

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA's Media Legal Defence Centre reacts on the developments in the public broadcaster

Eka Kvesitadze, the journalist of the public broadcaster was discharged from the office on the basis of the September 17, 2013 order of Tamaz Tkemaladze, the acting general director of the public broadcaster. As reported, the reason of dismissal was closing of the program "Accents".

The journalist had contract with the public broadcaster until the end of 2013. As per Article 37 and 38 of the Labor Code, if the initiator of the invalidation of contract is an employee, he/she must notify the employer no lesser than thirty calendar days in

advance in writing. In addition, the employer may use the restricted term of advance notification and inform the employee on termination of the Labor Contract three days earlier. In such case, the employer should reimburse to the employee two months compensation. In the case concerned, the journalist has not been notified on her dismissal neither with a month nor with three days interval. Moreover, as the head of the Board of Trustees announced to media, he had talked to acting director of the public broadcaster who reported that they did not plan to dismiss Eka Kvesitadze. However, on September 17 the journalist was not let in the building of the public broadcaster that was unexpected to her. In view of this, her dismissal from the office was carried out with gross violation of requirements envisaged by the Labor Code.

David Paichadze's case also raises questions. According to the new conditions, the journalist will continue to work in public broadcaster only on radio programs. On September 12, 2013 Goga Chartolani, the deputy general director stated at the session of the Board of Trustees that political talk-show would have been broadcasted in the public broadcaster, with 4 anchors- Eka Beridze, David Paichadze, Eka Kvesitadze and Eka Mishveladze. On September 17, though, the management of the public broadcaster reported that Eka Kvesitade and David Paichadze would fail to keep impartiality principle in the programs of the First Channel. Such drastic alteration of the previous position seems strange.

Notwithstanding the high public interest and the fact that developments around public broadcaster have not lost importance for the past period, there is still uncertainty and unanswered questions.

We consider that last development around the public broadcaster is on the one hand gross violation of certain journalists' rights and on the other hand inconsistent policy of management that questions independence of public broadcaster as of media outlet established by the state.