

[GE] : Transparency of Foreign Influence Bill Tabled

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On 14 February 2023, the “People’s Power” movement, an offshoot of the “Georgian Dream” ruling party, submitted a draft law “on the transparency of foreign influence”. According to the bill, a register of foreign-influenced agents would be created by the Ministry of Justice, which would “monitor” the activity of such agents. Liability for a failure to register or present relevant declarations would entail a fine of 25,000 Lari (about EUR 8 900).

Article 2 of the draft law considered that “agents of foreign influence” included broadcasters, (co-)owners of companies hosting resources which published “mass information” in the Georgian language, and (co-)owners of the print media – if more than 20% of their gross income and material benefits in a calendar year came, directly or otherwise, from a “foreign power” or an anonymous donor. That share would not include broadcasters’ legitimate income from sponsorships, commercials and teleshopping, nor commercial advertising in the press or online media.

A “foreign power” would include (Article 3): a subject that belonged to the government system of a foreign state; any individual who was not a citizen of Georgia; an entity that was not founded on the basis of Georgian law; and/or an organisation (including a foundation, association, corporation, union, organisation of another kind) or other associations of individuals, founded on the basis of the law of a foreign state and/or international law.

According to the “People’s Power”, the draft law included the best practices of democratic countries and had been mainly drawn up from the relevant U.S. FARA legislation. The bill received tacit support from the leader of the “Georgian Dream”, who also noted that the term “agent” did not have a negative connotation in the Georgian language.

The U.S. State Department spokesperson denied similarities of the draft law with American legislation: “in fact, this draft legislation appears to be based on similar Russian and Hungarian legislation, not on FARA”. He also warned that “such a law could potentially undermine Georgia’s Euro-Atlantic integration.”

On 7 March, the bill was adopted in its first reading by a vast majority. Following massive street protests, the second reading was postponed from 9 to 10 March, when the bill was rejected, the parliamentary majority abstaining.

Draft Law of Georgia “On the transparency of foreign influence”, 14 February 2023

U.S. Department of State Press Briefing - 15 February 2023

<https://www.state.gov/briefings/departments-press-briefing-february-15-2023/#post-420718-georgia>

