



Freedom of the Press 2013 - Georgia

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[The scores for Georgia do not reflect conditions for the media in South Ossetia and Abkhazia, although these separatist territories are covered in the narrative report.]

2013 Scores

Press Status: Partly Free

Press Freedom Score: 49

Legal Environment: 12

Political Environment: 20

Economic Environment: 17

The constitution protects press freedom, and Georgia has some of the most progressive media legislation in its region. Government influence over private media, particularly broadcast outlets, persisted during 2012 in the run-up to October parliamentary elections. However, there was some progress during the year on loosening media regulations and increasing access to a diversity of viewpoints, especially in the immediate preelection period. The balloting resulted in a victory for the opposition Georgian Dream party and Georgia's first peaceful transfer of power through elections. President Mikheil Saakashvili's United National Movement (UNM), which had been in power since 2004, conceded defeat, and the Georgian Dream leader, billionaire businessman Bidzina Ivanishvili, was appointed prime minister.

Article 19 of the 1995 constitution and the Law on Freedom of Speech and Expression contain safeguards against censorship. Legal cases are rarely brought against journalists, and the internet is not currently subject to government regulation. However, legislation is at times slowly implemented, and enforcement is often determined by political concerns. The government decriminalized libel in 2004 as part of an effort to bring Georgian media laws into line with European standards. Although the country adopted freedom of information legislation in 1999, journalists reported that government officials, particularly local authorities, continued to limit or delay access to information. In the last few months of 2012, the new government appeared more responsive to freedom of information requests than its predecessor. New restrictions on journalists were introduced just five days before the parliamentary elections, when the Central Electoral Commission approved a regulation that limited media coverage at polling stations.

The Georgian National Communications Commission (GNCC) regulates and licenses the country's telecommunications and broadcast media and has been accused of lacking independence from political influence, as its members are nominated by the president. The commission's

chairman has been criticized for holding a stake in a wholesale television airtime business during previous years of his tenure, and for continuing to hold a stake in a company that produces and places advertising, including in broadcast media. Progovernment outlets have at times been allowed to operate without licenses, while enforcement was often rigorous for opposition outlets. In 2011, the GNCC renewed the issuance of broadcast licenses, which it had delayed for the past three years, and the Constitutional Court ruled in April 2012 that television stations would no longer require a license to broadcast via cable networks. However, licenses are still required for satellite uplinks. The Georgian Charter of Journalistic Ethics, a self-regulatory body, held discussions throughout the year on improving media accountability and urging greater journalistic integrity. Though a 2011 proposal had envisioned expanding the organization's mandate to include ethics violations by nonmembers, the body failed for a second time to pass a revised charter in 2012.

Georgia has the freest and most diverse media landscape in its region. Despite the recent political changes, however, media remain politically polarized, and neutral and objective news is only available from a few sources. After Ivanishvili formed his new opposition party in April 2012, sharply intensifying political competition, the traditionally pro-UNM broadcast media took advantage of their dominant positions in the market to propagate negative coverage of Ivanishvili. In May, he bought TV9 – originally Igrika TV – as a means of countering such coverage. With no terrestrial license, TV9 was broadcast to satellite receivers via the television distributor Global TV, which functions like a cable provider and is owned by Ivanishvili's brother. Global TV was then subjected to harassment from the authorities, including the interrogation of one of its owners, property damage, and the seizure of its equipment. At one point, five stations affiliated with the UNM government, led by the highly popular Rustavi-2 and Imedi TV, withdrew permissions for Global TV to carry their signals.

In June and July, stockpiles of satellite dishes owned by Global TV and the opposition-leaning Maestro TV were impounded by the state. Authorities accused the companies of attempting to buy votes for the opposition by distributing the receivers free of charge. The legal justification for the seizures was questioned by civil society groups, but the charges were not dropped until after the elections. Harassment of opposition-oriented media – coupled with a significant consumer demand for these outlets – motivated civil society to launch a campaign for legislation requiring cable operators to carry all television stations, a proposal which lawmakers initially rejected. However, on June 29, the parliament reversed its position and approved a "must carry and must offer" rule for a limited 60-day period before election day. On September 18, Maestro TV and TV9 aired graphic footage of the physical and sexual abuse of inmates at a Tbilisi prison, causing public outrage. Pro-UNM stations covered the scandal without questioning the official government position, and the public broadcaster initially refused to cover it at all. Given the timing and the fact that the new legislation had broadened the audience of the two opposition stations, the leaked videos are believed to have dramatically diminished support for the UNM in the October elections.

Despite the change in leadership after the vote, political influence over broadcast media remains a concern. Members of the board of the state-run Georgian Public Broadcaster (GPB), which operates television and radio stations, are approved by the president, and its main television channel, 1TV, has been widely perceived as biased in favor of the former government. Under the UNM, the GPB retained a significant advantage over other media due to the state subsidies it received. Shortly after the elections, it canceled some of its current affairs programming and cut its staff. In November, the new government ordered the revenue service to conduct a financial audit and investigate the broadcaster's 3.8 million lari (\$2.3 million) tax debt. The next month, GPB director Giorgi Chanturia resigned, claiming that his departure was unrelated to the tax probe. On December 26, a new director was elected through secret ballot. Although the 143 applicants presented the board with an opportunity to choose an external candidate, they opted for someone from the previous management structure, technical director Giorgi Baratashvili. In mid-October, staff of the GPB's Russian-language channel – First Information Caucasus (PIK), launched in

2011 – staged a silent broadcast to protest the GPB's withholding of wages and failure to pay the station's bills. Five days later, the station was taken off the air. The GPB explained that the closure was a result of the unsanctioned protest, but some of PIK's former employees speculated that the new government opposed prolonging its funding because of its allegedly pro-UNM, anti-Kremlin bias.

The level of violence and harassment aimed at journalists increased in the summer prior to the parliamentary elections. Pressure came in the form of physical attacks, blackmail, and aggressive interference, mostly directed at opposition-oriented media. Stern warnings issued by international and domestic monitoring groups concerning the use of violence against the media helped curb such incidents by the end of the summer. During the official preelection period, running from August until October, local monitors documented fewer cases of harassment, though some incidents still occurred.

A large number of private print outlets operate in the country and typically enjoy editorial independence, but they have very limited circulation. Magazine readership is on the rise, boosted by a newfound interest in serious, analytical reporting. There are 49 radio stations, providing generally free and independent coverage. Most of the more than 60 television stations support either the UNM or Georgian Dream, both editorially and through the selection and treatment of news. Georgia's broadcast media ownership underwent some reorganization after the elections, though political allegiances remained largely unchanged. An exception was Imedi TV, one of the two privately owned television broadcasters with nationwide coverage. Prior to the elections, Imedi had been subject to government editorial control through close links between its owners and the UNM. Two weeks after the elections, however, the owners returned it to the family of the late former owner, billionaire businessman and Saakashvili critic Badri Patarkatsishvili, from whom it had been controversially seized in 2007. The station has since taken on a generally pro-Georgian Dream orientation. The owners of the other private television station with nationwide coverage, Rustavi-2, were reshuffled after the elections, but the station remains in the hands of UNM loyalists and maintains its pro-UNM coverage. TV9 is technically owned by Ivanishvili's wife and another close relative, but it receives its funding from the billionaire. Following his election as prime minister, media monitors urged Ivanishvili to distance himself from the media, and he has stated plans to do so on numerous occasions, but no changes to TV9's ownership structure had occurred by year's end. A number of smaller stations, such as Kavkasia TV and Maestro TV, operate without national reach.

The lack of transparency in media ownership and property rights, especially for television stations, was partially resolved in April 2011 with the adoption of amendments to the Law on Broadcasting that require the full disclosure of ownership structures, including all owners and financial sources. The Coalition for Media Advocacy, established by local journalism and human rights organizations, had been actively involved in negotiating the amendments. They also include a ban on the ownership of broadcast media by offshore companies, forcing several television stations to alter their opaque ownership structures. However, concerns regarding media concentration remain unresolved. Though the law stipulates that individuals or entities are prohibited from owning more than one television or radio license in any one area, no explicit mechanisms are in place to prevent individuals from owning shares in companies that in turn own the broadcast licenses. The state continues to own and support Ajara TV, a major station in Georgia's Ajara Autonomous Republic, even though legislators have long made plans for its reorganization. A draft law submitted to the parliament in December 2012 would apparently transform the station into one of the channels of the public broadcaster.

The media do not have a high degree of financial independence. Until October 2012, all nationwide television stations were owned and subsidized by large businesses with close links to the state. State subsidies in the form of tax amnesties in 2010 and 2012 unfairly benefited stations loyal to the outgoing government, allowing Rustavi-2 and Imedi TV to write off tax debts of approximately 40 million lari (\$25 million). The advertising market remains highly politicized.

Advertisers favor progovernment media, with critical outlets struggling to sell advertising space and airtime. Print media are especially challenged by a lack of advertising income and financial resources – problems that particularly affect their distribution capacity. Distribution in the capital, Tbilisi, has been hampered by an October 2011 city government initiative to dismantle existing press kiosks and auction off the rights to install and operate new kiosks. The program is open to participation by any company, whereas in the past the kiosks were operated by press distributors. The Georgian Press Association, which represents leading Tbilisi dailies, joined forces with print media distributors in an effort to ensure fair and unimpeded distribution.

Approximately 46 percent of Georgians accessed the internet in 2012. While most Tbilisi-based newspapers are not active on the web, regional newspapers have been steadily expanding their online presence, and web publications, such as the independent *NetGazeti*, *Civil.ge*, and *Media.ge*, are recognized for providing balanced news coverage. In addition, several television stations operate parallel websites. The web portals of news agencies, such as *Interpressnews.ge*, are widely used for fact-based news. Blogs and social-networking sites like Facebook are also playing a growing role in spreading news and information.

The separatist territories of Abkhazia and South Ossetia are effectively under Russian control. There is little local media activity in tiny South Ossetia. The separatist authorities operate a television station, although most programming is rebroadcast from Russia. There is almost no independent print sector. In Abkhazia, a larger and more ethnically mixed region, the media environment is more diverse. The local population has access to both Russian and Abkhaz television content; Georgian stations are typically only available via satellite. Abkhazia's residents also have access to Georgian and Turkish radio, and the territory is home to several private print media outlets. Overall, media ownership and coverage is dominated by local authorities.

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