**Repel proposed “foreign agents” law in Georgia**

*16 February 2023*

Undersigned organisations express their concern with the new Draft Law on

“Transparency of Foreign Influence” proposed by the newly established initiative “People’s Power” in Georgia. We find the draft law controlling and restricting - replicating the practice of authoritarian states, which undermines the freedom of association and expression, posing a serious threat to democracy and civil society in the country.

The Draft Law on “Transparency of foreign influence" was initiated in the Parliament of Georgia during its Spring session. The draft law aims to establish a register of non-commercial legal entities and media outlets that receive foreign funding, with administrative fines imposed on entities that avoid registration. Proponents of the draft law argue that it is necessary for transparency and publicity, especially with regard to organisations receiving foreign funding that seek to influence public decisions. According to the draft law, appropriate administrative fines are provided for entities that avoid registration. At the same time, the payment of this fine does not exempt the subject from the obligation to register as an agent of foreign influence. MPs also note that, in the coming days, they intend to initiate another draft law which will "ensure the adoption of preventive measures against falsehood and obscenity in the media space". A register of agents of foreign influence will be created, where all non-commercial legal entities and media outlets that receive more than 20% of their income from foreign powers will be registered. The National Public Registry Agency will oversee the registration of the above entities as agents of foreign influence.

"We believe that based on the principles of transparency, not only the sources of income of politicians who make decisions in the state should be known to the public, but also the sources of income of entities (NGOs and media outlets) whose purpose is to influence public decisions and which participate in public affairs should be transparent,” reads the statement by the group.[[1]](#footnote-1)

MPs Sozar Subar, Dimitri Khundadze, Mikheil Kavelashvili, and Guram Macharashvili, who formally left Georgian Dream, founded the"People's Power" public movement in August 2022. According to them, the main reason that members of the movement left the ruling party was the danger of Georgia’s involvement in the war with Russia, which they claim the same external forces sought to provoke. According to members of the movement, the threat of war remains real, and the guaranteeing of its prevention can only be achieved by properly informing the public.

There has been an increase in governmental regulation of foreign funding across the former Soviet Union region over the past two decades. This highlights the growing backlash against the liberal international order and the organisations it has sponsored, including international and domestic human rights and media organisations. This growing trend of laws on funding is associated with a backlash against civil society groups across the globe, with NGO funding restrictions spreading throughout the international system. Funding restrictions are thought to arise due to real or perceived threats to political regimes, particularly in countries home to competitive elections and strong anti-Western and illiberal groups.

Such laws are often justified by appeals to the protection of national sovereignty and defence against corrosive foreign influence, however, in reality, they provide a means to curtail the ability of NGOs to operate while also infringing on freedom of association. Countries such as Russia, Azerbaijan, and Belarus have been particularly active in adopting and enforcing these types of laws. Russia has both a Foreign Agents Law and a Law on Undesirable Organisations, requiring NGOs to register as "foreign agents" and banning foreign organisations deemed a threat to national security or public order. Azerbaijan, meanwhile, Azerbaijan, meanwhile, has a Law on Grants and a Law on Non-Governmental Organisations, requiring NGOs to register and disclose foreign funding sources.. Finally, Belarus has a Law on Mass Media which prohibits media outlets from receiving foreign funding without government approval, as well as a Law on Political Parties which prohibits political parties from receiving foreign funding.

Overall, the trend towards increased regulation of foreign funding of NGOs reflects broader global debates over the role of civil society and the balance between state power and individual liberties.

Georgia has regressed in terms of democratic governance indicators and the EU's assessment is dependent on the country's commitment to the principles of democratic governance, specifically the independence of non-partisan institutions. The country’s weakened independent institutions are a major challenge to democratic governance, as demonstrated by the country's recent political developments. Despite some progress in certain human rights areas, Georgia’s institutional independence is drastically deteriorating. The current government's push to concentrate power has led to a reduction in democracy. The weakening of independent institutions, including judicial and supervisory bodies, is a common strategy to achieve this goal. Georgia's continuing institutional suppression has threatened the country's democratic political system. The country must now replace a political system grounded in exclusion and single-party majority decisions with consensus-driven democracy.

Georgia's political discourse has become increasingly polarised, with political leaders focusing on ridicule, threat, coercion, and violence rather than policies addressing concrete problems. The ruling party, Georgian Dream, brandishes terms such as "traitors" and "enemies", rather than using language which might promote dialogue and create space for compromise. Such political language plays a key role in the ongoing destruction of the country's democratic institutions. Georgia's political elites have absorbed Soviet techniques of linguistic manipulation, increasingly imposing ideology on everyday life.

We undersigned organisations urge the members of the Parliament of Georgia not to adopt proposed legislation on “foreign agents” as it will further draw the country into the orbit of Russia’s political influence and away from European aspirations of Georgian people.

List of signatories:

1. Austausch -For a European Civil Society e. V. (Germany)
2. Belarusian Helsinki Committee (Belarus)
3. Bir Duino (Kyrgyzstan)
4. Bulgarian Helsinki Committee (Bulgaria)
5. Center for Civil Liberties (Ukraine)
6. Center for Participation and Development (Georgia)
7. Centre for the Development of Democracy and Human Rights (Russian Federation)
8. Citizen Watch (Russian Federation)
9. Crude Accountability (United States of America)
10. Freedom Files (Poland)
11. Helsinki association Armenia (Armenia)
12. Helsinki Citizens’ Assembly Vanadzor (Armenia)
13. Human Rights Center “Viasna” (Belarus)
14. Human Rights Center of Azerbaijan (Azerbaijan)
15. Human Rights Centre ZMINA (Ukraine)
16. International Rehabilitation Council for Torture Victims (Denmark)
17. International Partnership for Human Rights (Belgium)
18. Kazakhstan International Bureau for Human Rights and Rule of Law (Kazakhstan)
19. Lawtrend (Belarus)
20. Legal Policy Research Center (Kazakhstan)
21. Libereco Partnership for Human Rights (Germany)
22. Macedonian Helsinki Committee (North Macedonia)
23. Norwegian Helsinki Committee (Norway)
24. Polish Helsinki Foundation for Human Rights (Poland)
25. Promo LEX Association (Moldova)
26. Protection of Rights without Borders (Armenia)
27. Public Alternative (Ukraine)
28. Public Association "Dignity" (Kazakhstan)
29. Public organization "Dawn" (Tajikistan)
30. Public Verdict Foundation (Russian Federation)
31. Sova Center for Information and Analysis (Russian Federation)
32. Swedish OSCE-network (Sweden)
33. Swiss Helsinki Committee (Switzerland)
34. The Barys Zvozskau Belarusian Human Rights House (Belarus)
35. The Hungarian Helsinki Committee (Hungary)
36. The Netherlands Helsinki Committee (The Netherlands)
37. Truth Hounds (Ukraine)
38. Turkmenistan Helsinki Foundation for Human Rights (Turkmenistan)
39. World Organisation against Torture (Switzerland)

1. <https://tabula.ge/ge/news/697172-ivanishvilis-deputatebi-vainitsirebt-kanonproekts> [↑](#footnote-ref-1)