

GEORGIA

	2011	2012
INTERNET FREEDOM STATUS	Partly Free	Free
Obstacles to Access (0-25)	12	9
Limits on Content (0-35)	10	10
Violations of User Rights (0-40)	13	11
Total (0-100)	35	30

* 0=most free, 100=least free

POPULATION: 4.5 million
INTERNET PENETRATION 2011: 37 percent
WEB 2.0 APPLICATIONS BLOCKED: No
NOTABLE POLITICAL CENSORSHIP: No
BLOGGERS/ ICT USERS ARRESTED: No
PRESS FREEDOM STATUS: Partly Free

INTRODUCTION

Internet access and use continues to grow rapidly in Georgia, particularly as interest in connecting with friends through social-networking sites has increased in recent years. State bodies and several key politicians have also increased their use of the internet and modern social media tools to share information with citizens and attract attention from the potential electorate.¹ The Ministry of Economy and Sustainable Development continues its cooperation with bloggers, encouraging blogger's projects and engaging in discussions about information technology (IT) development trends. While government restrictions on internet access and content are rare, there was one case of blocking in 2011 involving the distribution of the Hollywood film "5 Days of War" on torrent and peer-to-peer (P2P) file-sharing websites.

The internet was first introduced in Georgia at the end of 1990s, and after a boom in new services such as broadband at the beginning of 2004, connections became available for almost everyone with a telephone line in Tbilisi, the capital. Internet subscriptions have also proliferated in other large cities. Online news media are still developing slowly, while a growing number of journals and newspapers are launching websites, and major newspapers and news agencies are sharing content through applications such as Facebook, Twitter, and YouTube. Meanwhile, many journalists working in the traditional media sphere are looking forward to advancing their knowledge about internet technology and web tools.

¹ The website of the President of Georgia features links to all of the named social media sites: <http://president.gov.ge/>.

OBSTACLES TO ACCESS

The number of internet and mobile telephone users in Georgia is growing, but high prices for services and inadequate infrastructure remain obstacles to access, particularly for those in rural areas or with low incomes. In 2011, 36.6 percent of the population had access to the internet according to the International Telecommunication Union (ITU), up from 7.5 percent in 2006,² while a survey by the Caucasus Research Resource Centers (CRRC) found that 4 percent of Georgians are unfamiliar with the internet altogether.³ The same survey found that 20 percent of the Georgian population surfs the internet during their free time,⁴ 5 percent uses the internet as a main source of information,⁵ and 14 percent uses it as a second source.⁶ Additionally, 23 percent of Georgians access the internet every day, while 56 percent of the population have never used internet.⁷

In 2011, the most frequent activity among users was the use of social media tools (70 percent of users), while 45 percent of users used the net to search for information and 20 percent browsed the news.⁸ With over half of the total number of internet users on Facebook, social networks serve as an important platform for discussion and information exchange among the more liberal segments of Georgian society.⁹ State bodies have also stepped up their use of the internet. For example, departments in the Ministry of Justice, the Ministry of Finance's Tax Inspection, and others have developed online services that allow citizens to register and receive services, apply for identification cards, or file tax documentation.

Internet service providers (ISPs) offer dial-up, DSL broadband, fiber-optic, EVDO and CDMA connections. The average cost for an internet connection is US\$20 a month, and the lowest price for a 1 Mbps DSL connection is about US\$9.¹⁰ Many users complain about the quality of connections and suffer from frequent outages. Nevertheless, there were over

² International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2006 & 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

³ Tinatin Zurabishvili, *Media Survey 2011, Georgia*, Caucasus Research Resource Centers, 2011, <http://www.crrc.ge/oda/>.

⁴ "What do you do in your free time? – Surf the Internet (%)," *Media Survey 2011, Georgia*, Caucasus Research Resource Centers, 2011, <http://www.crrc.ge/oda/?dataset=7&row=18>.

⁵ "Main source of information about current events in Georgia (%)," *Media Survey 2011, Georgia*, Caucasus Research Resource Centers, 2011, <http://www.crrc.ge/oda/?dataset=7&row=22>.

⁶ "Second source of information about current events in Georgia (%)," *Media Survey 2011, Georgia*, Caucasus Research Resource Centers, 2011, <http://www.crrc.ge/oda/?dataset=7&row=23>.

⁷ "Frequency of Internet usage (%)," *Media Survey 2011, Georgia*, Caucasus Research Resource Centers, 2011, <http://www.crrc.ge/oda/?dataset=7&row=391>.

⁸ Elza Ketsbaia, "Internet usage in Georgia," Net Prophet, January 30, 2012, <http://netprophet.tol.org/2012/01/30/internet-usage-in-georgia/>.

⁹ "Georgia Facebook Statistics," Socialbakers, accessed January 22, 2012, <http://www.socialbakers.com/facebook-statistics/georgia>.

¹⁰ Comparative data from two major ISP's prices (SilkNet and Caucasus Online).

329,000 fixed-line (broadband) internet connections in 2011 for a broadband penetration rate of 7.6 percent, up from 0.6 percent in 2006.¹¹

Mobile phone penetration is greater than that of the internet and has continued to grow from 38.4 percent in 2006 to 102.4 percent in 2011.¹² Mobile phones significantly outnumber landlines, and reception is available throughout the country, including rural areas. The use of mobile devices to connect to the internet has been limited by high costs, but providers are offering new and somewhat less expensive services, including CDMA and EVDO technologies.

The Georgian National Communications Commission (GNCC) introduced mobile number portability in February 2011¹³ and fixed-line number portability in December 2011,¹⁴ giving users more freedom to switch between service providers and choose between price plans.¹⁵ According to a new national numbering plan as of January 2012, all phone numbers have changed to align with international standards.¹⁶

The web presence and internet usage of large companies and small businesses grew rapidly in 2011, particularly as a result of social media tools. Many established brands and companies such as banks, financial institutions, artists, public figures, and electronics stores have begun to use social media to promote their businesses and build customer support,¹⁷ and more money is being invested into online projects.¹⁸

Cybercafes provide internet access at reasonable prices, but they are located mainly in large cities, and there are too few to meet the needs of the population. Most cafes have less than a dozen computers, and customers often have to wait as long as an hour for access. Many restaurants, cafes, bars, cinemas, and other gathering places provide WiFi access, allowing customers to use the internet on their personal laptops.

¹¹ International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions."

¹² International Telecommunication Union (ITU), "Mobile-cellular telephone subscriptions," 2006 & 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

¹³ "Ported Subscriber Numbers Statistics," Georgian National Communication Commission, May 25, 2011, http://www.gncc.ge/index.php?lang_id=ENG&sec_id=110&info_id=9071.

¹⁴ "Porting of Subscriber Number of Fixed Network Started From Today," Georgian National Communication Commission, December 1, 2011, http://www.gncc.ge/index.php?lang_id=ENG&sec_id=110&info_id=9812.

¹⁵ Mobile price plan calculator: <http://online.gncc.ge/MobileCalc/MobileCalc2.aspx> The Calculator gives users the ability to choose best plan and pricing options between mobile operators.

¹⁶ Phone numbers now all begin with 0 and 00 prefixes.

¹⁷ Georgian-language Facebook page statistics service, <http://like.ge/> [in Georgian].

¹⁸ According to a leading marketing specialist David Birman: "2011 was the year of discovery of social networks for Georgian Businesses." Source: [Commersant.ge](http://www.commersant.ge/?id=6504), January 25, 2012, <http://www.commersant.ge/?id=6504> [in Georgian].

There are 20 ISPs in Georgia, all of which are privately-owned, though two ISPs serve more than two-thirds of the market: SilkNet with more than 44.5 percent and Caucasus Online with a 32 percent share. Three of the 20 ISPs are also mobile operators.¹⁹ While mobile operators have no direct connections to the government, there is no available information on the ownership structure of ISPs, possibly because governmental interests are in play.

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, allowing them to access only Georgian websites. In general, the connection speed for accessing content hosted in Georgia is greater than for international content. There are many factors influencing this, including the major underground fiber-optic cable that is often threatened by landslides, heavy rain, or construction works along the road. In April 2011, for example, an older Georgian woman accidentally cut off an underground cable while looking for scrap metal, causing a large outage of nearly the entire Georgian internet sector that provides service to Armenia, leaving Armenia without an international connection for five hours.²⁰

YouTube, Facebook, and international blog-hosting services are freely available. Indeed, Facebook is now the most popular site on the Georgian internet, with bloggers and journalists increasingly using it to share or promote their content, gain readers, and start discussions on current events.

The Georgian National Communications Commission (GNCC) is the main media and communications regulatory body, and although there have yet to be many test cases, it seems to be fair in dealing with internet companies. The GNCC mostly deals with mobile operators as well as television and radio broadcasting licenses. However, there is no significant difference between GNCC procedures for handling traditional media and those pertinent to telecommunications and internet issues, thus criticism surrounding the commission's alleged lack of transparency and flawed licensing procedures for traditional media may reappear in the context of internet regulation. Nevertheless, the GNCC has begun to involve the public in discussions and committee hearings, signaling that it is slowly turning toward openness and transparency.

LIMITS ON CONTENT

There was one reported instance of online content being blocked in Georgia in 2011, involving the block of torrent sites and P2P file-sharing services for several days in June

¹⁹ Data obtained in January 2012. For current data, see Top.ge at http://top.ge/all_report.php [in Georgian].

²⁰ Tom Parfitt, "Georgian woman cuts off web access to whole of Armenia," *The Guardian*, April 6, 2011, <http://www.guardian.co.uk/world/2011/apr/06/georgian-woman-cuts-web-access>.

2011. The block was requested by the Georgian Copyright Association and enforced by the GNCC to prevent the illegal downloading of “5 Days of War,”²¹ a Hollywood action drama film about the 2008 Russian-Georgian war.²² In an effort to encourage Georgians to see the film in theaters instead of illegally downloading it—presumably because the film portrayed Georgian President Mikheil Saakashvili in a positive light—Georgian officials acted rapidly to block torrent sites and forced users to remove the film from other standalone websites.²³ Several blog posts about the movie were also removed. Most alarmingly, the list of websites restricted by the GNCC reportedly included those that had nothing to do with the film but were blocked as a preventive measure.²⁴

Aside from the single incident in 2011, government censorship is not a major hindrance to internet freedom in Georgia. Users can freely visit any website around the world, upload or download any content, and contact other users via forums, social-networking sites, and instant messaging applications. In fact, content is so accessible that numerous sites offer illegal material such as pirated software, music, and movies, and the government has not enacted appropriate legal measures to combat the problem. However, as a result of the blocking of the “5 Days of War” film described above, the GNCC announced that they have started working on the issue. ISPs still host websites with a great deal of pirated material,²⁵ but visits to such sites have decreased and given way to social-networking, video-sharing, blogging, and news sites.²⁶ Within some state institutions and private companies, there is a small degree of censorship designed to improve worker productivity and limit internet traffic, for example by blocking access to Facebook and YouTube. At the same time, as previously mentioned, both governmental bodies and private employers are increasingly using social media for recruitment and public relations purposes.

There are no laws that specifically govern the internet, regulate online censorship, or ban inappropriate content such as pornography or violent material. The Law of Georgia on the Protection of Minors from Harmful Influence addresses gambling and violence, but it does not refer to online activities.²⁷ Nevertheless, all legal regulations (especially copyright or criminal law) apply directly to internet activities via the so-called legal analogy, and this

²¹ “5 Days of War,” IMDB, 2011, <http://www.imdb.com/title/tt1486193/>.

²² “Cracking Down on Pirated August War Movie,” Georgian America, 2011, http://georgianamerica.com/eng/news/cracking_down_on_pirated_august_war_movie_3179.

²³ “Almighty Mouse and Internet Censorship,” Tabula, September 4, 2011, <http://en.tabula.ge/article-5322.html>.

²⁴ Attack regarding 5 days of war: <http://www.liberali.ge/ge/liberali/articles/106775/> [in Georgian]; “Torrentless worries,” Qilipa (blog), June 16, 2011, <http://qilipa.wordpress.com/2011/06/16/უ-ტორენტ-ტობ-იტ-გ-ამ-მწვე-ულო/> [in Georgian].

²⁵ See, for example, <http://gol.ge/>; <http://avoe.ge/movies/>.

²⁶ “Top Sites in Georgia,” Alexa, accessed August 30, 2012, <http://www.alexa.com/topsites/countries/GE>.

²⁷ The law is available in English on the GNCC website at: http://www.gncc.ge/index.php?lang_id=ENG&sec_id=7050&info_id=6521.

legal ambiguity could be exploited to impose significant internet content restrictions in the future.

Self-censorship among Georgian internet users is active to some extent but primarily on issues related to Georgian traditions, social norms, taboos, or religion. For example, the satirical online news agency Ni2.ge (for Niori, or “Garlic,” as an allusion to the American satirical newspaper, The Onion), known for its humorous commentary on the Georgian Church and its leader, was shut down in mid-2012 due to pressure the owners received from society.²⁸ However, a new group of individuals is trying to reanimate the satire news genre in Georgia at the website, Chiti.ge.²⁹

There have been some anecdotal reports of the Georgian authorities attempting to manipulate online content, including cases of government employees being forced to “like” Facebook pages of governmental bodies or politicians. Similarly, school children have recounted incidents in which unidentified officials have attended computer classes and asked students to “like” and share specific pages on Facebook. Nevertheless, government manipulation of online content is neither systematic nor pervasive.

Inadequate revenues in the online news business, combined with a lack of technological knowledge, have hampered the expansion of traditional media outlets to the internet. The government’s apparent interest in blogging and social media could help spur traditional outlets to establish a greater internet presence, but this would also require more private investment in online advertising. Currently, it is estimated that annual spending on online advertising does not exceed US\$1 million,³⁰ which is only approximately 1 percent of the total amount spent in the Georgian Advertising Market. At present, most online media outlets face difficulty in attracting advertisers, but the problem seems to be more acute for sites that are critical of the government.³¹ Some media owners reported instances in which advertisers decided to withdraw ads from websites after those outlets published news articles that were overly critical of the government or the ruling party.

²⁸ Ni2 News Facebook page, accessed August 30, 2012, <https://www.facebook.com/ni2news>.

²⁹ “ctrp415 Satire and News in Georgia,” Citizenreporter.org, March 26, 2012, <http://citizenreporter.org/2012/03/ctrp415-satire-and-news-in-georgia/>.

³⁰ “The Georgian Advertising Market,” Transparency International Georgia, December 2011, http://transparency.ge/sites/default/files/post_attachments/TI%20Georgia%20-%20The%20Georgian%20Advertising%20Market_0.pdf

³¹ “Report on the Media and Advertising Industry Research in Georgia,” Georgia Management Consulting Group, October 24, 2011, <http://irex.ge/wp-content/uploads/Executive-Summary-Georgian-Media-industry-research-INNOVA.pdf>.

The Georgian blogosphere grew impressively from 100 blogs in 2010 to over 3,000 blogs in 2011.³² Minorities are not restricted from internet use, but they are represented online through only a small number of forums and blogs. Similarly, there is little representation of other vulnerable groups, such as internally displaced persons from conflict regions. Although most Georgians use the internet as a source of entertainment, various Web 2.0 applications have become an important platform for discussion and information exchange. Many different political and civil society groups post calls for action on Facebook and use social media marketing tools for communicating with their supporters. Nevertheless, most forms of online activism to date have remained online and have not had a significant impact in real life.

VIOLATIONS OF USER RIGHTS

Civil rights, including the right to access information and freedom of expression, are guaranteed by the Georgian constitution³³ and are generally respected in practice. 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, but they simultaneously allow privacy rights to be restricted by the courts or other legislation.³⁵ Internet activities can be prosecuted under these laws—mainly in cases of alleged defamation, which was decriminalized in 2004—or under any applicable criminal law. Furthermore, a huge discussion on the independence of the judiciary has been taking place in Georgian society. International organizations such as Transparency International and Georgian NGO’s such as the Georgian Young Lawyers Association have reported that despite recent reforms and changes in the judiciary system, its independence is still tenuous and “suffers from undue influence exerted by the Prosecutor’s Office and the executive authority.”³⁶

Nevertheless, there were no cases of charges against online users for libel or other internet activities in 2011. There were also no known instances of detention or prosecution, and

³² Zakaria Babutsidze, et al., “The Structure of Georgian Blogosphere and Implications for Information Diffusion,” European Consortium for Political Research, August 5, 2011,

<http://www.ecprnet.eu/MyECPR/proposals/reykjavik/uploads/papers/1676.pdf>.

³³ The constitution is available in English at: http://www.parliament.ge/index.php?lang_id=ENG&sec_id=68.

³⁴ Article 19, *Guide to the Law of Georgia on Freedom of Speech and Expression* (London: Article 19, April 2005),

<http://www.article19.org/pdfs/analysis/georgia-foe-guide-april-2005.pdf>.

³⁵ The law is available in English on the GNCC website at:

http://www.gncc.ge/index.php?lang_id=ENG&sec_id=7050&info_id=3555.

³⁶ Erekle Urushadze, “Judiciary,” in *National Integrity System – Georgia*, ed. Caitlin Ryan (Transparency International – Georgia, 2011), <http://transparency.ge/nis/2011/judiciary>.

compared to previous years, there were no occurrences of extralegal intimidation or violence against users reported.

The Georgian Law on Operative-Investigative Activity (passed in 1999) grants the police and security services significant discretion in conducting surveillance. Police can generally begin surveillance without a court's approval, though they must obtain it within 24 hours. There are some official requirements for launching such monitoring, but in reality it is sufficient to label the targeted individual a suspect or assert that he may have criminal connections. New amendments to the law promulgated in September 2010 require that websites, mail servers, internet service providers, and other relevant companies make private communications such as emails and chats available to law enforcement authorities when court approval is obtained.³⁷ There were no known cases of this occurring in 2011.

Additionally, ISPs and mobile phone companies are obligated to deliver statistical data on user activities concerning site visits, traffic, and other topics when asked by the government. Cybercafes, on the other hand, are not obliged to comply with government monitoring, as they do not register or otherwise gather data about customers. Furthermore, individuals are not required to register when they buy a mobile phone, but registration is needed to buy a SIM card and obtain a number.

Cyberattacks against opposition websites have not been a significant issue in Georgia, with the last major attacks occurring in 2008 and 2009 in relation to political tensions between Georgia and Russia. However, in March 2012, the company ESET Antivirus conducted an analysis of a suspicious piece of malware targeting Georgian nationals that specialized in stealing information from an infected system, discovering that the virus had been communicating with the "gov.ge" domain belonging to the Georgian government. According to an ESET Antivirus researcher, "This does not automatically mean that the Georgian government is involved."³⁸ Rather, the company's analysis concluded that the virus, known as Win32/Georbot, was most likely "created by a group of cyber criminals trying to find sensitive information in order to sell it to other organizations... [and were] 'lucky' enough to gain control of a government website... to use as part of their operation."³⁹

³⁷Tamar Chkheidze, "Internet Control in Georgia," Humanrights.ge, November 17, 2010, <http://www.humanrights.ge/index.php?a=main&pid=12564&lang=eng>.

³⁸Richard Zwienenberg, "From Georgia With Love: Win32/Georbot information stealing Trojan and botnet," ESET Threat Blog, March 28, 2012, <http://blog.eset.com/2012/03/21/win32georbot-information-stealing-trojan-botnet-from-georgia-with-love>.

³⁹"From Georgia, with Love, Win32/Georbot: Is someone trying to spy on Georgians?" ESET Threat Blog, March 2012, http://blog.eset.com/wp-content/media_files/ESET_win32georbot_analysis_final.pdf.