



Georgian Dream Party Reintroduces and Passes the Draft Law on Foreign Agents: Why Now?

The Georgian Dream party's contentious choice to reintroduce the foreign agents draft law on April 3, despite its prior withdrawal amidst widespread public unrest, has generated significant domestic and global scrutiny. The decision came as a surprise, especially in the context of the upcoming parliamentary elections in October 2024, where the Georgian Dream was expected to receive a higher number of votes than any other political party. Complicating matters further, Georgia's attainment of EU candidate status in December 2023 was contingent upon meeting specified Commission recommendations, rendering the timing of the draft law's revival particularly contentious. The bill incited unparalleled nationwide protests, extending beyond the capital and resonating across the entirety of Georgia. However, undeterred by ongoing protests and international censure, the ruling party proceeded to pass the controversial foreign agents' legislation in its conclusive third reading on May 14 and the Parliament overturned the president's veto on May 28.

At the request of the Georgian Institute of Politics (GIP), a selection of experts from different countries responded to the following questions:

1. *What are the factors that influenced the Georgian Dream party's decision to reintroduce the draft law at this specific moment, considering the context?*
2. *How will the adopted law impact the electoral landscape of Georgia in particular, and the country at large?*



Prof. Lincoln Mitchell,

School of International and Public Affairs, Columbia University

We cannot know for certain why the Georgian Dream (GD) chose to reintroduce the draft law, but it is apparent that, in addition to the obvious problems with the law, reintroducing it was a politically stupid and baffling decision. This leads me to think that reintroducing the law was a capricious move by Bidzina Ivanishvili motivated largely, as he usually is, by personal rancor, in this case towards the NGO community in Georgia. My suspicion is that the people around Bidzina were hesitant to tell him what a bad idea it was because their political and financial futures depend on him.

The reintroduction of this law and events of recent weeks harden political division in Georgia. The GD still has a base, probably 25-35% of the population that skews older, less educated, and more rural, but the rest of the country has become more opposed to the GD. The GD will now be more likely to engage in election fraud to secure a majority. However, in a multi-party race even 35-40% of the vote can lead to a majority, or very close, in parliament. The other major political development is that the UNM and its proxies are no longer leading the opposition. That is very bad news for the GD, who has relied on fear of the UNM to bolster their own electoral support.



Prof. Julie A. George,

Associate Professor of Political Science at Queens College

There are long-term and short-term factors for the re-introduction of the draft law. The long-term factor, in my opinion, includes the EU requirement for “de-oligarchization” and comprehensive electoral reform. Given Bidzina Ivanishvili’s role in the party (and his status as an oligarch), once the EU included this ultimatum in its list of conditionalities, it meant that the Georgian Dream could not bring Georgia into Europe. In the short-term, given Ivaniashvili’s speech and other statements about the Global War Party and his concerns for a conspiracy against him, it appears that his Credit Suisse settlement and the sanctions against Russia affecting his access to his own individual wealth is what is driving the current timing. It is increasingly clear, though, especially given the repression and hostility that opposition actors have faced in the past weeks, that the Georgian Dream cannot afford to lose elections and is willing to use force to deter actors from challenging its authority.

The most important element of democratic governance in any country is access to information and speech such that public can make informed decisions about candidates. This law appears to be designed as a cudgel

against any non-state or non-oligarch owned media organization or civil society organization (since, realistically, most of these are funded by foreign sources). The law blithely (and incorrectly) presumes that any action funded by an outside entity is in that entity's interest rather than the people of Georgia. There is no effort to create a path to discern the difference between financial support and editorial or programmatic control. At the individual level, this is terrible. At the societal level, however, it threatens the most important elements of democracy. Speech and criticism are necessary components to its survival. A flourishing media landscape is essential to having free, fair, and competitive elections. In examining authoritarian regimes, we can see the path toward greater autocracy with the collapse of the media and the CSO sector. While those implementing these changes now may understand them to be short-term shifts, rather than long-term changes, they should consider the systemic effects of this law and the repression against those who are rejecting it.



Steven Blockmans,

Senior Fellow at CEPS (Brussels) and ICDS (Tallinn) and project coordinator of REUNIR

The fear of losing out on the prospect of an uncontested fourth consecutive term in power

has motivated the Georgian Dream (GD) party to clear the field of any type of opposition. Adding to the post-February 2022 developed narrative of fighting a 'Global War Party', the Macbethian ghost of a Western alliance intent on opening a second front in Georgia against Russia, a foreign agents' law was rammed through parliament to bring the supposed local proxies of the West – opposition parties and civil society actors – to heel, in word and deed. In parallel, an offshore law was passed to protect the wealth of GD's billionaire puppet-master, as well as a handful of other legislative initiatives which take Georgia further away from what – farcically – remains the GD's declared end goal: EU membership.

Not a single MP from the Georgian Dream party voted against the adoption of the foreign agents' law, despite protests of an unprecedented scale. This points to a well-planned and tightly controlled operation to divert Georgia from its pro-Western course and so far, it has been effective: the US has adopted sanctions and the EU is considering similar action. Meanwhile, the Kremlin has taken a keener interest in Georgia's 'European crisis'.

Out of a parochial sense of self-preservation, the GD has unleashed forces it cannot ultimately control. It will either be dismissed by the street, which has been emboldened after months of rallies, or it will have to accept a tighter grip by its Russian overlord, which may devour it like a black widow. A third way, as suggested in the power-sharing 'Charter' presented by the President, would

require acceptance by all political parties and keep malicious foreign powers out. This narrow path is strewn with obstacles.

The months leading up to the October elections will be hot indeed. But anyone who believes that those rigged elections, marred by all kinds of pre-emptive repression, will deliver a clean solution has fallen back asleep and needs a rude re-awakening. This has become an existential fight for the future direction of the country that will rumble on for much longer and which is unfortunately bound to get worse before it gets better.



**Dr. Bakur
Kvashilava,**

*Dean of the School of
Law and Politics, GIPA*

Formidable advantage in preliminary electoral ratings held by the Georgian Dream prior to the reintroduction of the Russian Bill is a main factor that influenced their decision in this regard. GD felt invulnerable and as its leader

clearly stated in the government orchestrated a popular rally on the 29th of April – he believed the protests would peter out before the October Elections. Additionally, the removal of Mr. Gharibashvili who apparently did not support the bill in 2023 also created a feeling that this time it would pass without generating too much negative impact. Furthermore, upcoming elections in the US and Europe would focus the minds of the West elsewhere. Given the authoritarian nature of GD, it is also possible that pollsters reported false positive expectations regarding the initiative to please the leadership.

It is more likely that the negative impact of the law on democratic institutions and processes will be felt more in the medium-term than during the coming 6 months. Still, there are potential problems with conducting competitive elections – at least comparable to the previous one in 2020. This relates to hindrances in deploying local and/or international observers. Politically, the advantages held by GD have largely evaporated in terms of ratings and it seems that the opposition might have a chance at wresting the control of the country from the incumbent if they play it right.



საქართველოს პოლიტიკის ინსტიტუტი
GEORGIAN INSTITUTE OF POLITICS

Georgian Institute of Politics (GIP) is a Tbilisi-based non-profit, non-partisan, research and analysis organization. GIP works to strengthen the organizational backbone of democratic institutions and promote good governance and development through policy research and advocacy in Georgia.

Its contents are the sole responsibility of authors and do not necessarily reflect the views of the Georgian institute of politics.

HOW TO QUOTE THIS DOCUMENT:

“Georgian Dream Party Reintroduces and Passes the Draft Law on Foreign Agents: Why Now?”, Expert Comment #26, Georgian Institute of Politics, May 2024.

© Georgian Institute of Politics, 2024
13 Aleksandr Pushkin St, 0107 Tbilisi, Georgia
Tel: +995 599 99 02 12
Email: info@gip.ge
For more information, please visit
www.gip.ge