



# MEDIA ENVIRONMENT OF GEORGIA



2023

# MEDIA ENVIRONMENT OF GEORGIA



**THE REPORT IS PREPARED BY  
HUMAN RIGHTS CENTER**

Author of the Survey: Mamuka Andguladze

Edited by: Aleksandre Tskitishvili

Design: Irma Mamasakhlisi

Translated by: Mariam Gigani

English text edited by: Nino Tlashadze

**2023**

NGO (HRC) **HUMAN RIGHTS CENTER** - was established on December 10, 1996, in Tbilisi. The objectives of HRC are to strengthen the respect for human rights and fundamental freedoms and to promote peace processes in Georgia.

#### **HRC IS A MEMBER OF THE FOLLOWING INTERNATIONAL NETWORKS:**

- International Federation for Human Rights (FIDH); [www.fidh.org](http://www.fidh.org)
- World Organization Against Torture (OMCT - SOS Network - Torture); [www.omct.org](http://www.omct.org)
- Human Rights House Network [www.humanrightshouse.org](http://www.humanrightshouse.org)
- Coalition of NGOs for the International Criminal Court (CICC); [www.coalitionfortheicc.org](http://www.coalitionfortheicc.org)

#### **ADDRESS:**

0160, Tbilisi, 11a Gakhokidze St. III floor.

Tel: (+995 32) 237 69 50, (+995 32) 238 46 48

Email: [hrc@hrc.ge](mailto:hrc@hrc.ge)

Online publications on human rights: [www.humanrights.ge](http://www.humanrights.ge)

Website: [www.hrc.ge](http://www.hrc.ge)

---

***This publication was funded by the European Union and co-funded by the German Federal Ministry for Economic Cooperation and Development (BMZ). Its contents are the sole responsibility of the author Mamuka Andguladze and Human Rights Center and do not necessarily reflect the views of the European Union and BMZ.***

# TABLE OF CONTENTS

<b><u>1.</u></b>	<b><u>MEDIA ENVIRONMENT</u></b>	<b>5</b>
✧	LEGAL FRAMEWORK	5
✧	MEDIA SELF-REGULATION	7
✧	MEDIA OWNERSHIP AND POLARIZATION	8
✧	GEORGIAN MEDIA ENVIRONMENT IN INTERNATIONAL EVALUATIONS/RANKINGS	13
✧	EU MEMBERSHIP CANDIDATE STATUS	14
✧	"RUSSIAN LAW" AGAINST THE MEDIA	17
<b><u>2.</u></b>	<b><u>VIOLENCE, THREATS AND INTIMIDATION</u></b>	<b>18</b>
<b><u>3.</u></b>	<b><u>POLITICALLY MOTIVATED CASES</u></b>	<b>21</b>
<b><u>4.</u></b>	<b><u>SLAPP LAWSUITS AGAINST CRITICAL MEDIA</u></b>	<b>25</b>
<b><u>5.</u></b>	<b><u>ILLEGAL WIRETAPPING</u></b>	<b>26</b>
<b><u>6.</u></b>	<b><u>POLITICIZED STATE AGENCIES</u></b>	<b>28</b>
<b><u>7.</u></b>	<b><u>DISINFORMATION AGAINST MEDIA</u></b>	<b>30</b>
<b><u>8.</u></b>	<b><u>ACCESS TO PUBLIC INFORMATION</u></b>	<b>33</b>
<b><u>9.</u></b>	<b><u>EFFECTIVE MECHANISMS FOR THE PROTECTION OF JOURNALISTS</u></b>	<b>34</b>

The goal of the Georgian media environment survey is to assess the state of media freedom, journalists' rights and media pluralism in Georgia. The report focuses on the issues such as: safety of journalists, ongoing politically motivated cases against critical media representatives and government boycotting against them, disinformation campaigns, degree of media independence from political and other types of influence, as well as - the main challenges in the sector.

The methodology of this research includes a review of the legal framework on media and freedom of expression and respective case law, analysis of reports and studies available from public sources.

## KEY FINDINGS:



In Georgia, cases of physical violence, threats, intimidation, and interference with professional activities against journalists, especially representatives of critical media, have been increased.



The ineffective response of the authorities to crimes committed against the media leads to a sense of impunity, which as a result has a "chilling effect" on freedom of expression and further promotes violence;



The pardoning of Nika Gvaramia, the former director of "Mtavari Channel" who was arrested on political grounds, was a positive fact. However, this decision of the President does not address the issue of politicized investigative and judicial authorities in the country.



The "Russian Law" initiated by the ruling party Georgian Dream aimed to discredit independent media and civil society organizations operating in the country and, ultimately, creating insurmountable obstacles for their activities;



Dissemination of disinformation targeting the critical media and journalists is of permanent nature. The government and its affiliates are believed to be behind such attacks. Disinformation is used to discredit critical media outlets and develop distrust of the population towards them;

- ✧ The hostile environment created by the government towards critical journalists made it difficult for them to fulfill their professional duties;
- ✧ Media access to public information is critically limited. The government still boycotts the media it does not want, in some cases it does not allow or invite them to public events;
- ✧ Using SLAPPs against journalists is another tool of the ruling party and its affiliates to silence the different opinion in the country.

## 1. MEDIA ENVIRONMENT

### ✧ Legal Framework

Protection of freedom of expression and media is essential for any democratic society. The media ensures publicity of the government and its accountability to the public, informing the public about the important issues taking place in the country and giving them the opportunity to actively participate in public debates.

The legal base of Georgia guarantees the protection of freedom of speech and media rights. If over the years the legal framework regulating the media was considered one of the most advanced in the region, unfortunately, today, individual legislative changes or definitions changed by judicial practice have a negative impact on freedom of expression. In addition, there are a number of challenges in practice that threaten media pluralism and the safety of journalists.

Defamation is decriminalized in Georgia. The Constitution of Georgia ensures freedom of speech and expression. Article 17 guarantees the freedom of opinion and its expression, and it is not allowed to persecute a person because of it.<sup>1</sup> The Constitution prohibits the state or individuals from monopolizing the media or its means of distribution.<sup>2</sup> Another right guaranteed by the Constitution, namely the right to access and freely use the internet, should be evaluated as positive and progressive.<sup>3</sup> Freedom

---

<sup>1</sup>Constitution of Georgia, Article 17 (1): <https://matsne.gov.ge/en/document/view/30346?publication=36>

<sup>2</sup>Constitution of Georgia, Article 17 (3): <https://matsne.gov.ge/en/document/view/30346?publication=36>

<sup>3</sup>Constitution of Georgia, Article 17 (4): <https://matsne.gov.ge/en/document/view/30346?publication=36>

of media and expression is not an absolute right and it can be restricted only in accordance with the law, namely: "...in a democratic society for ensuring national security, public safety or territorial integrity, for the protection of the rights of others, for the prevention of the disclosure of information recognised as confidential etc."<sup>4</sup>

The Law of Georgia on Freedom of Speech and Expression aims to promote freedom of expression and media pluralism and protect the rights of journalists. The law contains high standards of protection of freedom of expression, which guarantees freedom of speech in the country, including freedom of critical expression. A statement shall not incur liability for defamation if it is made in the course of political debates, and in a lawsuit related to defamation published by a journalist in the media, the defendant is the owner of the media. The burden of proof for limitation of freedom of speech shall lie with the initiator of the limitation. Any reasonable doubt that cannot be confirmed under the procedure established by the law shall be resolved against the limitation of the freedom of speech.<sup>5</sup>

The Law of Georgia on Broadcasting shall define the procedure for implementing the provision of media services and video sharing platform services, the procedure for setting up the public broadcaster and the national regulatory body and the scope of activity and functions.<sup>6</sup>

Despite the progressive legal framework, in the recent period, the court or the regulatory body actively uses and interprets the norms in a way that does not correspond to both the legislation of Georgia and the best practices guaranteed by the international law. The so-called SLAPP (Strategic Lawsuit against Public Participation) lawsuits that are mostly directed against broadcasters with critical editorial policies are especially alarming.<sup>7</sup> The National Communications Commission regularly interprets the concept of "political advertising" arbitrarily, which imposes heavy sanctions on critical broadcasters in the absence of a clear ban on placing political advertisements in the non-election period<sup>8</sup>.

---

<sup>4</sup>Constitution of Georgia, Article 17 (5): <https://matsne.gov.ge/en/document/view/30346?publication=36>

<sup>5</sup>Law of Georgia on the Freedom of Speech and Expression, Articles 5-8:  
<https://matsne.gov.ge/en/document/view/33208?publication=5>

<sup>6</sup>The Law of Georgia on Broadcasting:  
<https://matsne.gov.ge/en/document/view/32866?publication=70>

<sup>7</sup>For more detailed information and evaluations, see the chapter: SLAPP Lawsuits against critical media.

<sup>8</sup>For more detailed information and evaluations, see the chapter: Politicized state agencies

## ✧ Media self-regulation

Georgia has a self-regulatory body of media - the Georgian Charter of Journalistic Ethics, which is an independent association of journalists, and was founded in 2009. It aims to uphold professional and ethical standards in the field of media. By creating self-regulatory mechanisms, the Charter seeks to promote improved professional and ethical standards in the media sector. Currently, the Charter is presented with 360 journalists from all over the country. The Charter's eleven principles ensure that journalists adhere to important professional standards, such as: Providing accurate information, based on fact, the source of which is confirmed, dissemination of information, protection of confidentiality of the source, refraining from encouraging discrimination, separation of editorial and commercial content, respect for privacy, etc. The Charter regularly issues recommendations based on clarifications of principles and decisions of the board.<sup>9</sup>

The charter is governed by a nine-member board that elects a director. The Board shall consider the complaints filed against the journalists. The projects implemented by the Charter in recent years, as well as a number of impartial and reasoned decisions made by the Board, have increased the sensitivity towards professional and ethical standards in media, as well as the statistics of complaints submitted to the Board. If 47 complaints were lodged to the Charter in 2016, in 2022 the number of complaints amounted to 89.<sup>10</sup>

The Charter monitors the media in the pre-election period, which is an important source of analysis for the public and any interested party. According to the results of the last television news monitoring, which covered the coverage of the 2021 post-election period and was conducted from January 24 to March 23, 2022, the broadcast media environment in the country is sharply polarized and the media are characterized by bias towards the government and opposition political parties. The polarization increased dramatically after Russia's attack on Ukraine. Pro-government media covered the activities of the government in a positive tone, and the opposition in a

---

<sup>9</sup>The Georgian Charter of Journalistic Ethics, <https://www.qartia.ge/en/about-us>, <https://www.qartia.ge/en/charter/article/38674-principles-of-charter>;

<sup>10</sup>The Georgian Charter of Journalistic Ethics, annual reports 2022, 2016; <https://www.qartia.ge/media/1000907/2017/07/25/ddac2c01032e73160439254cbca97569.pdf> <https://drive.google.com/file/d/1FmMahA9slPVEg91xseMLiP0f-OYfO6-Z/view>



negative tone. Along with private broadcasters, Public Broadcaster also has a biased editorial policy towards the ruling party.<sup>11</sup>

In Georgia, there is also a mechanism of co-regulation of broadcasters, in particular, the code of conduct adopted by the National Communications Commission, which establishes the principles, rules and guidelines for the preparation and transmission of the program by the broadcaster.<sup>12</sup>

## ✧ Media ownership and polarization

Television remains the main source of information about current events in Georgia<sup>13</sup>, and therefore has a great influence on the formation of public opinion. The development of information technologies also changes the methods of receiving information by society. According to studies, a significant part of the population in Georgia receives information from social networks and the internet. It should be noted that political forces, such as the government, ruling or opposition parties, have a significant influence on television. According to various assessments/reports, the media outlets are behaving exactly like the political figures who influence them, mirroring their agendas, further intensifying an already radicalized and polarized political environment.<sup>14</sup>

Polarization is particularly evident in the case of the leading nationwide media and is less noticeable at the regional level, despite the fact that there are pro-government and pro-opposition regional media outlets as well<sup>15</sup>. As a rule, polarization increases during periods of important and sensitive socio-political events.<sup>16</sup>

According to DW Akademie's 2022 research, media polarization is one of the most important challenges of the Georgian media environment. Journalists participating in

---

<sup>11</sup>Report on Post-Election Monitoring of Television News, January 24 - March 23, 2022:

[https://drive.google.com/file/d/1rM4PnU9b6Hhe1K8NZp\\_JbfFovwKrxeco/view](https://drive.google.com/file/d/1rM4PnU9b6Hhe1K8NZp_JbfFovwKrxeco/view)

<sup>12</sup>Communications Commission of Georgia, Code of Conduct for Broadcasters:

<https://matsne.gov.ge/ka/document/view/82792?publication=0>

<sup>13</sup>Research by CRRC: <https://caucasusbarometer.org/ge/cb2021ge/INF50U1/>

<sup>14</sup>Lasha Kavtaradze (2021), Georgian mainstream media in a polarized political environment: Victim and accomplice:

<https://www.ssoar.info/ssoar/handle/document/87100> Vibrant Information Barometer, IREX:

[https://www.irex.org/sites/default/files/VIBE\\_2022\\_Georgia%20\(1\).pdf](https://www.irex.org/sites/default/files/VIBE_2022_Georgia%20(1).pdf), 2022.

<sup>15</sup>Center for Media, Information and Social Research, RESILIENCE TO DISINFORMATION AT THE REGIONAL LEVEL IN GEORGIA 2023: <http://www.cmis.ge/projects/rdri/en>

<sup>16</sup>Media Advocacy Coalition, Media Environment [https://osgf.ge/wp-json/wi/validate/v1/file?wifile=wp-content/uploads/2021/01/Media-Environment\\_Georgia.pdf](https://osgf.ge/wp-json/wi/validate/v1/file?wifile=wp-content/uploads/2021/01/Media-Environment_Georgia.pdf) 2020.

the research note that people receive starkly different interpretations of the same event from different media outlets.<sup>17</sup> Experts believe that the polarization in the media further increases the division in society.<sup>18</sup> At this time, the role of the Public Broadcaster is important, which should impartially reflect the public and political diversity in the country, but the Public Broadcaster in Georgia is also politically biased.<sup>19</sup>

TV Company "Imedi" is the most influential media company in the country, with an openly pro-government editorial policy. Georgian Media Production Group owns 100% share of the television. "Imedi" is part of the holding, which includes TV Company "Maestro" and GDS. Until 2017, GDS was owned by the family of the founder of the Georgian Dream, Bidzina Ivanishvili.

"Rustavi 2" is another influential channel loyal to the government.<sup>20</sup> The change of TV owner was one of the most high-profile events of recent years, which had a significant impact on the media environment.<sup>21</sup> In 2019, the channel came under the ownership of Kibar Khalvashi, a businessman loyal to the government. In 2021, "Rustavi 2" together with "Prime Time" created a holding - JSC "Media Holding". "Media Holding" was also given the right to broadcast "Comedy Channel" and "Marao". "Prime Time" is owned by Tamar Pkhakadze and Giorgi Kutateladze.<sup>22</sup>

"Mtavari Channel" went on air in September 2019. One of its founders and co-owners is former general director of "Rustavi 2" Nika Gvaramia.<sup>23</sup> In a short period of time, television was able to gain significant influence on public opinion. "Mtavari channel"

---

<sup>17</sup> Deutsche Welle, Georgia: Media Freedom in Decline, 2023: <https://akademie.dw.com/en/georgia-media-freedom-in-decline/a-65076202>

<sup>18</sup> Media checker , Media and Polarization <https://www.mediachecker.ge/ka/mediagaremo/article/67845-media-da-polarizacia>

<sup>19</sup> The Georgian Charter of Journalistic Ethics, Study on media coverage of the 2021 municipal elections in Georgia: <https://drive.google.com/file/d/1uO47lclX6gzyw4P1QCrvkYT18hMrGPC9/view>

<sup>20</sup> The Georgian Charter of Journalistic Ethics, Study on media coverage of the 2021 municipal elections in Georgia: <https://drive.google.com/file/d/1uO47lclX6gzyw4P1QCrvkYT18hMrGPC9/view?pli=1>

<sup>21</sup> IREX, Media Sustainability Index 2017: <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2017-georgia.pdf> IREX, Media Sustainability Index 2018: <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2018-georgia-2.pdf> IREX, Media Sustainability Index 2019: <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2019-georgia.pdf>

<sup>22</sup> Transparency International - Georgia, Who owns Georgian Media, <https://www.transparency.ge/en/post/who-owns-georgias-media>, 2018.

<sup>23</sup> Extract from the register of entrepreneurs and non-entrepreneurial (non-commercial) legal entities: <https://bs.napr.gov.ge/GetBlob?pid=400&bid=boVlyOwlsX3qmYsntmLmFN9aeUAqPHZau4QXEodd6mkn|uviX5ByLCB|VnkDwKsJr>

takes the leading place in terms of audience share.<sup>24</sup> The editorial policy of the channel is pro-opposition.<sup>25</sup> The prosecutor's office filed charges against Nika Gvaramia in 2019, which were related to managerial decisions made by him while holding the position of the director in "Rustavi 2". Gvaramia was sentenced to 3 years and 6 months in prison.<sup>26</sup> He spent more than 1 year in prison. On June 22, 2023, the President of Georgia pardoned Gvaramia.<sup>27</sup>

TV Company "Formula" also started its broadcasting in 2019. Until August 2023, the owner of the control stock (51%) of the channel was the Defense Minister of the previous government ("United National Movement") Davit Kezerashvili. The Supreme Court sentenced him to 5 years in prison in 2021, in the case of embezzlement of money during his tenure as the Minister of Defense. Also, according to the decision of the Court of Appeals, Davit Kezerashvili has been ordered to pay 5 million Euros.<sup>28</sup> He does not currently live in Georgia. According to local civil organizations, cases against Kezerashvili are intensified especially in the pre-election periods, which indicates a possible political motive on the part of the authorities, the ultimate goal of which is to influence the TV Company "Formula".<sup>29</sup> In 2023, a journalistic investigation by the British media outlet BBC<sup>30</sup> linked Kezerashvili to a global fraud network. After that, Kezerashvili, in agreement with the employees of the "Formula" TV Company,

---

<sup>24</sup>Nielsen Company: [http://www.tvmr.ge/#len/tam\\_results/1:633:0/07|08|2023%20-%2013|08|2023](http://www.tvmr.ge/#len/tam_results/1:633:0/07|08|2023%20-%2013|08|2023)

<sup>25</sup>Vibrant Information Barometer, IREX 2022: [https://www.irex.org/sites/default/files/VIBE\\_2022\\_Georgia%20\(1\).pdf](https://www.irex.org/sites/default/files/VIBE_2022_Georgia%20(1).pdf)

<sup>26</sup>Transparency International Georgia, The Appellate Court Upheld Nika Gvaramia's Imprisonment on a Politically Motivated Case, November 02, 2022: <https://transparency.ge/ge/post/saapelacio-sasamartlom-nika-gvaramia-politikurad-motivirebul-sakmeze-patimrobashi-datova>

CPJ: Human rights organizations call on the President of Georgia to release journalist Nika Gvaramia, April 20, 2023. <https://cpj.org/2023/04/cpj-rights-groups-call-on-georgia-president-to-release-journalist-nika-gvaramia/>

<sup>27</sup>Radio Liberty, Attack and aggression that awaits the president? <https://www.radiotavisupleba.ge/a/32472559.html>, 23 June 2023.

<sup>28</sup>Interpressnews, the Court of Appeals upheld the decision of the City Court against Davit Kezerashvili regarding the payment of 5 million Euros to the Ministry of Defense. <https://www.interpressnews.ge/ka/article/749269-saapelacio-sasamartlom-tavdacvis-saministrostvis-5-milioni-evros-gadaxdis-taobaze-davit-kezerashvilis-mimart-sakalako-sasamartlos-gadacqvetileba-zalashi-datova/>, March 21, 2023.

<sup>29</sup>Statement of Media Advocacy Coalition, The aim of the legal dispute against Davit Kezerashvili may be to pressure Formula TV, <https://transparency.ge/ge/post/davit-kezerashvilis-cinaagmdeg-carmoebuli-dava-telekompania-pormulaze-zegavlenis-moxdenas>, 30 September 2021.

<sup>30</sup>Civil.ge, BBC journalistic investigation links Kezerashvili to a global fraud network, <https://civil.ge/archives/537301> 12 April 2023.

transferred 25% of his share to them.<sup>31</sup> According to experts, TV Company "Formula" is a media outlet critical to the government.<sup>32</sup>

"TV Pirveli" started broadcasting in 2015, at first - as a sports channel, but later the direction changed and it began to cover socio-political issues. The Television has an editorial policy critical about the government.<sup>33</sup> The authorities made several attempts to bring the channel under their influence, during which a criminal case was initiated against the family member of its owner.<sup>34</sup> In connection with the case, representatives of the non-governmental sector suggest that the government was motivated by a political goal, which is related to the channel's editorial policy.<sup>35</sup> Vakhtang Tsereteli is the owner of 100% share of the "TV Pirveli" LLC.

The status of "public broadcaster" was granted to the State Television of Georgia in 2004. As a result of the constitutional amendments in 2017, "the law ensures the independence of the Public Broadcaster from state agencies and freedom from political and substantial commercial influence". The Public Broadcaster is the most profitable among television stations with growing and guaranteed budgetary funding. According to the Law of Georgia "On Broadcasting"<sup>36</sup>, the amount of annual financing of the Public Broadcasting shall be at least 0.14% of the gross domestic product. However, as a result of recent changes, the funding model of the broadcaster is changing. In particular, from 2026, the budget of the Public Broadcaster will be the amount obtained as a result of multiplying the number of employed individuals of the previous year according to the data published by the National Statistics Service and the financing coefficient of the Public Broadcasting budget - 64 GEL.<sup>37</sup> After the

---

<sup>31</sup> Radio Liberty, The registry satisfied Davit Kezerashvili's request to transfer his shares of Formula". <https://www.radiotavisupleba.ge/a/32552187.html>, 17 August 2023.

<sup>32</sup>Vibrant Information Barometer, IREX 2022: [https://www.irex.org/sites/default/files/VIBE\\_2022\\_Georgia%20\(1\).pdf](https://www.irex.org/sites/default/files/VIBE_2022_Georgia%20(1).pdf) Media Checker, Critical TVs: "An orchestrated punitive action is directed against us" <https://www.mediachecker.ge/ka/mediagaremo/article/92534-kritikuli-televiziebi-chven-tsinaaghmdeg-orkestrirebuli-sadamsjelo-qmedebaa-momarthuli>, 12 August 2022.

<sup>33</sup>The Georgian Charter of Journalistic Ethics, Study on media coverage of the 2021 municipal elections in Georgia, 2021: [https://www.undp.org/sites/g/files/zskgke326/files/migration/ge/2021\\_GE\\_election\\_media\\_monitoring\\_tv\\_news\\_g eo.pdf](https://www.undp.org/sites/g/files/zskgke326/files/migration/ge/2021_GE_election_media_monitoring_tv_news_g eo.pdf)

<sup>34</sup>Civil.ge, The court found Khazaradze, Japaridze and Tsereteli guilty, but they will not be arrested. <https://civil.ge/archives/466247> 12 January 2022

<sup>35</sup>Transparency International - Georgia, The history of the investigation against the founders of TBC Bank and Anaklia Port, <https://www.transparency.ge/en/blog/history-investigations-launched-against-founders-tbc-bank-and-anaklia-port-updated>, 2020 May 27.

<sup>36</sup> Law of Georgia on Broadcasting: <https://matsne.gov.ge/en/document/view/32866%E1%83%A1?publication=70>

<sup>37</sup> Civil.ge, <https://civil.ge/archives/574765>, 18 December 2023.

controversial changes, the broadcaster closed a certain TV programs. The non-governmental and media sector criticizes the failure of the Public Broadcaster to inform the public about the ongoing processes.<sup>38</sup>

The broadcaster can also receive a certain amount of commercial income.<sup>39</sup> The Public Broadcaster is managed by the general director and the board of trustees. The members-to-be elected in the board are nominated by the ruling party, the factions in the parliamentary opposition, in which the largest number of members of the parliament are united, as well as by the Public Defender and the Supreme Council of the Autonomous Republic of Adjara.<sup>40</sup> Despite this, the board elections are politicized, and is conducted under the influence of the ruling party.<sup>41</sup> In addition, the general director elections are also mostly politicized and reflect the interest of the ruling party.<sup>42</sup> It is important that over the years "Public Broadcaster" has been distinguished by its editorial policy biased towards the government. In 2022, the channel's journalists' accusations of censorship in the "Public Broadcaster" confirmed the channel's political bias.<sup>43</sup>

"PosTV" is a pro-government channel, which is known for its discrediting campaigns against people who criticize the government.<sup>44</sup> "PosTV" LLC was registered in the Public Registry in 2017. In 2022, Viktor Japaridze, Member of the Parliament from the "People's Power" was the owner of 52% of the channel. Shalva Ramishvili, one of the co-owners of "PosTV" and a journalist, was serving a sentence for extortion during the previous government.<sup>45</sup> In 2018, Ramishvili's former employee, Tatia Samkharadze,

---

<sup>38</sup> Media Advocacy Coalition <http://mediacoalition.ge/en/a/0de59cca> , 27 December 2023.

<sup>39</sup>On amendments to the Law of Georgia "On Broadcasting", 2018: <https://matsne.gov.ge/ka/document/view/3966451?publication=0> ; Institute for Information Development and Freedom, Public Broadcaster funding and rating 3 years after the start of the reform, 2020: [https://idfi.ge/en/funding\\_and\\_rating\\_of\\_public\\_broadcaster](https://idfi.ge/en/funding_and_rating_of_public_broadcaster)

<sup>40</sup>Law of Georgia on Broadcasting, 2004; <https://matsne.gov.ge/en/document/view/32866?publication=70>

<sup>41</sup>Media Advocacy Coalition, Media Environment in Georgia 2020: [https://osgf.ge/wp-json/wi/validate/v1/file?wifile=wp-content/uploads/2021/01/Media-Environment\\_Georgia.pdf](https://osgf.ge/wp-json/wi/validate/v1/file?wifile=wp-content/uploads/2021/01/Media-Environment_Georgia.pdf) ;

<sup>42</sup>Media Advocacy Coalition, Media Environment in Georgia 2020: [https://osgf.ge/wp-json/wi/validate/v1/file?wifile=wp-content/uploads/2021/01/Media-Environment\\_Georgia.pdf](https://osgf.ge/wp-json/wi/validate/v1/file?wifile=wp-content/uploads/2021/01/Media-Environment_Georgia.pdf)

<sup>43</sup> Media Checker, Maglaferidze's influence in the broadcaster is increasing - interview with Ketu Tutberidze who left the first channel, <https://www.mediachecker.ge/ka/interviu/article/91817-mautsyebelshi-maglaferidzis-gavlendzierdeba-interviu-pirveli-arkhidan-tsamosul-qethi-thuthberidzesthan> , 4 May 2022.

<sup>44</sup> Media Checker POS TV, 2019: <https://mythdetector.ge/ka/profiles/pos-tv-pos-tv/>

<sup>45</sup>Civil.ge, Shalva Ramishvili's trial, <https://old.civil.ge/geo/article.php?id=11438> , 2006.

won the dispute against him on the sexual harassment case in the court of two instances.<sup>46</sup>

## ✧ Georgian media environment in international evaluations/rankings

For many years, Georgia was considered an advanced country in the region due to its achievements. The country was able to strengthen democratic institutions and carry out important reforms.<sup>47</sup> However, these achievements have stagnated in recent years. One of the reasons for this is the significant deterioration of media pluralism and media independence. Over the past few years, the government's harassment of critical media, attacks on journalists and impunity for criminals, court cases against the owners of media outlets critical of the government, and Nika Gvaramia's imprisonment have undermined the quality of media freedom in the country.

Reporters Without Borders (RSF) ranked Georgia the 89th out of 180 countries when a massive, targeted attack on journalists took place on July 5, 2022, which was a significant backslide. According to the 2023 report, Georgia ranks 77th, but according to the RSF assessment, the country remains in the category of problematic countries.<sup>48</sup>

IREX's 2023 report highlights the government's use of disinformation and hate speech against critical media. Compared to the previous year, the country's position in the Vibrant Information Barometer rating has not changed, but the score has decreased (from 16 to 13).<sup>49</sup>

According to the Freedom House's "Nations in Transit 2023"<sup>50</sup> assessment, the rating of independent media has decreased due to the multi-year trend of violence against journalists, a polarized and politicized media environment, and the arrest of the director of a media outlet critical of the government. The deterioration of the score of the media environment lead to the deterioration of the score of Georgia's

---

<sup>46</sup> Radio Liberty, Case is closed: Tatia Samkharadze won the case against Shalva Ramishvili in the second instance court, <https://www.radiotavisupleba.ge/a/29868771.html>, 8 April 2019

<sup>47</sup> European Parliament, Georgia's bumpy road to democracy, On track for a European future? [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690626/EPRS\\_BRI\(2021\)690626\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690626/EPRS_BRI(2021)690626_EN.pdf)

<sup>48</sup> Reporters Without Borders: <https://rsf.org/en/country/georgia>

<sup>49</sup> IREX, Vibrant Information Barometer [https://www.irex.org/sites/default/files/VIBE\\_2023\\_Georgia.pdf](https://www.irex.org/sites/default/files/VIBE_2023_Georgia.pdf), 2023.

<sup>50</sup> Freedom House, Georgia: Nations in Transit 2023: <https://freedomhouse.org/country/georgia/nations-transit/2023>

democracy.<sup>51</sup> In the report of the same organization, which is about Internet freedom, Georgia has been maintaining the status of a free country for years.<sup>52</sup>

In 2022, the human rights organization "Amnesty International" called the arrest of the director of "Mtavari Channel" Nika Gvaramia "a politically motivated silencing of dissenting voice."<sup>53</sup> Amnesty International condemned "the government's increasingly aggressive rhetoric and defamation suits against critical journalists, which has a chilling effect on freedom of expression, as well as the failure to investigate crimes against journalists".<sup>54</sup>

The "Committee to Protect Journalists" (CPJ)<sup>55</sup> and "Reporters Without Borders" included Nika Gvaramia in the list of journalists arrested during their professional activities.<sup>56</sup>

In the 2022 resolution, the European Parliament critically assessed the quality of media freedom in Georgia in the recent years as well as the challenges in terms of safety of journalists.<sup>57</sup>

## ✧ EU membership candidate status

In 2022, in response to Georgia's application for EU membership candidate status along with Ukraine and Moldova, the European Commission granted Georgia a "European perspective". In order to get the candidate status, Georgia was tasked to

---

<sup>51</sup> Freedom House, Democracy Score 2023: <https://freedomhouse.org/countries/nations-transit/scores>

<sup>52</sup> Freedom House, Internet Freedom 2023: <https://freedomhouse.org/countries/freedom-net/scores>

<sup>53</sup> Amnesty International, Georgia: Sentencing of pro-opposition media owner Nika Gvaramia a political motivated silencing of dissenting voice, 17 May 2022: [https://www.amnesty.org/en/latest/news/2022/05/georgia-sentencing-of-pro-opposition-media-owner-nika-gvaramia-a-political-motivated-silencing-of-s-dissenting-voice/?utm\\_source=annual\\_report&utm\\_medium=epub&utm\\_campaign=2021](https://www.amnesty.org/en/latest/news/2022/05/georgia-sentencing-of-pro-opposition-media-owner-nika-gvaramia-a-political-motivated-silencing-of-s-dissenting-voice/?utm_source=annual_report&utm_medium=epub&utm_campaign=2021)

<sup>54</sup> Amnesty International, Georgia 2022: <https://www.amnesty.org/en/location/europe-and-central-asia/georgia/report-georgia/>

<sup>55</sup> CPJ, 1 Journalist Imprisoned in Georgia

[https://cpi.org/data/imprisoned/2022/?status=Imprisoned&cc\\_fips%5B%5D=GG&start\\_year=2022&end\\_year=2022&group\\_by=location](https://cpi.org/data/imprisoned/2022/?status=Imprisoned&cc_fips%5B%5D=GG&start_year=2022&end_year=2022&group_by=location) ;

Reporters Without Borders, World: Abuses Against Journalists in Real Time, Georgia, 2021,

[https://rsf.org/en/barometer?exaction\\_pays\\_pays=176&exaction\\_pays\\_annee=2021&exaction\\_pays\\_statut=prison&type%5Bemprisonnement%5D=emprisonnement&exaction\\_victimes\\_pays%5B176%5D=176&annee\\_start=2023&annee\\_end=2023#exaction-pays](https://rsf.org/en/barometer?exaction_pays_pays=176&exaction_pays_annee=2021&exaction_pays_statut=prison&type%5Bemprisonnement%5D=emprisonnement&exaction_victimes_pays%5B176%5D=176&annee_start=2023&annee_end=2023#exaction-pays)

<sup>56</sup> Reporters Without Borders, Georgia: RSF seeks review of opposition TV chief's conviction, jail sentence:

[https://rsf.org/en/georgia-rsf-seeks-review-opposition-tv-chief-s-conviction-jail-sentence?fbclid=IwAR1d7uLOb4bY9K0PIKUYLBt4-VFs2EGdpCK\\_6vbCPR1JJO0lg2WfjvHH7vk](https://rsf.org/en/georgia-rsf-seeks-review-opposition-tv-chief-s-conviction-jail-sentence?fbclid=IwAR1d7uLOb4bY9K0PIKUYLBt4-VFs2EGdpCK_6vbCPR1JJO0lg2WfjvHH7vk)

<sup>57</sup> Violations of media freedom and safety of journalists in Georgia. European Parliament resolution of 9 June 2022 on violations of media freedom and the safety of journalists in Georgia (2022/2702(RSP))

[https://www.europarl.europa.eu/doceo/document/TA-9-2022-0239\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0239_EN.pdf)

fulfill 12 recommendations.<sup>58</sup> Among the recommendations of the European Commission was the provision of a free, pluralistic and independent media environment, overcoming political polarization, involvement of civil society in the decision-making process, independence of institutions, promotion of an independent court, de-oligarchization. This implies the elimination of excessive influences from political, economic and public processes, effective fight against organized crime and corruption, etc.<sup>59</sup>

Regarding the media environment, the seventh recommendation stated:

*“undertake stronger efforts to guarantee a free, professional, pluralistic and independent media environment, notably by ensuring that criminal procedures brought against media owners fulfill the highest legal standards, and by launching impartial, effective and timely investigations in cases of threats against safety of journalists and other media professionals;”*

One year after issuing the recommendations, the European Commission presented an oral report<sup>60</sup> to the ambassadors of the EU member states, where it assessed the progress of Georgia, Ukraine and Moldova in the EU accession process. Media pluralism turned out to be the only recommendation regarding which, according to the European Commission, Georgia has not made progress. "Representatives of the European Commission stated that it is necessary to protect the safety of journalists, to raise the level of protection of the rights of journalists and owners of media outlets, and mentioned the need for changes in the Law on Broadcasting.”

Under the leadership of the "Open Society Foundation", civil organizations monitor the implementation of recommendations by the Government of Georgia.<sup>61</sup> In the report of August 1, 2023, the pardoning of Nika Gvaramia, director of the TV Company

---

<sup>58</sup>Commission Opinion on Georgia's application for membership of the European Union <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Georgia%20opinion%20and%20Annex.pdf>, 17.06.22.

<sup>59</sup> Radio Liberty, European Commission comments on 12 recommendations -Statements made at the closed meeting with the ambassadors <https://www.radiotavisupleba.ge/a/32468959.html>, 21 June 2023

<sup>60</sup> Radio Liberty, European Commission comments on 12 recommendations -Statements made at the closed meeting with the ambassadors <https://www.radiotavisupleba.ge/a/32468959.html>, 21 June 2023

<sup>61</sup>EU CANDIDACY CHECK 4.0 - how is Georgia progressing towards fulfilling 12 priorities defined by the EU <https://osgf.ge/statusmetri-rogor-midis-saqartvelo-evrokomiis-12-pirobis-shesrulebisen-3/>, 27 June, 2023



"Mtavari Channel" by the President of Georgia, was considered a positive development.<sup>62</sup>

On October 19 of this year, the Parliament of Georgia adopted amendments to the Law on "Broadcasting". The bill provided for the regulation of hate speech, in particular - transferring it from self-regulation to state regulation. Later, the regulation of obscenity was added to the bill. With these changes, the regulatory commission is given the right to identify violations in the media content and take the appropriate decision. According to the Media Advocacy Coalition, when adopting the law, the Georgian Dream party did not ensure the involvement of the media and other interested parties and did not make the decision in accordance with the broad consensus.<sup>63</sup>

On November 8, 2023, the European Commission recommended to grant Georgia the candidate country status. However, this recommendation contains a number of conditions, including ensuring freedom of assembly and expression, effective investigation of threats against media professionals and civil activists, and guaranteeing the institutional independence and impartiality of the Regulatory Commission.<sup>64</sup>

The safety of journalists and media representatives in general remains a serious challenge, especially the investigation of cases against representatives of critical media outlets, their owners, and the increase in the number of court cases directed against journalists by representatives of the ruling party and persons related to it (SLAPP).

On December 14, 2023, the European Council made a positive decision to grant Georgia the status of a candidate country.<sup>65</sup>

---

<sup>62</sup>EU CANDIDACY CHECK 5.0 - how is Georgia progressing towards fulfilling 12 priorities defined by the EU <https://osgf.ge/wp-content/uploads/2023/08/%E1%83%A1%E1%83%A2%E1%83%90%E1%83%A2%E1%83%A3%E1%83%A1%E1%83%9B%E1%83%94%E1%83%A2%E1%83%A0%E1%83%98-5.0..pdf>

<sup>63</sup>Statement by the Media Advocacy Coalition: <http://mediacoalition.ge/ge/a/af5a914a>

<sup>64</sup> Radio Liberty <https://shorturl.at/emQZ4>: November 8, 2023

<sup>65</sup> Civil.ge, <https://civil.ge/archives/574502>, 14 December 2023

## ✧ "Russian law" against the media

In February 2022, the ruling party Georgian Dream initiated the so-called Russian law. Actually, the People's Power movement, created by the deputies who left the Georgian Dream, registered two bills with different names, but with the same content.<sup>66</sup> According to the bill, if more than 20% of the source of income of media outlets and civil organizations registered in Georgia comes from foreign funds and donors, they need to be registered in the registry of agents of foreign influence. The initiation of the Russian law coincides with the strengthening of anti-Western rhetoric by the country's ruling party. Simultaneously, the pro-government media systematically prepared discrediting stories against civil sector and media representatives.<sup>67</sup> It should also be noted that over the years, the Georgian Dream has been making unsubstantiated and discrediting statements against the media.<sup>68</sup>

According to the assessment of local and international civil organizations, the diplomatic corps accredited in Georgia, the country's strategic partners and politicians,<sup>69</sup> the initiated law posed a serious threat to the European future of the country, in terms of human rights and democratization, it threatened the freedom of expression and, therefore, the pluralistic media environment. Despite this, Georgian Dream supported the "Russian Law" at the first reading. The bill was passed for discussion at the session with the support of the parliamentary majority.<sup>70</sup> While the parliament was discussing the bill, wide-scale demonstrations were held to protest

---

<sup>66</sup> Civil.ge <https://civil.ge/archives/527753>, Radio Liberty, This is a Russian Law- Degan on the draft law "On transparency of foreign influence", <https://www.radiotavisupleba.ge/a/32286367.html>.

<sup>67</sup> Charter of Journalistic Ethics, decision on the case - Georgian Young Lawyers' Association against Tsothe Gegechkori and Irakli Chikhladze, <https://www.qartia.ge/siakhleebi/article/93445-gadatsyvetileba-sagmeze-saqarthvelos-akhalgazrda-iuristtha-associacia-cotne-gegetckoris-da-irakli-chikhladzis-tsinaaghmdeg> 2022 December 23

<sup>68</sup> Radio Liberty, "You lost the face of a woman...; "Clean your mouth," Irakli Kobakhidze insulted a journalist. <https://www.radiotavisupleba.ge/a/31959128.html>, 2022, July 25; TV Formula, "She was angry, her jaw was trembling, her mouth was foaming" - Kobakhidze attacks the journalist again": <https://formulanews.ge/News/74741>; Transparency International - Georgia, Media environment of Georgia in 2016-2020, 2020: <https://transparency.ge/en/post/georgian-media-environment-2016-2020>

<sup>69</sup> Radio Liberty, The Bill submitted by "People's Power" is concerning - Borrell, February 21, 2023: <https://www.radiotavisupleba.ge/a/32281360.html>; Radio Liberty, This is a Russian Law- Degan on the draft law "On transparency of foreign influence", 26 February 2023: <https://www.radiotavisupleba.ge/a/32286367.html>; Netgazeti, UK is concerned about the bill on "Agents", 1 March 2023: <https://netgazeti.ge/news/657636/>; Nino Chichua, Commissioner for Human Rights of the Council of Europe addresses the Parliament of Georgia, Netgazeti, February 28, 2023 <https://netgazeti.ge/opinion/657314/>

<sup>70</sup> Nino Bidzinashvili, Parliament supported the Russian law in the first reading - 76 in favor, <https://netgazeti.ge/life/658787/>, 2023 March 7.

it.<sup>71</sup> As a result of opposition from civil society, the parliamentary majority rejected the "Russian Law".<sup>72</sup>

## 2. VIOLENCE, THREATS AND INTIMIDATION

Freedom of expression and speech is protected by the Constitution of Georgia and other legal documents, but the safety of journalists, the state's indifferent attitude towards crimes committed against journalists and impunity are one of the most important challenges for the Georgian media environment, which further increases the crime against media representatives.

The vast majority (93%) of respondents (journalists) participating in the DW Akademie survey conducted in November-December 2022 said that they feel less safe than three years ago. "Most of the interviewed journalists argued that the government has contributed to this hostile environment," - stated in the survey paper.<sup>73</sup> The reason for this is the violence committed by pro-Russian, homophobic and violent groups against media representatives on July 5-6, 2021. It was the largest organized violence against media representatives in recent years. Aleksandre Lashkarava, the cameraman of TV Pirveli, who was injured during the attack, underwent a maxillofacial surgery. Lashkarava passed away a few days after the incident. More than 50 journalists were affected by the attack. In the case of July 5-6, a dozen persons were held accountable under criminal charges. However, at the same time, civil society organizations and the Public Defender expressed concern that the main organizers of the attack were left unpunished.<sup>74</sup>

---

<sup>71</sup> On.ge -Law enforcement officers has begun to disperse a peaceful protest against the Russian law.

<https://shorturl.at/euzLV>2023 March 7.

<sup>72</sup> Radio Liberty, The Parliament Rejected the Bill on Agents, <https://www.radiotavisupleba.ge/a/32311562.html>, 2023 March 10.

<sup>73</sup>Elena Zondler, Ekaterine Basilaia, Alexander Matschke, Evelin Meier, Georgia: Media freedom in decline, 2023: <https://akademie.dw.com/en/georgia-media-freedom-in-decline/a-65076202>

<sup>74</sup>Report of the Public Defender on the Situation of Protection of Human Rights and Freedoms in Georgia 2022: <https://www.ombudsman.ge/res/docs/2023120411211781277.pdf>

According to DW Akademie's research, representatives of media outlets critical of the government are considered to be the most vulnerable group, especially reporters and investigative journalists. Along with physical violence, threats, intimidation, and hate speech are used against journalists.<sup>75</sup> An example of this is the attack on the journalist and cameraman of the "Mtavari Channel" in the village of Khaishi, Mestia municipality, on August 26, 2023. According to the information of the TV Company, "the attackers took the camera, microphone, transmitter and personal phone from the media representatives and verbally insulted them".<sup>76</sup>

The technical paper<sup>77</sup> on the assessment of the legislation and practice related to the safety of journalists, which was prepared under the auspices of the Council of Europe, highlights the existing problems in ensuring the safety of journalists when the state fails to provide adequate protection for journalists. The document outlines the gaps in the Georgian legislation, in particular, the problems related to the wording of the Article 154 of the Criminal Law. The report notes that the limited content of Article 154 is not sufficient to determine who can be considered a journalist. The article cannot adequately describe the specifics of journalistic activity. Obstruction of journalistic activity consists of only two components - forcing a journalist to disseminate information or forcing to refrain from its dissemination. This can be a significant limitation in the investigation process. If we look at the official statistics<sup>78</sup>, it is true that the number of cases examined under the Article 154 has increased in recent years, but their number does not adequately reflect the current reality.

---

<sup>75</sup>Deutsche Welle, Georgia: Media Freedom in Decline, <https://akademie.dw.com/en/georgia-media-freedom-in-decline/a-65076202>, 2023.

<sup>76</sup> Media Advocacy Coalition, the Coalition comments on the fact of the attack on the journalist and cameraman of the "Mtavari Channel": <http://mediacoalition.ge/ge/a/a89238d6?fbclid=IwAR2Oxa7pTXt-qplM7fUSjRAbARRByENBq6Y5bNVirdmJu6swZHNR69BnpKA>

<sup>77</sup>Technical Paper on the Assessment of Legislation and Practices Related to the Safety of Journalists, by Peter Noorlander, <https://rm.coe.int/georgia-tp-review-of-soj-june2023-eng-2779-4462-8232-3/1680ac9348>

<sup>78</sup>Report of the Public Defender on the Situation of Protection of Human Rights and Freedoms in Georgia 2020: <https://www.ombudsman.ge/res/docs/2021070814020446986.pdf>; On the Situation of Protection of Human Rights and Freedoms in Georgia 2022: <https://www.ombudsman.ge/res/docs/2023120411211781277.pdf>; On the Situation of Protection of Human Rights and Freedoms in Georgia 2021: <https://www.ombudsman.ge/res/docs/2022070612391254904.pdf>

Year	Number of cases investigated under the Article 154
2023 <sup>79</sup>	14
2022 <sup>80</sup>	13
2021	19
2020	7
2019	13
2018	12
2017	2
2016	6

The document of the Council of Europe emphasizes the inadequate capabilities of law enforcement bodies (prosecutor's office and police), as well as the absence of special units both in the police and in the prosecutor's office. Both the police and the prosecutor's office are responsible for the investigation and prosecutorial supervision of crimes committed against journalists.<sup>81</sup>

It should also be noted that law enforcement officers often prevent journalists from covering demonstrations or rallies. For example, during the dispersal of the demonstrations against so called Russian Law, the journalists were affected. According to one of the reports<sup>82</sup>, the investigation concluded that *"in the period of March 2-9, 2023, law enforcement officers prevented media representatives from carrying out their journalistic activities. They used such violent methods as: Spraying pepper spray in the face, aiming the water cannons, aiming and shooting gas capsules, physical abuse (dragging them by their belts, throwing scrolls, hitting on the head, hitting cameramen on the back, kicking), verbal abuse (swearing, humiliating, threats of violence), covering the camera with their hands, forcibly removing journalists from the*

<sup>79</sup> საერთაშორისო გამჭვირვალობა-საქართველო, <https://transparency.ge/ge/blog/kartuli-mediis-mimart-zaladobis-2023-clis-statistika-da-saxelmciapos-reagireba>, 2023 წლის 25 დეკემბერი. აღნიშნული სტატისტიკა მოიცავს 2023 წლის 1 იანვრიდან 2023 წლის 30 ნოემბრის პერიოდს, კერძოდ, ჟურნალისტიკისთვის პროფესიულ საქმიანობაში უკანონოდ ხელის შეშლის შემთხვევებს.

<sup>80</sup> ევროპის საბჭოს ტექნიკური დოკუმენტის თანახმად 2022 წელს ჯამში 35 საქმე იქნა გამოძიებული. აქვე შედის 5-6 ივლისის საქმეების გამოძიებაც, <https://rm.coe.int/eng-final-for-printing-short-georgia-tp-soj-may2023/1680abb3d0>.

<sup>81</sup>Technical Paper on the Assessment of Legislation and Practices Related to the Safety of Journalists, by Peter Noorlander, <https://rm.coe.int/georgia-tp-review-of-soj-june2023-eng-2779-4462-8232-3/1680ac9348>

<sup>82</sup>Media Ombudsman, "No to Russian Law," Second Report, July 7, 2023: [https://drive.google.com/file/d/1gth9M6WFHVMwcsPf5dEYodXRt8rbPqgz/view?fbclid=IwAR33ar3zKkGzb\\_ZcbDJktP\\_T9gclbT\\_BY\\_0HN2f\\_7v\\_YpDQOHb9MOxWaQKKc&pli=1](https://drive.google.com/file/d/1gth9M6WFHVMwcsPf5dEYodXRt8rbPqgz/view?fbclid=IwAR33ar3zKkGzb_ZcbDJktP_T9gclbT_BY_0HN2f_7v_YpDQOHb9MOxWaQKKc&pli=1)

*filming location, throwing them out of the parliament building, etc.”* According to the report, signs of a crime were identified in the cases of 21 journalists. Non-observance of journalists' rights during demonstrations is also mentioned in the technical paper of the Council of Europe as one of the important problems of recent years.<sup>83</sup>

Cases of violence against journalists become more frequent during the pre-election period and on the Election Day. According to the Media Advocacy Coalition's report, at least 37 cases of interference with journalistic activity (verbal and physical abuse) were recorded during the first and second rounds of the 2021 local government elections.<sup>84</sup>

### 3. POLITICALLY MOTIVATED CASES

In the recent years, politically motivated cases against critical media remain a significant problem in Georgia. Such cases clearly have a "chilling effect" on the freedom of the media in the country and significantly worsen the performance of professional activities by journalists.

In 2022, the European Parliament adopted a resolution on the state of media freedom in Georgia, where it is noted that the Georgian authorities should refrain from interfering with media freedom, conducting politically motivated court cases against media owners and representatives.<sup>85</sup> The European Parliament expressed concern about the "increasingly hostile environment towards independent media" in the country. The resolution calls on the Georgian government to take steps to protect media freedom, including ensuring that journalists can work without fear.

The Georgian government has denied that its policies are aimed at restricting critical media outlets and has said it is committed to protecting media freedom. However, the evaluation of the existing cases and the evidence suggest otherwise. Politically

---

<sup>83</sup> e.g., on 20 July 2019, Media Representatives Affected on "Gavrilov Night", Technical Paper on the Assessment of Legislation and Practices Related to the Safety of Journalists, by Peter Noorlander, <https://rm.coe.int/georgia-tp-review-of-soj-june2023-eng-2779-4462-8232-3/1680ac9348>

<sup>84</sup>Media Advocacy Coalition, media environment before 2021 local government elections, first and second rounds: [https://drive.google.com/file/d/1m\\_eX6jCOx21G0nFTf70tYGlui8PD1ypS/view](https://drive.google.com/file/d/1m_eX6jCOx21G0nFTf70tYGlui8PD1ypS/view)

<sup>85</sup>Violations of media freedom and safety of journalists in Georgia.European Parliament resolution of 9 June 2022 on violations of media freedom and the safety of journalists in Georgia (2022/2702(RSP)) [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0239\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0239_EN.pdf)

motivated cases against critical media outlets in Georgia pose a serious threat to media freedom in the country.

▪ ***The Case of Nika Gvaramia***

The case of Nika Gvaramia can be considered as one of the sad examples of politically motivated and biased cases against the head of critical media in the country.

Nika Gvaramia is a well-known Georgian journalist, the former director of the popular opposition TV channel "Rustavi 2" and the co-founder and director of the critical TV "Mtavari Channel". The case against him refers to the managerial decisions made during Gvaramia's tenure as a director of "Rustavi 2". According to the assessment of independent organizations, experts and the public defender, the charges brought against Nika Gvaramia lacked evidence, which raised reasonable suspicions of biased prosecution since the very beginning of the investigation.<sup>86</sup>

On May 16, 2022, the court of first instance sentenced Nika Gvaramia to 3 years and 6 months of imprisonment. He was found guilty of embezzlement and abuse of power.<sup>87</sup> The Court of Appeals upheld the decision of Nika Gvaramia's imprisonment with the verdict of November 2, 2022.<sup>88</sup> On June 19, 2023, the Supreme Court recognized Nika Gvaramia's cassation lawsuit as inadmissible and left Gvaramia in custody.<sup>89</sup>

According to the Public Defender's assessment, the dispute related to Nika Gvaramia (the so-called advertisement episode) was theoretically a civil law dispute and should not be the basis for criminal prosecution.<sup>90</sup> International organizations and media

---

<sup>86</sup>Transparency International - Georgia, The Analysis of the Criminal Case: The Prosecution of Nika Gvaramia, 24 March 2021: <https://transparency.ge/en/post/analysis-criminal-case-prosecution-nika-gvaramia> Public Defender Responds to Tbilisi Court of Appeal Judgement against Nika Gvaramia, 2 November 2022: <https://ombudsman.ge/eng/190411044320siakhleebi/sakhalkho-damtsveli-nika-gvaramias-mimart-tbilisis-saapelatsio-sasamartlios-ganachens-ekhmaureba>; The Public Defender Amicus Curiae, <https://www.ombudsman.ge/res/docs/2022060610192690467.pdf> ; Human Rights Center, author - Giorgi Tkebuchava (2021): Legal assessment of the current criminal case against Nika Gvaramia: <https://hrc.ge/files/41gvaramia-eng.pdf>

<sup>87</sup>Reginfo.ge Nika Gvaramia was sentenced to 3 years and 6 months in prison <https://reginfo.ge/people/item/26095-nika-gvaramias-3-xlita-da-6-tvit-patimroba-miesaja>

<sup>88</sup>Radio Liberty, Nika Gvaramia was left in custody by the Court of Appeals: <https://www.radiotavisupleba.ge/a/32111762.html>

<sup>89</sup> Civil.ge, The Supreme Court left Nika Gvaramia in custody, June 19, 2023: <https://civil.ge/archives/548853>

<sup>90</sup> Public Defender Responds to Tbilisi Court of Appeal Judgement against Nika Gvaramia: <https://ombudsman.ge/eng/190411044320siakhleebi/sakhalkho-damtsveli-nika-gvaramias-mimart-tbilisis-saapelatsio-sasamartlios-ganachens-ekhmaureba>

watchdogs, including the European Federation of Journalists and Reporters Without Borders, expressed concern about the case, calling it an attack on media freedom rather than a genuine legal process. Their statements confirm the existence of political motivation behind the case against Gvaramia.<sup>91</sup>

At the same time, local and international organizations actively called on the President to pardon Nika Gvaramia, since the case was politically motivated and in the current situation, it would be unlikely to guarantee the right to a fair trial and protection of human rights.<sup>92</sup> After the decision of the Supreme Court, the President of Georgia decided to pardon Nika Gvaramia on June 22, 2023. This decision was met with a mostly positive reaction from human rights organizations, pro-Western parties and European partners, as Gvaramia's release was considered a step towards solving the problems related to media freedom in the country.<sup>93</sup>

The "Committee to Protect Journalists" (CPJ) awarded Nika Gvaramia with the Press Freedom Award.<sup>94</sup>

#### ▪ **TBC Case**

Another politically motivated case is the ongoing case against Avtandil Tsereteli, the father of the owner of "TV Pirveli" which has been going on for years. This case is known as the "TBC case" and the leaders of the opposition party "Lelo" are also among the defendants.

In January 2022, the Tbilisi City Court found the defendants guilty of fraud and not of legalizing illegal income, which the Prosecutor's Office of Georgia argued against them. Although the court sentenced the defendants to 7 years of imprisonment, due to the statute of limitations of the criminal prosecution, the court exempted them from

---

<sup>91</sup>Civil.ge, Non-governmental organizations once again address the case of Nika Gvaramia, May 3, 2023: <https://civil.ge/archives/540415>; Statement by the Media Advocacy Coalition: [http://mediacoalition.ge/ge/a/a2cee118?fbclid=IwAR0aiCxxeIPZvLBkSQaD5MkLNEf3CT5\\_K9uDS4aoDq1TPYpyRso5MjyO68c](http://mediacoalition.ge/ge/a/a2cee118?fbclid=IwAR0aiCxxeIPZvLBkSQaD5MkLNEf3CT5_K9uDS4aoDq1TPYpyRso5MjyO68c)

<sup>92</sup>Civil.ge, International organizations call on the president to pardon Nika Gvaramia, <https://civil.ge/archives/538430>, 21 April 2023.

<sup>93</sup>Radio Liberty, Gvaramia's pardon - (In)sufficient step towards Europe? <https://shorturl.at/gnuQX>, 23 June 2023.

<sup>94</sup> Mtavari Channel: <https://mtavari.tv/news/141012-nika-gvaramias-iildo-zhurnalisturi-mamatsobistvis>



serving the sentence, including the father of the founder of "TV Pirveli". On January 12, 2023, the Court of Appeal upheld the decision.<sup>95</sup>

According to "Transparency International - Georgia", this is a political justice. This assessment is based on observation of the trial and study of case materials. According to the assessment of the independent international expert in the fight against money laundering invited by the non-governmental organization, there is no evidence in the current case that Avtandil Tsereteli and the politicians accused in the case committed the crime of money laundering.<sup>96</sup>

On September 23, 2023, the Supreme Court of Georgia did not admit the "TBC Case".<sup>97</sup>

- **TV Formula Case**

Another critical TV channel's - "Formula's" owner, Davit Kezerashvili, is also being sued.

A few weeks before the 2021 elections, the Supreme Court resumed proceedings against the founder and main financier of Formula TV, which was initiated 6 years ago, and sentenced him to 5 years in prison. In this case, Kezerashvili was acquitted by the courts of the first and second instance. It should be noted that the judge of the case in the Supreme Court was Shalva Tadumadze, who held the position of the general prosecutor a few years ago during the review of this case.<sup>98</sup> On the basis of the mentioned verdict, in a short period of time, based on the claim of the Ministry of Defense, the Court of Appeals ordered Kezerashvili to pay 5 million Euros to the Ministry.<sup>99</sup>

---

<sup>95</sup>Radio Liberty, the Court of Appeals upheld the verdict on the case of Khazaradze-Japaridze, <https://www.radiotavisupleba.ge/a/32240593.html>, 26 January 2023.

<sup>96</sup> Transparency International - Georgia" -Evaluation of the money laundering case against Mamuka Khazaradze, Badri Japaridze and Avtandil Tsereteli, <https://transparency.ge/en/post/assessment-money-laundering-prosecution-mamuka-khazaradze-badri-japaridze-and-avtandil> , 14 May 2020.

<sup>97</sup> Radio Liberty<https://www.radiotavisupleba.ge/a/32615915.html>, 29 September 2023

<sup>98</sup> Tabula, Tsereteli: Filing a lawsuit against Kezerashvili before the elections is politically motivated, <https://tabula.ge/ge/news/673675-cereteli-archevnebis-cin-kezerashvilis>, 30 September 2021. Tabula, the Supreme Court sentenced Davit Kezerashvili to 5 years in prison <https://tabula.ge/ge/news/672689-uzenaesma-sasamartlom-davit-kezerashvils-5-clianj>, 7 September 2021. Netgazeti, the Ministry of Defense is suing Kezerashvili and Ninua, demanding 5 million Euros, <https://netgazeti.ge/news/565836/> 30 September 2021.

<sup>99</sup>Interpressnews, the Court of Appeals upheld the decision of the City Court against Davit Kezerashvili regarding the payment of 5 million Euros to the Ministry of Defense. <https://www.interpressnews.ge/ka/article/749269-saapelacio-sasamartlom-tavdacvis-saministrostvis-5-milioni-evros-gadaxdis-taobaze-davit-kezerashvilis-mimart-sakalako-sasamartlos-gadacqveteleba-zalashi-datova21> 21 March 2023.

Media Advocacy Coalition estimates that this decision will increase pressure on television and affect the viability of the broadcaster's activities.<sup>100</sup>

#### 4. SLAPP LAWSUITS AGAINST CRITICAL MEDIA

In recent years, defamation lawsuits against critical media have been used as one of the tools to restrict media freedom. As a rule, the plaintiff parties are the members of the Georgian Dream, high officials and people related to them. According to the Georgian Democratic Initiative (GDI), the number of SLAPP (Strategic Lawsuit Against Public Participation) lawsuits filed against critical media and human rights defenders increased significantly between 2021 and 2023.<sup>101</sup>

SLAPPs are essentially frivolous defamation lawsuits filed by politically or financially powerful individuals to silence and financially block publicly active citizens. In addition to the individual harm caused by SLAPPs, they also have a "chilling effect" on public discourse. When people see journalists and activists being sued for critical statements, they are less likely to make similar statements themselves. This can lead to suppressing of discussion on issues of public interest.<sup>102</sup>

The GDI report states that general courts of Georgia (with at least 38 defamation cases pending) are largely ineffective in protecting the rights of journalists and activists. In many cases, the courts ignore the obvious material unsubstantiated circumstances in the lawsuit and rule in favor of the plaintiffs. Courts do not consider the "chilling effect" that SLAPPs can have on public discourse. In some cases, courts have even awarded plaintiffs large amounts of damages even though the lawsuit was clearly without merit.<sup>103</sup>

---

<sup>100</sup>Statement by the Media Advocacy Coalition: <https://formulanews.ge/News/87650>, March 24, 2023

<sup>101</sup>GDI Report, SLAPP Cases in Georgia: <https://gdi.ge/index.php/en/news/gdi-s-angarishi-slapp-saqmeebi-saqartveloshi-akhali-safrtkhe-2>

<sup>102</sup> Ibid

<sup>103</sup> Ibid

## 5. ILLEGAL WIRETAPPING

According to various studies, surveillance of media professionals is considered one of the main problems.<sup>104</sup> Covert recordings by the state security service has been a challenge for the country for years.<sup>105</sup> Despite the fact that Georgian Dream condemned the covert recordings discovered during the previous government, it uses the illegally obtained recordings to discredit its opponent or to cover topics unfavorable to it. The use of covert recordings is especially common during elections. For example, during the parliamentary elections in 2016, when a high-ranking government official separated from the Georgian Dream party, videos depicting his personal life were circulated on the Internet. In the same year, a secretly recorded telephone conversation between the general director of the "Rustavi 2" TV station and the leader of one of the political parties was also published in the media.<sup>106</sup>

In 2021, there was a case of the distribution of covert recordings. In just one instance, about 3,000 documents containing information on journalists, clergy, opposition politicians, foreign diplomats and civil servants were made available to the media.<sup>107</sup> In September 2022, the Prosecutor's Office started an investigation and granted several journalists the status of victims. In 2020, Nato Gogelia, a journalist of "TV Pirveli", stated that the executive secretary of the Georgian Dream, Irakli Kobakhidze, discussed a telephone conversation between her and a regional representative of one

---

<sup>104</sup>Freedom House, Freedom in the World, Georgia, <https://freedomhouse.org/country/georgia/freedom-world/2022>, 2023; Irex, Vibrant Information Barometer" [https://www.irex.org/sites/default/files/VIBE\\_2022\\_Georgia%20\(1\).pdf](https://www.irex.org/sites/default/files/VIBE_2022_Georgia%20(1).pdf), 2022; Deutsche Welle, Georgia: Media Freedom in Decline, 2023: <https://akademie.dw.com/en/georgia-media-freedom-in-decline/a-65076202> <https://akademie.dw.com/en/georgia-media-freedom-in-decline/a-65076202>

<sup>105</sup>Georgian Election Spotlight, Open Society Georgia Foundation, [http://0s0h7.mjt.lu/nl2/0s0h7/Oru3.html?m=AagAAFIK-nEAAAAAAAAABJRzk8AAAAA7yQAAAAABn95ABhUXIn52iDtW6bRCuhaEb7CB-n9wAZHXs&b=da262f9d&e=fa42eeb8&x=1u3His7rPMZ5kHVc3KfNfgdE9I2t4vbFm\\_Uvhamkyg](http://0s0h7.mjt.lu/nl2/0s0h7/Oru3.html?m=AagAAFIK-nEAAAAAAAAABJRzk8AAAAA7yQAAAAABn95ABhUXIn52iDtW6bRCuhaEb7CB-n9wAZHXs&b=da262f9d&e=fa42eeb8&x=1u3His7rPMZ5kHVc3KfNfgdE9I2t4vbFm_Uvhamkyg), 2021.

<sup>106</sup>ibid. ISFED- THIS AFFECTS YOU TOO CAMPAIGN RESPONDS TO COVERTLY RECORDED TELEPHONE CONVERSATIONS <https://isfed.ge/eng/news/es-shen-gekheba-morigi-faruli-audiochanatseris-gavrtselebis-shesakheb>

<sup>107</sup> Civil. Ge, Conversations of EU and US diplomats in alleged covert recordings, <https://civil.ge/archives/440471>, 15 September 2021, The Media Advocacy Coalition calls on the state inspector to inspect the technical infrastructure of wiretapping: <http://mediacoalition.ge/ge/a/c462ced8>; Radio Liberty, the European Union summoned the EU ambassador to Georgia in connection with the alleged espionage files, <https://www.rferl.org/a/eu-georgia-leak-spying/31473207.html> 22 September 2021.

of the opposition parties on Live TV. According to Gogelia, this proved that the government was wiretapping her phone.<sup>108</sup>

The adoption of amendments to the "Criminal Procedure Code" in 2022 on covert investigative actions must be mentioned here, which expanded the list of crimes eligible for investigation by covert measures, increased the total maximum duration of these measures and reduced the notification obligation. In particular, according to the legislative changes, the maximum period of covert investigative actions has been increased and less serious crimes have been added to the list of crimes that can be subject to covert eavesdropping. Local and international experts criticized the proposed bill.<sup>109</sup> Citizens' rights and the inadequacy of surveillance measures were cited as the main problem and officials were urged to reject the changes. The President of Georgia, Salome Zurbishvili, vetoed the changes, but the Parliament overrode the veto and adopted the changes anyway.<sup>110</sup>

In June 2021, the Parliament of Georgia adopted a controversial amendment to the Law "On Information Security", which, among other things, defines the rights and obligations of the public and private sectors in the field of information security protection. The changes were initiated by members of the ruling party. According to the changes, the Operational Technical Agency (OTA) - an organization subordinate to the State Security Service, was given direct access to the information systems of the executive and legislative authorities, as well as to the information systems of the telecommunications sector, and indirect access to personal and commercial data.<sup>111</sup> Experts believe that with these changes, as OTAs enforce the law and also monitor

---

<sup>108</sup> TV Pirveli journalist: Kobakhidze confirmed that the government is wiretapping me, I will fight legally: <https://shorturl.at/fxGNY>

<sup>109</sup> Counsel of Europe: Georgia: The bill on covert investigative actions was adopted hastily, needs further elaboration, according to the conclusion of the Venice Commission, August 26, 2022. <https://www.coe.int/en/web/portal/-/georgia-draft-surveillance-law-adopted-hastily-needs-further-elaboration-finds-venice-commission-opinion>; Transparency International Georgia: We Call on President to Veto Damaging Amendments to Wiretap Legislation, 9 June 2022, <https://transparency.ge/en/post/we-call-president-veto-damaging-amendments-wiretap-legislation>

<sup>110</sup> Civil.ge: The Parliament overrode the President's veto on the bill on covert investigative actions, September 7, 2022: <https://civil.ge/archives/507358>

<sup>111</sup> Institute for Freedom of Information and Development: The Parliament of the X Convocation adopted the problematic "Law on Information Security" with the III reading, 11 June 2022: <https://idfi.ge/en/the-parliament-of-the-10-convocation-adopted-the-problematic-draft-law-on-information-security>

their own activities, it becomes difficult to determine how protected media representatives are.<sup>112</sup>

## 6. POLITICIZED STATE AGENCIES

Targeted attack against critical media outlets and journalists in Georgia by politicized state agencies is a matter of concern for local and international human rights organizations. The current practice violates the freedom of the press and undermines democratic principles.

The National Communications Commission, which is an independent regulatory body in accordance with the law, unfortunately makes politically motivated decisions that are mostly directed against critical media. The media and the civil sector were concerned by the decision of the Commission, which fined the TV Company "Mtavari Channel" 119,000 GEL in 2022, and issued a warning to "Formula" and "TV Pirveli". The basis of the sanction was the lawsuit of the ruling party. According to the regulator, the video clip distributed by the media was a political advertisement, the distribution of which is prohibited during the non-election period. Since the "Mtavari Channel" already had an identical violation, the commission imposed a financial sanction on it.<sup>113</sup> According to the Media Advocacy Coalition, restriction of placement of videos critical of the ruling party lacks a legal basis and threatens pluralism in the country. This kind of attitude is incompatible with the management principles of a modern democratic state.<sup>114</sup> The Commission fined "Mtavari Channel" 112,000 GEL in 2021 for a similar violation.<sup>115</sup>

Another unfortunate practice of the ruling party in Georgia is the boycott of critical media outlets. This mechanism is used as a way to avoid responsibility and suppress

---

<sup>112</sup> Vibrant Information Barometer, IREX: [https://www.irex.org/sites/default/files/VIBE\\_2022\\_Georgia%20\(1\).pdf](https://www.irex.org/sites/default/files/VIBE_2022_Georgia%20(1).pdf), 2022; Transparency International Georgia: Draft Law on Information Security and Associated Risks, <https://transparency.ge/ge/post/kanonproekti-inpormaciis-usaprtxoebis-sheaxe-b-da-mastan-dakavshirebuli-saprtxeebi>, 13 February 2020.

<sup>113</sup> Civil.ge, The Communications Commission fined "Main Channel" and warned "Formula" and "TV Pirveli". <https://civil.ge/archives/505649>, 8 August 2022.

<sup>114</sup> Statement by the Media Advocacy Coalition:

<https://www.facebook.com/MEDIACOALITION.GE/photos/a.1332408933533703/5239047179536506/?type=3>

<sup>115</sup> Civil.ge, The Communications Commission fined "Mtavari Channel" 112,000 GEL. <https://civil.ge/archives/457826>, 25 November 2021.

dissent. If years ago individual leaders of the Georgian Dream periodically announced a boycott of critical media, later the ruling party made this practice a part of its own policy and refused to participate in political debates organized by media with critical editorial policies.<sup>116</sup> The leader of the ruling party, Shalva Papuashvili, publicly stated in one of the interviews and admitted that the Georgian Dream boycotts critical media, considers them part of the political opposition, and visiting these channels will be equivalent to promoting propaganda.<sup>117</sup>

The ruling party's boycott of critical media is a serious threat to press freedom in Georgia. This prevents the media from holding the government accountable and informing the public about important issues. The boycott has a "chilling effect" on journalists because it signals to the government that they are being punished for asking critical questions.<sup>118</sup>

In addition to boycotting critical media outlets, the ruling party has in some cases physically banned or restricted them from attending public events. There are many cases when representatives of critical media were not invited to public events, including the meeting held with the participation of Prime Minister Irakli Gharibashvili, the briefings of the Minister of Justice and Culture.<sup>119</sup>

Part of the repressive policy is the adoption by the Speaker of the Parliament of Georgia, Shalva Papuashvili, of the rule of accreditation of mass media representatives in the Parliament without the involvement of the media, and subsequently its discriminatory use in practice. Media representatives and the Media Advocacy Coalition called on Shalva Papuashvili to consider the concerns expressed by the sector regarding certain issues of the rule and ensure an inclusive process. However, the speaker did not share the opinions of the media sector. The rule itself is problematic, for example, the requirement that a journalist must stop an interview if requested to do so by a member of parliament, an employee of the legislative body or a guest.

---

<sup>116</sup> Social Justice Center: <https://socialjustice.org.ge/ka/products/media-safrtkhis-tsinashe-antimedia-populizmi#>

<sup>117</sup> Media Checker, Interview with Shalva Papuashvili:

<https://www.mediachecker.ge/ka/mediagaremo/article/90237-interviu-shalva-papuashviltan-natsili-pirveli>; Social Justice Center, Media in danger: Antimedia Populism, <https://socialjustice.org.ge/ka/products/media-safrtkhis-tsinashe-antimedia-populizmi#>, 1 December 2022.

<sup>118</sup> Ana Tchiabrishvili, Media in Danger: Antimedia Populism, Social Justice Center:

<https://socialjustice.org.ge/ka/products/media-safrtkhis-tsinashe-antimedia-populizmi#>, 2022 December 1

<sup>119</sup> Ibid

Ignoring this requirement may be grounds for suspension of accreditation for a period of one month, and in case of repetition - for six months.<sup>120</sup>

Although the ruling party considers the changes to be positive,<sup>121</sup> but as expected, several cases were observed in the parliament when the accreditations of representatives of critical media were unjustifiably and discriminatorily suspended. For example, according to the Media Advocacy Coalition, during the ongoing process against the "Russian Law", media representatives were prevented from carrying out their professional activities in the Parliament. There were also cases of suspension of accreditation and their expulsion from the Parliament.<sup>122</sup>

Along with the targeted disinformation campaign, there has been an increase in the antagonistic attitude of the ruling party's representatives towards the critical media. This circumstance is practically a daily occurrence for journalists, and it additionally encourages the negative attitude towards them. Examples of insults and cursing of journalists in public space by representatives of the ruling party are frequent.<sup>123</sup>

## 7. DISINFORMATION AGAINST MEDIA

Disinformation is one of the serious problems for Georgia. Despite the fact that various state structures have created services that work in the direction of disinformation and cyber security, the proper assessment of the current challenge from the state, coordination between different responsible agencies and the effectiveness of responsive actions remain problematic.<sup>124</sup> The spread of Russian disinformation in the country is a serious challenge, the flow of which increased especially after the Russian

---

<sup>120</sup> The Charter of Journalistic Ethics: <https://www.gartia.ge/ka/siakhleebi/article/93826>

<sup>121</sup> 1TV, Shalva Papuashvili - 100 days since the implementation of the media accreditation rule in the Parliament. <https://1tv.ge/news/shalva-papuashvili-parlamentshi-mediis-akreditaciis-wesis-amogmedebidan-100-dghe-gavida-gamartivda-djurnalistebistvis-shenobashi-shesvlis-procedura-tanabar-pirobebshi-moeqca-yvela-media/> 14 June 2023.

<sup>122</sup> Statement by the Media Advocacy Coalition: [https://www.facebook.com/MEDIAACOALITION.GE/posts/608957177940890/?paipv=0&eav=AfacwUP0yPDYBRbAEozHbltt6FbYs6XEId770GNb5UGbPcpSwMcETVeanpZl4EAvWZs&\\_rdr](https://www.facebook.com/MEDIAACOALITION.GE/posts/608957177940890/?paipv=0&eav=AfacwUP0yPDYBRbAEozHbltt6FbYs6XEId770GNb5UGbPcpSwMcETVeanpZl4EAvWZs&_rdr)

<sup>123</sup> Netgazeti, "You lost the face of a woman, clean your mouth" - Kobakhidze to Mtavari's journalist, <https://netgazeti.ge/news/622795/>, 25 July 2022.

<sup>124</sup> Transparency International Georgia: Disinformation in Georgia, state's approach and ways of fighting against it [https://docs.google.com/viewerng/viewer?url=https://www.transparency.ge/sites/default/files/a42mm-18pgcover\\_3.pdf](https://docs.google.com/viewerng/viewer?url=https://www.transparency.ge/sites/default/files/a42mm-18pgcover_3.pdf), 2022

invasion of Ukraine. Studies conducted in recent years have shown that narratives of pro-government disinformation and pro-Russian disinformation often overlap.<sup>125</sup> However, this report focuses on state-sponsored disinformation aimed at manipulating public opinion and discrediting the opponents.

Over the years, discrediting campaigns, disinformation and false information have been spread through pages created in social media, which is especially strong during the pre-election period.<sup>126</sup> According to the results of various monitoring, anonymous pages are often the main means of producing a negative campaign, during which, depending on the interests of different political parties, information discrediting the opponent is disseminated. Despite the fact that opposition parties also use such pages, the number of pages disseminating the pro-government narratives significantly exceeds pro-opposition pages.

As for the disseminated content, among the targets of these pages are representatives of the civil society, media and international community, who are critical of the ruling party and its policies. It should also be noted that the negative campaign carried out by the pro-government pages is not only related to election periods, but also becomes active in such critical moments when questions or dissatisfaction with the ruling party arise due to the decision or action taken by them.<sup>127</sup>

In May 2023, Meta, the managing company of the social network Facebook, exposed and deleted<sup>128</sup> dozens of accounts of inauthentic behavior related to the Department of Strategic Communications of the Government of Georgia. These accounts disseminated various information in order to influence public opinion and mood. In

---

<sup>125</sup>Georgia's Reforms Associates, GD and "People's Power" simultaneously condemn violence and "LGBT propaganda", 21 August 2023: <https://grass.org.ge/ka/publikaciebi/politikis-dokumenti/2404-gd-and-peoples-power-simultaneously-condemn-violence-and-lgbt-propaganda>

Netgazeti: "They are dragging us into the war..." - "2 goals" of the "Dream" propaganda, <https://netgazeti.ge/life/619144/>

<sup>126</sup>ISFED, Social Media Monitoring, 2021 Local Government Elections:

[https://drive.google.com/file/d/15LXtwByZwPCEvWqv5ts0rqjgNGhTeuy7/view?fbclid=IwAR2B0sldjKdftYaA\\_g4JVv8Cv9H-yo2t2MbT-gvm4ujzFRNjmXFpVsVVa4](https://drive.google.com/file/d/15LXtwByZwPCEvWqv5ts0rqjgNGhTeuy7/view?fbclid=IwAR2B0sldjKdftYaA_g4JVv8Cv9H-yo2t2MbT-gvm4ujzFRNjmXFpVsVVa4); ISFED, Social Media Monitoring - Second Interim Report:

<https://www.isfed.ge/geo/news/sotsialuri-mediis-monitoringi-meore-shualeduri-angarishebi>

<sup>127</sup>Myth Detector, Pro-government and anti-Western accounts against Lazare Grigoriadis, <https://mythdetector.ge/ka/sakhelisuphlebo-da-antidasavluri-angarishebi-lazare-grigoriadis-tsinaaghddeg/>, 2023.

Ana Kistauri and Tamar Kintsurashvili, What is democracy, defamation and religious propaganda "in reality"? - Ruling party against critical opinion, Myth Detector:

<https://mythdetector.ge/ka/ra-aris-demokratia-diskreditatsia-da-religiuri-propaganda-sinamdvilesi/>

<sup>128</sup> Civil.ge, Meta Deletes Dozens of Accounts Associated with Georgian Government, <https://about.fb.com/wp-content/uploads/2023/06/Meta-Quarterly-Adversarial-Threat-Report-Q1-2023.pdf>, 2023 May 3.



addition, they criticized the opposition parties and offered the government's narrative to the public while evaluating the current events. These accounts, pages and groups operated undercover, posing as independent local experts and government supporters. This is not the first time that the Facebook administration has deleted similar pages related to the government and the opposition.<sup>129</sup>

It should also be noted that the Facebook page "In reality" managed by the Georgian Dream openly discredits journalists, activists, and politicians who are critical of the government and distributes the information posted on the page in a coordinated manner.<sup>130</sup>

Pro-opposition and independent media outlets critical of the government are often part of the disinformation campaign of the government, as well as of the anti-liberal and pro-Russian groups. As it was mentioned above several times, the main motive of spreading misinformation on the part of the government is to discredit alternative opinion and viewpoint and to manipulate public opinion in favor of its own interest. Both government representatives and pro-government media outlets, or accounts of specific individuals on social media, fake accounts, or groups or networks are directly involved in the process of spreading disinformation narratives in various forms towards media outlets and journalists. The main message from the government is that media outlets critical of the ruling party disseminate pro-opposition messages, hate speech and misinformation. For example, in March 2023, the chairman of the Georgian Dream, Irakli Kobakhidze, criticized "Palitra Media" for its critical editorial policy and spread incorrect information as if it was financed by former Minister of Defense and owner of "Formula" TV Company Davit Kezerashvili. This was followed by statements of the same content by the leaders of the ruling party. Media holding "Palitra" was one of those where the members of the Georgian Dream did not refuse to go and/or participate in TV programs.<sup>131</sup>

---

<sup>129</sup> Gleicher, Nathaniel (2019) Facebook: Removing Coordinated Inauthentic Behavior From Georgia, Vietnam and the US: <https://bit.ly/2XOKknA>; April 2020 Coordinated Inauthentic Behavior Report <https://bit.ly/3oXE60J>; October 2020 Coordinated Inauthentic Behavior Report <https://bit.ly/2YRWIno>

<sup>130</sup> Myth Detector What is Democracy, Defamation and Religious Propaganda "In Reality"? - Ruling party against critical opinion, Myth Detector:

<https://mythdetector.ge/ka/ra-aris-demokratia-diskreditatsia-da-religiuri-propaganda-sinamdvileshi/>

<sup>131</sup> Netgazeti, Georgian Dream launched a discrediting campaign against "Palitra Media", <https://netgazeti.ge/life/662407/>, 28 March 2023.

During the pre-election period of 2021, the discrediting of critical media outlets was part of the pre-election campaign of the Georgian Dream. On September 14 of the same year, Shalva Papuashvili, representative of the ruling party, presented the results of the party's media monitoring report. The report was only about the critical TV channels ("TV Pirveli", "Mtavari Channel" and "Formula") and claimed that they spread hate speech, disinformation and manipulated the news coverage to discredit the government.<sup>132</sup>

Also, on June 25, 2020, the mayor of Tbilisi announced the launch of a campaign against the spread of disinformation and fake news by opposition parties.<sup>133</sup> The campaign was accompanied by a poster with the logos of three television stations - "Mtavari Channel", "TV Pirveli" and "Formula". The names of these TV channels were written on the poster as follows: "Main Lie", "First Lie" and "Formula of Lie".

As mentioned, anonymous groups are also engaged in discrediting individual journalists and spreading manipulative information against them. For example, on August 4, 2023, Georgian-language Facebook accounts, including Beka Vardosanidze, an active promoter of pro-Russian and disinformation narratives, published photos of journalists from "TV Pirveli" and pro-Russian "Alt-Info" who were covering the disaster in Shovi. According to the photos, it seems that "TV Pirveli" journalist Nanuka Kajaia is laughing, while "Alt-Info" journalist is in tears."<sup>134</sup>

## 8. ACCESS TO PUBLIC INFORMATION

Access to public information is a right guaranteed by the Constitution of Georgia and international law. For the public and, of course, for the media, obtaining public

---

<sup>132</sup>Georgian Election Spotlight, Open Society Georgia Foundation, 2021:

[http://0s0h7.mjt.lu/nl2/0s0h7/0865.html?m=AVgAAA28hDUAAAAEjXoAABJRzk8AAAAA7yQAAOeGABn95ABhVrM708uVeNn4TWCNxiVRat01SwAZHXs&b=b6f87d09&e=51b0591e&x=1u3His7rPMZ5kHVC3KfNfgdE9I2t4vbFm\\_Uvhahmkyg](http://0s0h7.mjt.lu/nl2/0s0h7/0865.html?m=AVgAAA28hDUAAAAEjXoAABJRzk8AAAAA7yQAAOeGABn95ABhVrM708uVeNn4TWCNxiVRat01SwAZHXs&b=b6f87d09&e=51b0591e&x=1u3His7rPMZ5kHVC3KfNfgdE9I2t4vbFm_Uvhahmkyg)

<sup>133</sup> Civil.ge, The mayor of Tbilisi will fight the "fake news media" with videos. 2020:

<https://civil.ge/archives/357286>

<sup>134</sup>Myth Detector, Manipulation is being disseminated in connection with the coverage of the Shovi tragedy by a journalist of TV Company "Pirveli", 2023: <https://mythdetector.ge/ka/telekompania-pirvelis-zhurnalists-mier-shovis-tragediis-gashuqebasthan-dakavshirebith-manipulatsia-vrtseldeba/>

information within the framework of the right guaranteed by the law is important in terms of increasing the accountability of the government and its activities.

Despite the right guaranteed by the law, public institutions often violate the deadlines established by the law for providing public information. It is also common to provide incomplete information without a valid reason. Some public institutions, such as the Government of Georgia, do not respond to individual public information requests or complaints at all.<sup>135</sup>

According to the IDFI report, only 12% of journalists successfully obtained complete public information within the legal deadline, and 50% of public information requests were not answered or got rejected. Administrative complaints are usually unsatisfactory. In the general courts system, public information disputes typically take 2.5 years to complete. Courts have extended the standard hearing period by 5 months for all complaints, citing the complexity of the disputes.<sup>136</sup>

In Georgia, there is no such institution as the Freedom of Information Commissioner, which would supervise the effective implementation of the law on freedom of information by public institutions. Judicial control over disputes related to freedom of information is ineffective due to the delay in review of cases and the absence of effective procedural mechanisms. The reports submitted by public institutions to the Parliament of Georgia on freedom of information do not provide a comprehensive understanding of the systemic problems related to the availability of public information.<sup>137</sup>

## 9. EFFECTIVE MECHANISMS FOR THE PROTECTION OF JOURNALISTS

Protection of journalists and media is necessary for the democratic development of the state. Journalists play a crucial role in informing the public about important issues, increasing the responsibility and accountability of governments and other influential

---

<sup>135</sup>Institute for Development of Freedom of Information, Access to public information by the media: Legislation v. Reality <https://idfi.ge/en/access-to-public-information-by-the-media-legislation-v-reality>, 2022.

<sup>136</sup> Ibid

<sup>137</sup> Ibid

actors. At the national and international level, there are a number of mechanisms to effectively protect media outlets and journalists.

One of the most effective mechanisms for the protection of journalists and media outlets is the adoption of legal frameworks and international conventions that ensure their safety and freedom of expression. These mechanisms aim to create an enabling environment for journalists and media organizations to carry out their work without harassment, intimidation or violence. Legal protection serves as a deterrent and gives journalists the feeling that their safety is a priority. Many countries have laws that protect freedom of expression and freedom of the media. These laws contain provisions that protect journalists, journalists' sources, and ensure access to information for media representatives. Along with the existence of legal norms, their effective application and protection in practice is equally necessary.<sup>138</sup>

It is important to have independent and non-politicized institutions that are specifically created to protect journalists and media outlets. The importance of an independent and strong civil sector working to protect journalists and media outlets is emphasized. The impartial civil sector carries out permanent monitoring of the media environment, ensures the protection of journalists' rights, implements the advocacy process and promotes the protection and strengthening of professional and ethical standards of media representatives.<sup>139</sup>

In order to ensure a healthy media environment and effective protection of journalists' rights, it is important to develop a national action plan. The plan should be based on a professional analysis of the current situation in the country. The country must have both strong political and effective leadership and inter-agency coordination, as well as a strong civil society. A comprehensive and effective program should be developed that shapes the practice. Its implementation should be ensured by allocating appropriate funds. One of the best examples is the experience of Sweden and the Netherlands, which took into account the recently deteriorated media environment and took appropriate steps. Sweden's national action plan is based on a detailed study of the environment and provides for effective steps to be taken. In the Netherlands, a

---

<sup>138</sup> Council of Europe, Taking action to protect journalists and other media actors: <https://rm.coe.int/cyprus-2020-safety-of-journalists/168097fa83> ; Recommendation CM/Rec(2016)4[1]: [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806415d9#\\_ftn1](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806415d9#_ftn1)

<sup>139</sup> Council of Europe, Taking action to protect journalists and other media actors: <https://rm.coe.int/cyprus-2020-safety-of-journalists/168097fa83>

council has been created, the members of which are the police, the prosecutor's office, the journalists' union and the association of editors. They implement public and media awareness raising projects, develop journalists' safety plan, incident prevention and response documents, conduct safety trainings, etc.<sup>140</sup>

## RECOMMENDATIONS:

- ✧ The state authorities shall ensure that the rights of the media and journalists are protected in accordance with the best international standards.
- ✧ Cases of attacks, intimidation, or illegal interference with professional activities of media representatives shall be effectively investigated;
- ✧ Politically motivated cases against critical media owners or family members shall be stopped immediately.
- ✧ State agencies shall be independent in their activities and stop making politically motivated decisions;
- ✧ Legislative changes related to media and freedom of expression shall be implemented with the participation, involvement and broad consensus of the stakeholders and independent actors.
- ✧ Article 154 of the Criminal Code of Georgia shall be revised and the scope of its protection shall be expanded.
- ✧ The National Communications Commission, with the involvement of the media and other stakeholders, shall ensure the preparation of a guideline document on the definition of hate speech and obscenity.
- ✧ The government and those associated with it shall stop the deliberate disinformation campaign against critical media and use their own resources to counter Russian disinformation and propaganda, which involves

---

<sup>140</sup> Council of Europe, Taking action to protect journalists and other media actors, <https://rm.coe.int/cyprus-2020-safety-of-journalists/168097fa83>

educating the public and raising awareness of how to recognize and counter disinformation.



The ruling party shall end its boycott against critical media. Antagonistic and hostile environment shall be replaced by professional and healthy cooperation.



Journalists shall have effective access to public information, including public events.



The ruling party and its affiliates must stop filing SLAPPs against critical media and activists. The government shall adopt legislative changes to protect journalists from SLAPP lawsuits. Effective steps shall be taken by media representatives to strengthen professional and ethical standards and apply them in practice.

The Report is prepared by Human Rights Center

Address:  
0160, Tbilisi, 11a Gakhokidze St.  
III floor.

Email: [hrc@hrc.ge](mailto:hrc@hrc.ge)

Website: [www.hrc.ge](http://www.hrc.ge)

**HRC**