

To EBRD President Odile Renaud Basso

30.04.2024

Dear Ms. Renaud Basso

We would like to inform you that on 17 April 2024, the Georgian Dream (GD) party voted on Georgia's draft law on Transparency of Foreign Influence in a first hearing. It is identical to the draft law of [Georgia on the Transparency of Foreign Influence](#) that was withdrawn from parliament following [mass protests against it by a broad cross-section of Georgians in March 2023](#). The only notable difference is the replacement of the term "agents of foreign influence" with the term "organization implementer of foreign power's interest." It is expected that the law will be passed in the coming weeks. This bill will lead to further repression and restriction of civic space in Georgia by labeling, stigmatizing and denigrating independent media, human rights defenders and civil society groups in order to influence decision-making in public affairs and the formation of public opinion.

In response to the draft law, up to 500 Georgian Civil Society Organisations and media have [condemned](#) this initiative: youth, students, and opposition political parties started to unite against the law through mass protest actions. The Georgian draft law is similar to other laws targeting non-governmental organizations (NGOs) for the purpose of their stigmatization. It is aligned with other laws seeking to limit space for civil society such as the [Russian foreign agents law](#) (2012), the [Kyrgyz Law on Foreign Representatives](#) (2024), [Israel's NGO law](#) (2016), the draft [El Salvador](#) foreign agents law (2012), [Hungary's NGO transparency law](#) (repealed) (2017).

The [UN](#), [European Union](#) and [US State Department](#), as well as other international organisations and diplomatic missions have called on the Georgian Government to apply the principles of multiparty democracy, pluralism and market economics. According to the [EU Ambassador in Georgia](#), the law will make the opening of EU accession talks difficult. Furthermore, in [his letter](#), Council of Europe Commissioner for Human Rights Michael O'Flaherty, expressed concerns over "the compatibility of this legislative initiative with the human rights standards in the field of freedom of association and expression, including the chilling effect its adoption may have on the work of media outlets and civil society organizations, in particular those working on human rights, democracy and the rule of law in Georgia".

We appreciate the EBRD's strong commitment to Article 1 and the EBRD President's dedication to dialogue with CSOs, including the engagement of Georgian CSOs on the most acute investment projects, as well as the Bank's efforts to address reprisals carried out by government agencies against our colleagues and affected communities. If the law is passed, the situation in Georgia will become even more problematic.

If adopted the law will undermine different freedoms and rights including the right to freedom of association and expression, basic and fundamental rights for a democratic and pluralist society, and a threat to the EBRD's development aims insomuch as these rights allow citizens to act collectively in fields of mutual interest and guarantee sustainability.

It is important that the Bank, as one of Georgia's major financiers, having provided up to 6 billion Euro, takes decisive action in this situation, including by:

- Calling on the Georgian government not to undermine the aspirations of the Georgian people and the decades of work already done to join the European family and halt adoption of the proposed law;
- Warning the government about the impacts of the law on sustainability of investments and the business environment;
- Coordinating joint efforts with all development partners and donors to signal that the current legislative initiative on the NGO law contradicts the principles of development assistance;
- Developing and communicating a position on this repressive legislation in bilateral discussions with the government; sharing this position with national civil society and media;
- Reconsidering its country strategy for Georgia to reflect the new risks this legislation poses;
- Suspending all new funding for state agencies in Georgia until the process of passing the proposed law is halted, as it increases the risk of projects failing to meet performance standards by limiting opportunities for meaningful stakeholder participation.

Sincerely Yours,

Manana Kochladze, CEE Bankwatch Network
David Chipashvili, Green Alternative | Georgia
Mark Fodor, Defenders in Development campaign |
Lorena Cotza, Coalition for Human Rights in development

Accountability Counsel | USA
Action Paysanne Contre la Faim APCF | DRC
African Law Foundation (AFRILAW) | Nigeria
Alyansa Tigil Mina (Alliance to Stop Mining) | Philippines
Aksbaskur Legal Initiative Group | Uzbekistan
Asia Indigenous Peoples Network on Extractive Industries and Energy (AIPNEE) | Asia
Bank Climate Advocates | USA
Bank Information Center | USA
Centre for Community Mobilization and support NGO | Armenia
Cohesión Comunitaria e Innovación Social | Mexico
Collectif des ONG Œuvrant dans le secteur de mines, Environnement et Electricité COMEE | DRC
Conseil Régional des Organisations Non Gouvernementales de Développement CRONGD | DRC
Crude Accountability | USA
Global Rights | Nigeria
HRM Bir Duino | Kyrgyzstan
International Indigenous Fund for development and solidarity "Batani" (Batani Foundation) | Russia/USA
International Rivers | USA
Participatory Research & Action Network – PRAAN | Bangladesh
OTWatch | Mongolia

Phenix Center | Jordan

Protection International (PI) | Belgium and Global

Recourse | Netherlands

Rivers without Boundaries International Coalition | Global

Uzbek Forum for Human Rights | Germany

Yayasan Keadilan Iklim Indonesia (Climate Justice Indonesia Foundation) | Indonesia

Yayasan Srikandi Lestari (Srikandi Lestari Foundation) | Indonesia

Ucha Nanuashvili, Former Public Defender | Georgia

Maurice Ouma Odhiambo, Jamaa Resource Initiatives | Kenya

Mirvari Gahramanli, Oil Worker's Rights Protection Organization | Azerbaijan

Nora Sausmikat | Urgewald/Germany

Oleg Dulgaryan, Rights Defender | Armenia