



# Public Funds for Media Promoting Hate Speech and Anti-Western Sentiments

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*Report*

2015

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[www.mdfgeorgia.ge](http://www.mdfgeorgia.ge)

<https://www.facebook.com/MediaDevelopmentFoundation>

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## Introduction

Since 2014 Media Development Foundation (MDF) has been monitoring public spendings for information dissemination. Throughout the monitoring process, MDF found that number of Ministries and their subordinated legal entities practice contracting media organizations that are known for promoting hate speech and intolerance toward different social groups<sup>1</sup>. Media monitoring activities carried out by MDF throughout 2014-2015<sup>2</sup> also demonstrated that these media organizations are repeatedly expressing anti-western attitudes. Moreover, number of Ministries<sup>3</sup> implements joint projects with these media outlets.

This research focuses on problems linked to above mentioned cooperation established between these media organization and state institutions.

It is important to mention, that data presented in the research is not complete due to the difficulties of obtaining information from number of legal entities of public law (LEPL) and non-commercial, not-for-profit legal entities (NNLE), as well as due to prolonged court hearings. On June 11, 2015, as a result of a Tbilisi City Court decision on MDF's law suit, Judge Shota Getsadze made a precedent and established a standard<sup>4</sup> obliging all institutions carrying out public responsibilities to make public all information related to spendings whether public or private undertaken to fulfill their public duties. The court decision and establishment of the precedent created a foundation for making work and financial affairs of LEPLs and NNLEs more transparent.

Obtaining public information from the Ministry of Internal Affairs (MIA) yet remains challenging thus leaving only possibility for MDF to acquire information through addressing court of law. Obtaining complete information from the State Procurement Agency's online database is also challenging. For instance, from the agreements signed with media-union *Obiektivi* only contract

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<sup>1</sup> "Hate Speech and Xenophobia", Media Development Foundation, 2015:  
<http://mdfgeorgia.ge/uploads//library/Hate%20Speech-2015-ENG-web.pdf>

"Homophobia and Gender Identity", Media Development Foundation, 2015:  
[http://mdfgeorgia.ge/uploads//library/Homophobia-ENG-web%20\(1\).pdf](http://mdfgeorgia.ge/uploads//library/Homophobia-ENG-web%20(1).pdf)

<sup>2</sup> "Anti-western Propaganda", Media Development Foundation, 2015:  
<http://mdfgeorgia.ge/uploads//Antidasavluri-ENG-web.pdf>

<sup>3</sup> Ministry of Agriculture, Ministry of Sports and Youth Affairs (see p. 21)

<sup>4</sup> <https://drive.google.com/file/d/0B-zbuAiaXxG5SXUyeGhLS0ZjNGc/view>

with National Wine Agency (LEPL of Ministry of Agriculture) is available online, while service agreement signed between the same media organization and MIA is not. Moreover, State Procurement Agency remains unresponsive when addressed to make publicly available all information related to MIA. Accordingly, due to these shortcomings public information obtained during this research is incomplete and the process of attaining them has been time consuming and linked to additional efforts.

## **1. Research Methodology**

The proposed research is based on public information obtained from state institutions, online database of State Procurement Agency, monitoring performance of media organizations, analyzing other research findings and international practices.

Public information related to service agreements between public institutions and media organizations signed throughout 2013-2014 were obtained. In particular, contracts signed by Ministries, LEPLs and NNLEs, as well as local self government entities with different media organizations for providing information distribution, advertising and other services, were analyzed. The proposed research focuses only on media organizations that are observed to promote hate speech and practice discriminative editorial policies toward different identity groups.

International regulations providing guidelines for indiscriminative policies for public authorities, including fiscal affairs and relevant state responsibilities were also analyzed.

Alongside to 2013-2014 data, financial support provided for TV program *Etaloni* in 2015 is also included in the research. The TV program is aired on channel *Obiektivi* and is illegally funded by administrative resources. Complete data from 2015 will be analyzed in the next report. The case of *Etaloni* is incorporated in this research to illustrate illegal practices.

## 2. International Practice

## Should public funds be used to finance media organizations that promote hate speech and intolerance?

### Should public funds be used to finance media organizations that promote hate speech and intolerance?

There is a straightforward answer to this question provided by European Commission against Racism and Intolerance (ECRI). In particular, #7 recommendation for member countries

developed by ECRI on National Legislation to Combat Racism and Racial Discrimination<sup>5</sup> states:

European Commission  
against Racism and Intolerance



Commission européenne  
contre le racisme et l'intolérance

*9. The law should place public authorities under a duty to ensure that those parties to whom they award contracts, loans, grants or other benefits respect and promote a policy of non-discrimination. In particular, the law should provide that public authorities should subject the awarding of contracts, loans, grants or other benefits to the condition that a policy of non-discrimination be respected and promoted by the other party. The law should provide that the violation of such condition may result in the termination of the contract, grant or other benefits.*

*16. The law should provide for an obligation to suppress public financing of organisations which promote racism. Where a system of public financing of political parties is in place, such an obligation should include the suppression of public financing of political parties which promote racism.<sup>6</sup>*

### 3. Statistical Data

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<sup>5</sup> Adopted on October 13, 2002

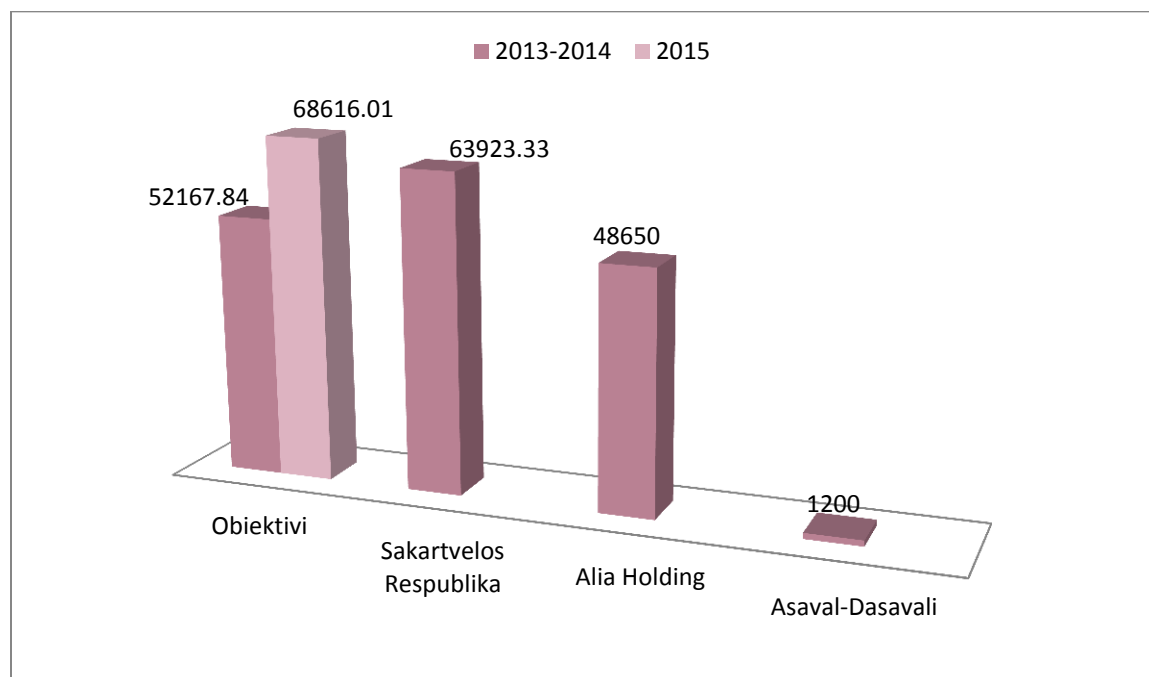
[http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation\\_N7/ecri03-8%20recommendation%20nr%207.pdf](http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation_N7/ecri03-8%20recommendation%20nr%207.pdf)

<sup>6</sup> Ibid.

In 2013-2014 public funds were used for providing advertising services of following media organizations proved to promoted hate speech: newspaper *Sakartvelos Respublika* (GEL 63 923,33), media-union *Obiektivi* (GEL 52 167,84), *Alia Holding* members – newspaper *Alia* and *Kviris Chronika* (GEL 48 650 – data is not complete<sup>7</sup>) and newspaper *Asaval-Dasavali* (GEL 1 200).

Ltd *Etaloni-Media* received GEL 68 616.01 for producing TV program *Etaloni* aired on *Obiektivi*.

**Chart 1.** Public funds for media outlets promoting hate speech (2013-2014, partly 2015).



As already mentioned above, provided data is incomplete as number of Ministries and LEPLs as well as NNLEs were reluctant to disclose public information. For instance, Agricultural Projects’ Management Agency (NNLE of Ministry of Agriculture) provided only a joint figure of GEL 1 043 845, 57 that has been transferred to various media outlets<sup>8</sup>, media unions<sup>9</sup> and other

<sup>7</sup> At the point of the publication of the research findings, information has not been provided by the Ministry of Agriculture: in particular, how much has been allocated for media organizations from GEL 1 043 845, 57 that was budgeted for Agricultural Projects’ Management Agency (NNLE of Ministry of Agriculture) for media services.

<sup>8</sup> Info 9, new agency – IPN, GeoHotNews (GHN), Pirveli, BPN, palitra.ge, newspapers: Rezonansi, Alia, Kviris Chronika, Kviris Palitra, Prime Time, Guria News (Chokhatauris Matsne), Financial Intelligence Group, Orion Khalabegashvili (Spektri).



companies<sup>10</sup> throughout 2013-2014. Newspapers *Alia* and *Kviris Chronika* are listed in the document provided by the Agency, though it refused to provide copies of relevant service agreements. Accordingly at this point, it is impossible to calculate exact amount of funds transferred to separate media organizations, including newspapers that are part of *Alia Holding*.

On June 11, 2015, Tbilisi City Court (Judge Shota Getsadze) announced a precedential decision and approved MDF law suit against Ministry of Agriculture and NNLE Agricultural Projects' Management Agency and obliged state institutions to make above mentioned information public.

**Data related to law suits:** To obtain information regarding public spendings for providing media services, MDF approached 112 public entities including: 19 Ministries, Georgian Government State Chancellery, Parliament of Georgia, Prosecutor's Office of Georgia, administration of state representatives in regions (governors), local municipalities (30), as well as 69 LEPLs and NNLEs.

Ministry of Internal Affairs and Prosecutor's Office of Georgia provided information only after MDF addressed court for support. 13 out of 69 LEPLs and NNLEs also declined request to disclose information. At this point 6 refusals were appealed in court and 7<sup>11</sup> are planned to be appealed in the nearest future. One appeal out of 6 refusals has already been revoked by the court (the case of MDF against Agricultural Projects' Management Agency), 4 cases against Ministry of Internal Affairs and Georgian Chamber of Commerce and Industry were resolved during the main hearings by delivering requested public information to MDF and one case against SC "Georgian Energy Development Fund" is at the main hearing stage.

#### 4. Media-union *Obiektivi*

Media-union *Obiektivi* received funds from public institutions directly as well as indirectly for providing advertising services and producing and airing TV programs. In particular, according to

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<sup>9</sup> Georgian Association of Regional Media, Georgian Association of Regional Broadcasters.

<sup>10</sup> Media Port, MGI studio, UM Georgia, Studio 123, Cor Production.

<sup>11</sup> Ltd Georgian Post, Ltd Georgian Railway, Ltd Sakaeronavigatsia, Ltd Mechanizatori (provided only partial information), LEPL Batumi State Maritime Academy, LEPL Georgian State University for Physical Education and Sports, Ltd Tbilisi Transport Company

State Procurement Agency web page, Ltd *Etaloni-Media* signed agreements and received funds for producing and airing a TV program from various public institutions in 2015, which is an illegal activity.

Below presented data is not complete as number of public institutions declined to issue relevant information (for more see pg. 8).

At the point of publication of this research, MDF gathered information that indicates that media-union *Obiektivi* signed various service agreements with different public institutions worth of GEL 52 167, 84 throughout 2013-2014. Ltd *Etaloni-Media*, on its own, received GEL 68 616, 01 from different public organizations in 2015 for preparation of a TV program that is aired on *Obiektivi*.

Funds allocated for these media organizations per public institution are as follows:

**Table 1.** Value of service agreements signed between public institutions and meida-union *Obiektivi*.

Ministry/LEPL	2013	2014	TOTAL
Ministry of Internal Affairs	5, 000 GEL	9, 178.04 GEL	14, 178.04 GEL
LEPL Service Agency, Ministry of Internal Affairs		10, 501.71USD	10, 501.71USD
Ministry of Education	4, 800 GEL		4, 800 GEL
Ministry of Defense		5, 461.71 USD	5, 461.71 USD
LEPLE National Wine Agency, Ministry of Agriculture	5, 000 GEL		5, 000 GEL
Total			52 167,84 <sup>12</sup> GEL

**Table 2.** Value of service agreements signed between public institutions and Ltd *Etaloni-Media*

LEPL/Ltd/Local Municipalities	2015
LEPL MIA Academy, Ministry of Internal	12176.01 GEL

<sup>12</sup> USD GEL exchange rate for 2014 - 1.7659

Local Municipalities <sup>13</sup>	38480 GEL
Ltd Tbilisi Transport Company <sup>14</sup>	15 000 GEL
<b>Total</b>	<b>16.01 GEL</b>

#### 4.1 *Etaloni on Obiektivi*

TV program *Etaloni* is illegally aired on *Obiektivi* from May 9, 2015, since according to the Law on Broadcasting, administrative authorities are not allowed to finance TV programs.

Information available on State Procurement Agency proves that Ltd “Etalon-Media” is providing following two services to its customers: sponsorship and participation in the program.

Article 66<sup>1</sup> (No Financing) of the Georgian Law on Broadcasting states:

#### No financing

*1. An administrative authority, a political party, an official and a public servant shall not finance a broadcaster, also shall not purchase its service and finance or co-finance, directly or indirectly, the production of broadcaster’s programs or/and airing thereof except in cases envisaged in Paragraphs 2 and 3 of this Article.*

<sup>13</sup> Municipalities of Adigeni, Dusheti, Kazbegi, Martvili, Oni, Khulo, Kaspi, Akhmeta, Zestaponi, Ninotsminda, Shuakhevi, Senaki, Ambrolauri, Abasha.

<sup>14</sup> Contract signed with Ltd Tbilisi Transport Company initially considered airing TV program on Public Broadcaster, but later it was changed to TV channel “Obiektivi”. The amount is calculated in accordance to airing TV program through relevant channel.

Third paragraph of the Article 66<sup>1</sup> allows exception only for electoral administration and the second paragraph for following services:

**Exception:**

*2. An administrative authority may purchase a broadcaster's service only for airing social advertising and reporting information important for society provided that such purchase is envisaged in a separate clause of its budget. In such a case, if an administrative authority is a procuring entity as specified in the Law of Georgia on State Procurements, the purchase shall be carried out in accordance with the procedure defined by the Law of Georgia on State Procurements.*

Moreover, first paragraph of the Article 67 of the Law on Broadcasting, clearly states that sponsorship of a TV program by an administrative authorities is illegal:

**Prohibition of sponsorship**

*1. An administrative authority, a member of a collegial administrative authority or a public servant, a political party, a leader or an official of a political party, a coalition or a bloc of political parties or any other electoral entity shall not be a sponsor of a program.*

It is important to mention, that almost all public institutions were purchasing services from Ltd *Etaloni-Media* under different coding defined by the State Procurement Agency. Only municipalities of Adigeni, Oni, Khulo and Kaspi indicated coding for TV and Radio services (CVP 92200000) as the purpose of purchasing advertising services from *Etaloni*. MIA Academy indicated the code for marketing and advertising services (CVP 79340000), while in other service agreements the same service is indicated as: organization of cultural events (CVP79952100), group games (CVP 37524400), educational games (CVP 37524100), market and

economic research, survey and statistics (CVP 79300000), various commercial and other related services (CVP 79900000), recoding in a studio (CVP 79961350), event organization (CVP 79952000).

All above mentioned agreements foresee delivery of following services: “preparation of questions for the TV program with participation of the customer, recoding of the program, editing and airing of the program and in accordance to the program framework - presentation of high school students selected by the customer”. These services are considered illegal by the Article 66<sup>1</sup> of the Law on Broadcasting as it prohibits “*purchasing service and finance or co-finance, directly or indirectly, the production of broadcaster’s programs or/and airing*”.

Moreover, the service agreements also enable public institutions to be involved in editorial and creative process that violates article 29.2 of the Code of Conduct for Broadcasters (principle that guarantees editorial independence of a broadcaster).

*Photo: Zakaria Endeladze,  
Head (Gamgebeli) of Adigeni  
Municipality in TV program  
“Etaloni”, Media-Union  
“Obiektivi”, May 23, 2015.*



It should be noted that alongside with the services indicated in agreements with local Municipalities, the agreement signed by MIA Academy has an additional service in it:

## MIA Academy

- Customer's video (8-11 seconds) should be aired at the beginning and in the middle of the program (at least once);
- Responsible persons representing the customer should be invited as guests at least twice throughout the contract period; the guest should have an opportunity to briefly present own organization, as well as implemented and planned projects;
- Students of the customer should be invited and seen during the program (at least twice throughout the contract period);
- Banners (two) with the logo of the customer should be placed in the studio and be seen during the program;
- Customer's messages should be read and customer's logo should be illuminated at least once during every program.

Almost identical services are included in the agreement signed with Ltd Tbilisi Transport Company too.

The Law on Advertising states (Article 13: Sponsorship):

### Sponsorship

*Sponsorship As per this law the sponsorship is a contribution of a natural or legal person to the activity of another natural or legal person (in the form of money, assets, outcome of intellectual activity, rendering service or rendered service, performing the work) on conditions that the product manufactured by the sponsor will be promoted. A sponsor's contribution is regarded as the cost of advertising whilst a sponsor and the one who has been sponsored as advertiser and advertising distributor, respectively. The sponsor has no right to interfere in the activity of the producer and distributor of advertising. Sponsorship is not allowed for persons whose product or activity is prohibited to be advertised under this Law.*

All service agreements signed by public institutions with Ltd *Etaloni* foresee sponsorship and accordingly violate articles 66<sup>1</sup> (prohibition of financing broadcasting) and 67 (prohibition of sponsorship) of the Law on Broadcasting. They also create grounds for the customer to

interfere in the editorial work of service provider through the right to engage in designing questions and selecting participant students.

This practice violates local legislature as well as recommendations issued by European Commission against Racism and Intolerance (ECRI). In particular, TV program prepared by Ltd *Etaloni* is aired on media-union *Obiektivi* - the channel that openly promotes hate speech.

It should be noted that, in service agreements signed between Ltd *Etaloni* and public institutions, media-union *Obiektivi* is not usually indicated. Moreover, in number of agreements, TV program is supposed to be aired on Public Broadcaster, that hosted the program from November 2012 to April (11), 2015. April 15, 2015 agreement signed with MIA Academy, *Etaloni-Media* takes responsibility to deliver advertising services through media-union *Obiektivi* instead of Public Broadcaster.

**Annex 1.** Agreement between MIA Academy and Ltd *Etaloni-Media* on airing TV program *Etaloni* on media-union *Obiektivi* (available in Georgian).

**შეთანხმების ოქმი №1**

ქ. თბილისი

15.04.2015წ.

ერთის მხრივ, საჯარო სამართლის იურიდიულ პირი - საქართველოს შინაგან საქმეთა სამინისტროს აკადემია (შემდგომში „შემსყიდველი“), წარმოდგენილი მისი პრორექტორის ზაად კაპანაძის სახით და მეორეს მხრივ შპს „ეტალონი-მედია“ (შემდგომში „მომწოდებელი“), წარმოდგენილი მისი დირექტორის მანანა დოლობერიძის სახით, ხელს ორივე ერთად შემდგომში წოდებული როგორც „მხარეები“, საქართველოს კანონმდებლობის და სახელმწიფო შესყიდვის შესახებ 2015 წლის 27 თებერვალს გაფორმებული №8/1 ხელშეკრულების მე-12 პუნქტის საფუძველზე ერთნაირდებით შემდეგზე.

შპს „ეტალონი-მედია“, სარეკლამო მომსახურებასთან დაკავშირებით, 2015 წლის 27 თებერვალს გაფორმებული №8/1 ხელშეკრულებით ნაკისრ ვალდებულებებს, ნაცვლად საზოგადოებრივი მაუწყებლისა, შეასრულებს მედიაკავშირ „ობიექტივი“-ს ეთერში, რომელიც მაუწყებლობს მოქალაქეების მასშტაბით.

ხელშეკრულების ყველა დანარჩენი პირობები, მათ შორის ხელშეკრულების ფაქტური დირებულება 16168 (თექვსმეტი ათას ასსამოცდარვა) ლარი, დარჩეს უცვლელი.

**შეთანხმება ბალაში შედის მხარეთა ხელმოწერისთანავე.**

წინამდებარე შეთანხმების ოქმი შედგენილია თანაბარი იურიდიული ძალის მქონე 2 (ორი) იდენტურ ეგზემპლარად, რომელთაგან ერთი განკუთვნილია შემსყიდველისთვის, ხოლო მეორე მიმწოდებლისთვის და წარმოადგენს მხარეთა შორის 2015 წლის 27 თებერვალს გაფორმებული №8/1 ხელშეკრულების განუყოფელ ნაწილს.

სსიპ საქართველოს „შსს აკადემიის“

პრორექტორი:  
**ზ. კაპანაძე**  
  
ბ.ა.

შპს „ეტალონი-მედია“-ს

დირექტორი:  
**მ. დოლობერიძე**  
  
ბ.ა.

Responsibility to address the cases of violation of principles of the Law on Broadcasting lies with Georgian National Communications Commission (GNCC). According to the Article 17<sup>1</sup> of the Law on Advertising, broadcast advertising monitoring is carried out by the GNCC:

### Control in the sphere of broadcast advertising

*The sole institution responsible for controlling the timing, placement and means of broadcast advertising as well as the compliance of broadcast advertisement distributor with the restrictions in broadcast advertising specified in the Laws of Georgia On Broadcasting and On Advertising and other legislative acts, is the Georgian National Communications Commission which within the scope of its competence.*

On March 26, 2015 for similar activities, in particular, for airing TV program *Etaloni* sponsored by public institutions: Department of Security Policy of Ministry of Internal Affairs and MIA Academy, Georgian National Communications Commission imposed administrative charge and issued written warning against Public Broadcaster<sup>15</sup>. This decision by the Commission was preceded by the monitoring report on the performance of Public Broadcaster prepared by the Georgian Charter of Journalistic Ethics that expressed concerns in regard to violations by TV program “Etaloni”<sup>16</sup>.

## 4.2 *Obiektivi* and Georgian Public Broadcaster

Giorgi Popkhadze, correspondent of European Bureau of Georgian Public Broadcaster (GPB) who has been known for homophobic rhetoric simultaneously serves as a co-anchor of a TV show *Noon on Obiektivi*.

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<sup>15</sup> For the March 2015 decision (#162/18) of the Georgian National Communications Commission on issuing administrative warning against Public Broadcaster see: <http://gncc.ge/ge/legal-acts/commission/solutions/2015-162-181.page>

<sup>16</sup> For More see: <http://gartia.org.ge/wp-content/uploads/2015/02/GPB-GEO.pdf> (Pg. 31)



Giorgi Popkhadze is appointed as a correspondent of European Bureau of GPB's news program since November 1, 2014. This appointment has been criticized by human rights activists due to his previous homophobic statements<sup>17</sup>.

Before his employment by GPB, Giorgi Popkhadze was involved with media-union *Obiektivi* as a reporter based in Europe. Monitoring of the programs aired on *Obiektivi* proves that his cooperation with this TV channel has not been terminated. He is a co-anchor of a TV show *Noon* aired on *Obiektivi* from Mondays to Fridays at 14:30-16:30<sup>18</sup>.

**Annex 2.** European Bureau correspondent of GPB works as a co-anchor of TV Show *Noon* aired on media-union *Obiektivi* (according to the anchor search engine on the web page of *Obiektivi*).

### "ობიექტივის" ტელე-რადიო გადაცემები

ბენის კრიტერიუმები:  
წელი: 2015.  
გვარი-სახელი: ფოფხაძე გიორგი

მოიძებნა 70 გადაცემა  
10.06.2015, 14:00:37

09 ივნისი, 2015, 14:30 - 15:20

წამყვანი: გასელიანი თარხან, როგაბა თამთა ფოფხაძე გიორგი  
სტუმარი: ცინდელაიანი ლია



05 ივნისი, 2015, 15:30 - 16:20

წამყვანი: ჯომარჯიძე მარი, გახოვიძე მაცაცო, ფოფხაძე გიორგი



<sup>17</sup> <http://www.liberali.ge/ge/liberali/news/121190/>

<sup>18</sup> <http://www.obieqtivi.net//resource/mauwyebloba/kviris%20bade/kviris%20bade.pdf>

Is there conflict of interests when correspondent of Georgian Public Broadcaster simluteniously is an anchor of *Obiaktiv* TV show?

According to the Paragraph 6 of the Article 23 of the Law on Broadcasting that regulates interest conflicts of employees of Public Broadcaster: “An employee of the Public Broadcaster shall not be an official of or perform any remunerated work for another broadcaster.” It should be noted, that Irakli Tsilikishvili, Chair of the Board at *Obiaktiv* explains that Giorgi Popkhadze does not receive remuneration for his work at *Obiaktiv* and their cooperation is entirely voluntaristic. Though, in this case, there is no direct violation of the law, but conflict of interest still remains.

Giorgi Popkhadze is not listed as a correspondent among other reporters and journalists under the section “Our Team” on the web page of Public Broadcaster<sup>19</sup>. Public Broadcaster was reluctant to issue information about the number of reports prepared by Brussels’ Bureau arguing that reports are not archived according to the name or surname of the journalists but under the relevant event and topic.

Public Broadcaster usually sends a crew from Tbilisi to Europe to cover European Union events or other international forums, visits of Georgian Government officials to Europe and other important developments. Ketevan Kardava, former reporter of the Brussels’ Bureau is most active in covering these events. As she is currently based in Tbilisi, her trips to cover Euro-Atlantic integration issues from different capitals of European countries are linked to additional expanses. At the same time, reporter of the Brussels’ Bureau of Public Broadcaster is on air of the TV show *Obiaktiv* on daily bases as an anchor, that creates impression that GPB is indirectly financing anchor on “*Obiaktiv*” from its own budget. Monthly budget to cover salaries of the

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<sup>19</sup><http://www.1tv.ge/ge/tvshows/view/%E1%83%9B%E1%83%9D%E1%83%90%E1%83%9B%E1%83%91%E1%83%94/30.html>

Bureau staff in Brussels is GEL 4 300. With the argument, of nondisclosure of private information, Public Broadcaster did not issue information regarding number of employees and salary per employee in its Brussels' Bureau.

Alongside to financial issues, concerns raised by human rights activists are also quite legitimate, indicating conflict of interests, on the one hand, with homophobic and anti-western statements made by Giorgi Popkhadze, and, on the other hand, with content related obligations that GPB should observe according to the Law on Broadcasting. In particular, according to the Article 16 (content obligations):

**Public Broadcaster shall:**

*h) reflect ethnic, cultural, linguistic, religious, age and gender diversity in programs;*

*m) promote main directions of Georgia's foreign policy, including the integration into the North Atlantic Treaty Organization (hereinafter - the NATO) and the European Union.*

During discussions around anti-discriminative law in Georgian Parliament, presented as a part of the Association Agreement with EU, Giorgi Popkhadze in his interview with newspaper *Kviris Chronika* (May 5-11, 2014) made following homophobic statement:

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**Giorgi Popkhadze:** *„It was Soso Jachvliani [GD MP] who introduced the term – “bottom givers”. Wasn't he the one, who fought tirelessly against the pederasts?! Nondiscriminated Georgia, we are entering Europe with its ass?.. We did not only entered Europe's bottom, but went so far, that we are there!.. We are stepping back and doing so with ass“.*

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In a conversation with *Asaval-Dasavali* newspaper (27 April-3 May 2015) about the NGOs, who are often depicted in the anti-Western context as hired agents promoting interests of foreign countries, the representative of the Europe Bureau of the Public Broadcaster made the following statement:

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**Giorgi Popkhadze:** „*The sources of financing of the NGOs must be studied and legally prohibited organizations living off the foreign resources, which are acting against the Georgian state. In France no one will allow for an NGO to be financed from Saudi Arabia, or even from America!*“

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Giorgi Popkhadze’s comment<sup>20</sup>, regarding the U.S. State Department 2014 report on human rights, printed in the *Kviris Chronika* newspaper for 29 June<sup>21</sup> and other online outlets, points at the Public Broadcaster’s Brussels Bureau correspondent’s party connections and his advocacy for the Georgian government in Europe. The Public Broadcaster’s correspondent describes his own lobbying efforts in the

European Parliament and the Council of Europe, which, according to him, is conducted on the basis of materials provided by Irma Inashvili [Secretary General of the Patriots Alliance].

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**Giorgi Popkhadze:** „*I was really upset on my way back from Strasbourg. I was sitting in a train and thinking – why do I put strain on myself, why am I engaged in this, if these people [the Georgian government] is not by my side at all. It is only us, me and Inashvili, who keep visiting Europe covering our own expenses and talk to the politicians there. What we are doing should be done by the government“.*

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<sup>20</sup> <http://marshalpress.ge/?p=7172>  
<http://reportiori.ge/?menuid=3&id=70492>

<sup>21</sup> #26(702) 29.06.-05.07, 2015

According to Article 29 of the Broadcasters Code (requirements to editorial independence):

#### **Requirements to editorial independence**

7. Journalists shall not compromise broadcasters' independence by their civic, political, economic or social activities and must avoid any conflicts of interest.

According to Article 30 (guidelines for editorial independence):

#### **Guidelines for editorial independence**

1. Broadcasters and their employees should avoid any conflicts of interest which may compromise broadcasters' editorial independence, impartiality and fairness.
3. Journalists should not simultaneously work for such employers which may give rise to conflicts of interest.
4. Broadcasters should not support any organization, its products, actions, or services.

According to Article 22.1 of the Public Broadcaster's Code of Conduct (personal activity and conflict of interest):

#### **Personal activity and conflict of interest**

22.1 Personal activity and conflict of interest The GPB's journalists, presenters reporters, producers, and other responsible persons must not by their public, political or other non-broadcasting activity bring into question the principles of impartiality and fairness being advocated by the Broadcaster.

On 6 July 2015 the Monitoring Council of the Public Broadcaster addressed<sup>22</sup> the Board of Trustees and the Broadcaster's Director General, calling them to study the conflict of interest in the case of the *Moambe* news program's Brussels correspondent and to ensure this process is open to the public.

### 4.3. *Obiektivi* and joint projects with the government

Cooperation between media union *Obiektivi* and a number of ministries is demonstrated by various TV programs broadcasted by *Obiektivi*. For instance, in the summer of 2014, by Thursdays, the first part of *Obiektivi* TV program *Night Studio* was dedicated to the joint project of the Ministry of Agriculture and *Obiektivi*. The program was visited by high-level officials from the Ministry (for instance, Deputy Minister of Agriculture David Galegashvili<sup>23</sup>).

According to the information from the Ministry of Agriculture, they did not fund the preparation of this program. However, the information regarding funds transferred to the media by the Ministry of Agriculture's subordinate organization is not public yet.

Another agency cooperating with *Obiektivi* and denying financing of the joint projects is the Ministry of Sport and Youth Affairs of Georgia. In spring there was a joint TV project broadcasted by *Obiektivi* in the *Night Studio* program, where the Ministry's activities were discussed with its representatives<sup>24</sup>.

Every Sunday at 21:30 *Obiektivi* broadcasts program *Prime Minister's Hour*, covering the Prime Minister's meetings during the week.

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<sup>22</sup> <http://gpb.ge/uploads/documents/3850a98d-c7ae-4ff7-b237-e26b0d5cbfcepokhadze.pdf>

<sup>23</sup> The program's internet version: 10 July, 2014 <http://obiektivi.net/tv1.php?id=17724>

<sup>24</sup> For instance, the program where he guests were: Acting Deputy Director of the Children and Youth Fund Mathe Gabitsinashvili and participant of one of the grant competitions Levan Phangani (5 March, 2015). <http://www.obiektivi.net/tv1.php?id=20768>

At the same time, *Obiektivi* radio and TV program *Kulturis Saati* (Culture Hour) is anchored by the Minister of Education and Culture of Abkhazia Dima Jaiani, who has often been criticized by NGOs for his homophobic and anti-Western statements<sup>25</sup>:

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**Dima Jaiani, Ministre of Education anc Culture of Abkhazia:**  
“Pedarasty is not Europe! And If Europe is pederasty, than I don’t want such Europe!”

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Dima Jaiani was appointed to this position in 2013. Prior to that he had been a member of the Public Assembly – organization connected to Nino Burjanadze’s Democratic Movement.

#### **4.4. *Obiektivi* and its partner media outlets and NGOs**

Research conducted by the Media Development Foundation<sup>26</sup> makes it clear that *Obiektivi* and its partner media outlets have identical editorial policy and are leaders in promoting anti-Western sentiments, hate speech, xenophobia and homophobia (see annexes, p. 35). These same media outlets rely on the Russian sources which, besides incorrect interpretations regarding values, often blatantly fabricate information and mislead the public.

The infographics below: 1. Shows Russian-language sources relied on by the media union *Obiektivi* and its partner organizations *Georgia and the World* (*Geworld.ge*) and *Saqinformi* in their reporting (February, 2014-2015)<sup>27</sup>.

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<sup>25</sup> Asaval-Dasavali, 18-24 August, „Anti-Western Propaganda“, MDF, 2015.

<sup>26</sup> „Hate Speech and Xenophobia“, MDF, 2015.

<http://mdfgeorgia.ge/uploads/library/Hate%20Speech-2015-ENG-web.pdf>

„Homophobia and Gender Identity“, MDF, 2015.

[http://mdfgeorgia.ge/uploads//library/Homophobia-ENG-web%20\(1\).pdf](http://mdfgeorgia.ge/uploads//library/Homophobia-ENG-web%20(1).pdf)

<sup>27</sup> Source: “Anti-Western propaganda“, p. 19. MDF, 2015.

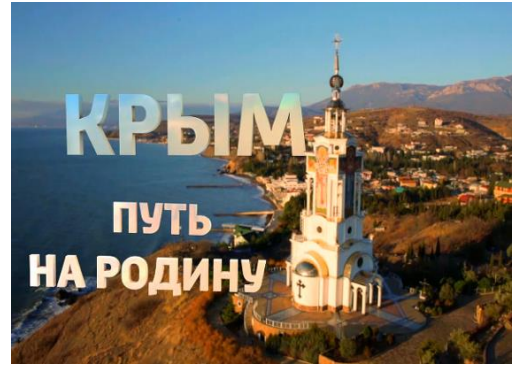
<http://mdfgeorgia.ge/uploads//Antidasavluri-ENG-web.pdf>

Infographic 1.





**Russian-language films in violation of law.** Russian-language films were aired by *Obiektivi* with violation of the law on broadcasting. Specifically, Andrei Kondrashov's film *Crimea – The Road Back to Motherland* on 22 March 2015 and Vladimir Soloviov's film *President* on 3 May were aired in Russian language without subtitles in Georgia's state language.



According to article 51<sup>1</sup> of the law on broadcasting, “films in a non-state language must be broadcasted only duplicated in Georgia’s state language”, and according to the second section of the same article, “the Commission [GNCC] can establish obligations for general and specialized broadcasters to place in the weekly schedule a film in non-state language (except



series) in its original language(s), without it being duplicated in the state language, with subtitles in Georgia’s state language”. According to the Commission’s resolution from 30 October 2009, “Feature and documentary films in non-state language (all those except films in Georgian and Abkhazian languages), TV shows and series, can be broadcasted

by a private (general or special) license holder and by the Public Broadcaster when duplicated in the Georgian language, and in the Autonomous Republic of Abkhazia – in Georgian or Abkhazian language”.

On 19 May Media Development Foundation addressed the Georgian National Communication Commission (GNCC) and requested to study the violation of the law and the GNCC’s resolution by the media union *Obiektivi* while broadcasting Russian-language films<sup>28</sup>. The GNCC launched administrative proceedings regarding this case.

<sup>28</sup> [http://mdfgeorgia.ge/geo/view\\_news/361](http://mdfgeorgia.ge/geo/view_news/361)

*Geworld.ge and Saqinformi*. Besides *Obiektivi*, its partners - *Geworld.ge* and *Saqinform* - relied on Russian-language sources as well. These outlets have openly pro-Russian editorial policy and, together with other outlets presented in this report, are leaders in hate speech, homophobia, xenophobia and anti-Western sentiments. The IDFI's research "Russian Influence in the Georgian NGO Sector and Media"<sup>29</sup> highlights pro-Russian organizations' and their satellite media outlets' connections with various other media outlets, including media union *Obiektivi*. According to this study, the publisher of internet portals *Geworld.ge* and *Saqinformi* is organization *Historical Heritage*, which is a partner of Eurasian Institute supporting Georgia joining Eurasian Union and has strongly anti-Western rhetoric.

Each Wednesday at 11:30 *Obiektivi* TV and radio broadcast weekly TV program "Hour of *Geworld*" that present overview of the newspaper "Georgia and the World" (*Geworld*). This newspaper, besides its very strongly anti-Western and xenophobic sentiments, widely promotes support to the Kremlin's policies. Online version of the newspaper published President Dmitry Medvedev's address to its publishing organization *Historical Heritage*<sup>30</sup>.



Valeri Kvaratskhelia, one of the anchors of *Obiektivi* talk show *Night Studio*, actively cooperates with *Geworld.ge*. At the same time, Kvaratskhelia actively participates in the events organized in Georgia by the Kremlin-connected organizations *Historical Heritage* and *Center for Problems of Globalization*<sup>31</sup>.

<sup>29</sup> <http://www.damoukidebloba.com/assets/up-modul/uploads/pdf/rusuli%20gavlena%20media%20da%20NGO-1.pdf>

<sup>30</sup> <http://www.geworld.ge/View.php?ArtId=1695&Title=dimitri+medvedevi:+Tqveni+iniciativa+drouli+da+aqtualuria&lang=ge>

<sup>31</sup> <http://www.damoukidebloba.com/assets/up-modul/uploads/pdf/rusuli%20gavlena%20media%20da%20NGO-1.pdf>

**Asaval-Dasavali.** There is also another media outlet promoted by *Obiektivi* TV and radio, which is notable for hate speech and anti-Western sentiments. Every Monday at 11:30 *Obiektivi* airs TV program “*Hour of Asaval-Dasavali*”. This newspaper’s platform is more of ethno-nationalistic nature, but, as demonstrated by the MDF’s research, its content is identical to the narrative of openly pro-Russian outlets.

"Hour of Asaval-Dasavali newspaper" program, Obiektivi TV



#### 4.5. *Obiektivi* and political union *Alliance of Patriots*

One of the co-founder of media union *Obiektivi* is a member of *Alliance of Patriots*’ Irma Inashvili. According to the *Obiektivi* license documents, on 11 July 2013 *Media House Obiektivi* Ltd. and *Media Union Obiektivi* addressed the Georgian National Communications Commission (GNCC) in order to transfer private broadcasting licenses #B62 and #B114 from *Media House Obiektivi* Ltd. to *Media Union Obiektivi*. Owner of 28.5% share of *Media House Obiektivi* Ltd., according to the public registry data from 2013, is Irma Inashvili.

According to the GNCC’s decision #511/5 (16 August 2013), it is clear that during the transfer of license, board members of *Media Union Obiektivi* were Irma Inashvili, Mamuka Gobechia and Regan Teloyani. The GNCC’s decision also says that Chairman of the board Irakli Tsilikashvili confirmed in his compliance declaration that the license applicant and/or its beneficial owners do not represent a political party or any political party official.

According to the registry of political organizations, the *Alliance of Patriots*’ is registered on 22 January 2013. According to the party founding documents received by request from the Public Registry, the *Alliance of Patriots*’ held its founding congress on 19 December 2012. The congress protocol indicates that the chairman of the organization is David Tarkhan-Mouravi,

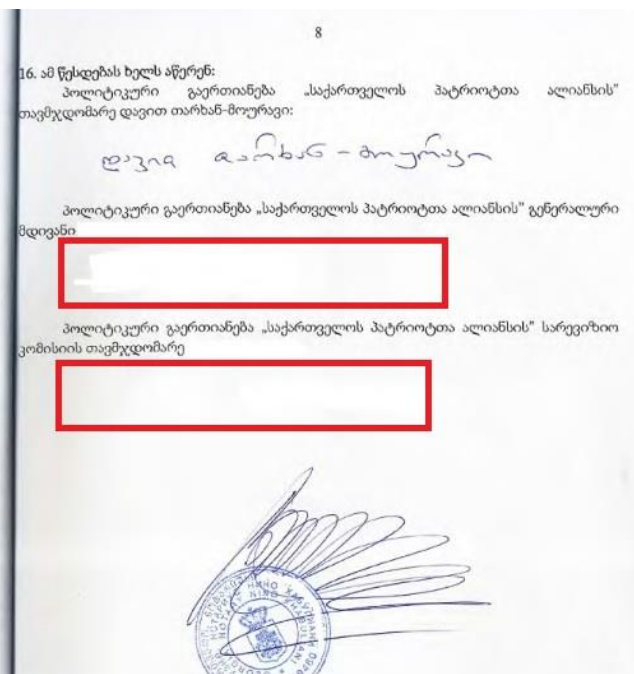
while identities of secretary general and chairperson of audit commission are concealed and establishing them by these documents is impossible. The party does not have a website where it would be possible to check this data, but media union *Obiektivi* news call Irma Inashvili the Secretary General of *Patriots Alliance*<sup>32</sup>, while Mamuka Gobechia, who at the moment of the transfer of license (16 August 2013) was board member of media union *Obiektivi*, is anchoring *Politikuri Azri* (Political Opinion) TV program by Sundays at 16:30 on *Obiektivi* and speaks there on behalf of the *Alliance of Patriots*’ („I am happy to represent this political organization“).<sup>33</sup>

Mamuka Gobechia also spoke for the Patriots Alliance on Palitra TV<sup>34</sup> while assessing the local elections of 2014, saying the following:

**Mamuka Gobechia, Alliance of Patriots, *Obiektivi* anchor:**  
“We [Alliance of Patriots] are not a new organization... This is a team of people who created media-inion *Obiketivi* in 2003”.

**Annex 3.** Charter of the Patriots Alliance, the names of secretary general and chairperson of audit commission are concealed by the Public Registry.

Because the Public Registry does not fully publicize the party’s founding documents it is impossible to establish whether at the time of the transfer of license there was a conflict of interest in the media union *Obiektivi*, where Irma Inashvili and Mamuka Gobechia already were board members.



<sup>32</sup> <http://www.obiektivi.net/news.php?id=56532#.VZktr0q1nxA.facebook>

<sup>33</sup> 5 July 2015. [http://www.myvideo.ge/?video\\_id=2598479](http://www.myvideo.ge/?video_id=2598479)

<sup>34</sup> 16 June 2014. <http://www.palitratv.ge/gadacemebi/reziume/46762-greziumeq-stumrebi-irakli-tcyoidze-mamuka-gobechia.html> (from 38:11).

Public Register explains its decision by protecting personal information and appeals to the 1<sup>st</sup> Part of Article 44 of Georgian administrative code, according to which “public agency must not publicize personal data without the person’s consent, or without the court’s decision in cases envisioned by law”.

Georgian organic law on Political Unions (Article 3) clarifies that creation and activities of a party are based on the following principles:

**Basic principles of the foundation and activities of a party:**

- a) Voluntariness of membership and withdrawal from party;
- c) Elections and accountability;
- e) Publicity of the foundation and activities of a party.

Publicity of the foundation and activities of a party, elections and accountability, and general openness of political process also means openness of identities of the party leadership, which Public Registry interpreted in violation of the law and, along with secretary general and chairperson of audit commission, also concealed identities of members of the party’s 9-person executive agency, which had been elected by the party congress. The Public Registry’s decision is also questionable because the principle of personal data protection has been applied selectively and not in the case of the party’s chairman.

According to the public information available in the media, one of the anchors of *Obiektivi* talk show *Night Studio*, Soso Zaalishvili is also member of the *Patriots Alliance*. In the *Voice of America* report about the Patriots’ Alliance founding congress (22 December 2012) Soso Zaalishvili spoke as a member of Patriots Alliance and said that the goal of their political organization is the defeat of liberalism in Georgia<sup>35</sup>.

According to Obiektivi TV schedule, various programs are also anchored by other members of the Patriots Alliance: Monday (19:30) - „Literatura, Khelovneba, Suliereba” (Literature, Art,

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<sup>35</sup> <http://www.amerikiskhma.com/content/georgia-new-party/1570400.html>

Spirituality) program - party member Vazha Otarashvili; Tuesday (16:30) - „Mebrdzol Devnilta Saati“ (Hour of Fighting IDPs) – member of the party’s political council Ada Marshania; Sunday (16:30) - „Politikuri Azri“ (Political Opinion) – Mamuka Gobechia, Patriots Alliance. The Chairman of the party David Tarkhan-Mouravi promotes Turkophobic<sup>36</sup> and anti-Western<sup>37</sup> sentiments mostly through Obiektivi broadcasts:

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**Davit Tarkhan-Mouravi, Alliance of Patriots:** *“Never during its existence Turkey did any good neither for Georgia, nor for any European country or anyone else in the World. For all its history Turkey was conqueror destroying states and people... Turkey wants to occupy Georgia again and does not hide this desire”.*

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**Davit Tarkhan-Mouravi, Alliance of Patriots:** *“Europe actually destroyed Greece, erased its economy, trampled upon its culture, morals, orthodox Christianity... Bondo Mdzinarishvili, presenter: “In other words, this is the fight against Orthodox Christianity.” Davit Tarkhan-Mouravi: “Of course and seeing that, pro-Russian sentiments have been on the rise there because Russia is the Orthodox Christian country too”.*

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<sup>36</sup> Obiektivi, Night Studio, 20 May, 2014.p. 60.

„Hate Speech and Xenophobia“, MDF, 2015.

<http://mdfgeorgia.ge/uploads//library/Hate%20Speech-2015-ENG-web.pdf>

<sup>37</sup> Obiektivi, Night Studio, 21 March 2014.

“Anti-Western Propaganda“, MDF, 2015.

<http://mdfgeorgia.ge/uploads//Antidasavluri-ENG-web.pdf>

## 5. Other media outlets

Other media outlets notable for the use of hate speech and promotion of anti-Western sentiments also received financing from the budget for placing advertisement in 2013-2014. These outlets include: *Sakartvelos Respublika* newspaper (63 923, 33 lari), *Alia* Holding - newspapers *Alia* and *Kviris Chronika* (48 650 lari), also *Asaval-Dasavali* newspaper (1 200 lari).

***Sakartvelos Respublika.*** The largest financing has been received by *Sakartvelos Respublika* newspaper, which in the past was printed under the names of “Communist” and “Akhali Sakartvelo”. MDF does not conduct regular monitoring of this newspaper, but content analysis of its several issues, randomly chosen, made clear the homophobic and xenophobic character of its editorial policy. We shall bring several headlines and illustration from *Sakartvelos Respublika* as an example: “Does the road towards NATO and Europe go through the Georgians’ asses? (corresponding illustration is attached)<sup>38</sup>, “Before we have turned into Sodom and Gomorra” „France turned pederast, Vladimer “the Strong Man” and a lawyer in Nakhlovka”<sup>39</sup>, „Will Georgia turn Chinese or Wonderful?”<sup>40</sup> and others.



The following public agencies have transferred money to this outlets:

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<sup>38</sup> #94, 23 May 2013

<sup>39</sup> #83, 3 May 2013

<sup>40</sup> #81, 1 May 2013

**Table 3.** Value of service agreements signed between public institutions and Sakartvelos Respublika newspaper.

Ministry/Agency	2013	2014	2013-2014
Roads Department of Georgia (Ministry of Regional Development and Infrastructure)	14 099.85	13 950	28 049.85
Ministry of Finance and Economy of Autonomous Republic of Adjara	2 800	6 893	9 693
Georgian National Academy of Sciences	6 940	1 500	8 440
National Environmental Agency		5 488.48	5 488.48
Georgian Academy of Agricultural Sciences	2 325	681	3 006
Telavi Municipality		1 800	1 800
Ivane Beritashvili Center of Experimental Biomedicine	1 300	60	1 360
Ferdinand Tavadze Institute of Metallurgy and Material Science	342	1 250	1 592
Government Office of the Autonomous Republic of Abkhazia	495	700	1 195
Various agencies <sup>41</sup>	1 394	1 905	3 299
Sum	29 695.85	34 277.48	63 923, 33

**Alia Holding.** The state agencies have also service contracts with *Alia* Holding, the newspapers of which – *Alia* and *Kviris Chronika* – are also notable for hate speech, homophobia and anti-Western sentiments. As has been already noted, these data are not full, since as of now the Agricultural Projects’ Management Agency has not complied with the court decision and has not provided information on what funds had been allocated by the Agency for *Alia* and *Kviris Chronika* newspapers from the 1 043 845,57 lari the Agency had transferred to the media in 2013-2014.

The following state agencies have contracts with the newspapers in the *Alia* Holding:

<sup>41</sup> Ministry of Education and Culture of the Autonomous Republic of Abkhazia; Department of Utilities of the government of the Autonomous Republic of Abkhazia; Ministry of Finance of Georgia; National Regulatory Commission of Energy and Water Supply; and other agencies.



**Table 4.** Value of service agreements signed between public institutions and *Alia* Holding.

Ministry/Agency	2013	2014	2013-2014
Security Police of the Ministry of Internal Affairs	36 000		36 000
112 Service of the Ministry of Internal Affairs	4 200		4 200
Social Service Agency	3 575		3 575
National Wine Agency of the Ministry of Agriculture	2 500	1 000	3 500
Agricultural Projects Management Agency of the Ministry of Agriculture	?	?	
Others	580	795	1 385
Sum	46 855	1 795	48 650

**Asaval-Dasavali.** The least financing from the state agencies, according to existing data, has been received by *Asaval-Dasavali* newspaper, which is the print media leader in hate speech and homophobia. In 2013 Social Service Agency of the Ministry of Labor, Health and Social Affairs signed service contract for 1200 lari for advertisements with *Asaval-Dasavali*.

## 6. Conclusions and recommendations

The following issues have been identified by the study:

- Spending of the budgetary funds in media is not transparent, especially regarding the media outlets whose editorial policy is blatantly based on hate speech and various forms of discrimination. Existing practice contradicts international norms which stipulate the states' anti-discrimination policy.
- In the case of the Public Broadcaster we have a situation when there probably is indirect financing of an *Obiektiv* TV program anchor at the Public Broadcaster's expense. There also is a conflict of interest in the case of its Brussels bureau correspondent regarding not only bias of values, but also his party affiliation.
- State agencies violate requirements of the law, according to which they are prohibited from sponsoring TV programs and interfering in editorial decisions. Such relations are often formalized by contracts between the state agencies and media outlets.
- Articles of the General Administrative Code regarding freedom of information in practice meet obstacle in the form of both non-provision of data and, in the case of legal entities of public law and non-profit legal entities, questionable interpretation of legislation.
- Public Registry's justifications of non-provision of information regarding individuals engaged in public political process by protection of personal data contradict the fundamental principle of publicity of establishment and functioning of political parties.
- Court cases regarding provision of information are prolonged ones, which hinders timely informing the general public.

In order to fix these problems the following is important:

- The government of Georgia and its specific agencies must take into account ECRI recommendations #7 on the national legislation and refrain from signing contracts with the organizations that have discriminatory editorial policy.

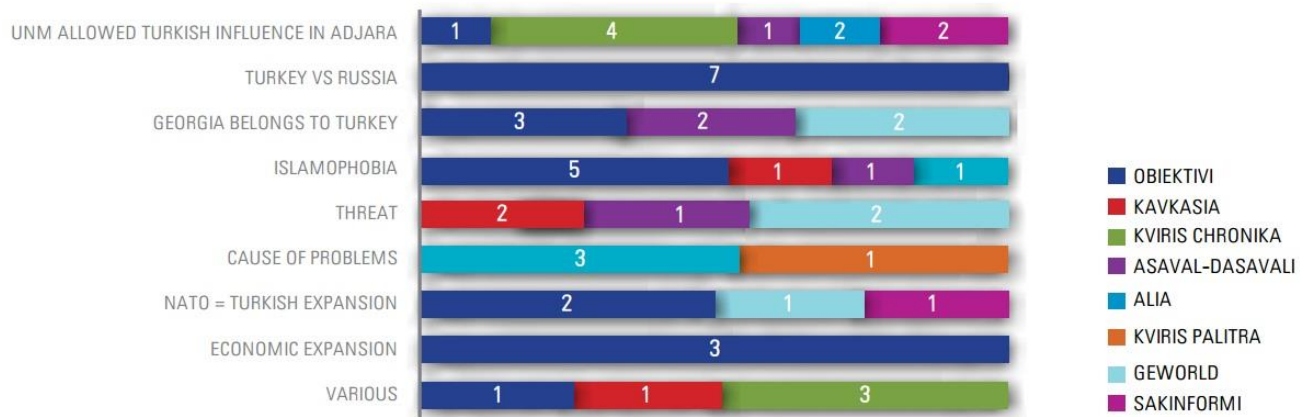
- On the basis ECRI recommendations they must work out regulations which make compliance with and support of anti-discrimination policy by the other side a pre-condition for making contracts.
- State agencies must publicize the funds transferred to media for advertisements and publishing of information. They should publish this data on their websites proactively.
- The Public Broadcaster should react on the basis of the Monitoring Council's recommendations and study the case of conflict of interest.
- Georgian National Communications Commission must effectively monitor compliance with the advertisement legislation, so that all media outlets have equal conditions; particular attention should be paid to the sponsoring of those programs in the cases of which administrative violations have already been found.
- State agencies should not sign contracts that contain obligations which contradict the law and in some cases constitute interference in the editorial activities.
- Public Registry must fully publicize and make accessible online the data on political parties, just like it is in the case of other legal entities.
- The Parliament should review the part of the article on freedom of information of the Administrative Code which regulates access to public information, and decrease the timeframe of hearings of such cases in courts in the interest of timely obtainment of public information.

**Annex 4.** Tables and charters from annual media monitoring report (February 2014- February 2015).

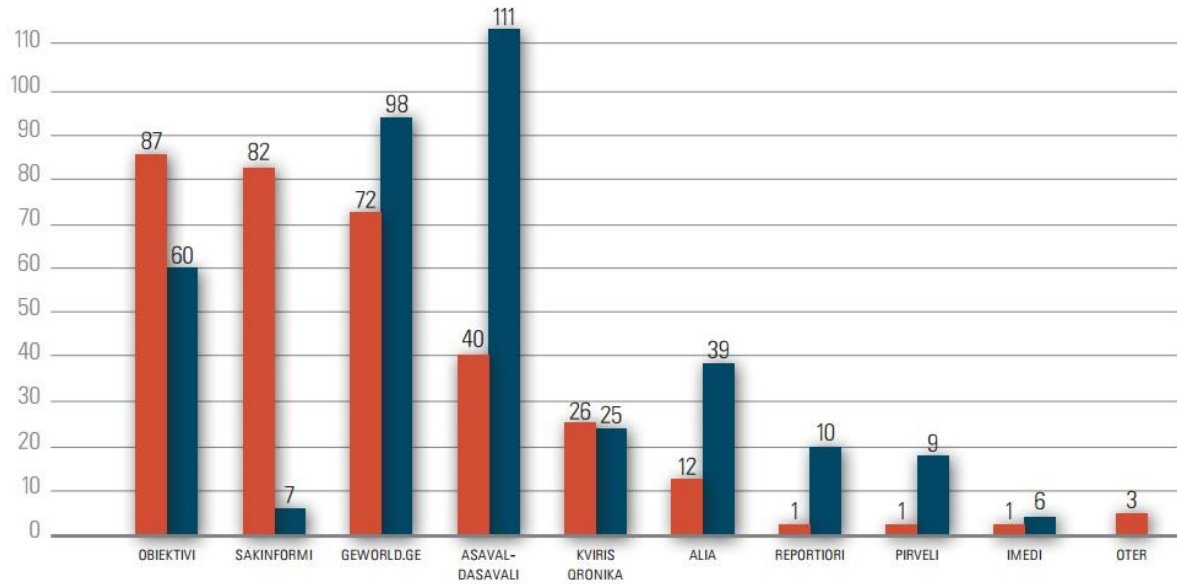
**Table 2. Hate speech and xenophobia by media outlets**

MEDIA OUTLET	AMOUNT
Asaval-Dasavali	53
Obiektivi	37
Sakinformi	24
Geworld.ge	22
Kviris Chronika	19
Kavkasia	14
Alia	12
Rezonansi	6
Kviris Palitra	4
Rustavi 2	2
Prime Time	2
PirWeli	2
Georgian Public Broadcaster	1

**Chart 2.2. Turkophobia by media outlets**



**Chart 2. Anti-Western rhetoric by media outlets and respondents**



**Table 2. Homophobia by media outlets**

Media outlets	Homophobia
Asaval-Dasavali	53
Kviris Chronika	18
Geworld.ge	11
Sakinformi	8
Media-union <i>Obiektivi</i>	8
Alia	3
Prime Time	2
Rezonansi	1
Kviris Palitra	1
Pirveli	2
TV Kavkasia	1