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Media Influence

Matrix: Georgia



Government, Politics and Regulation

Author: Giorgi Jangiani

Research consultant: Ekaterine Basilaia

Editor: Marius Dragomir

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The Center for Media, Data and Society (CMDS) is a research center for the study of media, communication, and information policy and its impact on society and practice. Founded in 2004 as the Center for Media and Communication Studies, CMDS is part of CEU's School of Public Policy and serves as a focal point for an international network of acclaimed scholars, research institutions and activists.

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About the authors

Giorgi Jangiani is a researcher at the Center for Media, Data and Society. He's currently a Master's candidate in European Public Policy at CEU. He focuses on the integration of Eastern European countries to the EU and public policy transfer and improvement. Prior to attending CEU, he worked at the think tank Georgia's Reforms Associates (GRASS), where he as a Project Manager/Research Fellow supported projects on the EU-Georgian Integration. He also holds an M.A. in Diplomacy and a B.A. in International Relations from the Tbilisi State University.

Ekaterine Basilaia is currently a lecturer and a researcher at Tbilisi State University. She is a co-author of the book "The Role and Limitations of non-Governmental Policy Advocacy in Georgia: Groups and Media in Agenda-Setting" (2016). She was a senior researcher in Georgia for the Horizon 2020 WOSCAP project (2016-2017), studying the EU's engagement and communication strategies in Georgia. Besides her academic background in the past years, she has co-authored the country reports on the state of the media for Media Sustainability Index by International Research and Exchanges Board (IREX).

Marius Dragomir is the Director of the Center for Media, Data and Society. He previously worked for the Open Society Foundations (OSF) for over a decade. Since 2007, he has managed the research and policy portfolio of the Program on Independent Journalism (PIJ), formerly the Network Media Program (NMP), in London. He has also been one of the main editors for PIJ's flagship research and advocacy project, Mapping Digital Media, which covered 56 countries worldwide, and he was the main writer and editor of OSF's Television Across Europe, a comparative study of broadcast policies in 20 European countries.



Hungary, 1051 Budapest, Oktober 6 str.
number 7, Room 210
Tel: +36 1 327 3000 / 2609
Fax: +36 1 235 6168
E-mail: cmds@ceu.edu

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*MEDIA INFLUENCE MATRIX: GEORGIA
GOVERNMENT, POLITICS AND REGULATION*

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LEGAL OVERVIEW

Georgia's media legislation is considered to be liberal and progressive. According to Freedom House, Georgia has "the freest and most diverse media landscape in its region."^[1] Media freedom and freedom of expression are protected by the Constitution. Article 17 of the Constitution and the 2004 Law on Freedom of Speech and Expression prohibit censorship. Exceptions are allowed only in cases related to state security or protection of the rights and dignity of others. Georgia was the first country in the Caucasus region that decriminalized defamation in 2004.^[2]

Another important piece of legislation regulating the media sector is the Broadcasting Law, which includes rules and procedures for acquiring broadcast licenses and regulates the activities of the Georgian public broadcaster GPB. In 2013, the law was amended to include must-carry and must-offer rules, which protect television channels from possible pressures coming from cable operators.^[3] Notably, print media enjoy generous benefits in Georgia. According to the Georgian Tax Code, the cost of printing and distribution of the print press is exempt from the value-added tax (VAT).

Freedom of information (FOI) in Georgia is regulated by the General Administrative Code of Georgia, which has been in force since 1999. It guarantees access to public information that does not qualify as state or commercial secret, or as personal data, within a maximum of 10 days.

However, enforcement of these rules is still problematic. In 2013, the Anti-Corruption Network of the Organisation for Economic Co-operation and Development (OECD), noted that Georgia's FOI provisions would benefit from a comprehensive revision. In recent years, local civil society groups have also advocated for improvement of the law. The government pledged to draft a new law on freedom of information, which is still an unfulfilled obligation.^[4] Following a set of good practices touted by the Open Government Partnership, a joint initiative of governments and civil society, most of Georgia's public agencies set up websites that host troves of publicly available data.^[5]

Other relevant laws for press and media freedom include the Law on State Secrets and the Law on Copyright and Related Rights; broadcast networks and facilities are regulated by the Law on Electronic Communications. The Law on Advertising affects news media outlets, but does not have a direct impact on journalism or media freedom.

Privacy is mainly regulated by the Law on Personal Data Protection that was adopted in July 2013. The legislation created a new institution, the Personal Data Protection Inspector, which is officially responsible for the supervision of personal data protection and respect of the legal provisions related to data processing in Georgia. The law, however, is expected to be amended following the adoption of a new European Union (EU) data protection set of rules known as the General Data Protection Regulation (GDPR), which took effect in spring 2018.

[1] Freedom House, "Georgia", 10 March 2016, available online at <https://freedomhouse.org/report/freedom-press/2016/georgia>

[2] OSCE, "Libel and Freedom of Information in South Caucasus Focus of OSCE Conference in Tbilisi | OSCE", accessed 2 July 2018, available online at <https://www.osce.org/fom/56871>

[3] These rules require cable operators to include national broadcasters in their channel packages.

[4] The alternative version of the document was elaborated by a coalition of civil society organizations, but the Government did not push the law to Parliament for a reading.

[5] Transparency International Georgia, "Openness in Georgia", 2017, available online at https://www.transparency.ge/sites/default/files/open_government_partnership.pdf (accessed 14 January 2019).

REGULATORY AUTHORITIES

Summary of key findings

The Georgian National Communications Commission (GNCC), Georgia's main regulatory institution for the news media, has the mandate to strengthen competition in the Georgian electronic communications and broadcasting markets while protecting consumer's interests and ensuring a fair and predictable regulatory environment.

Since its establishment in 2008, the regulator has become increasingly politicized. In spite of its formal independence, which is, in theory, guaranteed by law, the GNCC failed to adopt politically neutral and effective media policies. Lack of political will to reform itself coupled with a history of political groups using regulators to gain influence in the media led to a fall in the GNCC's credibility among media organizations. Throughout its existence, the regulator has been criticized by civil society organizations for lack of transparency in decision-making.

A string of reforms aimed at strengthening the media regulatory authorities in Georgia was rolled out in 2014-2016 following the adoption of the EU-Georgia Association Agenda.[6] These reforms helped GNCC bolster its capacity and earn recognition as a pro-active media policy regulator. In 2015, during the digital switchover process (when analog broadcast signal was gradually switched off in the country), the GNCC former management and an especially created Digital Broadcasting Agency showed impeccable leadership and advanced institutional capacity. As a result of these reforms, institutional accountability and access to regulation-related information have dramatically increased. Public information is published and updated on a regular basis and can now be requested online.

However, in spite of these achievements, the GNCC still faces institutional challenges due to ongoing political influence exerted on it by the country's leading political forces. The hiring practices at GNCC are allegedly marred by political favoritism. The commissioners' affiliation with political groups and their non-cooperative approach with NGOs tarnish their credibility.

The regulator has recently been criticized by several media outlets for hastily implementing one of the EU requirements of the Audio-visual Media Services Directive (AVMSD). This provision, media outlets argue, will threaten broadcasters' financial sustainability and negatively affect the advertising market. Another controversial move of the GNCC was to back changes in the advertising regime that allowed the public broadcaster to carry commercials while still taking money from the state budget. These changes were criticized by advertising agencies as they were said to have enabled Georgian Public Broadcasting (GPB), the country's public media company, to shape the advertising market in its favor through various methods including price dumping.

In the coming years, the EU-Georgian association agreement will continue to play a major role in GNCC's institutional and regulatory capacity development. Cooperation with Europe in the media sector features among Georgia's priorities in its national action plan for 2017-2020.

[6] Maia Mikashvidze, "Systemic capacity building of the media regulatory authorities in Georgia: A hierarchy of needs", available at: [https://osgf.ge/files/2016/EU%20publication/Angarishi_A4__Media_ENG_Cor_\(1\).pdf](https://osgf.ge/files/2016/EU%20publication/Angarishi_A4__Media_ENG_Cor_(1).pdf) (accessed 9 January 2019).

Operational aspects

Broadcast Media and Frequency Spectrum

Georgian National Communication Commission (GNCC)

Remit and Tasks

Georgian National Communications Commission (GNCC) is the main broadcast regulatory authority in Georgia. The institution was established in 2000 as an independent government agency financed through income from licensing and regulatory fees. It monitors the activities of the broadcast license holders to ensure their compliance with regulations in the broadcast sector. The GNCC is also in charge of preventing formation of monopolies and preserving an equal and fair competitive environment. Furthermore, the Commission regulates technical, legal and economic issues related to the interconnection of the electronic communications network providers, including radio and television broadcast operations in Georgia.

The Commission is legally responsible for securing a transparent regulatory environment and promoting competition; promoting high-quality, diverse and innovative telecommunications services for consumers; enabling introduction of modern technologies; and actively cooperating with international organizations for these purposes.

The GNCC's reputation has been greatly tarnished by several scandals. Among those, incidents related to the highly politicized licensing process were the most problematic. The commission, for example, was accused of barring new television and radio stations from entering the market. According to Freedom House, "some pro-government outlets have been allowed to operate without licenses in the past, and media watchdogs have noted that licenses are sometimes awarded based on an outlet's political affiliations."^[7]



However, from 2015 on, the GNCC replaced the license requirements for television stations with a much simpler authorization process.^[8] The change was part of the digital switchover transition when all broadcasters moved from analog to digital broadcasting. This digital switchover process had effects similar to those of market liberalization, leading to improved broadcast quality. The main benefit of the reform was diversification of the media market. Three out of the 10 most prominent television channels in Georgia have launched during the digital switchover.^[9]

Nonetheless, several decisions of the GNCC were fiercely criticized by independent observers and the opposition. (*See Impact of Regulators on News Media and Journalism in this chapter*).

[7] Freedom House, "Georgia", cit.

[8] "ანალოგური მიწისზედა მაუწყებლობიდან ციფრულ მიწისზედა მაუწყებლობაზე გადასვლის რეფორმა დასრულდა," საქართველოს კომუნიკაციების ეროვნული კომისია (The analog reform of the transition to digital terrestrial broadcasting from terrestrial broadcasting has ended), GNCC, available online at <http://gncc.ge/ge/news/press-releases/analoguri-miwiszeda-mauwyeblobidan-cifrul-miwiszeda-mauwyeblobaze-gadasvliis-reforma-dasrulda.page> (accessed 16 November 2018).

[9] ტელევიზიების შემოსავალი (Television income), Forbes Georgia, available at <http://forbes.ge/news/3634/televiziebis-Semosavali> (accessed 10 November 2018)

Board Composition

Following the adoption of the Broadcasting Law in 2004 and of the Law on Electronic Communications a year later, the GNCC was separated, as a regulatory body, from the Government. The Commission is legally an independent state agency accountable to the President, the Government, and Parliament. It submits its annual report to all three institutions.

The Commission consists of five commissioners elected for a six-year term. One of them serves as a chairman elected by the Commission through a secret ballot for a period of three years and for one term only. In December 2017, the GNCC had a total 108 employees. Only Parliament can dismiss the Commission's members.

The Commission members are proposed by the President (three candidates for each vacant place), in consultation with the Prime Minister, and elected by Parliament. In spite of legal provisions guaranteeing the independence of the GNCC, the influence of government politicians in its decisions is very high, particularly when it comes to appointing and dismissing the GNCC members, as experience in the past three years has shown.[10] Since May 2017, the GNCC Chair has been Kakhi Bekauri.

List of GNCC commissioners, July 2018

- **Kakhi Bekauri** (in office until 24 January 2020), Chair
- **Merab Katamadze** (in office until 18 March 2021)
- **Giorgi Pruidze** (in office until 18 March 2021)
- **Vakhtang Abashidze** (in office until 16 April 2020)
- **Eliso Asanidze** (in office until 18 March 2021)



Funding

The Commission is not getting subsidies from the state budget. The main source of its revenue is revenue from the fees paid by companies licensed to operate in the electronic communications and broadcasting industries. The GNCC takes a cut worth 0.75% and 0.50% of the total annual income of electronic communications and broadcast operators, respectively. However, transparency of the GNCC's spending is extremely poor.

In 2017, a clutch of media NGOs accused the GNCC of failing to disclose information about the broadcasters' sources of revenue (money from ad sales, sponsorship and donations).[10] In response, the GNCC claimed that there were mistakes in the revenue declarations submitted by two broadcasters, which was the reason why they didn't publish the data; in the end, no financial data about broadcasters' sources of revenue was published. Civil society groups suspect that GNCC deliberately did not disclose this information to avoid giving critics more arguments to criticize the Commission's support of the legal amendments favoring the public broadcaster.[11]

[10] Institute for Development of Freedom of Information (IDFI), "ნეპოტიზმის ნიშნები კომუნიკაციების ეროვნულ კომისიაში" (Signs of nepotism in GNCC), 27 March 2015, available online at <https://idfi.ge:443/ge/signs-of-%20nepotism-in-gncc>

[11] ტელევიზიების შემოსავალი. Forbes Georgia, available at: <http://forbes.ge/news/3634/televiziebis-Semosavali> (accessed 10 November 2018).

[12] Interviews with Georgian journalists and experts carried out for this report (See Methodology in Media Influence Matrix: Georgia).

Another source of criticism surrounding the work of the GNCC has to do with the wages of the GNCC commissioners. Some opposition politicians argued that the Commission pays some unsuitably high wages.[13] The Commission is free to set the level of their members' wages since no ceiling has been imposed on personnel costs. In 2016, for example, the GNCC Chair took home a total of GEL 20,200 (€6,700) every month. In contrast, the monthly average salary in Georgia is hovering around €350.

The GNCC's budget reached a peak in 2016 when the regulator pulled in total income of over GEL 11.6m (€4.2m). Generally, the regulator operates with a balanced budget. One exception in the past five years was 2014 when GNCC spent some €625,000 more than it generated.

The regulator's accounts

The budget of the broadcast and electronic communications regulator GNCC, 2013-2018

		2013	2014	2015	2016	2017	2018t
Total income (in GEL)	'000 (GEL)	8,340	8,272	8,654	11,637	8,849	10,060
	'000 (€)	3,564	3,565	3,328	4,171	2,863	3,529
Expenditure (in GEL)	'000 (GEL)	7,854	9,721	8,651	10,628	8,732	n/a
	'000 (€)	3,356	4,190	3,327	3,809	2,825	n/a

Note: average exchange rate of the National Bank of Georgia was used
(monthly average, end of year)

t: targeted

n/a: not available

Source: CMDS based on data from the GNCC annual reports

Print Media Regulators

There is no government regulator of the print media in Georgia. The market is characterized by a low level of competition, monopolistic tendencies being the biggest challenge for independent media enterprises in the country.

Internet Regulators

There is no special legislation primarily focusing on internet regulation in Georgia. There are norms in various legal acts[14] that can potentially affect the internet. In 2017, the Constitution of Georgia was amended to include a provision that considers access and free use of the internet to be a fundamental right.[15]

[13] "Salaries in Georgia's Regulatory Commissions Reach GEL 14,000-GEL 16,000 and a Wage Ceiling Has Not Been Established | Factcheck.Ge", accessed 31 July 2018, <http://factcheck.ge/en/article/salaries-in-georgia-s-regulatory-commissions-reach-gel-14-000-16-000-and-a-wage-ceiling-has-not-been-established/>

[14] Including Law of Georgia on Electronic Communication Act, No. 1514, LHG; Law of Georgia on Freedom of Speech and Expression, Act No. 220, LHG; Criminal Code of Georgia, Act No. 2287 LHG

[15] See more in GNCC, Annual Report 2017, available online at <https://www.gncc.ge/uploads/other/3/3181.pdf>



Internet is partially supervised by the GNCC, which has the power to order removal of online content that they find inadmissible, mostly in cases of copyright violation. The GNCC has an office for the Public Defender of Consumers in charge of reviewing complaints related to online content that are submitted by citizens. In several cases, the defender office demanded removal of specific information from various websites. For example, based on a written request from the Ombudsman office, the defender office requested an internet provider to remove a video showing violence against animals.[16]

In recent years, given the rising popularity of social media, the debate about the need to regulate internet has been heating up. It has come to the public attention in the past few years that critical comments made by citizens on the Government's Facebook pages have often been removed. The Government agencies are known to have repeatedly blocked users or deleted undesired comments, even sometime comments that do not promote hate speech. Recently, debates about whether insults and harassment in the online space should be part of the criminal law have intensified, too. They have been spurred by members of the Supreme Court with the support of a few MPs. However, such ideas have not led to initiation of new laws.

In a separate development, increasing public concern was raised around the misuse of personal data and government surveillance. It peaked in 2015.[17] Privacy watchdogs and other NGOs claimed that the Law on Electronic Communications, which enables security services to conduct electronic surveillance with permission from the judiciary and a specially appointed inspector is too permissive, granting the Government disproportionately high access to data.[18] On this matter, the Constitutional Court ruled that "legislation allowing a security agency to have direct, unrestricted access to telecom operators is unconstitutional." [19]

Since 2015, there have been several cases when the local security agencies shut down WordPress blogs and YouTube channels for security reasons. While agreeing that some of the content on these platforms was unacceptable, civil society groups warned that filtering and blocking online content represent very sensitive issues as they create opportunities for censorship.[20]

Data Protection Regulators

Personal data protection is regulated in Georgia by the Law on Personal Data Protection, which entered into force in 2012. The law has established a supervisory authority, the Personal Data Protection Inspector, with the tasks to supervise and monitor the lawfulness of data processing and the implementation of data protection legislation. The institution operates in line with the European norms on data protection.[21]

[16] David Kldiashvili, Nata Dzvelishvili, "Blocking, filtering and take-down of illegal internet content. Excerpt, Pages 248-260", accessed 16 August 2018, available online at

https://www.academia.edu/28035474/BLOCKING_FILTERING_AND_TAKE-DOWN_OF_ILLEGAL_INTERNET_CONTENT_Excerpt_pages_248-260

[17] The internet content may be blocked for cyber security purpose. The Criminal Code of Georgia (Act No. 2287 LHG, 41(48)

[18] Freedom House, "Georgia" cit.

[19] IREX, "Media Sustainability Index Europe Eurasia 2017", accessed 5 August 2018,

<https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2017-full.pdf>

[20] "Workshop on Regulations of Filtering, Blocking and Takedown of Illegal Online Content in Georgia", <https://idfi.ge/en>, accessed 18 August 2018, available online at

https://idfi.ge:443/en/workshop_on_blocking_illegal_online_contents_regulations

[21] They include Council of Europe, "Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data", accessed 1 August 2018, available online at <https://rm.coe.int/1680078b37>; and Council of Europe, "Additional Protocol to the Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data," accessed 1 August 2018, available online at <https://rm.coe.int/1680080626>

Furthermore, the visa liberalization process carried out in cooperation with the EU imposed an obligation on Georgian authorities to carry out comprehensive reforms in the field of data protection, including the adoption of relevant legislation, effective operation of the Inspector's Office and raising public awareness of issues related to data protection. Additional changes are foreseen due to the EU's new data protection regulation, GDPR, which took effect in May 2018.

The Inspector's Office has been headed since 2013 by Tamar Kaldani, a former lawyer who served as a manager in charge of human rights and good governance at the Open Society Georgia Foundation, a member of the Open Society Foundations (OSF), the philanthropy bankrolled by the investor George Soros.[22]

The work of the Inspector and its office are funded from the state budget of Georgia; however, they are entitled to receive grants in line with a set of rules enshrined in the law. Other than violation of personal data use in the media, there is no direct influence from the Inspector's Office in the media sector.

Data watchdog finances

Annual budget of the Personal Data Protection Inspector, in GEL, 2014-2017

	2014	2015	2016	2017
Annual budget in GEL ('000)	600	1,450	2,100	1,900
in € ('000)	258	557	752	614

Note: Average exchange rate of the National Bank of Georgia was used
(monthly average, end of year)

Source: CMDS, based on data from Personal Data Protection Inspector

[22] Disclaimer: the Center for Media, Data and Society (CMDS), which publishes this report, is part of Central European University (CEU), a school co-funded by Soros. The research done by CMDS is carried out independently, without any interference from CEU's management.

Decision-Making Process

Key Decision-Makers in Regulation & Policymaking

The Georgian media landscape is fairly diverse at first glance. There are approximately 98 television channels, 60 online media outlets and 51 weekly newspapers and magazines in Georgia.[23] However, media agenda is dominated by the country's two largest television channels, and political parties are continuously fighting to control them. Based on a report from the Reporters Without Borders (RSF), a Paris-based NGO, Georgia's media are pluralist but very polarized.[24] "The problem in Georgian media is the control of the main media groups by politically influential businessmen and political groups." [25] (A detailed picture of the key players in Georgian media can be found in Funding Journalism: Georgia in the Media Influence Matrix project)

One of the two biggest television channels in Georgia, TV Imedi is blatantly pro-governmental. The other, TV Rustavi 2 is close to the United National Movement (UNM), an opposition party founded in 2001 by Mikheil Saakashvili.[26] Such tight links of television channels with political parties make it hard for them to produce impartial reporting.

Besides the political pressures, news media players in Georgia have to also deal with heavy anti-western propaganda from Russia. According to a 2018 U.S. Senate report, "beyond its military assaults on Georgian territory, the Russian government also supports a variety of pro-Kremlin political parties, NGOs, and propaganda efforts in the country." [27]

There are a few progressive and visionary influencers in the Georgian media policy and regulation. However, their power pales in comparison to the influence exerted by the influencers connected with political groups or wealthy financiers. Fierce fight for media influence between all these groups further cements polarization in the media field, which is shaped to a great degree by the interests of a handful of powerful political actors.

[23] Estonian Center for Eastern Partnership, "Closer look on ongoing reforms in Eastern Partnership countries: Georgia: main trends and challenges in local level media landscape, March 2018", accessed 3 August 2018, available online at <https://eceap.eu/wp-content/uploads/2018/06/Georgia-Closer-Look-Media-ECEAP.pdf>

[24] "Georgia: Pluralist but Not yet Independent | Reporters without Borders", RSF, accessed 2 July 2018, <https://rsf.org/en/georgia>

[25] Estonian Center for Eastern Partnership, "Closer look", cit.

[26] The Georgian Charter of Journalistic Ethics, "Monitoring of TV News", 2017, available online at http://mediamonitor.ge/uploads_script/accounts/MM_FINAL_REPORT_2017_ENG.pdf

[27] "US Senate Report Talks About Russian Propaganda in Georgia • Tabula", accessed 3 August 2018, <http://www.tabula.ge/en/story/128551-us-senate-report-talks-about-russian-propaganda-in-georgia>

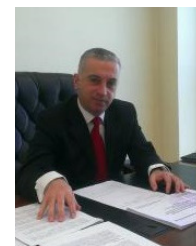
Political Stalwarts[28]

Source: Wikipedia/The Chancellery of the Senate of the Republic of Poland

Bidzina Ivanishvili, Chairman of the Georgian Dream party and former Prime Minister of the country, is exerting massive influence on every aspect of the Georgian political life and especially in the media. He sharply criticized media during his time in office, calling them “fake news” and its journalists “non-professionals.”[29] But in spite of his power, Ivanishvili is not actively using media platforms to push his political messages through. Once in a while, he gives interviews, but only to those journalists who used to work in his media outlets. Before the 2012 election, Ivanishvili owned the television stations Channel 9 and GDS. Channel 9 was shut down soon after

the 2012 elections and the pro-government Imedi TV recently bought GDS, which was then turned into an entertainment broadcaster. Most of the journalists and staff of GDS moved to the public broadcaster GPB, including its current director. Civil society organizations showed concern about the declining media pluralism and increased media concentration (that favor the ruling party) following the merger of TV Imedi, Maestro TV and GDS TV, and change of the leadership at the GPB.[30]

Chairman of the media regulator GNCC since 2017, **Kakha Bekauri** is expected to play a key role in the regulatory field until 2020. He was elected as the GNCC Commissioner in 2014. Bekauri is known to have close ties with the ruling Georgian Dream party. Before the 2012 parliamentary election Bekauri worked as a General Director of TV Maestro, which at the time was a pro-opposition outlet. He then moved to manage TV Channel 9, which belonged to the family of the former Georgian Prime Minister Ivanishvili, now the Chair of the Georgian Dream party. According to the global



Source: GNCC

anticorruption NGO Transparency International in Georgia, Bekauri does not have the academic qualifications required to fill the GNCC chair position[31]: specifically, Bekauri is a mathematician by education while the law requires an academic degree either in business management or media for people who fill this position.[32] TI Georgia’s claim was supported by an official letter from the Quality Assurance unit of the Ivane Javakhishvili Tbilisi State University[33] GNCC responded to the claims about Mr. Bekauri’s academic qualifications by publishing a second letter,[34] issued by the

[28] This section, “Political Stalwarts”, is based mostly on semi-structured interviews with local experts and journalists, selected primarily based on their reputation as independent and impartial observers. (See Media Influence Matrix: Georgia Methodology) The objective of these profiles is not to exhaustively map the influencers in the country’s policymaking, but to present some of the key players in this field to illustrate how media policymaking works in Georgia. The influencers listed here are mostly people with strong political affiliations whose positions and initiatives in policy are mostly influenced by the political logic.

[29] “ივანიშვილი: მედიაში მომუშავეები კონტროლს და კრიტიკას უნდა ექვემდებარებოდნენ • ტაბულა,” ტაბულა (Ivanishvili: Media representatives should be subject to control and criticism), Tabula, accessed 19 August 2018, available online at <http://www.tabula.ge/ge/story/87631-ivanishvili-mediashi-momushaveebi-kontrols-da-kritikas-unda-ekvemdebarebodnen>

[30] “განცხადებები: კოალიცია `მედიის ადვოკატებისთვის` საზოგადოებრივი მაუწყებლის დირექტორად ვასილ მაღლაფერიძის დანიშვნას ეხმარება (Statements: Coalition for Media Advocacy Responds to Vasil Maglaperidze’s appointment as Director of Public Broadcaster), Cso.ge, accessed 7 October 2018, <http://www.cso.ge/view.php?type=applications&slug=koalicia-mediis-advokatirebistvis-sazogadoebrivi-mauwyebliis-direktorad-vasil-maghlaferezidzis-danishvnis-ekhmaureba&lang=ge>

[31] According to Article 9.6 of the Law of Georgia on Public Broadcasting, a candidate for membership in the Commission shall meet a number of qualifications, including a Master’s degree or equivalent degree thereof in economics, public administration, business administration, law, electronic communications or journalism.

[32] “Kakha Bekauri Does Not Meet the Qualifications for Membership/Chairpersonship of the Georgian National Communications Commission,” საერთაშორისო გამჭვირვალობა - საქართველო, accessed 9 August 2018, available online at <https://www.transparency.ge/en/blog/kakha-bekauri-does-not-meet-qualifications-membershipchairpersonship-georgian-national>

[33] Official letter from Tbilisi State University on Mr. Bekauri’s degree compatibility, accessed 2 April, 2019, available online at https://drive.google.com/file/d/1_D0fhGpQrIfzTEagedoCyAY0e7-5jSNV/view

[34] Second official letter from Tbilisi state University on Mr. Bekauri’s degree compatibility, accessed 2 April, 2019, available online at <http://www.gncc.ge/uploads/other/3/3033.pdf>

same university unit providing a different assessment of the qualifications of Mr. Bekauri based on the same diploma, this time with the conclusion that the degree is equal to the required qualifications. In spite of the controversy around his degree, Mr. Bekauri has gained significant media experience throughout the years. Besides all private media outlets mentioned before, he also worked for the public television and radio broadcasters as well as the television channel Mze. During his tenure as a GNCC commissioner, Bekauri allegedly lobbied for introducing a slew of amendments in the broadcasting law in favor of the GPB regulations that allowed the broadcaster the right to double advertising time, expand the scope of sponsorship and to purchase media products or services without public procurement procedures. Civil society expressed concerns about these legal changes. “Such a law will not only harm private TV stations but also newspapers, magazines and radio stations,” said Lasha Tugushi, editor-in-chief of the daily newspaper Resonance. “It will also deprive them of the little income they have from advertising.”[35] As a chair, Bekauri also supported a request submitted by the GNCC to Parliament to ask broadcasters to verify the trustworthiness and objectiveness of opinion polls.[36] Local NGOs and observers found this rule problematic as it limited reporting on public polls on television, particularly on the opposition channel Rustavi 2.[37]

Vakhtang Abashidze currently serves as a GNCC commissioner, a mandate slated to last until 2020. He held previous positions at the GNCC in 2014-2017 (Chair) and 2000-2004. According to his CV, before GNCC, he worked for JSC Silknet, one of the biggest telecommunication companies by revenue in Georgia. More importantly, he is a brother of the former envoy to the NATO and EU and previous Ambassador in Russia, Zurab Abashidze, currently the Prime Minister’s Special Representative for Relations with Russia. Abashidze enjoys a close relation with the former Prime-Minister Ivanishvili. But in spite of his political affiliation, Abashidze enjoys a good reputation among journalists. His time at the GNCC was assessed by one of them as the most “cooperative and progressive.” The digital switchover as well as institutional reforms of the media were carried out during his tenure.



Source: Flickr / ITU / R.Farrell



Source: Georgian Public Broadcasting

Vasil Maghlaperhidze, the new Director of the Georgian Public Broadcasting (GPB) as of 2017, is to serve in this post until 2023. A former lawmaker and governor of Mtskheta-Mtianeti region (2005-2008), Maghlaperhidze most recently worked for Channel 9 and GDS TV, television channels owned by the family of Ivanishvili. Maghlaperhidze was criticized by civil society groups for his decisions to fold television programs that were critical of the Government, according to a 2018 Freedom House report.[38] The Georgian Government rebuffed the allegations in the report.

Eka Beselia is a two-time MP from the Georgian Dream political party and chairs the committee in charge of legal issues in Parliament. She built her political path primarily by criticizing the previous UNM government for allowing human rights abuses in prisons. After the 2012 election, Beselia became a member of the Standing Commission for Early Conditional Release (which was a committee specially created after the election in 2012 to restore justice and release political prisoners that were considered “victims of the regimes”). This position gave Beselia a platform to increase her political influence.



Source: Parliament of Georgia

[35] “The Messenger - Georgia’s Public Broadcaster Demands Commercial Advertising Rights”, accessed 21 October 2018, http://www.messenger.com.ge/issues/4020_november_21_2017/4020_tea.html

[36] Paragraph 11 of Article 5, “საქართველოს საარჩევნო კოდექსი | სსიპ ”საქართველოს საკანონმდებლო მაცნე””, accessed 21 October 2018, <https://matsne.gov.ge/ka/document/view/1537168?publication=48>

[37] “Kakha Bekauri Does Not Meet the Qualifications”, cit.

[38] Freedom House, “Georgia Report 2018”, 4 January 2018, available online at <https://freedomhouse.org/report/freedom-world/2018/georgia>

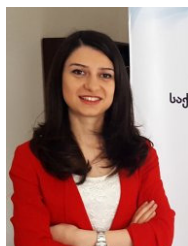
Being one of the key figures in the party with support from the party leader Bidzina Ivanishvili, she has gained more authority to shape party politics in almost every policy including government-media relations. She stands out through her harsh critique of the opposition, civil society organizations and the pro-UNM Rustavi 2. Before her political career, she used to have her own law firm, Eka & Company.

Progressive Minds[39]

Lasha Tugushi has been heading the NGO Liberal Academy Tbilisi from 2012. He has significant experience of working with civil society and media. From 1995, he has been also the Editor-in-chief of the Georgian daily newspaper *Resonansi* and lecturer on media and international conflicts. Until recently he has served as Chair of Eastern Partnership Georgian National Platform.[40] He was actively involved in NGO-led efforts supporting a law against illegal surveillance.[41]



Source: Liberal Academy Tbilisi



Source: Georgian Charter of Journalistic Ethics

Nata Dzvelishvili has served as Executive Director of the Georgian Charter of Journalistic Ethics since 2015. She is described by local journalists and experts as a committed defender of journalists' rights and a good mediator. During her time in the office, the Charter became a solid ground for staving off political accusations against journalists. The platform was actively engaged by high officials to address suspicions of infringements of journalistic ethics. Dzvelishvili worked as a reporter for four years before moving to the NGO sector. In 2014-2015, she held several positions in the Institute for Development of Freedom of

Information (IDFI) and Mediachecker.ge, a local online portal covering media affairs. She does work in academia as well, lecturing at the International Black Sea University (IBSU) in Tbilisi. Thanks to her research experience, Dzvelishvili enjoys good working relations with media practitioners as well as the international donors including the International Research and Exchanges Board (IREX), Open Society Georgia Foundation (OSGF), National Endowment for Democracy (NED), United Nations Development Program (UNDP) and Council of Europe.

Zviad Koridze is one of the best-known journalists in Georgia, a former correspondent and Chief Editor of 7 Days, a weekly newspaper founded by the Union of Journalists of Independent Publications,[42] an organization of more than 150 journalists. He served as the head of the news desk at Rustavi 2 TV and was the Chief Editor of the *Georgian Newspaper*. Until recently he was a Chairman of the State Pardon Commission,[43] which gave him a new platform to engage more actively in political discussions. Koridze co-authored the amendments to the Broadcasting Law that introduced new criteria for the composition of the GPB Board of Trustees and the



Source: Institute for Development of Freedom of Information

[39] The objective of this section is to identify some of the key influencers in the country's policy who have showed a more progressive stance on media policy. The exercise feeds into the overall analysis of the media policy development presented in this report and was fully based on semi-structured interviews with independent observers and journalists in Georgia.

[40] The platform is part of the Eastern Partnership Civil Society Forum (EaP CSF), a policy initiative aimed at bringing six countries in the region (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine) closer to the EU.

[41] "Surveillance Bill Review Postponed", Democracy & Freedom Watch, 16 May 2014, available online at <http://dfwatch.net/surveillance-bill-review-postponed-43508-28710>

[42] This is not a well-established association. However, five years ago it served as a platform for monitoring media-related problems. See more at <http://www.iagi.org.ge/index.php/ka-ge/>

[43] An institution under the President office that provides recommendations to the President to pardon or grant clemency to prisoners.

establishment of a new governance structure at the public broadcast company. These new rules were perceived by local and international experts as a progressive and democratic step in Georgian media regulation.[44] From January 2019 he is an employee of Public Broadcaster Ajara TV and Radio working on governance model, structure and internal regulatory documents of the broadcaster.



Source: Natia Kuprashvili

Natia Kuprashvili has a reputation of an outspoken defender of regional print and broadcast media. Currently, she is the Chair of the NGO Journalism Resource Centre. In 2018, she was elected head of the Georgian National Platform of the EU Eastern Partnership Civil Society Forum. She has gained more attention during her tenancy in the Georgian Association of Regional Broadcasters (GARB), a prominent provider of regional content for both print and broadcast media. She is also active as a journalism practitioner, serving as director of the newly launched Russian-language television channel TOK TV.

Transparency of Decision-Making in Media Regulation

The GNCC is becoming more transparent after a protracted process of reorganization. Most of the documents issued by the GNCC, including news bits, meeting calls, announcements, annual reports on the state of broadcasting and licensing decisions are published on the regulator's website.

The digital switchover of 2015 led to a slight decline in the importance of the regulatory body mainly because the number of broadcast licenses available has increased and the television channels got easier access to broadcast licenses. For example, if television channels want to air terrestrially, they have to conclude bilateral agreements only with digital multiplex operators, a process that does not involve the regulator anymore. The regulator in this specific area now has only the task to formally authorize these channels. Constant increase in the regulator's income has drawn more attention from civil society organizations who put pressure on the regulator to ensure transparency in spending.

Other than that, in recent years, civil society groups have criticized GNCC for nepotistic employment practices as they are said to hire non-staff employees without competition and using unclear wage policies.[45]

Impact of Regulators on News Media and Journalism

In recent years there were two major regulatory decisions that affected media companies. Both of them were advertising-related. The first one was a set of amendments that came into force in 2015, requiring television broadcasters not to air commercials and teleshopping in excess of 20% of each hour (or more than 12 minutes per hour). The regulation is in line with the EU's Audio-visual Media Services Directive (AVMSD), the main tool harmonizing broadcasting in the European single market. It was also part of the EU-Georgia Association Agreement. However, local experts criticize the rush

[44] "International and Local Organisations Note That the New Rule of the Composition of the Georgian Public Broadcaster's (GPB) Board of Trustees Is Democratic.' | Factcheck.Ge", accessed 18 November 2018, available online at http://factcheck.ge/en/article/eliso-chapidze-international-and-local-organizations-note-that-a-new-rule-of-composition-of-the-georgian-public-broadcasters-gpb-board-of-trustees-is-democratic-2/?am_force_theme_layout=desktop

[45] "Possible Cases of Nepotism in GNCC's Public Defender Service for Consumer Interests", საქართველოს გამჭვირვალობა - საქართველო, accessed 21 August 2018, <https://www.transparency.ge/en/blog/possible-cases-nepotism-gnccs-public-defender-service-consumer-interests>

with which the amendments were adopted, claiming that they were politically driven as they were aimed to financially hobble Rustavi 2 channel by reducing its income from ads. According to the agreement with the EU, Georgia would have to impose the EU-inspired ceilings on commercials until 2019. Parliament though passed the amendments in February 2015, and they came into force only a month or so later, on 1 April 2015.[46] Rustavi 2 incurred substantial losses because of these newly introduced legal provisions as they took effect at a time when television stations had ongoing contracts with advertisers, Rustavi 2's management said. GNCC refuted the accusations, claiming that the new advertising limits wouldn't affect the advertising market negatively.

The second controversial decision was the adoption in 2017 of a set of amendments to the Broadcasting Law, which granted the Georgian Public Broadcaster (GPB) access to more advertising revenues and exempting the station from procurement obligations when purchasing certain products.[47] Until then, the broadcaster could only sell ads in its primetime and during holidays. Critics slammed GNCC for supporting these new advertising rules that clearly favored the GPB. They argue that these rules distort the advertising market. That is problematic, critics say, because GPB also enjoys the advantage of receiving cash from the state budget.[48]

On top of that, there was one more contentious case involving the GNCC: the purchase by TV Imedi of TV Maestro and TV GDS. GNCC concluded that the deal neither breached legislation nor created a situation of market concentration. However, a similar deal had not been approved in 2015.[49] As Georgia's antitrust regulator does not cover media, the case was solely dealt with by GNCC, which has competition-related tasks in the media field.

One GNCC initiative that is likely to influence the media market is the creation of a non-commercial entity, known as Media Academy, whose mission is to raise media awareness in the country. Civil society groups expressed their concerns that the newly established entity would bring media-related projects under the GNCC's control, which would affect the funding and work of media NGOs. The GNCC's Media Academy has four lines of work:

- A three- to six-month media course for media producers and journalists
- Media criticism projects targeted at both journalists and consumers
- Awareness-raising projects targeted at consumers
- Support for media start-ups

The director of the initiative is David Kakabadze, former head of the Georgian Service of Radio Free Europe/Radio Liberty, a U.S. Congress-funded broadcaster.[50]

[46] „მაუწყებლობის შესახებ „საქართველოს კანონში ცვლილების შეტანის თაობაზე,“ სსიპ“ საქართველოს საკანონმდებლო მაცნე” (On the changes in the Law On Broadcasting), accessed 21 August 2018, available online at <https://matsne.gov.ge/ka/document/view/2749425>

[47] Law of Georgia on broadcasting, accessed 02 April 2019, available online at <https://matsne.gov.ge/en/document/download/32866/39/en/pdf>

[48] „ახალ კანონში არ არსებობს იმის შემაფერხებელი ფაქტორი, რომ საზოგადოებრივმა მაუწყებელმა არ დაანესოს დემონეტური ფასები რეკლამაზე. ამ პრობლემის აქტუალურობას აუდიტის დასკვნაც აჩვენებს | Factcheck.Ge”, (There is no factor preventing GPB from not dumping prices on the advertising market based on the new law. The audit conclusions also highlighted this problem Factcheck.Ge), accessed 13 July 2018, available online at <http://factcheck.ge/article/akhal-kanonshiar-arsebobs-imis-shemapherkhebeli-phaqtori-rom-sazogadoebrivma-mautsqhebelma-ar-daatsesos-dempingur-phasebi-reklamaze-am-problemis-aqtualurobas-auditis-daskvnats-achvnebs/>

[49] ბოჩიკაშვილი გელა, “იმედსა და მაესტროს ერთი მფლობელი ჰყავთ - ირღვევა თუ არა კანონი,” (Bochikashvili Gela, Imedi and Maestro have one owner - whether the law is violated or not), On.ge, 19 February 2018, available online at <https://goo.gl/HcNlj4>

[50] „კომისიამ მედიააკადემიის ხელმძღვანელად დავით კაკაბაძე დანიშნა”, საქართველოს კომუნიკაციების ეროვნული კომისია (Commission appointed David Kakabadze as head of the Media Academy), Georgian National Communications Commission, accessed 21 August 2018, available online at <https://www.gncc.ge/ge/news/press-releases/komisiam-mediaakademiis-xelmdzgvanelad-davit-kakabadze-danishna.page>

INFLUENCERS

Local Influencers

During the 2016 parliamentary elections broadcasters played again an important role in helping parties reach their voters. All three front-running parties that managed to enter Parliament, including Alliance of Patriots of Georgia, a center-right, pro-Russian party, operated their own television platforms. The Alliance of Patriots of Georgia was established right before the 2012 elections. In spite of their nationalistic and anti-western ideology and lower financial resources compared to other political parties, they managed to mobilize supporters and reach the 5% threshold needed to enter Parliament.[51] Altogether, political party's investments into media outlets have skyrocketed in the past five years or so.[52]

But in spite of renewed viewers' attention and financial resources spent on media by political parties, the Georgian media sector still grapples

with lack of sustainability. Most of the journalists and media experts interviewed for this report flagged the financial difficulties they are facing because of the shrinking ad revenue coupled with the tightened grip on television stations of politically affiliated business groups. [53] In recent years at least three television companies reported such problems. Adding to the pain, media businesses have not managed to respond to challenges brought by new technologies and digitization, including sharp competition for advertising dollars posed by social networks. Therefore, news media are now desperately looking for a silver bullet outside the market, which makes them hugely dependent on donors and business groups. *(See more about the journalism business in the chapter on Funding Journalism in the Media Influence Matrix: Georgia)*

Industry and Political Players

The biggest influencers in the Georgian media include, besides political parties, a spate of business groups standing behind mainstream outlets, mostly broadcasters. They are often accused of being affiliated with political parties and of promoting political content based on these affiliations. The main influencers behind these media outlets include former PM Bidzina Ivanishvili, Badri Patarkatsishvili's family who owns a pro-governmental media holding consisting of the television stations Imedi, Maestro and GDS, and brothers Karamanishvili who owned the full stake in the pro-UNM Rustavi 2 media holding until 2018 (the holding consisted of the television channels TV Rustavi 2, Komedi and Marao). Together, Rustavi 2 and Imedi control some 81% of the media advertising market in Georgia.[54]

Thanks to improvements in media legislation[54], the ownership of Georgian media outlets is generally transparent. The names of owners can be easily found. However, less is known about who is behind these owners and their other businesses.

[51] Interviews with Georgian journalists and experts carried out for this report (See Methodology in Media Influence Matrix: Georgia)

[52] Campaign Finances in Georgia's 2018 Presidential Elections Interim Report (საერთაშორისო გამჭვირვალობა - საქართველო).

[53] Media Sustainability Index (MSI), 2018, available online at <http://www.mediasustainabilityindex.org>

[54] "2012-2017 წლების სატელევიზიო სარეკლამო შემოსავლების ანალიზი", 2017, available online at <http://gncc.ge/uploads/other/3/3001.pdf>

[55] The change in the law on broadcasting obliging broadcasters to disclose their owners (amendment of 2011)

The Bidzina Ivanishvili family is known as a highly influential group in the country's media and politics. Known as Georgia's richest man, Bidzina Ivanishvili is a former Prime Minister and head of Georgian Dream political party. Officially, he does not own any media outlets anymore. But he has links with media outlets in Georgia through offshore businesses that are owned by proxies, either company managers or relatives. For example, Global Contact Consulting, the company controlling the cable operator Global TV, is owned by one of Ivanishvili's relatives, Aleksandre Ivanishvili.[56] Ivanishvili's name also appeared in Panama Papers linked with the company Lynden Management Ltd registered in the British Virgin Islands. The Panama Papers was an investigation conducted by the International Consortium of Investigative Journalists (ICIJ), a network of journalists doing cross-border investigations.[57]

Although he is no longer in the Government, Ivanishvili still exerts a great deal of influence in government affairs, as Chair of the Georgian Dream Party. Thanks to Ivanishvili, the pro-governmental TV Imedi was taken over by the Badri Patarkatsishvili's family, another influential family in Georgia's media industry. The Patarkatsishvilis later bought the television channel GDS from the Ivanishvili family. The Patarkatsishvili family now owns a media holding consisting of the television stations Imedi, Maestro and GDS, which are all pro-government. Ivanishvili was also accused by journalists of making pressures on independent channels such as TV Rustavi 2 and TV Iberia. The latter folded because of financial problems. Rustavi 2's assets are frozen while a case involving the station is pending in court.

Brothers Karamanishvili who owned the full stake in the pro-UNM Rustavi 2 media holding until 2018 have also gained significant influence in the country's media thanks to their control of the Rustavi 2 media holding, which consists of Rustavi 2 (one of the most popular television channels in Georgia), Komedi Channel and Marao. The brothers also owned several other businesses in Georgia.

Companies with the biggest influence in Georgia's media and politics

Imedi Media Holding

The company is owned by Badri Patarkatsishvili's family. Badri Patarkatsishvili was a controversial Georgian businessman with presidential aspirations. In the 2008 presidential elections he came third garnering 7.1% of the votes. From 2001 until the time of his death in 2008, he was a highly influential figure in the Georgian business. His name was linked to some of the most successful companies in Russia. He reportedly had connections with the Russian oligarch and former politician Boris Berezovsky. Patarkatsishvili was at some point the wealthiest citizen in Georgia with an estimated fortune worth some US\$ 12bn. He was also one of the country's top philanthropists. In 2008, he suddenly died in the U.K. Following his death, Patarkatsishvili's property was at the center of one of the biggest real estate disputes in the country. In 2012 the newly established Georgian Dream party-led government helped Patarkatsishvili family to regain ownership of some of their disputed businesses, among them Imedi TV. Some of the family's key businesses today, besides media, include IDS Borjomi, a major mineral water bottler selling its products in Georgia, Russia and other post-soviet countries, Rustavi Metallurgical Plant, which is the largest metallurgical plant in the Caucasus and one of Georgia's largest industrial enterprises, MagtiCom, Georgia's second largest mobile operator, and Mtatsminda Park, a landmark landscaped park in the Georgian capital city of Tbilisi.

[56] "Who Owns Georgia's Media" 2014, 26.

[57] Tsoetne Bakuria, "Panama Papers Reveal Bidzina Ivanishvili's Lavish Assets", The Washington Times, 14 June 2016, available online at <https://www.washingtontimes.com/news/2016/jun/14/panama-papers-reveal-bidzina-ivanishvilis-lavish-a/>

Rustavi 2

The Rustavi 2 media group is majority owned by the Karamanishvili brothers. Since 2011, they have controlled some 90% of the shares in the company. However, little is known about them. The pro-governmental media accuse the brothers to be close associates with the ex-president Mikheil Saakashvili. According to investigations from Transparency International Georgia, they have ownership links, via offshore companies, with a number of other businesses including Beeline Georgia, the third largest mobile service provider in the country, Caucasus Online, the second largest internet service provider in Georgia and GMC group, owner of restaurants and a shopping mall in Tbilisi (the company also submitted a bid to operate minibus lines in Tbilisi).[58]

Nikoloz Nakhopia, who also owns a stake in Rustavi 2, is closely linked with the UNM party. The son of an influential UNM MP, Nakhopia is one of the wealthiest Georgian businessmen. Since 2015, Rustavi 2 has been embroiled in an ownership dispute at the Tbilisi city court after the company's former owner Kibar Khalvashi lodged a complaint reclaiming his shares in Rustavi 2. The history of the dispute harks back to 2004 when the broadcaster's ownership changed hands through a string of controversial deals. In 2004, its founders, Erosi Kitsmarishvili, Davit Dvali, and Jarji Akimidze, sold 90% of the company, allegedly under a dubious bankruptcy threat, to an intermediary that then transferred the ownership to businessman Kibar Khalvashi. A series of more, equally suspicious, transfers of ownership took place in the following years. They involved middlemen, various companies as well as several shell companies and firms incorporated in offshore jurisdictions. Rustavi 2 has thus passed through the hands of five UNM-connected groups of owners: Khalvashi (2004-2006); Robert Bezhuashvili (2005-2011), father of UNM parliamentarian Davit Bezhuashvili and former minister Gela Bezhuashvili; Bidzina Nizharadze (2006-2009); Giorgi Gegeshidze and his widow Nino Nizharadze (2009-); and brothers Levan and Giorgi Karamanishvili, current owners of the station (2011-).[59]

After the 2012 change in government, both Kitsmarishvili and Khalvashi expressed interest in getting the station back. Previous owners, the co-founders Dvali and Akimidze raised similar claims, too. In July 2014, an official investigation was underway when Kitsmarishvili was found dead by a single gunshot. The investigators said that it was suicide; however, the circumstances of Kitsmarishvili's death remain unclear and the family does not agree with the prosecutor's conclusion.[60] In 2017, based on the Tbilisi City Court's decision and the decision of the Supreme Court, Rustavi 2's assets were frozen, and the ownership rights were assigned to Khalvashi. However, the Georgian Constitutional Court ordered a temporary suspension of this decision. Furthermore, the European Court of Human Rights (ECtHR) ruled in 2017 against the Georgian Supreme Court's decision to grant Rustavi 2's ownership rights to Khalvashi[61]. It was an unprecedented decision as, for the first time in the ECtHR's history, a Supreme Court decision was suspended.[62]

[58] "Who Owns Georgia's Media"

[59] "The Curious Case of Georgia's Rustavi-2", openDemocracy, 2 December 2015, available online at <https://www.opendemocracy.net/od-russia/cory-welt/curious-case-of-georgia-s-rustavi-2>

[60] "Georgia's Top Prosecutor Concludes Kitsmarishvili Committed Suicide - Democracy & Freedom Watch" 23 June 2016, available online at <https://dfwatch.net/georgias-top-prosecutor-concludes-kitsmarishvili-committed-suicide-43294>

[61] "ტელეკომპანია „რუსთავი 2“-ის ისტორია 2012 წლის საპარლამენტო არჩევნების შემდეგ", საერთაშორისო გამჭვირვალობა - საქართველო (History of TV Rustavi 2 after the 2012 parliamentary elections), Transparency International - Georgia, accessed 18 November 2018, available online at <https://www.transparency.ge/ge/blog/rustavi-2-tarighebshi-telekompaniis-istoria-2012-tslis-saparlameto-archevnebis-shemdeg>

[62] "Strasbourg Court Suspends the Enforcement of the Supreme Court Decision on Rustavi 2 Case", Georgian Journal, 4 March 2017, available online at <https://www.georgianjournal.ge/society/33370-strasbourg-court-suspends-the-enforcement-of-the-supreme-court-decision-on-rustavi-2-case.html>

Iberia TV

Iberia TV is owned by Zaza Okuashvili, a businessman who was an MP from 1999 to 2004. He owns the station through Omega group, which according to its website, controls the cigarette manufacturer OGT and the tobacco distributor Omega 2 as well as car dealerships and the publishing house Omega Tag. The group also operates the online media outlet Medianews.ge.[63]

Iberia TV was relaunched in 2013 after its closure in 2004.[64] According to the company's representatives, the station was closed after the former General Prosecutor's office raided the businesses owned by Okuashvili's Omega Group, citing fraud as the reason for the raid.[65] The station's hopes of survival after being relaunched were short-lived. Following accusations by the local tax inspector of financial irregularities, the station was shut down in November 2018. The journalists at Iberia TV say that the station was closed down because of its critical coverage. On the other hand, the station's management say that the broadcaster was no longer able to cover its operational costs. The decision to close the station was made five weeks after the employees and owners of Iberia TV accused the authorities of pressures, claiming that they created financial problems for Omega Group's cigarette production company, Omega Group Tobacco (OGT).[66]

TV Pirveli

The channel is owned by the Tsereteli family, which also owned tobacco and gambling businesses in Georgia. In early 2018, a journalist working with TV Pirveli, Nino Zhizhilashvili reported that the channel had received "concerning signals" from the Government aimed at influencing the station's content.[67] The Government was disturbed by the existence on the market of an independent broadcaster which, in spite of its small size, has a big impact on shaping public opinion, the journalist said. Then, she added that, for the time being, the problems with the Government were resolved thanks to interventions from foreign embassies in Georgia and various international organizations.[68] However, a journalistic investigation from Netgazeti.ge revealed that the Government buried the hatchet only after a deal was reached between the Tsereteli family and some of their business partners.[69] Government officials were part of the "solution," journalists wrote. Government officials such as the former First Deputy Prime Minister and Minister of Economy Dimitry Kumsishvili and the former Education Minister Aleksandre Jejelava were reportedly involved in the deals, according to Ninia Kakabadze, a media activist who sits on the GPB board of trustees.[70]

Obiektivi

The broadcasting license of Obiektivi is held by the non-profit entity Media Union Obiektivi, represented by Mr. Irakli Tsilikashvili (head of the board), Mr. Zurab Gogishvili, Mr. Soso Zaalashvili and Mr. Mamuka Gobechia. The channel is operated by a for-profit entity, LTD Media House Obiektivi, co-owned by MP Irma Inashvili, Dimitri Volkovich, Zurab Gogishvili, Tsilikashvili, Bondo Mdzinarashvili and Tea Nadiradze.[71] In spite of its lower ratings, the channel plays a major role in mobilizing voters for the political party Alliance of Patriots of Georgia.

[63] Transparency International. "Who Owns Georgia's Media", cit., 26 (2014).

[64] Media.ge: Patarkatsishvili's Family Gives Frequency Back to Iberia TV, 8 September 2013, available online at www.media.ge/en/portal/news/301319/

[65] United States Department of State's [2004 Human Rights Report](#)

[66] "Iberia TV Stops Broadcasting – Civil.Ge.", 2018, available online at <https://civil.ge/archives/259244>

[67] "ნეტგაზეტი | იყო სიგნალები TV პირველის მინარსის შესაცვლელად – ნინო ჟიჟილაშვილი", (Netgazeta | There were hints to replace TV first editorial policy - Nino Zhizhilashvili), Netgazeti, accessed 15 November 2018, <http://netgazeti.ge/news/253378/>

[68] "Georgian PM Says Media 'Untouchable' after TV Stations Accuse Government of Pressure", OC Media, 21 February 2018, available online at <http://oc-media.org/georgian-pm-says-media-untouchable-after-tv-stations-accuse-government-of-pressure/>

[69] "ნეტგაზეტი | \$4 მილიონი და ტელეკომპანია პირველის 'მოგვარებული პრობლემა'", (Netgazeta | U\$ 4 million and TV company Pirveli's 'solved problem'), Netgazeti, accessed 15 November 2018, available online at <http://netgazeti.ge/news/254384/>

[70] "Georgian PM Says Media 'Untouchable'", cit.

[71] LTD Media-Sakhli Obiektivi, ID: 204436173; LTD Vakko, ID: 404949008.

Civil Society

In spite of improvements in media literacy and the rise of a new generation of media professionals in high managerial positions, the media industry has not changed much in recent years. Civil society organizations are said to exert a positive influence in helping media become more sustainable and in raising journalism standards. They actively contribute to media policy and journalism debates. Fact-checking organizations often catch out government officials and politicians. However, strong incentives for building independent media are lacking. A few initiatives aimed at building from scratch media outlets, not linked in any way with the country's large business groups, came a cropper.

The Georgian Charter of Journalistic Ethics, an independent self-regulatory body created in 2009 by 137 journalists from various media outlets, serves as a union of journalists aimed at raising the social responsibility of media through protection of professional and ethical standards and development of self-regulation mechanisms. The organization is governed by a council, which assesses complaints from the public against journalists, deciding whether or not any of the Charter's 11 ethical principles were violated. The Georgian Charter of Journalistic Ethics is a member of the Alliance of Independent Press Councils of Europe (AIPCE). The Charter runs MediaChecker, a reporting initiative focused on checking accuracy in the media.[72] Another organization with influence in media development is Media Development Foundation (MDF), an NGO active in tracking the effects and links between Georgian media and Russian propaganda channels as well as in researching hate speech and discrimination in the media. (*See External Influencers in this chapter*).

Other NGOs with influence in media development and policy include:

- Transparency International–Georgia is the local chapter of the eponymous international anti-corruption NGO. Its media-related projects are focused on investigating irregularities in the media market such as illegal cross-ownership cases, non-transparent advertising practices, and monitoring how GPB fulfills its public service mission;
- Institute for Development of Freedom of Information (IDFI) is an NGO that has been working on issues such as access to information and internet regulation;
- Georgian Young Lawyers' Association (GYLA) is one of the oldest and most respected civil society organizations in Georgia. They work on promoting human rights and the rule of law through increased public legal awareness and contributions to legislation. For years, GYLA has been operating the Media Legal Defense Center, an entity focused on the legal aspects of media freedom and media competition. Currently the center runs a project aimed at improving the state of the media environment in Georgia. The current head of the organization, Sulxan Saladze served as Board Member of the GPB in 2016-2018, being considered an outspoken expert on media policy-related topics.
- Finally, another organization that contributes to improvement of media practices is GRASS (with its project Fact-check Georgia), a web-based project that hosts political debates. Fact-check Georgia is a member of international fact-checking organizations. Most of its content consists of rebuttals to what it considers inaccurate, misleading or false claims made by politicians. It also exposes misleading claims from various regional leaders and party leaders. During its five-year history, Fact-check Georgia has become a primary source for information based on monitoring of politicians that has helped civil society groups to bring government to account.

[72] See more at <https://www.mediachecker.ge/> (accessed 15 January 2019).

People working in the civil society sector with influence in the Georgian media^[73]

Tamar Kintsurashvili, the head of the Media Development Foundation (MDF), was General Director of Georgian Public Broadcaster (GPB) in 2005-2008 and also worked as a correspondent and editor for several news media. Before moving to the NGO sector, she was also a member of the Georgian Government Commission monitoring the election process in 2012. She is often criticized for being associated with the UNM political party. Recently, she actively supported Rustavi 2 in their clashes over ownership. (*See Industry and Political Players in this chapter*)

Nika Gvaramia is a Georgian lawyer and former politician who currently works as a media reporter and CEO of one of the most popular pro-UNM (opposition) private television channels in Georgia, Rustavi 2. Before government changes in 2012, he served as First Deputy Prosecutor General of Georgia, Minister of Justice and Minister of Education and Science in the UNM government. He fiercely defended Rustavi 2's freedom and independence. Gvaramia is close to the UNM and its top leadership.

Mamuka Andguladze, the media program manager at the Transparency International Georgia, has a solid background in media law and years of international experience working on human rights and media law. Andguladze is described by local experts as a well-educated professional in the field of media law who plays an important role in decision-making at a local unofficial alliance of NGOs that work on media topics. For several years Andguladze worked for the Council of Europe (CoE) on projects covering media freedom and internet governance. He also works in academia lecturing on various topics related with freedom of the media.

Giorgi Kldiashvili is the founding member and director of Georgia's Institute for Development of Freedom of Information (IDFI) and one of two new civil society Steering Committee members of Open Government Partnership, a global initiative set up to promote open government and fight corruption, among other things. His contributions to media were related to access to information, anticorruption policy and internet regulations.

A small group of international actors, through their local branches, make a significant contribution to media policy and development. Programs funded by IREX and the U.S. Embassy in Tbilisi provide strong support to media freedom and media advancement in the country. Without such support, many progressive media outlets would not be in business today. IREX supports projects in Georgia aimed at improving media literacy and raising media awareness and provides technical and strategic advice to media organizations and media professionals, facilitating partnerships between media outlets in Georgia and the United States, and helping modernize public libraries. The U.S. Embassy through its media programs supports the professional development of media educators and media sustainability both in Tbilisi and in the regions. A media literacy pilot program of the Embassy, with a budget of US\$ 300,000, is aimed at establishing cooperation between Georgian and U.S. schools of journalism.

The Open Society Georgia Foundation (OSGF) through its open journalism program aims to make quality journalism more accessible to citizens and to promote a more public interest-driven media, free of political influence. OSGF has spent over the course of two decades more than US\$6m on 310 different media projects in Georgia. (See a more detailed account on philanthropy spending in the media in *Funding Journalism in Media Influence Matrix: Georgia*.) In the 2017-2020 strategic period, OSGF is focused, among other things, on improving management practices in independent media and their capacity to become financially sustainable. One of the distinctive and trendsetting objectives of OSGF is supporting journalistic projects in ethnic communities.

[73] The goal of this section is to identify some of the key people in the Georgian civil society who have been most active in advocating for improved media standards and policies. Some have done so in spite of political affiliations or affinities.

External Influencers

In 2014, the European Union and Georgia signed an ambitious Association Agreement (AA), which includes provisions on a Deep and Comprehensive Free Trade Area (DCFTA). The agreement took full effect in July 2016. All the provisions of the agreement have been successfully implemented, which helped Georgia in its efforts of political and economic integration with the EU. Part of the provisions was a chapter on cooperation in the audio-visual and media fields.

Based on the agreement, the media regulator GNCC adopted eight EU-inspired regulations. Two of those were aimed at improving competition in the postal services sector, other two regulations covered data protection and data exchange and one was related to audio-visual media services. A few other regulations were related to technology. The most controversial regulations introduced as part of this package were related to advertising limits. Although these provisions were copied from EU law, namely the Audio-visual Media Services Directive (AVMSD)[74], they stirred controversy in Georgia. *(See more in Impact of Regulators on News Media and Journalism in this chapter)*

On the flip side, a significant source of negative foreign influence in the Georgian media is Russian propaganda. In its attempt to restore its influence in the former Soviet republics, Russia is using all available means, including hard and soft power. According to a 2017 report from MDF, anti-western narratives promoted by

Russia are increasingly present in the Georgian regional media. TV Obiektivi leads these efforts with its overtly anti-NATO, anti-U.S. content. Other local media that promote such narratives include the local newspapers *Asaval-Dasavali*, *Kviris Kronika* and *Alia*, as well as the online portals Sakinform, Georgia and the World (Msophlio), Pirveli and Reporter. *(See a more detailed analysis of the Russian influence in Georgian media in Funding Journalism chapter in Media Influence Matrix: Georgia)*

According to the MDF report, there are three categories of messages promoted by Russians in the Georgian media: the first concerns values and human rights; the second, interpretation of political developments; and the third is related to institutions, particularly international organizations and NGOs.[75]

High competition among online news media prompts many of them to dig for shocking, sensationalist, exclusive stories. Some of them turn out to be translations from dubious Russian sources. Although this seems to be a non-harmful practice, all these stories together lead to significant changes in the overall narrative, creating growing demand for conspiracy-based stories. Academics have not devoted much attention to this issue, but media experts interviewed for this report expressed serious concerns about the growing dominance of the Russian narrative in the overall international news coverage carried out by the Georgian online media.

[74] "Directive 2010/13/EU of the European Parliament and of the Council (Audiovisual Media Services Directive)", 2010, available online at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010L0013&from=EN>

[75] "Anti-Western Propaganda", 2017, available online at <http://mdfgeorgia.ge/uploads/library/89/file/eng/AntiWest-2017-ENG.pdf>



Hungary, 1051 Budapest, Oktober 6 str.
number 7, Room 210
Tel: +36 1 327 3000 / 2609
Fax: +36 1 235 6168
E-mail: cmds@ceu.edu
cmds.ceu.edu

Postal address:
Center for Media, Data and Society
Central European University
Nador u. 9
1051 Budapest
Hungary



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