



Plenary sitting

B9-0295/2022

7.6.2022

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on Violations of media freedom and safety of journalists in Georgia
(2022/2702(RSP))

Miguel Urbán Crespo
on behalf of The Left Group

**European Parliament resolution on Violations of media freedom and safety of journalists in Georgia
(2022/2702(RSP))**

The European Parliament,

- having regard to its previous resolutions on Georgia,
 - having regard to the Universal Declaration of Human Rights of 10 December 1948, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the United Nations Declaration on Human Rights Defenders of 1998,
 - having regard to the Association Agreement between the European Union and Georgia which fully entered into force in July 2016;
 - having regard to the application of Georgia to join the European Union, submitted on 3 March 2022;
 - having regard to Rule 144 of its Rules of Procedure,
- A. whereas Georgia is undergoing a new political crisis following contested legislative elections in October 2020; whereas setbacks in several areas of human rights occurred during 2021 in Georgia; whereas according to national and international NGOs, Members of the opposition, media critical of the government and NGOs were attacked, intimidated and wiretapped and the authorities at times made statements condoning such violence;
- B. whereas according to Reporters Without Borders' (RSF) report, Georgia's press freedom ranking declined from the 60th place in 2021 to 89th in 2022; whereas this is the country's worst performance since 2013 when the country was placed 100th in the ranking;
- C. whereas journalists and other media professionals endured numerous threats and physical assaults throughout 2021; whereas aggressors include senior government officials;
- D. whereas on July 5 2021, amid homophobic violence against a planned Pride March, far right and hate groups verbally and physically assaulted at least 53 media workers in Tbilisi; whereas Lekso Lashkarava one of the journalist seriously injured, was found dead in his house six days after the aggression; whereas the authorities denied responsibility and alleged he had died from a drug overdose while his family claimed that it was most likely the result of thrombosis; whereas the authorities failed to identify the organizers of the mass violence or ensure an effective investigation of the violent

events and instead of ensuring the safety and freedom of assembly of the Pride organizers and participants, the authorities blamed them for holding “such marches in a public space”; whereas according to ILGA, Georgia ranks 34th in Europe (among 49 countries) in terms of LGBTI rights;

- E. whereas complains grew regarding government influence over the judiciary, the use of selective justice and the politically motivated prosecution of political opponents and critical media and journalists;
- F. whereas on May 16 2022, Tbilisi City Court delivered a guilty verdict against Nika Gvaramia, General Director of the TV Mtavari (the main opposition channel), to 3 years and 6 months in prison accused of exceeding his powers while running another opposition TV channel, Rustavi 2; whereas Nino Lomjaria, the ombudsman of Georgia, stated that no evidence of wrongdoing by Gvaramia has been found and NGOS affirmed that the case was politically motivated; whereas this is not the first persecution of Nika Gvaramia, he has suffered attempts of his bribery, intimidation, blackmail and surveillance of family members;
- G. whereas aggressive rhetoric and discriminatory attitudes towards representatives of the media have intensified; whereas after the events of 5-6 July, aggressive attacks against journalists have continued and government officials often still discriminate against the media, continuing to respond with aggressive rhetoric;
- H. whereas on 12 September 2021, thousands of files revealing widespread surveillance and wiretaps by the State Security Service of Georgia were leaked to the media and the internet, featuring details about the personal lives of journalists, civil activists, politicians, clerics and diplomats;
- I. whereas public media are also subject to interference by the authorities; whereas in 2020 in Adjara TV and Radio Company, a publicly funded broadcaster, a number of journalists were dismissed from their jobs due to their critical views and independence;
- J. whereas the authorities do not provide a proper response to the threats and verbal and physical assaults against journalists and other media professionals and do not effectively investigate the crimes committed;
- K. whereas on 13 October 2021, the legislative package initiated by the Parliament of Georgia provided for amendments to the Electoral Code of Georgia and the Law of Georgia on Broadcasting; whereas according to civil society, this type of regulation is not consistent with established standards of freedom of expression and disproportionately interferes with the activities of the media, making broadcasters responsible for the content of political advertising;
- L. whereas in August 2021, the European Union (EU) said Georgia failed to qualify for €75 million in assistance conditioned on judicial reforms; whereas in November 2021, the EU ambassador criticized the Georgian authorities’ “setbacks in the area of the judiciary and rule of law”, including politicized, “non-transparent and non-competitive” appointments of judges to the Supreme Court and the High Council of Justice, and the

failure to adopt promised constitutional amendments on the process of appointing the Prosecutor General;

- M. whereas lack of accountability for law enforcement abuses persisted; whereas in April, the parliament modified amendments to the code of administrative offenses, toughening penalties for petty hooliganism and police disobedience and stripped the judicial discretion for more lenient sanctions for repeat offenders; whereas Georgian human rights groups criticized the amendments as making “room for arbitrary use of repressive police mechanisms and sanctions”;
 - N. whereas despite sweeping labor reforms came into effect on January 1, 2021, Labour rights abuses and violations were widespread and amplified by Covid-19 related restrictions;
 - O. whereas there are complaints regarding several violations of Human Rights in Abkhazia and South Ossetia/Tskhinvali Region included restrictions on freedom of movement and torture and other ill-treatment;
 - P. whereas Georgia has recently applied for fast-track EU membership; whereas the European Commission’s opinion is expected to be delivered next week;
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- 1. Is deeply concerned about the growing threats to Independent and opposition media in Georgia;
 - 2. Condemns any attack on freedom of expression and demands the authorities to put an immediate end to all acts of violence, harassment, intimidation and censorship against journalists and media;
 - 3. Urges the authorities to guarantee freedom of expression including the non-intervention in the work of media and to ensure that the press can work freely and safely;
 - 4. Demands the authorities to stop using aggressive rhetoric and discriminatory treatment towards media representatives, condemn violent calls and actions, and advocate for a tolerant, human rights-oriented position in their public statements;
 - 5. Affirms that the absence of investigations of the attacks against journalist demonstrate the impunity enjoyed by those who commit these crimes; calls for an immediate, rigorous, independent and transparent investigation of the crimes committed in the country against journalists and for their perpetrators to be brought to justice; in particular calls for an immediate full, transparent, credible and impartial investigation and prosecution of the organisers of mass violence against over 50 journalists on July 5, 2021 and demands an in-depth, impartial and transparent investigation of the circumstances of Aleksandr Lashkarava’s death;
 - 6. Strongly condemns the discourse of hate against LGBTIQ+ people; calls on the authorities to stop intimidating the collective and human rights defenders working for the rights of LGBTIQ+ people;

7. Strongly condemns the use of the justice system for media censorship and intimidation; calls on the authorities to ensure the independence of the judiciary, and to guarantee the right to due process including the right to have their cases reviewed by an independent judicial court, in accordance with international standards;
8. Urges the authorities to conduct an immediate independent review of Nika Gvaramia's conviction and on the meantime, calls for his immediate release; asks the authorities to release of all journalists detained for exercising their right to freedom of expression;
9. Urges the authorities to ensure that existing legislation is revised to comply with international standards and is implemented in a manner which does not curtail freedom of expression and ensures proportionality and equality before the law; demands the Georgian Parliament to not support the legislative bills restricting the freedom of media;
10. Calls Georgia to guarantee the exercise of the right to peaceful assembly and association specifically in relation to women and LGBTI+ rights;
11. Calls on the Georgian authorities to stop the surveillance and wiretaps by the State Security Service of Georgia against journalists, civil activists, politicians, clerics and diplomats; asks to ensure that the investigation opened by the prosecutor's office on 14 September is completely transparent and independent;
12. Urges the EU to ensure that full implementation by Georgia of its rule of law and fundamental rights obligations be an integral part of the EU-Georgia relationship;
13. Emphasizes that the war in Ukraine and the Georgia geostrategic position, should not allow the EU to turn a blind eye to the situation of media freedom and human rights in the country;
14. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the EU Special Representative for Human Rights, the President, Government and Parliament of Georgia, the OSCE, the Council of Europe, and the UN Human Rights Council.