

MEDIA ENVIRONMENT IN GEORGIA

2020



The Media Advocacy Coalition with the support from the Open Society Georgia Foundation produced five briefs on the key issues that shape Georgia’s media environment during the 2020 parliamentary elections. The goal of these briefs was to identify those regulatory and political barriers that inhibited the media’s work during the 2020 parliamentary elections.

These briefs are based on desk research and interviews with experts and media representatives. The document was prepared during the pre-election period. It was updated later to reflect the media-related developments shortly after the elections.

In this document you will read about the following issues:

Brief #1: Practices of the Communications Commission: What lies ahead of broadcasters	pp.2-6
Brief #2: Information Security, Disinformation and Propaganda: Georgian Government Misinterprets Threats	pp.7-12
Brief #3: The State of Public Broadcasting in Georgia: Serving the Public Interest or the Government?	pp.13-17
Brief #4: Ensuring Safe Media Environment and Equal Treatment of Journalists	pp.18-24
Brief #5: Access to Information—a Challenge for Journalists in Georgia	pp.25-27

Executive Summary

The media environment in the lead up to the 2020 parliamentary elections remained pluralistic but extremely polarized. Threats to media freedom were posed by violence against journalists, pressure on independent and critical media and problems with access to information.

During the pre-election period the cases of violence and intimidation against journalists and smear campaigns against critical media by public officials and politicians. On the election day and during the protest actions against the alleged voter fraud, journalists' safety and ability to work freely became a matter of concern for the media defenders.

Withholding information from journalists by some government organizations and ruling party representatives is a pressing issue. Even though citizens' need for information and orientation in the run-up to the elections was high, especially with the COVID-19 situation, there seemed to be a lack of political will to ensure timely and efficient release of information and communication with journalists.

The Communications Commission did not take any contentious measures in relation to broadcasters' activities in the pre-election period. This could have been a premeditated strategy aimed at allowing the election period to pass peacefully. However, civil society organizations believe the decisions of the Commission won't be free from political influence for long.

The crisis at the Ajara Public Broadcaster over the past year evidenced the weakness of public service broadcasting in Georgia. The broadcaster still needs to reform until it can truly serve the public interest.

The weakness of the information security system makes the country vulnerable to hybrid threats and disinformation campaigns from Russia. Nevertheless, the government seems to misinterpret genuine threats by choosing to wrongly label critical and independent media as sources of disinformation.

Civil society organizations supporting plurality and freedom of the media believe critical media play key role in scrutinizing the actions of the government and politicians to make them accountable towards their citizens. Civil society organizations acknowledge that ethical problems in the Georgian media, however, they also believe these issues should be a matter of self-regulation and attention by the professional community.

It is important that international observers of the media environment in Georgia continue to provide critical perspective on the mentioned trends.

It is similarly crucial that international organizations and donors continue their assistance to independent media.

Brief #1: Practices of the Communications Commission: What lies ahead of broadcasters?

Summary

The Communications Commission plays a significant role in shaping the media environment in Georgia. Having a reputation of a politically biased actor, the regulator's decisions are rarely left without scrutiny. However, its inaction during the 2020 pre-election period could be the sign of a premeditated strategy to allow the election period pass peacefully. On the other hand, it is obvious that the Commission will attempt to expand its powers, therefore, its decisions won't be free from political influence for long.

Background

The Commission is the main regulatory authority for the broadcast media and telecommunications sector. Established as an independent state agency which receives funding from licensing and authorization fees, it is mandated to strengthen competition in the Georgian electronic communications and broadcasting markets, ensure protection of consumers' interests and guarantee a transparent and fair regulatory environment.¹ The Commission is accountable to the president, the government, and the parliament.

Despite its formal independence from political or state intervention ensured by the Constitution of Georgia, the Law on Independent Regulatory Bodies and the Law of Georgia on Broadcasting, the Commission was frequently criticized for biased and ineffective decisions from the very beginning.^{2,3,4} The members of the commission were frequently accused of aligning with politicians and entering into vague business deals. The exception was a short period of time (2014 and 2015), when the Commission received a positive assessment on its performance. The Commission earned praise⁵ from the local and international experts for demonstrating good leadership practices. This mostly concerned making the decisions free from political influence and for involving media and civil society in the decision-making process when leading the country's digital switchover. This period coincided with the change of government in Georgia that presumably allowed the regulator to temporarily free itself from political control. Another factor could be installment of the commission chair capable of leveraging its relations with the government.^{6,7,8,9} Additionally, from 2013, the Media Advocacy Coalition spearheaded adoption of the amendments to the Law on Broadcasting, which introduced the norm allowing the Commission to elect a chair through the secret ballot. Formerly, chair was appointed by the president of Georgia and was selected among

¹ About the Communications Commission. Available at <https://bit.ly/2D9nWP9>

² "The audio recording highlights the conflict of interest of top media and telecom regulators." Transparency International Georgia. November 12, 2012. Available at <https://bit.ly/3f92WWt>

³ Media Influence Matrix, Georgia. CEU's Center for Media, Data and Society (CMDS). 2020. Available at <https://bit.ly/2BMmXE1>

⁴ "Findings of the temporary parliamentary investigative committee of the work of the Communications Commission." March 7, 2014. Available at <https://bit.ly/2ZVANvJ>

⁵ Mikashavidze, Maia. (2016) "Systemic capacity building of the media regulatory authorities in Georgia: A hierarchy of needs." The Embassy of Netherlands. Open Society Foundation. Available at <https://bit.ly/38Kx9Zt>

⁶ Media Influence Matrix, Georgia. CEU's Center for Media, Data and Society (CMDS). 2020. Available at <https://bit.ly/2BMmXE1>

⁷ Media Sustainability Index, 2014. IREX. Available at <https://bit.ly/38FeRJ4>

⁸ Freedom of the Press, 2014. Freedom House. Available at <https://bit.ly/31kSCpi>

⁹ Freedom of the Press, 2015. Freedom House. Available at <https://bit.ly/2W2Ji70>

commissioners. In addition, in 2014 Georgia signed the EU-Georgia Association Agreement, following which the country took on the obligation to harmonize its laws with the EU Directive on Audio-Visual Media Services.¹⁰

In the past few years some of the policies and decisions of the Commission have been viewed by experts as attempts to silence critical and independent media in favor of certain political interests.¹¹¹² Civil society groups and media defenders were concerned that they were not adequately involved in the regulatory debate and decision-making. Moreover, transparency of the Commission's income and spending also raised questions.¹³¹⁴

Contentious Decisions of the Commission in the Pre-Election Periods in 2016-2019

The Commission's decisions during the 2016-2019 pre-election periods were "selective" and "inconsistent."¹⁵¹⁶ The regulator pursued cases against several broadcasters and online news media for violating procedures for publicizing opinion polls.¹⁷ Civil society organizations were worried that the regulator's approach was selective and the broadcasters critical of the government were facing heavier penalties. As for online media, the Commission is not authorized to regulate online media on pre-election political advertising or publishing of opinion polls.¹⁸¹⁹

The conflicting interpretation of the law was in place during the pre-election campaign in 2018, when the Commission required broadcasters to monitor the content of political advertisements, even though the Law of Georgia on Broadcasting no provision of the law obligated them to do so.²⁰²¹ The same year, the Commission accused several broadcasters of violating the law by airing political advertisements which, it said, contained unethical content and therefore were illegal. The subsequent investigation carried out by Transparency International Georgia (TI) revealed that the regulator's decisions were vague and biased.²²

In the run up to the 2018 presidential elections, the Commission started a case against several TV stations' social and political talk shows. The regulator claimed these talk shows did not satisfy the pre-election

¹⁰ Media Sustainability Index, 2016. IREX. Available at <https://bit.ly/3iJRcfb>

¹¹ "The Communications Commission must not regulate hate speech." Transparency International Georgia. June 20, 2019. Available at <https://bit.ly/3o2Kgg5>

¹² "2019 Country reports on human rights practices: Georgia." U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. Available at <https://bit.ly/3k1GBgz>

¹³ "Issues with transparency in the activities of the Communications Commission." Institute for Development of Freedom of Information. July 9, 2020. Available at <https://bit.ly/3gSKS3k>

¹⁴ "Bonuses paid by the Communications Commission." Institute for Development of Freedom of Information. May 8, 2013. Available at <https://bit.ly/34cc21C>

¹⁵ Media Sustainability Index 2018. IREX. Available at <https://bit.ly/2DmY6Hi>

¹⁶ "Monitoring of the 2018 presidential elections in Georgia. A monitoring report of the pre-election period, election day and its aftermath." Georgian Young Lawyers Association. 2019. Available at <https://bit.ly/30kCu7v>

¹⁷ Media Sustainability Index 2017. IREX. Available at <https://bit.ly/2Xe06Zj>

¹⁸ "GYLA appeals to the Constitutional Court against the norm limiting print and online media for airing public opinion polls." GYLA. April 2, 2020. Available at <https://bit.ly/334F3fC>

¹⁹ "Publication of public opinion polls by media under threat." Transparency International. October 30, 2017. Available at <https://bit.ly/3f8qNF4>

²⁰ Media Sustainability Index 2019. IREX. Available at <https://bit.ly/3iKKwh1>

²¹ "Actions of Communications Commission to use administrative resources for election purposes." Transparency International Georgia. October 3, 2018. Available at <https://bit.ly/390aYP3>

²² "Misuse of administrative resources during the 2018 presidential elections in Georgia." Transparency International Georgia. October 23, 2018. Available at <https://bit.ly/2Cf1J1t>

debate format. The broadcasters argued that they failed to hold pre-election debates in a required format because some candidates (from the ruling party) did not attend the debates.

Controversial Legal Initiatives in 2018, 2019 and 2020

In the past three years, some of the regulator's legal initiatives alarmed media and civil society as they raised concerns from the perspective of media freedom and broadcasters' ability to function as independent and sustainable organizations. Among one of such initiatives was the 2019 draft Law on Audio Visual Media Services that should have replaced the existing Law of Georgia on Broadcasting. Media community and civil society groups have voiced their concerns over the proposed mechanism for resolving ethical breaches, which authorized the Commission, an administrative body, and the court to regulate journalistic content.^{23,24} The Media Advocacy Coalition argued that the strategy should be strengthening self-regulatory mechanisms independently, without regulator's interference into broadcasters' editorial agenda.

In 2018, the Commission was also criticized for openly supporting amendments to the Law on Broadcasting. The amended law allowed the Georgian Public Broadcaster (GPB) to purchase media products or services without public tenders, to increase advertising airtime, and to expand the programming with commercial sponsorship.²⁵ Before adopting the changes, the draft law was severely criticized by civil society groups, media representatives, some politicians and the president. The president also put a veto on the bill.^{26,27} It is noteworthy, that the chair of the Commission openly supported the proposal²⁸. The regulator claimed this would lead to an improved service of public interest.²⁹ Civil society organizations stated the Commission overstepped the limits of its authority.

By the end of 2019, the Commission initiated amendments to the Law on Broadcasting, which allowed the chair to be re-elected to a second term. Before, a chair was eligible to serve only one three-year term in office. CSOs and the media community viewed this as a deliberate decision, which extended the leadership of the current chair in the election year.

In July 2020, a few months before the October elections, the Commission proposed amendments to the Law of Georgia on Electronic Communications³⁰ and to the Law of Georgia on Broadcasting. The amendment would authorise the Commission to appoint what it called "a designated authority" within telecom operators, including those broadcasters, which are telecom operators; Civil society organizations, broadcasters and telecom industry representatives were concerned that the Commission would acquire leverage and influence over editorial policy of broadcasters, media distribution, the Internet, advertising services and other issues pertaining to employment and labor rights within telecommunications and

²³ "The Communications Commission must not regulate hate speech." Transparency International Georgia. June 20, 2019. Available at <https://bit.ly/3fdsZvz>

²⁴ Statement by Media Advocacy Coalition. June 14, 2019. Available at <https://bit.ly/2ZwLN3G>

²⁵ Media Sustainability Index 2019. IREX. Available at <https://bit.ly/2Onhw0F>

²⁶ Fuller, Liz. (2018) "Georgian president vetoes controversial amendments to law on public broadcaster." Radio Free Europe. Available at <https://bit.ly/30fcl8B>

²⁷ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor "2018 Country reports on human rights practices: Georgia." Available at <https://bit.ly/2EAFV1I>

²⁸ "Public service broadcaster needs advertising." IPRESS.ge. March 19, 2018. Available at <https://bit.ly/2Zzub7n>

²⁹ Media Sustainability Index 2019. IREX. Available at <https://bit.ly/2Cty8kL>

³⁰ "The draft law proposed by the Communications Commission threatens freedom of expression." Georgian Young Lawyers Association. August 7, 2020. Available at <https://bit.ly/3fqOjOc>

broadcasting companies.³¹³² The proposed amendments did not explicitly elaborate on appeal mechanisms either. The media representatives and CSOs resistance³³ resulted in a modified version³⁴ of the proposal. Representatives of civil society organizations said there was only a small chance that current edition could be used against broadcasters.

Other Possible Challenges to the Media Environment before and after the 2020 Parliamentary Elections

Interviews with the media representatives carried out for the purpose of this brief showed they view the regulator's behavior in the pre-election period as "not something they expected". Most broadcasters indicated that they did not receive the letters of warning or sanctioning from the Commission. Apparently, the regulator decided to abide with the recommendations from the National Democratic Institute (NDI). Still, there are ways how the Commission could leverage the media.

Mandatory Social Advertising

The Law of Georgia on Broadcasting obligates media to air social advertising. This is a free of charge service provided by broadcasters aimed at promoting public good. Broadcasters and media experts have speculated about possible leaks of the political narrative in advertised content.³⁵³⁶ For years, concerns were raised by some media outlets³⁷ that the ruling party was misusing the norm in its own favor. Broadcasters are not allowed by the law to refuse airing these ads even if the content is of concern. Moreover, broadcasters' compliance with the law is supervised by the Commission.

Mediacritic.ge

In December 2019, Media Academy, a non-commercial entity established by the Commission³⁸, launched a media critic platform³⁹, which includes current and former government-friendly journalists and media managers who provide analysis of current media trends. The platform builds mostly on condemnation of critical and independent media outlets in the country. The writers often criticize *TV Mtavari*, *TV Formula* and *TV Pirveli*.⁴⁰ A few stories also denounce the works of such credible online outlets as *netgazeti.ge* and

³¹ "Media Advocacy Coalition: proposed amendments pose a risk of unjustified restriction to freedom of expression." Media Advocacy Coalition. July 7, 2020. Available at <https://bit.ly/3eFlmwM>

³² "Matthew Bryza: I'm afraid the changes in the Law on Broadcasting might be aimed at Caucasus Online." Interpressnews.ge. July 16, 2020. Available at <https://bit.ly/3h6mQCa>

³³ Georgian Young Lawyer's Association. Available at <https://bit.ly/2JxYPZ7>

³⁴ Narimanishvili, Nino (2020). "Under what circumstances will a designated authority be appointed?" Mediachecker.ge. Available at <https://bit.ly/3fRQ8UZ>

³⁵ Kevanishvili, Eka. (2011) "Social advertisement or pre-election campaign?" Radio Free Europe. Available at <https://bit.ly/37nyGWY>

³⁶ "Media Advocacy Coalition, non-governmental organizations and the media community make announcements about changes to the Law [on Broadcasting] regarding social advertisement." Media Advocacy Coalition. 5, 2014. Available at <https://bit.ly/34hmJQJ>

³⁷ Giorgi Meladze. (2011) "Monitoring Advertising in Georgian Media." Media Development Foundation. Available at <https://bit.ly/3m8xM4N>

³⁸ Annual report of the Communications Commission. (2018). Available at <https://bit.ly/2HnVWJ9>

³⁹ Media critic platform. <https://bit.ly/2FHmqF6>

⁴⁰ "Fight against 'Internal Enemy' and cohabitation with Russian propaganda." Media Development Foundation. 2020. Available at <https://bit.ly/2Dx4r2Z>

on.ge. The authors almost never mention online and broadcast media that spread anti-Western propaganda.⁴¹

Amendments to the Law of Georgia on Broadcasting

The amendments to the Law on Broadcasting and the Code of Rights of Children (enforced on September 1st 2020) entitled the Commission to regulate the content of broadcast media in the best interest of minors. Civil society organizations acknowledge the need to protect the rights and interests of children; however, it is worrying that the provision in the law on mal-influence is broad and vague and could give the Commission a leverage to restrict broadcasters' editorial independence.⁴²

Conclusion

The pre-election period shows that the Commission abstains from taking any measures that would cast it in an unfavorable light. Nevertheless, the issues that have been highlighted above, remain unsolved. These trends allow civil society organizations to expect that the decisions of the Commission won't be free from political influence after the elections.

⁴¹ Ibid.

⁴² "Legislative norms enforced on broadcasters today are censorship and should be declared unconstitutional." Georgian Democracy Initiative. 2020. Available at <https://bit.ly/3il2boU>

Brief #2: Information Security, Disinformation and Propaganda: Georgian Government Misinterprets Threats

Summary

In Georgia, Russia is viewed as an instigator of propaganda and disinformation. Its activities can undermine political stability, weaken national unity and jeopardize the country's Western aspirations. The Kremlin has used traditional and social media as weapons of disinformation, has financed NGOs and foundations to promote pro-Russian attitudes in the country and has coordinated cyberattacks. The civil society and a handful of media organizations work towards tackling Russian disinformation through various activities. The Georgian Government's response to these threats is weak. The country does not have a solid information security system to counter the risks of cyberattacks from the hostile neighbor. Moreover, the government agencies' strategic communication efforts, which should be aimed at raising public awareness on the perils of Russian propaganda and disinformation, are inconsistent.

What is more, the government institutions, together with politicians misinterpret genuine threats by choosing to challenge critical and independent media as alleged sources of disinformation. This contributes to the rising public distrust in those media outlets among the public. Homegrown propaganda in social media is another challenge for the country. The ruling party and its main rival opposition party target public opinion in a covert manner, where the ruling party allegedly spends more resources.

Civil society organizations supporting plurality and freedom of the media believe that critical media play a key role in scrutinizing the actions of the government and politicians with the aim to make them more accountable and responsive towards their citizens. Civil society organizations also acknowledge there are ethical problems in the Georgian media, however they believe such problems should be a matter of self-regulation.

Georgia's Media and Information Space and Hybrid Threats

In the run up to the 2020 elections, Georgia is vulnerable to Russian disinformation campaigns, which are designed to make people doubt their history, culture, economic and democratic development.⁴³ Even though the phenomenon is not new, as Georgia's ties with the EU and NATO became stronger, it became clear that Russia would not accept its neighbors' pursuit to integrate into Western socio-political and economic systems. The Russian Government attacked the country with military force, cyber warfare and disinformation campaigns.^{44,45}

To influence public attitudes in Georgia, Russia uses several information and communication channels through which it spreads disinformation and anti-Western propaganda. Social networking sites are

⁴³Kintsurashvili, Tamar. (2018) "Anti-Western Propaganda." Media Development Foundation. Available at <https://bit.ly/310fpa8>

⁴⁴ U.S. Congress. Committees on Foreign Relations. 115th CONGRESS 2nd session. "Putin's asymmetric assault on democracy in Russia and Europe: implications for U.S. national security." Washington: Government Printing Office, 2000. Available at <https://bit.ly/2FsZGby>

⁴⁵ Kapanadze, Sergi. (2015) "Russia's soft power in Georgia – A carnivorous plant in action" in Toms Rostoks and Andris Spruds (eds) "The Different Faces of "Soft Power": The Baltic States and Eastern Neighborhood between Russia and the EU/ Ed" (Riga: Latvian Institute of International Affairs, 2015. – 256 p)

probably the most useful tools for Russian disinformation campaigns.⁴⁶⁴⁷⁴⁸ Georgian fringe media outlets with explicitly pro-Russian editorial policy (such as news website *sakinform.ge*, newspaper *Georgia and the World* and its website *geworld.ge*, online *newspress.ge*, TV station *Obiektivi*) frequently carry Russian disinformation, according to the research.⁴⁹ The head of news service of *Obiektivi TV* was recently elected as a board member of the Georgian Public Broadcaster. Interestingly, for several years (between 2014-2018) public and state organizations contracted these media organizations for the provision of advertising and information dissemination services.⁵⁰ Another channel used for propaganda purposes is Russian controlled news website *Sputnik*, which disseminates news in about 30 languages, among them in Georgian, and runs an office in the country. Some experts believe that *Sputnik's* influence on public opinion is minimal, although it shouldn't be underestimated. In April 2020, International Society for Fair Elections and Democracy (ISFED) revealed 37 inauthentic accounts allegedly related to *Sputnik* news agency-among them, 11 disguised Facebook pages and 26 allegedly inauthentic personal accounts that spread materials from *Sputnik* in an organized manner.⁵¹

Russian television programming consumed mostly in ethnic populated regions of Georgia can also contribute to pro-Russian public sentiments on crucial matters.⁵² The exact impact of disinformation and propaganda in Georgia has not been yet measured. One of the few studies⁵³ revealed that Russian disinformation messages are more likely to affect people of ethnic background living in predominantly ethnic populated communities.

Besides information channels, there are also NGOs, foundations and politicians spreading pro-Russian propaganda. The NGOs such as the Eurasian Institute, the Global Research Center, the Club of Young Political Scientists, and the Center for Globalization Issues promote pro-Russian attitudes. The foundations such as the Alexander Gorchakov Public Diplomacy Fund, the Yevgeny Primakov Georgian-Russian Public Center and Russkiy Mir Foundation carry out some activities. Activities of the Georgian far-rights movements as well as those of some politicians contribute to bolstering Russian disinformation campaigns.⁵⁴⁵⁵

While disinformation is one of the cybersecurity concerns, Georgian organizations are not immune to large-scale cyberattacks. On the election day, October 31st, the servers of the Georgian Public Broadcaster

⁴⁶ McCain Institute. (2019) "Tracking and Refuting Disinformation in Georgia Social Media Monitoring and Analysis." <https://bit.ly/2YkWKEn>

⁴⁷ Helmus, Todd C.; Bodine-Baron, Elizabeth; Radin, Andrew; Magnuson, Madeline; Mendelsohn, Joshua; Marcellino, William; Bega, Andriy and Winkelman, Zev. (2018) "Russian Social Media Influence: Understanding Russian Propaganda in Eastern Europe." Santa Monica, CA: RAND Corporation. <https://bit.ly/3kKeqmu>

⁴⁸ Tsitsikashvili, Mariami. (2019) "Comparing Lessons Learned from Countering Russian Disinformation in Georgia and the Czech Republic." European values center for security policy. <https://bit.ly/310rmg5>

⁴⁹ Kintsurashvili, Tamar & Gelava, Sopo (2020) "Antiwestern Propaganda." Media Development Foundation. Available at <https://bit.ly/3kl0doN>

⁵⁰ Pataridze, Mariam. (2018) "Financial transparency of Media." Media Development Foundation. Available at <https://bit.ly/34b3Clh>

⁵¹ "Russian Information Operation in Georgia – Sputnik's Coordinated Network on Facebook." International Federation for Fair Elections. April 8, 2020. Available at <https://bit.ly/3gka0iZ>

⁵² Kintsurashvili, Tamar; Gelava, Sopo and Chitaladze, Ana. (2018) "Informing minority populated regions on Georgia's Euro-Atlantic Integration." Media Development Foundations. Available at <https://bit.ly/3h12733>

⁵³ "Countering Anti-Western Propaganda: A Note on Targeting Strategies," CRRC-Georgia. Available at <https://bit.ly/3aMNkWy>

⁵⁴ Dzvelishvili, Nata. (2018) "From a Pro-Russian to a Pro-Georgian Narrative." Available at <https://bit.ly/3dGJSil>

⁵⁵ Myth Detector. <https://bit.ly/3m4OKRA>

reportedly came under attack, cutting off broadcasting for about 10 minutes.⁵⁶ In September 2020, as a result of cyberattacks on Lugar Laboratory, the documents about the country's management of the coronavirus pandemic were stolen.⁵⁷ A massive coordinated Distributed Denial of Service (DDOS) cyberattack in 2019 proved the weaknesses of protection measures of the country. The attack paralyzed up to 2,000 state, private, and media websites. Officials from Georgia, the UK and the US announced that Russia's Main Intelligence Directorate, known as GRU, was behind the attack.⁵⁸ Russian officials denied the allegations.

The cybersecurity issues become more acute in the context of the upcoming 2020 parliamentary elections. A report by Estonian Foreign Intelligence Services raised concerns about an increase in Russian-backed propaganda in Georgia and warned that Russia would attempt to influence Georgian parliamentary elections.⁵⁹ In her most recent remarks with the media at the Election Compass event, US Ambassador Kelly Degnan indicated about disinformation threat from Russian and other malign actors in the election context.⁶⁰

Legislative and Policy Framework on Hybrid Threats

In the past few years building resilience towards hybrid threats stemming from Russia have become an essential part of strategic and policy documents of Georgia. The Government of Georgia and the Parliament made commitments to enhance Georgia's capacity under the EU Association Agreement⁶¹ and through some of the local policy documents, such as National Security Concept and Cybersecurity Strategy (2017-2018). There is also the Law on Information Security, which sets a minimum standard of information security with emphasis on cyber security issues.⁶² Soon after the 2019 cyberattack, the ruling party MP initiated the draft bill of amendments to the Law on Information Security which was criticized by civil society organizations.⁶³ The CSO's worried that the proposed amendments to the law created a risk of unconstrained control over Georgia's information system by the State Security Services and set grounds for political manipulation by the government with the personal data.⁶⁴ Despite this, the bill passed all mandatory hearings at the parliament, but was not voted during the Fall 2020 session. CSO's hope the next parliament will approve the cyber security strategy in the first place and adopt the new law on information security with a broad consensus.

⁵⁶“GPB: A cyber attack was probably carried out on our servers.” *Mediachecker.ge* Available at <https://bit.ly/3kTeyQ6>

⁵⁷ “FM Zalkaliani on cyberattack: ‘Georgia won’t hold back from naming origin, perpetrators of this action.’” *Agenda.ge*. September 4, 2020. Available at <https://bit.ly/35mE0an>

⁵⁸ “Georgia reports massive cyber-attack carried out by Russia” *Euractive*. February 20, 2020. Available at <https://bit.ly/3kZPfwj5>

⁵⁹ “International security and Estonia 2020.” *Estonian Foreign Intelligence Service*. 2020. Available at <https://bit.ly/3alHcze>

⁶⁰ “Ambassador Kelly Degnan’s remarks to the media at the election compass event.” *U.S. Embassy Tbilisi*. September 23, 2020. Available at <https://bit.ly/34itOjP>

⁶¹ Association Agreement between the EU and Georgia. Available at <https://bit.ly/3gjuCYh>

⁶² Jangiani, Giorgi. (2020) “Report: on the draft amendments to the law of Georgia on Information Security and its associated risks.” *Open Society Foundations*. Unpublished document.

⁶³ “Draft Law on Information Security and Associated Risks.” *Institute for Development of Freedom of Information*. February 12, 2020. Available at <https://bit.ly/34tNgdm>.

⁶⁴ Jangiani, Giorgi. (2020) “Report: on the draft amendments to the Law of Georgia on Information Security and its associated risks.” *Open Society Foundations*. Unpublished document.

⁶⁵ Malvenishvili, Mari & Balarjishvili, Nini. (2020) “Cybersecurity reform in Georgia: existing challenges, international practice and recommendations.” *IDFI*. Available at <https://bit.ly/34eScmi>

Government Communication on Disinformation and Hybrid Threats

The government's obligation to tackle anti-western propaganda is part of the 2017-2020 Communication Strategy of Georgia's Accession to the European Union and NATO. The Government of Georgia is responsible to lead and coordinate strategic communication.⁶⁶⁶⁷⁶⁸ The Commissions on Georgia's EU and NATO integration are the highest coordinating bodies of strategic communication policy.⁶⁹ In 2018, strategic communication offices were set up at every ministry in response to growing threats of anti-Western propaganda. The offices were tasked with raising public awareness about the country's European and Euro-Atlantic integration, as well as with establishing an effective, and coordinated strategic communications system in the country.⁷⁰ Even though general framework and mechanisms for effective strategic communication are in place, there is a lack of cohesiveness in coordination, the thematic inquiry group report concludes.⁷¹

A study on the communication of Facebook pages of several state bodies (Ministry of Defense, Ministry of Interior and the Government Strategic Communications) concluded⁷² that the strategic communication offices were primarily responding to the narratives of critical media outlets such as *Mtavari Arkhi*, *TV Pirveli* and *Rustavi 2* (until *Rustavi 2* was linked to pro-opposition forces), *TV Formula*, *TV25* and *Tabula*.

Media Literacy Strategy and the Media Critic Platform

Improvement of public's media literacy is a key solution to many of the above mentioned problems.⁷³ Even though there is no precise information about media literacy level of the Georgian public, based on some data⁷⁴ and expert evaluations, it can be assumed it is below average. The Commission is obligated by the Law of Georgia on Broadcasting to lead the implementation of the media literacy action plan in the country. Among one of its tools is a media criticism platform (www.mediacritic.ge) run by Media Academy, an agency that was established by the Communications Commission. The aim of the platform is to raise citizens' awareness about responsible and quality media. The monitoring of the articles published on the platform has revealed that the platform authors are mainly targeting critical and independent media.⁷⁵ Among them are *Mtavari Arkhi*, *TV Pirveli* and *TV Formula*, which are frequently accused by the platform writers of spreading disinformation and fake news. The writers also recently attacked such credible online sources as *netgazeti.ge*, *radioliberty.ge* and *on.ge*. The openly pro-government outlet *Imedi TV* appeared

⁶⁶ Devdariani, J., & Ardzinbaia, Z. (2019) "Responding to Russian disinformation: a case of Georgia. Overview of non-state sector's activities." Available at <https://bit.ly/3kZvMvD>

⁶⁷ Kintsurashvili, T. (2020) "Strengthening Strategic Communications and Supporting Plurality and Independence of Supporting Plurality and Independence of Media." Available at <https://bit.ly/3ggPUWs>

⁶⁸ Ardzinbaia, Zviad & Devdariani, Jaba (2019). "Strengthening State Policy to Address Anti-Western Disinformation and Propaganda in Georgia." Final Report of the Thematic Inquiry Group on Disinformation and Propaganda of the Foreign Relations Committee, Parliament of Georgia. Available at <https://bit.ly/39tn05S>

⁶⁹ Ibid

⁷⁰ "According to the Government's decision strategic communication offices will be established at every ministry." Government of Georgia. February, 2018. Available at <https://bit.ly/34ifzM9>

⁷¹ Ardzinbaia, Zviad & Devdariani, Jaba (2019). "Strengthening State Policy to Address Anti-Western Disinformation and Propaganda in Georgia." Final Report of the Thematic Inquiry Group on Disinformation and Propaganda of the Foreign Relations Committee, Parliament of Georgia. Available at <https://bit.ly/39tn05S>

⁷² "Fight against "Internal Enemy" and cohabitation with Russian propaganda." Media Development Foundation. July 6, 2020. Available at <https://bit.ly/3arTY56>

⁷³ The Government Program. September 2019. Available at <https://bit.ly/3m0l8Fn>

⁷⁴ According to the research carried out by the Institute of Freedom of Information, 62 percent of households in Georgia own a computer, 46 percent of Georgians believe that they do not have basic knowledge of its usage. Available at <https://bit.ly/34bHgGm>

⁷⁵ "Fight against "Internal Enemy" and cohabitation with Russian propaganda." Media Development Foundation. July 6, 2020. Available at <https://bit.ly/3arTY56>

as the main subject of criticism only a few times, on other occasions it was mentioned together with other TV channels. The most recent case concerning the *Imedi TV* director's interference into the editorial autonomy of journalists was not addressed by platform writers.⁷⁶ Moreover, the writers do not attend to online and broadcast media that are known to spread hate speech, anti-Western propaganda, and Russia's disinformation.⁷⁷

In July 2020, several media and civil society organizations appealed to Facebook with the request to make the information about pre-election political advertising from Georgia publicly available. The regulator issued a statement in which it claimed that Georgian media were themselves attempting to shy away from declaring the income received from political advertising, and when appealing to Facebook, they were "setting double standards."⁷⁸ *Netgazeti.ge* addressed the statement critically.⁷⁹ In response to the critical article in *Netgazeti.ge*, one of the writers of the media critic platform⁸⁰ accused the news website of spreading "disinformation and fake news." The article was accompanied by a manipulative photo, in which the words "net" and "gazeti" are written on U.S. dollar notes.

The Media Advocacy Coalition and its member civil society organizations stated that the article on *mediacritic.ge* was "attacking the outlet [*netgazeti.ge*] with the aim to denigrate it."⁸¹ According to the statement, the action raised questions about the editorial independence of the media critic platform.

Tbilisi Mayor's Campaign against Critical Media

Tbilisi Mayor, who is also Secretary General of the ruling Georgian Dream party, announced a campaign against the spread of disinformation and fake news by opposition parties, who "use television stations to influence voters."⁸² The campaign announcement was accompanied by a poster with the logos of the three television stations-*Mtavari Arkhi*, *TV Pirveli* and *TV Formula*. The names of these stations were altered into the following way: "Mtavari Sitsrue", "Pirveli Sitsrue" and "Sitsruis Formula", with the word "Sitsrue" meaning "a lie".

Homegrown Disinformation in Social Media

While Russia's belligerence aims at gaining influence across the border, the Georgian government has been using social media trolls and bots to polarize public opinion, discredit rivals and undermine critical and independent media in the country. In May 2020, or exactly half a year before the parliamentary elections in Georgia, Facebook removed a network of 511 Pages, 101 Facebook accounts, 122 Groups, and 56 Instagram accounts linked to *Espersona* (This Person), a media platform allegedly affiliated with the

⁷⁶ "Charter: Imedi TV Director Interfered with Journalists' Editorial Independence". *Civil.ge*. October 9, 2020. Available at <https://bit.ly/34etx1l>

⁷⁷ "Fight against "Internal Enemy" and Cohabitation with Russian Propaganda." Media Development Foundation. July 6, 2020. Available at <https://bit.ly/3arTY56>

⁷⁸ "Communications Commission: Broadcasters, which have been hiding their sources of income from the public for seven years, are calling on Facebook for transparency." Communications Commission. June 30, 2020. Available

⁷⁹ "The reason why the Communications Commission does not like the letter sent to Facebook." *Netgazeti.ge*. July 3, 2020. Available at <https://bit.ly/3kSMVHI>

⁸⁰ "Half transparent *Netgazeti*." *Mediacritic.ge*. July 5, 2020. Available at <https://bit.ly/3fPV7Ge>

⁸¹ "Media Advocacy Coalition responds to attempts of discrediting the newspaper *Batumelebi* and *netgazeti.ge*." Media Advocacy Coalition. June 9, 2020. Available at <https://bit.ly/2CyXhek>

⁸² "Tbilisi Mayor campaigns to counter 'fake news'" *Civil.ge*. June 26, 2020. Available at <https://bit.ly/2TyUAY1>

Georgian Dream party. Along with these, a network of accounts affiliated with the United National Movement were also disclosed and removed.⁸³

In December 2019, Facebook security unit announced the removal of 39 Facebook accounts, 344 Pages, 13 Groups and 22 Instagram accounts for “coordinated inauthentic behavior, which were part of a domestic-focused network that originated in Georgia.”⁸⁴ The report claimed the activity was linked to the Georgian Dream-led government.

Conclusion

The above-said allows us to conclude that Georgia is vulnerable to hybrid threats. These threats increase when the implementation of relevant strategies is weak and inappropriate, and communication with the public is fragmented. What is more, the government seems to be spending ample administrative resources on aiming wrong targets-critical and independent media outlets.

⁸³ “April 2020 coordinated inauthentic behavior report.” Facebook. May 20, 2020. Available at <https://bit.ly/31ZoAH9>

⁸⁴ Gleicher, N. (2019) “Removing coordinated inauthentic behavior from Georgia, Vietnam and the US.” Facebook. Available at <https://bit.ly/3kR9snR>

Brief #3: The State of Public Broadcasting in Georgia: Serving the Public Interest or the Government?

Summary

Most popular mainstream broadcasters in Georgia are highly polarized. Polarization tends to intensify during crucial socio-political events, particularly during election periods. In a polarized media landscape, public service media could fill the void left by private broadcasters and provide the public with impartial and editorially independent information and public debate. However, editorial independence of the Georgian Public Broadcaster (GPB) is frequently under scrutiny. The events that unfolded at the Ajara Public Broadcaster in 2019 and 2020 are among those that give cause for concern on impartiality and objectivity of the broadcaster's editorial priorities.

Formation of Public Broadcasting

Georgia's state television and radio broadcasting transformed into public broadcasting in 2004.⁸⁵ One of the main goals for establishing the public broadcaster was to contribute to the country's democratic development and to strengthen civil society. The law of Georgia on Broadcasting⁸⁷ created the foundation for public service broadcasting, which stipulates that public broadcaster is "independent from the state governance and is accountable before the public."⁸⁸ The Ajara TV and Radio State Television followed the path and changed its status as a result of the legislative amendments in 2013. Until then, it was a sub-divisional agency of the government of the Autonomous Republic of Ajara.⁸⁹

An important contribution to the standing of the public service media was the 2017 amendment to the Constitution of Georgia, which guarantees "the independence of the public broadcaster from state agencies and its freedom from political and commercial influence".⁹⁰ The amendments were initiated by representatives of civil society.

The Problem of Independence

Board of Trustees

The election procedure of the board of trustees has been a complex process in both broadcasters. Following the initiative and effort of the members of the Media Advocacy Coalition in 2013, the Law of Georgia on Broadcasting was amended to include an updated model for the election of board of trustees. As a result, nine members are selected for the board of the GPB: The Parliament of Georgia elects two trustees under recommendation of the Public Defender, three trustees – following the nomination of the parliamentary majority and three trustees nominated by parliamentary majority, and one trustee – following the nomination of the Supreme Council of the Autonomous Republic of Ajara.

⁸⁵ Media Sustainability Index Georgia. 2005. <https://bit.ly/31K7AWG>

⁸⁶ Bekermann, Marek. (2015) "The failure of a success story: reforming Georgia's public service broadcaster." Available at <https://bit.ly/3gOMURE>

⁸⁷ The law of Georgia on Broadcasting. <https://bit.ly/2EQetg6>

⁸⁸ The law of Georgia on Broadcasting. Article 15 - Legal status of a Public Broadcaster. Available at <https://bit.ly/3opa4TL>

⁸⁹ Tsetskhladze, Salome; Gogiashvili, Mariam & Andguladze, Mamuka. (2017) "Ajara TV and Radio Broadcaster." Available at <https://bit.ly/3jyx5A9>

⁹⁰ Constitution of Georgia. Article 17, Point 6. Available at <https://bit.ly/3bW4q5u>

In the case of Ajara public broadcaster, candidates are also elected through an open competition. Among the candidates selected by the competition commission⁹¹, the factions of the Supreme Council of the Autonomous Republic of Ajara nominate three candidates proportionally to the number of its members, while at least one fourth of the rest of the members of the Supreme Council nominate to the Supreme Council of the Autonomous Republic of Ajara two candidates for election.

In a lot of ways, the regulatory framework is built on the European vision of media ensuring transparency and independence of public service broadcasting. The election procedure and the law are fine-tuned to reflect the public interest and respect for pluralism.⁹² Despite this, election of the board in both broadcasters is largely politicized with strong pro-government bias. Most of the time, the majority has a leverage over the minority halting its candidates from winning the seats. Such arrangements have damaged the broadcaster's credibility. It is relevant to mention that the parliament members and the Supreme Council of Ajara Autonomous Republic should become more proactive in performing their supervisory responsibility and make sure the broadcaster carries its public mandate.⁹³

The Georgian Public Broadcaster

After almost two decades of its independent status, the GPB struggles to be viewed as a broadcaster serving the public interest. This wide perception stems from a number of facts, which include political influence on the board of trustees, frequent changes of the channel management, often under vague circumstances⁹⁴ and its biased coverage in favor of a ruling party as is evidenced by media monitoring reports and expert evaluations.⁹⁵ For example, during the pre-election period in 2018, the GPB channel 1 favored the ruling Georgian Dream party (GD) and the GD-backed candidate.⁹⁷ Also, comparing the coverage of the pre-election periods in 2016, 2017 and 2018 of the GPB channel 1 revealed that there was an increase in the pro-government preferences in 2018. It is not uncommon for the broadcaster to even skip coverage of certain newsworthy events.⁹⁸ Similarly, the station's programming obligation to embrace the minority-oriented programs is not sufficiently addressed. As a matter of fact, during the COVID-19 lockdown in early Spring, the broadcaster failed to timely deliver relevant information to Armenian and Azerbaijani communities.⁹⁹ In addition, the most recent interim monitoring report by the UNDP on coverage of the pre-election period (2020) revealed that the GPB channel 1 covered political parties mainly in a neutral way, however, its editorial stance was still "loyal towards the government."¹⁰⁰ The

⁹¹ Law of Georgia on Broadcasting. Available at <https://bit.ly/3kNAPYC>

⁹² Nyman Metcalf, Katrin (2013). "Analysis of proposed amendments to the Law of Georgia 'On Broadcasting'", the OSCE report. Available at <https://bit.ly/32ZJEyl>

⁹³ "Public broadcasters funding and ratings three years after the beginning of the reform." IDFI. September 9, 2020. Available at <https://bit.ly/2Zvmxug>

⁹⁴ Media Sustainability Index Georgia. 2006-2007. Available at <https://bit.ly/34WYjKk>

⁹⁵ "Crisis uninterrupted: the story of the Georgian Public Broadcaster." Transparency International Georgia. October 11, 2013. Available at <https://bit.ly/3bjDNag>

⁹⁶ Media Sustainability Index Georgia. 2008. Available at <https://bit.ly/3IH7M0C>

⁹⁷ "Presidential election 28, October and 28 November." ODIHR Election Observation Mission Final Report. 2018. Available at <https://bit.ly/34SeATc>

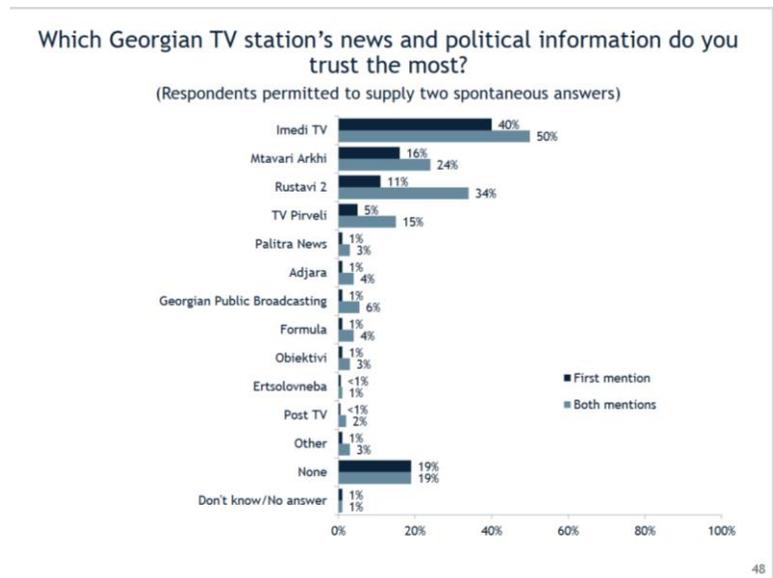
⁹⁸ "Journalists' protest actions were not reported by the Georgian Public Broadcaster." Mediachecker.ge. December 24, 2019. Available at <https://bit.ly/356DnDm>

⁹⁹ Kavtaradze, Lasha (2020) "The needs of ethnic minorities, public broadcaster and the pandemics." EMC. Available at <https://bit.ly/3hymbZQ>

¹⁰⁰ "Interim report on media coverage of the 2020 parliamentary elections in Georgia. Interim report on TV news monitoring June 15, 2020 - August 31, 2020." Georgian Charter of Journalistic Ethics. Available at <https://bit.ly/3i4oGU6>

citizen's trust in the GPB to provide accurate information on current affairs is lower when compared with other national broadcasters *Imedi TV*, *Mtavari Arkhi* and *Rustavi 2*, according to the 2020 public opinion polls by the International Republican Institute (IRI).¹⁰¹

Figure 1.



Media experts named several issues when explaining problems of independence of the GPB. Among them, the influence of a reportedly GD-friendly former director of the station was the main one.¹⁰² Vasil Maghlaperidze, former chief producer of Georgian Dream Studio (GDS) – a TV station formerly owned by the family of the founder and chair of the ruling Georgian Dream Party. Maghlaperidze became the director of GPB in 2017. Maghlaperidze should have served his term until 2023, however, in August 2020 he unexpectedly resigned claiming the decision was to avoid any suspicion about the broadcaster's impartiality during the pre-election period.¹⁰³ It is noteworthy that the previous director also announced his resignation prematurely, without providing proper explanation.¹⁰⁴ Some media experts say that directors do not make these decisions themselves, instead they depend on the political elites who guide them. As the media community expected, the Board of Trustees elected the former Deputy Director, Tinatin Berdzenishvili, as a new leader of the GPB.

The Ajara Public Broadcaster

The Ajara Public Broadcaster made a major breakthrough in the years of 2017-2019. An important role in the station's progress was played by the election of the director who had no links with any political party.

¹⁰¹ Public Opinion Survey: residents of Georgia, August 4-21, 2020. The International Republican Available at Institute. <https://bit.ly/37zilhl>

¹⁰² "Final report of elections. Media monitoring 2016-2018." Georgian Charter of Journalistic Ethics. 2018. Available at <https://bit.ly/3kwVMht>

¹⁰³ "Head of Georgian Public Broadcaster Resigns." Civil.ge. August 18, 2020. Available at <https://bit.ly/31Rpney>

¹⁰⁴ "Public TV Head Resigns." Civil.ge. November 21, 2016. Available at <https://bit.ly/354DFKZ>

Natia Kapanadze's leadership at the station steered positive developments at the channel transforming it from a state television into one of those few outlets in the country that provided impartial coverage of current events and politics.¹⁰⁵¹⁰⁶ The OSCE Election Observation Mission report noted the station was the only one among broadcasters that offered viewers a general comparison of contestants during the pre-election campaign period in 2018. The television viewers outside the Ajara region started to follow its news programs.

The progress achieved by the broadcaster started to backslide from early 2019 after the impeachment of Kapanadze by the Advisory Board. The legal assessment of the circumstances under which the Advisory Board dismissed Kapanadze proved an action of no confidence was initiated without a proper justification and voting went with a procedural violation. Furthermore, Kapanadze's official appeal to Batumi City Court in April 2019, requesting reassessment of the resolution by the Advisory Board, is still pending.

After a number of unsuccessful attempts, the board elected an allegedly government-friendly candidate. The new director, Giorgi Kokhreidze, failed to draw a line between his duties as a manager of a television station and his obligation to respect the station's editorial independence.¹⁰⁷ Following the reshuffle at the station, the employees who were in charge of the news services and the station's editorial independence were either dismissed or demoted; the deputy director, Natia Zoidze, ultimately left¹⁰⁸ the channel claiming she was experiencing the pressure from the new director and her contract terms changed unjustifiably; the head of the newsroom and one of the anchors of the evening news program were fired, the title of the deputy head of news service changed and the web-editor was removed from her duties.¹⁰⁹ In the meantime, the employees of the TV station formed the Alternative Professional Union to protect the rights of the station's employees who had been discriminated against at their workplace.¹¹⁰¹¹¹¹¹² Recently, the management of Ajara TV did not support the program – *Atvlis Kutkhe*, which was supported by Open Society Foundation¹¹³ and which served as a platform for civil activists and representatives of academia.

The crisis at the Ajara Public Broadcaster is viewed by the local media community and civil society organizations as politically motivated, aimed at subverting the station's editorial agenda. The OSCE Representative for Freedom of the Media expressed concern about management's interference in the editorial policy of Ajara TV several times.¹¹⁴¹¹⁵ Ambassador of the European Union to Georgia and the U.S.

¹⁰⁵ "Final report of elections. Media monitoring 2016-2018." Georgian Charter of Journalistic Ethics. 2018. Available at <https://bit.ly/3blpaUe>

¹⁰⁶ "Presidential Election 28, October and 28 November." ODIHR Election Observation Mission Final Report. 2018. Available at <https://bit.ly/34SeATc>

¹⁰⁷ Simonishvili, Nikoloz & Gogosashvili Mariam. (2020) "What happened at Ajara Public Broadcaster? 10.04.2019-10.04.2020." Available at <https://bit.ly/3h7gamY>

¹⁰⁸ "Georgian TV channel's deputy director resigns under pressure." Reporters without borders. Available at <https://bit.ly/2DB1QFw>

¹⁰⁹ "Media Advocacy Coalition responds to the process of selection of Ajara TV director." Media Advocacy Coalition November 21, 2019. Available at <https://bit.ly/3jBhXCc>

¹¹⁰ "Human Rights and other public organizations collectively address the International organizations concerning the alarming processes in the Ajara Public Broadcaster." Transparency International Georgia. March 18, 2020. Available at <https://bit.ly/3kl5SI8>

¹¹¹ "Ajara TV staff protesting against dismissal." On.ge. March 6, 2020. Available at <https://bit.ly/3kUp2PO>

¹¹² "Several journalists sacked due to political pressure on public channel Ajara TV." Council of Europe. Available at <https://bit.ly/2QREAWJ>

¹¹³ "Why did the two programs *Atvlis Kutkhe* and *Hashtag* disappear from Ajara TV?" Publika.ge. October 24, 2020. Available at <https://bit.ly/2Tf8Eww>

¹¹⁴ "OSCE Representative for media freedom expresses concern over the developments in Ajara TV." March 11, 2020. Caucasus Watch. Available at <https://bit.ly/3bmITUz>

¹¹⁵ "Regular report to the permanent council for the period from 21 November 2019 to 2 July 2020". OSCE. July 2, 2020. Available at <https://bit.ly/2ETzCWW>

Ambassador to Georgia also made statements following the impeachment of Natia Kapanadze. More recently, Public Defender of Georgia addressed the UN Special Rapporteur and the OSCE Representative for Freedom of the Media regarding the developments at Ajara TV, stating that violations at the station threatened media pluralism in the country and negatively affected freedom of expression. Monitoring of the content of the broadcaster since the end of 2019 and the first few months of 2020 revealed that there was a change in the editorial priorities of the broadcaster, which have become more government friendly.¹¹⁶¹¹⁷ Before the 2020 Elections, Ajara TV adjusted its editorial decisions, at least during the media monitoring period commissioned by the UNDP. The interim monitoring report by the UNDP revealed that in the pre-election period Ajara Public Broadcaster's main news program more or less maintained the diversity of parties and opinions, still, in some cases the editorial policy was biased towards the government team and the ruling party.¹¹⁸

Conclusion

There is little political will in Georgia to respect non-interference into the editorial policy of public service media. There seems to be a shared conviction among politicians that public broadcaster has to be controlled. Election of board members and a director is tainted by politics. The politicization is negatively reflected on the broadcaster's image, its work and the public trust. The turmoil at the Ajara Public Broadcaster demonstrates the fragile state of public service broadcasting in Georgia. It also shows how a single executive can determine its performance.

¹¹⁶ Presidential election 28 October and 28 November. ODIHR Election Observation Mission Final Report. Available at 2018 <https://bit.ly/2Y9jrLI>

¹¹⁷ "Monitoring of Ajara Public Broadcaster." The Georgian Charter of Journalistic Ethics. 2020. Available at <https://bit.ly/3kQYVTr>

¹¹⁸ Interim report on media coverage of the 2020 parliamentary elections in Georgia; Interim Report on TV news monitoring. June 15, 2020 - August 31, 2020." Georgian Charter of Journalistic Ethics. Available at <https://bit.ly/3i4oGU6>

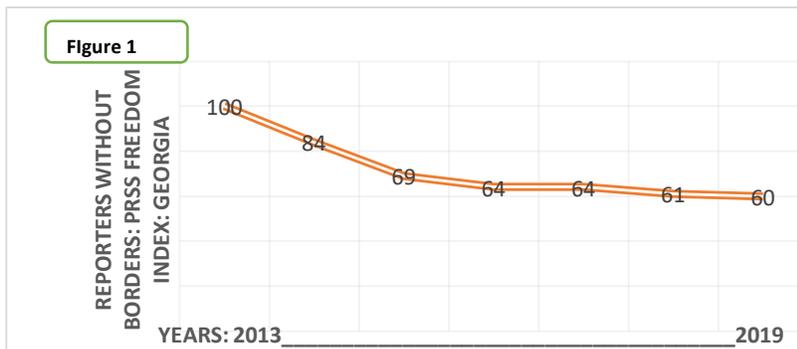
Brief #4: Ensuring Safe Media Environment and Equal Treatment of Journalists

Summary

After coming to power in 2012, the Georgian Dream-Democratic Georgia affirmed its commitment to respect freedom of the media, ensure journalists safety and to end impunity for crimes against journalists. For a few years, attacks on journalists subsided and political pressure on the media was alleviated. Today journalists in Georgia still face risks because of the work they do. Threats and attacks are often the cost of reporting. Despite its rather satisfactory legal framework, Georgia keeps facing shortcomings in ensuring adequate investigation of these abuse cases. The government’s failure to prevent abuse and discrimination of journalists could deprive the citizens from their right of freely receiving information and participation in public debates, especially during the election period.

Background

The media landscape in Georgia is diverse yet polarized. According to the Reporters Without Borders reports (Figure 1), progress has been made by the country in improving the overall media environment in the past several years. Hence, the state of the media freedom and the progress achieved remain volatile. In the past several years, the government has attempted to undermine media pluralism and independence. Attacks on critical media, improper treatment of journalists and impunity are on the rise. External intervention, or Russia's disinformation effort is growing and there is an alleged murder plot against the Georgian journalist.



Current Challenges

There is a general perception among the professional community that journalists’ safety has become an issue of concern in Georgia. Intimidation and attacks on journalists can take different forms, such as physical assaults, damaging equipment, verbal abuse and aggression. While there is a tendency from the side of the ruling political party to undermine critical media, opposition politicians also show disrespect towards journalists.

Pressure on Media Owners

In 2019, the government-backed dispute over the ownership of *Rustavi 2* - a staunch critic of the current establishment, affiliated with the United National Movement (UNM) ended with the government-friendly businessman winning the case. The new owner claimed he was forced by the ex-President Mikheil Saakashvili (UNM leader) to renounce his shares in 2006.¹¹⁹ Since Summer 2019, the management and some journalists of the TV company were either forced to resign, or left the station to form two television companies – *Mtavari Arkhi* and *Formula TV*. Immediately after being dismissed from his position, the former director of *Rustavi 2*, Nika Gvaramia, was charged with abuse of power, embezzlement and some other wrongdoings.¹²⁰ Several other former employees were also charged with misappropriation of financial assets of the broadcaster. The investigation is ongoing, but the law enforcement bodies have not provided any explanation on the matter. Media rights defenders observe that after the change in the management, the editorial policy of *Rustavi 2 TV* also altered and became friendly towards the government.

In 2019, charges were brought against a businessman, whose family owns *TV Pirveli*, although for allegedly being involved in an alleged money laundering operation with the founder and former Board Chair of the TBC Bank and his deputy.¹²¹ Local watchdogs warned against possible threats to the fragile pluralistic media environment in the country and observed that there was a suspicion that the investigation could have been used to exert pressure on the independent and critical broadcaster, especially, when the government attempted to interfere in the broadcaster's editorial independence.¹²²

External Interference

The information about the plot to assassinate Giorgi Gabunia under the command of the Chechen leader Ramzan Kadyrov became known in June 2020. Georgian law enforcement arrested a potential assassin shortly. The case started with Gabunia addressing Russian President Vladimir Putin in his prime-time show on the country's most watched television station with obscene language (*Rustavi 2*) in connection to the June 20-21, 2019 events at the Parliament of Georgia (see the section below). Russian officials condemned Gabunia and Kadyrov requested bringing criminal charges against him.¹²³ Gabunia's speech was denounced by some Georgian officials too, who called on the international community to take a closer look into the matter. Georgian media rights defenders criticized the Government of Georgia.¹²⁴

¹¹⁹ "Georgia's top TV changes owners, accuses government of takeover." Eurasianet.org.ge. July 18, 2019. Available at <https://bit.ly/3hLYspn>

¹²⁰ "Former Rustavi 2 director Nika Gvaramia indicted." *On.ge*, August 9, 2019. Available at <https://bit.ly/3nH4omH>

¹²¹ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor "2019 Country Reports on Human Rights Practices: Georgia." Available at <https://bit.ly/2ZX4Unk>

¹²² "Prosecution of TV Pirveli owner's family member reinforces questions concerning freedom of speech and selective justice in the country." GDI. August 22, 2020. Available at <https://bit.ly/2IQ5rSi>

¹²³ "Chechnya's head says Georgian authorities should apologize for the TV host's insults." Tass. July 9, 2019. Available at <https://bit.ly/3kNflli>

¹²⁴ "Coalition: We appeal to the government to publish timely and substantiated information regarding the Giorgi Gabunia's murder plot." Coalition for Media Advocacy. June 16, 2020. Available at <https://bit.ly/36sWRCd>

Improper Treatment of Journalists

The November 8, 2020 protests against allegedly rigged elections and subsequent dispersal of demonstrators ended with injury of journalists and damage to their equipment.¹²⁵ The Media Advocacy Coalition called on the Government to respect the right of citizens to gather and hold demonstrations and respect journalists' right to carry out their professional activities.¹²⁶

The June 20-21, 2019 protests against Russian occupation followed the Russian State Duma Deputy Sergei Gavrilov's appearance at the Georgian Parliament. He occupied the seat of a speaker of the Georgian Parliament while on a mission in the framework of the Inter-parliamentary Assembly on Orthodoxy (IAO). The dispersal of the protest action resulted in the injury of 240 people; up to 40 among those were journalists.¹²⁷ The investigation of the journalists' cases is pending. In the meantime, civil society organizations appealed to the government several times requesting to take relevant measures.

In December 2019, amidst the hearing of nominations of court judges at the parliament, the journalists, who attempted to cover the confrontation between members of the Parliament were instructed to leave the premises by the parliament's security officers. As journalists refused to leave, the security staff pushed and dragged them out.¹²⁸ Media rights defenders condemned the use of force against journalists, calling on the Speaker of the Parliament to investigate the incident.

Unfriendly attitudes towards the media is common among politicians. Some members of the ruling party are known for their disrespectful remarks towards journalists (see the section below), opposition politicians are no exception. On November 8, member of the United National Movement Gigi Ugulava violently addressed the journalist from *TV Imedi*.¹²⁹ In 2019, on several occasions when leading politicians from the United National Movement made derogatory remarks towards journalists.¹³⁰

Surveillance

On October 29th, one of the leaders of the Georgian Dream Party Irakli Kobakhidze read out a statement in which he summarized the dialogue that allegedly occurred between a journalist of *TV Pirveli* and one of the leaders of the United National Movement in Ozurgeti (Guria). The journalist, Nato Gogelia confirmed that the dialogue occurred over the phone.¹³¹ The Media Advocacy Coalition appealed to the government and the ruling party to respond to the alleged surveillance case. The Coalition also called on the law enforcement to ensure non-interference in journalists' work and appropriate investigation of the case.

¹²⁵Narimanishvili, Nino. (2020) "During coverage of protest actions near the Central Election Commission reporters were injured and equipment was damaged". Mediachecker.ge. Available at <https://bit.ly/2UteuuP>

¹²⁶ Media Advocacy Coalition: We express readiness to hold legal consultations free of charge for media representatives to assist them seek for compensation on received material and moral damage. Media Advocacy Coalition. Available at <https://bit.ly/2lvagRI>

¹²⁷"Appeal by the journalists to the Government of Georgia, the Georgian Interior Minister and the diplomatic corps accredited in Georgia." Georgian Charter of Journalistic Ethics. June 21, 2019. Available at <https://bit.ly/2HhBDx9>

¹²⁸ "Georgian Supreme Court nominees confirmed despite 'stink bomb' in the parliament building." *On.ge*. December 12, 2019. Available at <https://bit.ly/3hLDQ0u>

¹²⁹ "Lomjaria: Gigi Ugulava's tone towards a journalist was unethical, although, in the frame of freedom of expression." *On.ge*. November 11, 2020. Available at <https://bit.ly/3nyjJG7>

¹³⁰ Vakhtangishvili, Natalia. (2019) "Politicians attacking media." Mediachecker.ge. Available at <https://bit.ly/2ZTktMM>

¹³¹ "We demand proper attention to the instances of violation of journalists' rights-Media Advocacy Coalition." Mediachecker.ge. October 29, 2020. Available at <https://bit.ly/32niL7M>

Discrediting and Unequal Treatment of Critical Media

There has been a demonstrable attempt by leading politicians to undermine credibility of critical media. In June 2020, the Secret Security Services opened an investigation against *Mtavari Arkhi*, the pro-opposition media outlet, for an alleged act of “sabotage” by deliberately misinforming the citizens.¹³²

More specifically, they accused *Mtavari Arkhi* of mistranslating the Azerbaijani-language interviews with the residents of Marneuli. In these interviews, the residents claimed they were offered payments by local officials and medical personnel to identify Covid-19 as a reason for the death of their family members. The security services claimed in their report that these interviews invigorated feelings of fear among the public and posed threats to efficient functioning of the government. According to their announcement, the offense is punishable under article 318 of Georgia’s Criminal Code by imprisonment for a term of two to four years. *Reporters Without Borders* stated in its review of several most recent incidents in the country, and this one among them, that the media climate was becoming “oppressive” in the run up to 2020 elections.¹³³

The authorities often express criticism towards media representatives. Amidst the recent hostage rescue operation in Zugdidi, executive secretary of the ruling party, Irakli Kobakhidze, slammed critical broadcasters for their coverage of events claiming it was “alarming” and some of their actions “contained signs of crime.”¹³⁴ In the meantime, the Deputy Minister of Interior demanded that the media stopped airing the special operation, although his demand was never fulfilled. Media defenders caution that putting the responsibility on the media was unfair because the law enforcement failed to appropriately communicate with journalists or the public. The chair of the Georgian Charter of Journalistic Ethics (GCJE), Mariam Gogosashvili said blaming the media and demanding them to discontinue reporting on the events contained “worrying signals.”

For years, the main object of criticism for the Georgian Dream Party members was *Rustavi 2* (until 2019).¹³⁵ The chair of Georgian Dream Party Bidzina Ivanishvili stated in 2018: “If you turn off *Rustavi 2* today, you will see nothing more than renovation and progress in the country.”¹³⁶ The critical questions asked by journalists have also been labeled as “pro-opposition” narratives.¹³⁷ One of the leaders of the Georgian Dream party and an MP threatened the journalist of the Ajara Public Broadcaster with suspending her accreditation.¹³⁸¹³⁹ It should be mentioned here that pro-government TV station *Imedi* is involved in crafting “anti-National Movement” messages, as is evidenced by the recent case of the

¹³² “Security Service to probe into alleged sabotage by pro-opposition TV channel.” civil.ge. June 26, 2020. Available at <https://bit.ly/3hJtjTd>

¹³³ “Mounting pressure on Georgia’s media in run-up to elections.” Reporters Without Borders. July 20, 2020. Available at <https://bit.ly/35PT6XN>

¹³⁴ Narimanishvili, Nino. (2020) “How did the coverage of the Zugdidi incident become an excuse to attack critical media?” Mediachecker.ge. Available at <https://bit.ly/2G03Ok0>

¹³⁵ “Irakli Kobakhidze compared Rustavi 2 to Russian propaganda stations.” Imedi TV. October 16, 2018. Available at <https://bit.ly/3iWLHcs>

¹³⁶ “If you turn off Rustavi 2, you will see nothing more than progress in the country- Ivanishvili.” Netgazeti.ge. October 23, 2018. Available at <https://bit.ly/34p2Tml>

¹³⁷ In November 2019, Irakli Kobakhidze told an anchor of a political talk show at TV Pirveli that she was speaking on behalf of the United National Movement. Available at <https://bit.ly/3onRLOP>

The interview of TV Pirveli journalist with Director of the National Center for Disease Control and Public Health, aired on March 28 triggered strong criticism against the journalist. Available at <https://bit.ly/2QdifCM>

¹³⁸ “Politicians attack media.” Mediachecker.ge November, 25, 2019. Available at <https://bit.ly/3pS7PJm>

¹³⁹ “Timeline of Georgian Dream’s efforts to seize Ajara TV.” Transparency International Georgia. June 23, 2020. Available at <https://bit.ly/2FR54WD>

Georgian Charter of Journalistic Ethics (GCJE). According to the videotapes released by the GCJE¹⁴⁰, director of *Imedi TV*, Nika Laliashvili, who is also known for having pro-ruling party bias, tells his employees that the broadcaster [*Imedi TV*] “has a clear anti-National Movement position,” calls on them to breach the principle of journalistic impartiality and mentions *Mtavari Arkhi* and its director, Nika Gvaramia as key adversaries.

Requesting Journalists to Name their Sources

In August 2020, a journalist from *Formula TV* was questioned by the Ministry of Internal Affairs to reveal the identity of a source who disclosed the details on the case of a mysterious death of a young woman. General Director of *Mtavari Arkhi* was also summoned for questioning with the aim to reveal sources of information on the occasion of another death investigation.¹⁴¹ According to the Criminal Code of Georgia, a journalist is not obligated to reveal sources of information.

Physical Abuse

On the election day on October 30, 2020 civil society organizations were alarmed by the fact that several journalists became victims of physical abuse and were prevented from carrying out their work. On one occasion the journalist of online *Publika.ge* was assaulted by a man at the Gldani election precinct. The journalist was injured and his camera was broken. In the beginning, the investigation started not under Article 154 of the Criminal Code, which makes unlawful interference in journalists’ professional activity punishable, but under the first section of Article 187, which focuses on the damage to an object. However, after harsh criticism from the civil society organizations, the law enforcement added article 154 to the case under investigation.¹⁴² On the same day, the journalist of *TV Pirveli* was hit in her face, as she reported, with a camcorder after the confrontation broke out at the Gldani election precinct.¹⁴³ The journalist of the online *on.ge* reported about her camera being hit by a representative of the European Georgia party while the journalist was recording the election point and also him carrying a gun at one of the election precincts in Marneuli.

On November 8, 2020, while covering the protest action, the journalist of *Imedi TV* was attacked by a man who attempted to strangle her, according to the statement released by the station.¹⁴⁴ According to the same statement, another journalist of *TV Imedi* was harassed and mocked by protesters while she was covering the event.

Violent actions against journalists took place in the pre-election period as well. A few weeks before the 2020 elections, on September 29, 2020, journalists and cameramen of the two Georgian TV channels – *Mtavari Arkhi* and *Georgian Public Broadcaster* – were physically assaulted in Marneuli when covering pre-election campaign developments. The attack occurred, allegedly, “without any reason” after a

¹⁴⁰ “Charter: Imedi TV director interfered with journalists’ editorial independence”. Civil.ge. October 9, 2020. Available at <https://bit.ly/34etx1l>

¹⁴¹ “Investigative bodies’ practice of asking journalists to reveal their sources looms large.” Transparency International Georgia. August 11, 2020. Available at <https://bit.ly/3iOb4NY>

¹⁴² Gugulashvili, Magda (2020). “An article on obstructing journalistic activities was added to the case of a *Publika.ge* journalist.” *Mediachecker.ge* Available at <https://bit.ly/3jOldK9>

¹⁴³ *Ibid*

¹⁴⁴ Announcement of TV Imedi. November 9, 2020. Available at <https://bit.ly/38Qmej9>

journalist tried to record the ruling Georgian Dream party members.¹⁴⁵ The law enforcement representatives stated the investigation is under way and Article 154 of the Criminal Code was applied.

The current year has seen other instances of physical harassment of journalists. For example, in January 2020, the director of *Mtavari Arkhi* was attacked by several people in the yard of the Tbilisi City Court which resulted in his physical injury. In April 2020, the Kutaisi Trinity Church leader released a video address calling on his worshippers to capture the journalist of *Mtavari Arkhi* and tie him up after the journalist's critical coverage of Palm Sunday amidst COVID-19 crisis. Media Advocacy Coalition warned about signs of crime in the case and appealed to the law enforcement to efficiently investigate the case.¹⁴⁶

Intimidation

In August and September of 2020, protest rallies were organized against Pankisi Community Radio and its founder, Gela Mtvlishvili, in the village of Duisi. The protesters demanded the radio station to cease broadcasting and threatened they would force the journalists leave. The Pankisi Radio representatives alleged that the Georgian Dream party and the State Security Services were behind the turbulence. According to one of the employees of Pankisi Radio the protest is linked with the Radio's critical reportage of the government's activities in the Pankisi Gorge.¹⁴⁷

On October 14, 2020, Mayor of Akhalkalaki threatened a journalist of online *Samkhretis Karibche* to destroy a camera unless the journalist erased his photos that were taken during the church sermon. The threats were accompanied by swearing and coarse language.¹⁴⁸

On October 21, 2020 a businessman and a father of the founder of *TV Pirveli* said he was approached by several men in a public place, who threatened "If your TV channel doesn't stop, we'll take care of you."¹⁴⁹ Transparency International Georgia called on the law enforcement to ensure a timely and effective investigation.

Media Legislation and its Implementation

Media legislation in Georgia is well-aligned with the international standards and remains as one of the best in the region. Article 154 of the Criminal Code criminalizes acts that prevent journalists from fulfilling their duties. However, incorrect application of the law, long-drawn investigations or inattention towards the calls to investigate cases of abuse against journalists hampered proper implementation of legislation and created a sense of impunity among the media community. It is not common to invoke article 154 in investigations; instead, other provisions of the Criminal Code are used in relation to physical assaults or to threats of violence in order to avoid classifying cases as attacks on free speech.¹⁵⁰

¹⁴⁵ "October elections: journalists, cameramen attacked in Marneuli." civil.ge. September 29, 2020. Available at <https://bit.ly/3jvBtAF>

¹⁴⁶ "The statement by the clergyman to seize Irakli Vachiberadze contains signs of crime." Media Advocacy Coalition. April 18, 2020. Available at <https://bit.ly/33JT553>

¹⁴⁷ "Pankisi Radio Claims It Is "Under Threat" from the Local Population." Georgia Today. Available at <https://bit.ly/3ceOqf8>

¹⁴⁸ The mayor of Rabat was irritated by the photos of him taken, the citizens confronted our journalist – *Samkhretis Karibche*. On.ge. October, 2020 Available at <https://bit.ly/3kMnOEP>

¹⁴⁹ "TV Pirveli founder claims the ruling party is threatening his father because of the channel's discourse" Jam-news. October 22, 2020. Available at <https://bit.ly/3jifThG>

¹⁵⁰ Media Sustainability Index Georgia, 2017. IREX. Available at <https://bit.ly/2EiolIJ>

Conclusion

The Government turns a blind eye to attacks on journalists by allowing these cases to remain unsolved. Moreover, the Government seeking to escape scrutiny often respond to critical reporting with attempts to silence it. This creates an atmosphere of impunity and instills fear in journalists. The alleged assassination attempt of the Georgian journalist calls for the need to appeal to our international partners to discuss the possibility of proactive response measures with the government of Georgia.

Brief #5: Access to Information – a Challenge for Journalists in Georgia

Summary

Limiting journalists' access to information has been a hurdle for critical and independent media. Government representatives often refuse to give interviews to critical outlets and public officials make it difficult for critical media to access public information. The problem is made worse with COVID-19 pandemics making journalists' fight to gain access to information even harder.

Background

Freedom of information is guaranteed by the Constitution of Georgia and the norms and restrictions on public information are embedded in various laws and legal provisions. The main legislative document enabling access to public information is General Administrative Code of Georgia, which was enforced in 1999. A draft of Freedom of Information Act was prepared in 2014 by civil society organizations in agreement with the Ministry of Justice, however it was never initiated by the Government.

In the past decade Georgia has made efforts towards improving government transparency. Among some of the measures under the Open Government Partnership (OGP)¹⁵¹ were ensuring digital transparency of the government, ensuring that information accessible for interested parties and enabling electronic requests for public information. Even if formal mechanisms of the government transparency and openness are in place, the practice of disclosure of public information suffers from some significant flaws. In its most recent report, the Institute for Development of Freedom of Information (IDFI), which monitors public information delivery wrote that "Since 2013 the Georgian government has not taken any significant steps to improve the standard of proactive disclosure of information."¹⁵² According to the same report the situation was made worse after the restrictions were imposed on the release of public information during the COVID 19 pandemic in Spring when the state of emergency was introduced.

Journalists' right to access public information and receive information from public officials has been constrained for years. Release of information by public agencies is often protracted, frequently arriving beyond the time-frame stipulated in the law, the data released are often incomplete, or public information is withheld under the guise of protecting personal data or privacy rights.¹⁵³

Recent Challenges Faced by Journalists

The journalists working for critical and independent broadcast and online media face challenges in accessing information. Unlike online media it is relatively easy for broadcasters to obtain the information necessary to prepare everyday newscasts. However, when the information requests are for investigative stories about certain topics hidden from the public eye, public officials and institutions tend to complicate the process.

¹⁵¹ Open Government Partnership. <https://bit.ly/32ns1ZA>

¹⁵² Avalishvili, Levan; Kldiashvili, Giorgi; Tushurashvili, Goga & Topuria, Ket. (2020) "Proactive disclosure of public information on Georgian public institution websites." IDFI. Available at <https://bit.ly/371DJfj>

¹⁵³ Media Sustainability Index, Georgia. 2014, 2015, 2016, 2017, 2018 & 2019. Available at <https://bit.ly/3iT6OvL>

The outbreak of the Covid-19 and its negative effects on the country has increased citizens' dependence on news media. Information deficiency for journalists creates an information vacuum for citizens. Some journalists say it is nearly impossible to obtain reliable and detailed information on such topics as the Government's crisis management strategy, availability of healthcare facilities, appropriate guidance for home-care patients, voter's safety on the election day and others. According to regional journalists, they are being redirected to national-level offices by local officials who decline to give out detailed information concerning the COVID-19 situation.

In the pre-election period, it has become customary to disregard the needs of online media by refusing to release public information or provide commentary by different public institutions. The communication office of the National Center for Disease Control (NCDC) was named by some online media representatives among those offices which are difficult to communicate with. Some journalists say that their phone calls and emails to the communication office remain unanswered or they are told to watch TV for more information.

The problem of withholding information is also connected to certain public and state institutions. Traditionally, the most unapproachable ones have been the Ministry of Interior, Ministry of Defense and State Security Services. Some journalists say that public servants have little understanding of the importance of freedom of information, and of the fact that freedom of information is in the public interest. Regional journalists have generally had problems with accessing public officials locally and the pre-election period is no different for them.

Refusal to give out information to journalists by ruling party members is another enduring problem. This is frequently also connected with inadequate treatment of and aggression against journalists (see Journalists Safety) on behalf of officials and politicians. For example, the mayor of Khelvachauri in Ajara region used utterly offensive language towards a journalist of an online "*Batumelebi*" after the journalist asked him about unauthorized use of his office car to drive to a pre-election meeting point.¹⁵⁴ The candidates from the ruling political party fend off invitations to talk shows by critical broadcasters. For years, the ruling party representatives shunned pro-opposition *Rustavi 2* and other critical media. Today, they refuse to cooperate with *Mtavari Arkhi*, *Formula TV*, *TV Pirveli* and also *Kavkasia TV*. As a result, these television stations struggled to comply with the mandatory requirements on holding political debates with participation of most, if not all candidates before the elections (see the section on the Communications Commission). According to IRI report¹⁵⁵, Georgian Dream Party avoided participating in the debates of most opposition-leaning media outlets. The same report mentioned that Georgian Public Broadcaster debates were among only a few broadcast debates in which the ruling party members participated.

The topics that might become problematic for the government are inaccessible for journalists. In the times of the COVID-19 crises and the nation's heightened interest in distance teaching and learning procedures, some journalists say the Ministry of Education, Science, Culture and Sport became unapproachable. They claim their requests for information about online and inclusive education practices during the COVID-19 have been ignored. Recently, the Ministry handed out incomplete information regarding the dismissal of

¹⁵⁴ "Khelvachauri Mayor swearing at "Batumelebi" journalist." Radio Free Europe. October 13, 2020. Available at <https://bit.ly/31aLqfI>

¹⁵⁵ "Technical election assessment mission: Georgia 2020 parliamentary election pre-election report." IRI, 2020. Available at <https://bit.ly/2IbLt4e>

several public school superintendents to one of the media outlets.¹⁵⁶ The outlet's subsequent inquiries were not taken into account by the Ministry representatives. Soon after *TV Pirveli* aired its most recent investigative story concerning a luxury car ownership by the Tbilisi Mayor's family a few weeks ago, the Ministry of Interior introduced changes into an official regulation on the release of public information and limited eligible bodies entitled to request public information on the legal status of vehicles owned by public officials.¹⁵⁷

Investigative journalists have to face tougher barriers to access public information. A small group of investigative journalists at *Studio Monitor* say out of the six requests they submitted to municipal or government agencies, only two were partially accommodated. The rest were left unanswered. Such practices impact the quality and credibility of the investigative journalists.

Conclusion

Even though citizen's need for information and orientation in the lead-up to the elections and in the times of COVID-19 pandemics is more intense, there seems to be a lack of political will to improve government's timely and efficient communication with media representatives. Despite the existing policy and legal base for openness and transparency, there seems to be a lack of understanding of public accountability among public officials.

¹⁵⁶ "What questions are raised by dismissal of public school superintendents." Publika.ge, September 10, 2020. Available at <https://bit.ly/313DtbM>

¹⁵⁷ Legislative Herald of Georgia. Available at <https://bit.ly/37pzieu>



Media Advocacy Coalition

კოალიცია მედიის ადვოკატირებისთვის

Member Organizations:

Alliance of Regional Broadcasters

Georgian Charter of Journalistic Ethics

Georgian Democracy Initiative (GDI)

Georgian Young Lawyers' Association (GYLA)

Georgian Regional Media Association

Institute for Development of Freedom of Information (IDFI)

Liberal Academy Tbilisi

Media Club

Open Society Georgia Foundation (OSGF)

Regional TV Network

Small and Medium Telecom Operators Association of Georgia