



Freedom on the Net 2018 - Georgia

Publisher [Freedom House](#)

Publication Date 1 November 2018

Cite as Freedom House, *Freedom on the Net 2018 - Georgia*, 1 November 2018, available at: <https://www.refworld.org/docid/5be16b174.html> [accessed 11 December 2018]

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

Status: Free
Total Score: 25/100 (0 = Best, 100 = Worst)
Population: 3,717,100
Internet Penetration: 60.5%
Social Media/ICT Apps Blocked: No
Political/Social Content Blocked: No
Bloggers/ICT Users Arrested: Yes
Freedom in the World Status: Partly Free

Key Developments, June 1, 2017 – May 31, 2018

- The October 2017 amended Georgian Constitution includes free access to and use of the internet as a fundamental right (see Legal Environment).
- The government expanded its e-government services, launching an e-petition platform to directly involve citizens in political processes (see Digital Activism).
- Two new cases were brought relating to online activity, one against a rap duo and one against a condom company (see Prosecutions and Detentions for Online Activities).
- Civil society and political parties filed constitutional complaints against the March 2017 surveillance amendments (see Surveillance, Privacy, and Anonymity).
- Suspicion that Georgian security services were involved in a May 2017 kidnapping of an Azerbaijani journalist continued (see Intimidation and Violence).

Introduction:

While the internet remained relatively free in Georgia this year, new cases brought against a rap duo and condom company, coupled with suspicion of the Georgian government's involvement in the kidnapping of a journalist, were troubling developments. In a landmark development, however, Georgia's amended constitution now recognizes access to and free use of the internet as a fundamental right. In another positive development during the coverage period, the government restricted no social media or communications platforms.

Internet access and usage continues to grow in the country. State bodies and several politicians have also increased their use of the internet and social media to share information with citizens and attract support. The government continues to initiate some innovative e-government services that engage citizens in political processes and invite their feedback on various political issues, though not all public institutions are eager to be responsive and proactive in this regard.

There are few indications of censorship or online content manipulation by the Georgian authorities or internet service providers (ISPs). Georgians freely use social media tools to organize themselves and be engaged in political and social events. However, unreliable and politically biased content, including anti-Western propaganda, also proliferated online.

Reforming government surveillance remains a pressing topic in the country. Legislative amendments adopted in March 2017, which were proposed after the Constitutional Court ruled against the government's overly-permissive surveillance practices in 2016, faced criticism during the reporting period. Activists, citizens, and several political parties filed constitutional complaints against the new reforms, which are being reviewed by the Court.

Obstacles to Access:

The number of internet and mobile phone subscriptions in Georgia continues to grow, but high prices for services, inadequate infrastructure, and slow internet speeds remain obstacles. The government has said it will address these challenges during the next few years, but has not outlined an exact strategy to overcome the digital divide.

Availability and Ease of Access

Internet access continued to grow during the reporting period, with approximately 60.49 percent of Georgians accessing the internet in 2017.^[1] According to a countrywide survey conducted by the Caucasus Research Resource Center (CRRC), 42 percent of the population accessed the internet on a daily basis in 2017,^[2] and the most active internet users were located in the capital. Only two percent of Georgians are unfamiliar with the internet altogether.^[3] There is a very slight gender gap, with over 59 percent of men using the internet compared to over 57 percent of women in 2016.^[4] In addition, according to a nationwide survey conducted by National Statistics Office of Georgia in 2017, 71.5 percent of households had access to the internet. 60.5 percent of individuals aged six and above have used the internet within the last three months, while 38 percent had never used the internet.^[5]

ISPs offer DSL broadband, fiber-optic, HSPA/EVDO, WiMAX, and wireless connections. Since 2015, 4G LTE internet access has been made available for Georgian consumers.^[6] There were approximately 748,620 fixed-line broadband internet connections in 2017,^[7] up from about 419,000 in 2012.

Mobile penetration is at 146.9 percent,^[8] which has grown over the past years. Mobile phones significantly outnumber landlines, and reception is available throughout the country, including rural areas. The vast majority of households access the internet from a home computer or laptop (89 percent) rather than from personal mobile phones (59 percent).^[9] Younger generations are more likely to regularly use mobile internet, and mobile internet use in regions outside the capital is relatively high.^[10] In rural areas, fixed wireless broadband is becoming more widespread, replacing CDMA connections. Internet access is fairly affordable, with a monthly mobile broadband plan of 1GB costing approximately GEL 5 (US\$2.10).^[11] The cost of an average monthly fixed-line broadband subscription was approximately GEL 38 (US\$16) for 20Mbps.^[12]

The government of Georgia lacks a comprehensive strategy of a clear and long-term vision for developing broadband internet infrastructure throughout the country. In February 2014, Georgia's Innovation and Technology Agency was established to promote the use of innovation technologies in various fields and the commercialization of innovative technology research and development.^[13] Among other programs, it was tasked with building high-speed fiber-optic backbone and backhaul infrastructure to serve at least 2,000 settlements by the end of 2020.^[14]

In July 2015, the Georgian government established the non-commercial legal entity Open Net to build broadband infrastructure. Reports said the project, costing about US\$150 million, would be funded by the Cartu Foundation, set up by Georgian tycoon and former Prime Minister Bidzina Ivanishvili. The move came after a tender to major telecommunications companies to expand infrastructure failed because it was seen as unprofitable. Civil society organizations expressed concern over the lack of transparency and inclusiveness of the project, noting that it was not based on a comprehensive assessment of the market and could perpetuate lack of competition in the sector.^[15] In February 2018, Open Net announced an open tender to build fiber-optic infrastructure in several regions of Georgia, but no progress has been made in this regard.^[16]

Many restaurants, cafes, bars, cinemas, and other public places provide Wi-Fi access, allowing customers to use the internet on their personal devices. In 2013, as part of a plan to improve infrastructure for local self-governance, the State Services Development Agency began developing community centers where local citizens could access the internet and online resources including Skype, bank services, telecommunication services, and government electronic services developed. As of May 2018, 52 centers were operating in different regions and districts throughout the country.^[17]

ICT Market

According to the Law of Georgia on Electronic Communications, telecommunications companies must receive authorization before offering services, though the process is relatively uncomplicated. There are currently more than 166 entities registered as ISPs, all of which are privately owned. Two ISPs control more than two-thirds of the fixed broadband internet market: Magticom with a 41 percent market share and Silknet with 37 percent.^[19] Consequently, competition is minimal.^[20]

Magticom increased its share of the market after purchasing the retail segment of ISP Caucasus Online in 2016.^[21] In March 2017, Magticom also acquired Deltacom, a relatively small ISP that owns fixed broadband access networks and backbone infrastructure across the country.^[22] Some observers raised concerns about market concentration, though pricing and service have not been negatively affected thus far.

All three mobile operators – Geocell, Magticom, and Veon Georgia (previously Mobitel) – provide mobile internet services. In larger cities, they have deployed mobile LTE networks. Magticom and Geocell together control about 80 percent of the mobile internet market.^[23] During the coverage period, Magticom attempted to significantly increase internet prices for users, increasing the price of 1 GB from GEL 5 to GEL 7. The GNCC, a major regulatory body of telecommunications sector, responded that the company's intention "goes beyond the regularity of the market." GNCC decided to further investigate the case and requested the company to suspend the price increase.^[24] Indeed, Magticom temporarily halted the increase.

The Georgian telecommunications market is expecting another important change, as Silknet has acquired Geocell for \$153 million.^[25] GNCC gave its preliminary consent to the deal in March 2018. The acquisition will be completed in the second quarter of 2018. Consequently, Silknet will combine its broadband, pay TV, and fixed telephony operations with Geocell's mobile operations, creating a major convergent telecom company.

Restrictions on Connectivity

The Georgian government does not place any restrictions on connectivity, and the backbone internet infrastructure is owned and operated by private companies. Despite expanding internet access, many users complain about the quality of connections. Users submitted 72 complaints about the poor level of telecommunication service in 2017, according to the latest report of the public defender of consumer interests under Georgian National Communication Commission (GNCC).^[18]

Telecommunications infrastructure in Georgia is improving. Until recently, users would experience disconnections from the international internet up to once or twice per month for a few minutes at a time, during which time they could access only Georgian websites. Now that ISPs typically have backup international channels, cable damage is less likely to prevent access, though connection speeds are generally faster for accessing content hosted in Georgia.

Fiber-optic infrastructure is underdeveloped in regional areas, affecting the quality of connection in those areas. Development is hindered by the perceived low revenue potential of such a project, as well as the complex bureaucratic requirements to receive permission to conduct civil works.

Regulatory Bodies

The GNCC is the main electronic media and communications regulatory body. It mostly deals with mobile operators, as well as television and radio broadcasting licenses. There is no significant difference between GNCC procedures for handling traditional media and those pertinent to telecommunications and internet issues.

The commission has been criticized for lack of transparency and independence. In order to increase the legitimacy of the GNCC, new rules for the nomination of candidates and the selection of the Head of Commission came into force in October 2013. The following May, a new chairman of the agency was elected by the commissioners instead of the president. Despite this positive development, the revelation that an advisor to the new chairman was also employed by the Ministry of Internal Affairs raised speculation that the government was attempting to interfere in the work of the regulator and collect data on its activities.^[26] The latest chairman of the GNCC was elected in May 2017.

Limits on Content:

The government did not block access to any communication or social media platforms during the coverage period and there were no other major cases of blocking, filtering, or content removal. The internet and social media continue to be used to share diverse content and serve as tools to for advocacy. The government also expanded its e-government services, launching an e-petition platform where citizens can file and collect signatures on government policies and issues.

Blocking and Filtering

Georgian users can freely visit any website around the world, upload or download any content, establish their own website, and contact other users via forums, social-networking sites, and instant messaging applications.

YouTube, Facebook, and international blog-hosting services are freely available. However, in 2016 international platforms were subject to temporary restriction when authorities attempted to block specific content hosted on those platforms. Since then, no cases have been recorded.

YouTube was blocked twice in 2016 by authorities following the release of sex videos depicting Georgian politicians. The first incident lasted for 20 minutes on March 11, 2016, and affected only Caucasus Online users. Three days later, YouTube was inaccessible again for about an hour for users of Caucasus Online and Silknet. Later in the year, in June 2016, the same videos resurfaced on Vimeo, after which the entire platform became inaccessible for several hours. Representatives from Vimeo confirmed that the Prosecutor's Office of Georgia had requested the removal of the videos, after which access to the platform was restored.^[27]

In a separate incident in November 2015, the State Security Service blocked the entire WordPress platform for a short period in an attempt to restrict access to a website hosted by WordPress which was disseminating videos by a pro-Islamic State group.^[28] Activists contacted the administrators of WordPress through Twitter to resolve the issue and the company corresponded with the government. All websites hosted by WordPress were subsequently unblocked except for the page disseminating the videos.

Aside from these isolated incidents, government blocking and filtering is not a major hindrance to internet freedom in Georgia, and there are no blacklists of websites. Though legal regulations, particularly those involving copyright or criminal law, are considered to apply to internet activities, they have not been exploited to impose significant content restrictions.

Content Removal

During the coverage period of this report, there were no new instances mandating that users or online media outlets remove content. Georgian laws protect users against intermediary liability, with the Law on Freedom of Speech (2004) stating that no entity will be held responsible for defamatory content generated by unknown or anonymous individuals.^[29] To date, intermediary liability and forced removal of online content have not been significant impediments to online freedoms in Georgia. Websites hosting pirated material are available and are widely visited.

However, a 2006 GNCC regulation on "inadmissible content" contains some vague provisions on the takedown of content and the responsibilities of content providers. The regulation identifies as inadmissible content that depicts severe hatred and violence, defamation, contains insulting and inaccurate material, undermines a person's presumption of innocence, or constitutes an invasion of privacy. Local NGOs have raised concerns about the broad nature of these terms and lack of limitations within the regulation, which may compel third parties, including ISPs and website hosts, to identify such content and ensure its removal.^[30] A study

prepared by the Institute for Development of Freedom Information (IDFI) confirmed that the regulation has not been misused to date, and the GNCC has stated that it intendeds to amend the regulation.

Media, Diversity, and Content Manipulation

The online media environment in Georgia is becoming increasingly diverse, and content on a wide range of topics is available. However, latest reports from Transparency International^[31] and Media Development Foundation (MDF)^[32] indicated that a number of online media outlets, some of which demonstrate bias and are affiliated with political parties, coordinate informally to disseminate news. These groups effectively dominate the online media landscape, making it difficult for smaller outlets to attract advertising revenue. Similar to previous years, the Georgian government continues to fund some of these outlets through contracts.^[33] Some have links to Russia and have been known to push an anti-Western agenda.^[34]

While there is no systematic or pervasive government manipulation of online content, Georgian internet users self-censor to some extent. Representatives of particular professions sometimes prefer to abstain from expressing themselves freely on social networks. For instance, it is widely acknowledged that civil servants in some cases may exhibit self-censorship online due to fear of reprisals from higher officials. In addition, during the June 2018 anti-governmental protests, online activists reported several cases of bots, trolls, and sponsored posts allegedly being used to ease protests and to disseminate pro-government information.

Traditional media outlets started to use the internet to reach online users. Online media agencies, however, still face difficulty in attracting advertisers, diversifying content, obtaining multimedia skills, and competing with traditional media. The private sector limits online advertising based on the comparatively small audience.

Even though the Georgian blogosphere has grown impressively, there are few bloggers who create content that impacts the political agenda or sparks widespread discussion online. Minorities and vulnerable groups are represented online through a small number of forums and blogs. During the last four years, LGBTI (lesbian, gay, bisexual, transgender, and intersex) and feminist activists have started to use online tools for coordinating, distributing information, and protesting discrimination in the public sphere.

Toward the end of 2017, 63 percent of users reported that they connect to the internet to check social networks. Facebook is the most popular platform in Georgia, especially for political discussions. Bloggers and journalists increasingly use Facebook to share their content and engage readers on current events. Civil society activists and others also use it as a tool for discussion about political and social developments. 43 percent reported to use the internet to search for news, 24 percent connect to use Skype, and 14 percent connect for email.^[35] 21 percent of people considered the internet as a major source of information, while 26 percent view it as their second source of information.^[36]

Digital Activism

Political and civil society groups post calls for action on social media and use it to communicate with their supporters. Though most forms of online activism lack significant offline impact, the influence of such activities is gradually increasing. Online activists have used social media to campaign for gender equality as well as to advocate for legal reforms that better address domestic violence.

During the reporting period, online platforms, especially Facebook, were used extensively to organize protests on issues such as liberalizing drug policy and properly investigating a murder case. In a 2017 case in which two teenagers were murdered, activism resulted in the May 2018 resignation of Georgia's chief prosecutor.^[37]

In March 2017, activists launched an online campaign, "This Affects You Too," to encourage citizens to file online appeals to the Constitutional Court to challenge overly broad surveillance laws (see Surveillance, Privacy, and Anonymity). Within one week, three hundred complaints were collected and submitted to the Constitutional Court.^[38]

Georgians continue to utilize the government's expanding e-government services. Since September 2013, more than 70 e-services have been integrated in a unified governmental portal, My.gov.ge. Citizens can make requests through the portal for public information about the government budget and expenditure. Several government agencies have also introduced discussion platforms where Georgians can express their views on various policy issues. For instance, in December 2017, the government launched an e-petition platform, www.ichange.gov.ge, through which citizens can submit and collect signatures for petitions on government issues and policies. Petitions with a sufficient number of signatures (i.e. 10,000) will be sent to the government for consideration. The government is then obligated to provide an official response and justification for a decision to the petition's initiators.^[39] As of April 2018, seven petitions were registered on the platform.

Violations of User Rights:

Article 17 of the newly amended constitution now recognizes the fundamental right to free internet access and use. Civil society groups and political parties continued their concerns about government surveillance by filing a constitutional complaint against the March 2017 surveillance amendments. Technical attacks and intimidation of internet users and online journalists remain rare, except for the continued suspicion that Georgian authorities were complicit in the kidnapping of Azerbaijani journalist Afgan Mukhtarli from Georgia to Azerbaijan.

Legal Environment

Georgia's amended constitution adopted during the coverage period declares free access to and the use of the internet as a fundamental right of Georgian citizens. This revised constitution will enter into force following the presidential elections in October 2018.^[40] The mentioned changes were advocated and submitted to the Constitutional Commission, working on the constitutional changes by the Institute for Development of Freedom of Information (IDFI), a Tbilisi-based organization.^[41]

Fundamental rights, including the right to access information and freedom of expression, are guaranteed by the Georgian constitution and are generally respected in practice.^[42] The Law on Freedom of Speech and Expression makes it clear that other "generally accepted rights" related to freedom of expression are also protected even if they are not specifically mentioned.^[43] Furthermore, Article 20 of the constitution and Article 8 of the Law of Georgia on Electronic Communications include privacy guarantees for users and their information, though the law allows privacy rights to be restricted by the courts or other legislation.^[44] Online activities – mainly cases of alleged defamation, which was decriminalized in 2004^[45] – can be prosecuted under the Law on Freedom of Speech and Expression and the law on Electronic Communication. 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.^[46]

In June 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," punishable by fines and community service. Repeated offences resulting in injury or death are punishable by up to five years in prison.^[47] Despite the narrow framing of the law, human rights defenders have claimed that its provisions could be selectively applied to target legitimate expression online.

A lack of judicial independence is regarded as one of the hindrances to Georgia's democratic consolidation.^[48] Despite several waves of reforms, local civil society, the Public Defender, and even the President of Georgia have continued to raise concerns about the judicial system. One area of concern includes whether how judges are selected, often to lifelong appointments, makes them vulnerable to political interference in sensitive cases. A recent report from the Coalition for an Independent and Transparent Judiciary states that the High Council of Justice, a judiciary oversight body, "failed to protect the judicial system from external or internal influences, while its decisions often posed a threat to independence of the judiciary."^[49]

New regulations were introduced during the reporting period that could affect internet freedom and freedom of expression if implemented. In May 2018, two lawmakers from the ruling party proposed legislative amendments to the Law of Georgia on "Culture" and "Civil Procedure Code." The amendments would authorize the court to ban creative works, including writings that incite national, ethnic, religious, and racial hatred, preach war and violence, or propagate pornography.^[50] The initiative was met with harsh criticism from civil society and writers, after which, on May 29, 2018, parliament rejected the amendments.

In April 2018, a member of parliament from the conservative Alliance of Patriots party introduced a bill to the Human Rights Committee that would criminalize insulting religious feelings with jail time or fines.^[51] The Human Rights Committee chairperson stated that they supported the principles of the bill, however, they argued that it requires improvements and worried about its constitutionality. The committee created a working group to refine the draft,^[52] but discussion about the initiative has since halted.

Prosecutions and Detentions for Online Activities

Georgian citizens are generally free to express themselves online without fear of legal sanction, but this reporting period saw two new cases against a rap duo and a condom company. The authorities periodically investigate internet users who threaten violence online, and civil society groups say their response can be disproportionate.

In an isolated incident in June 2017, rapper duo "Birja Mafia" was arrested after the police alleged that they found drugs on both men. The accused men and their supporters maintained that the charges were fabricated and that the drugs were planted in retaliation for a rap video they posted on YouTube mocking the police and depicting a police officer as a dog. After demonstrations in Tbilisi protesting the arrests, both men were released on bail on June 12, 2017. Additionally, the YouTube video disappeared from the platform, only to reappear later in June 2017 with the policemen's faces blurred.^[53] After several months, the Prosecutor's Office of Georgia halted the investigation into the rappers and found them innocent. However, the investigative media organization Studio Monitor reported that the police were not held responsible for allegedly falsifying evidence and for conducting illegal surveillance into one of the rappers.^[54]

The case against Sulkhan Tsuladze, who was placed in pre-trial detention for a month in 2016 after he predicted a fictional attack on the U.S. Ambassador to Georgia on the Georgian internet forum, Forum.ge, ended with a plea bargain. Tsuladze was accused of threatening to commit an assault on a person enjoying international protection. Human rights organizations criticized the detention as unjustified, arguing that Tsuladze is known for provocative speech and that the post was intended as a joke.^[55]

Also during the reporting period, in May 2018, the Tbilisi City Court fined Georgian condom producing company AIISA GEL 500 for three 'unethical' condom packaging designs and one promotional poster. The court ordered the company to stop selling the products along with halting all associated marketing activities, including Facebook advertisements. The court found that the condoms offended the religious feelings of a particular group of people, an argument that had been asserted by representatives of the Orthodox Church. The company has stated that it plans to appeal the ruling to the Constitutional Court of Georgia.^[56]

Surveillance, Privacy, and Anonymity

During the coverage period of this report, the This Affects You campaign (see Digital Activism), political parties, and the Public Defender filed constitutional complaints against the March 2017 legislative amendments to Georgia's surveillance system.

In March 2017, the parliament adopted new surveillance regulations. The regulations were introduced after the Constitutional Court struck out Georgia's previous surveillance practices in April 2016, which forced companies to retain user metadata for two years and allowed the security agency real time access to user data.^[57] The amendments established a new entity called the Operative Technical Agency (OTA), operating under the State Security Service. The OTA is responsible for surveillance activity across computer and telecommunication networks and can install clandestine applications on individuals' devices in some circumstances. The OTA must have access to operators' infrastructure as well as the power to compel operators to cooperate with the OTA in investigations. The OTA can fine operators for non-compliance.

Civil society organizations criticized the law for failing to meaningfully address the earlier Constitutional Court ruling, pointing out that the OTA will have access to vast amounts of user data.^[58] Telecommunication industry representatives have also expressed concerns about being required to purchase equipment to facilitate OTA's work. Local civil society organizations indicated that they would appeal the matter to the European Court of Human Rights, while a group of Georgians, the Public Defender, and political parties – European Georgia, United National Movement, Republicans, and Free Democrats – have also appealed to the Constitutional Court. Their complaints note, among other things, that the creation of the OTA under the State Security Service does not align with the Constitutional Court's April 2016 ruling, and that there are no strong oversight mechanisms with guaranteed independence. Preliminary hearings were held in June 2017, and the Plenum of the Constitutional Court is currently reviewing the complaints further.^[59]

The activities of the OTA are subject to oversight by the Personal Data Protection Inspector, which oversees the legality and compliance of any secret investigative activities. Meanwhile, a judge authorized by the Supreme Court performs oversight functions of counter-intelligence activities. The Supreme Court of Georgia proactively publishes surveillance data annually, and the latest data shows that the number of motions to request wiretaps increased slightly in 2016.^[60]

On November 1, 2014, the mandate of the Personal Data Protection Inspector was extended to cover the private sector. The office is 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. Inspectors can impose measures provided for by the law for violations, including fines.^[61] The office's latest report revealed that despite some progress both public and private organizations on various occasions exceeded the proper limits when handling user data, including failing to present court warrants before engaging in surveillance.^[62] The inspector has the power to fine entities not complying with the rules.

There are no restrictions on the use of anonymizing or encryption tools online. However, individuals are required to register when buying a SIM card. ISPs and mobile phone companies are also obliged to deliver statistical data on user activities concerning site visits, traffic, and other topics when asked by the government. Cybercafes are not obliged to comply with government monitoring, as they do not register or otherwise gather data about customers.

Intimidation and Violence

An isolated case of extrajudicial intimidation continued during the coverage period. On May 29, 2017, Azerbaijani journalist Afgan Mukhtarli, who was living in exile in Georgia, was kidnapped in Tbilisi.^[63] He was reportedly forced into a vehicle, violently beaten, and had cash stuffed into his pockets. He was next sighted in Azerbaijan, where he was detained and charged with illegally crossing a border, smuggling of contraband, and resisting the police. Leyla Mustafayeva, Mukhtarli's wife and also a journalist, shared that prior to the abduction they both thought they were under surveillance. In October 2017, Mustafayeva fled Georgia fearing for her safety.

There are suspicions, which officials deny, that the Georgian government was involved and complicit in the kidnapping.^[64] Mukhtarli's lawyer stated that men wearing Georgian police uniforms kidnapped and transferred Mukhtarli to state officials in Azerbaijan. During the time of the abduction, Mukhtarli was investigating Azerbaijani President Aliyev's family's business and financial holdings in Georgia. On July 20, 2017, the Georgian Chief Prosecutor's Office took up the case.^[65] On January 12, 2018, the Azerbaijani government sentenced Mukhtarli to six years in prison.^[66]

Technical Attacks

Cyberattacks against opposition websites have not been a significant issue in Georgia, with the latest major attacks occurring in 2008 and 2009 in relation to political tensions with Russia. In 2012, the Data Exchange Agency started monitoring Georgian websites for the presence of malicious code, hacking, or other suspicious activities, publishing the results regularly on their website^[67] and on their Facebook page.^[68] The Agency's "Safe Internet – Check My IP" service examines the security of the IP address on users' computers, informing them of the nature of any viruses detected.

Notes:

¹ International Telecommunication Union, "Percentage of Individuals Using the internet," <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>

² Caucasus Research Resource Centers, "Caucasus Barometer, 2017, Georgia" accessed March 30, 2018, <http://caucasusbarometer.org>.

³ Caucasus Research Resource Centers, "Caucasus Barometer, 2017, Georgia." accessed March 30, 2018, <http://caucasusbarometer.org>.

⁴ International Telecommunication Union, "Individuals using the Internet (from any location), by gender (%)," <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>

⁵ National Statistics Office of Georgia. Information and Communication Technologies Usage in Households. June, 2017, accessed March 29, 2018 <https://bit.ly/2uIu4bU>

⁶ "2015 – the year full of new developments" *ZETI.GE*. [in Georgian] January 12, 2015, http://zeti.ge/menu_id/23/id/755/.

⁷ Georgian National Communication Commission: Analytical Portal, March, 2018, <http://analytics.gncc.ge/>.

⁸ International Telecommunication Union, "Mobile-cellular Telephone Subscriptions," <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>

⁹ Caucasus Research Resource Centers, "Caucasus Barometer 2017 Georgia," accessed March 30, 2018, <http://www.crrcenters.org/caucasusbarometer/>.

¹⁰ Tetra Tech, "E-Readiness Study in Georgia: Nationwide Survey." Georgia Good Governance Initiative. October, 2016. P. 27, accessed March 20, 2018, http://www.dea.gov.ge/uploads/E-readiness_ENG2.pdf

¹¹ Comparative data from two major ISP's prices (Geocell and Magticom).

¹² Comparative data from two major ISP's prices (SilkNet and Magticom).

¹³ Official website of Georgia's Innovation and Technology Agency, accessed February 15, 2016 <http://gita.gov.ge/en/agency>.

¹⁴ Ministry of Economy and Sustainable Development of Georgia, "High Quality Internet to be Accessible to Every Region in Georgia" January 15, 2015, accessed February 15, 2016, <http://bit.ly/1EH2msg>.

¹⁵ Ucha Seturi, "Problems of the Cancelled Governmental Contest Broadband Internet to Every Citizen and Recommendations of IDFI," Institute for Development of Freedom of Information, July 21, 2015, <http://bit.ly/1LwMf5D>.

¹⁶ Open Net. "Open Net issues full set of procurement documents" March 5, 2018, accessed March 19, 2018 <https://bit.ly/2pVTdv3>

¹⁷ For more information, see: State Services Development Agency, "Community Center," [in Georgian] http://sda.gov.ge/?page_id=5555.

¹⁸ Public Defender of Consumer Interests under Georgian National Communication Commission, "Annual Report 2017," [in Georgian] accessed June 2, 2018. <https://bit.ly/2Jo3bQZ>

¹⁹ . Georgian National Communication Commission: Analytical Portal, June, 2017, <http://analytics.gncc.ge/>.

²⁰ Institute for Development of Freedom of Information, "Internet Freedom in Georgia – Report N5," December 10, 2015, <http://bit.ly/1XYIrkp>.

²¹ Caucasus Online, "Joint Statement of Caucasus Online LLC. and MagtiCom," May 31, 2016, <http://www.co.ge/en/news/240/>; Magticom. "MagtiCom to become A-Net Ltd and Delta-Net Ltd service provider from March 1, 2017", January 27, 2017, accessed March 20, 2017. <http://bit.ly/2npGJeg>.

²² Georgian National Communication Commission "Decisions". [in Georgian] accessed March 20, 2017. [in Georgian] <http://bit.ly/2nkkSDx>;

²³ As of January, 2018, Geocell possessed 41% of subscribers, which was followed by Magticom with 36%. The share of the third company, Veon Georgia accounted for 23 percent of this market: Georgian National Communication Commission, Analytical Portal, <http://analytics.gncc.ge/>.

²⁴ Georgia Today, "MagtiCom Delays Planned Rise in Mobile Data Costs", January 22, 2018, accessed 29 March, <https://bit.ly/2Gr1RrC>

²⁵ "Silknet Acquires Geocell for \$153 Million," *Tabula*, January 26, 2018, <http://www.tabula.ge/en/story/129047-silknet-acquires-geocell-for-153-million>.

²⁶ Transparency International Georgia, "Security Officers ('ODRs') – existing malpractice," October 6, 2014, <http://www.transparency.ge/en/node/4693>.

²⁷ On.Ge. "Vimeo: Georgia's Prosecutor's Office Asked us to Take down Videos from the Network", [in Georgian] June 13, 2016. accessed March 22, 2017 <http://go.on.ge/low>

²⁸ "Georgia Blocks Access to Pro-Islamic State Websites," *Civil.Ge*, November 24, 2015, <http://bit.ly/1KBLYPW>.

²⁹ Faig Alizada, "WILMAP: Georgia," The Center for Internet and Society, Stanford University, <http://stanford.io/1FIxwCU>.

³⁰ Regulating Inadmissible Internet Content – Georgia in Need of Legal Changes, https://idfi.ge/public/upload/IDFI_Photos_2017/media_internet_telecommunications/Inadmissible_content_in_internet_law_eng.pdf

³¹ Transparency International Georgia, "Who Owns Georgia's Media," November 19. 2015, <http://bit.ly/1oZeqkJ>.

³² Media Development Foundation. Anti-Western Propaganda, 2017. 2018. Available at: <https://bit.ly/2HkP8Gv>

³³ Media Development Foundation. Financial Transparency of Media 2017. Final report. 2018. Available at: <https://bit.ly/2kOWDww>

³⁴ Nata Dzvelishvili & Tazo Kupreishvili, "Russian Influence on Georgian NGOs and Media," *Damoukidebloba.Com*, July 22, 2015, <http://bit.ly/1L46V61>.

³⁵ Caucasus Research Resource Center, "Caucasus Barometer, 2017, Georgia," accessed March 30, 2018, <http://caucasusbarometer.org>.

³⁶ Caucasus Research Resource Center, "NDI: Public attitudes in Georgia, December 2017," accessed October 17, 2016, <http://caucasusbarometer.org>.

³⁷ Civil.Ge. "Chief Prosecutor Irakli Shotadze Resigns". May 31, 2018. Available at: <https://bit.ly/2J923RH>

³⁸ "Regulating secret surveillance in Georgia (January-August 2017)" IDFI, https://idfi.ge/en/regulating_secret_surveillance_georgia_january_august_2017.

³⁹ Institute for Development of Freedom of Information (IDFI), "An Electronic Petition Platform – ICHANGE.GOV.GE – was Launched in Georgia", December 27, accessed March 29, <https://bit.ly/2lhiU6f>

⁴⁰ Jam News, "Georgian innovation-Internet access guaranteed by the Constitution", June 7, 2017, accessed March 28, 2018, <https://jam-news.net/?p=42446>; "Georgia president reluctantly signs new constitution into law," *Reuters*, October 20, 2017, <https://www.reuters.com/article/us-georgia-president-constitution/georgian-president-reluctantly-signs-new-constitution-into-law-idUSKBN1CP200>

⁴¹ Institute for Development of Freedom of Information, "Institute for Development of Freedom of Information Opinions on Constitutional Amendments," February 21, 2017. <http://bit.ly/2lGiJUj>

⁴² The Constitution of Georgia, 1995, [in English] <http://bit.ly/1L4F5nN>.

⁴³ Article 19, "Guide to the Law of Georgia on Freedom of Speech and Expression" (London: Article 19, April 2005) <http://bit.ly/1KMt5WJ>. This law offers protections like absolute freedom of opinion, political speech and debates, obtaining, receipt, creation, keeping, processing and disseminating of any kind of information and ideas. The law specifically mentions that it is applicable to the internet as it defines "media as print or electronic means of mass communication, including the Internet."

⁴⁴ The law is available in English on the Georgian National Communications Commission website at: "Legal Acts," <http://bit.ly/1OH6yhO>.

⁴⁵ Under the Law, the burden of proving that information is incorrect lies with the plaintiff. It also draws a distinction between defamation of a private person and defamation of a public person, setting stricter requirements for proving the defendant's guilt in the latter case.

⁴⁶ Legislative Herald of Georgia, "The Criminal Code of Georgia," [in Georgian] <http://bit.ly/1VADDwp>.

⁴⁷ Legislative Herald of Georgia, "The Criminal Code of Georgia," [in Georgian] <http://bit.ly/1VADDwp>.

⁴⁸ US Department of State. "Georgia 2017 Human Rights Report". p. 11. Available at: <https://bit.ly/2LxWuJd>

⁴⁹ The Coalition for an Independent and Transparent Judiciary. "The Judicial System: Past Reforms and Future Perspectives". 2017. Available at: <https://bit.ly/2sPPNKP>

⁵⁰ Georgia Today. "New Bill Will Allow Court to Ban Creative Works". May 17, 2018. Available at: <https://bit.ly/2xVVwVo>

⁵¹ In February 2016, a similar bill was initiated by conservative groups and withdrawn by the legislative body.; OC Media, "Georgia's Rights Committee supports bill against 'insulting religious feelings'" April 25, 2018. Available at: <https://bit.ly/2HzxOOs>

⁵² Agenda.Ge, Will Georgia make 'insulting religious feelings' punishable by law?, <http://agenda.ge/news/99656/eng>

⁵³ Civil.Ge, "Rapper Duo Detention Sparks Protest in Tbilisi," June 11, 2017. <http://bit.ly/2zoiY1y>

⁵⁴ Studio Monitor. Police v.s. Birja Mafia. June 4, 2018. Available at: <https://bit.ly/2JitlkT>

⁵⁵ Georgian Young Lawyers' Association, "GYLA Responds to Pre-trial Detention of Sulkhan Tsuladze," April 22, 2016, <http://bit.ly/1YP8JBK>.

⁵⁶ OC Media. "Georgian condom brand fined 500 GEL for 'unethical' designs". May 4, 2018. Available at: <https://bit.ly/2HxhEEV>

⁵⁷ Public Defender of Georgia, "Constitutional Claim regarding Georgian Law 'On Electronic Communications'," February 2, 2014, <http://bit.ly/1x7JpZj>.

⁵⁸ This Affects You Too. "New legislation regulating secret surveillance violates Georgian Constitution". March 2, 2017. Accessed March 20, 2017 <http://bit.ly/2mJwsrd>

⁵⁹ Institute for Development of Freedom of Information, "Regulating Secret Surveillance in Georgia (January-August, 2017)", September 14, 2017, accessed March 28, 2018, <https://bit.ly/2yC64aG>

⁶⁰ Institute for Development of Freedom of Information, "Secret Surveillance in Georgia: 2016-2016," https://idfi.ge/public/upload/IDFI_Photos_2017/rule_of_law/surveillance_report_eng.pdf.

[61](#) Office of the Personal Data Protection, "The Mandate Of The Personal Data Protection Inspector Extends to The Private Sector," news release, assessed February 20, 2016, <http://bit.ly/1DZRPEM>.

[62](#) Office of the Personal Data Protection, Annual Report 2017, [in Georgian] <https://bit.ly/2J8YSWA>

[63](#) "Georgia NGOs call for full investigation into Azerbaijan journalist's abduction" RSF, June 7, 2017, <https://rsf.org/en/news/georgia-ngos-call-full-investigation-azerbaijani-journalists-abduction>

[64](#) "Afgan Mukhtarli: Did Georgia help abduct an Azeri journalist?," *BBC*, July 18, 2017, <https://www.bbc.com/news/world-europe-40606599>

[65](#) "Human rights defenders named reasons of oppression of Azerbaijani activists in Georgia," *Caucasian Knot*, September 25, 2017, <https://www.kavkaz-uzel.eu/articles/310107/>

[66](#) <https://www.state.gov/r/pa/prs/ps/2018/01/277441.htm>

[67](#) Data Exchange Agency, homepage, <http://dea.gov.ge>.

[68](#) CERT, Facebook page, <https://www.facebook.com/certgovge>.

Copyright notice: © Freedom House, Inc. · All Rights Reserved

Search Refworld

by keyword	Enter a word or phrase
and / or country	All countries
Clear	Search

[Advanced Search](#) | [Search Tips](#)

Countries

- [Georgia](#)

Topics

- [Freedom of expression](#)
- [Freedom of information](#)