

RESILIO ACCESS Country Report Georgia

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1. Introduction

After the fall of the Soviet Union, Georgia embarked on a journey towards becoming a democratic country. Before adopting its second constitution,¹ Georgia adopted a temporary ‘small constitution’ – the Law of the Georgian Republic on State Government.² The political system established by this document is unprecedented in not resembling any classic form of republican governance.³ The constitution featured a duality of one State office – the Head of State would be the Chairman of the Parliament elected by the members of the legislative branch.⁴ This entails that the ‘small constitution’ neglected the principle of separation of powers.

Later in 1995, the Parliament adopted the second Constitution (which is currently in force). Initially, the Constitution established the first ever presidential republic in Europe. However, it was a flawed or deformed model as it gave the President powers beyond those in the US Constitution; strong veto powers, the power to initiate bills, difficult impeachment procedures and weak legislative control contributed to the flawed system.⁵ In 2004, a reform bestowed sweeping powers upon the President, turning the system into a Super Presidential one.⁶ A 2010 reform tried to distance the President from the Executive and make the President a mere arbiter between the branches of the government. The current version of the Constitution stems from a 2017–18 reform, which on paper tried to approximate the Georgian system to the internationally acknowledged principles of constitutionalism.⁷ In reality, the reform marked the start of the consolidation of power by the ruling elite.

After the reform, Georgia shifted to a parliamentary republic. With a low level of institutionalisation and high personalisation of the party system, the parties in majority have always acted according

¹ Georgia’s first Constitution was adopted on 21 February, 1921. However, because of the annexation of Georgia by the Red Army on 25 February, 1921, the first Constitution was never truly implemented.

² Legislative Herald of Georgia, Law of Georgian Republic on State Government (available only in Georgian), URL: <https://matsne.gov.ge/ka/document/view/5002871?publication=2>, (last checked: 21.06.2026).

³ Otar Melkadze, *Georgian Constitutionalism*, Book One, (World Parliamentarism Research Centre, 2009), 166.

⁴ Legislative Herald of Georgia, Article 17 the Law of Georgian Republic on State Government (available only in Georgian), URL: <https://matsne.gov.ge/ka/document/view/5002871?publication=2>, (last checked: 21.06.2026).

⁵ Zurab Jibgashvili, “Post-Socialist Institutional Models of the President: The Georgian Variation - From Complete Denial to Full Power... and Then?” *Avtandil Demetrashvili* 80, (2021): 285.

⁶ Giorgi Kverenchkhiladze, “The Political Responsibility of the Georgian Government: Legislator's Passions and Constitutional Experiments” *Avtandil Demetrashvili* 80, (2021): 226.

⁷ Parliament of Georgia, Explanatory notes of the On the Draft Constitutional Law of Georgia "On Amendments to the Constitution of Georgia" (available only in Georgian), URL: <https://info.parliament.ge/file/1/BillReviewContent/149115?> (last checked: 21.06.2026).

to the agenda of specific leaders or party officials.⁸ However, the party system in Georgia remains weak.⁹ Under these conditions, the transition to a parliamentary model only benefits the party in majority which has a natural advantage over other parties; it has more resources to gain a parliamentary majority and, as a result, to form the executive branch.

After 2018, the current ruling party Georgian Dream had a parliamentary majority and formed the executive. Since then, the system of the separation of powers and checks and balances has essentially broken down. Given that the President is indirectly elected by the Parliament, he is also supported by the ruling party and in return will not use his veto powers to stop unconstitutional acts adopted by the Georgian Dream parliamentary majority. Similarly, the Parliament also does not use its tools to check the executive branch, since both are part of the same party. Furthermore, since elections in 2024, the Assembly's legitimacy is highly questionable due to concerns over the electoral environment and process. Since then, it has regularly engaged in abusive lawmaking.¹⁰

Furthermore, the judiciary as the third branch has also historically been problematic; there are a 'clan of judges' who, under various governments, have decided politically important cases in favour of the government.¹¹

According to the World Justice Project's Rule of Law index, Georgia's rule of law has been on a downward path for the past 10 years.¹² This included a steep drop from 2016 to 2017–18, when the major constitution reform was passed to shift the country to a parliamentary republic. This paved the way for solidifying an autocratic state.

⁸ Georgian Young Lawyers' Association, Nikoloz Odikadze, "*Intra-party democracy - an internal party affair or a cornerstone of democracy?*" URL: <https://www.gyla.ge/media/blogs/147> (last checked: 21.06.2026).

⁹ Radio Liberty, Why are regional party organizations weak? URL: <https://www.radiotavisupleba.ge/a/matemladze-regionuli-organizaciebi/28254591.html> (last checked: 21.06.2026).

¹⁰ This topic will be further explained in this report later.

¹¹ Indigo, "The Hijacking of the Court" | Chronology of recent years, URL: <https://indigo.com.ge/articles/sasamartlos-mitaceba-bolo-wlebis-qronologia>, (last checked: 21.06.2026).

¹² World Justice Project, Georgia, URL: <https://worldjusticeproject.org/rule-of-law-index/country/2025/Georgia/> (last checked: 21.06.2026).

2. Analysis of the country case along the RESILIO-ACCESS model

2.1 The most important primary resilience resources: Private civil liberties

In the RESILIO-ACCESS model, primary resilience resources refer to the key components of the rule of law itself, such as fundamental rights, equality before the law and constraints on government powers.

Georgia has two primary resilience resources: private civil liberties and rational-legal legitimation. Regarding the former, citizens' rights to property, freedom from forced labour and other economic rights have performed well since the post-socialist transition. In terms of rational-legal legitimation, however, the current regime has used legal norms and regulations to justify its hold on power. Rational-legal legitimation may have been abused and turned into *autocratic legalism*.¹³

According to data from Varieties of Democracy (V-Dem), the index of private civil liberties rose from 1990 until 2023. Since 2024 however, there has been a sharp decline.¹⁴ The index measures to what extent private liberties (freedom of movement, freedom of religion, freedom from forced labour and property rights) are respected. Under the Constitution of Georgia these rights have always been protected, the scope of these rights has been reshaped over time, however. A major constitutional reform in 2010¹⁵ elevated the protection of the worker's rights by making the Labour Code organic law. The same reform modified the right to property by increasing owner's protection against expropriation. It clarified that in the case of expropriation preliminary, full, and fair compensation must be made, which shall be exempted from any taxes and fees.

However, after another major constitutional reform in 2017–2018, the right to property was restricted again in the agricultural sector. According to the Constitution, as a resource of special importance, agricultural land may be owned only by the State, a self-governing unit, a citizen of Georgia or an association of citizens of Georgia, thereby excluding foreigners from owning agricultural land.¹⁶ The Constitution however grants the Parliament to make exceptions through organic law.¹⁷ Georgian professors have criticized the inaction of the Parliament to put down the

¹³ Kim Lane Scheppele, "Autocratic Legalism", *The University of Chicago Law Review* Vol. 85, No. 2 (2018): 547-548.

¹⁴ Varieties of Democracy (V-Dem), Country – Georgia, URL: https://v-dem.net/data_analysis/CountryGraph/ (last checked: 25.07.2026).

¹⁵ Constitutional Law of Georgia on Changes and Amendments to the Constitution of Georgia, 15.10.10, URL: <https://matsne.gov.ge/ka/document/view/1080890?publication=2> (last checked: 04.09.26).

¹⁶ Constitution of Georgia, article 19, section 4.

¹⁷ *ibid.*

conditions when a foreigner can obtain property rights over the agricultural land.¹⁸ The scopes of freedom of movement and the freedom of religion have essentially remained the same in the past years.

Private civil liberties, namely economic rights, property protections, and personal freedom, contribute to resilience in Georgia by ensuring that citizens remain economically independent of government control. This independence is essential for maintaining a self-sustaining civil sphere; when citizens do not fear state confiscation or economic retaliation, they retain the capacity to scrutinize authority, protest unconstitutional acts, and demand accountability.

While private civil liberties fare comparably well in Georgia, political civil liberties – freedom of association and freedom of expression – have been under stress repeatedly in the past decades. After the fraudulent elections of 2 November 2003, Georgians from different parts of the country took to the streets of Tbilisi¹⁹ to demand that the elections be declared invalid, the fraudsters punished and new parliamentary elections take place.²⁰ As the first meeting of the new Parliament was in process, the protesters (led by Mikheil Saakashvili) entered the plenary session hall and demanded the resignation of then President Eduard Shevardnaze.²¹ He resigned the next day, leading to new presidential and parliamentary elections. This event is known as the ‘Rose Revolution’ and is a turning point in Georgian history.

Despite the peaceful revolution of 2004, civil liberties deteriorated again in the following years. Between 2007 and 2011, two big protests were dispersed by force. On 2 November 2007, protesters gathered to demand snap elections in the spring of 2008 and the release of political prisoners.²² These protests culminated on 7 November, as the government ignored the demands and dispersed the protesters with the use of force (tear gas, police force, water cannons);²³ around 400 people were hospitalised.²⁴ Moreover, on 21 May, 2011, ‘Public Council’ (a united opposition movement)

¹⁸ Loladze, B., Phirtskhalashvili A., Basic Rights, Commentary, (Forma, 2023), 503.

¹⁹ Radio Liberty, "Rose Revolution"-20: We remember everything, URL: <https://www.radiotavisupleba.ge/a/ვარდების-რევოლუცია-20-ვისხენებთ-ყველაფერს/32695574.html>. (last checked: 26.07.26).

²⁰ *ibid.*

²¹ *ibid.*

²² Georgian National Press Archive, November 2-7, 2007: Georgian Tragedy, URL: <https://www.nplg.gov.ge/opentext/index.php?m=12&y=2008&art=941> (last checked: 26.07.26).

²³ *ibid.*

²⁴ *ibid.*

launched another protest against President Micheil Saakashvili.²⁵ According to government officials, the organisers had the right to hold protests between 21–25 May.²⁶ However, as the protesters had not ended their protest by 25 May, the Government used force on midnight to clear the Rustaveli avenue of protesters and prepare it for Independence Day celebrations on 26 May.²⁷ The police once again used water cannons, tear gas and rubber bullets against protestors.²⁸ The restrictions of the freedom of assembly constitute an episode of democratic backsliding. After Saakashvili lost power in 2012, a phase of re-democratisation in Georgia led to increasing civil liberties and an orientation towards EU and Nato accession. However, in 2024, this trend reversed dramatically.

Shortly after the parliamentary elections of 2024, Prime Minister Irakli Kobakhidze declared that the government would suspend negotiations over EU accession until 2028,²⁹ prompting widespread protest. To quash the demonstrations, the government used force – including beatings of protesters and different methods and tools to disperse people.³⁰ According to civil society organisations (CSOs), these practices amounted to the systematic practice of torture.³¹ The Georgian Young Lawyers' Association (GYLA) also produced a document showing how civil rights are in peril in Georgia.³² The Parliament (with disputed legitimacy) adopted a number of laws aiming at infringing freedom of assembly and expression³³ (see section 2.2.). This has affected the scope of exercise of freedom of assembly.

²⁵ Inter Press News, "People's Assembly" - On May 21, "People's Assembly" begins a decisive struggle to liberate Georgia from the Saakashvili regime, URL: <https://www.interpressnews.ge/ka/article/169121-saxalxo-kreba-21-maiss-saxalxo-kreba-saakashvilis-rezhimisgan-sakartvelos-gasantavisupleblad-gadamcqvets-brzolas-icqebis/> (last checked: 26.07.26).

²⁶ Protests in Independent Georgia, May 26 crackdown, URL: <https://www.geoprotests.org/en/article/may-26-raid>, (last checked: 26.07.26).

²⁷ Protests in Independent Georgia, May 26 crackdown, URL: <https://www.geoprotests.org/en/article/may-26-raid>, (last checked: 26.07.26).

²⁸ *ibid.*

²⁹ Radio Liberty, Georgian Dream does not want to open negotiations with the European Union until the end of 2028, URL: <https://www.radiotavisupleba.ge/a/33219304.html> (last checked: 22.06.2026).

³⁰ Georgian Young Lawyers' Association, Preliminary Findings on the Investigation of Torture and Ill-Treatment Against Protesters in Georgia from 28 November to 20 December 2024, URL: <https://www.gyla.ge/en/post/tsameba-da-araadamianurimopkroba-saerto-gancxadeba> (last checked: 23.06.2026).

³¹ *ibid.*

³² Georgian Young Lawyers' Association, Civil Rights Facing Increased Police Terror, URL: https://admin.gyla.ge/uploads_script/publications/pdf/CIVIL%20RIGHTS%20FACING%20INCREASED%20POLICE%20TERROR.pdf (last checked: 23.06.2026).

³³ Georgian Young Lawyers' Association, What amendments will be made to the Administrative Offences Code to further restrict the freedom of assembly? URL: <https://gyla.ge/en/post/ra-tsvlilebebi-shedis->

Moreover, the Georgian Dream Parliament has abused its legislative power and has adjusted the legal framework to its needs. It Parliament resorts to abusive law-making to act lawfully on paper, while the content of the law does not respect constitutional values. This presents a challenge for interpreting the variable of rational-legal legitimacy in the RESILIO-ACCESS data. It entails to what extent the current government refers to the legal norms and regulations to justify itself. The *autocratic legalism*³⁴ that characterises Georgia since 2024 means that the Georgian Dream government aims at creating a façade of formal legality, but its law-making is increasingly authoritarian (see Section 2.3). Therefore, while rational-legal legitimacy scores high, it does not enhance the resilience of the rule of law in Georgia.

2.2. The most important subsidiary resilience resource: Civil Society

When discussing how resilient the rule of law is in a particular country, the RESILIO-ACCESS model factors in subsidiary resilience resources. In the case of Georgia, the most relevant subsidiary resilience resource is civil society.

According to V-Dem data, civil society participation has been slowly improving since 1992.³⁵ In the early 90s there were only small number of CSOs. The Georgian Young Lawyers' Association (GYLA) is the oldest civil society organisation in the country, established in 1994. Since then, the organisation has played a significant role in the protection of human rights, strengthening democracy and establishing the rule of law.³⁶ It has provided over 1.3 million instances of free legal aid and consultations over the last 30 years.³⁷ It has been involved in various reforms and has prepared numerous research documents on how to improve the judicial system,³⁸ parliamentary oversight,³⁹

administraciul-samartaldargvevata-kodeqssh (last checked: 23.06.2026). Georgian Young Lawyers' Association, Through banning the wearing of masks during the assemblies, the "Georgian Dream" attempts to make people further vulnerable to the very terror it aims to establish, in order to suppress legitimate and peaceful protest, URL: <https://gyla.ge/en/post/nigbis-akrdzalva> (last checked: 23.06.2026).

³⁴ Kim Lane Scheppele, "Autocratic Legalism", *The University of Chicago Law Review* Vol. 85, No. 2 (2018): 548.

³⁵ Varieties of Democracy (V-Dem), Country – Georgia, URL: https://v-dem.net/data_analysis/CountryGraph/ (last checked: 27.06.2026).

³⁶ Georgian Young Lawyers' Association, URL: <https://gyla.ge/en/who-we/mission>, (last checked: 27.06.2026).

³⁷ Georgian Young Lawyers' Association, URL: <https://gyla.ge/en/who-we/mission>, (last checked: 27.06.2026).

³⁸ Georgian Young Lawyers' Association, Judicial System Reform in Georgia (2013-2021), URL: <https://www.gyla.ge/files/news/%E1%83%A4%E1%83%9D%E1%83%9C%E1%83%93%E1%83%98/2021/JUDICIAL%20SYSTEM%20REFORM-2.pdf> (last checked: 27.06.2026).

³⁹ Georgian Young Lawyers' Association, The Parliamentary Oversight Since the Rules of Procedure Reform, URL: https://admin.gyla.ge/uploads_script/publications/pdf/new-THE%20PARLIAMENTARY%20OVERSIGHT%20SINCE%20THE%20RULES%20OF%20PROCEDURE%20REFORM.pdf (last checked: 27.06.2026).

human rights⁴⁰ and the electoral system.⁴¹ Another of the main CSOs is the International Society for Fair Elections and Democracy (ISFED). It was established in 1995 to carry out citizen-monitoring of elections and related political processes.⁴² GYLA and ISFED are among the oldest CSOs in Georgia; other organisations include Georgian branches of international networks, such as Transparency International Georgia.

The next major turning point took place after 2003's Rose Revolution. The Rose Revolution was not just a change of leadership – it was a unique inspirational moment that raised hopes for change, signalling a commitment to democratic values and a desire for a better, more progressive future.⁴³ However, this period was also characterised by abuse of government power.⁴⁴ The Girgvlani case highlighted systemic abuse of power in Georgia, in which multiple branches of state authority – from executive to judicial – acted in tandem to orchestrate a cover-up, bribe convicts and grant them unlawful leniency to conceal high-level officials' involvement in a murder.⁴⁵ According to V-Dem's data, the increase of civil society participation continued until 2018, reaching an all-time high of 0.83 points on the index. Around this time, CSOs were actively involved in Open Government Partnership (OGP).⁴⁶ Since 2023, however, the environment for CSOs has deteriorated drastically through targeted legislation by the government (see Section 2.3). Finally, the country was expelled from the OGP.⁴⁷

By actively participating in the EU integration process (mostly through preparing reports and recommendations for the government to heed), CSOs have become the main obstacle for Georgian

⁴⁰ Georgian Young Lawyers' Association, Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections, URL: https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf (last checked: 24.06.2026).

⁴¹ Georgian Young Lawyers' Association, Georgian Experience and Perspectives of Implementing Electronic Election Technologies, URL: [https://admin.gyla.ge/uploads_script/publications/pdf/ELECTRONIC%20ELECTION%20TECHNOLOGIES%20\(1\).pdf.crdownload](https://admin.gyla.ge/uploads_script/publications/pdf/ELECTRONIC%20ELECTION%20TECHNOLOGIES%20(1).pdf.crdownload) (last checked: 24.06.2026).

⁴² International Society for Fair Elections and Democracy (ISFED), History, URL: <https://www.isfed.ge/eng/istoria> (last checked: 27.06.2026).

⁴³ Civil.ge, Twenty Years Since Rose Revolution of 2003: Gains, Losses and Lessons, URL: <https://civil.ge/archives/571137> (last checked: 27.06.2026).

⁴⁵ Learn more about it here: Civil.ge, Girgvlani Case-Related Charges Filed Against Saakashvili, URL: <https://civil.ge/archives/124191> (last checked: 27.06.2026).

⁴⁶ Open Government Georgia, Georgia and OGP, URL: <https://ogpgeorgia.gov.ge/en/georgia-and-ogp/> (last checked: 28.06.2026).

⁴⁷ Transparency International Georgia, Georgia Expelled from Open Government Partnership, URL: <https://transparency.ge/en/post/georgia-expelled-open-government-partnership> (last checked: 28.06.2026).

Dream. Different organisations have put forward various research documents on how to improve the judicial system,⁴⁸ elections,⁴⁹ parliamentary oversight⁵⁰ and human rights.

2.3. The most important stressor factor: CSO repression

RESILIO-ACCESS assesses a number of stressors that can affect the rule of law. In Georgia, physical violence, government media censorship and CSO repression have been used to put stress on the resilience resources. Over the past couple of years, the Georgian Parliament (whose legitimacy is disputed) has adopted a number of laws to target civil society, free media and peaceful protesters on the street. Parliament has passed over 300 laws targeting these values.⁵¹ There have been several waves of amendments to the Code of Administrative Offenses, the Criminal Code and the Law on Assemblies and Manifestations, sanctions related to protest activities have significantly increased and new violations related to protest expression have emerged.⁵² Comprehensive amendments adopted in March 2026 further tightened restrictions on civil and political activity, tightening the legislation related to grants, introducing new, vague criminal norms and effectively banning civil

⁴⁸ Social Justice Center, Judicial System: Reforms and Prospects, URL: <https://socialjustice.org.ge/ka/products/sasamartlo-sistema-reformebi-da-perspektivebi#> (last checked: 30.07.2026). Georgian Young Lawyers' Association, Judicial System Reform in Georgia, 2013-2021, URL: <https://gyla.ge/en/post/judicial-system-reform-in-georgia-2013-2021> (last checked: 30.07.2026). Transparency International Georgia, Judicial Reform Concept, URL: <https://transparency.ge/en/post/judicial-reform-concept> (last checked: 30.07.2026).

⁴⁹ Georgian Young Lawyers' Association, Conducting Elections with Electronic Technologies: Key Findings, URL: https://admin.gyla.ge/uploads_script/news/tmp/php2MYmOj.pdf (last checked: 30.07.2026). Georgian Young Lawyers' Association, Voting Abroad, URL: https://admin.gyla.ge/uploads_script/news/tmp/phpSkgvp4.pdf (last checked: 30.07.2026). Georgian Young Lawyers' Association, Assessment of the Amendments to the Election Legislation in December 2022, https://admin.gyla.ge/uploads_script/news/tmp/phpj7TB7U.pdf (last checked: 30.07.2026). International Society for Fair Elections And Democracy, Main changes provided for by the new Election Code of Georgia and their assessment, URL: <https://isfed.ge/geo/saarchevno-angarishebi/saqartvelosakhali-saarchevno-kodeqsit-gatvalistsinebuli-dziritadi-tsvlilebebi-da-mati-shefaseba> (last checked: 30.07.2026).

⁵⁰ Georgian Young Lawyers' Association, The Parliamentary Oversight Since the Rules of Procedure Reform, URL: <https://gyla.ge/files/news/%E1%83%A4%E1%83%9D%E1%83%9C%E1%83%93%E1%83%98/%E1%83%A2%E1%83%A3%E1%83%A0%E1%83%9C%E1%83%98%E1%83%A0%E1%83%98/%E1%83%91%E1%83%9A%E1%83%9D%E1%83%92/THE%20PARLIAMENTARY%20OVERSIGHT%20SINCE%20THE%20RULES%20OF%20PROCEDURE%20REFORM.pdf> (last checked: 02.08.2026).

⁵¹ Georgian Young Lawyers' Association, GYLA's new study on personalized and restrictive legislation in Georgia, URL: <https://www.gyla.ge/en/post/GYLA-personipicirebulikanonmdebloba> (last checked: 28.06.2026).

⁵² Georgian Young Lawyers' Association, GYLA's new study on personalized and restrictive legislation in Georgia, URL: <https://www.gyla.ge/en/post/GYLA-personipicirebulikanonmdebloba> (last checked: 28.06.2026).

society representatives from political party membership.⁵³ In this way, the legislature exercised *abusive lawmaking*⁵⁴ – the practice of adopting laws to strengthen authoritarian regimes and weaken democratic institutions and values.

Abusive lawmaking is often used by the executive when its parliamentary majority is not strong enough to amend the constitution (also known as *abusive constitutionalism*⁵⁵). Political elites try to bolster their government and entrench themselves in office – not by constitutional change but by legislative acts. Through abusive lawmaking, elites can achieve the same goals as through abusive constitutionalism, but with less effort.

In Georgia, Georgian Dream lacks a constitutional majority. The only way to ensure nothing threatens their reign is to eliminate any source of danger to their political hegemony. Since 2024, the Georgian Dream parliament has been actively engaged in abusive lawmaking. They have passed a number of laws blatantly infringing basic human rights using expedited procedures (passing laws in the period of just a week).

First, Georgian Dream initiated the draft law of Georgia on ‘Transparency of Foreign Influence’ on 3 April 2024, and adopted it on 14 May.⁵⁶ Then-President Salome Zurbashvili exercised her veto power and returned the law to Parliament with unambiguous remarks on 18 May 2024. According to the President, “This law cannot be improved. The law is unconstitutional in its entirety, therefore un-Georgian, un-European and undemocratic”.⁵⁷ Parliament overrode the veto, and the law was finally adopted on 28 May 2024. The law establishes a discriminatory and stigmatising registry for non-governmental and media organisations that receive more than 20 percent of their annual funding from foreign sources. Under the law, such organisations must register as “organisations that carry the interests of a foreign power” and submit relevant declarations. Failure to comply with the registration or reporting requirements results in heavy financial sanctions that may ultimately render these entities unable to function. The law also subjects them to intensive monitoring, allowing the monitoring body to request from any person – including individuals – information

⁵³ Georgian Young Lawyers’ Association, GYLA's new study on personalized and restrictive legislation in Georgia, URL: <https://www.gyla.ge/en/post/GYLA-personipicirebulikanonmdebloba> (last checked: 28.06.2026).

⁵⁴ Georgian Young Lawyers’ Association, Giorgi Alaverdashvili, Abusive Lawmaking in Georgia, URL: https://admin.gyla.ge/uploads_script/publications/pdf/ABUSIVE%20LAWMAKING%20IN%20GEORGIA.pdf (last checked: 28.06.2026).

⁵⁵ David Landau, Abusive Constitutionalism, *U.C. Davis Law Review*, (2013): 189-260.

⁵⁶ The Parliament of Georgia, URL: <https://info.parliament.ge/#law-drafting/28355> (last checked: 29.06.2026).

⁵⁷ The Parliament of Georgia, Motivated Questions of the President of Georgia, No. 07-1/32/10, URL: <https://info.parliament.ge/file/1/BillReviewContent/361894> (last checked: 29.06.2026).

containing any secrets (except state secrets) and personal data, including special categories of personal data.⁵⁸

Second, Georgian Dream initiated the Foreign Agents Registration Act (FARA) on 19 February 2025 and passed it on 1 April. The package also included amendments to the Criminal Code stemming from FARA.⁵⁹ According to the law, a person may be required to register as an “agent of a foreign principal” if they – directly or through another person – participate in political activities in Georgia for the benefit or in the interests of a foreign principal and, at the same time, act at the direction, request, instruction or control of that foreign principal. The law grants overly broad monitoring powers to the State Audit Office (whereas the original version designated the Anti-Corruption Bureau as the monitoring body), imposes extensive reporting obligations on registered organisations and requires them to apply specific markings to all materials they distribute. Failure to comply (or improper compliance) with the requirements established by the law results in criminal liability, including imprisonment for up to five years. The Venice Commission declared that Georgian FARA fails to meet the requirements of legality, necessity and proportionality and undermines the freedoms of association and expression.⁶⁰

Third, a similar law to strangle civil society and free media was adopted between 7–16 April 2025.⁶¹ According to the amendments, a grant allocated by a foreign donor can be received only after the consent of the Government of Georgia or an authorised person/body designated by it.⁶² Receiving a grant without consent would result in the recipient being fined double the amount of the grant.⁶³ Like the so-called FARA, these changes are part of the campaign waged by Georgian Dream against civil society and aim to deprive watchdog and media organisations of access to resources important for their activities.

⁵⁸ Georgian Young Lawyers' Association, Georgia: Human rights Amidst the Russian law, URL: <https://gyla.ge/files/Human%20rights%20Amidst%20the%20russian%20law.pdf> (last checked: 29.06.2026).

⁵⁹ The Parliament of Georgia, The package on FARA and Criminal Code, URL: <https://info.parliament.ge/#law-drafting/30320> (last checked: 29.06.2026).

⁶⁰ Venice Commission, Georgia Opinion on the Law on the Registration of Foreign Agents, the Amendments to the Law on Grants and Other Laws Relating to “Foreign Influence”, CDL-AD(2025)034, 2025, para. 66-67, URL: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2025\)034-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2025)034-e) (last checked: 29.06.2026).

⁶¹ The Parliament of Georgia, the package on Grants Law, URL: <https://info.parliament.ge/#law-drafting/30563> (last checked: 29.06.2026).

⁶² Paragraph 1 of Article 51 of the Law of Georgia “On Grants”.

⁶³ *ibid*, articles 6¹ and 6⁴.

3. The effect of the EU integration process

V-Dem has already denominated Georgia as an *electoral autocracy*.⁶⁴ Defined as a system where multiparty elections for the executive exist next to insufficient levels of fundamental requisites such as freedom of expression and association and free and fair elections.⁶⁵ Democratic backsliding in Georgia has accelerated since the 2025 elections. Before the elections, the European Commission enlisted nine steps the Georgian government had to take to get closer to the EU integration process,⁶⁶ including free, fair and competitive elections, ending political polarisation and making a more inclusive environment for the opposition, improving parliamentary control over the executive, implementing judicial reform, improving human rights protection and having anti-corruption institutions in place.⁶⁷ But after the elections (as described in the section 2.3), a number of laws were adopted specifically to do the opposite of these recommendations.

After the elections were deemed fraudulent by international observers, the European Parliament adopted a resolution in 2025 to not recognise the self-proclaimed government of Georgia.⁶⁸ Members of the European Parliament then called upon the Council and the Members of the EU to impose personal sanctions on the officials and political leaders in Georgia responsible for democratic backsliding, electoral fraud, human rights violations and the persecution of political opponents and activists.⁶⁹

Recently, the European Parliament also reiterated that there will be no progress for Georgia on EU integration path under the current circumstances.⁷⁰ The report highlights that EU and member states' engagement with the Georgian authorities should be strictly conditional on their taking

⁶⁴ Varieties of Democracy (V-Dem), Democracy Report 2026, Unraveling The Democratic Era? 15, URL: https://www.v-dem.net/documents/75/V-Dem_Institute_Democracy_Report_2026_lowres.pdf (last checked: 29.06.2026).

⁶⁵ *ibid.*

⁶⁶ Civil.ge, EC Spells Out Nine Steps for Georgia to Start Accession Negotiations, URL: <https://civil.ge/archives/568417> (last checked: 29.06.2026).

⁶⁷ Civil.ge, EC Spells Out Nine Steps for Georgia to Start Accession Negotiations, URL: <https://civil.ge/archives/568417> (last checked: 29.06.2026).

⁶⁸ European Parliament, MEPs: Georgia's self-proclaimed authorities have no legitimacy, URL: <https://www.europarl.europa.eu/news/en/press-room/20250204IPR26689/meps-georgia-s-self-proclaimed-authorities-have-no-legitimacy> (last checked: 03.07.2026).

⁶⁹ *ibid.*

⁷⁰ European Parliament, Georgia and Türkiye: No EU accession progress without reforms, URL: <https://www.europarl.europa.eu/news/en/press-room/20260611IPR45217/georgia-and-turkiye-no-eu-accession-progress-without-reforms> (last checked: 03.07.2026).

tangible and verifiable steps to reverse the course of democratic regression, restrictions and fierce Russian-style anti-EU-disinformation.⁷¹

This means that the Georgian Dream must abolish the laws designed to target political opposition, peaceful protesters and help the current government maintain power. Currently, Georgian Dream holds a hostile position to the EU integration process. Prime-Minister Irakli Kobakhidze has officially halted the negotiations of EU integration. Various leaders of Georgian Dream have criticised and condemned the EU resolutions, calling them politically motivated and describing them as an attempt to interfere with the domestic policy of the country.⁷² Leaders of Georgian Dream have repeatedly maintained that the resolutions of the EU institutions “have the value of straw”⁷³ – that they are worthless. With this attitude, it’s unlikely that the Georgian Dream government will take any steps necessary for EU integration. This is despite the Constitution obliging every constitutional body to do everything in their power to achieve that goal.⁷⁴

For the Georgian people, EU integration remains the main goal. It is potentially the most powerful instrument to guarantee free and fair elections, civil rights and the abolition of absurd laws that entail criminal and administrative liability for peacefully protesting on the streets. The EU integration process has the potential to restore the rule of law and shift Georgia back towards democracy.

4. Conclusion

The state of the rule of law in Georgia is worrying. This report reviewed the most important primary and subsidiary resilience resources. The most important primary resource is private civil liberties. As a primary resilience resource, private civil liberties, particularly property rights and economic protections, provide citizens with the baseline independence needed to withstand state pressure. This personal and financial autonomy enables individuals to exercise public scrutiny, mobilize through protests, and demand government accountability. The most important subsidiary resilience resource is civil society that mobilises citizens and demands accountability of public actors.

⁷¹ *ibid.*

⁷² For example, see the statement from Shalva Papuashvili, the Chairman of the Parliament. Radio Liberty, Shalva Papuashvili writes a letter to the EU Ambassador, Pavel Herczynski, URL: <https://www.radiotavisupleba.ge/a/33752527.html> (last checked: 06.08.2026).

⁷³ Radio Liberty, New European Parliament resolution calls for sanctions against elites linked to "Dream" - see list, URL: <https://www.radiotavisupleba.ge/a/33312151.html> (last checked: 06.08.2026).

⁷⁴ Constitution of Georgia, art. 78.

However, against primary and subsidiary resilience resources stressors are pronounced, and the rule of law and democracy are seriously deteriorating in Georgia. Physical violence, government media censorship and CSO repression are the most pronounced and intertwined stressors. The Georgian Dream government has engaged in abusive lawmaking to restrict freedom of expression and assembly of the people as well as CSOs. The government has used disproportionate power to disperse anti-government rallies, resulting in physical violence. Media and civil society organisations have been deprived of financial means, resulting in the loss of these institutions. While some media and civil society organisations do manage to survive; their work is mostly on a voluntary basis.

Against this backdrop, the EU's role is crucial to support CSOs and put external pressure on the government to withdraw authoritarian laws which are incompatible with European values.

About the author

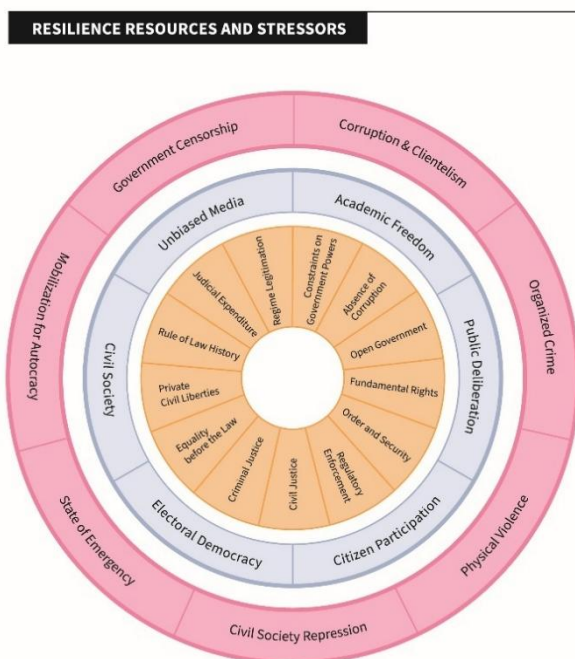
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About the project

RESILIO-ACCESS investigates the resilience of the rule of law in the current (potential) candidate countries for EU accession. The project explores how to measure resilience and how to assess the potential of the EU's enlargement policy toolbox to foster sustainable resilience in the region. Resilience here means the capacity of the rule of law to prevent, cope with, or recover from hazardous events or incremental threats – without losing its core function, structure, and purpose.

About the paper

This paper is part of the **RESILIO-ACCESS Country Reports**, a collection of compact analyses that assess the source of rule of law resilience in EU aspirant countries by using the analytical framework of the RESILIO-ACCESS model.



The RESILIO-ACCESS model is based on *three* dimensions: The system of the rule of law itself provides *primary resilience resources* such as an effective judicial system, the protection of fundamental rights, and democratic elections. These resources are embedded into a social environment with *subsidiary resilience resources* such as civil society, academia, and the media. However, these resources are constantly being challenged by *threats* such as autocracy, corruption, violence, or censorship. The characteristics of each dimension, their interactions and their conditions of resilience resources determine the overall resilience capacity of the rule of law.

RESILIO-ACCESS is funded by Stiftung Mercator. The project is implemented by Institut für Europäische Politik in Berlin and Institute for Democracy “Societas Civilis” in Skopje. For more information, visit the [project website](#).