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2017  
▲ Lvl. 2

State  
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Georgia

Alert created on: 25 Aug 2015

## Georgian TV Channel Rustavi 2 Faces Crippling Court Measures in Civil Case

SOURCE OF THREAT ▶ State

CATEGORY ⓘ ▶ Other acts having chilling effects on media freedom

**PARTNER: EFJ/IFJ, AEJ**

On 5 August 2015, the Tbilisi City Court issued an order freezing the assets of the country's largest private media outlet, the television channel Rustavi 2, as an interim measure pending a verdict. The court order concerns a civil lawsuit lodged by Kibar Khalvashi, a local businessman, to recover shares he claims he was forced to give up in 2006.

According to the Independent Association of Georgian Journalists (IAGJ), between 2004 and 2012, Rustavi 2 changed owners approximately 20 times, often in controversial deals involving people with close links to ex-President Mikheil Saakashvili. The TV channel, which is now the only major channel perceived to be close to the opposition, is facing excessive legal threats: over a hundred journalists may lose their jobs and news programs may be suspended.

The court decision, based on an ownership dispute, is disproportionate and may negatively affect media pluralism in Georgia. The journalists' organisations call on the Georgian authorities to ensure a transparent and fair process in handling the case, without any interference from politically affiliated groups.

### UPDATES

**17 May 2017:** On 7 March 2017, the European Court of Human Rights adopted an interim measure asking the Georgian Government to stay the execution of the judgment given by the Supreme Court of Georgia on 2 March 2017 until further notice.

➡ Article published by RFE/RL : 'European Court Extends Suspension On Change To Georgian TV Owner '

**03 Mar 2017:** On 2 March 2017, the Supreme Court of Georgia ruled in favour of the former co-owner of Rustavi 2 TV, ordering a change in ownership.

- ➔ Article published on the website Civil.Ge: "Rustavi 2 TV Shareholders Lose Appeal in Ownership Dispute"

**01 Dec 2016:** On 10 June 2016, Tbilisi's Appeals Court upheld a City Court ruling over the transfer of the ownership of the TV station to former owner Kibar Khalvashi. Rustavi's current owners appealed the decision to the Supreme Court. On 21 November 2016, the three judges of the Supreme Court decided to hand the Rustavi 2 ownership case to the Grand Chamber of the Supreme Court.

- ➔ Article published by The Messenger Online: "Supreme Court top Chamber to discuss Rustavi 2 case"

## ADDITIONAL INFORMATION

- ➔ Statement from the OSCE Representative on Freedom of the Media: "OSCE Representative says excessive court measures against television station in Georgia may pose a threat to media pluralism"
- ➔ Article on the EFJ website: "Georgian TV channel Rustavi 2 faces legal threats"

## STATE REPLIES



24 Sep 2015 | Response of the Georgian Government

- ➔ Government of Georgia Fact Sheet on Rustavi 2 Court Case

## FOLLOW-UPS



06 Mar 2017 | On 3 March 2017, the European Court of Human Rights suspended, under Rule 39 (interim measures), Georgia's Supreme Court's decision to transfer ownership of Rustavi 2 TV.

- ➔ Article on Rustavi TV website publishing the ECHR's decision
- ➔ Article published on Civil.Ge "ECHR Suspends Supreme Court's Rustavi 2 Decision"




03 Mar 2017 | OSCE Media Freedom Representative calls the Supreme Court's decision a "disappointing move and huge blow to media pluralism in Georgia".

- ➔ Tweet of Dunja Mijatović

## RELEVANT COE INSTRUMENTS

04 Apr 2016 | Factsheet on Freedom of Expression and the Broadcasting Media

 **Overview of the ECHR case law and other relevant Council of Europe resources related to Freedom of Expression and the Broadcasting Media**

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**DISCLAIMER** This section presents a non-exhaustive selection of CoE instruments and ECHR case-law. This information is not a legal assessment of the alert and should not be treated or used as such.