



Freedom of the Press 2015 - Georgia

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2015 Scores

Press Status: Partly Free

Press Freedom Score (0 = best, 100 = worst): 48

Legal Environment (0 = best, 30 = worst): 12

Political Environment (0 = best, 40 = worst): 20

Economic Environment (0 = best, 30 = worst): 16

Georgia continues to have the freest and most diverse media environment in the South Caucasus, though political polarization and the close links between media companies and politicians have historically plagued the industry. While none of the country's major providers of news are known to be directly owned by a politician, strong ties remain between media outlets and political parties or interests. A crisis stemming from political disagreements over the board of the public broadcaster, which has suffered from multiple vacancies in recent years, persisted in 2014.

Legal Environment

The constitution protects media freedom, and Georgia has some of the most progressive legislation in the region. Article 19 of the 1995 constitution and the Law on Freedom of Speech and Expression contain protections against censorship. Legal cases are rarely brought against journalists. However, legislation is at times slowly implemented, and enforcement is occasionally influenced by political concerns. Government officials sometimes undermine legal protections through hostile public rhetoric toward the press. Prime Minister Irakli Garibashvili, like many of his predecessors, has criticized journalists in public appearances, accusing Rustavi 2, Maestro TV, and other outlets of biased coverage of public affairs.

The government decriminalized libel in 2004 as part of an effort to bring Georgian media laws into line with European standards. Amendments to the Law on Broadcasting in 2013 expanded the mandate of the "must carry/must offer" rule beyond preelection periods, establishing it as a permanent fixture in Georgian media legislation. The rule obliges cable operators to carry all television stations, preventing politically motivated suppression of certain channels.

Georgia adopted freedom of information legislation in 1999, although implementation remains problematic. The Georgian Dream government elected in 2012 has appeared responsive to calls by civil society organizations and media watchdogs to improve access to information. In 2013, as part

of Georgia's commitment to the standards set by the Open Government Partnership, the government refined regulations governing access to information by requiring public agencies to establish websites, publish certain public information online, and accept electronic requests for information. According to the Institute for Development of Freedom of Information, the vast majority of agencies required to publish public information online complied in 2014. Efforts to unify the facilitation of electronic information requests and expand disclosure of public data continued during the year.

The Georgian National Communications Commission (GNCC), which regulates and licenses the country's telecommunications and broadcast media, has been accused of lacking independence. Parliament elected two new members to the GNCC in 2014, one of whom was chosen as the commission's chair. The previous two chairs – one of whom resigned in 2013, while the other was impeached later the same year – had faced criticism for cultivating commercial or political ties that constituted conflicts of interest.

There have been signs of political influence in Georgia's regulatory environment for licensing. Some progovernment outlets have been allowed to operate without licenses in the past, and media watchdogs have noted that licenses are sometimes awarded based on an outlet's political affiliations. In 2011, the GNCC renewed the issuance of broadcast licenses after a three-year delay, and the Constitutional Court ruled in 2012 that television stations would no longer require a license to broadcast via cable networks. However, licenses are still required for satellite broadcasts.

Political Environment

Political influence over private media, particularly television outlets, from both the opposition and the ruling party has traditionally been a major problem. However, polarization in the television sector, historically driven by partisan alliances, has declined in recent years, and broadcasters have increasingly focused on producing competitive news content. Monitoring of broadcast media coverage of the 2014 local elections showed lower levels of political bias compared with the parliamentary elections in 2012 and the presidential election in 2013. Print and radio outlets typically enjoy editorial autonomy. The Georgian Charter of Journalistic Ethics, a self-regulatory body, continued to make efforts in 2014 to encourage accountability and integrity in reporting. Nevertheless, challenges to the independence of media outlets persist. In December 2014, a group of journalists and other media workers resigned from Maestro TV to protest the firing of a popular program presenter, citing perceptions of influence on the outlet by progovernment figures.

Political influence at the Georgian Public Broadcaster (GPB) remains a concern. Competition between the government and the opposition over the outlet culminated in a serious leadership crisis in 2013, when the GPB's director was dismissed and several positions on its 15-member board became vacant. The 2013 amendments to the Law on Broadcasting made key changes to the governance structure of the GPB with the aim of resolving the crisis. Previously, members of the board were approved by the president, and the GPB's main television channel, 1TV, was widely perceived as biased in favor of the pre-2012 United National Movement government. The new regulations reduced the size of the GPB's board and made appointments more competitive and politically neutral, excluding the president from the process. Parliament held multiple rounds of selection in 2013 and 2014, but failed to fill all vacant seats. The crisis continued in 2014 amid legal complaints launched by serving and former members of the GPB board. Media watchdogs criticized the failure to fill the vacancies and restore the board's operations, and raised concerns about general political interference with the board.

The level of violence and harassment aimed at journalists has been a serious problem in the past, particularly during election periods. Although no major incidents of violence were recorded

during the local elections in 2014, journalists continue to face intimidation, harassment, and occasionally assault. Zaza Davitaia, a journalist for the *Asaval-Dasaval* newspaper, was assaulted twice in October. One of the founders of the Rustavi 2 television broadcaster, Erosi Kitsmarishvili, was found dead with a gunshot wound at his home in July; an investigation was ongoing at year's end, with little information available about whether the death was a homicide or connected to Kitsmarishvili's media role.

Economic Environment

A large number of private print outlets operate in the country, but they have very limited circulation. There are also more than 70 radio stations. Leading television stations include the GPB's 1TV and the privately owned Rustavi 2, Imedi TV, Maestro TV, and Kavkasias TV. The expansion of the "must carry/must offer" rule has widened the reach of many channels, and a series of ownership changes since 2012 have altered the landscape of the industry and reduced polarization. In February 2014, the government published the strategy for Georgia's digital broadcasting switchover, which was projected to be completed in June 2015. As part of the strategy, authorities made plans to subsidize digital receivers for socially vulnerable households. Approximately 49 percent of Georgians accessed the internet in 2014. Numerous newspapers and several television stations produce online content, and social-networking websites play a growing role in spreading news and information.

A long-standing lack of transparency in media ownership, especially of television stations, was partially alleviated in 2011 with the adoption of amendments to the Law on Broadcasting that require the full disclosure of ownership structures. The Coalition for Media Advocacy, established by local journalism and human rights organizations, was actively involved in negotiating the amendments, which also include a ban on the ownership of broadcast media by offshore companies. Concerns about the concentration of media ownership remain unresolved. Although individuals and entities are prohibited by law from owning more than one television or radio license in any one area, no explicit mechanisms are in place to prevent individuals from holding shares in the companies that own the broadcast licenses.

The 2013 amendments to the Law on Broadcasting resolved the issue of state ownership of and support for Adjara TV, establishing the station as a public broadcaster and removing it from the control of authorities in the autonomous republic of Adjara. The amendments also introduced a measure for increasing transparency in advertising revenues, requiring broadcasters to disclose funding sources to the GNCC. A group of broadcasters lodged a complaint against the GNCC in 2013, claiming that its financial reporting forms required broader disclosure than stipulated by law. Discussion of the issue continued in 2014.

In October, Parliament passed legislation obliging private broadcasters to allot 90 seconds of free airtime every three hours for public-service announcements, or "social advertising." Broadcasters and media watchdogs expressed concerns that the law contained vague definitions and gave the GNCC excessive control over enforcement of the costly obligation.

The advertising market in Georgia shows some signs of political influence. Advertisers have traditionally favored progovernment media, although the government has in recent years begun allocating advertisements and subsidies more fairly. Print media are especially challenged by low advertising income and a lack of financial resources. In 2014, the Finance Ministry sparked controversy after it requested that the television audience measurement company TVMR GE provide the locations of the households where the company hosts "people meters," devices that record audience viewing habits. Critics decried the request as politically motivated, and TVMR GE suspended operations for several months following the request.

[The scores and narrative for Georgia do not reflect conditions for the media in the separatist territories of South Ossetia and Abkhazia.]

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