

8. HATE SPEECH IN TV AND ONLINE MEDIA

Regulations. According to the recommendation adopted by the Council of Europe Committee of Ministers in 1997⁵⁵, the term "hate speech" shall be understood as covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin.

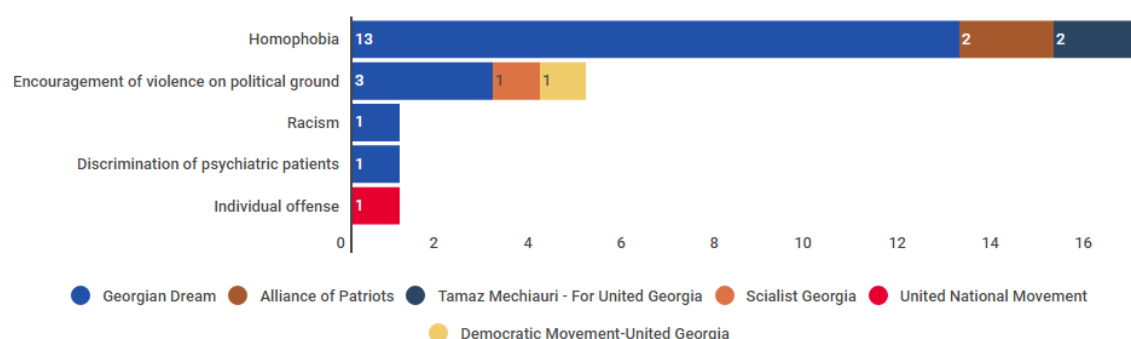
Georgian legislation does not criminalize hate speech except those cases, when it creates a threat of immediate, irreversible and apparent violence. Programme restrictions related to hate speech are envisaged only in case of broadcasting. According to Article 56.3 of the Law of Georgia on Broadcasting, "Broadcasting of programmes intended to abuse or discriminate against any person or group on the basis of disability, ethnic origin, religion, opinion, gender, sexual orientation or on the basis of any other feature or status, or which are intended to highlight this feature or status, are prohibited, except when this is necessary due to the content of a programme and when it is targeted to illustrate existing hatred".

Hate speech restriction standards are also set by the Code of Conduct for Broadcasters, Code of Conduct of the Georgian Public Broadcaster and Charter of Journalistic Ethics. The Code of Conduct for Broadcasters has been adopted by the Georgian National Communications Commission (GNCC) as a normative act. Pursuant to the code, self-regulatory mechanism (commission and an appeal body) has been created in the broadcasters since 2009 to deal with violations. According to the CoE report⁵⁶, the effectiveness of the self-regulatory mechanisms is hampered by the different definition of "affected party" among different broadcasters when NGOs and representative of the certain groups are deprived a right to lodge a complaint.

Quantitative Data

In the reporting period, political subjects made 25 statements containing hate speech, which were covered in the TV news programs and online media being under monitoring (48). Most of these statements were homophobic (17). There were five statements of intolerance towards political opponents and encouragement of violence against them(5); one statement was racist; one statement contained individual offense and one statement made with regard to a critical interview of a journalist was discriminatory of psychiatrist patients. One homophobic photomontage and one photo manipulation was published in online media as well.

Chart 8.1. Typology of hate speech by sources



The majority of homophobic statements (13) were made by representatives of the ruling coalition – the Georgian Dream.⁵⁷ They concerned the constitutional amendments initiated by the ruling coalition, which aim at providing the definition of a family as the unity between a man and a woman, and a possibility to conduct the referendum on this

⁵⁵ Recommendation of the Council of Europe Committee of Ministers on Hate Speech

[http://www.coe.int/t/dghl/standardsetting/hrpolicy/other_committees/dh-lgbt_docs/CM_Rec\(97\)20_en.pdf](http://www.coe.int/t/dghl/standardsetting/hrpolicy/other_committees/dh-lgbt_docs/CM_Rec(97)20_en.pdf)

⁵⁶ CoE report on journalistic ethics and responsibilities in Georgia (December 10, 2015).

⁵⁷ After the break-up of the ruling coalition, its former members are represented by their new political affiliations in the study.

issue. These statements were made during parliamentary hearings and at public meetings regarding the referendum initiative. Homophobic statements were made by Georgian Dream representatives also in relation to the International Day against Homophobia and Transphobia of 17 May. In two cases sources of homophobic statements were representatives of a new coalition “Tamaz Mechiauri for United Georgia,” the leader of which (Tamaz Mechiauri) is presented in the study as a separate subject after he left the ruling Georgian Dream coalition; the source of other two homophobic statements was “The Alliance of Patriots”.

Below are separate examples of hate speech by typology:

Homophobia:

Nukri Kantaria, the Georgian Dream: “There has never been Romeo and Romeo, and Juliet and Juliet, has it? ... This still does not raise any compassion; it does not raise compassion because it is not natural; it is a deviation. Sometimes it is a mimicry, sometimes - a disease, but it is not organic” (27 May, GPB, Imedi, IPN, Netgazeti, Marshalpress).

Tamaz Mechiauri, the Georgian Dream: “Would you like to see a hairy-bearded man wearing a bridal veil in your family?” (7 April, Rustavi 2, Imedi, GPB, Marshalpress, Pirveli Radio).

Gogi Topadze, the Georgian Dream/Industry will Save Georgia: “I think hardly can one imagine two young men, 20 years old, kissing each other in Mtiuleti, Svaneti, Kazbegi and people seeing this scene liking it” (7 April, Rustavi 2, Imedi, GPB, Marshalpress).

Zviad Dzidziguri, the Georgian Dream/Conservative Party: “Children have the right to have women as mothers and men as fathers. We must protect the rights of children, It is necessary to do this in the world where societies for the protection of butterflies, lizards, ants are set up” (5 May, GPB, Tabula, Kvkasia, IPN, Netgazeti).

Merab Kachakhidze, the Georgian Dream/Conservative Party: “A friend, partner –a lover, fancy woman. A gay, queer - a pederast. A sex worker –a prostitute –has anything changed?...Changing terms does not change the essence of the terms” (27 July, Marshalpress).

Davit Tarkhan-Mouravi, the Alliance of Patriots: “They say there will be a pill which will be administered to a pregnant women and a baby will not be born as homosexual” (24 July, Marshalpress).

Davit Tarkhan-Mouravi, the Alliance of Patriots: “Homosexuality, unfortunately, is a psychological problem too (27 July, Marshalpress).

Sandro Bregadze, Tamaz Mechiauri for United Georgia/Movement Erovnulebi: “If a same-sex marriage is not prohibited through the referendum, the future parliament, under the pressure from abroad, will legalize this perversity” (29 June, Marshalpress).

Encouragement of violence. Statements of hate speech on the political ground are related to an incident that occurred on 22 May in the village of Kortskheli, Zugdidi district and in which members of the United National Movement opposition party were physically attacked. Georgian Dream members condoned and encouraged violence in their statements about the incident (3). In one statement, a representative of the Democratic Movement-United Georgia demanded the lynching of members of the United National Movement. In yet another statement, the chairman of Socialist Georgia called for violence against the authors of the draft law on prohibiting Soviet symbols.

Omar Nishnianidze, the Georgian Dream: “Provocations by the United National Movement can be avoided before the elections by beaten them up severely before that. Let us put them in their place” (23 May, Marshalpress).

Gigla Baramidze, he Democratic Movement-United Georgia: “People dream of lynching them, of getting hold of Saakashvili and eating him alive” (5 July, Pirveli Radio).

Valeri Kvaratskhelia, Socialist Georgia: “A stupid law was adopted by a group of stupid people... I will cut out that tongue with this sickle and smash that stupid head with that hammer” (30 July, Marshalpress).

Individual offense. An individual offence on the part of a representative of the United National Movement was addressed to Deputy Prime Minister Kakha Kaladze in relation to the Kortskheli incident.

Eka Kherkheulidze, the United National Movement: “By the way, he [Vice-Premier Kakha Kaladze] is also a muscular and mentally limited person who definitely finds it difficult to draw out correct conclusions” (22 May, Rustavi 2).

Racist comment. A source of racist comment (1) was the Ambassador of Georgia to the United States Archil Gegeshidze, who made the following statement:

Archil Gegeshidze, the Ambassador of Georgia to the United States: “It is a fact that we still exist and had it not been for that treaty [with Russia], we, like Persians, would have had coal-black eyebrows and hair” (6 July, Rustavi 2, Tabula, Netgazeti).

Discrimination of psychiatric patients. A representative of the Georgian Dream used discrimination against psychiatric patients in relation to a journalist of Radio Free Europe/Radio Liberty because of her interview with the ex-Prime Minister Bidzina Ivanishvili on the Georgian Public Broadcaster, in which the journalist asked critical questions:

Nukri Kantaria, the Georgian Dream: “I got an impression that a psychiatric patient was interviewing Bidzina Ivanishvili” (3 June, Marshalpress).

Qualitative Data

Coverage of hate speech by televisions. Prime-time TV news programs basically provided a neutral coverage of hate speech of politicians expressed by them during parliamentary hearings and public meetings with population concerning the initiated constitutional change on defining marriage as union of a man and a woman. Out of 12 stories dedicated to politicians’ homophobic statements, only in three cases (GPB – 2, Imedi – 1) it was not mentioned that the comments were homophobic. Rustavi 2, Imedi, Kavkasia and Tabula (6 stories) aired the statements made by NGOs, where the statements made by politicians were described as homophobic. In three cases (GPB – 2, Maestro -1) the editorial text clearly noted a homophobic nature of politicians’ remarks.

Coverage of hate speech by online media. A different picture was seen in online media. Only Netgazeti noted on two occasions that respondents used homophobic language while Inter Press News titled one of its news items as follows: “Tamaz Mechiauri addressed LGBT activists and journalists with offending words.”

Among online media outlets, the largest amount of homophobic material was published by Marshalpress (11). Moreover, it might be considered as a manifestation of editorial policies that these materials were mainly titled with homophobic and discriminatory quotes of respondents without mentioning a discriminative nature of the content in the text.

Separate examples of headlines:

“They say there will be a pill which will be administered to a pregnant women and a baby will not be born as homosexual.”

“I got an impression that a psychiatric patient was interviewing Bidzina Ivanishvili.”

“You will get beaten once again, we are awaiting disturbances!”



The statement of Tamaz Mechiauri was reported by Marshalpress in a homophobic context, illustrated by a photomontage of a man in bride's veil. In one case the news agency used a photo manipulation in a homophobic context (see p. 70).

It should be noted that apart from reporting statements made during parliamentary debates, the source of 5 out of 11 materials was another media outlet (Obiektivi, Saerto Gazeti, Iberia, Interfactnews). In two materials, homosexuality was presented both in a headline and a text as an illness and it was not noted that the World Health Organization removed homosexuality from its

list of mental disorders. Two materials cited the Facebook posts of politicians as their sources.