# Committee on the Application of Standards

Date: 19 May 2025

**Governments appearing on the preliminary list of individual cases have the opportunity, if they so wish, to supply on a purely voluntary basis, written information before 19 May 2025.**

## ▶ Information on the application of ratified Conventions supplied by governments on the preliminary list of individual cases

### **Georgia** (ratification: 1999)

### Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

The Government has provided the following written information.

The Government appreciates the opportunity to respond to the observations made by the Committee of Experts regarding the Law on Transparency of Foreign Influence (the Law), adopted on 28 May 2024 by the Parliament of Georgia, particularly regarding its potential implications for workers' and employers' organizations under the Convention.

In response to the Committee's observations, we would like to offer clarifications concerning the purpose and scope of the Law, while affirming its full compatibility with the Convention in both principle and application. We would also like to emphasize our expectation that the Law – which has unfortunately become an artificially exaggerated as a political issue – will not become subject to politically biased discussions within forums that should remain free from such partiality.

The Law primarily aims to ensure transparency and accountability of non-governmental and media organizations operating in Georgia that receive substantial foreign funding and engage in political activism.

In Georgia, as in all democratic nations, foreign financing of political processes is prohibited. Regrettably, there have been cases of covert foreign political interference through certain large NGOs. In response, this Law establishes a mechanism to identify and disclose to the public biased political influences within the non-governmental sector that might undermine the country's political and economic stability.

At the same time, the Law contains no provisions restricting freedom of association, as it does not limit organizations' operations or their ability to receive funding in any form. This has never been – and under no circumstances could become – the intention or objective of the Government of Georgia.

The Law does not limit in any ways the right of any organization, including workers' or employers' organizations to affiliate with international bodies or receive financial support from them. Any suggestion that the Law impedes freedom of association under the Convention is based on a misinterpretation of its scope. The sole purpose of the Law is to prevent covert political interference and ensure transparency. Consequently, it cannot and will not impede the legitimate activities of trade unions and employers' associations.

Under the Law, the registration and reporting obligations as an "organization pursuing the interests of a foreign power" apply exclusively to non-entrepreneurial (non-commercial) legal entities that receive more than 20 per cent of its total income during a calendar year from foreign sources. The financial reporting requirements established by the Law are both proportionate and non-discriminatory. Registered entities are only required to submit their financial declarations electronically once per year – a minimal bureaucratic burden that cannot reasonably hinder an organization's operations.

Regarding the monitoring process for the enforcement of the Law, it serves to ensure organizational transparency and incorporates only those mechanisms necessary for effective implementation. Penalties apply strictly in cases where an organization deliberately refuses to comply with the Law and decline to transparently report its funding sources and intended uses – a fully legitimate demand that the state is entitled to make.

It should also be empathized that Georgia's approach is not unique but rather reflects a broader international concern about the potential for foreign interference in national governance. The Law is based on and adapts to well-established legislation and practices in democratic states, including: the US Foreign Agents Registration Act (FARA); Israel's NGO Transparency Law, which impose similar transparency requirements on foreign-funded entities; a draft EU directive under consideration by the European Parliament, aimed at enhancing transparency of foreign influence; a draft law adopted by the French National Assembly (lower house of Parliament) introducing stricter oversight of foreign-funded organizations.

Furthermore, the Law is fully consistent with the principles established by the European Court of Human Rights (ECHR) and the Court of Justice of the European Union (CJEU), which recognize that states may impose legitimate transparency measures to safeguard democratic processes.

Furthermore, the CJEU, in its ruling on Hungary's analogous legislation, explicitly recognized the public's right to information regarding the funding sources and objectives of non-governmental organizations. The primary focus of the Law lies outside the labour relations.

Nevertheless, extensive public debates, stakeholder discussions, and parliamentary deliberations took place prior to the Law's adoption, ensuring ample opportunity for input from all interested parties. The legislative process was conducted in full compliance with Georgia's constitutional and parliamentary procedures.

In conclusion, we reiterate that Georgian society has the same fundamental right to information about foreign funding objectives as citizens of any democratic state. We wish to reaffirm Georgia's commitment to the principles of the ILO, including the right of workers and employers to freely associate, organize their administration, and engage in collective bargaining.

We trust the Committee will give due consideration to the arguments presented above, which render further individual examination of Georgia’s case at the 113th Session of the International Labour Conference unwarranted.