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*Plenary sitting*

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**B9-0309/2022**

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))

**Petras Auštrevičius, Abir Al-Sahlani, Nicola Beer, Izaskun Bilbao Barandica, Olivier Chastel, Klemen Grošelj, Svenja Hahn, Ilhan Kyuchyuk, Javier Nart, Dragoș Pîslaru, Frédérique Ries, María Soraya Rodríguez Ramos, Michal Šimečka, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Tudorache, Hilde Vautmans**  
on behalf of the Renew Group

**B9-0309/2022**

**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, reports and recommendations on Georgia and the European Neighbourhood policy,
  - having regard to Georgia’s application for the EU membership of 3 March 2022,
  - having regard to the Association Agreement between the European Union and Georgia (AA), which fully entered into force on 1 July 2016,
  - having regard to the agreement between political parties in Georgia brokered on 19 April 2021 by European Council President Charles Michel,
  - having regard to the statement by the Chair of the EP Delegation for relations with the South Caucasus on the 10th meeting of the EU-Georgia Parliamentary Association Committee of 22 February 2022,
  - having regard to Rule 132(2) and (4) of the Rules of Procedure;
- A. whereas a pluralistic, free and unrestricted media is a crucial element for the functioning of a democratic society,
- B. whereas the media environment in Georgia is pluralistic but highly politicized, both reflecting and contributing to the extremely polarized political climate in the country,
- C. whereas the legal media framework in Georgia provides a sound basis for ensuring freedom of expression and of media,
- D. whereas there has been a rapid deterioration of media environment over the last years proven by multiplying cases of intimidation and threats against journalists, increased aggressive political rhetoric against the media representatives on TV and social media, as well as the tendency of initiating criminal investigations against critical media owners and managers, which is not compatible with Georgia’s European aspirations,
- E. whereas this deterioration is evidenced in the Reporters Without Borders’ Annual Index on press freedom, whereby in 2022 Georgia ranks 89 out of 180 countries, while in 2021 it held 60th position; whereas, according to the report, this reflects an “unprecedented” number of physical assaults on journalists in the country in 2021 and “official interference” which undermined efforts undertaken to improve press freedom,

- F. whereas, according to public disseminated sources, over 90 cases of violence against journalists have been reported during the last three years, including the attacks of over 50 journalists and media workers on 5 July 2021 by violent protestors against the Tbilisi Pride march, in aftermath of which journalist Alexander Lashakarava died from incurred injuries; whereas, despite the repeated calls of local and international community to prosecute those responsible for the mass violence and public incitement to violence, law enforcement authorities have so far failed to act,
- G. whereas on 16 May 2022, TV presenter and editor-in-chief of the main pro-opposition broadcaster Mtavari Arkhi Nika Gvaramia was sentenced by Tbilisi court to 3,5 years in prison on charges of abuse of power while serving as director of another opposition-minded broadcaster Rustavi 2; whereas the Public Defender of Georgia, as well as the Transparency International Georgia, after analyzing the case against Gvaramia concluded that there were no legal grounds for holding him criminally liable for the alleged actions; whereas the Amnesty International and other major Georgian NGOs called Gvaramia's sentencing politically motivated and aimed at persecuting opponents and critical media,
- H. whereas detention and treatment of former President Mikheil Saakashvili has signs of politically motivated persecution;
- I. whereas the court cases are ongoing against owners or close family members of other major critical media outlets, namely David Kezerashvili of the Formula TV and Vakhtang Tsereteli of TV Pirveli,
- J. whereas there has been a steep increase in the number of lawsuits against critical TV companies and other media representatives from the state officials for alleged defamatory statements, followed by a proliferation of the court verdicts; whereas the burden of proof is placed on a journalist, despite an unambiguous provision in the Georgian law,
- K. whereas journalists, particularly from critical media channels, face difficulties to access information that should be publicly available and are subject to aggressive rhetoric, threats, and insults, including from government officials, resulting in deepening polarization and potentially encouraging violence against journalists; whereas law enforcement authorities do not provide proper response to such facts nor timely prevention, and do not effectively investigate the crimes committed,
- L. whereas there have been many cases of illegal wiretapping of journalists, along with other parts of the Georgia's society and diplomats, allegedly carried out by the State Security Service but no investigation results have been made known,
- M. whereas investigations of the case of Azerbaijani journalist Afgan Mukhtarli, who was kidnapped in Georgia in May 2017 and illegally transported over the border with Azerbaijan to face trial in Baku, allegedly with collusion from Georgian Security Officials, has not yet led to any tangible results,
- N. whereas the impartiality of the Georgian public broadcaster during recent election campaigns has been considered by the OSCE/ODIHR election observation mission as

biased, in violation of its legal obligations regarding editorial independence and impartiality,

- O. whereas the media regulator, the Georgian National Communications Commission (GNCC), limits freedom of speech by prohibiting media to place ads of political nature and critical towards the Government outside pre-election period; whereas while the hate speech has been a key issue for the Georgian politics and media, the intentions of the GNCC to establish content control and oversight by a special regulatory body are worrying,
1. Condemns the sentencing of editor-in-chief of the main pro-opposition broadcaster Mtavari Arkhi Nika Gvaramia and calls for his immediate release; expresses concerns regarding the ongoing court cases related to the owners and managers of other two major critical media outlets, namely David Kezerashvili of the Formula TV and Vakhtang Tsereteli of TV Pirveli; expresses concerns about the health condition of former President Mikheil Saakashvili and his imprisonment in what appears to be a political vendetta and calls for his immediate release; considers these politically motivated cases a very worrying sign of the backsliding on Georgia's commitments under the Association Agreement to uphold the highest standards of judicial independence, fair trial and the rule of law in the country; calls on the Georgian authorities to refrain from any form of politically motivated prosecutions; urges the EU to monitor all trials in Georgia related to high profile cases;
  2. Underlines that the 19 April agreement brokered by the President of the European Council Charles Michel continues to offer a European way towards building a stronger democracy and the rule of law in Georgia in the interest of the Georgian people; calls on the Georgian Dream to honour its commitments and sincerely work with other political parties and civil society to implement it in full, including the comprehensive, transparent, and inclusive judicial reform; underscores the imperative to suppress political interference on the judiciary;
  3. Highlights the importance of free and independent media, editorial independence, pluralism and transparency of ownership in the media environment as key democratic principles; reminds that under the Association Agreement Georgia has committed to and its application to join the EU will be conditioned upon further strengthening respect for fundamental freedoms, including freedom of thought, belief and expression; remains committed to supporting Georgia's democratic development and Euro-Atlantic integration;
  4. Notes the high level of public support for Georgia's integration into the EU, which, according to the latest polls, stands at more than 80 percent; calls on the Georgian political forces to overcome the political divisions that are preventing the will of the Georgian people to integrate into the EU from being realised; considers that the Georgian people deserve to be granted EU candidate status, and calls on the European Council to grant them that status in June 2022;
  5. Strongly regrets the significant deterioration of the media environment in Georgia and considers that these developments erode the ability of Georgian journalists and media to function in a safe and secure environment; expresses deep concern about

the actions and policies by the Georgian authorities that negatively affect media freedom and pluralism; recalls that any political interference in media pluralism must be thwarted;

6. Calls on the Georgian Government to uphold freedom of expression, freedom, independence and pluralism of the media, respecting EU and international standards, and ensure conditions for a free, professional, independent and healthy media environment, in line with EU-Georgia Association Agenda 2021-2027; urges to ensure that state agencies and their representatives do not use aggressive rhetoric and discriminatory treatment towards media representatives on TV or social media, condemn violent calls and actions, and advocate for a tolerant, human rights-oriented position in their public statements; urges, moreover, to strengthen the implementation of measures to protect media professionals and ensure effective and efficient investigations into all cases of violence against them;
7. Calls on the Georgian Government to ensure that property, bank accounts, and assets of the media houses and TV companies are not foreclosed by the courts and that no temporary governors are introduced in the media, as happened in the case of Rustavi 2;
8. Strongly denounces the mass violence against journalists and peaceful demonstrators on 5 July 2021; urges Georgian authorities to complete fully-fledged investigations into these and all other violent incidents, mistreatment and wiretapping of media workers in recent years and bring those responsible to justice; considers that lack of investigation and bringing to justice of the perpetrators is a severe problem in Georgia and may be encouraging aggressive behaviour towards journalists and media workers;
9. Regrets the politisation of media and extremely tense relationship between the ruling party and critical media outlets, as well as the opposition parties and pro-government media, including the boycott mode, bullying, name-calling, and shaming; calls on all stakeholders to halt these toxic practices, re-start attending opponents' TV shows and debates and work together towards normalisation and cooperation according to the European best practices;
10. Reminds that Georgia has been heavily exposed to Russian disinformation campaigns for many years; recalls that the best way to combat these campaigns is to protect the pluralism and independence of the press; reminds that high polarization of media hinders the process of informed decision making and narrows the space for the critical analyses; underlines therefore the importance of strategic communication with the media and civil society organizations in order to tackle disinformation and join efforts to improve the information literacy and resilience of the society, especially the vulnerable groups living in the ethnic-minority communities and conflict-affected areas of Georgia which are increasingly targeted by Kremlin propaganda aiming to undermine European integration processes;
11. Welcomes the participation of Georgia in the Creative Europe programme 2021-2027; calls on the Commission and Member States to support actions that monitor and assess risks to media pluralism and freedom, defend journalists under threat and

facilitate the transformation and competitiveness of the news media sector, with particular attention on newly created and critical regional TV outlets in Georgia, which are in need of very practical technical and financial assistance and might be facing an existential threat;

12. Calls on the Georgian Government to strengthen the independence and impartiality of the Georgian public broadcaster, especially during election periods; considers the neutrality of the media regulator an essential prerequisite for a genuinely democratic society and encourages the Georgian Parliament in cooperation with international organisations like the Venice Commission to explore possible measures to further strengthen the independence of the GNCC;
13. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the UN High Commissioner for Human Rights, the OSCE and to the President, Government and the Parliament of Georgia.