



GEORGIA'S “FOREIGN INFLUENCE” LAW: IMPLICATIONS & RECOMMENDATIONS

May 2024: Young demonstrators participate in peaceful protests in Tbilisi against the “foreign agent” law. Photo via via Tamta Chkhaidze / Human Rights House Tbilisi.

On 28 May 2024, the Georgian Parliament [adopted](#) the Law on Transparency of Foreign Influence, inspired by the Russian authoritarian-style “foreign agent” legislation.

[International civil society organisations](#) [decried the development](#) as one that could stifle the essential and legitimate work of Georgia’s civil society and media, damaging them irreversibly. The [Council of Europe Venice Commission](#) and the [OSCE/ODIHR](#) unanimously condemned the “foreign influence” law as incompatible with freedoms of association, expression, right to privacy and the prohibition of discrimination, and called on the Georgian authorities to repeal it.

This document underscores main concerns regarding the practical effect of the foreign influence law on the Georgian civil society organisations and lays out recommendations for Georgia’s human rights and democracy partners internationally.

Key negative implications on civil society organisations

The [Law on Transparency of Foreign Influence \(FI law\)](#) seems intentionally vague and [broad](#), granting “excessive discretion” to the authorities and [leaving room](#) for potential arbitrary, biased and bad faith implementation. Specific procedures operationalising the law are yet to be adopted.

► Discriminatory differentiation among CSOs and a stigmatising effect

The FI law introduces new and burdensome registration, reporting and information disclosure requirements for non-profit entities (including civil society organisations, CSOs) and media actors that receive more than 20 per cent of their revenue from foreign sources. They will be pejoratively labeled as “organisations pursuing interests of a foreign power” and should be registered as such in a special registry (foreign influence registry, FI registry). The duty to register in relation to non-profit activities carried out in 2023 arises from 3 August to 1 September 2024, calculated from the publication date of the newly adopted law.

► International multilateral organisations designated as a “foreign power”

Based on the broad wording of the FI law, the term “foreign power” [would also encompass](#) international intergovernmental organisations, such as the United Nations (UN). Hence, anyone receiving humanitarian assistance from the UN reaching the 20 percent foreign funding threshold would qualify for the registration within the FI registry.

► Excessive monitoring and inspection powers

CSOs registered within the FI registry will be required to follow additional burdensome reporting requirements, while a yet-unidentified body designated by the Ministry of Justice would gain sweeping powers to carry out inspections and extrajudicially register CSOs against their will. The procedural rules for initiating and conducting such inspections will be developed by 3 August. From 2 September, the authorities gain power to inspect and monitor the CSOs [proactively](#). The registration does not protect CSOs from state monitoring process, which can be carried out twice a year without any limitations as to its duration.

► Disproportionate sanctions against CSOs

The sanctions foreseen against the CSOs who fail to register and subsequently fall short of reporting requirements, are [harsh](#) and have a potential to bring the operation of many CSOs to a complete halt. The law envisions that the first fine imposed after the inspection would be 25,000 laris (around 9,000 euros), followed by another 10,000 (around 3,500 euros) laris and another 20,000 laris (around 6,500 euros) once a month indefinitely. Failure to pay the fines may lead to seizure of accounts and other property of the CSO in question. An appeal to the court does not have a suspensive effect over fine payment.

► All physical and legal persons are affected, including international stakeholders in Georgia

Authorities can request any information, including highly sensitive, “special category” personal data, from any physical or legal person. The guarantees of the Georgian Law on the Protection of Personal Data are effectively waived in this context. This provision affects all donors, international organisations, embassies or other stakeholders represented with foreign or domestic staff in Georgia who store or process information about local partners. Failure to present the requested information might result in a 5,000-lari fine (around 1,800 euros) against individuals or legal persons alike. Such fines could potentially be imposed with indefinite frequency.

Recommendations to international stakeholders

1. Seize the window of opportunity when planning response to the FI law developments.

In light of the pace and gravity of [repressions](#) accompanying the adoption of the FI law and in anticipation of more repression of dissenting voices ahead of the parliamentary elections on 26 October 2024, Georgia might soon reach the pivotal moment of [tilting into full authoritarianism](#). As [highlighted by the UN Special Rapporteur on HRDs](#), the reversal of current negative trends in Georgia is still possible and will remain so at least from now until 26 October elections. International stakeholders should plan their response to the current crisis with the short-term but decisive window of opportunity in mind.

2. Remain consistent and principled in condemning human rights violations in Georgia.

Local HRDs and CSOs underline the importance for international stakeholders to be vocal, swift and bold in condemning FI-law-related developments and accompanying rights violations, including rights abuses against human rights defenders, activists and journalists - particularly closer to the elections in October 2024. This is an important signal to the authorities that the international community is following developments closely and will continue to demand accountability for human rights violations.

3. Continue funding the Georgian civil society organisations and remain flexible.

Despite [vowing not to register](#) within the FI registry, the Georgian CSOs plan to continue their operation within the existing legal framework. It is vital for the survival of the Georgian civic sector that donors and other partners take cues and guidance from their local counterparts and continue backing their operations through alternative and lawful means available to them. International donors and partners should equally assist Georgian CSOs in risk mitigation against the provisions of the Georgian FI law, including by reviewing requirements imposed on Georgian partners for online and offline storage of documents and data with a view to request only what is strictly necessary.

4. Support digital, physical and psychosocial assistance to the Georgian HRDs.

CSOs and HRDs have little knowledge, skills or infrastructure to their disposal to counter increasing risks to their safety. They require assistance to develop physical infrastructure, security audits and psychosocial well-being tools to cope with the growing threats against them and their family members. Some HRDs have already relocated due to high risks or have been questioned as part of ongoing criminal investigation into the protests. Relocation support might become paramount for the Georgian HRDs.

5. Be ready to support Georgian CSOs and HRDs in exile politically and financially.

If the window of opportunity available this year closes, international stakeholders should consider assisting Georgian CSOs and HRDs in moving administrative operations into exile. This approach would increase operational and logistical costs, and warrants political backing for the exiled HRD community. A joint hub or hubs for the Georgian CSOs abroad might appear as the most efficient solution, based on decades of experience of the Belarusian Human Rights House in exile in Vilnius, Lithuania.

6. Coordinate response with local and international stakeholders.

Two locally owned regional centres leading protection work for HRDs at risk already operate in Georgia with extensive experience, trust and connections: [Human Rights House Tbilisi](#) and the [Center for Participation and Development](#), founder of [Shelter City Tbilisi](#). Coordination with them is decisive for effective joint response. Moreover, coordination with other international partners is crucial not to duplicate efforts and jeopardise desired impact in providing immediate support to the Georgian CSOs.