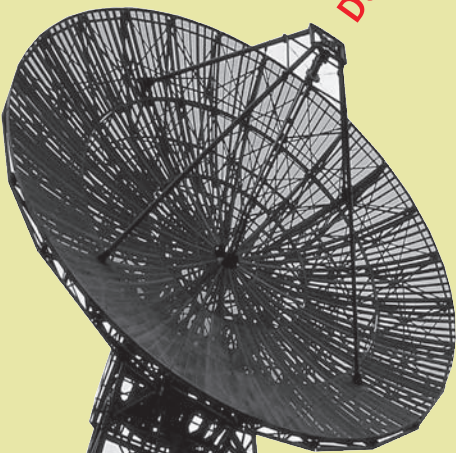


MEDIA SUSTAINABILITY INDEX

2003

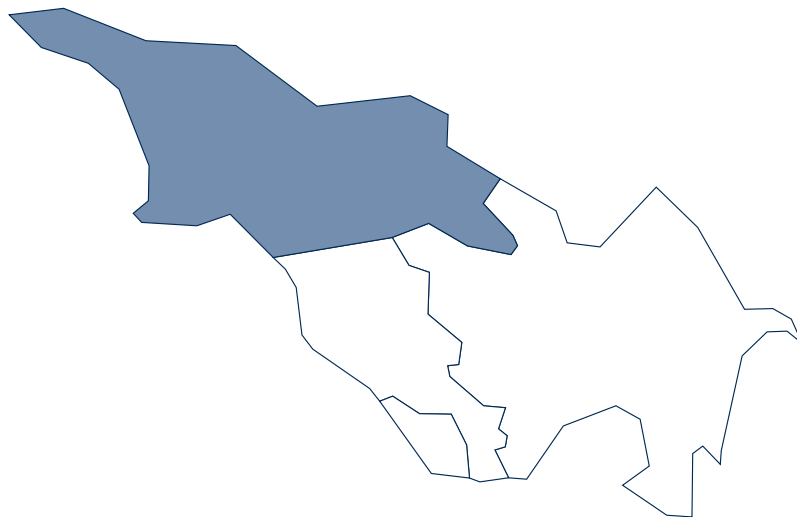
Development of Sustainable Independent Media in Europe and Eurasia





“The legislative basis in general provides for transparency and a competitive environment, although in practice legal requirements are not always fulfilled,” said one panelist.





Introduction

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Georgia spent most of 2003 anticipating the November parliamentary elections, which were widely viewed as the only means available for bringing about long-desired reforms. When the voting finally took place, large-scale falsification of the results fanned growing discontent with the poor economy and widespread corruption, leading to the Rose Revolution that forced President Eduard Shevardnadze's resignation and new presidential and parliamentary elections in early 2004.

With the parliamentary elections drawing near, the Georgian government became more repressive toward the media. Abuses and attacks on journalists and media outlets increased in frequency, while the government tried legislative efforts to restrict media freedoms. The Central Election Commission proposed to ban broadcasts of political debates 50 days before Election Day.

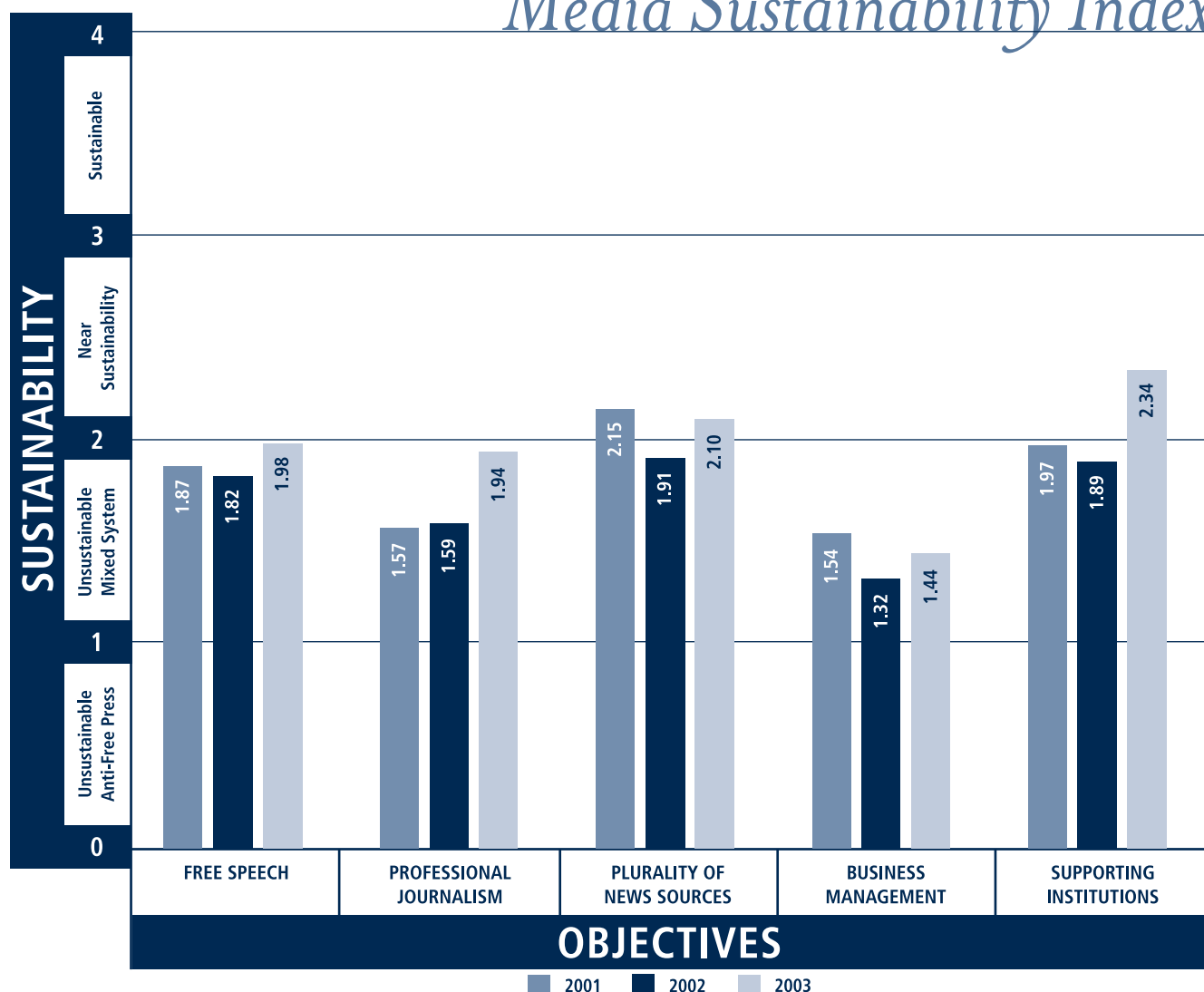
Also during the election year, three new broadcasters were launched—TV Imedi, TV Mze, and TV 202. Competition for viewers and scarce advertising revenue immediately increased. These stations were ostensibly created to shape the public discourse prior to the elections. Typically in Georgia, media outlets materialize before elections, and often disappear after the polling is done.

Georgian media outlets became so involved in the political process that they almost abandoned the traditional role of a neutral observer. Opposition leaders used television extensively as a tool to rally the public. Real-time coverage of events had an enormous impact on the political outcome. In the pre- and post-election period, almost all media outlets demonstrated their political alliances, and this continued well after the revolution.

A major challenge Georgian media face now is to regain the public trust that was lost during the revolution. This decline was registered by falls in audiences and readership. To achieve this, media businesses will have to distance themselves from the chaos of the transition period—a tough task given the emotional attachment many journalists have to the political groups empowered by the revolution.

Georgia

Media Sustainability Index



Objective Scoring

The averages of all the indicators are averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

- 3 and above:** Sustainable and free independent media
- 2–3:** Independent media approaching sustainability
- 1–2:** Significant progress remains to be made; society or government is not fully supportive
- 0–1:** Country meets few indicators; government and society actively oppose change

Indicator Scoring

Each indicator is scored using the following system:

- 0 =** Country does not meet indicator; government or social forces may actively oppose its implementation
- 1 =** Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change
- 2 =** Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces
- 3 =** Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability
- 4 =** Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions

Objective 1: Free Speech

Georgia Objective Score: 1.98/4.00

Freedom of speech in Georgia is guaranteed by the Constitution adopted in 1995 and the Law on Press and Other Means of Mass Media passed in 1991 and amended in 1994 and 1997. The Constitution prohibits censorship. However, certain legal provisions regulating the media environment are outdated and do not reflect modern realities. “The legislative basis in general provides for transparency and a competitive environment, although in practice legal requirements are not always fulfilled,” said one panelist. For example, the draft law on the Freedom of Press was prepared by leading human-rights nongovernmental organizations (NGOs) in Georgia and passed in just one parliamentary sitting in 2002. However, it has not become law because of a lack of political will. As the draft appears to conform to the Constitution and to international standards, its adoption

would be a significant step forward.

One of the main deficiencies of Georgian media legislation is the prosecution of defamation as a criminal offense. In practice, this provision of the criminal code is almost never used, and no criminal defamation cases have been registered in the past year. However, panelists and media professionals believe that defamation should be regulated by civil law rather than by criminal statutes.

The Georgian National Communications Commission (GNCC) was created in 2000 to regulate the broadcast sector and grant licenses. The commission members are appointed by the president of Georgia. Nevertheless, the commission is a legal entity under public law and enjoys autonomy in regulating the communications sector. The GNCC is accountable to the government but is not funded from the central budget. Rather, it operates from funds gained through license fees and annual regulation-based fees. Despite this financial separation, the commission is subject to significant political pressure; panelists cited the resignation of the commission chairman in October 2003 as an example. These deficiencies aside, however, the MSI panelists almost unanimously viewed the GNCC as a relatively progressive and unbiased body. One panelist noted that the commission has been successful in brokering settlements in licensing and intellectual property disputes. Cited as an example was the commission’s prompt reaction when the television station Imedi filed a claim against stations TV Iberia and Ajara TV, alleging intellectual property rights violations.

The new broadcast law, due to be considered by parliament during 2004, was drafted with the participa-

“First, pressure occurred through beatings, insults, and attacks,” said one panel member. “Second, local authorities exert pressure indirectly, although it is clear who issues the orders. Third, the courts maintain the most dangerous tendency to repress the media. Finally, tax inspectors can levy excessive taxes against certain outlets.”

Legal and social norms protect and promote free speech and access to public information	
FREE SPEECH INDICATORS	■ Legal/social protections of free speech exist and are enforced.
	■ Licensing of broadcast media is fair, competitive, and apolitical.
	■ Market entry and tax structure for media are fair and comparable to other industries.
	■ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
	■ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
	■ Libel is a civil law issue; public officials are held to higher standards, and the offended party must prove falsity and malice.
	■ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
	■ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
	■ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

“When importing a computer, media outlets have to pay separate customs duties for separate components, which is a heavy burden,” said a panelist.

panelists included the lack of provisions concerning safety standards, an omission that became significant when a Kutaisi-based radio station, Dzveli Kalaki, had its antenna removed as a purported health risk in January 2003. With no mechanism for certifying such equipment, independent broadcasters such as Dzveli Kalaki have little defense. By the time the courts restored the station’s broadcasting rights, demonstrators had destroyed the antenna, apparently at the urging of local political interests.

Georgian media outlets are registered as any other legal business entity, and market entry and tax structures are similar to those for other businesses. Print media enjoy slightly preferential tax benefits through an exemption from the value-added tax (VAT) for printing and distribution, but are fully taxed on imports. Panel members complained about the complicated customs procedures. “When importing a computer, media outlets have to pay separate customs duties for separate components, which is a heavy burden,” said a panelist. Media advocates have suggested exempting outlets from import taxes for a five-year period to help build self-sustainable media, and parliament is considering the proposal.

In December 2001, the parliament adopted an amendment that barred print and broadcast advertising of strong alcohol and tobacco products, cutting off a major source of income for these media outlets.

Significant numbers of abuses and attacks on media outlets have been recorded. “First, pressure occurred through beatings, insults, and attacks,” said one panel member. “Second, local authorities exert pressure indirectly, although it is clear who issues the orders. Third, the courts maintain the most dangerous tendency to repress the media. Finally, tax inspectors can levy excessive taxes against certain outlets.”

In Akhaltsikhe during April 2003, for example, the local government denounced the media in the region and introduced an arbitrary accreditation system for jour-

nalists. In Chokhatauri, journalists from the newspaper *Guria News* were repeatedly beaten and their homes vandalized. Free press and the freedom of speech are especially alarming in Adjara. The autonomous republic has its own Law on Press and Other Means of Mass Media, with some provisions contradicting the Georgian Constitution. The Georgian Young Lawyers Association (GYLA) filed a lawsuit challenging the constitutionality of these provisions in October 2003, and the case was expected to be heard by the Constitutional Court.

Free-press advocates cited cases of interference by the Central Election Commission (CEC) before the 2003 elections. These include the commission’s suggestion that it was refusing to accredit the Rustavi 2 television station. In fact, the CEC never issued an official document rejecting the accreditation, but the indications made by the commission were enough to hamstring the station’s activities. In August 2003, the commission adopted a regulation prohibiting political campaigns on television and radio 50 days before elections. This regulation was clearly unconstitutional and violated basic freedom of speech rights. It was rescinded by a Tbilisi district court after protests by a group of Georgian NGOs and media outlets.

The judicial system also is seen as a means of pressuring the media. During 2003, the outcomes of several civil defamation cases were criticized by media advocates. In one case, the Supreme Court of Georgia held Rustavi 2 and its journalist Akaki Gogichaishvili liable for defamatory statements against the former Minister of Culture. The defendants were obligated to pay 52,000 GEL (about \$26,000) in moral damages. In the Adjara Autonomous Republic, the Health Ministry of Adjara sued a local journalist for allegedly defamatory statements.

Defamation is regulated by Georgia’s criminal and civil codes. Criminal defamation applies when defamatory statements are made in accusing someone of a crime. However, this provision is used very rarely, and no criminal defamation cases were reported in 2003. Civil defamation pertains to insulting someone’s honor or business reputation, and requires the defendant to prove the validity of the information. Furthermore, a journalist found guilty of defamation must retract the statements through the same media in which they were disseminated, a penalty that appears to contradict constitutional freedom of speech guarantees. A case brought to the Constitutional Court was expected to decide the constitutionality of the civil defamation law.

Georgia maintains a nearly complete set of laws governing access to public information. The freedom of information section of the General Administrative

Code of 1999 represented a huge step forward, although implementation remains problematic. The law guarantees access to information that is not a state secret. However, a panel member said the law is used mainly by NGOs because journalists are either not familiar with its provisions or are not very active in attempting to obtain government information. There have been numerous cases in which courts have upheld journalists' attempts to obtain public information, but these suits were initiated mainly by NGOs. Some journalists were reluctant to seek legal recourse because the courts are unpredictable and state officials do not always respond to court decisions, a panelist said.

Although Georgian law does not provide for preferential legal treatment of state-owned media, these outlets do have better access to information and accreditation than private outlets. Regional media have more difficulty obtaining information than city-based outlets and suffer from poor infrastructure and the lack of a professional cadre of local government officials. The law obligates public bodies to designate a person responsible for providing public information, but such appointments often either are not made or go to poorly trained personnel who make obtaining information an extremely time-consuming process.

The GYLA has drafted an amendment to shorten the law's current maximum 10-day waiting period for requested information to be made available.

Access to international news and news sources is not restricted by the government. However, the Internet is not readily available in all regions, and many regional media outlets cannot pay for access.

Anyone can become a journalist in Georgia, and no special licenses are needed to enter the profession. Journalists generally do need yearly or even quarterly accreditation to attend official events, with the rules set by each government branch. Regional journalists find it more difficult to obtain access or accreditation for specific events, according to one panel member.

Objective 2: Professional Journalism

Georgia Objective Score: 1.94/4.00

Panelists agreed that the level of media professionalism remains low. Journalists, editors, and owners easily surrender to political or financial pressures. The government often uses one outlet to suppress another, and tends to treat the independent media as a political opponent. Similarly, companies may use the media to attack com-

petitors' business practices.

Balanced and well-sourced reporting is still the exception. The panel found three reasons: many journalists do not comply with ethical norms and professional standards because they lack the skills and knowledge to do so; influential political and business groups force media to present subjective information; and interested parties block certain information. One panelist suggested that the government intentionally nurtured a compliant media sector.

Censorship is also a major problem. Journalists are not always allowed to disseminate balanced information due to the intervention of their editors or media owners. Consequently, many journalists stop checking sources and cease to make reporting factual information a prior-

“Many journalists who were trained by various international organizations now understand what balanced reporting implies. But they find it difficult to implement these principles in practice,” a panelist said.

Journalism meets professional standards of quality	
PROFESSIONAL JOURNALISM INDICATORS	■ Reporting is fair, objective, and well sourced.
	■ Journalists follow recognized and accepted ethical standards.
	■ Journalists and editors do not practice self-censorship.
	■ Journalists cover key events and issues.
	■ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
	■ Entertainment programming does not eclipse news and information programming.
	■ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
	■ Quality niche reporting and programming exists (investigative, economics/business, local, political).

“We need a mechanism that will allow citizens to complain when the ethics code is violated,” a panelist said.

ity. Some editors try to pay more for articles that are better researched and written, but this approach is not common. “Many journalists who were trained by various

international organizations now understand what balanced reporting implies. But they find it difficult to implement these principles in practice,” a panelist said.

Many media outlets practice self-censorship and justify it by stating that it is their duty to safeguard civil order. There is a broad spectrum of taboo topics, including state security. Religion is another topic journalists try to avoid. “No journalist wants to work on these issues. It’s not that they don’t want to express their opinions. They don’t even want to cover the facts,” a panelist said. In many cases, the government prevents some media outlets from covering controversial issues and punishes others for covering them.

Media managers do not encourage better journalism practices. At many outlets, wages are low, work conditions poor, and employment unstable. The maximum *Guria News* can offer to an investigative journalist is 50 GEL (about \$25), a panel member said. Television journalists earn marginally more than their print counterparts. The poor pay tends to force qualified journalists to seek employment in other professions and makes them susceptible to corruption. Some journalists and editors regularly accept bribes for reporting as well as not reporting certain stories.

Even the best-financed television stations do not have the most up-to-date equipment. However, many media outlets in Tbilisi and regionally have the basic equipment needed to obtain and produce news and information.

In the spring of 2003, an ethics code for media was completed. It is in full compliance with international standards, and several media outlets and journalists have adopted it. However, some panelists see the code as essentially symbolic because it was promoted by international and local civil society groups and not by media professionals. Many see the creation of a Media Council as the next step. “We need a mechanism that will allow citizens to complain when the ethics code is violated,” a panelist said. “There are newspapers in this country that have no editorial policy and adhere to no ethical code. Some signed onto the ethical code without any intention

of adhering to it. We have to address this concern in an institutionalized way.”

Niche journalism is rare in Georgia. Panelists agreed that there is definitely public interest in the subjects that specialist reporters might cover, and one panel member in print media noted the success of the youth publication her newspaper launched recently in the impoverished Guria region of Georgia.

The line between editorial content and advertising is blurred in many media outlets. A group working on the ethics code faced strong resistance from media representatives when attempting to incorporate a provision requiring code signatories to differentiate advertising from editorial content. Upcoming elections intensified the resistance because hidden political advertising is an important source of income for many newspapers.

Objective 3: Plurality of News Sources

Georgia Objective Score: 2.10/4.00

The times when people hid in their basements to listen to Voice of America and Radio Liberty have passed. There are no political or legal restrictions on access to local or global media. Financial and technical constraints mean, however, that only 9 percent of the population can

Multiple news sources provide citizens with reliable and objective news

PLURALITY OF NEWS SOURCES INDICATORS

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens’ access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

subscribe to international press, access the Internet, or view international television programs. Cable television is only available in Tbilisi and several regional centers. Most people living in rural areas cannot afford to buy even local press. These people often lack the electricity to watch television.

Regional media outlets are often under the strict control of local authorities. For example, the government of the Adjara Autonomous Republic regularly turns off television transmitters and electric power, as well as halting entire press runs, just to prevent the people from watching programs or reading articles critical of the regional government. In November 2003, for example, Rustavi 2 was turned off in Adjara.

Most media outlets are concentrated in Tbilisi and focus largely on the capital. Information from Tbilisi is not adequately disseminated in the regions. Georgians living in many regions outside the city depend solely on local media because Tbilisi newspapers generally send only a few copies to the regions, with *Alia* and *Kviris Palitra* notable exceptions.

Panelists mentioned that local news agencies provide satisfactory and affordable services, although some are affiliated with business interest groups. Few media outlets can afford international news agencies. Media ownership information is not readily available. Registration documents can be requested from the courts, but they do not always indicate the true ownership structure. Political groups nonetheless continue to define editorial policy at many outlets, and Georgians therefore must have the ability to read between the lines to understand how a media outlet is allied.

Nationwide, approximately 25 television and 12 radio stations produce their own news. Not all regional stations have the resources to produce their own programs. Even the stations that can generate their own material struggle to keep a regular production schedule. Financial difficulties forced some radio stations in Tbilisi to halt production.

State-owned media produce minority-language programs, as do some independent media. For example, “Parallel” is a jointly produced news program broadcast three times per week in Georgian and Armenian by five small regional stations. Radio Hereti broadcasts news and educational programs in Georgian and Russian, and Green Wave Meskheta airs programs in Georgian and Armenian. Ethnic group and vulnerable group issues are not adequately covered by the mainstream media.

Objective 4: Business Management

Georgia Objective Score: 1.44/4.00

There are several private publishing houses in Tbilisi. The government is not able to exert control over all of them, but in late 2003 the local Adjara authorities barred a local printing house from printing the *Gazeti Batumelebi*. A panelist said printing costs remain the highest expense for newspapers both in Tbilisi and in the regions. Most printing houses in Tbilisi are inefficient, outdated, and badly managed. Newspapers are forced to closely supervise the printing process, wasting time and resources on fixing technical problems.

In western Georgia, the only private printing houses are in Batumi and Kutaisi. However, hardly any independent newspapers can afford printing at these facilities. Almost all independent regional newspapers are printed in Tbilisi. Many smaller regional newspapers depend on passenger buses to deliver master copies to printing houses in Tbilisi. Consequently, local news included in regional newspapers is not as current as it could be.

Newspaper distribution is a rather chaotic process. Distribution networks in Tbilisi are well organized, but expensive. In fact, newspaper distribution is a more

Independent media are well-managed businesses, allowing editorial independence

- | | |
|---------------------------------------|---|
| BUSINESS MANAGEMENT INDICATORS | ■ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses. |
| | ■ Media receive revenue from a multitude of sources. |
| | ■ Advertising agencies and related industries support an advertising market. |
| | ■ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets. |
| | ■ Independent media do not receive government subsidies. |
| | ■ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences. |
| | ■ Broadcast ratings and circulation figures are reliably and independently produced. |

“Circulation of newspapers depends largely on the capacity of the distributor and less on the potential number of readers,” said a panelist. “It depends on how much this or that company can distribute.”

print media are readily available. Some newspapers reach regional centers, but almost none get to remote areas. Panelists believe that the lack of infrastructure and low purchasing power of the rural population limit distribution. *Guria News*, however, built a commercially sustainable distribution network in the Guria region. *Guria News* subcontracted a postman in every village to deliver the paper. The delivery people could keep 30 percent of the money from newspaper sales and 20 percent from ad proceeds they brought in. *Guria News* has never experienced a shortage of classified ads and announcements since this new business strategy began.

Newspapers do not pay for distribution. Distributors sell newspapers, collect the money, and keep 12 to 25 percent from each sold copy. Publishers are not able to compile sales data. Publishers are forced to trust the distribution numbers provided. Often publishers receive money from newspaper sales three to four months late. “Circulation of newspapers depends largely on the capacity of the distributor and less on the potential number of readers,” said a panelist. “It depends on how much this or that company can distribute.”

Market conditions force newspapers to work with several different private distributors. Almost all newspapers cooperate to some extent with the state-owned distribution service Sakpresa because of its relatively broad geographic reach. In October 2003, the Ministry of Economy, Industry, and Trade began the privatization of Sakpresa. A tender was announced, and the winner was identified as a person already associated with the group that owned several print distribution facilities. Many believe the tender was illegal and cite a year-old case regarding this privatization—still pending in court—which prevents the ministry from the right to announce

profitable business than newspaper production. Approximately 20 private distribution companies of varying sizes operate in Georgia. Some are part of publishing groups because publishers burdened by high distribution prices were forced to establish their own networks.

In Tbilisi,

a new tender before a court decision. Tbilisi Press Club activists filed a lawsuit challenging the legitimacy of the privatization. As a result, the Mtatsminda-Krtsanisi regional court suspended the privatization process. A decision favoring the plaintiffs would help the media industry avoid the monopolization of the print distribution network, and offer the chance for industry professionals to take part in a legitimate bidding process.

Media have limited sources of income. The advertising market is small and underdeveloped, and businesses hesitate about advertising for fear of getting the attention of tax authorities. Many media outlets accept contributions from business and political groups to survive. For most newspapers, 80 to 90 percent of income originates from copy sales. However, the poor quality and relatively high price of print products depress sales. Panelists calculated the average income of an average newspaper: a newspaper that sells for 50 Tetri (about \$.25) spends up to 20 Tetris on printing one issue and up to 15 Tetris on its distribution. Approximately 15 Tetris from each sold copy goes toward expenses such as rent, equipment, salaries, and so on. With low subscription numbers and few advertisers, it is therefore very difficult for newspapers to survive on just copy sales.

“Advertising agencies always work for national stations. They are not interested in the regional market despite the fact that we are popular among the local population and offer them very low prices,” stated a panelist.

Advertising agencies usually do not show much interest in regional media. “Advertising agencies always work for national stations. They are not interested in the regional market despite the fact that we are popular among the local population and offer them very low prices,” says a panelist. There are exceptions. Five small regional stations in southeastern Georgia managed to attract advertising from a large advertising agency for the news program “Parallel.” Panelists listed radio stations such as Fortuna and 105 that have been successful in attracting advertising.

Large television stations such as Imedi use advertising agencies and their own agents. “It is very difficult for advertising agencies themselves to attract advertising,” according to a panel member. “Our income from advertising is not very high. That’s why we work to secure different sources of income. We produce soap operas and other programs and actively seek buyers in the NIS and world markets. We already sold some of them successfully.”

Cheap classified ads and personal announcements such as greetings and obituaries represent the most common ads for small regional media outlets. Panelists noted that telecommunications companies tend to cooperate with small media more readily than others. Bartering is also a common practice, as some companies offer regional media outlets their services or products in exchange for advertising time. It was difficult for panelists to specify what percentage of outlets’ income is derived from advertising, although those representing small regional outlets acknowledged that their ad income is much less than the funding they receive from international organizations.

State-owned media benefit from exclusive advertising rights and guaranteed subscriptions from state agencies. For example, when the government announces a tender for a state contract, the announcement is published in pro-government newspapers. Such newspapers are paid for printing these ads.

There are no available credible broadcast ratings, circulation numbers, or audience demographics. Media outlets rarely commission audience research and do not base their editorial decisions on research findings. Broadcasters generally believe that research companies conduct biased and unprofessional market research. Editors and journalists claim that they modify their products in response to market demands, although often they learn about these “market demands” through rumors and guesswork.

Audience research consists of research conducted by independent organizations and research conducted by the media outlets themselves. Even small regional newspapers conduct limited research. For example, the newspaper *P.S.* developed questionnaires, the radio station *Dzveli Kalaki* took phone calls during radio programs, and radio station *Hereti* and newspapers like *Kviris Palitra* and *Asaval Dasavali* opened up feedback boxes. “*Kviris Palitra* and *Asaval Dasavali* are so popular because they listen to their readers,” a panelist said.

Tbilisi newspapers do conduct market surveys occasionally. However, they apply research findings with

varying degrees of success. Publishers of *Akhali Versia* studied the market before launching the weekly newspaper and successfully occupied a niche identified by their research. TV Imedi established a research unit with 10 employees. According to a panelist, the research helped the television station identify its niche in the market and develop programming. But Imedi decided to close the unit after a year, as it was expensive and less useful after the initial startup.

Most regional newspapers are weeklies, although a few newspapers are published twice a week. The total circulation of 22 regional weeklies amounts to 50,000 copies. The total circulation of the six leading Tbilisi weeklies and those papers published three times per week amounts to 200,000 copies. The total circulation of the five leading Tbilisi dailies is 18,000 copies.

Objective 5: Supporting Institutions

Georgia Objective Score: 2.34/4.00

Panelists are divided on the role of media associations in Georgia. Some feel that NGOs, not media associations, are the most reliable supporters of media. NGOs defend the rights of journalists, provide expert advice, and supply them with leads for investigations. Others point to the benefits of associations. “Both the Georgian

Supporting institutions function in the professional interests of independent media	
SUPPORTING INSTITUTIONS INDICATORS	■ Trade associations represent the interests of private media owners and provide member services.
	■ Professional associations work to protect journalists’ rights.
	■ NGOs support free speech and independent media.
	■ Quality journalism degree programs that provide substantial practical experience exist.
	■ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
	■ Sources of newsprint and printing facilities are private, apolitical, and unrestricted.
	■ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

“The NGO sector is defining media self-regulatory mechanisms and media legislation, but the associations of journalists or publishers are not as actively involved in this process. This can be attributed to the disorganization and passivity of media,” according to a panel member.

gested these organizations can play an important role in regulating relations between authors and media management and eradicating unlicensed program production from the television market.

In 2003, the GNAB and Georgian Association of Publishers and Broadcasters Free Press succeeded in increasing communication within the media sector. They were instrumental in mitigating conflicts between member broadcasters, lobbying for legislation, and defending the freedom of expression. GNAB was registered in January 2003 and currently includes 47 members. The Georgian Association of Publishers and Broadcasters Free Press, operating initially from 1994 to 1997, renewed its activities in November 2002. Free Press includes 34 titles nationwide.

In August 2003, Free Press mediated a conflict between the publisher and editor of the magazine *Stereo*. The association concluded that the publisher had not violated any ethical standards. Free Press also decided to create a sample employment contract for media outlets in order to avoid future disputes. GNAB also discussed the overlapping frequencies of two of its members—Imedi TV and Ninth Wave. GNAB applied to the GNCC to allow Ninth Wave to increase the power of its transmitter. As a result, the regulatory body issued a permit to Ninth Wave.

National Association of Broadcasters (GNAB) and the Georgian Radio Network are working hard to lobby for our interests,” said one panelist. Another believes that these two organizations were critical in preventing conflicts between broadcasters and increasing cooperation in the sector: “Before, we did not know each other. Now we meet and help each other out with advice, equipment, information, whatever is needed.” A third panelist sug-

GNAB and Free Press have also been active in shaping media legislation. During 2003, GNAB lobbied for changes in the tax code and in the Law on Post and Telecommunications. In August, the parliament approved an amendment to the law that prohibited the GNCC from revoking licenses without a court decision. However, the GNAB was less successful in lobbying for a tax exemption on income earned from advertising and planned to continue pressing for this change. The GNAB also lobbied against banning tobacco and alcohol advertising in broadcast media, but without success.

Meanwhile, Free Press developed a draft law granting tax benefits to print media that is currently under government review. “Due to falling circulation numbers and a highly unfavorable taxation system, the general environment for print media in Georgia had drastically degenerated,” said a panelist. “Today

the only media outlets that can survive are part of larger corporations and are run by people who can afford to invest vast amounts of money in media without taking into consideration the outlets’ capacity for sustainable development. Therefore, we approached the government with a request to declare a moratorium on taxes for media for a period of five years. This moratorium would ensure that we are not left with media closely connected with the government and mafia clans.” The new parliament was expected to consider the draft law in 2004.

There are problems in developing these associations, all of which have faced difficulties in collecting membership dues. “Members were more willing to pay, while Free Press was lobbying for a tax exemption. When the process was temporarily delayed, they stopped paying,” a participant said. Some media organizations are just not motivated. “The NGO sector is defining media self-regulatory mechanisms and media legislation, but the associations of journalists or publishers are not as actively involved in this process. This can be attributed to the disorganization and passivity of media,” according to a panel member.

“As an employer, I often encounter the ‘products’ of the journalism schools,” a panelist said.

“I have to spend a lot of time and money on improving their skills.”

Many panelists expressed gratitude to the GYLA and the Liberty Institute, a Georgian NGO, for supporting media. The Liberty Institute was key to developing and lobbying for a new broadcast law. GYLA trained journalists on election-related legal issues. It also argued a case in court against CEC attempts to ban pre-election debates on television, provided legal aid to journalists, and taught many how to request public information.

Neither public nor private journalism schools can ensure a modern or quality education for their students. The low caliber of instruction and resources are pain-

fully evident. “As an employer, I often encounter the ‘products’ of the journalism schools,” a panelist said. “I have to spend a lot of time and money on improving their skills.”

Short-term courses organized by international organizations are accessible for many journalists. However, these courses are not meant as a substitute for a college education and are not sufficient for obtaining practical skills. There is high demand for long-term trainings in the regions, especially regarding niche reporting topics.

Panel Participants

Malkhaz Ghughunishvili, lawyer, Georgian Young Lawyers' Association (GYLA)

Akaki Gogichaishvili, journalist, "60 Minutes" (Rustavi 2), Tbilisi

Nato Gubeladze, founder and editor-in-chief, *P.S.* newspaper, Kutaisi

Gia Kevlishvili, founder, TV Tvali, Sagarejo

Tamar Kintsurashvili, deputy director, Liberty Institute, Tbilisi

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