

Georgia: the veto of the 'law on agents' is rejected

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On 28 May, the Georgian parliament rejected President Salome Zourabichvili's veto of the law entitled 'On transparency of foreign influence', commonly referred to as the 'law on foreign agents'. 84 MPs representing or supporting the ruling majority voted for this rejection (Georgia's unicameral parliament has 150 MPs). The law will now be once again referred to the president; if she refuses to sign it again, the speaker of the parliament will do so, and he will also subsequently publish the new legislation. This will happen till mid-June at the latest. After that, the relevant state administration bodies, including the ministry of justice, will need to adopt the relevant executive acts within two months. From this moment onwards the legal persons listed in the law, that is non-governmental organisations and media outlets which in 2023 received more than 20% of their funding from abroad, will be required to register as organisations 'acting in the interest of a foreign power'. For the time being, it is unclear in what scope and how natural persons who earn their income abroad will also be required to register; the executive acts will contain the provisions to regulate this issue.

The rejection of the veto, similar to the legislative process as a whole, was accompanied by violent street protests which the demonstrators intend to continue. The biggest rally has been planned for Sunday 2 June. In response to the parliament's rejection of the veto, the High Representative of the European Union for Foreign Affairs and Security Policy Josep Borrell issued a statement on behalf of himself and the European Commission which stated that the EU and its member states were considering all possible variants of a response to these developments. The President of the European Council Charles Michel, for his part, announced that the Georgian issue would be discussed during the next Council meeting. The US Department of State had previously hinted that the coming into effect of the 'law on agents' could result in a profound revision of the relationship between the US and Georgia. In addition, it has announced visa restrictions which will apply to individuals responsible for undermining democracy in Georgia, as well as their family members. Representatives of Russia, including Grigory Karasin, former deputy foreign minister who now heads the committee on foreign affairs of Russia's Federation Council, have expressed their full support for the new law. Karasin said that the Georgian parliament had displayed its tough character and maturity.

Commentary

- The critics of the new laws, both the Georgian citizens who took part in street protests and representatives of Western states & organisations, argue that it will target civil society institutions and may likely fully paralyse the Georgian third sector (as happened

in Russia when similar legal solutions had been introduced more than a decade ago). The most serious concerns are linked with the future application of the law to natural persons, especially in the context of the significant amount of sensitive personal details which such people would need to provide during their verification procedure. This issue was highlighted by Georgia's ombudsman, among others. Fearing the possible consequences, some individuals may cease to cooperate with foreign organisations.

- In Tbilisi the demonstrations, which have been ongoing since mid-April when the law was brought to parliament, number tens of thousands of individuals daily. The biggest rallies, which are held during weekends, are attended by more than 100,000 protestors (Georgia's total population is around 3.5 million); symbolic protests are also being organised in other cities. The demonstrations are non-partisan and well networked. So far, they have not produced any visible leadership (such as individual leaders or a committee), although it is clear that a centre for coordination does operate, as it announces its plans for the next day in its posts on closed social media groups. The demonstrations' dynamics are continuously high, although the beginning of the examination sessions at universities and the upcoming holiday season may contribute to its decline (the rallies are mainly attended by young people, including students). It seems that the ruling Georgian Dream (GD) party is counting on this, hoping that the protests will die down in a natural way.
- In the present situation, room for manoeuvre is opening for the Georgian president. Zourabichvili, who is in conflict with the government and is strongly opposed to the new law, has at the same time positioned herself far from traditional opposition. For example, she has repeatedly refused to pardon the former president Mikheil Saakashvili (the United National Movement he founded is the strongest opposition party). This has boosted her credibility in the eyes of the protestors. Although until recently the president had not been willing to support new political projects or lead them, she increased her activity over recent days and proposed the adoption of the so-called Georgian Charter, in which the opposition parties would pledge to launch specific legislative initiatives to bring Georgian law closer to the EU legislation once they are elected to parliament. When her veto was rejected, Zourabichvili called for a referendum to be held containing one question: "Are you in favour of a European future or Russian enslavement?". Previously, she expressed her readiness to give her patronage to the opposition forces in the parliamentary elections planned for 26 October. She does not intend to run in this election (her term will expire in late autumn and the next president will be elected by a college of electors). It seems that the president is the only figure capable of consolidating GD's main opponents around herself, albeit with certain reservations. This could enable the pro-Western opposition (or at least its main parties) to create a joint list of candidates, something which has never happened in the country's previous elections. The upcoming elections – unless there is a turning point on the streets of Tbilisi before that – will decide whether Georgia will ultimately abandon its path towards European integration or maintain it.