

DATE

14 November 2017

Mr Irakli Kobakhidze
Chairman of the House of
Representatives

BY EMAIL

REFERENCE

DG/rb/sg

Dear Chairman Kobakhidze,

As Director-General of the European Broadcasting Union, the professional association of Europe's public service broadcasters, I am writing to express our deepest concern at the legal initiative for changing the funding model of public broadcaster GPB and removing the minimum funding guarantee currently defined as a fixed percentage of the GDP.

PSM funding from the state budget without any minimum guarantees exposes public service media to greater political influence and interference and this could negatively affect its credibility and trust among Georgian citizens.

GPB's current funding model is striving to approach European minimum standards, as defined by the Council of Europe, in particular in Recommendations (1996)10 and 2012(1) by the Committee of Ministers and Recommendations 1878(2009) and 2111(2017) by the Parliamentary Assembly. It is the obligation of the state to ensure sustainable PSM funding.

Current provisions, in particular Art. 33 paragraph 5 of the Georgian Law on Broadcasting, ensure a minimum of predictability and stability of funding and provide certain safeguards against undue political interference, in line with best practices identified by the EBU. PSM has a broad remit to inform, educate and entertain all citizens and groups in society and that requires long-term cost planning. If a minimum degree of predictability and stability of funding is not ensured, PSM will be unable to make strategic decisions about the production of public interest content and negotiate the acquisition of rights to major cultural and sports events.

Making PSM dependent on yearly decisions on the State budget would compromise efforts to align Georgian legislation to European standards, along with efforts to ensure a multiannual funding framework and to provide safeguards against the use of funding decisions as a means to exert undue political interference.

Such safeguards are particularly important where funding is provided from the State budget, as budget decisions are highly political. Accordingly, many of those countries that provide PSM funding from the State budget have set minimum amounts in the law, or multiannual agreements, either in absolute terms, adjusted to inflation, or as a percentage of the GDP or the State budget. In 2015, the average PSM funding was 0.19 per cent of GDP among the EBU membership, according to the data from the annual analysis by the EBU Media Intelligence Service.

While it is up to each country to choose appropriate safeguards for independence in line with its constitutional systems and legal traditions, it would clearly go against European standards to remove existing safeguards without equivalent guarantees.

Practice shows that it is very difficult to achieve a political consensus on funding of PSM from the budget. Very often, political deliberations leave PSM with undefined funding for an indefinite period, which has a tremendously negative impact on their production and even results in their losing audiences and public trust.

In addition, adopting such an important amendment without broad public consultations and the involvement of GPB and without a proper impact assessment would raise substantial concerns over the legitimacy of this initiative.

GPB has been making tremendous efforts over the last few years to transform into a genuine service for citizens and is slowly making progress in fulfilling its remit to provide quality content and inform, educate and entertain all citizens and various sectors of society. The European Broadcasting Union has been providing strategic, legal and professional assistance to GPB to accelerate these reforms. Changing the funding mechanism at this crucial moment and in the middle of the reforms will have a detrimental effect, not only on the reforms but even more importantly on the broadcaster's ability to fulfil its remit thereby seriously undermining the progress it has achieved.

The initiative to put GPB's funding into the hands of the government can only increase the broadcaster's fragile independence. It will remove all semblance of an effective PSM that can contribute properly to a cohesive and democratic society.

We appeal to you not to endorse this proposal, which will seriously destabilize and endanger the public broadcaster, and which may destroy public service broadcasting in Georgia, to the absolute detriment of Georgian society, democracy and its citizens.

Yours sincerely,

Noel Curran
Director-General

Copy to: Mr. Giorgi Kvirikashvili, Prime Minister of Georgia

Mr Vasil Maghlaperidze, Director General of Georgian Public Broadcaster