

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **TV channel ownership dispute threatens media freedom in Georgia**

Dispute over the ownership of the major opposition TV channel in Georgia - Rustavi 2 raises concerns over the right to freedom of expression and could jeopardise media freedom in Georgia.

The Supreme Court of Georgia upheld the decision of lower court and ruled on 2 March 2017 that the ownership of Rustavi 2 should be taken away from the current shareholders and transferred to the former shareholder, who is a supporter of the current Georgian government.

The government officials in the past have heavily criticised the pro-opposition editorial policy of Rustavi 2. Georgian NGOs and the management of Rustavi 2 fear that the recent Supreme Court judgment will result in the change of the editorial policy, leaving Georgian media without a major critical voice.

Georgia has a variety of media outlets, however, many are politically polarised and are not immune from political interference in their editorial policy, leading to concerns about their actual independence. Rustavi 2 is one of the largest and the most popular media channels in the country and also one of the most outspoken government critics with a consistent pro-opposition editorial policy.

The Supreme Court of Georgia has yet to release the full reasoning of its judgment. The Rustavi 2 lawyers had appealed to the Constitutional Court of Georgia. The appeal, if successful, could effectively invalidate the judgment of the Supreme Court.

The lawyers also filed the case with the European Court of Human Rights (ECtHR) on 3 March and requested the Court to indicate interim measures. On the same day, the ECtHR granted interim measures and asked Georgia to temporarily suspend the execution of the judgment of the Supreme Court and abstain from interfering with the editorial policy of Rustavi 2.

### **Threats against the Executive Director of Rustavi 2**

On 21 October 2016, as the legal dispute between the shareholders had been ongoing, the Rustavi 2 Executive Director said security services of Georgia blackmailed him with release of covertly filmed videos of his personal life unless he resigned. This was preceded by discovery in May 2016 that the premises of Rustavi 2 were allegedly subject to surveillance. None of these incidents have been investigated.

Mass surveillance has been a major issue in Georgia since its previous government and the current government has retained direct access to communications surveillance.

Concerns over the politically motivated nature of the lawsuit with the aim to change the editorial policy of Rustavi 2 are serious. The Georgian authorities must respect and ensure the

right to freedom of expression and ensure that the legal dispute is solved without any political or other external pressure. The authorities must effectively investigate threats against the Rustavi 2 Executive Director and the discovery of surveillance equipment in the premises of the TV channel.

### **Background Information**

The former Rustavi 2 shareholder launched a suit against the current shareholders to reclaim his shares on 4 August 2015. The suit argued that the claimant was coerced in 2006 by the former government officials, who are currently in opposition, to sell the TV Company substantially below the market price. Since 2006, Rustavi 2 changed owners several times.

Georgian NGOs believe the suit aimed to silence Rustavi 2 as a major critical media channel and change its stark pro-opposition editorial policy while highlighting problems in lack of judicial independence and impartiality in Georgia.

Local NGOs in Georgia expressed concerns about alleged procedural irregularities during the case. Serious concerns were also reported over the interim ruling of the first instance court in 2016, which directly contested the editorial policy of Rustavi 2, which was seen as a violation of media freedom.

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