

MEDIA SUSTAINABILITY INDEX

2008

**The Development
of Sustainable
Independent Media
in Europe and Eurasia**



MEDIA SUSTAINABILITY INDEX 2008

The Development of Sustainable Independent Media in Europe and Eurasia

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The state of emergency imposed temporary restrictions on mass gatherings and private broadcasters. Only Georgian Public Broadcasting was allowed to provide news coverage. Imedi TV was the first station to be closed after one of its owners said he would spare no resources to rid the country of President Saakashvili. The closure was characterized by police violence against the staff, witnesses said. Two other stations were closed the same evening.



GEORGIA

Georgia's media sector has been affected greatly by the political and societal turmoil of the fall of 2007. On November 8, President Saakashvili announced that he would resign later that month, that snap presidential elections would be held on January 5, 2008, and that he would run for re-election. The decision followed a standoff between the government and the opposition that began when former defense minister Irakli Okruashvili accused Saakashvili of corruption and of suggesting an assassination of billionaire businessman—and political ally turned foe—Arkadi “Badri” Patarkatsishvili. Patarkatsishvili subsequently died of a heart attack on February 12, 2008. Two days later, Okruashvili was arrested on various corruption charges. Protest rallies spread throughout the country, leading up to a major demonstration on November 2 in Tbilisi, initiated by the opposition. After six days of protests, the government declared a state of emergency.

The state of emergency imposed temporary restrictions on mass gatherings and dissemination of information by private broadcasters. Only Georgian Public Broadcasting was allowed to provide news coverage. Imedi TV was the first station to be closed in the hours prior to the state of emergency, after Patarkatsishvili, one of its owners, stated that he would spare no resources to rid the country of President Saakashvili. The closure of Imedi was characterized by police violence against the staff inside and outside the station, according to witnesses. Two other television stations were closed the same evening.

Mass demonstrations in support of Imedi took place throughout the country, and in December, the government reversed its decision to close Imedi. However, the general prosecutor released covert recordings featuring Patarkatsishvili, then running as a presidential candidate, speaking to the head of the Interior Ministry's Special Operations Department about planning rallies on January 6 to protest the election results. On the tape, he offered money for neutralizing the interior minister during the demonstrations. Imedi staff temporarily suspended broadcasting in order to distance themselves from the imbroglio, now protesting the actions of Patarkatsishvili *and* the authorities.

Although restrictions did not apply to newspapers and online outlets, a few newspapers, uncertain whether the restrictions applied to them, chose not to publish. Some news agencies opened their websites for free public access, and use of online news sources drastically increased.

Meanwhile, the media scrambled to plan election coverage. Initiatives were launched, such as four television stations jointly commissioning exit polls. Internews Georgia and Civil.ge launched separate websites devoted to the elections. However, the opposition harshly criticized the media for favoring the authorities. Indeed, media monitoring during the campaign by OSCE showed a general lack of balance in the news coverage of presidential candidates.

GEORGIA AT A GLANCE

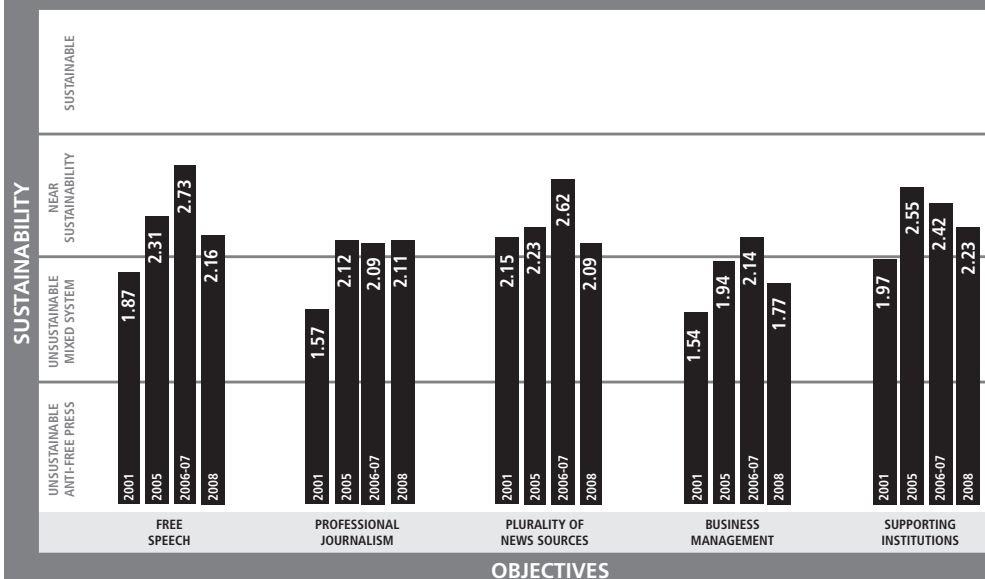
GENERAL

- > **Population:** 4,646,003 (July 2007 est., *CIA World Factbook*)
- > **Capital city:** Tbilisi
- > **Ethnic groups (% of population):** Georgian 83.8%, Azeri 6.5%, Armenian 5.7%, Russian 1.5%, other 2.5% (2002 census, *CIA World Factbook*)
- > **Religions (% of population):** Orthodox Christian 83.9%, Muslim 9.9%, Armenian-Gregorian 3.9%, Catholic 0.8%, other 0.8%, none 0.7% (2002 census, *CIA World Factbook*)
- > **Languages (% of population):** Georgian 71% (official), Russian 9%, Armenian 7%, Azeri 6%, other 7%
- > **GNI (2006-Atlas):** \$6.938 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$3,690 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 100% (male 100%, female 100%) (2004 est., *CIA World Factbook*)
- > **President or top authority:** President Mikheil Saakashvili (since January 25, 2004);

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 83 newspapers, 28 radio, 37 television (www.media.ge)
- > **Newspaper circulation statistics:** *Kviris Palitra* (50,000 weekly circulation), *Rezonansi* (42,000 weekly circulation), *24 Saati* (35,000 weekly circulation) (Sources: individual newspaper claims)
- > **Broadcast ratings:** highest rated television outlets in Tbilisi: Imedi (29.54%), Rustavi2 (27.42%), Mze (5.30%) (TV MR GE, Licensee of AGB Nielsen Media Research, January 2008)
- > **News agencies:** AP Bureau, Reuters Bureau, Black Sea Press, Novosti Gruzia, Sarke, Interpressnews, Infozavri, Iprinda, Kavkazpress, Media News, Prime News, Prime News Business, GBC News, GHN, France Press (www.yellowpages.ge)
- > **Annual advertising revenue in media sector:** For TV, approximately \$25 million (unknown for print and radio) (TV MR GE, Licensee of AGB Nielsen Media Research)
- > **Internet usage:** 332,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: GEORGIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

These events added to the perception of media serving first as political actors and less as businesses and impartial providers of news. In comparison to last year, the overall MSI score dropped, reflecting lower scores for four of the five objectives. The drop is due largely to the events of the fall, according to panelists. Most objectives scored near the overall average, though Objective 4, Business Management, came in noticeably lower at 1.77. Only Objective 2, professional journalism, scored slightly higher in comparison to last year.

OBJECTIVE 1: FREEDOM OF SPEECH

Georgia Objective Score: 2.16

Legislation directly regulating the activities of the media in Georgia witnessed no change in 2007 and remained liberal and progressive yet poorly applied. However, according to the panelists, amendments introduced to other laws and some new laws enacted in 2007 allow limited freedom of speech and access to information. The events leading up to and surrounding the state of emergency further demonstrated a lack of proper enforcement and abuse of existing laws. This objective, therefore, decreased from last year's score of 2.73 to 2.16 this year. Although two indicators, covering access to international news by the media and registration of journalists, fared well (about a point higher than the average), many indicators were significantly below, led by those covering broadcast licensing and crimes against journalists.

While the General Administrative Code of Georgia secures freedom of information with only some exceptions, and makes all sessions of public institutions open, some policies violate these principles. For example, the tax code states that all information related to taxation is closed, with only a few exceptions; and the newly adopted Law on the Government of Georgia makes all government sessions closed. Amendments to the Organic Law of Georgia on Courts of General Jurisdiction banned photo and video shooting in courtrooms and buildings, despite an appeal by journalists urging a veto by the president. Journalists can now only attend the trials with audio recording, unless a judge rules otherwise.

Panelists agreed that the laws are poorly applied, and they discussed in particular the case of Imedi. According to Irakli Sharabidze, head of the legal department of Teleimedi Ltd., the police provided no warrant when entering Imedi to prove the legality of their actions. According to Civil.ge accounts and journalists' recollections, masked men burst into the rooms and studios of Imedi and forced journalists and others present, among them women and children, onto the ground at gunpoint, and some report being beaten. Police officers confiscated the staff's mobile phones then allowed them to

leave. Outside journalists were again attacked with batons, rubber bullets, and tear gas by special police. Many stated that they were injured and had to seek medical assistance. The court order on the seizure of Imedi property, dated November 7, was not provided to the company management until November 13.

On November 8, the broadcasting license of Teleimedi Ltd. was suspended for three months by the Georgian National Communications Commission (GNCC). The decisions of GNCC did not appear on the commission's website until November 16. One dated November 7 simultaneously warned and fined Imedi, and the other, dated November 8, suspended the license. The commission's decisions were based on the Article 56, p. 2 of the Georgian Law on Broadcasting that prohibits license holders from broadcasting programs that in any form contain appeals towards violence. According to GNCC, the statement of the television owner, Arkadi (Badri) Patarkatsishvili, aired by Imedi on November 7, contained obvious encouragements for further escalation of violence, and directly jeopardized constitutional order.

The sanctions were carried out with numerous procedural violations. Article 71 of the Georgian Law on Broadcasting states that first the commission has to provide a written warning, and in the case that a license holder fails to consider the warning in the set period, the commission can impose a fine, according to paragraph 2 of the same article. However, the commission issued two sanctions—a warning and a fine—in one simultaneous decision. Second,

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and 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 offended parties 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.

the document set contradictory terms for fine payment. At one point, it obliged immediate payment, while elsewhere in the same document, it granted one month for payment. Third, the decision to suspend the license, according to the commission, was carried because Imedi failed to pay the fine immediately and because it repeatedly aired Patarkatsishvili's statement. However, as noted, the terms did not clearly state when the fine was to be paid, and given that Imedi TV was taken off the air by the authorities, it could not air the statement repeatedly.

Likewise, the police that closed of television Channel 25 in Batumi provided no warrant. The station was allowed back on the air after the state of emergency was lifted. "The press service of the Ajara Internal Affairs Administration informed me that the decision about letting us back on air was made by the Ministry of Internal Affairs of Georgia," said Merab Merkviladze, the channel's deputy director.

Kavkasia TV, also taken off the air by police on November 7, received no warrant. Company director Nino Jangirashvili said that when she referred to the Prime Minister and GNCC regarding the issue, she received a blank letter with the minister's signature as a reply from the cabinet while the commission replied that it did not issue any decision on license suspension.

Yet another concern of the panelists was access to public information, especially in the regions, despite provisions in the constitution and administrative code for access to public information. Individuals and press services responsible for providing public information either fail to do so on time or refuse to release the information, providing no written justification for their actions even when the information is envisaged for immediate release. Often journalists are not let in to public buildings. These cases mostly are not taken to court, given that the process consumes time and effort. With regard to obtaining public information, print media companies often complain that they are discriminated against versus broadcasters, while some broadcasters believe that they are selectively boycotted by different politicians who refuse to participate in their programs or provide them with comments.

Two cases illustrate the difficulties in access to public information. The newspaper *Khalkhis Gazeti* in Gori requested a draft budget for the Gori district at the beginning of 2007. After being refused the document, the paper had to go to court, and the draft budget was provided only after the Supreme Court ruled in favor of the newspaper. However, the paper received the document in October, after the budget had been long approved. In a similar case, the newspaper *Rezonansi* had to wait for more than a year

and for a court decision in order to receive information on tenders announced by the Tbilisi City municipality. The panelists expressed regret that no substantive legislative mechanism exists to penalize those who do not provide access to information.

Panelists assessed negatively the work of the GNCC. The main claims concerned licensing issues, access to information, and the commission's selective approach toward broadcasters. Panel participants considered the commission biased and influenced by the government. "If before November 7, the commission—at least for show—tried to keep independence and objectivity, after these events it completely lost face," Jangirashvili said.

According to the GNCC website, four new licenses were granted this year: one to Radio Muza; one to TV 33, which later rented out the license to the Ministry of Defense's television channel, Sakartvelo; one new license to radio Odishi in Samegrelo region; and one new license to radio Hereti, from Kakheti region.

The Hereti license became a sticking point. The station won a contest for the frequency in spring of 2007; nevertheless, the commission granted the license only on December 11, explaining the delay by the radio's supposed failure to pay a license fee of 20 percent by a deadline in May. Radio management claimed that the payment was made on time; the letter notifying the commission about the payment was sent in July, and all supporting documents were provided. The GNCC insisted that the radio provided the payment proof only at the beginning of December and during this time was broadcasting illegally without a license. The same day, the commission issued an order fining the radio.

The radio management alleges that the reason for the commission's grievances lay in the radio's coverage of political events. According to Hereti Director Ramaz Samkharadze, the radio provides balanced reports, allocating air to all voices and opinions. He indicated that a person affiliated with the ruling party threatened him, promising problems if the radio did not stop airing reports critical of the authorities.

Two community radio stations were established in Georgia's Kvemo Kartli and Javakheti regions (populated with Azeri and Armenian minorities, respectively) by the BBC World Service Trust and the local association Studio Re, with financial support from the European Commission and other donors. Studio Re referred to the commission three times with a request to announce a competition for community broadcasting licenses. The commission did not provide any clear response, leaving the project implementers uncertain with regard to the radio stations' possible future in terms of licensing. The competition still has not been announced

and today, both radios go on air through loudspeakers as an alternative to broadcasting.

Media are not unduly taxed compared to other industries, and do have some tax advantages. After tax benefits for print media expired on January 1, 2007, the only privilege for them remained an exemption from the 18 percent value added tax (VAT), with no specified period of time for this exemption. The print media mainly face one problem: difficulty or great delay in obtaining VAT refunds. In the past, some broadcast media encountered a different problem. The Georgian tax code does not envisage donations, so when broadcasters allocated obligatory free air time for pre-election political advertising, according to the tax code they still had to be charged with a profit tax. Today the issue can be regulated through requests to related ministries and their official decisions confirming exemption of broadcasters from the tax, but the panelists agreed that amendments to the tax code have to be enforced.

In addition to threats and beatings of journalists surrounding the November events in the capital, the year 2007 saw greater administrative attacks against media outlets. The problems included several media outlets being evicted from a state-owned building without legal procedures being followed. In one instance, at the publishing house Samshoblo, approximately 100 organizations, 15 newspapers, and two television stations were “illegally” occupying office spaces. The building was to be sold at auction and all tenants were asked to leave. Jangirashvili of Kavkasia TV said that she was provided no notice, and police removed equipment and furniture. When the property was returned, half of it was unusable. An official letter from the president offered TV Kavkasia reimbursement for 6 months of rent out of the Presidential Reserve Fund. TV Kavkasia did not accept the offer, considering it an inappropriate use of funds meant to be used in emergency situations, and Jangirashvili said that she believes that there was no reason for such a rushed eviction—the building is still sitting empty, awaiting a new owner.

Shortly after the Samshoblo eviction, on August 20 the Union of Journalists and its tenants, including *Akhali 7 Dge*, were evicted from a building in the historic part of Tbilisi. Khatuna Maisashvili, one of the founders and co-editor of the newspaper, was aware of the dispute between the Ministry of Economic Development and Union of Journalists and tried to find out how the problem may impact them. The Minister of the Judiciary and other officials assured her that the new owner of the building was obliged to follow the terms articulated in the newspaper’s contract with the Union of Journalists. However, this contract did not stop police from evicting the newspaper. Deprived of an office, the small newspaper has shut down.

Ia Mamaladze of the Georgian Regional Media Association said that central newspapers now better understand the problems of regional newspapers, after having faced similar humiliations. They now know how it feels when your work is not appreciated, she said.

During the November 7 events, a reporter of *Guria News* was severely beaten, but the case has not been investigated so far. While the public is outraged when journalists are abused, the Georgian media itself does not consider it necessary to discuss such cases. Mamaladze said that she is upset by the fact that information on beatings of regional journalists does not cause outrage in central media. Regional reporters feel unsafe and are not able to count even on solidarity of their colleagues from national media, according to Mamaladze. In regions, journalists are “absolutely unprotected,” she says.

When discussing if Georgian Public Broadcasting is given any privileges, Ia Bobokhidze, editor-in-chief of Kutaisi-based *Akhali Gazeti* said that some public officials readily participated in the programs of the public broadcaster, while they turn down requests from private televisions. Eliso Chapidze of the newspaper *Rezonansi* said that she had witnessed how some officials treat employees of the public broadcaster as public servants and not independent journalists. However, Tinatin Izoria, producer general of Georgian Public Radio, assured the panel that public radio enjoys a high degree of independence.

Paragraph 2 of Article 17 of the Law on Freedom of Speech and Expression, which entered into force in 2004, states that a court cannot demand an apology as a sanction in libel cases. The same law obliges a plaintiff, not a defendant, to prove the charges. However, courts mostly fail to properly apply this law as well as the others. Mamaladze, Chairman of the Georgian Regional Media Association (GRMA), recalled a recent case in which a judge sentenced *Guria News* newspaper to a public apology after a local government representative sued the paper for libel.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Georgia Objective Score: 2.11

When discussing the level of professionalism in Georgian media, panelists agreed that it remains generally low. Journalists exercise self-censorship and a commonly accepted and adhered ethics code is missing. Together with a low level of general and specialized skills across the profession, the indicator witnessed no real movement from last year, despite the good journalists and handful of good outlets that do exist. Only the indicator concerning modern equipment fared

much better than the average; those covering pay levels for journalists and self-censorship scored about a half point lower than the average.

Regarding whether the government interferes in the selection of quality journalists or the maintenance of professionalism, panelists referred to public statements made by the newly appointed prime minister. His criticism of some journalists was viewed by panelists as a sign of indirect pressure on the profession. Sharabidze said that efforts by some public bodies to lure journalists from private television companies by offering higher salaries and public jobs hurt the profession. Some complained about journalists combining their reporting jobs with positions at public institutions, thereby discrediting the profession. David Paitchadze of Tbilisi State University drew the panel's attention to the fact that some journalists once worked as public relations representatives for commercial entities, similarly damaging the perceived integrity of journalism.

Some panelists noted that there is an increase in attempts among journalists to represent all involved parties in their reports. However, the panelists also felt that this balance was a mere formality from the journalists' side and that it did not have a positive impact on the overall quality of their reports. Journalists do not double-check facts, and as a result, their reports do not reflect the reality in many cases.

According to Izenia, before November 7 the Georgian media were absolutely polarized. Only afterwards was there a recognition that they needed to keep a balance. The media became active players in the political standoff and abandoned their watchdog positions. Different politicians boycotted certain television channels. In October, 10 opposition parties

refused to participate in Rustavi 2's new political talk show until the ruling-party representatives stopped boycotting its rival, Imedi TV.

The Center for Social Sciences, Civic Development Institute, and GRMA, with funding from the European Union and Georgia office of the Eurasia Foundation, conducted a four-month-long media monitoring of selected news and analytical programs aired by the three major television channels (*Moambe* of Georgian Public Television, *Kurieri* and *P.S.* of Rustavi 2, and *Kronika* and *Droeba* of Imedi). Their research showed that representatives of different political parties selectively refuse to provide information to or participate in programs of certain media outlets. Those outlets often have to fill gaps with information generated from other available sources, which are not always reliable. Such reporting often leads to distortion of facts and incomplete reporting on issues.

Monitoring during the election period was conducted by one group set up by Adam Michnik of Poland's *Gazeta Wyborcza* (who had initially come to mediate the Imedi situation) and another set up by Open Society-Georgia Foundation (Media Center). They examined election coverage by key media. The monitoring results showed a general lack of balance in the news coverage of the presidential candidates in terms of devoted time. Some broadcasters allocated more coverage to the incumbent, Mikheil Saakashvili; some to opposition coalition leader, Levan Gechechiladze; and some to other candidates. Regarding the amount of political advertising, Mikheil Saakashvili was reported to be the leader.

The time when journalists were taking direct bribes has passed. However, other forms of corruption still exist. Panelists suspect that some subsidies in the television industry might qualify as signs of corruption, although the panelists could not contribute specific facts to the discussion. Also, as Maia Mikashvidze, dean of GIPA's Caucasus School of Journalism and Media Management pointed out, financial factors impact editorial decision-making, given that editors tend to lean towards their advertisers' interests.

Other aspects of ethical journalism are evolving. The Georgian Media Council, which was designed to serve as a media self-regulatory body with arbitration powers and as the main enforcer of a journalistic code of ethics, continued operations this year. The Council hears complaints about stories in the media and decides if the reporting violated ethics and standards.

Many panelists, however, expressed a lack of trust in the Council. It was not established as a result of media outlets deciding to unite, they said; rather, it was forced on the media by an influential NGO seen to be very close to the

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).

government. From the very beginning media professionals viewed the Council as a tool the government could use to punish “disobedient” journalists and media outlets. Last year, the panel reported a lack of independence and possible political interference in its review processes. This year, panelists reported, the Council was silent until the events of November, at which point it issued 12 recommendations to media outlets in order to induce them to provide objective and fair coverage of political events in the pre- and post-election periods. According to Zviad Koridze, the Council’s renewed activity coincided with the establishment of Adam Michnik’s monitoring group. Koridze thought that the Council’s work was meant to prevent the Michnik’s group from being the only observer of pre-election coverage.

Iliia Chavchavadze State University allocated funding to the Council to pay for software to monitor how four television channels (Mze, Rustavi 2, Imedi, and Georgian Public Television) followed the 12 recommendations. This sudden activity fueled suspicions, panelists reported, that the Council is influenced by the government. Panelists wondered why the Council remembered only then about the need to adhere to journalistic standards.

David Paitchadze, a board member for the Council, responded to the accusations of inactivity. According to him the Council was not active over the past year because the complaints they received were either outside scope of their mandate or were filed against media outlets that do not recognize the Council. Beyond that neither citizens nor the media had not sought the Council’s services.

Most panelists agreed that the Council is needed, but requires an overhaul in order to gain the trust of the profession. Panelists pointed to the general usefulness of its activities such as monitoring the media, and that the media itself should be funding the council’s operations. Referring to recent events, Kikalishvili of Rustavi 2 said “The media felt pressure from society. This trend should continue.”

In December, the GNCC gathered members of the broadcasting community to present the latest version of the Draft Code of Conduct for Broadcasters, a 22-page document setting professional standards and norms. As of this writing, the code remains as a draft.

The December meeting was the fourth attempt by GNCC to pass a code. In June, when yet one more public discussion was cancelled, GNCC accused the broadcasters of failing to submit their recommendations. During the panel discussion, Sharabidze, in turn, blamed the commission for pretending to involve the broadcasters in elaboration of the code and giving too-short notice to develop comments. According to Sharabidze, the GNCC does not consider the

recommendations put forward by broadcasters. Tamar Kordzaia of the Georgian Young Lawyers Association (GYLA) disagreed, noting that after GYLA had submitted comments on the very first draft of the code, GNCC considered all of them in the new version. According to Kordzaia, the fact that the code is still not approved indicates that the commission is willing to cooperate.

The problem remains that most media (with the exception of Georgian Public Broadcasting) do not have their own codes. Article 50 of the Georgian Law on Broadcasting obliges the commission to “draw up and pass as law the Code of Conduct for license holders.” Some panelists said that they consider the law a government attempt to regulate media. They insisted that to secure genuine self-regulation, separate media should combine their efforts in drafting a single code of conduct that includes common values.

Panelists agreed that self-censorship is still practiced, and its level did not decrease compared to previous years. However, they found it difficult to identify how self-censorship is manifested in practice. Some supposed that journalists acknowledge that the outlets for whom they work have informal policies, and that journalists are conscious of what issues they can cover and how they can frame the issues. Some attributed self-censorship to avoiding extra problems—a certain fear of causing the government’s discontent, losing professional contacts, and losing chances to be granted interviews. “Journalists want to secure ‘comfort’ and safety for themselves,” Paitchadze said.

Sharabidze named two major generators of self-censorship: a low level of professionalism and a weak job market. Average wages for journalists remain comparatively low and misbalanced between the broadcast and print media, especially in the regions. Georgia has only a few solvent outlets and journalists tend to try to retain their jobs there.

Bassa Janikashvili of Radio Utsnobi agreed that the root of the problem lies in the lack of professionalism. The government does exert pressure, as do media owners. But there are journalists who are not vulnerable to those pressures. Janikashvili believes that either they are marginalized as a result or they end up being unemployed. But they do prove that it is possible to allow neither government nor opposition, neither owners nor self-censorship, to destroy their professional integrity.

Certain topics, such as religion, the church, and minorities remain taboo for journalists. Tamar Kordzaia of GYLA recounted a case in which she was interviewed by a journalist about the privatization monitoring project that GYLA conducted. When she brought up the handing of certain property by the president to the Patriarchate as an example

of violation of the law on privatization, which prohibits giving away state property, the journalist asked her to choose some other case not related to the church.

Apart from taboo issues described above, journalists cover most major events. Different media outlets attach different levels of importance to them and frame them differently. Nonetheless, “each media outlet has its own list of untouchable topics. In the case of Rustavi 2 such a topic used to be, for example, the television’s ownership,” Kikalishvili said.

The number of entertainment programs has increased due to market demand, but the panelists said that they do not think that it trumps news programming. Head of the Radio Green Wave News Service Eka Pirtskhalava expressed disappointment that television offers no other types of programming except for entertainment, soap operas, and news, which is an indication not only of market demand but of journalists’ low level of professionalism.

The panelists assessed highly media’s technical resources, and noted improvements in terms of niche reporting. Specialized programs and newspaper supplements exist. Rustavi 2 and Mze have business programs and Imedi has program series on health care.

OBJECTIVE 3: PLURALITY OF NEWS SOURCES

Georgia Objective Score: 2.09

Panelists agreed that although many news sources are available in Georgia, reliable information remains scarce. With the events of November, this objective witnessed a substantial drop from 2.62 to 2.09. While most indicators fell relatively close to the average, the indicator of transparency of ownership scored about half a point lower, and the indicator of private media producing their own programs scored more than half a point higher.

Maisashvili said that part of the problem is the absence of an openly partisan press, owned by political parties. Instead of establishing such media, political groups try to influence and buy the loyalty of independent media. In Georgia, everything about the media is mixed—some publications pretending to belong to the intellectual press have signs of being the popular press, and vice versa. Newspapers do not cater their content to their readership.

Information is not uniformly accessible across the country. Mikashvidze pointed that while almost all important events taking place in Tbilisi are covered, events taking place in regions are not. The upper and middle class can receive information from diverse news sources, but people

with lower incomes have no access to the Internet or cable broadcasting, and the information available to them is limited. According to Mamaladze, even the central broadcast media is not available in some villages. Blogs are a novelty in Georgia and are just taking their first steps. Modern methods for distributing information remain a challenge for those who need to use them.

Some media outlets have a selective approach toward sources. Jangirashvili complained that Georgian Public Broadcasting favors one group of experts—namely, those who have rather close ties with the government and who somehow manage to justify everything that the government does. The public broadcaster does invite representatives of opposing parties to its debate programs, but this is done for show rather than from a sincere desire to represent all viewpoints, according to Jangirashvili. Panelists pointed to one particular program that exemplifies the bias: a documentary produced by the Ministry of Internal Affairs and the Prosecutor General’s office entitled “From November to November,” which claimed that opposition leaders were planning to overthrow the government. The particular problem (besides the content that many found biased) was that it was not identified up front as being produced by the ministry and prosecutor’s office.

Bobokhidze claimed to know for certain that Georgian Public Broadcasting’s reporters in the regions have lists of people and NGOs who should not be approached for comment, and whose events and issues should not be covered. When Channel 25 was forcefully closed, the editor tried to convince the local reporter from Georgian Public Broadcasting (which was the only television channel operating during the state

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.

of emergency) to record and air the circumstances of the station's closure. It has not been aired.

According to panelists, services of local news and information agencies are affordable, but not satisfactory. The agencies provide only texts and photos, not video and audio, and the quality is low. Often agencies package comments as facts and distribute factually incorrect information. Seventy percent of information they deliver as news cannot qualify as such, according to some panelists. Jangirashvili said that now agencies have more competition between them, so some are better than others. Interpressnews was named as agency of rather high quality, with Agency Prime News and Georgian Hot News following. Only television stations can afford subscriptions to international agencies.

There are no community newspapers or television stations in Georgia.

Information about media owners is not transparent, according to panelists. One can find, with some effort, in whose name a company is registered in Georgia or, if registered outside Georgia, who is registered as its representative. But this information does not reveal the real interests behind the station. The panelists asked why individuals try to hide their ownership of media outlets. Some speculated it happens because that Georgian legislation bars those in public service from owning and managing media outlets.

Independent journalist Zviad Koridze recounted what happened to him when he was working for the program PS at Rustvai 2. Like many other employees of Rustvai 2, Koridze did not know who the owner of the company was. But when he decided to prepare a piece about a cement company in Kaspi that was causing environmental damage, the management of Rustvai 2 politely asked him to refrain from working on this story. When he inquired why, the answer was "because this person pays your salary." According to panelists, not knowing who the owner is contributes to self-censorship. Journalists try to guess who the owners are and which story topics may or may not be appreciated.

Following the scandal with Imedi, GNCC announced on December 17 that three television companies submitted papers regarding their ownership, as requested by the Law on Broadcasting. According to GNCC accounts, Georgian Industrial Group (GIG) owns 45 percent of shares of Mze TV and Rustvai 2. GIG has multiple business interests, from coal mining to travel. MP David Bezhuashvili, brother of Foreign Minister Bezhuashvili, is a founding member of the group. The rest of shares are owned by GeoMedia Group. The only information available on GeoMedia is that it is registered in the Marshall Islands. Imedi is wholly owned by I-Media, which

has given power of attorney over 100 percent of its shares to News Corporation Europe.

People are not provided with sufficient information on culture and history of ethnic minorities and their contribution to Georgia's history. Programs that facilitate dialogues and integration are scarce. Some media continue to use donor funding to produce programs in minority languages, such as the Azeri-language informational and analytical programs produced by radio Hereti. CIPDD has opened resource centers such as Internet clubs for journalists in areas populated by Armenian and Azeri minorities. In June, Georgian Public Broadcasting, with donor support, started a weekly talk show on minorities.

From May to June, the NGO Youth Alternative monitored the coverage of ethnic minority issues by four major television channels (Public Broadcaster, Imedi, Rustvai 2, and Mze). The monitoring was supplemented by interviews with management and reporters of the televisions. Their research revealed that the four stations together produced only 70 news items concerning minorities during that time period, and 90 percent of the broadcasts were during news programs. Journalists said in interviews that their viewers did not demand information on ethnic minorities, and such information is not commercially viable.

The Council on Ethnic Minorities at the public defender's office elaborated recommendations for public institutions and the Georgian media, and presented them publicly in May. The document stated that the Georgian media often displays intolerance and xenophobic attitudes and needs to be monitored for such offenses. A report by the public defender's office regarding state of minorities states that in Georgia, the media distributes mostly negative information about ethnic minorities. Domestic, legal, and other problems raised by minorities are often politicized.

The company Business Consulting Group Research conducted a study on Internet usage in August 2007 in eight major cities. The results showed that 14.7 percent of those polled use the Internet. In Tbilisi, the rate is higher: 18.7 percent. Of those polled nationwide, 65.6 percent of use Internet at home, 36.6 percent at work, and 8.5 percent in Internet cafés. In Tbilisi, people access the Internet more at work (69.2 percent) and home (38.7 percent) than those outside the city. The poll showed that 59.6 percent use the internet for e-mail, 49.9 percent to receive information, 26.3 percent for education, and 54 percent for entertainment.

In the Georgian communications market, the Internet is the second-fastest growing segment, after mobile phones. According to the GNCC annual report, in 2006 the cumulative income of Internet providers was GEL 26

million—a 53 percent increase from the previous year. DSL is the fastest-growing service. The number of users in 2006 doubled to reach 30,000. The major Internet provider is Caucasus Online, which controls up to 90 percent of the market. Other providers have protested Caucasus Online using its monopolistic position to limit their customers' access to certain web pages.

OBJECTIVE 4: BUSINESS MANAGEMENT

Georgia Objective Score: 1.77

The panelists did not indicate any major improvements in the media business environment compared to the last year, and in fact, pointed to a major decline, due in part to the far-reaching problems emanating from November. "Most of the Georgian media are political actors and are not considered businesses," Janikashvili said. This objective declined from 2.14 last year to 1.77, and all indicators were clustered closely to this average.

TV MR GE and BCG offer television research and ratings. BCG began using peoplemeters on January 1, 2008, joining TV MR GE.

Advertising placements are still influenced by political decisions. Though the situation has changed slightly for the better, the problem remains. Janikashvili mentioned Radio Utsnobi as an example of a successful business whose major source of revenue is advertising. However, "Our radio is considered oppositional," he said. "The brother of one of its founders is now in politics and is a presidential candidate from the opposition coalition. This hampers our business because many advertisers do not want to be associated with the oppositional radio, they do not want extra problems."

The practice of "roundabout" funding (when some private media are not directly subsidized by the state, but are awarded money for publishing public announcements) still exists. This makes other newspapers unable to compete. Stable sources of revenue, which could protect media from political influence, do not exist, panelists said.

According to the panelists, central and national television companies—even the major ones, which were always thought to be profitable despite having millions of lari in turnover—either run at a loss or merely manage to cover their monthly expenses. Those surviving from advertising revenue cannot reinvest funds in their outlet's development, and that prevents the channels from expanding programs, installing technical updates, or increasing human resources. Thus, they are stuck in a cycle in which they have difficulty

becoming more attractive for more advertisers and generating more revenues.

Most of the television channels are subsidized by their owners, distorting the market. Subsidized television channels do not charge market prices for advertising because they are relying on financial support. This kind of dumping negatively influences radios and newspapers as businesses in terms of advertising. Those who would not be able to afford television advertising in a healthy market environment now can (and prefer to) purchase television airtime, given the existing circumstances.

Panelists believed that what happened to Imedi TV and the others in November will for a long time discourage foreign investments in the Georgian media market.

Regional print media were said to be at the end of a transitional phase as businesses. The period when they could and almost did rely solely on donor funding is over, as is the time when almost all faced crises and many faced shutdowns. Now the regional media market houses several publications that managed to survive and reach a minimal level of sufficiency, if not sustainability. This achievement was again attributed to the past donor support and quality training in media management.

The advertising market in the regions grew not because of local enterprise development, but because of the expansion of major national businesses into the regions. Long-term advertising contracts are now available. Gradually, advertising revenue has started to exceed sales of copies as a source of revenue for print media. *Akhali Gazeti* from Imereti region and *Guria News* from Guria region exemplified this change.

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.

Grants still remain one of the revenue sources for newspapers, though donor support is now limited to individual thematic projects. The business environment has not improved for regional television companies, especially after donor support ended. Merab Merkviladze of Channel 25 in Batumi cited a curious instance of paid televised obituary announcements having become the major source of revenue for most regional television channels. Even in big cities, where the advertising market is relatively developed, advertising revenue does not exceed 30 percent of the total revenue, according to the experts on the panel.

The elections also demonstrated its effect on the media business in the country. Televisions in the regions expressed concern over their obligation to allocate free time—90 seconds per three hours—for every qualified candidate, in case the broadcaster decides to air any election advertising at all. Avtandil Gvasalia of the Georgian Association of Regional Television Broadcasters insisted that this mandate greatly damages regional television channels as businesses. Elections are the only occasion for them to generate relatively high revenues, but given this obligation, all candidates try to fully use the opportunity, purchasing a minimum of paid advertising time and running free political ads for the rest of the pre-election period. Mamaladze added that this obligation affects newspapers as well, since candidates are reluctant to place paid ads in the papers and would rather take full advantage for the obligatory free airtime on television channels.

Sharabidze complained that laws do not provide clear guidance to the television and radio stations on publishing paid political ads on their website. Both Radio Utsnobi and Radio Imedi wanted to offer such service during the pre-presidential election period. Imedi opted to follow the scheme approved for television stations and sent a letter to GNCC, notifying the regulator on the prices they planned to offer as well as the amount of website space to be sold. According to TV MR GE, additional political campaign revenue in December 2007 reached \$11 million.

Three major advertising agencies drive the market in Georgia. Media House serves exclusively Rustavi 2 and Mze television companies. Video International works exclusively with Imedi TV. Sarke plays a peculiar role, regularly winning tenders for public service advertisements countrywide. More and more media outlets in the capital as well in the regions cooperate with advertising agencies. According to Gvasalia, about 40 percent of advertising comes to regions from Tbilisi-based advertising agencies. Panelists also noted a growing level of professionals working in the newspapers' marketing departments.

TV MR GE Research data states that in 2007, the television advertising market (excluding political advertisements) reached approximately \$20 million. In August, Media.ge published assessments voiced by Video International Director Nikolai Sosnovsky. Sosnovsky claimed that Rustavi 2 and Imedi were the only two major national television channels. They cumulatively attract up to 60 percent of the audience and control over 90 percent of the advertising market, leaving the rest of the television companies only about one percent of advertising budget for each.

Circulation data on newspapers are not collected in Georgia. This year, four regional newspapers united in an initiative funded by the Open Society-Georgia Foundation. *Newspaper Batumelebi* from Ajara region, *Guriis Moambe* from Guria, *Tavisupali Sitkva* from Samegrelo, and *Akhali Gazeti* from Imereti will conduct a print advertising market and audience research, first in western Georgia. The Institute of Polling and Marketing continues measuring radio ratings using CATI technology. The panelists expressed general discontent with the quality of the research offered by the organizations existing in Georgia and their reluctance to increase this quality.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Georgia Objective Score: 2.23

A slight but insignificant decline was noted in this objective. Some indicators stood out from the average: Indicator 2, on professional associations, scored well below the average; Indicators 3 and 6, covering NGO advocacy and access to newsprint printing facilities, scored well above.

Panelists representing print media unanimously noted improvements in newspaper distribution in Tbilisi. The system works without failures, and distributors exercise non-discriminatory and business-oriented policies towards newspapers. According to the Information Agency, Infogeorgia XXI, there are 12 distribution agencies out of which panelists distinguished the work of the Georgian Post, Info Service, and Elva Service. In the fall of 2007, Press Express issued a newspaper and magazine catalog for the first half of 2008. The catalogue includes 60 Georgian newspapers, 30 magazines, and more than 700 other titles from CIS, Europe, and the United States available for subscription.

However, the regions are not as well served. Existing state and private centralized distribution systems cover the regions but do not reach all populated areas. Most regional newspapers have established their own small distribution services, which are not efficient. "I could have increased

my circulation by 20 percent if I was able to deliver the newspaper to all prospective subscribers,” Bobokhidze said.

The quality of printing presses remains low, while costs have increased due to inflation and suspended trade between Russia and Georgia after economic sanctions were imposed by Russia. Meanwhile, the demand for quality products is growing together with the advertising market. Due to high printing costs, newspapers (especially regional papers) are considering raising subscription rates, but they risk losing some of their readership.

No data on circulation are available. Legislation does not oblige newspapers to disclose their circulation figures, and no private cooperative (such as an audit bureau of circulation) exists. Panelists agreed that newspapers should open their circulation records if they want to establish trust-based relations with advertisers and secure appropriate niches in the market.

Many television stations rely on cable to carry their broadcasts into homes. In Georgia, such relations are subject of contractual agreements between the broadcaster and the cable company. Merkviladze recalled the unfortunate case in which Channel 25 went off the cable system in Batumi for 10 months. The local cable companies did not provide (and were not even obliged to provide) the channel management with clear explanations on why the transmission was suspended, as no contract was signed between the Channel 25 and the cable systems operators at that point. Merkviladze alleged that the cable companies were forced into this by local tax inspection.

“Non-governmental organizations today show more solidarity towards media than media towards each other,” said Khatuna Maisashvili of *Akhali 7 Dge*. Panelists distinguished the Georgian Young Lawyers Association and

the Young Economists Association for their support to media. They also praised the work of Equality Institute, Human Rights and Information and Documentation Center, and Transparency International Georgia as particularly effective NGOs working with media. Mamaladze of GRMA raised the same issue as last year about the regional branches of the NGOs being not as supportive as their Tbilisi head offices. They have closer ties with local authorities and as such are reluctant to challenge them.

Georgia has no associations of journalists to protect journalists’ rights. Working agreements between media outlets and journalists either do not exist at all or are oral or short-term. All agreed that journalists have difficulty expressing solidarity when they are afraid to lose their jobs and are unable to easily find a new one. In such circumstances, membership in any professional union puts journalists at risk.

Two regional media associations, Georgian Association of Regional Television Broadcasters and Georgian Regional Media Association, continue to serve their members’ economic interests. Perhaps due to an increase in membership, these organizations seem to have less cohesion among their members, panelists noted.

The quality of journalism education remains low. “The professional level of journalists would not be an issue in our discussions if what were doing in terms of journalism education was sufficient,” said Mikashavidze. The exception, according to Mikashavidze, is the Caucasus School of Journalism and Media Management (CSJMM), where she serves as the dean. It offers high-quality English and Georgian language graduate programs and, she said, the 30 or so journalists that graduate from there do influence the overall media market. All of them find jobs and about two-thirds stay in the profession. They become leaders in their profession, are respected by their colleagues, and stand out among the rest. However, their influence may take time to become apparent.

Journalism education faces several other issues. Relevant textbooks still are in shortage. An overwhelming number of students enroll in state universities, and there is a lack of qualified teachers. About 550 students enroll in the Journalism Division of the Tbilisi State University each year, studying journalism either as major or minor. According to Paitchadze, the number of graduates far exceeds the demands of the media market in Georgia.

Maisashvili, in addition to working at *Akhali 7 Dge*, is a lecturer at the Ilia Chavchavadze State University’s Faculty of Arts and Sciences. She expressed more optimism about the state of journalism education, saying that there is a pool of motivated youngsters willing to master journalism. Even

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 in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

though journalism is taught as a minor at her school, she said, significant practical modules are offered using actual television studios. They plan to develop a similar radio studio and a student newspaper.

Panelists agreed that the quantity and the quality of available short-term training have decreased. No short-term certificate programs exist for re-qualification of individuals. CSJMM offers training courses of up to three months in media management and communications. But while partial tuition waivers are available, they do not support living costs, which can make attendance difficult for those from the regions. Individual (mainly donor-supported) training sessions are still offered, but they are insufficient.

Panelists noted that none of the media outlets organize their own training for their journalists. Some lack resources for such training, but some do not have the will. Local trainers are in short supply, but even so journalists have a general mistrust towards local trainers. Not all journalists consider additional training necessary, and some are reluctant to use an opportunity even if it is available.

Regional media experience is another problem. Regional journalists who have reached a certain point of development (either through an extensive short-term training or through studying at CSJMM) leave their host outlets and move to the capital. As a result, there is a lack of human resources in regional media. Bobokhidze attributed this to low salaries and a low level of media development in the regions competing against better pay and better conditions in Tbilisi.

List of Panel Participants

David Paitchadze, assistant professor of journalism, Tbilisi State University, Tbilisi

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David Kikalishvili, anchor, Sunday Evening Television Magazine *P.S.*, Rustavi2 TV, Tbilisi

Nino Jangirashvili, director, TV Kavkasia, Tbilisi

Merab Merkviladze, founder and deputy director, Channel 25, Batumi

Bassa Janikashvili, steering committee member, Radio Utsnobi, Tbilisi

Tinatin Izoria, producer general, Georgian Public Radio, Tbilisi

Eka Pirtskhalava, head of the news service, Radio Green Wave, Tbilisi

Ia Mamaladze, chairman, Georgian Regional Media Association, Tbilisi

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Khatuna Maisashvili, founder and co-editor, *Akhali 7 Dge*, Tbilisi

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