

Human Rights Center



Monitoring of Media Coverage of Parliamentary Elections

Findings from the Period of June 18-July 29

Human Rights Center [HRC] is implementing Monitoring project of Media-coverage of Parliamentary Elections during the pre-election period. In the framework of the Project, HRC monitors monitor hidden political, social and political advertisements aired by the following TV-Companies: Public Broadcaster, Imedi, Rustavi 2, Kavkasia, Maestro and 9th Channel.

Media monitoring is implemented under the framework of four-year project Increased Trust in Electoral Process (ITEP) implemented by International Foundation for Electoral Systems (IFES).

The purpose of the media-monitoring is to study trends of coverage of social and political advertisements during pre-election period, to expose hidden political advertising and work out recommendations for the improvement of election environment.

Acting edition of the Georgian Election Code does not define hidden political advertisement. Regulations of the Law about Advertisement, Law about Broadcasting and Election Code are not enough to ban hidden political advertisements.

To detect hidden political advertisements we relied on the recommendations on the media-coverage of election campaign designed by the Cabinet of Ministers of the Council of Europe for the CoE members in 1999. Although these recommendations do not directly clarify the notion of hidden advertisement, their content speaks about inadmissibility of such ads.

In accordance to those recommendations, public and private broadcasters shall ensure fair, impartial and balanced coverage of the election campaign in news programs and similar programs, as well as in TV-discussions, interviews and debates.

The issue of covering candidates, who already hold positions in public services, is of particular importance. According to recommendations, privileged and excessive coverage of official functions of those officials is inadmissible.

Another issue is broadcasting of entertainment programs. According to the recommendations, Broadcasters shall avoid inviting politicians to entertaining programs and similar talk-shows during pre-election period that might be unfairly advantageous for concrete candidates or political parties. The Recommendations focus on inadmissibility of granting privileges to concrete political subjects in parody programs as well.

In order to reveal hidden political advertisement, we also relied on the definition worked out by Georgian nongovernmental organizations in the frame of the campaign This Affects You; their recommendations come from the CoE recommendations.

“Any information spread in any form by mass media source (TV-story, TV-program, etc) that is not directly related with the coverage of pre-election campaign and which reflects or/and mentions election subject/election subject candidate his/her name or slogan and/or election number (if it is associated with the election party/candidate /political party/candidate-to-be) and/or other visible requisites. Dissemination of information about participation of political subject when he/she is performing his/her responsibilities is not hidden advertising.”

Although official pre-election campaign was not yet declared at the first stage of media-monitoring – June 18-July 29, since this period was in fact pre-election period, monitoring of hidden advertisements assisted us to reveal certain trends in media.

As for social advertisement, acting law does not oblige TV-Companies to make relevant subtitles to social advertisements to differentiate them from commercial ads. TV-Companies individually decide which advertisement shall have social status. As a result, we petitioned to target TV-Companies to provide us with the information which advertisements they air had social status. Initially, we requested information about advertisements aired between June 18 and July 1. Only Public Broadcaster, Maestro and 9th Channel replied to our letters and we thank to those TV-Companies for cooperation.

Methodology

HRC monitors observed hidden political, social and paid political advertisements in prime-time [19:00-24:00] of the abovementioned six TV-Companies.

Media-monitoring includes quantitative and qualitative research. In the frame of quantitative research media-monitors count how much time was spent on each subject in advertising intervals, what kind of tone and type was used during presentation. Tone of

coverage is counted by three-point system (1-positive, 2-neutral; 3-negative). As for type of coverage (direct/indirect), the type is direct if an election subject personally speaks in the ad or his/her voice is heard. If other person/people speak about subject, the type is indirect.

In the frame of qualitative research, media-monitors observe whether PR and information are demarcated in the ad, whether it is hidden advertisement and PR provided as information. Besides that, monitors study whether social advertisements comply with the definition of social ad in the law and whether there are signs of hidden advertisement in social ads.

Social Advertisements

In accordance to Article 12 of the Law of Georgia on Advertising “the social advertising is an advertisement that promotes public good and charitable aim, that is neither commercial nor election advertisement nor advertisement of a legal entity of public law, or a governmental organization, as well as advertisement of the services provided by them.”

In accordance to the Article 65 of the Law of Georgia on Broadcasting, social advertisements are aired by broadcasting companies for free.

GPB listed the following social advertisements in their July 23, 2012 reply to us:

“Made in Georgia,” “I Love Tbilisi,” “Free Internet from the Tbilisi City Hall”.

The video-roll of the advertisement “Made in Georgia” shows construction of a ship. The advertisement has its soundtrack. A worker is writing on the deck – “Beach Security”. At the end of the ad we see www.police.ge¹.

This advertisement does not meet criteria set by the law for social advertisement. According to the definition from the Law on Advertising social advertisement shall not advertise any governmental agency or its service. Inscription at the end of the ad www.police.ge is official website of the governmental institution – Ministry of Internal Affairs (MIA). Beach Security Service is the department of the MIA. Appearance of official website of particular governmental institution and its branch in the advertisement after the ship is built underlines achievements of this particular institution. The advertisement content does not show that it aims at promotion of public good and charitable aim that is necessary requisite for declaring the advertisement social.

¹ <http://www.youtube.com/watch?v=GwcDL2uPAO0&feature=youtu.be>

Video-roll *I Love Tbilisi* does not directly advertise governmental institution of Georgia but used footage demonstrates those achievements that people associate with acting government. Throughout the video-roll we see scenes of renovated Tbilisi – reconstructed Hero Square, electronic stands of municipal transport, reconstructed buildings, new bridges, roads and theatres, which are implemented by the acting government, appear one after another in the advertisement. The video-roll does not clearly demonstrate public good or charitable aims of the advertisement.²

One more advertisement, which was aired during monitoring period and exceeds frames of legal definition of social advertising, is a video-roll – Free Internet from the Tbilisi City Hall. In this advertisement, the Tbilisi City Hall announces launch of free internet in Tbilisi from September, 2012.³

The slogan of the ad – Free Internet from Tbilisi City Hall - promises population the good to gain their support. Though starting free internet in Tbilisi does have goal of providing public good but despite this it does not have charity goal. Also, it advertises Tbilisi City Hall a governmental department. Article 12 of Law on Advertisement explicitly states that social advertisement should not include the advertisement of governmental department or service rendered by it.

Besides, pre-election slogan – Free Internet From Tbilisi City Hall can be perceived as electoral promise if we take into account that Tbilisi mayor and other officials of Tbilisi City Hall periodically join the pre-election campaign of National Movement and act as electoral subjects. Projects implemented by Tbilisi City Hall and other governmental departments are often topic of conversation at meeting with voters. President Mikheil Saakashvili, Tbilisi Mayor Gigi Ugulava, Ministers of Georgian government, heads of regional administration and local self-government bodies at the same time are members of governing party United National Movement. In such political system, it is very hard for a voter to separate the activity of government from the political activity.

During the pre-election period this slogan might sound like election promise if we remember that the Tbilisi Mayor and other officials of the City Hall periodically participate in the pre-election campaign of the ruling party United National Movement [UNM] and relatively are identified with the election subject.

In accordance to OSCE/ODIHR Election Observation Mission Report 2010⁴, the problem in Georgia is that very often boundaries between ruling party and government are unclear. Based on the Document adopted by OSCE Copenhagen Conference in 1990, whose

² http://www.youtube.com/watch?v=ZnRPNA2gA_U

³ http://www.youtube.com/watch?v=a394wq_MN7U&feature=related

⁴ p.2, <http://www.osce.org/odihr/elections/71280>

obligatory power is recognized by Georgia, a clear separation between the State and political parties shall exist.⁵

Thus, a month before elections – a public good promised in September (“Free internet from Tbilisi City Hall”) can have the same influence on a voter as another advertisement with a social status aired on Public Broadcaster in September stating that “Health Ministry is starting to give out health insurance policies.”

It is noteworthy that nongovernmental organization Transparency International – Georgia has been reporting about this trend lately. The organization reviews advertisements aired by Public Broadcaster with social status which do not meet criteria estimated by the law.^{6,7}

As for other TV-Channels, in accordance the information received from 9th Channel, they did not air any social advertisements during monitoring period. As for Maestro TV, during prime-time monitors did not observe any of those social advertisements listed by the Maestro in its reply to HRC.

Paid Political Advertisement

During the monitoring period, Rustavi 2, Imedi and Kavkasia aired advertising video-rolls of the nongovernmental organization *Georgia Is not For Sale*; it was anti-advertisement of the coalition Georgian Dream.

This advertisement is made up of extracts from various public speeches of Georgian Dream’s Leader Bidzina Ivanishvili. The author has selected those scenes where the politician mumbles, forgets words or mispronounces them.^{8 9 10}At the end of each advertisement we see subscription “Georgian Dream?” implicating - is it Georgian dream?

Extracts from Bidzina Ivanishvili’s public speeches are edited in this advertisement. Similar collage of phrases is provided to the audience as a position of the politician: 1) about the launch of war in August of 2008 (“Georgian party started military operations”); 2) about Soviet Union (“let’s return its past to Georgia”//”once, whatever it was, if you remember during the Soviet Union everybody tried to arrive in Georgia; we should create similar

⁵ Par.5.4. see doc. <http://www.osce.org/odihr/elections/14304>

⁶ <http://transparency.ge/blog/sotsialuri-reklamebi-mmartveli-partiis-samsakhrshi>,

⁷<http://transparency.ge/blog/%E1%83%A1%E1%83%9D%E1%83%AA%E1%83%98%E1%83%90%E1%83%9A%E1%83%A3%E1%83%A0%E1%83%98-%E1%83%A0%E1%83%94%E1%83%99%E1%83%9A%E1%83%90%E1%83%9B%E1%83%90-%E1%83%97%E1%83%A3-%E1%83%AC%E1%83%98%E1%83%9C%E1%83%90%E1%83%A1%E1%83%90%E1%83%A0%E1%83%A9%E1%83%94%E1%83%95%E1%83%9C%E1%83%9D-%E1%83%AE%E1%83%A0%E1%83%98%E1%83%99%E1%83%98>

⁸ <http://www.youtube.com/watch?v=GYSCT9gKr1U&feature=share>

⁹ <http://www.youtube.com/watch?v=J3lQCMdu38&feature=share>

¹⁰ <http://www.youtube.com/watch?v=XE1GzHtY10U&feature=share>

situation now...”); 3) about cooperation with Russia – (“Russian population is making their choice//with much probability I agree with you that it will be Putin//Russians like this man//I will have to sit at negotiation table with him/...”).

Phrases “let’s return its past to Georgia” and “once, whatever it was, if you remember during the Soviet Union everybody tried to arrive in Georgia; we should create similar situation now” are taken out from different speeches of political and are united in a way that it gives impression that politician’s desire is to go back to Soviet Union. However, the full versions of these speeches which are not as available to the viewer as these advertisements might not mean the same.

Those advertisements make personal skills –speech ability - of the politician uncertain. The authors of advertisements try to underline that the person cannot properly speak in audience and then they ask people – Can this person realize Georgian dream? Relatively, that advertisement contains signs of non-ethic advertising and broadcasters are prohibited to air them in accordance to Article 63 Part II of the Law on Broadcasting (“*Running of untrue, deceitful, covert, anonymous, offensive or defamatory advertisements or teleshopping is prohibited*”).¹¹

In accordance to the Article 63 Part III of the Law on Broadcasting the license holder shall not be responsible for the content of social and electoral advertisement. Anti-advertisement about Bidzina Ivanishvili does not belong to any type of advertising. Although the advertisement has subtitle “paid political ad”, since official pre-election campaign was not announced in this period, it cannot be considered pre-election advertisement and it cannot be regulated by the Election Code.

We detected one more paid political advertisement during the monitoring period which belongs to the UNM and it is about general medical insurance state program. The advertisement presents President of Georgia and Prime-Minister, and slogan of the UNM – More Benefit to People - is heard in it. The advertisement roll has subtitle – “paid political advertisement”. The ad was aired by Imedi and Rustavi 2.

The mentioned paid political advertisement was aired before pre-election period was officially announced. It is interesting that Election Code does not prohibit airing paid political advertisement before official pre-election period. The Code only clarifies regulations for airing paid political advertisements during official pre-election period.¹²

¹¹ Art.63 Par2 <http://www.liberty.ge/geo/myuploads/KanoniMautskeblobisShesaxe.pdf>

¹² Article 13 <http://electionreforms.ge/files/library/17.pdf>

Hidden Advertisement

Signs of hidden advertisement were detected in the commercial advertisement of the Caucasus Online “There is a good internet in the city” aired by Rustavi 2 and Imedi. At the end of the advertisement we hear a phrase – “good internet starts from five megabits” and number 5 appears on the red background¹³ that is election number of the UNM and red and white colors are used in it. Presentation of the number 5 causes association of the UNM symbol.¹⁴



Signs of hidden advertisement were detected in the monologue of the Vano’s Show aired by Rustavi 2 on June 22. Although the anchor is leading humorist program, frequency and character of his jokes exceeded humorist manner in this particular case and contained signs of hidden advertisement. During five minutes, the anchor showed scenes how warmly and frankly President of Georgia is speaking with population. The anchor calls him “a man of promise” and appeals to Khashuri population – “did not he supply Khashuri with gas?” In parallel to it, he jokes about opposition candidate Bidzina Ivanishvili in negative tone and makes fun of his plans (*speakers during Guria assembly said jokes about Guria residents; finally Bidzina appeared on the stage, unfolded a paper where future plans of the Georgian Dream were written on and continued telling jokes*).

In the same monologue the anchor jokes that President asked population to circle UNM election number 5 on the Election Day. Then he continued joking that president and he together travelled and twice repeated that their journey lasted five hours. Stressing out the

¹³ http://www.youtube.com/watch?v=X8B_DAMl2rg

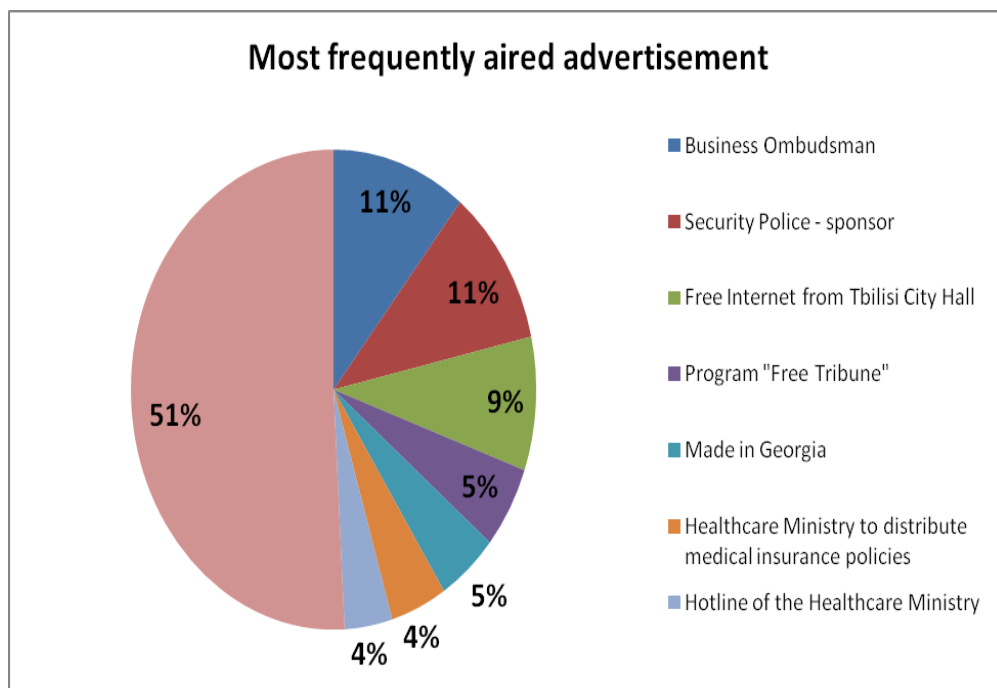
¹⁴ http://www.youtube.com/watch?v=X8B_DAMl2rg

number 5 in this form and frequency leaves reasonable doubt that its serves purpose to advertise the election number of the United National Movement.

1999 Recommendations of the Cabinet of Ministers of Council of Europe underlines that particular attention shall be paid to entertainment programs during pre-election period in order to prevent them from giving advantages to concrete political party or candidate and influencing voters.¹⁵ Although the mentioned monologue of the Vano's Show was aired before official pre-election period, since regulations to ban hidden advertisements work in Georgia neither on legislative nor on self-regulation level, there is no mechanism to control similar cases even during pre-election.

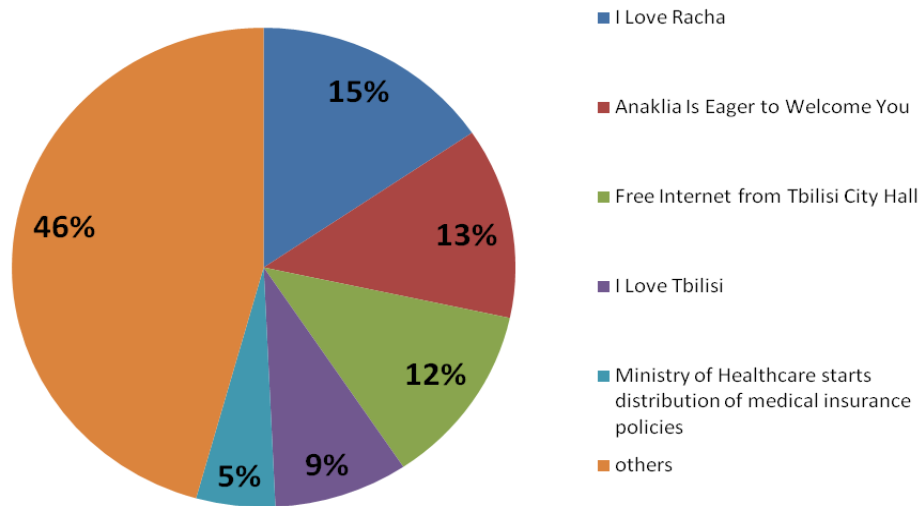
Georgian Public Broadcaster

GPB most frequently aired advertisements of the governmental institutions among the advertisements relevant to our monitoring. Simultaneously, advertisements – Made in Georgia, I love Georgia, and Free Internet from Tbilisi City Hall, Hotline of Ministry of Healthcare and Business Ombudsmen were aired with social ad status.

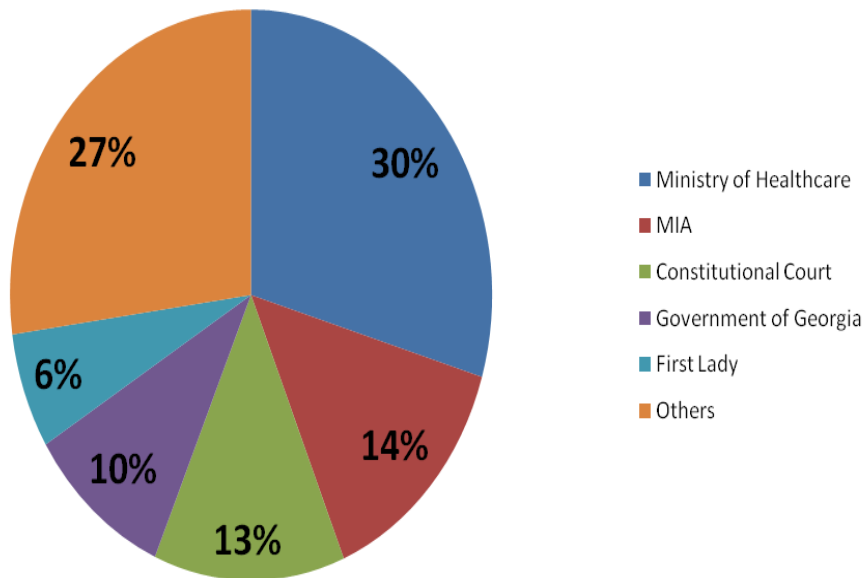


¹⁵ http://www.coe.int/t/dghl/standardsetting/media/doc/cm/rec%281999%29015&expmem_EN.asp

Most time was dedicated to the following advertisements:

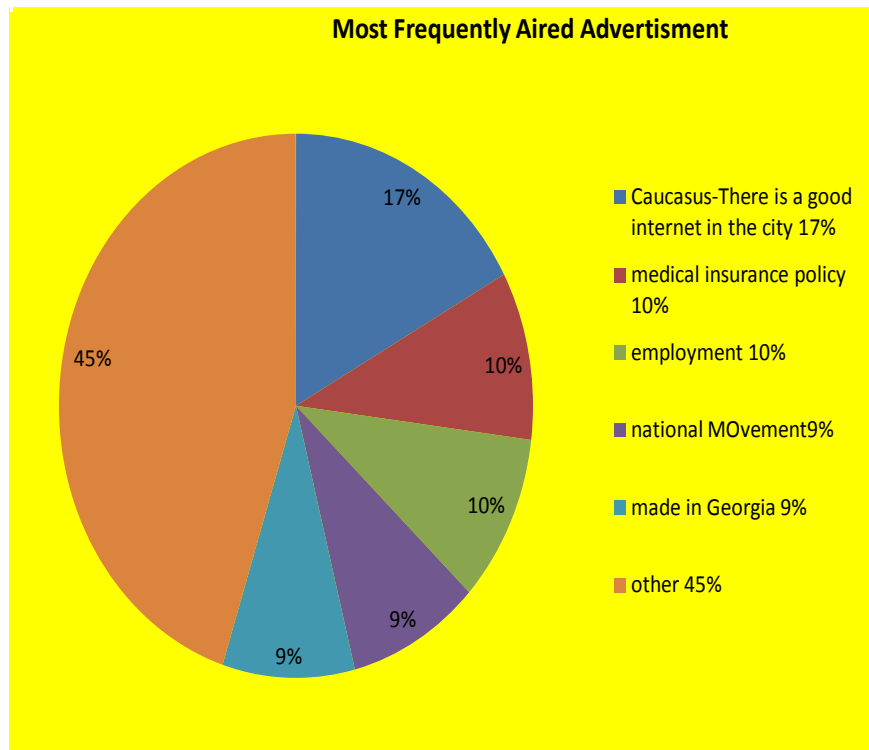


Most time was dedicated to the following subjects:

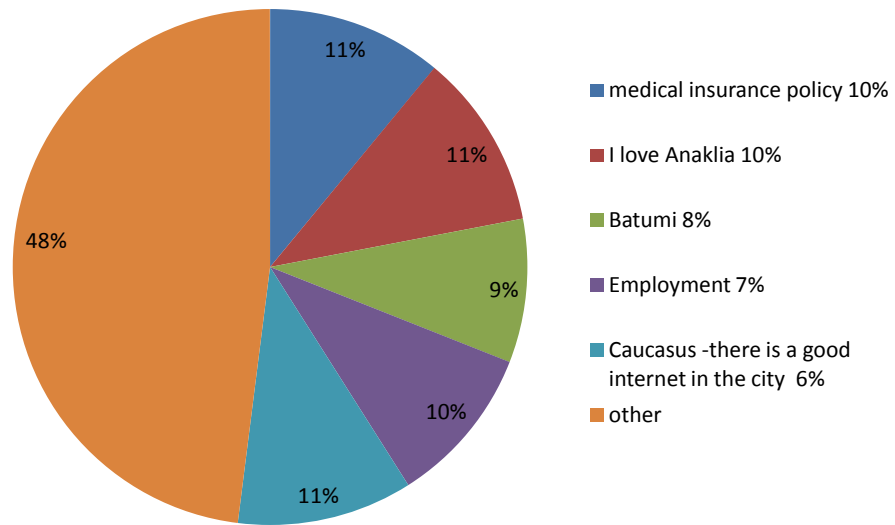


Rustavi 2

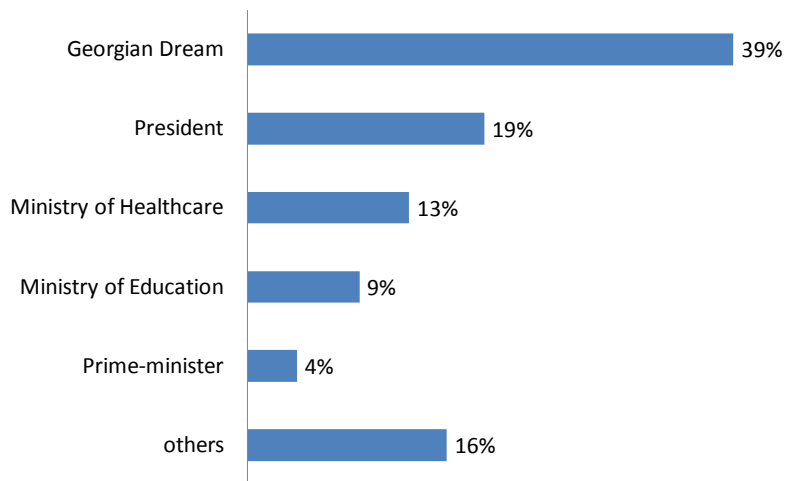
From the advertisements relevant for us, on Rustavi 2 most frequent aired advertisements were of governmental agencies and paid political ad of the National Movement. The TV-Company did not answer our request to send us list of social advertisements so we do not exactly know status of advertisements of governmental agencies - whether they had social status or were paid.



The longest time was dedicated to the ads



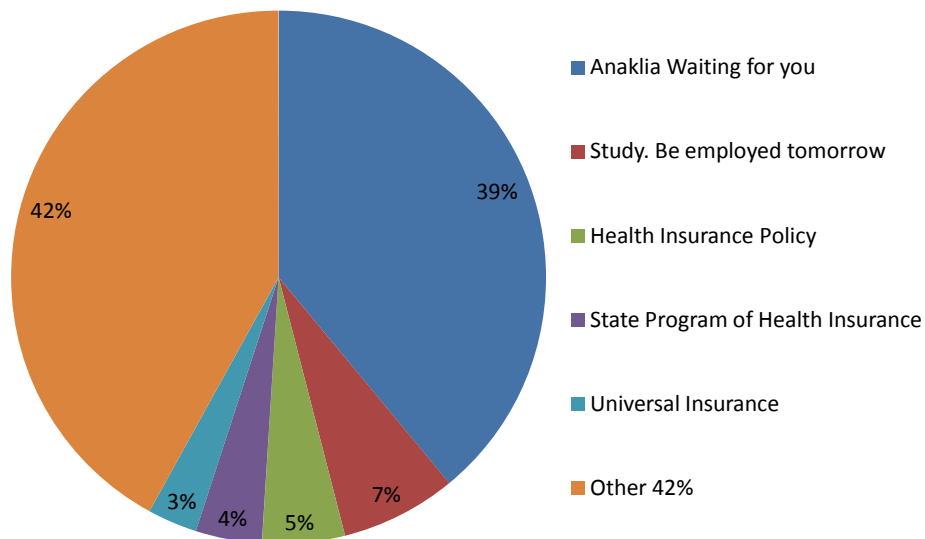
most time was dedicated to the following subjects



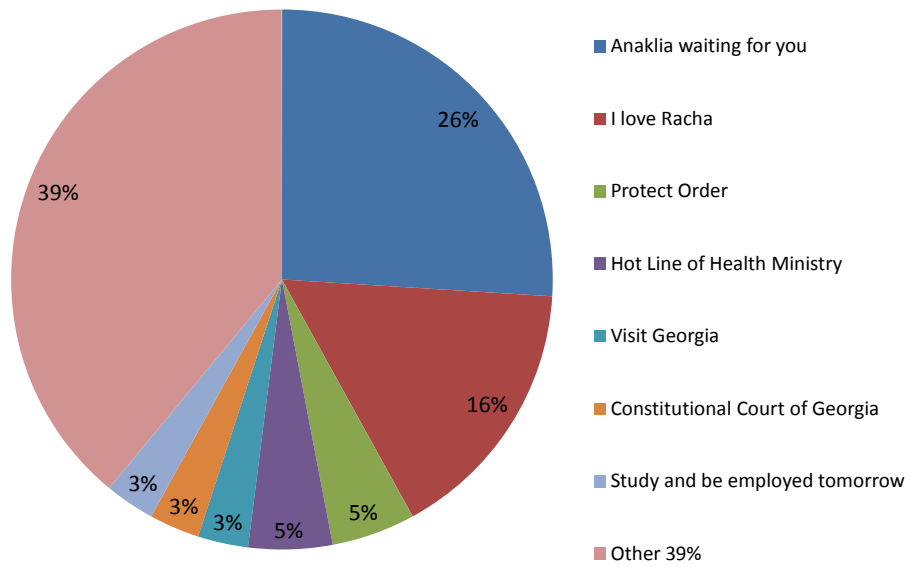
Imedi

From the advertisements relevant for us, on TV-Company Imedi most frequently aired music roll was Anaklia Is Eager to Welcome You, which advertises renovated Anaklia. As for other ads, most of them also advertise governmental institutions. TV Imedi did not answer our request to provide us with the list of social ads so we don't exactly know the status of those ads – are they social or paid advertisements.

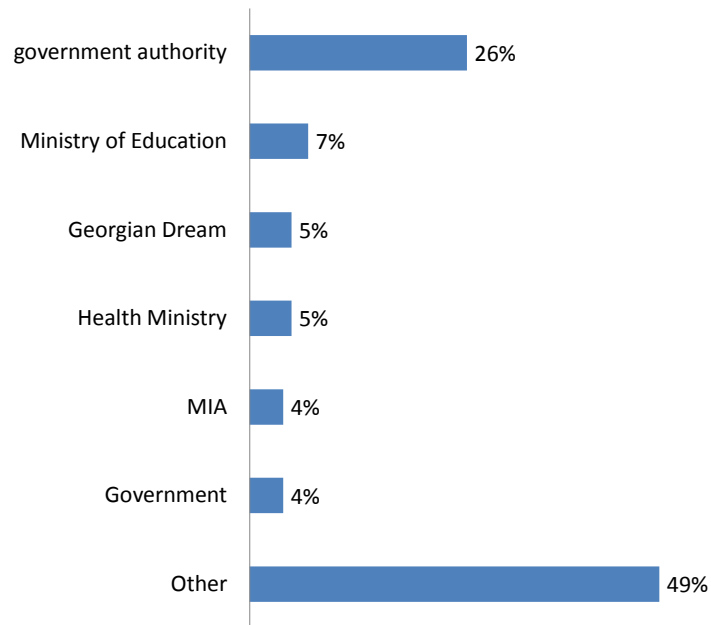
Most Frequently Aired Advertisement



Most time was dedicated to following advertisements

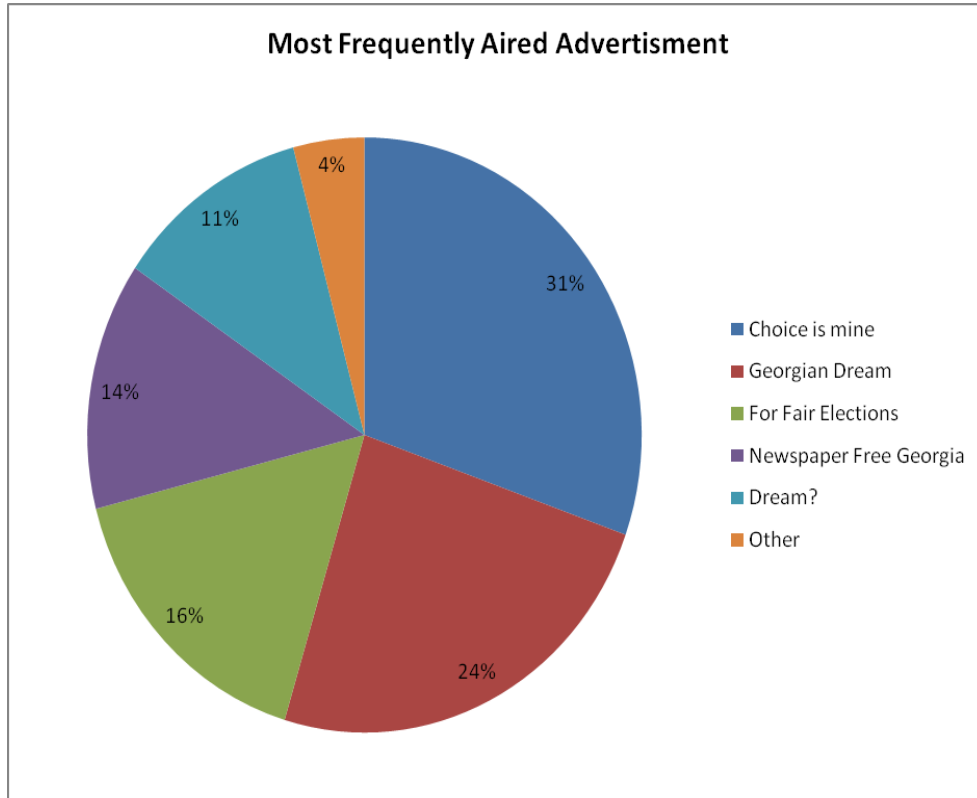


Most time was dedicated to following subjects:

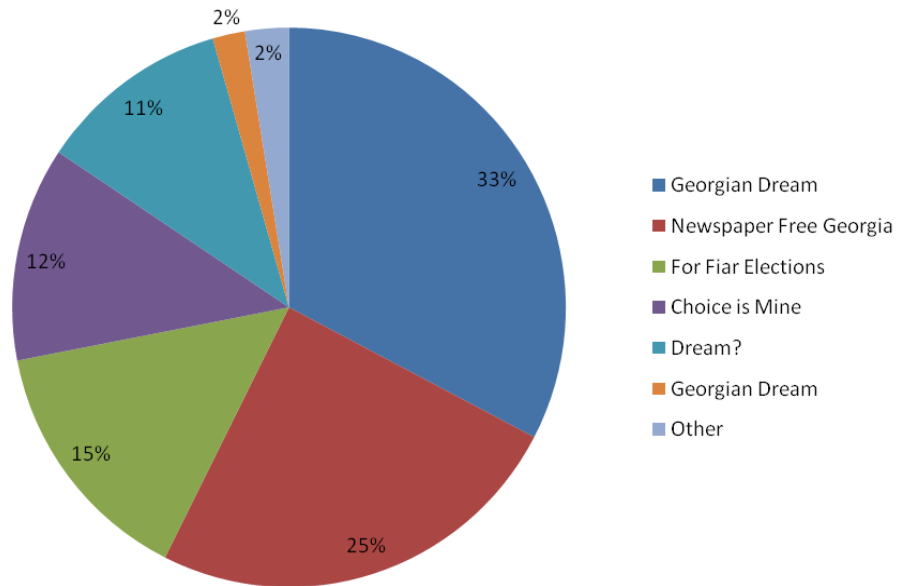


Kavkasia

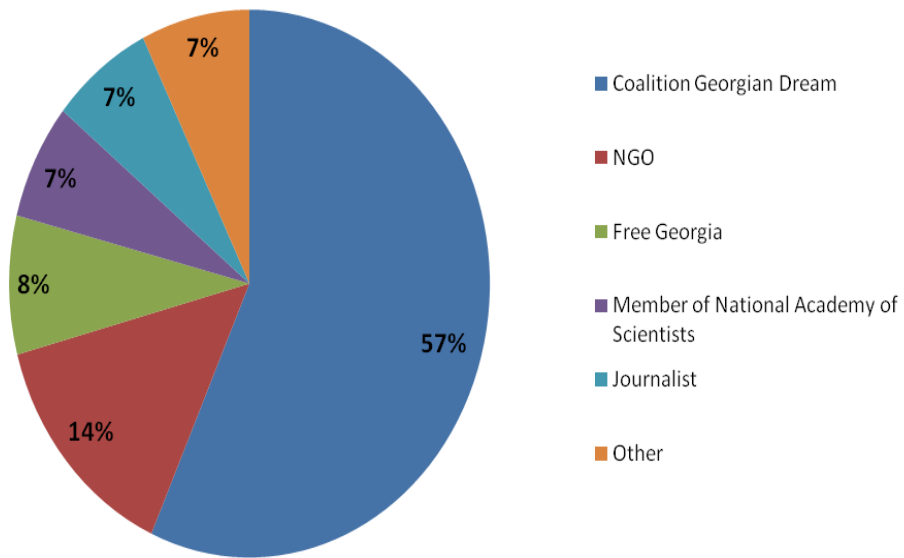
From the advertisements relevant for us, on TV-Company Kavkasia most frequently aired ads were of opposition political parties. Kvakasia did not answer our request to provide us with the information about social ads they air and relatively we do not whether the Company aired social ads during report period or not.



Most time was dedicated to following advertisements:

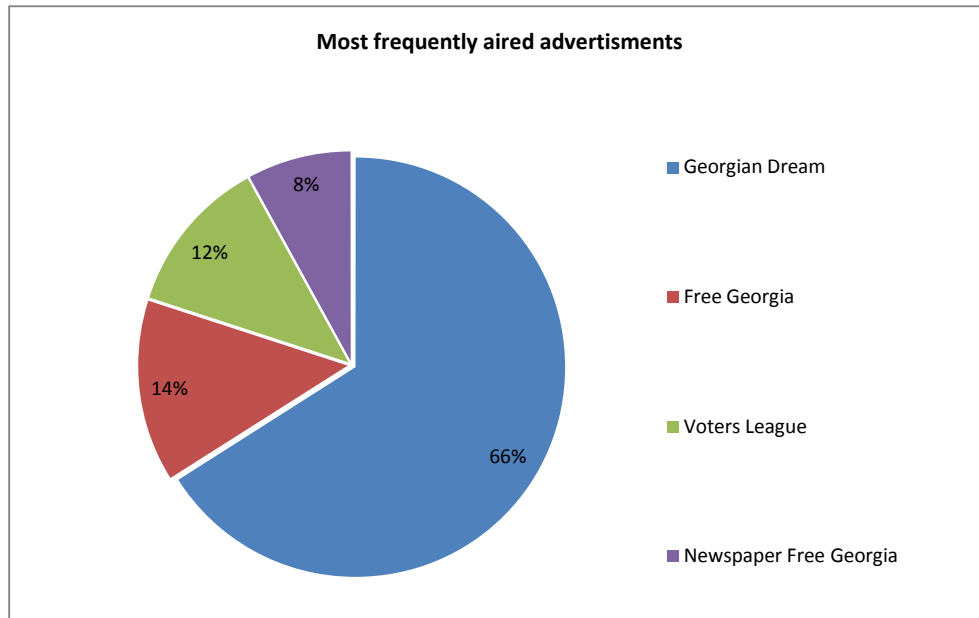


Most time was dedicated to subjects:

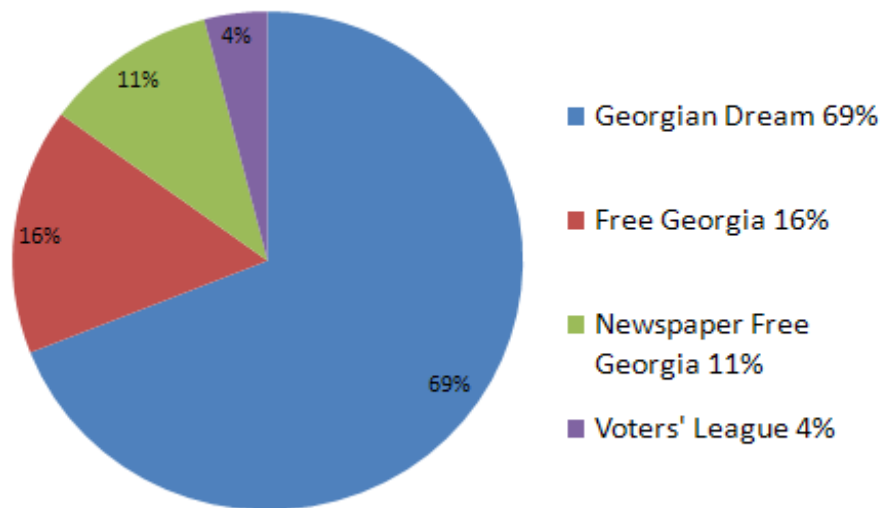


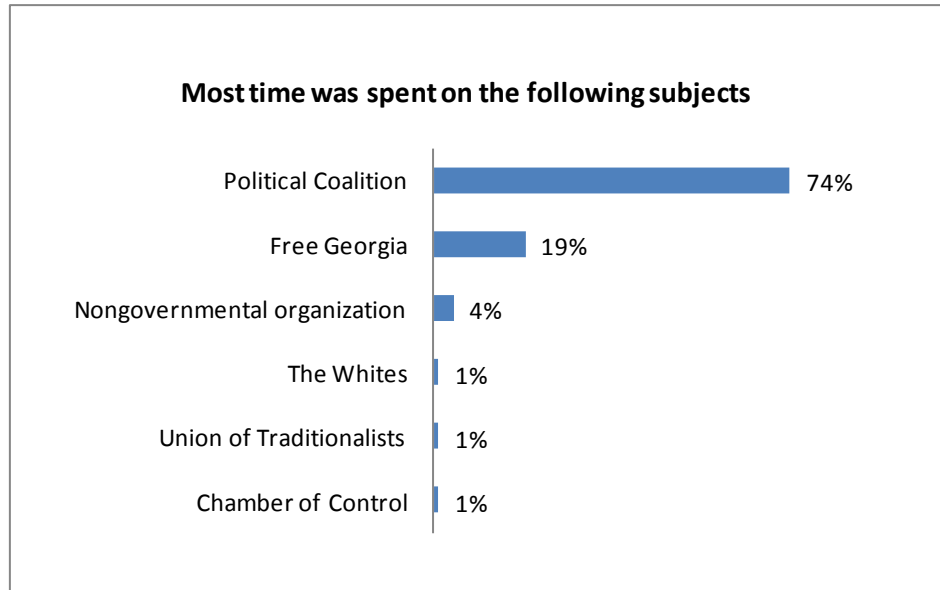
TV-Company Maestro

From the advertisements relevant for us, on TV-Company Maestro most frequently aired ads were about opposition political parties. During monitoring, no social ads were aired on Maestro in Prime-Time which they listed in their letter to HRC.



Most time was dedicated to following advertisements

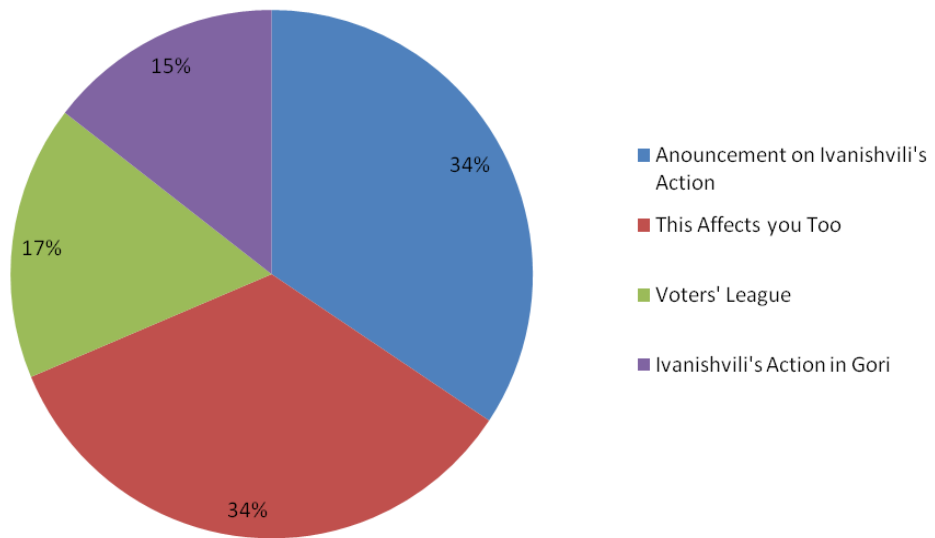




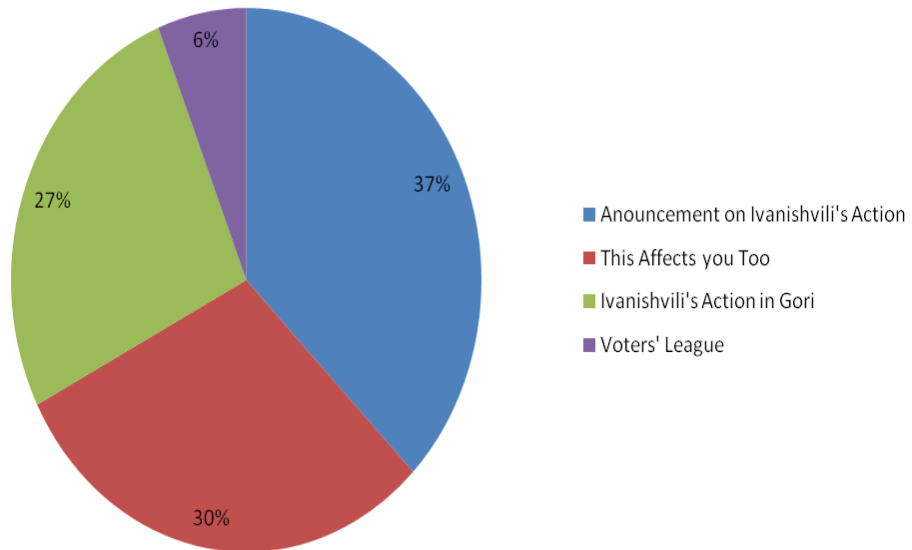
9th Channel

From the advertisements relevant for us, on 9th Channel most frequently aired advertisement was of the political coalition Georgian Dream. During the monitoring period, 9th Channel also aired ads of nongovernmental organizations “This Affects You” and “Voters league”, which was about methods how to hold fair and just elections. During monitoring period the TV-Company did not release any social ads.

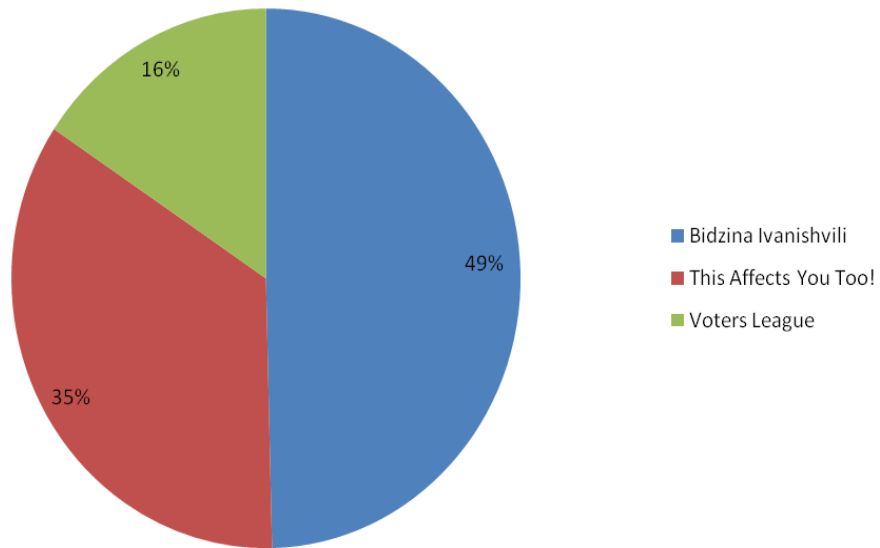
Most Frequently Aired Advertisements



Most Time Was Dedicated to Following Advertisements



Most Time Was Dedicated to Following Subjects



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