

Jones, S. F., & Macfarlane, N. (2020). *Georgia: From autocracy to democracy*. University of Toronto Press .

Karadag, Y. (2019). *Georgian Europeanization: An ideational and institutional analysis*. Ankara: Middle East Technical University.

Kelly, I., Kramer, D. J., & Inayah, A. (2021). *A Country on the verge: The case for supporting Georgia*. German Marshall Fund of the United States. Retrieved August 26, 2022, from German Marshall Fund of the United States: <https://www.gmfus.org/news/country-verge-case-supporting-georgia>

Ozturk, O. (2021, January 15). *Warning signs for Georgian democracy*. Retrieved September 3, 2022, from Democratic Erosion: <https://www.democratic-erosion.com/2021/01/15/warning-signs-for-georgian-democracy/>

Panchulidze, E., & Youngs, R. (2021, May 10). *Defusing Georgia's political crisis: An EU foreign policy success?* Retrieved September 7, 2022, from Carnegie Europe:

<https://carnegieeurope.eu/2021/05/10/defusing-georgia-s-political-crisis-eu-foreign-policy-success-pub-84494>

USAID. (2022, September). *Dekleptification guide seizing windows of opportunity to dismantle kleptocracy*. Retrieved October 7, 2022, from https://www.usaid.gov/sites/default/files/documents/USAID_Dekleptification_Guide_FINAL.pdf

Verdzeuli, S. (2022). *Independent institutions at risk: A constant challenge to democracy in Georgia*. Heinrich Böll Stiftung. Retrieved September 2, 2022, from <https://ge.boell.org/en/2022/07/15/independent-institutions-risk-constant-challenge-democracy-georgia>