

FREEDOM OF THE PRESS

Georgia

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The constitution protects media freedom, and Georgia has some of the most progressive legislation in its region. Concerns persist regarding the government's influence over private media, particularly broadcast outlets. However, some progress was made during 2011 on media regulation and ownership transparency.

Article 19 of the 1995 constitution and the Law on Freedom of Speech and Expression contain provisions for protection against censorship. 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 law into line with European standards. Although the country adopted freedom of information legislation several years ago, Georgian media report that government officials, particularly local authorities, continue to limit or delay journalists' access to information. Legal cases are rarely brought against journalists.

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 is often rigorous for opposition outlets. However, after repeated delays, in 2009 the GNCC issued a new 10-year general satellite broadcast license to Maestro, which enabled the opposition-oriented station to continue airing news programs. In 2011, the GNCC renewed the issuance of broadcast licenses, which it had delayed for the past three years while awaiting the completion of an in-house media landscape assessment. Meanwhile, the Georgian Charter of Journalistic Ethics, a self-regulatory body, held deliberations throughout the year, raising the prospect of future improvements in media accountability and integrity. The organization is currently discussing the expansion of its mandate to include ethics violations by nonmembers.

The political situation in Georgia remains highly polarized. Tension between the ruling party and the opposition, which had been declining, was revived in 2011 in anticipation of parliamentary and presidential elections scheduled for 2012 and 2013. In May, the police violently dispersed street protests staged by several opposition parties, claiming that the unrest was part of a plot to overthrow the government. The formation of a new opposition force headed by billionaire businessman Bidzina Ivanishvili intensified political competition. Ivanishvili publicly asked the owners of broadcast media to sell their outlets to him in order to ensure that the opposition had access to the airwaves during the election period.

The state's influence over the broadcast media remains a concern. Members of the board of the state-run Georgia Public Broadcaster (GPB), which operates television and radio stations, are approved by the president, and its

2012 SCORES

PRESS STATUS

Partly Free

PRESS FREEDOM SCORE

52

LEGAL ENVIRONMENT

13

POLITICAL ENVIRONMENT

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ECONOMIC ENVIRONMENT

18

main television channel, 1TV, is widely perceived as biased in favor of the government. The GPB also operates a political channel, which offers live coverage of Parliament and opportunities for a wide range of political parties to air their viewpoints. The GPB retains a significant advantage over other media due to the state subsidies it receives, although April 2011 amendments to the Law on Broadcasting stripped it of the right to air commercials, with few exceptions. In January 2011, the GPB facilitated the launch of a new Russian-language channel called First Information Caucasus (PIK). The channel had a rough start, as it had to switch satellite providers after losing a legal battle with the French company Eutelsat. PIK underwent a major management overhaul after the team of British reporters who founded it left the organization.

The level of violence and harassment aimed at journalists was lower in 2011 than in previous years, though reporters did face physical violence during the dispersal of street protests in May. The police physically assaulted several journalists, held some at the police station, and confiscated and damaged their equipment. The Ministry of Internal Affairs subsequently held an internal investigation, and in response to a lawsuit brought by the journalists, a court ordered the return of their equipment and monetary compensation for injuries in December. In July, four photographers, including a personal photographer for the Georgian president and a correspondent for the European Press Photo Agency, were arrested on espionage charges. They received conditional sentences and were released within two weeks after confessing in plea bargains.

Georgia has the freest and most diverse media landscape in the region. Media are politically polarized, however, and neutral and objective news is only available from a few sources. A large number of private print outlets operate in the country and typically enjoy editorial independence, but have very limited circulation. Magazine readership is on the rise, boosted by a newfound interest in serious, analytical reporting. Radio stations are generally free and independent. Most television stations support either the government or the opposition both editorially and through the selection and treatment of news. The two privately owned television broadcasters with nationwide coverage, Rustavi-2 and Imedi TV, are subject to government editorial control through close links with the owners, and both stations are perceived as favorable to the government. Smaller opposition-oriented stations, such as Kavkasia TV and Maestro TV, do not have national reach. In November 2011, bitter arguments arose between the owners of Maestro and its managing firm regarding the station's coverage of Georgian political events. The director, Bacho Kikabidze, and producer, Mamuka Glonti, were fired by the managing firm, and the internal controversy resulted in a temporary interruption of the station's broadcasting abilities.

The lack of transparency in media ownership and property rights, especially for television stations, was partially resolved in April 2011 with the adoption of the Law on Broadcasting amendments, which require the full disclosure of ownership structure, 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, including Rustavi-2 and Imedi TV, to alter their 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 ostensibly 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 had established a deadline of November 1 for the station's reorganization in the Law on Broadcasting.

The media do not have a high degree of financial independence. Nationwide television stations are owned and subsidized by large businesses that typically have close links to the state. The advertising market in Georgia continues to be 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 37 percent of Georgians accessed the internet in 2011. The internet is not currently subject to government regulation. While most Tbilisi-based newspapers are not active on the web, regional newspapers have been steadily expanding their online presence, and start-up web publications, such as the independent *NetGazeti*, are gaining readers. In addition, several television stations are active on the internet. The web portals of news agencies, such as *Interpressnews.ge*, are widely used for fact-based news, while blogs and social-networking sites, such as Facebook, are playing a growing role in spreading news and information. The adoption of web tools by the traditional media has been hindered by journalists' and editors' general lack of understanding and skills relevant to online media.

The separatist territories of Abkhazia and South Ossetia are effectively under Russian control. There is little media presence in tiny South Ossetia. Local authorities operate a television station, although most programming is rebroadcast from Russia. There is almost no independent print sector. Serbian travel journalist Viktor Lazić was detained in September 2011 on a charge of crossing the border illegally, having entered South Ossetia from Georgia proper. 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 only available via satellite. Abkhazia's residents 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.

[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.]

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