

Government of Georgia Fact Sheet on Rustavi 2 Court Case

On August 7, 2015, Kibar Khalvashi, a former owner of Georgia's Rustavi 2 television station filed a lawsuit against the current owners of the company alleging that he was unlawfully deprived of his ownership in the company (See: <http://civil.ge/eng/article.php?id=28484>). There are media reports that other previous owners may also file lawsuits in the coming days.

The Government of Georgia wishes to make clear that it takes no position in this case or any others. This is a purely private lawsuit between the former and current owners and shareholders of the broadcasting company. An independent court will make a decision in this case. Recent judicial reforms removing Government controls on the judiciary and enhancing the court's independence will help ensure that all sides receive equal treatment before the law.

Georgian Prime Minister Irakli Garibashvili has called on all Georgian and international public and political figures to refrain from making any public statements or taking any actions that could be interpreted as putting pressure on the judiciary. On August 7, he stated "As Prime Minister and as a citizen, I fully support any kind restoration of justice but in my opinion this is a controversy of two subjects which should go before judges at the court."

As there is significant interest in this case from Georgia's international partners given Rustavi 2's prominence in Georgia, two independent reports from Transparency International Georgia may provide additional background on the very complicated history of Rustavi 2's ownership, which the court will be examining:

- 1) In 2013, TI Georgia published "The TV Station of Victorious People: The Story of Rustavi 2" Transparency International Georgia created a report on the Rustavi 2's ownership history, which found that "Between 2004 and 2012, Rustavi 2 changed owners approximately 20 times, often in controversial deals that had a political flavor, involving people with close links to [then] president Mikheil Saakashvili and to officials of the United National Movement-led government."

Report available here: <http://www.transparency.ge/en/blog/tv-station-%E2%80%98victorious-people-story-rustavi-2>.

- 2) Also in 2013, TI Georgia, in cooperation with journalist Paul Rimple, published a report entitled "Who Owned Georgia" focusing on a complicated advertising market schemes by which government control was exercised over the media from 2003-2012.

Report available at: <http://www.transparency.ge/en/post/report/book-presentation-who-owned-georgia-2003-2012>.

To break this trend of the Georgian Government playing a role in the ownership of Rustavi 2, the Government continues to stress that it is for the courts to decide who is the proper owner of Rustavi 2 under the law and reaffirms that the Government will play no role in determining ownership.

The Government is proud of the significant accomplishments it has made since coming to power to improve media freedom. This progress was reaffirmed in the 2014 World Press Freedom Index in which Georgia was recognized in making a "noteworthy rise" of 16 places in the list (see: <https://rsf.org/index2014/en-index2014.php#>). Given the improved environment for both the rule of

law and free media in Georgia, the Government expects that the ownership of Rustavi 2 will be decided fairly in accordance with the law.

The Government of Georgia remains fully committed to further improve media environment and facilitate strengthening of media pluralism. In order to meet these goals, numerous reforms have been carried out in the recent years. The Parliament has approved the amendments to the Law on Broadcasting ensuring a higher level of democratic composition of the Board of Public Broadcaster. Other reforms include establishment of a greater financial transparency for television companies and switchover to digital broadcasting as well as introduction of a requirement for cable networks and satellite content providers to broadcast all television stations that carry the news.