



## **Press Freedom and the Safety of Journalists in Peril, Rising Polarization and a Climate of Fear – Findings of the Press Freedom Mission to Georgia**

The Mission of the Partner Organisations of the Council of Europe's Safety of Journalists Platform and members of the Media Freedom Rapid Response (MFRR) consortium concluded a fact-finding mission to Georgia. The aim of the mission was to collect information on Georgia's implementation of its freedom of expression and freedom of the media commitments, including in relation to the on-going election campaign.

This statement presents interim findings of the mission.

***We have just concluded a two day mission to Georgia. Before diving into the concrete findings of the mission, we want to say that we have observed the deterioration of press freedom as well as human rights at large in Georgia. It has been made clear to us that a wide range of tools and mechanisms are used to discredit and curtail dissenting voices, including those of independent journalists. We want to once again declare our full support and solidarity with the journalists, media, press freedom and civil society organizations. We came with concerns about media freedom, but we were appalled by what we heard.***

### **Media situation ahead of the election**

Exchanges with journalists, civil society and political and institutional leaders bear witness to a democratic backsliding and human rights violations that go far beyond the erosion of media pluralism and violations of press freedom. Civil society as a whole is facing an illiberal drift, characterized by a weakening of democratic checks and balances.

### **Concerns over recent legislation**

The representatives of journalists' organizations, media and civil society alike heavily criticised the recently passed law on 'Transparency of Foreign Influence' and 'Law on the Protection of Family Values and Minors'. They cited obstacles to the normal functioning of media outlets and media rights organisations, which are obliged to register under the foreign influence law if they receive at least 20 percent funding from abroad. They noted that only a small number of CSOs and one media outlet had so far consented to register. Both laws are perceived as tools of the executive and the ruling party for exerting pressure on the media.

When questioned about this, a representative from the ruling Georgian Dream party did not fully address our concerns. Even if not yet fully implemented, the law on Transparency of Foreign Influence has already had a **significant chilling effect** on CSOs and media outlets. The law already leads to self-censorship, intimidation of journalists' sources, and a hostile environment, preventing journalists from reporting from the field.

All interlocutors have complained about polarisation of the media sphere. The lack of political debates between opposing parties exacerbates this division. The Mission recommends that political actors, public figures, and parties should abstain from fuelling it and refrain from ostracising societal groups and public figures.

### **Safety of Journalists: a feeling of fear and exodus from the profession**

Our meeting with the stakeholders reinforced the picture, which was mentioned in the previous reports. Journalists are attacked physically, verbally, legally and financially. Journalism has become a dangerous occupation in Georgia.

Journalists are concerned about their safety to such a degree that some of them take chaperons to journalistic assignments. Representatives of several outlets noted that journalists leave the industry, and some relocate abroad. Additionally, several media outlets reported that they were making arrangements to registering their media abroad.

Besides physical assaults on journalists, numerous cases of intimidation of journalists were reported to the Mission. Threats, short-term detention, cases of alleged abuse of the administrative code and targeted smear campaigns in social media were reported by journalists themselves and media rights organisations.

The interlocutors were also concerned about misuse of national sentiments by naming journalists and or media outlets 'anti-Georgian'. The Mission is concerned that the 'foreign influence law' pours fuel on the fire of a deeply polarized political environment and dramatically undermines journalist safety.

### **Impunity for crimes and intimidation of journalists**

Most of the organisers and perpetrators of physical assaults, threats, smear campaigns or other pressure on journalists are not prosecuted. We observed that this impunity creates a hostile climate for journalists' work. We met with representatives from political parties, from the Public Defender's office and from the Communications Commission. We raised the question of impunity with all and were not given a clear answer on how and what can be done to help journalists when they are attacked.

Ever since the tragic events of July 2021 people who attacked journalists and the organisers of these heinous acts as well as members of law enforcement allegedly responsible for violence against reporters were not held accountable for attacks.

## **Public Service Media**

In 2023 the Georgian Public Broadcaster's (GPB) funding was reduced by amendments to the Broadcasting Law and the funding mechanism of the GPB changed, from a fixed percentage of gross domestic product (GDP) to an annual allocation in the state budget. The amendments were proposed without prior assessment, without consultations with GPB and without an open public debate with stakeholders and experts. Public Service Media in Georgia needs stable and predictable funding, which safeguards their independence.

## **SLAPP Lawsuits against media**

Interlocutors reported that lawsuits concerning defamation against media are used as a tool by high-ranking politicians and businesspeople affiliated with the ruling party, less by private actors. Concerns about the judiciary system amplify concerns about these cases. At the same time, in order to prove innocence journalists are indirectly pressured to reveal their sources.

## **Journalists in exile**

Some media outlets have already moved their staffers abroad and have spent their resources on registering their outlets abroad, especially in the campaign period and as an envisaged result of the enforcement of the law On Transparency of Foreign Influence.

## **Access to Information**

Reportedly, a law on creating a body responsible for regulating access to information has remained a draft since 2014. However, even the existing norms of replies by public bodies to journalists' requests within ten days are frequently not met. Reportedly, critical and investigative journalists have the most difficulty receiving replies to their requests.

The Mission recommends that the capacity of the body dealing with the implementation of the Law on Free Access to Information should be strengthened.

Rules are imposed which limit journalists' presence in the parliament and accreditation is used as a tool of curbing independent reporting. In 2024, journalists were not allowed in the Parliament during the vote on the Law on Transparency of Foreign Influence.

## **Recommendations**

- Guarantee a safe and free working environment for journalists. Ensure that journalists can cover the pre-election period and elections without obstruction or interference.
- Pieces of media legislation which are not in line with international freedom of expression standards should be revised, the Law on Transparency of Foreign Influence and the Law on protection of Family Values and Minors must be repealed.
- Ensure the proper implementation of the media legal framework, with a particular focus on the law regarding Free Access to Information. Establish relevant bodies where necessary to support and oversee the effective enforcement of these laws.

- Foreign journalists who are in exile in Georgia must be allowed to work freely and not be denied access to the country.

## Background

The mission comprised of representatives from the ARTICLE 19 Europe, Committee to Protect Journalists (CPJ), the European Federation of Journalists (EFJ), the European Centre for Press and Media Freedom (ECPMF), Index on Censorship, the International Press Institute (IPI), the Justice for Journalists Foundation, and Reporters Without Borders (RSF).

On the 1st and 2nd October 2024, the Mission met with the Chief of Staff of the Speaker of the Parliament of Georgia, the Communications Commission (the Georgian media regulator), the Office of the Public Defender of Georgia, representatives of the public service broadcaster GBP, representatives of political groups and MPs, representatives of civil society organisations, journalists and editors of broadcast, printed press and online media and representatives of the international community. The Mission requested meetings with the Ministries of Justice and Culture as well as the Legal Affairs Committee of the Parliament. The Ministries could not meet the Mission; the Chief of Staff spoke on behalf of the Legal Affairs Committee.

The Partner Organisations and MFRR members held a press briefing on 2 October 2024.

*The Platform for the Protection of Journalism and Safety of Journalists is a unique mechanism which helps the dialogue between the governments and the organisations of journalists, with the aim of stopping violations to press freedom in the member states of the Council of Europe and enabling journalists to exercise their profession without the risk of compromising their safety.*

*Since 2015, the Platform facilitates the compilation and dissemination of information on serious concerns about media freedom and safety of journalists in Council of Europe member states, as guaranteed by Art. 10 of the [European Convention on Human Rights](#).*

*The Media Freedom Rapid Response (MFRR) tracks, monitors and reacts to violations of press and media freedom in EU Member States and Candidate Countries. This project provides legal and practical support, public advocacy and information to protect journalists and media workers.*

