

BY LIZA MCHEDLIDZE

Georgian Constitutional Court Refuses to Suspend Foreign Agents Law Operation

On October 9, the Georgian Constitutional Court announced it will substantively consider parts of the appeals against the controversial Foreign Agents Law but declined the petitioners' request to suspend the law's validity while the case is reviewed. The decision follows lawsuits filed by President Salome Zourabichvili, 121 civil society and media organizations, opposition MPs, and two journalists, all merged into a single case. The preliminary hearings took place from August 29 to 31.

The Court ruled that the petitioners did not provide enough evidence to demonstrate that the organizations impacted by the law, which requires them to register as "foreign agents," would suffer significant reputational harm if the law continued to be enforced before a final ruling. The Court reasoned that if it later deems the law unconstitutional, the reputational damage would be reversed, returning the situation to its pre-law state.

The Court further noted that the Ministry of Justice has not yet begun monitoring any organizations under the law, nor have fines been issued, so there is no immediate threat to justify suspending the law's operation. Additionally, the Court found insufficient evidence that suspending the law was necessary to prevent harm to Georgia's EU integration process, which is enshrined in Article 78 of the Constitution.

The Court stated that even if the law was temporarily suspended, this would not create a legitimate expectation that it would ultimately be declared unconstitutional. It concluded that the applicant's argument about the law endangering Georgia's EU relations is tied



more to its potential unconstitutionality than to the need for a temporary suspension.

Judges Giorgi Kverenchkhiladze and Teimuraz Tughushi dissented on the decision not to suspend the law, while Judge Eva Gotsiridze dissented on the Court's acceptance of constitutional complaints related to Article 78 of the Constitution. How-

ever, the dissenting opinions are not yet publicly available.

Non-governmental organizations swiftly condemned the Court's refusal to suspend the law. In a joint statement, they criticized the decision as lacking legal justification and ignoring the conclusions of both local and international legal experts. They described the ruling as a "betrayal of the Constitution" and

accused the Court of failing to protect the democratic values of Georgia by bowing to the influence of the ruling Georgian Dream party.

"The Court had a historic opportunity to prevent the suspension of Georgia's European integration process and protect the confidentiality of citizens from government overreach," the statement read. "Instead, it

chose to stand with the ruling party and failed to defend the Constitution."

Civil society groups pledged to continue their legal battle against the Foreign Agents Law both domestically and internationally, expressing confidence that with public support, the law would eventually be repealed.

MEPs Warn of Democratic Backsliding in Georgia, EU Integration at Risk

BY LIZA MCHEDLIDZE

In a resolution adopted on Wednesday, Members of the European Parliament expressed deep concern over Georgia's democratic backsliding, warning that the country's integration with the European Union is effectively on hold. Despite Georgia being granted EU candidate status in December 2023, MEPs highlighted troubling actions by the ruling Georgian Dream party, accusing it of pushing an increasingly authoritarian agenda.

The resolution points to the erosion of media freedom and

LGBTQ+ rights, changes to electoral legislation, and growing anti-EU rhetoric. MEPs assert that these actions violate freedom of expression, censor media, stifle critical voices in civil society, and discriminate against vulnerable groups. The Parliament made clear that unless these laws are repealed, progress in Georgia's EU relations will be halted.

MEPs also condemned the Georgian government for fostering a climate of hatred and intimidation, including attacks on political pluralism. The resolution calls for a full investigation into police brutality against

peaceful protestors who demonstrated in spring 2024 against Georgian Dream's controversial "foreign agents" law, which targets Western-funded media outlets and NGOs.

The resolution criticizes statements from prominent government figures, including oligarch and Georgian Dream 'honorary chairman' Bidzina Ivanishvili, who has referred to the opposition as a "criminal political force" and threatened to ban opposition parties.

Amid the ongoing decline of Georgia's democracy, MEPs

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EUROPEAN
PARLIAMENT

Exchange Rates: US Dollar - 2.7257; Euro - 2.9885; GBP - 3.5679; 100 Russian Ruble - 2.8077; Swiss Franc - 3.1809

MEPs Warn of Democratic Backsliding in Georgia, EU Integration at Risk

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demand that all EU funding to the Georgian government be frozen until these undemocratic

laws are repealed. They stress that future funding can only be provided under strict conditions.

The European Council had granted Georgia candidate sta-

tus with the understanding that reforms outlined in a European Commission recommendation would be implemented. However, MEPs argue that the

government's current authoritarian course contradicts its EU ambitions.

Upcoming Elections Crucial for Georgia's Future

With upcoming parliamentary elections, MEPs emphasized their importance in shaping Georgia's democratic future and geopolitical trajectory. They

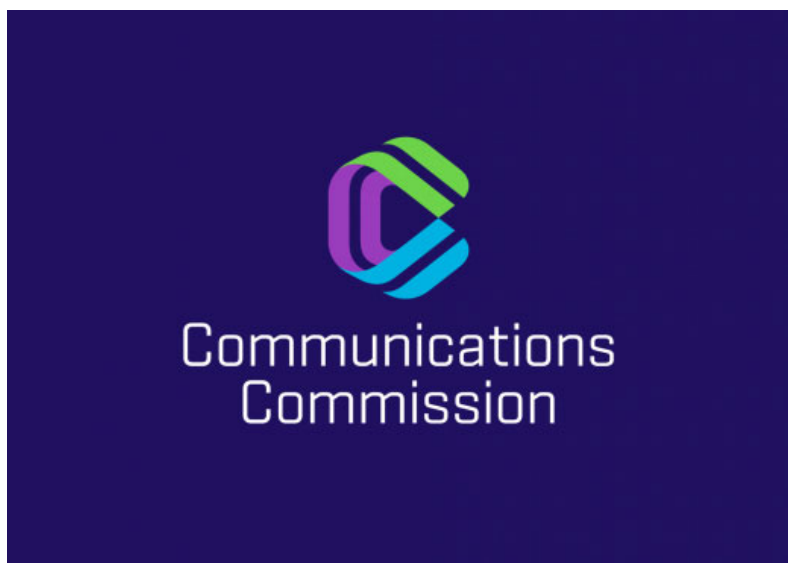
urged Georgian authorities to ensure that the elections meet international standards and respect the free will of the Georgian people.

The resolution calls for personal sanctions on those responsible for undermining democracy in Georgia, including Bidzina Ivanishvili. The text was adopted with 495 votes in favor, 73 against, and 86 abstentions.

The News in Brief

PREPARED BY MESSENGER STAFF

Communications Commission Rules Three Broadcasters Violated Electoral Code



The Communications Commission of Georgia has upheld a complaint filed by the Georgian Dream party, recognizing broadcasters Mtavari TV, TV Pirveli, and Formula TV as violators of the Electoral Code. The commis-

sion has issued them protocols of administrative violations.

The complaint was initially submitted by Georgian Dream, stating that these channels refused to broadcast their political advertisements. In response, the

Commission, the refusal to air the ads on ethical grounds does not align with Georgian law. ComCom highlighted that under the ruling of the Supreme Court of Georgia, it is illegal to broadcast ads that promote war, violence, or the overthrow of government authority, or that incite religious, ethnic, or national conflicts. While broadcasters may object to content they consider unethical, ComCom noted that the assessment of such content falls outside their authority.

ComCom further clarified that after reviewing the ads, it found no evidence of war propaganda or incitement to national strife, as claimed by the broadcasters. As a result, it concluded that the ads do not violate the Electoral Code of Georgia and that Mtavari TV, TV Pirveli, and Formula TV were legally required to air them.

EU Urges Georgian Leaders to Refrain from Harsh Rhetoric Against Ambassador

On October 9, the European Union's Foreign and Security

Policy Lead Spokesperson, Peter Stano, called on Georgian political leaders to avoid harsh rhetoric and disinformation aimed at EU Ambassador to Georgia, Pawel Herczyński. His comments came in response to a question from Formula TV regarding recent tensions between the Georgian government and the EU.

Stano emphasized that Ambassador Herczyński represents the official position of the EU and

conveys the bloc's expectations to its Georgian partners. He affirmed the EU's full support and trust in the Ambassador, urging Georgian leaders to engage constructively to address the country's political polarization.

"We reiterate our call on Georgian political leaders to avoid any form of harsh rhetoric and disinformation, and work constructively towards addressing polarization in the country," Stano stressed.



The European Union will "closely follow" the conduct of the upcoming parliamentary elections in Georgia, that will take place on 26 October.

"It is our expectation that they will be peaceful, free, and fair, truly reflecting the will of the Georgian people," EU High Representative Josep Borrell said in a statement, delivered at the European Parliament by European Commission Vice President for Values and Transparency, Vera Jourová.

Borrell also said that these parliamentary elections are "pivotal for Georgia's European

broadcasters argued that the ads were unethical, containing war propaganda, inciting national strife, and intimidating voters with the prospect of war.

However, according to a press release by the Communications

Union path. They will also be a critical test for Georgia's democracy".

"Last December, when Georgia was granted European Union candidate status, we hoped this

would be a strong incentive for the government to undertake significant reforms towards opening European Union negotiations," the statement said. "Instead, in recent months, the governing authorities have proposed laws that have moved the country away from this goal. Despite massive protests, the foreign influence law – which stifles civil society

and media organisations – was reintroduced and adopted. Other proposals that discriminate against and stigmatise the LGBTQI community and weaken the independence of state institutions have also been put forward. At the same time, anti-European Union rhetoric has grown louder."

He added that the electoral campaign had already been "marred by troubling statements and actions" from the ruling party, including promises to ban opposition parties and efforts to restrict civil society and the media. "Such tactics resemble those of authoritarian regimes.

If these measures are implemented, they would clearly contradict Georgia's stated goal to join the European Union and the values and principles that underpin European Union membership," the statement said.

Borrell reminded that the European Union had responded with "appropriate measures": Georgia's European Union accession process has been halted, political contacts have been downgraded, European Union support through the European Peace Facility, worth 30 million, is on hold, while the assistance portfolio is being reviewed. (euneighbourseast.eu)



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The Messenger preserves the style of a source written in English where possible.

Weather

Thursday, October 10

Day Partly Cloudy

High: 27°C

Night Mostly Cloudy

Low: 15°C

Friday, October 11

Day Mostly Cloudy

High: 21°C

Night Partly Cloudy

Low: 14°C