[GE] Constitution promulgates freedom of Internet

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In October 2017 and March 2018, the Georgian Parliament adopted a de-facto new Constitution of Georgia. Among numerous changes, the text provides for some significant changes in the foundations of media regulation in the country.

In particular, the current Article 24 of the Constitution, that proclaims freedom of information, freedom of mass media, a ban on censorship and a ban on the state or individuals monopolising the mass media or communication means, has been transformed into new Article 17 ("Freedom of thought, information, mass media and Internet").

It contains a new paragraph that promulgates, for the first time at constitutional level, freedom of Internet: "Everyone shall have the freedom to access and use the Internet."

Paragraph 6 of Article 17 additionally guarantees the independence of the public broadcaster from state agencies, and its freedom from political and substantial commercial influence.

Furthermore, paragraph 7 of Article 17 now stipulates "the institutional and financial independence of a national regulatory body created to guarantee pluralism in media, the exercise of rights to freedom of expression through mass media, the prevention of a monopoly within mass media or over the sources of disseminating information, and also to guarantee the protection of the rights of consumers and entrepreneurs operating in the field of broadcasting and electronic communication".

The new Constitution of Georgia will enter into force upon the President of Georgia, who will be elected at the end of 2018, taking an oath of office.

Earlier, the OSCE Representative on Freedom of the Media, Harlem Désir, welcomed the amendments to Georgia's Constitution: "Recognition of the growing importance of the Internet and the potential of genuine public service broadcasting in the country's fundamental law represents an important step forward for freedom of expression and media freedom in Georgia," he said.

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Constitution of Georgia (as amended by the Constitutional Law of Georgia No. 1324 of 13 October 2017 and Constitutional Law of Georgia No. 2071 of 23 March 2018)

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OSCE media freedom representative concludes country visit to Georgia, addresses reforms and developments affecting media freedom. Press release of 4 October 2017

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