

Georgia

	2015	2016		
Internet Freedom Status	Free	Free	Population:	3.7 million
Obstacles to Access (0-25)	7	8	Internet Penetration 2015 (ITU):	45 percent
Limits on Content (0-35)	6	6	Social Media/ICT Apps Blocked:	Yes
Violations of User Rights (0-40)	11	11	Political/Social Content Blocked:	No
TOTAL* (0-100)	24	25	Bloggers/ICT Users Arrested:	No
			Press Freedom 2016 Status:	Partly Free

* 0=most free, 100=least free

Key Developments: June 2015 – May 2016

- In a triumph for online privacy, the Georgian Constitutional Court reversed the State Security Service's powers to directly access users' telecommunications data in April 2016 (see **Surveillance, Privacy, Anonymity**).
- WordPress and YouTube were briefly blocked while the authorities attempted to restrict access to content hosted on the platforms (see **Blocking and filtering**).
- Internet user Sulkhan Tsuladze was detained for a month for a forum post describing a fictional attack on the US Ambassador to Georgia which online activists said was intended as a joke (see **Prosecution and Detention for Online Activities**).

Introduction

The Georgian government rarely restricts access to content online, though two isolated blocking incidents involving WordPress and YouTube were documented during the coverage period of this report.

Internet access and usage continues to grow, particularly involving social networks. State bodies and several politicians have also increased their use of the internet and social media to share information with citizens and attract support. The government continues to integrate e-services into a unified governmental portal, though not all agencies are responsive when engaging with citizens online.

There are few indications of censorship or online content manipulation by the Georgian authorities or internet service providers (ISPs). Georgians continue to freely use social media tools to document and respond to significant political and social events. The advent of diverse interactive maps and platforms enables users to report matters in the public interest. The number of online campaigns launched by activists and civil society members has significantly increased over the past years. However, unreliable and politically biased content, including anti-Western propaganda, also proliferated online.

In recent years, legislative amendments and court decisions have gradually increased checks on the ability of authorities to conduct surveillance of citizens online. In 2016, the Constitutional Court ruled against the government's practice of accessing user metadata without oversight, further shortening up privacy online. However, leaked recordings of private conversations between public officials have raised concerns of unauthorized surveillance.

Obstacles to Access

The number of internet and mobile phone subscriptions in Georgia continues to grow, but high prices for services, inadequate infrastructure, and slow internet speeds remain obstacles, particularly for those in rural areas or with low incomes. The government has said it will address these challenges during the next few years, but has not outlined an exact strategy to overcome the digital divide.

Availability and Ease of Access

Internet access continued to grow during the reporting period. According to the International Telecommunication Union (ITU), 45 percent of the population had access to the internet in 2015, compared to 43 percent in 2013, and just 20 percent in 2009.¹ According to a countrywide survey conducted by the Caucasus Research Resource Centers (CRRC), 46 percent of the population accessed the internet on a daily basis in 2016,² and the most active internet users were located in the capital. Only 2 percent of Georgians are unfamiliar with the internet altogether.³ There is a slight gender gap, as over 51 percent of men use the internet compared to 47 percent of women.⁴

1 International Telecommunication Union, "Percentage of individuals using the Internet," 2000-2015, <http://bit.ly/1cblxxY>.

2 Caucasus Research Resource Centers, "Survey on Public Policies, June 2016," accessed September 27, 2016, <http://caucasusbarometer.org>.

3 Caucasus Research Resource Centers, "Survey on Public Policies, June 2016." accessed September 27, 2016, <http://caucasusbarometer.org>.

4 International Telecommunication Union, "Percentage of individuals using the Internet, 2000-2014." <http://bit.ly/1cblxxY>.

ISPs offer DSL broadband, fiber-optic, HSPA/EVDO, WiMAX and Wi-Fi connections. Since 2015, 4G LTE internet access has been slowly made available for Georgian consumers.⁵ The average cost for an internet connection is US\$20 per month, though the lowest price for a faster 8 Mbps DSL connection is about US\$25 per month.⁶ There were approximately 631,000 fixed-line broadband internet connections in 2015,⁷ up from about 419,000 in 2012.

Mobile phone penetration is greater than that of the internet and has grown from 64 percent in 2009 to 129 percent in 2015.⁸ Mobile phones significantly outnumber landlines, and reception is available throughout the country, including rural areas. The vast majority of households access the internet from a home computer or laptop (89 percent) rather than from personal mobile phones (43 percent).⁹ The use of mobile devices to connect to the internet may be limited by high costs. However, some providers are offering new and somewhat less expensive services, including CDMA and EVDO technologies.

The government of Georgia lacks a comprehensive strategy outlining a clear and long-term vision for developing internet infrastructure throughout the country. In February 2014, Georgia's Innovation and Technology Agency was established in order to promote the use of innovation technologies in various fields and the commercialization of innovative technology research and development.¹⁰ Among other programs, it is tasked with ensuring broadband internet access to all citizens (at least 2,000 settlements) by the end of 2017.¹¹

In July 2015, the Georgian government established the non-commercial legal entity Open Net to build broadband infrastructure. Reports said the project, costing about US\$150 million, will be funded by the Cartu Foundation, set up by Georgian tycoon and former Prime Minister Bidzina Ivanishvili. The move came after a tender to major telecommunications companies to expand infrastructure failed, because it was seen as unprofitable. Civil society organizations expressed concern over the lack of transparency and inclusiveness of the project, noting that it was not based on a comprehensive assessment of the market, and could perpetuate lack of competition in the sector.¹²

Many restaurants, cafes, bars, cinemas, and other public places provide Wi-Fi access, allowing customers to use the internet on their personal devices. In 2013, as part of a plan to improve infrastructure for local self-governance, the State Services Development Agency began developing community centers where local citizens can access the internet and online resources including Skype, bank services, telecommunication services, and electronic services developed by the state.¹³ As of May 2016, 33 centers were operating in different regions and districts throughout the country.

5 "2015 – the year full of new developments" *ZETI.GE*. [in Georgian] January 12, 2015, http://zeti.ge/menu_id/23/id/755/.

6 Comparative data from two major ISP's prices (SilkNet and Magticom).

7 Georgian National Communication Commission, "Annual Report 2015," [in Georgian] June 2016, <http://gncc.ge/uploads/other/1/1976.pdf>.

8 International Telecommunication Union, "Mobile-cellular telephone subscriptions, 2000-2015," <http://bit.ly/1cblxxY>.

9 Caucasus Research Resource Centers, "Caucasus Barometer 2015 Georgia," accessed September 27, 2016, <http://www.crrccenters.org/caucasusbarometer/>.

10 Official website of Georgia's Innovation and Technology Agency, accessed February 15, 2016 <http://gita.gov.ge/en/agency>.

11 Ministry of Economy and Sustainable Development of Georgia, "High Quality Internet to be Accessible to Every Region in Georgia" January 15, 2015, accessed February 15, 2016, <http://bit.ly/1EH2msg>.

12 Ucha Seturi, "Problems of the Cancelled Governmental Contest Broadband Internet to Every Citizen and Recommendations of IDFI," Institute for Development of Freedom of Information, July 21, 2015, <http://bit.ly/1LwMf5D>.

13 For more information, see: State Services Development Agency, "Community Center," [in Georgian] http://sda.gov.ge/?page_id=5555.

Restrictions on Connectivity

The Georgian government does not place any restrictions on connectivity, and the backbone internet infrastructure is owned and operated by private companies. Despite expanding internet access, many users complain about the quality of connections and suffer from frequent outages. Users submitted 36 complaints about the poor level of telecommunication service in 2015, according to the Georgian National Communication Commission.¹⁴

The telecommunications infrastructure in Georgia is still weak, and users may experience disconnections from the international internet up to two or three times per month for a few minutes at a time, during which time they can access only Georgian websites. Connection speeds are generally faster for accessing content hosted in Georgia. Many factors undermine the connection to the international backbone. The major underground fiber-optic cable is often threatened by landslides, heavy rain, or construction work along the roads. In previous years, infrastructural problems led to country-wide internet disruptions, though no such outages were reported in 2015-2016.

ICT Market

According to the Law of Georgia on Electronic Communications, telecommunications companies must be licensed before offering services. There are currently more than 130 entities registered as ISPs in Georgia, 10 of which are large networks of governmental services or corporations that are closed to the public and serve only their own employees or branches.¹⁵ Most ISPs are privately owned. Two ISPs controlled more than two-thirds of the market as of mid-2016: SilkNet with a 41 percent market share, and Caucasus Online, with 27 percent.¹⁶ Consequently, competition is minimal.¹⁷ Three ISPs—Geocell, Magticom and Mobitel—are also mobile operators. The mobile internet market is also dominated by two main providers, Magticom and Geocell.¹⁸

The Georgian internet market is expected to undergo significant changes, as Magnitcom is set to purchase the retail segment of Caucasus Online by the end of 2016.¹⁹ Experts do not anticipate any changes to the price of service.

Regulatory Bodies

The Georgian National Communication Commission (GNCC) is the main media and communications regulatory body and is also responsible for regulating online media, although there have yet to be many test cases regarding the latter. The GNCC mostly deals with mobile operators, as well as tele-

14 Georgian National Communication Commission, "Annual Report 2015."

15 List of the internet service providers released by Georgian National Communication Commission, "Internet Provaiderebi," <http://bit.ly/1Tw9Ndl>.

16 However, the situation changed after the coverage period in August, 2016, when Magticom gained 26 percent of the market, while Silknet controlled 41 percent of the market. Georgian National Communication Commission: Analytical Portal, accessed February 15, 2016, <http://analytics.gncc.ge/>.

17 Institute for Development of Freedom of Information, "Internet Freedom in Georgia – Report N5," December 10, 2015, <http://bit.ly/1XYlrkp>.

18 As of December, 2015, Magticom possessed 39 percent of subscribers, which was followed by Geocell with 38 percent. The share of the third company, Mobitel accounted for 17 percent of this market: Georgian National Communication Commission, Analytical Portal, <http://analytics.gncc.ge/>.

19 Caucasus Online, "Joint Statement of Caucasus Online LLC. and MagtiCom," May 31, 2016, <http://www.co.ge/en/news/240/>.

vision and radio broadcasting licenses. There is no significant difference between GNCC procedures for handling traditional media and those pertinent to telecommunications and internet issues.

Criticism surrounds the commission's alleged lack of transparency and independence. In order to increase the legitimacy of GNCC, new rules for the nomination of candidates and the selection of the Head of Commission came into force on October 27, 2013. A new chairman of the agency was elected by the commissioners themselves instead of the president of Georgia in May 2014. Despite this positive development, the revelation that an advisor to the new chairman was also employed by the Ministry of Internal Affairs raised speculation that the central government was attempting to interfere in the work of the regulator and collect data on its activities.²⁰ However, civil society representatives have confirmed that the agency is gradually becoming more open to engagement with and monitoring by various civil society stakeholders.²¹

Limits on Content

Though censorship online remains rare in Georgia, the government briefly blocked access to WordPress and YouTube in two separate incidents within the coverage period. Nevertheless, web content is not subject to systematic manipulation by government agencies. On the contrary, online content is becoming quite diverse and internet users are increasingly using social media tools to organize and disseminate information about matters of public interest. The government of Georgia is increasingly engaging with citizens in policy-making discussions by establishing online communication platforms.

Blocking and Filtering

Georgian users can freely visit any website around the world, upload or download any content, establish their own website, and contact other users via forums, social-networking sites, and instant messaging applications. YouTube, Facebook, and international blog-hosting services are freely available.

An isolated incident of government-initiated blocking occurred in November 2015, when the State Security Service blocked the entire WordPress platform for a short period in an attempt to restrict access to a website hosted by WordPress which was disseminating videos by a pro-Islamic State group.²² Activists contacted the administrators of WordPress.com through Twitter to resolve the issue and the company corresponded with the government. All websites hosted by WordPress were subsequently unblocked apart from the page disseminating the videos.

In a separate incident, YouTube was blocked twice by authorities following the release of sex videos depicting Georgian politicians. The first incident lasted for 20 minutes on March 11, 2016, and affected only Caucasus Online users. Three days later, YouTube was inaccessible again for about an hour for users of Caucasus Online and Silknet.

Aside from these isolated incidents, government blocking and filtering is not a major hindrance to internet freedom in Georgia. There are no blacklists of websites that should be blocked, and no laws

20 Transparency International Georgia, "Security Officers ('ODRs') - existing malpractice," October 6, 2014, <http://www.transparency.ge/en/node/4693>.

21 Interview with Levan Avalishvili, Board Chairman of Institute for Development of Freedom of Information, October 10, 2016.

22 "Georgia Blocks Access to Pro-Islamic State Websites," *Civil.Ge*, November 24, 2015, <http://bit.ly/1KBLYPW>.

that specifically govern the internet, require online censorship, or ban content such as pornography or violent material. Though legal regulations, particularly those involving copyright or criminal law, are considered to apply to internet activities, they have not been exploited to impose significant content restrictions. However, in December 2015, some representatives of the government announced their intention to introduce “proper” regulations of online casinos.²³

Content Removal

During the coverage period of this report, observers reported no cases of content removal directed at individuals or online media representatives were observed. Georgian laws protect users against intermediary liability, with the Law on Freedom of Speech (2004) stating that no entity will be held responsible for defamatory content generated by unknown or anonymous individuals.²⁴ To date, intermediary liability and forced removal of online content have not been significant impediments to online freedoms in Georgia. Websites hosting pirated material are available, but not widely visited.

Media, Diversity, and Content Manipulation

The online media environment in Georgia is becoming increasingly diverse, and content on a wide range of topics is available. However, a recent Transparency International report indicates that a number of online media outlets, some of which demonstrate bias and are affiliated with political parties, coordinate informally to disseminate news.²⁵ These groups effectively dominate the online media landscape, making it difficult for smaller outlets to attract advertising revenue. The Georgian government funds some of these outlets through contracts.²⁶ Some have links to Russia, and have been known to push an anti-Western agenda.²⁷

While there is no systematic or pervasive government manipulation of online content, Georgian internet users self-censor to some extent. Representatives of particular professions sometimes prefer to abstain from expressing themselves freely on social networks. For instance, civil servants in some cases may exhibit self-censorship online due to fear of reprisals from higher officials. In February 2016, a former civil servant was allegedly forced to submit a resignation letter after he used his Facebook account to criticize the government.²⁸

Inadequate revenues sources, combined with a lack of technological knowledge, hamper the expansion of traditional media outlets to the internet. At present, most online media outlets face difficulty in attracting advertisers, diversifying content, obtaining multimedia skills, and competing with traditional media. The private sector limits online advertising based on the comparatively small audience.

Even though the Georgian blogosphere has grown impressively, there are few bloggers who create content that has an impact on the political agenda, or who spark widespread discussion online. Minorities and vulnerable groups are represented online through a small number of forums and blogs.

23 “Kvirikashvili: Online Casinos Without Regulations are Very Harmful,” *Tabula.Ge*, [in Georgian] December 29, 2015. <http://bit.ly/1OorUen>.

24 Faig Alizada, “WILMAP: Georgia,” The Center for Internet and Society, Stanford University, <http://stanford.io/1F1xwCU>.

25 Transparency International Georgia, “Who Owns Georgia’s Media,” November 19, 2015, <http://bit.ly/1oZeqkI>.

26 Transparency International Georgia, “Who Owns Georgia’s Media,” November 19, 2015, <http://bit.ly/1oZeqkI>.

27 Nata Dzvelishvili & Tazo Kupreishvili, “Russian Influence on Georgian NGOs and Media,” *Damoukidebloba.Com*, July 22, 2015, <http://bit.ly/1L46V61>.

28 Reported on Facebook: [Georgian] <http://on.fb.me/1Qanygt>.

During the last three years, LGBTI (lesbian, gay, bisexual, transgender, and intersex) activists have started to use online tools for coordination, distributing information, and protesting discrimination in the public sphere. Additionally, online media outlets, non-governmental organizations (NGOs), and some public institutions have started using digital tools to disseminate information.

The majority of internet users (75 percent) report that they connect to the internet to check social networks. Other activities frequently carried out by Georgian internet users include searching for news (55 percent), and sending or receiving email (23).²⁹ Twenty-six percent of people consider the internet as one of their main sources of information.³⁰ Facebook is the most popular website, with bloggers and journalists increasingly using it to share or promote their content, and engage readers on current events. Civil society activists and others also use it as a tool for discussion about political and social developments.

State bodies have also become increasingly active online. For example, departments in the Ministry of Justice, the Ministry of Finance's unit for Tax Inspection, and others have developed online platforms that allow citizens to register and receive services, apply for identification cards, or file tax documentation. Since September 2013, more than 70 e-services have been integrated in a unified governmental portal, My.gov.ge. Citizens can also use it to make requests for public information about the government budget and expenditure. Several central government agencies have introduced discussion platforms where citizens can express their views regarding various policy issues or use social networks to engage their constituencies directly. For example, the Govern From Home project helped local government to livestream official meetings, giving citizens the opportunity to participate via the internet.³¹

Most importantly, in June, 2015, the government of Georgia announced an upcoming online petitions platform allowing citizens to submit proposals.³² In mid-2016 it had yet to be launched.

Digital Activism

Political and civil society groups post calls for action on Facebook and use social media to communicate with their supporters. Though most forms of online activism lack significant offline impact, the influence of such activities is gradually increasing. The most successful example of the reporting period was the "Beka is not a criminal" campaign in support of Beka Tsikarishvili, who faced up to fourteen years imprisonment for possessing 65 grams of marijuana. The extensive online campaign included a viral video recorded by Tsikarishvili in which he criticized Georgia's drug policy, as well as an online petition protesting against strict punishments for possessing marijuana. Demonstrations in support of Tsikarishvili that were held in several large cities were organized via social networks. On October 24, 2015, the Constitutional Court ruled that imprisonment for possession of up to 70 grams of marijuana is unconstitutional.

29 Caucasus Research Resource Center, "Survey on Public Policies 2015," accessed February 15, 2016, <http://caucasusbarometer.org>.

30 Caucasus Research Resource Center, "NDI: Public attitudes in Georgia, June 2016," accessed October 17, 2016, <http://caucasusbarometer.org>.

31 Municipality of Ozurgeti, "Sakrebulo answered citizens' questions," [in Georgian] April 11, 2015. <http://ozurgeti.org.ge/?p=7988>.

32 Government of Georgia, "An Electronic Petition Portal is to be Launched." June 3, 2015, <http://bit.ly/1TumRzD>.

Violations of User Rights

Over the past couple of years, the government has progressively passed laws bringing transparency and accountability to its surveillance practices, and the authorities now require oversight to access user telecommunications data. Despite this positive progress, concerns about government surveillance continue to linger following leaks of private conversations between public figures. Users remain free to express themselves online without fear of retaliatory violence or harassment, though the passage of a new law criminalizing public calls for violent actions has sparked concerns about a possible chilling effect on free speech online.

Legal Environment

Civil rights, including the right to access information and freedom of expression, are guaranteed by the Georgian constitution and are generally respected in practice.³³ The Law on Freedom of Speech and Expression makes it clear that other “generally accepted rights” related to freedom of expression are also protected even if they are not specifically mentioned.³⁴ Furthermore, Article 20 of the constitution and Article 8 of the Law of Georgia on Electronic Communications include privacy guarantees for users and their information, though the law allows privacy rights to be restricted by the courts or other legislation.³⁵ Online activities—mainly cases of alleged defamation, which was decriminalized in 2004³⁶— can be prosecuted under the Law on Freedom of Speech and Expression and the law on Electronic Communication. The unlawful use or dissemination of personal data online resulting in “considerable damage” is illegal under the criminal code, with penalties of up to four years in prison.³⁷

In June 2015, amendments to the Criminal Code criminalized “public calls to violent actions” aimed at “causing discord between religious, racial, ethnic, social, linguistic or other groups,” punishable by fines and community service. Repeated offences resulting in injury or death are punishable by up to 5 years in prison.³⁸ Despite the narrow framing of the law, human rights defenders have claimed that its provisions could be selectively applied to target legitimate expression online.

Lawmakers attempted to introduce a blasphemy law that would have imposed fines on insults to religious feelings. However, the controversial bill was withdrawn in February 2016.³⁹

Prosecutions and Detentions for Online Activities

Georgian citizens are generally free to express themselves online without fear of legal sanction. The

33 The Constitution of Georgia, 1995, [in English] <http://bit.ly/1L4F5nN>.

34 Article 19, “Guide to the Law of Georgia on Freedom of Speech and Expression” (London: Article 19, April 2005) <http://bit.ly/1KMt5WJ>.

This law offers protections like absolute freedom of opinion, political speech and debates, obtaining, receipt, creation, keeping, processing and disseminating of any kind of information and ideas. The law specifically mentions that it is applicable to the internet as it defines “media as print or electronic means of mass communication, including the Internet.”

35 The law is available in English on the Georgian National Communications Commission website at: “Legal Acts,” <http://bit.ly/1OH6yhQ>.

36 Under the Law, the burden of proving that information is incorrect lies with the plaintiff. It also draws a distinction between defamation of a private person and defamation of a public person, setting stricter requirements for proving the defendant’s guilt in the latter case.

37 Legislative Herald of Georgia, “The Criminal Code of Georgia,” [in Georgian] <http://bit.ly/1VADDwp>.

38 Legislative Herald of Georgia, “The Criminal Code of Georgia,” [in Georgian] <http://bit.ly/1VADDwp>.

39 “Bill Against ‘Insult of Religious Feelings’ Dropped,” *Civil.Ge*, February 15, 2016, <http://civil.ge/eng/article.php?id=28985>.

authorities periodically investigate internet users who threaten violence online, and civil society groups say their response can be disproportionate.

In April 2016, the Tbilisi City Court placed internet user Sulkhan Tsuladze in pre-trial detention for a month after he predicted a fictional attack on the US Ambassador to Georgia on the Georgian internet forum, Forum.ge. Tsuladze was accused of threatening to commit an assault on a person enjoying international protection. Human rights organizations criticized the detention as unjustified, arguing that Tsuladze is known for provocative speech and that the post was intended as a joke.⁴⁰ He was released on bail and court hearings were pending in mid-2016.

An investigation was also launched after Shota Aphkhaidze and Lago Lado Sadghobelashvili, both members of far-right organizations, posted calls for violence targeting the US embassy and followers of opposition party United National Movement (UNM) on Facebook.⁴¹

Surveillance, Privacy, and Anonymity

In a triumph for privacy online, the Constitutional Court ruled in April 2016 against the Georgian security agency's unrestricted access to telecommunications and internet data. The Public Defender, in addition to a number of NGOs, successfully petitioned the court, arguing that the agency's use of black boxes to access data in real time, as well as requirements that companies retain user metadata for two years, violated Georgian citizens' right to privacy as enshrined in the Constitution.⁴² The ruling must be implemented by March 2017.⁴³

The decision of the Constitutional Court follows several legislative amendments restricting the government's surveillance powers. In August 2014, the parliament passed a package of legislative amendments that increased oversight mechanisms for government surveillance practices.⁴⁴ Law enforcement agencies are now required to present higher standards of justification to obtain a court warrant for surveillance, and limit requests to investigations involving national security, or to prevent disorder and crime. Subsequent amendments in November 2014 introduced a "two-key system" to protect personal data, whereby the Ministry of Foreign Affairs must seek permission from the Office of the Personal Data Protection Inspector, in addition to obtaining a court order, before it can access telecommunications data held by companies. The Supreme Court of Georgia proactively publishes surveillance data annually. The latest data show that the number of motions to request wiretaps made have decreased.⁴⁵

Despite these positive developments, recordings of private, politically sensitive conversations leaked online revived public concerns over illegal eavesdropping in 2015. The exchanges took place on Viber, an instant messaging and VoIP application, between Mikheil Saakashvili, ex-president of Geor-

40 Georgian Young Lawyers' Association, "GYLA Responds to Pre-trial Detention of Sulkhan Tsuladze," April 22, 2016, <http://bit.ly/1YP8JBK>.

41 Institute for Development of Freedom of Information, "Internet Freedom in Georgia – Report N5," December 10, 2015, <http://bit.ly/1XYlrkp>.

42 Public Defender of Georgia, "Constitutional Claim regarding Georgian Law 'On Electronic Communications,'" February 2, 2014, <http://bit.ly/1x7JpZj>.

43 "Court Rules Georgia's Surveillance Regulation Unconstitutional," *Civil.ge*, April 14, 2016, <http://civil.ge/eng/article.php?id=29102>.

44 "Georgia Introduces Stricter Regulation of Secret Surveillance," *Democracy & Freedom Watch*, August 5, 2014, <http://bit.ly/1ow5Bws>.

45 Institute for Development of Freedom of Information, "Secret Surveillance in Georgia: 2015-2016," April 7, 2016. <https://idfi.ge/en/regulating-secret-surveillance-in-georgia>.

gia and former governor of Odessa in Ukraine, Nika Gvaramia, director of Rustavi 2 TV broadcaster, and members of the political opposition. The recording was published by a murky website called “Ukrainian WikiLeaks,” which is hosted and registered in Russia.⁴⁶ An investigation into the unauthorized recording was launched by the State Security Service,⁴⁷ and the Office of the Personal Data Protection Inspector.⁴⁸

On November 1, 2014, the mandate of the Personal Data Protection Inspector was extended to cover the private sector. The office is authorized to check the legality of any data processing by private organizations, either on its own initiative or in response to a citizen’s application. Inspectors can impose measures provided for by the law for violations, including fines.⁴⁹ The office’s latest report identified major challenges and deep-rooted systematic problems undermining personal data protection including public or private organizations processing large amounts of data by without proper legal grounds; the illegal disclosure of personal information to other states or international organizations; and failure to limit the use of data for direct marketing campaigns.⁵⁰ According to the Personal Data Protection Inspector, the Ministry of Internal Affairs and private companies violated data protection rules on six separate occasions in 2015.⁵¹

There are no restrictions on the use of anonymizing or encryption tools online. However, individuals are required to register when buying a SIM card. ISPs and mobile phone companies are also obliged to deliver statistical data on user activities concerning site visits, traffic, and other topics when asked by the government. Cybercafes are not obliged to comply with government monitoring, as they do not register or otherwise gather data about customers.

Intimidation and Violence

During the coverage period of this report, no cases of extralegal intimidation or physical violence directed at individuals for their online activities were reported in Georgia. Furthermore, there were no reported examples of women, LGBTI individuals, or members of ethnic minority populations being harassed or threatened specifically because of their use of ICTs.

Technical Attacks

Cyberattacks against opposition websites have not been a significant issue in Georgia, with the latest major attacks occurring in 2008 and 2009 in relation to political tensions with Russia. In 2012, the Data Exchange Agency started monitoring Georgian websites for the presence of malicious code, hacking, or other suspicious activities, publishing the results regularly on their website,⁵² and on their Facebook page.⁵³ The Agency’s “Safe Internet - Check My IP” service examines the security of the

46 “Wiretapped Recordings of Saakashvili Discussing Rustavi 2 TV Leaked,” *Civil.Ge*, October 30, 2015, <http://bit.ly/1RDqJra>.

47 “State Security Service Says it Probes into Leaked Saakashvili Wiretapped Recordings,” *Civil.Ge*, October 30, 2015, <http://bit.ly/1T2wxDm>.

48 “Kaldani about the Examination of the Existence of Court Permission,” *Netgazeti.Ge*, October 30, 2015, <http://www.netgazeti.ge/GE/105/News/51703/>.

49 Office of the Personal Data Protection, “The Mandate Of The Personal Data Protection Inspector Extends to The Private Sector,” news release, assessed February 20, 2016, <http://bit.ly/1DZRPEM>.

50 Ibid

51 Office of the Personal Data Protection, Annual Report 2015, [in Georgian] <http://personaldata.ge/ge/publications/annual-report>.

52 Data Exchange Agency, homepage, <http://dea.gov.ge>.

53 CERT, Facebook page, <https://www.facebook.com/certgovge>.

IP address on users' computers, informing them of the nature of any viruses detected. Nevertheless, government websites remain subject to occasional hacking incidents. Within the coverage period, the official websites of the Ministry of Agriculture, the State Ministry for Diaspora Issues and the State Ministry for Reconciliation and Civic Equality were hacked.⁵⁴

54 Institute for Development of Freedom of Information, "Internet Freedom in Georgia – Report N5," December 10, 2015, <http://bit.ly/1XYlrkp>.