



TEXTS ADOPTED

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Violations of media freedom and safety of journalists in Georgia

European Parliament resolution of 9 June 2022 on violations of media freedom and the safety of journalists in Georgia (2022/2702(RSP))

The European Parliament,

- having regard to its previous resolutions on Georgia, in particular that of 16 September 2020 on the implementation of the EU Association Agreement with Georgia¹,
 - having regard to the OSCE Representative on Freedom of the Media's recent visit to Georgia of 28 and 29 April 2022,
 - having regard to the agreement reached between Georgian political forces on 19 April 2021, mediated by the President of the European Council,
 - having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, which fully entered into force on 1 July 2016²,
 - having regard to Reporters Without Borders' World Press Freedom Index for 2021 and 2022,
 - having regard to Rules 144(5) and 132(4) of its Rules of Procedure,
- A. whereas in their Association Agreement, which has been in force since 1 July 2016, Georgia and the EU committed to developing political dialogue with the aim of strengthening respect for democratic principles, the rule of law and good governance, human rights and fundamental freedoms, including media freedom;
- B. whereas Georgia submitted its application for EU membership on 3 March 2022, thereby demonstrating the people of Georgia's European aspirations, which enjoy vast support among the public and across the political spectrum, including the opposition;
- C. whereas freedom of expression, freedom of the media and the safety of journalists are essential elements of a vibrant democracy and their protection by the authorities is an important indicator for the consolidation of democracy; whereas a pluralistic, free and

¹ OJ C 385, 22.9.2021, p. 40.

² OJ L 261, 30.8.2014, p. 4.

independent media is a fundamental cornerstone of democracy and one of the main pillars in the fight against disinformation;

- D. whereas the 19 April Agreement, mediated by the President of the European Council, Charles Michel, underlined the need to address perceptions of politicised justice, inter alia, by adopting and implementing an ambitious reform of the judiciary to increase the independence, transparency and accountability of the judicial system;
- E. whereas on 5 July 2021 over 50 journalists, media representatives and peaceful demonstrators were violently attacked by mainly far-right activists when covering Tbilisi Pride's March for Dignity, which was ultimately forcibly cancelled; whereas Alexander Lashkarava, a cameraman for TV Pirveli, died soon after this assault due to the injuries he sustained;
- F. whereas the media environment of Georgia, after several years of improvement, has rapidly deteriorated over the past few years and an unprecedentedly high number of violent physical attacks against journalists have occurred in Georgia since the mass violence against the Tbilisi Pride march on 5 July 2021, leading to statements of concern by several international organisations in defence of media freedom and to the significant downgrading of Georgia in the World Press Freedom Index (from a score of 71.36 and a rank of 60 out of 180 in 2021 down to a score of 59.9 and a rank of 89 out of 180 in 2022);
- G. whereas the number of verbal assaults on journalists and the number of defamation lawsuits, including those launched by government officials and individuals associated with the ruling party, against critical media representatives and companies have been increasing; whereas as Transparency International Georgia has observed, the change of judicial practice puts the burden of proof on journalists, despite an unambiguous provision stating the contrary in Georgian law; whereas journalists, particularly those from media channels critical of the government, face difficulties in accessing information that should be publicly available;
- H. whereas there has been a lack of transparency and effectiveness in investigations, which has led to a widespread impression of impunity for those guilty of crimes against journalists;
- I. whereas on 4 April 2022, Tbilisi City Court sentenced six people to five years of imprisonment over the attack of two cameramen and a journalist during the violent attacks against the Tbilisi Pride march on 5 July 2022;
- J. whereas on 16 May 2022, Nika Gvaramia, director of the TV channel Mtavari, was sentenced to three-and-a-half years in prison under Article 220 of the Criminal Code on dubious charges of money laundering, bribery and document forgery related to his past activities as director of Rustavi 2 TV, a sentence that has been widely perceived in Georgia as an attempt to silence a voice critical of the current government; whereas this case was already negatively assessed by the Public Defender of Georgia in 2019;
- K. whereas selective investigations and prosecutions targeting those in opposition to the current government undermine public trust not only in judicial institutions, but also in the government itself, while the repetition of similar cases against media owners linked

to the opposition undermines the efforts aimed at increasing the independence of the judiciary;

- L. whereas former President Mikheil Saakashvili, whose health has been constantly deteriorating, has finally been relocated to a civilian hospital following opinions from independent doctors that his condition would not improve otherwise;
 - M. whereas the reform of the law on electronic communications gives the Georgian National Communications Commission (GNCC) the right to appoint special managers at the telecommunications companies that enforce GNCC decisions;
 - N. whereas court cases have been initiated against owners of other major critical media outlets, or their close family members, namely David Kezerashvili of Formula TV and Vakhtang Tsereteli, the founder of the independent station TV Pirveli; whereas in January 2022 Tbilisi City Court judged the founders of TBC Bank and the political party Lelo for Georgia, Mamuka Khazaradze and Badri Japaridze, as well as Avtandil Tsereteli, Vakhtang Tsereteli's father, to be guilty of fraud and sentenced them to seven years of imprisonment; whereas their sentence was however commuted, as the statute of limitations for fraud had expired;
 - O. whereas Georgia has been experiencing a surge in Russian disinformation and anti-EU propaganda in recent years and especially since the Russian invasion of Ukraine, targeting women, the LGBTQI+ community, human rights activists and ethnic minorities, in particular;
 - P. whereas many journalists have been confirmed to be among the members of Georgian society whose conversations had been recorded, as shown by the revelations about widespread illegal wiretapping in September 2021;
 - Q. whereas investigations into 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, have not yet led to any tangible results;
1. Expresses its concern over the significant deterioration of the media situation and the safety of journalists in Georgia in recent years, despite Georgia's solid legal framework for guaranteeing freedom of expression and freedom of the media;
 2. Condemns the increasing number of cases of intimidation, threats and violence against and the persecution of journalists, including an increasing number of criminal investigations into media workers and owners; calls on the Georgian authorities to thoroughly investigate any case of violence and to prosecute those responsible for inciting and carrying out violent attacks against journalists and other media workers, which would thereby remedy the impression of impunity for such crimes; calls on Georgia to restrict the use of strategic lawsuits against public participation that target human rights defenders and media representatives, which serve to inhibit their critical and independent work;
 3. Calls on Georgia to ensure media freedom, which should entail editorial independence, transparent media ownership and pluralistic, impartial and non-discriminatory coverage of political views in programming by private and, in particular, public broadcasters,

especially during electoral campaigns; calls on Georgia to guarantee unhindered access to information that is supposed to be publicly available and to ensure the safety, protection and empowerment of journalists and other media professionals;

4. Condemns the sentencing of Nika Gvaramia, the director of the main pro-opposition TV channel Mtavari, on 16 May 2022, which has highlighted the persistent mistrust in Georgia's judiciary system; endorses the call by Reporters Without Borders for a review of Nika Gvaramia's conviction; emphasises, once more, the urgent need for the government to genuinely advance reform of the judiciary through a broad and inclusive cross-party process with the aim of increasing the independence and impartiality of the judiciary, in line with commitments taken as an associated partner of the EU;
5. Calls on all the representatives of the Georgian Government to refrain from using aggressive rhetoric and discriminatory treatment towards media representatives in Georgia and to advocate for a tolerant approach that is respectful of human rights in their public statements;
6. Strongly denounces the persistent lack of diligent investigations or prosecutions of those responsible for the violence against journalists and peaceful demonstrators at the Tbilisi Pride march on 5 July 2021; insists that impunity for the perpetrators of such acts cannot be tolerated under any circumstances, as they are in breach of Georgia's national legislation and international and European commitments alike, and calls for effective investigations into the incidents of 5 July 2021; condemns the continued discrimination against LGBTQI+ persons; urges the Georgian authorities to fully implement human rights and anti-discrimination legislation in practice;
7. Calls on the Georgian authorities to conduct effective investigations into the wiretapping scandal and to put in place proper mechanisms for democratic oversight of surveillance and data collection by state institutions;
8. Emphasises the need to guarantee a safe and conducive working environment for journalists, media workers and media outlets, both in legislation and in practice, including for those journalists seeking refuge from Russia, Belarus and other authoritarian regimes; encourages Georgia, therefore, to make use of international cooperation to improve the media environment and relevant legislation in line with best international practices;
9. Commends Nino Lomjaria, the Public Defender of Georgia, for her actions in safeguarding freedom of the media, despite regular attacks by the government;
10. Acknowledges the diverse and pluralistic media landscape in Georgia, but regrets the extremely tense relationship between the ruling party and critical media outlets, as well as between the opposition parties and pro-government media; deeply deplores the polarisation of the media landscape, which reflects the increasing and damaging polarisation of the political landscape;
11. Reiterates its call on the Georgian authorities to refrain from interfering in media freedom or pursuing politically motivated judicial cases against media owners or representatives;

12. Calls on the Georgian authorities to release former president Mikhail Saakashvili from prison on humanitarian grounds in order to allow him to undergo proper medical treatment abroad;
13. Expresses its concern over the steady rise in Russian disinformation and information manipulation in Georgia, in the context of the Russian invasion of Ukraine, and urges the Georgian Government to develop media literacy education programmes for its citizens, to support civil society in the creation of fact-checking mechanisms, and to take active steps to prevent disinformation campaigns by foreign or domestic actors against the country, vulnerable groups or persons, such as those living in ethnic minority communities or conflict-affected areas, and political parties;
14. Urges all Georgian political actors to refrain from exploiting Russian disinformation attempts to target their respective political opponents, as this only contributes to the further spread of disinformation and endangers social cohesion and democracy;
15. Encourages Georgia to make the best possible use of all the instruments and initiatives dedicated to strengthening resilience under the Eastern Partnership and calls on the Commission and the EU Member States to provide political, technical and financial support to independent media and civil society in Georgia;
16. Expresses its concern over the destructive role played by the sole oligarch, Bidzina Ivanishvili, in Georgia's politics and economy, and the level of control he exerts over the government and its decisions, including those on the politically motivated persecution of journalists and political opponents; is deeply worried by Ivanishvili's exposed personal and business links to the Kremlin, which determine the position of the current Government of Georgia towards sanctions on Russia; calls on the Council and democratic partners to consider imposing personal sanctions on Ivanishvili for his role in the deterioration of the political process in Georgia;
17. Welcomes Georgia's participation in the 2021-2027 Creative Europe programme; calls on the Commission and the 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 in Georgia;
18. Calls on the Georgian authorities to resolutely uphold the highest standards of democracy, the rule of law, judicial independence, fair trials and fundamental freedoms, including in the area of media freedom, and thereby unambiguously demonstrate their political determination to actualise the ambitious European aspirations of the people of Georgia, as witnessed by the country's application for EU membership of 3 March 2022; expresses its belief that the legitimate aspirations of the people of Georgia deserve to be fulfilled and therefore calls for the EU institutions to work towards granting EU candidate status to Georgia, in line with Article 49 of the Treaty on European Union, on the basis of merit and on the condition that the Georgian authorities fulfil all criteria;
19. 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 Organization for Security and Co-operation in Europe and the President, Government and Parliament of Georgia.