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Georgia

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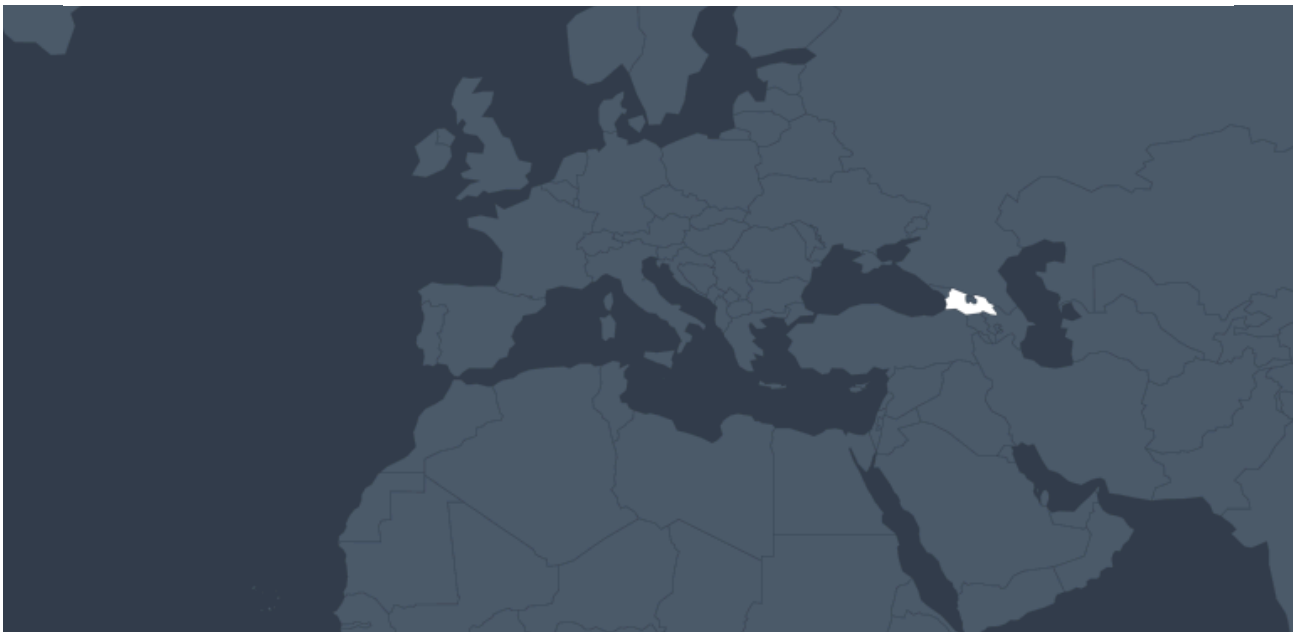
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/100

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LAST YEAR'S SCORE & STATUS

76 /100 **Free**

Scores are based on a scale of 0 (least free) to 100 (most free). See the research methodology and report acknowledgements.



Key Developments, June 1, 2023 – May 31, 2024

Internet freedom in Georgia declined during the coverage period because of online intimidation and harassment faced by individuals organizing protests against the Law on Transparency of Foreign Influence, often called the “foreign agents” law, and an increase in cyberattacks on media outlets and government institutions. Despite this decline, the online environment in Georgia remains free due to strong internet access, limited website blocking, and few arrests for online speech protected by international human rights standards.

- The October 2023 amendments to the Law on Broadcasting expanded the authority of the Communications Commission (ComCom), the telecommunications regulator, to regulate content featuring hate speech, incitement to terrorism, and obscenity; the initial version of the law placed these responsibilities on self-regulatory bodies (see B3).
- The controversial Law on Transparency of Foreign Influence was adopted in May 2024 and was supported by Parliament again in June 2024, overriding a presidential veto. The law requires civil society organizations (CSOs) and media outlets, including those that operate online, to register in a government database as foreign agents if they receive more than 20 percent of their funding from abroad (see B6 and B8).
- In addition to demonstrators who faced physical violence at the protests against the “foreign agents” law, those who organized or supported the protests online had their personal information leaked and received intimidating phone calls from unknown foreign numbers (see B8 and C7).
- In May 2024, the international hacking group Anonymous briefly took down the websites of government institutions, including the Ministry of Foreign Affairs, and a progovernment outlet (see C8).

Political Overview

Georgia holds regular competitive elections and hosts lively media and civil society sectors. However, oligarchic influence affects the country’s political affairs, and opposition figures have faced physical attacks. Corruption in government persists and media freedom is undermined by intimidation and pressure against journalists. Executive and legislative interference in the courts remains a substantial problem, as does a lack of transparency and professionalism surrounding judicial proceedings.

Note: The territories of South Ossetia and Abkhazia are not covered in this report. Certain territories that are assessed separately in Freedom House’s Freedom in the World report are excluded from the relevant country reports in Freedom on the Net, as conditions in such territories differ significantly from those in the rest of the country.

A. Obstacles to Access

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?	5/6
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Georgians face some infrastructural obstacles to accessing the internet. However, internet access continued to grow during the coverage period, with 91.5 percent of households enjoying access as of June 2024 according to government statistics.

1 According to 2023 data from the International Telecommunication Union (ITU), the fixed-line broadband penetration rate was 29 percent. **2** According to a survey conducted by the Caucasus Research Resource Center (CRRRC) in 2024, 76 percent of the population accessed the internet on a daily basis, **3** with the most active users in the capital. **4** According to government statistics published in June 2024, 84.8 percent of individuals aged six and above had used the internet within the last three months, while 13.9 percent had never used the internet. **5**

Mobile broadband penetration rates have increased significantly in recent years and stood at 113 mobile broadband subscriptions for 100 people in 2023, according to the ITU. **6** Georgian mobile subscribers have wide access to 3G and 4G service. In December 2023, Cellfie Mobile, a mobile service operator, launched 5G connectivity in the mountainous settlements of Bakuriani and Gudauri, as well as in the Didube and Didi Dighomi sections of greater Tbilisi, making 5G available for approximately 5,000 users. **7** Previously, in July 2023, Cellfie had won a ComCom-facilitated auction to implement 5G nationwide. MagtiCom and Silknet, Georgia’s two other major mobile service operators, criticized the auction; they argued the ComCom forced operators to accept a mobile virtual network operator (MVNO) obligation and did not offer appropriate radio frequencies for auction. The ComCom noted the existence of different auction lots, including ones without the MVNO obligation, in its response. **8**

In December 2022, the European Union (EU) announced plans to invest €2.3 billion (\$2.4 billion) towards the construction of a power cable between Georgia and Romania; the European Commission linked the project to its overall goals of improving infrastructural resilience and expanding fiber-optic connectivity. ⁹ As of May 2024, no significant progress has been reported on this initiative.

In July 2022, SpaceX's Starlink received the ComCom's permission to provide services in Georgia, and it began operating in November 2023 (see A4). ¹⁰

In January 2020, the government approved a five-year strategy for the development of broadband networks. ¹¹ The government seeks to stimulate competition, attract new investment, and develop digital skills through its plan. By 2025, 4G networks are expected to cover 99 percent of the country's territory, while 5G services are to be piloted in at least three municipalities.

Also in January 2020, amendments were made to the state's broadband infrastructure development program, which was launched in 2016. According to the amendments, the program aims to create a unified, neutral fiber-optic network and develop wholesale broadband services. A nonprofit legal entity called Open Net, launched by the Ministry of Economy and Sustainable Development in 2015, is responsible for the creation, maintenance, and management of this fiber-optic network. ¹² As of April 2024, Open Net has built a total of 800 kilometers of infrastructure in areas such as Ozurgeti, Racha-Lechkhumi, the southwestern town of Kobuleti, the southwestern village of Khelvachauri, and the western town of Samtredia, and the western town of Chokhatauri. There have been ongoing projects and tenders for approximately 1,300 kilometers of infrastructure in the areas of Zugdidi, Khobi, Abasha, Senak, Tskaltubo, Vartsikhe, Khoni, Chiatura, Sachkhere, Zestafoni, and Kharagauli (see A2). ¹³

In 2013, as part of a plan to improve local government infrastructure, the State Services Development Agency began developing community centers where citizens could access the internet. As of February 2023, as many as 89 centers were operating across the country. ¹⁴

Ookla data from May 2024 showed that the median fixed-line download speed was 26.71 megabits per second (Mbps). Meanwhile, the median download speed for a mobile internet connection stood at 39.83 Mbps. ¹⁵

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?

2/3

Internet access is generally affordable, with monthly 25-to-30 Mbps fixed-line broadband subscriptions available for around 35 to 37 lari (\$12.83 to \$13.56). ¹⁶ According to government statistics, the average Georgian earned 1,858.20 lari (\$681) a month in 2023. ¹⁷ ITU data from 2023 shows that a monthly entry-level, 5 GB fixed-line broadband plan cost 2.5 percent of gross national income (GNI) per capita, while a monthly 2 GB mobile broadband plan cost 0.6 percent of GNI per capita. ¹⁸

Though there is virtually no gender gap among Georgians who use the internet regularly, ¹⁹ there are digital divides in terms of age and geography. Some 94.5 percent of urban households and 87.5 percent of rural households had internet access according to government data from 2024. ²⁰ A September 2022 report published by the Institute for Development of Freedom of Information (IDFI) and the e-Governance Academy identified several factors that lead to inequalities in internet access, including geography, socioeconomic status, and disability. ²¹ Fiber-optic cable infrastructure is underdeveloped in regions far from the capital, affecting the quality of connections. Development is hindered by the perceived low revenue potential of projects to build infrastructure, as well as the complex bureaucratic requirements for private operators to receive permission to commence civil works projects. Beginning in 2017, the Telecommunications Operators Association of Georgia implemented two community network projects, which ensured internet connectivity for the mountainous regions of Tusheti, Pshav-Khevsureti, and Gudamakhari. ²² Additionally, Open Net has laid fiber-optic networks in underserved regions over the past four years (see A1).

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?

6/6

The government does not place any restrictions on connectivity. Georgia's backbone internet infrastructure is owned and operated by private companies.

According to the constitution, the right to access the internet may be restricted only "insofar as is necessary in a democratic society for ensuring national security, public safety or territorial integrity, for the protection of the rights of others, for the prevention of the disclosure of information recognized as confidential, or for ensuring the independence and impartiality of the judiciary." ²³ The government may assume control over the domestic internet if martial law or a state of emergency is declared. ²⁴

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?

4/6

There are few legal or regulatory obstacles that restrict the diversity of service providers in Georgia, but market concentration limits competition. The information and communication technologies (ICT) market is dominated by a handful of large companies.

According to the Law on Electronic Communications, telecommunications companies must receive authorization before offering services, though the licensing process is relatively uncomplicated. ²⁵ Companies are also required to purchase equipment facilitating government surveillance (see C6).

During the coverage period, there were more than 150 registered ISPs, all of which are privately owned. ²⁶ As of May 2024, two private ISPs control more than three-fourths of the fixed-line broadband market; MagtiCom held 46.8 percent of that market while Silknet held 31 percent. ²⁷ Such concentration has not significantly affected pricing and service. Silknet's 2018 acquisition of mobile service provider Geocell also fueled market concentration. ²⁸

Additionally, since November 2023, Starlink internet services are available in Georgia (see A1).

In 2018, the ComCom adopted a new regulation that obliges large ISPs operating fiber-optic networks to allow small- and medium-size ISPs to access their

infrastructure, enabling smaller companies to offer services at dramatically reduced prices. ²⁹ In May 2023, Parliament approved the Law on Sharing of Telecommunication Infrastructure and Infrastructure used for Telecommunication Purposes, which allows telecommunications providers to use the existing passive infrastructure owned by utility and transport companies to develop broadband networks. ³⁰ Some large operators questioned why the law did not include state-owned infrastructure when it was still being debated. ³¹

All three mobile service providers—Silknet, MagtiCom, and Cellfie Mobile, which are privately owned—offer mobile internet services. According to May 2024 data from the ComCom, Silknet controlled 35.8 percent of the mobile market, while MagtiCom and Cellfie Mobile controlled 34.4 percent and 29.5 percent, respectively. ³² In June 2022, Georgian businessman Khvicha Makatsaria acquired all of the shares of Beeline Georgia, which he previously held a minority of, and rebranded it as Cellfie. ³³

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?

2 / 4

The ComCom is the main regulatory body for the ICT sector. It mostly regulates service providers as well as television and radio broadcasting licenses. In recent years, some of its decisions have raised concern among CSOs.

The regulator has been criticized for lacking transparency and independence. To increase the ComCom’s legitimacy, rules for the nomination (by the president) and election (by Parliament) of commissioners came into force in 2013. However, CSOs have criticized the ComCom for working “hand in hand” with the ruling Georgian Dream (GD) party, making discriminatory decisions ³⁴ in the realm of media regulation, especially against critical media. ³⁵

In December 2022, Parliament passed amendments to the Law on Broadcasting (see B3), though those amendments did not affect the appointment or service mandate of ComCom commissioners. The law stipulates that commissioners can be appointed by a parliamentary majority for six years, with the option to have their terms renewed once. Additionally, the law lists “public recognition and confidence” as a qualification for commissioners. ³⁶ In February 2023, the

Council of Europe (CoE) highlighted shortcomings in the Law on Broadcasting including: its procedures on selecting or terminating ComCom members, the duration of appointments, members' qualification requirements, decision-making requirements, accountability, and transparency. ³⁷ Following local and international criticism, some of the law's more controversial provisions, including those on the qualification requirements and termination of ComCom members, were further amended in June 2023. ³⁸ A November 2023 report from the European Commission highlighted the need for more transparency in the selection of ComCom members and voiced concerns over the length of their terms. ³⁹

Several of the ComCom's previous decisions and initiatives related to ICT regulation were criticized by both local and international stakeholders. ⁴⁰

B. Limits on Content

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?

5/6

The ComCom regularly requests that authorities block websites that display pirated, pornographic, or otherwise illegal content.

A November 2022 report released by the IDFI revealed that the ComCom asked ISPs to block 480 websites between 2017 and late September 2022. According to the IDFI, 77 percent of the targeted websites contained content that violated copyright, while 16.5 percent violated other legislation, and 6.5 percent contained pornography. The authors did not observe systemic abuse of blocking abilities on the part of the ComCom. However, neither the ComCom, ISPs, nor state bodies proactively publish statistical data on website blocking. ⁴¹ A follow-up report released in August 2024 revealed that between October 2022 and May 2024, the ComCom had blocked an additional 800 websites for the same reasons as the previous period. In that report, the IDFI again concluded that the ComCom did not engage in extralegal activity or act beyond existing law. ⁴²

Social media restrictions have not been imposed on the part of authorities in nearly a decade. **43**

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards?

4/4

In general, online content is not subject to deletion, and government requests to remove online content are relatively rare. The latest transparency report from Google reveals the government did not issue any takedown requests to it in 2023. Facebook did not remove any content in response to government requests between January and December 2023. **44** X did not produce a content removal request during the coverage period. **45**

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?

3/4

There are few explicit restrictions on internet access and online content. The legal framework protects users against intermediary liability. The Law on Freedom of Speech and Expression states that no entity will be held responsible for defamatory content generated by unknown or anonymous individuals. **46** However, the government does not publish a publicly available list of blocked websites (see B1). **47**

To align Georgian legislation with European directives, at the end of 2022, Parliament made several amendments to the Law on Broadcasting. The CoE had voiced concern that the ComCom's regulation of hate speech could be used to regulate legitimate criticism of the government without sufficient protections. The CoE also advised that video-sharing platforms should not be covered by licensing and authorization procedures, nor should they fall under mechanisms for redress, sanctions, and accountability. **48** The amendments related to video-sharing platforms were modified in June 2023. Additionally, concerns over hate

speech and incitement to terrorism would not be regulated by the ComCom, but by the broadcasters' self-regulatory bodies. **49**

However, citing the requirements concerning the independence of the regulator in EU Directive 2010/13/EU, the GD-led government adopted amendments to the Law on Broadcasting in October 2023, which bolstered the ComCom's authority to regulate media content and advertisements containing hate speech, incitement to terrorism, and obscenity. Specifically, under the revised regulations, decisions rendered by the self-regulatory mechanism may be challenged before the ComCom and subsequently brought to court. Moreover, under the amended law, the ComCom has final authority over determining "obscene" content, instead of self-regulatory bodies. **50** The amendments were met with criticism by local CSOs and media. **51** As of the end of the coverage period, the amendments had not yet been implemented, as the ComCom is to issue guidelines for their implementation.

In December 2021, the government banned online advertising for gambling and prohibited individuals under 25 years of age from gambling online. The measure came into effect in March 2022. **52**

In September 2020, the ComCom enacted amendments to the Law on Broadcasting and the Code of Rights of Children, which entitles it to regulate media "in the best interest of minors." **53** Based on the legislative changes, the ComCom adopted a resolution obligating ISPs to develop mechanisms that will enable them, at the request of a subscriber, to restrict access to content deemed harmful for children. **54** CSOs expressed concerns that the vague and broad nature of the amendments might allow the ComCom to limit the editorial independence of media outlets. In August 2020, a local CSO, the Georgian Democracy Initiative, appealed to the Constitutional Court on behalf of four national broadcasters, with the request to declare the new amendments unconstitutional. **55** In February 2023, the court partially satisfied the lawsuit and declared the provisions of the Law on Broadcasting unconstitutional because broadcasters could be punished for live content. **56**

In a November 2022 ruling, the Constitutional Court considered the definition of pornography unconstitutional due to its vagueness. The contested norm

prohibiting the distribution of pornography expired in May 2023, but Parliament did not adopt a new definition as of the end of the coverage period. **57**

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?

4 / 4

Although self-censorship is not widespread among online journalists and users, some individuals are hesitant to speak candidly online. Civil servants often self-censor online because they fear reprisals from senior officials. **58**

In September 2020, it was reported that the Georgian public broadcaster developed rules for employee use of social media, which included ethical standards, and obligated journalists to refrain from expressing their political affiliations on social networks. **59**

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?

2 / 4

The government, progovernment actors, and other domestic political groups have attempted to manipulate online content to influence public opinion, particularly during demonstrations, electoral campaigns, and political crises.

The existence of government-affiliated groups and individuals spreading disinformation on social media to influence public opinion has been documented by local observers in recent years. **60** This tendency has worsened further over the past two years, especially after the EU's June 2022 refusal to grant candidate status to Georgia **61** and the October 2022 departure of several deputies from the GD parliamentary faction in October 2022. **62**

This trend has been amplified during the protests against the "foreign agents" law which was reintroduced by the GD-led government in early 2024 after its withdrawal amidst massive demonstrations in March 2023 (see B6 and B8). High-ranking officials, including the prime minister, repeatedly asserted that a "global

war party” was attempting to open a second front in Georgia. According to a May 2024 report from DFR Lab, GD and progovernment Facebook pages sponsored advertisements criticizing protests against the “foreign agents” law. **63** The advertisements featured criticism aimed at civil society, media outlets, and opposition parties. Some of these narratives also described protests against the law as LGBT+ protests. **64**

In May 2023, Meta, Facebook’s parent company, reported that it took down 80 Facebook accounts, 26 pages, 9 groups, and 2 Instagram accounts linked to the Strategic Communications Department of the Government Administration of Georgia, which used these inauthentic accounts and pages to disseminate a progovernment narrative and criticize the opposition. Meta also noted that the network had criticized the March 2023 protests against the “foreign agents” law “in real time” (see B6 and B8). The network was also active on TikTok. **65** In 2020 and 2021, Facebook previously deleted dozens of pages and networks of accounts disseminating false information, including networks linked to the GD, United National Movement (UNM), **66** Alliance of Patriots, and Georgian Choice parties. **67**

In 2023, Myth Detector, a project launched by the Media Development Foundation (MDF), detailed narratives spread via individuals and progovernment social media pages, including a page created by GD’s social media department in the wake of Parliament’s initial consideration of the “foreign agents” law (see B3 and B8). **68**

In December 2022, Myth Detector identified 30 inauthentic Facebook accounts and 12 inauthentic pages that had spread false information regarding footage of former president Mikhail Saakashvili’s imprisonment, **69** which was released by the Special Penitentiary Service. The footage showed the decline of Saakashvili’s health during his imprisonment, but these accounts claimed he exaggerated his condition in the video.

Individuals linked to GD and social influencers have also spread disinformation about the Kremlin’s ongoing full-scale war against Ukraine. **70**

Russian information campaigns also target Georgian audiences online. **71** In the second quarter of 2024, Meta removed an inauthentic network of 76 Facebook accounts, 30 pages, and 11 Instagram accounts that distributed links to “fictitious

news websites” in several countries, including Georgia. In Georgia, the Russia-based network posted content criticizing those who protested the “foreign agents” law and supportive of GD. **72**

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users’ ability to publish content online?

2/3

There are relatively few economic or regulatory constraints on online publishing. Established (and often politicized) online outlets effectively dominate the online media landscape, making it difficult for smaller news sites to attract advertising revenue.

By law, online news outlets are not required to disclose their ownership. **73** However, the recently adopted Law on Transparency of Foreign Influence, often referred to as the “foreign agents” law is expected to impact online independent media and websites that receive foreign grants. The law, which was reintroduced after being withdrawn in March 2023 due to mass protests and international condemnation, **74** obliges online media and online platform owners and CSOs to register as foreign agents of influence, submit annual financial declarations, and provide sensitive data to the Ministry of Justice upon request, if they receive more than 20 percent of their annual revenue from foreign donors. Those found noncompliant would be fined (see B8). **75** The GD-led government passed the law, despite widespread protests and international criticism, in May 2024. **76** President Salome Zourabichvili vetoed the law later that month. **77** In late May, Parliament overrode the president’s veto; the law was enacted on June 3, 2024, after the coverage period. **78** In July 2024, three separate lawsuits from the president, CSOs, and opposition parties were submitted to the Constitutional Court over that law. **79**

Compared with legacy media outlets, online operations face challenges in attracting advertisers, diversifying content, and obtaining workers with multimedia skills. Private-sector actors limit online advertising expenses because of the comparatively small audiences online outlets attract.

A 2019 ComCom resolution obliged ISPs to employ nondiscriminatory traffic-management practices. **80**

B7 0-4 pts

Does the online information landscape lack diversity and reliability?

3/4

The online media environment in Georgia is diverse, ⁸¹ and content on a wide range of topics is available. However, reports from Media Advocacy Coalition, ⁸² Transparency International, ⁸³ and the MDF ⁸⁴ produced within the last decade indicate that several news sites, some of which demonstrate bias and are affiliated with domestic political parties and far-right groups, coordinate informally to disseminate information.

Most political debates and discussions are held on Facebook through public and private groups. ⁸⁵ The gradual growth of the Georgian online audience has also contributed to the emergence of several influential bloggers and influencers on various social media platforms, including Facebook, YouTube, and TikTok, who produce content discussing a variety of social and policy issues. ⁸⁶ LGBT+ and feminist activists use online tools to coordinate, share information, and protest discrimination in the public sphere.

Facebook is the most popular platform in Georgia, especially for political discussions. Some 43 percent of respondents to a CRRC survey conducted in February 2022 study said that the internet was their primary source for information. ⁸⁷

B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?

5/6

Score Change: The score declined from 6 to 5 because of online harassment those who organized or amplified protests about the “foreign agents” law faced.

There are few restrictions on online assembly, and digital mobilization is a regular feature of political life. Political and civil society groups frequently post calls to action on social media platforms and use them to communicate with their supporters. However, those who do organize online sometimes face harassment.

During the coverage period, online platforms, especially Facebook and TikTok, were used to organize protests and mobilize around several issues. Major protests against the “foreign agents” law were held in April and May 2024, after GD reintroduced it (see B6); **88** social media users discussed the bill’s implications, with at least 60 prominent YouTubers voicing opposition to it. **89** The protests were marred by violence against peaceful protesters, clashes between demonstrators and police, mass arrests, **90** and violent attacks against some opposition leaders and activists. **91** Although reported attacks were not directly linked to particular online content, targets of such violence were often critics who also vocally opposed the protests online.

Activists who organized against the law faced intimidation online. In one case, online activists reported that two Telegram channels linked to progovernment media representatives shared the personal data, including mobile and home addresses, of dozens of activists. Later, some of the activists reported violations to the Personal Data Protection Service (PDPS). **92** Additionally, those who attended the protests received threatening phone calls from unidentified foreign phone numbers (see C7).

In recent years, members of ethnic and linguistic minority groups have actively waged online and offline campaigns to advocate for particular policy changes, including an increase in government funding of programs teaching the Georgian language to ethnic minorities. **93**

C. Violations of User Rights

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?

3/6

While internet freedom is nominally protected in the constitution and legal framework, there are doubts that the judiciary, whose independence is limited, can consistently enforce these protections. In December 2018, an amended

constitution, which declares access to the internet as a fundamental right of Georgian citizens, came into force. **94**

The right to access information and freedom of expression are also guaranteed by the constitution and are usually respected in practice. **95** The Law on Freedom of Speech and Expression states that other “generally accepted rights” related to freedom of expression are also protected, even if they are not specifically mentioned in the law. **96** The legislation protects the confidentiality of reporters’ sources and enumerates other protections for journalists. **97** However, investigative bodies have recently requested more information about reporters’ sources, but this practice has primarily impacted television channels. **98**

A lack of judicial independence is regarded as a major hindrance to Georgia’s democratic consolidation. **99** Despite several waves of reforms, local CSOs, the public defender, and former GD members have raised concerns about changes to regulations on the selection criteria and electoral procedures for Supreme Court justices that took effect under the 2018 constitution. Critics argued that the changes created an opaque appointment process and led to the lifetime appointments of judges who are unqualified or have made controversial decisions in the past. **100**

Local CSOs represented by the Coalition for an Independent and Transparent Judiciary have highlighted problems such as amendments to the Organic Law of Georgia on Common Courts that weaken the influence of individual judges; **101** the packing of the High Council of Justice (HCJ), the judiciary’s oversight body; the impact of the HCJ in potentially undermining the independence of individual judges; a lack of transparency within the judiciary; and appointments of judges and court chairpersons who are unqualified or have tainted reputations. **102** Similar tendencies, including the selection and appointment of controversial HCJ members and of the chairperson of Tbilisi Court of Appeals, were observed in 2022. **103** In April 2023, the US State Department designated three Georgian judges for their involvement in corruption and restricted their ability to obtain a US visa. In April 2024, the IDFI reported that Tbilisi City Court had suspended asset-monitoring processes for four judges, including two who faced US sanctions. **104**

The country's political opposition also faces judicial pressure, with critical media owners being the apparent targets of controversial court cases during sensitive periods. ¹⁰⁵

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards?

3/4

There are few laws that assign criminal or civil penalties for online expression, but online journalists and activists can be sued for defamation, and a law related to incitement is vulnerable to being abused to prosecute people for legitimate online activities. Defamation was decriminalized in 2004, ¹⁰⁶ but the Law on Freedom of Speech and Expression ¹⁰⁷ and the Law on Electronic Communications ¹⁰⁸ provide for civil penalties for those found guilty of making defamatory statements online.

The unlawful use or dissemination of personal data online resulting in “considerable damage” is illegal under the criminal code, with penalties of up to four years in prison. ¹⁰⁹

In 2015, amendments to the criminal code criminalized “public calls to violent actions” aimed at “causing discord between religious, racial, ethnic, social, linguistic, or other groups” under Article 239. Violations of Article 239 are punishable by fines and community service. Repeated offenses resulting in injury or death are punishable by up to five years in prison. ¹¹⁰ Despite the narrow framing of this provision, human rights defenders have claimed that it could be selectively applied to punish legitimate expression online. Other criminal-code provisions also apply to online activities.

C3 0-6 pts

Are individuals penalized for online activities, particularly those that are protected under international human rights standards?

5/6

Georgians are generally free to express themselves online without fear of legal penalties, but a few prosecutions for online activity have raised concerns over the

past years.

In May 2024, the police arrested Ucha Abashidze, a prominent military blogger who voiced opposition to the “foreign agents” law and called for protests against the government via Telegram. ¹¹¹ Law enforcement alleged he had illegally acquired and possessed weapons and ammunition, as well as unauthorized access to a critical information system. ¹¹² However, his friends and relatives contend most of the weapons presented by the police were airsoft guns and legally registered firearms. Later in May, his wife, Mariam Iashvili, was taken into custody for allegedly participating with Abashidze in unlawfully obtaining, recording, and storing intimate images of various individuals without their knowledge between 2019 and 2024. The police alleged that they had initially placed surveillance devices in the couple’s home because they were suspected of committing a cyberattack and distributing intimate videos of others. ¹¹³ Following a Tbilisi court hearing in July 2024, after the coverage period, they remained in detention. ¹¹⁴

In June 2023, the Tbilisi City Court issued a 2,000-lari (\$732) fine against an individual for cursing Tbilisi mayor Kakha Kaladze and the police over traffic management in a TikTok video. ¹¹⁵ The Court of Appeals upheld the decision, prompting the Georgian Young Lawyers’ Association to file an appeal with the European Court of Human Rights (ECtHR). ¹¹⁶

In July 2022, an individual was held in pretrial detention for 48 hours for a Facebook post that allegedly used foul language to offend police officers. In September 2022, a court fined him 2,500 lari (\$914). ¹¹⁷ In March 2023, the Kutaisi Court of Appeals upheld the decision. ¹¹⁸

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?	3/4
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There are no restrictions on the use of anonymizing or encryption tools online. However, when buying a SIM card, individuals are required to register with their passport, national identification card, or driver’s license, undermining anonymous communication. ¹¹⁹

C5 0-6 pts

State surveillance of internet activities threatens Georgians' privacy rights. The government has reportedly monitored opposition figures, independent journalists, and exiles from other countries living in Georgia. **120**

In September 2021, leaked files allegedly belonging to the State Security Service (SSS) demonstrated that clergy, journalists, opposition leaders, civil society representatives, activists, and diplomats had been surveilled. **121** The documents, which primarily targeted the clergy, indicate that the SSS had access to individuals' phone communications **122** and contained details about individuals' "alleged illegal drug use," political views, relationships, and business transactions. Dozens of wiretapping targets were granted victim status in Georgia only after submitting lawsuits to the ECtHR in June 2022. **123**

Previously, Ivane Gulashvili, a former SSS employee who is currently imprisoned, stated that former deputy interior minister Kakhaber Sabanadze and other high-ranking officials ordered him to install covert surveillance devices to record various high-ranking officials and public figures, including religious leaders, during protests in June 2019. In March 2020, the prosecutor general launched an investigation regarding the allegations. Sabanadze resigned the following day. **124**

In June 2022, Parliament adopted controversial amendments to the criminal procedure code, which increase the scope of crimes allowing for covert investigative actions and the duration of these actions. The amendments, which also enable the state to wiretap an individual without any notification in some cases, were met with harsh criticism from local CSOs. **125** President Zourabichvili vetoed the law that month, but her veto was overturned in September 2022. **126** The Venice Commission of the CoE also argued that the "overall oversight mechanism of the secret surveillance measures seems to be inadequate." **127**

In 2017, Parliament adopted new surveillance regulations after the Constitutional Court struck down previous surveillance legislation in 2016; the offending law had forced companies to retain user metadata for two years and allowed authorities real-time access to user data. **128** The law established an entity called the Operative Technical Agency (OTA), operating under the SSS. The OTA is

responsible for surveillance activity across computer and telecommunications networks and can install clandestine programs on individuals' devices in some circumstances.

Local CSOs criticized the law for failing to meaningfully address the earlier Constitutional Court ruling, pointing out that the OTA still has access to vast amounts of user data. ¹²⁹ A group that includes the public defender and the European Georgia, UNM, Republican, and Free Democrat parties appealed the Constitutional Court to strike the new regulations down, claiming that the OTA's creation does not align with the court's 2016 ruling and that there are no strong oversight mechanisms or safeguards to protect its independence. As of May 2024, the court had not yet reached a decision.

OTA activities are subject to oversight by the PDPS, which monitors and determines the legality of data collection by authorities. A judge authorized by the Supreme Court performs oversight of counterintelligence activities. The Supreme Court proactively publishes surveillance data annually; the data show that the number of wiretap requests slightly increased between 2021 and 2022. ¹³⁰

At the end of 2021, amendments to the Law on Information Security, adopted that June, came into force. The new legislation transferred some of the functions of the Digital Governance Agency (DGA), formerly known as the Data Exchange Agency, to the OTA, which became the government's main cybersecurity coordinator, supervisor, and regulator. Its authority thus extends over an expansive list of critical infrastructure, including public institutions and telecommunications companies. ¹³¹ Local CSOs argue that the law, which lacks oversight mechanisms, does not require supervisory entities or critical information system subjects to adopt necessary personal data protection measures. ¹³²

In response to online mobilization and public protests against the "foreign agents" law during the coverage period, GD in May 2024 announced plans to create a publicly accessible registry containing information on individuals "involved in violence, blackmail, threats, and other illegal acts" and on those "publicly endorsing these actions," including online. ¹³³ The registry has not yet been published.

Article 15 of the constitution and Article 8 of the Law on Electronic Communications include privacy guarantees for users and their information, though those guarantees may be curtailed by the courts under certain circumstances such as “ensuring national security or public safety.” ¹³⁴

C6 0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users’ right to privacy?

4/6

ISPs and mobile service providers are obliged to provide authorities with statistical data on user activities, including site visits and other information, upon request. Under new surveillance regulations (see C5), the OTA obtained direct access to service providers’ infrastructure. These regulations also compel service providers to cooperate with OTA investigations following a judicial order. The OTA can fine providers for noncompliance. Telecommunications industry representatives have expressed concerns about being required to purchase equipment to facilitate the OTA’s work. ¹³⁵

In 2014, the government extended the mandate of the now-defunct State Inspector Service, to cover the private sector. The service was authorized to check the legality of any data processing by private organizations, either on its own initiative or in response to a citizen’s application, and impose measures, including fines, for violations. ¹³⁶ The service chief’s 2022 report revealed that despite progress in recent years, public and private entities continued to mishandle user data before it was handed over for investigative purposes, including by failing to present court warrants and failing to ask for court warrants on time, respectively. ¹³⁷ The service had the power to fine noncompliant entities.

In December 2021, Parliament split the former service into two entities, the PDPS and the Special Investigative Service, without prior consultation or debate. ¹³⁸ The official rationale behind the changes was to reorganize and separate the investigative and data-protection responsibilities from one organization. However, CSOs suspected that the move was a “political retaliation” against an institution that had generally gained public trust. ¹³⁹

Public access points are not obliged to comply with government monitoring, as they do not gather data about customers.

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities?

4/5

Individuals face harassment, both online and offline, and journalists are sometimes obstructed by political figures. During the coverage period, especially during protests against the “foreign agents” law in 2024, online harassment, intimidation and physical attacks intensified against government opponents, critics, activists and CSO leaders (see B8). ¹⁴⁰ Additionally, progovernment Telegram channels leaked organizers’ personal information (see B8). ¹⁴¹

People who organized or attended the protests received life-threatening and intimidating phone calls from unknown and foreign phone numbers (see B8). This raised concerns that the personal data of hundreds of individuals had been illegally processed by government-affiliated groups. ¹⁴² Several affected citizens contacted the PDPS. In May 2024, the PDPS declared that cases with signs of criminal activity were forwarded to law enforcement agencies. The PDPS would consider the remaining cases, and asked telecommunications operators to identify the initiators of the phone calls. ¹⁴³

Although severe violence in retaliation for online activity was relatively rare in the past, almost 60 journalists and media workers were attacked by a mob that sought to prevent an LGBT+ pride rally in Tbilisi in July 2021. Lekso Lashkarava, a cameraman for Pirveli TV, died days after he sustained multiple facial injuries in the attack, ¹⁴⁴ though the cause of death has been disputed. In April 2022, 14 individuals were found guilty by the Tbilisi City Court for physical violence and organized group violence against journalists and camera operators. ¹⁴⁵ In January 2023, the Tbilisi Court of Appeals dropped the group-violence charges for the defendants and reduced six individuals’ prison terms from five to four years. ¹⁴⁶ Additionally, in April 2023, six people received one-to-one-and-one-half-year sentences for mass violence against journalists. ¹⁴⁷

Georgia’s LGBT+ community has faced sustained online harassment in recent years. ¹⁴⁸ Homophobic rhetoric and propaganda were disseminated and sponsored on Facebook by social media pages belonging to GD, individual government officials, and progovernment groups (see B5). ¹⁴⁹

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?

2/3

Score Change: The score declined from 2 to 1 because government websites and media faced cyberattacks during the government period.

Cyberattacks have been a significant issue in Georgia in recent years. During the protests against the “foreign agents” law in May 2024, the websites of several public institutions, including the Ministry of Internal Affairs, the Ministry of Justice, progovernment outlet POS TV, and of GD itself were briefly taken down by Anonymous. **150**

In January 2024, Russian hackers temporarily disabled the website of the office of the president, as well as media outlets Formula and Mtavari Arkhi. **151**

In February 2021, the Ministry of Internal Affairs stated that its computer systems encountered attempted cyberattacks originating in foreign countries, which were ultimately prevented by the ministry’s special cybersecurity unit. **152**

The government adopted the *Third Cybersecurity Strategy 2021–24* in October 2021, which, among other objectives, aims to enhance the resilience of e-governance systems and strengthen public-private cybersecurity partnerships. **153** The United Kingdom, **154** the United States, **155** and the EU **156** have been supporting relevant public institutions to implement activities outlined in the strategy and boost general cyber-resilience.

In October 2019, the country was subject to a substantial cyberattack that disrupted more than 2,000 government- and privately owned websites by targeting a local hosting provider, Pro-Service. **157** According to officials, an investigation conducted with the help of Georgia’s international partners revealed that the attack was carried out by the Main Intelligence Directorate (GRU), the Russian Federation’s military intelligence service. **158** Moscow denied the allegations. **159**

Footnotes

- 1 National Statistics Office of Georgia, “Share of households with internet access,” accessed September 2024, <https://www.geostat.ge/en/modules/categories/106/information-and-commun....>
- 2 International Telecommunications Union Datahub, “Georgia: Fixed Broadband Subscriptions per 100 people,” accessed August 2024, <https://datahub.itu.int/data/?i=19303&e=GEO>.
- 3 Caucasus Research Resource Center, “Caucasus Barometer 2024 Georgia,” August 2, 2024, <https://caucasusbarometer.org/en/cb2024ge/FRQINTR/>.
- 4 Caucasus Research Resource Center, “Caucasus Barometer 2024 Georgia,” August 2, 2024, <https://caucasusbarometer.org/en/cb2024ge/FRQINTR-by-SETTYPE/>.
- 5 National Statistics Office of Georgia, “Distribution of population by last internet use,” accessed September 2024, <https://www.geostat.ge/en/modules/categories/106/information-and-commun....>

More footnotes



On Georgia

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Country Facts

Population

3,713,000

Global Freedom Score

58/100 **Partly Free**

Internet Freedom Score

74/100 **Free**

Freedom in the World Status

Partly Free

Networks Restricted

No

Social Media Blocked

No

Websites Blocked

No

Pro-government Commentators

Yes

Users Arrested

No

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ADDRESS

1850 M St. NW Floor 11
Washington, DC 20036

GENERAL INQUIRIES

info@freedomhouse.org

PRESS & MEDIA

(202) 296-5101

press@freedomhouse.org

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