



How NGOs Should Respond to Accusations of Partiality and Improper Engagement in Political Activities

Non-governmental Organizations (NGOs) are frequently politicized and accused of

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partisanship. In Georgia, the civil society space as a whole has been accused by representatives of the ruling Georgian Dream party as [acting against the state](#). The party's representatives reference the sector's dependence on foreign-funding to portray civil society organizations (CSOs) as financially bloated entities serving the interests of their donors, not their stakeholders in Georgia.

This idea of foreign-funding ties into an idea of acceptable NGO engagement in political activities. If any particular NGO is, in reality, a representative of foreign interests, there is little doubt that certain activities should be regulated. The independent monitoring of elections, for example, a vital activity in an electoral democracy, should be conducted by an organization that is independent. Promoting the idea that a civil society as a whole is partial to foreign interests is an insipid political messaging tactic to gather support for curtailing the activities a civil society space can engage in.

There is little agreement internationally on what exactly constitutes [political activities in regard to NGOs](#). These activities can be defined broadly, and, elsewhere, minutely. Yet, a legal environment must provide guardrails for a thriving civil society to exist, so that NGOs can reliably understand how their activities will be interpreted by the law. For example, the Russian Foreign Agents law, includes an attempt by an independent group to influence public policy, regardless of the group's mandate, to be a [political activity](#) according to [Human Rights Watch](#). This vague and seemingly all-encompassing definition helped allow the Russian government to arbitrarily target and dismantle civil society organizations deemed critical of, or otherwise inconvenient for, the regime.

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An effective legal environment can stimulate a healthy civil society. By settling on a reasonable definition of political activities, or through the drafting of effective non-profit association laws, a government can regulate the domain of political parties versus that of other non-profit organizations. The [Non-profit Associations Act](#) and the [Income Tax Act of Estonia](#) provide useful examples of legislation that helps to regulate NGOs, while promoting their healthy functioning. A main distinction between types of non-profit entities comes from income tax incentives forgone by political associations. Political associations are defined by Estonian law as organizations which focus on the processes and activities relating to nominating and campaigning for candidates in elections. These activities are by no means off limits to NGOs in Estonia, but the definition helps NGOs to navigate their activities to best represent their stakeholders.

Attacks on the legitimacy of a civil society can, in some instances, be effectively combatted by the civil society itself. If the legal environment allows for it, bringing legal action against the government in response to slanderous allegations, can help to build public trust. This is the route the Hungarian Helsinki Committee (HHC) took in response to [slanderous propaganda materials](#) sent by the Hungarian government to voter households in advance of an election. The Hungarian Supreme Court ruled in favor of HHC, and the Hungarian government was forced to [publicly apologize](#) and HHC was awarded financial compensation.

Transparency in communication is a useful tool in counteracting the effects of defamatory remarks. When an individual NGO is accused of representing foreign interests for accepting funding from foreign governments or entities, transparency in funding, coupled with effective communication, can serve to mediate negative sentiments. For example, the Estonian Human Rights Center provides annual financial reports to the public through its [website](#). The ability to point toward information on funding sources in relation to the activities, projects, and costs of the NGO helps convey to the public not only transparency, but also provides explanatory context. Proactive communication connects financing to its purpose in service of the public interest.

In Georgia, there is opportunity to build a more cooperative relationship between the civil society sector and the government, but there are political incentives which continue to threaten civil society sustainability. Communicating to the public that recent accusations of improper engagement in political activities and representing

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foreign interests are baseless, is necessary to defending the civil society from being constricted. NGOs must also continue to communicate a positive case to the public by continuing to inform them of their successes and through engagement with the government and the ruling party. The NGO space and the Georgian government should hope to collaborate on the building of a more effective legal environment to protect the civil society. Such legislation should include a clear definition of political activities for the purposes of NGOs, and it should clearly spell out the consequences (or lack of consequences) of engaging in those activities.

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The post's content may not reflect GYLA's position.