

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Today, the writ of execution was submitted to the public broadcaster on immediate restoration of Giorgi Baratashvili to his position

On December 20, 2013 Tbilisi City Court satisfied Giorgi Baratashvili's law suit against the Public Broadcaster of Georgia claiming restoration to the position of the general director of the public broadcaster and compensation for the missed salary. GYLA's Media Legal Defense Center represented Giorgi Baratashvili's interests in the court.

Moreover, the court decision of the December 20, 2013 was subjected to immediate enforcement in the part of restoration of Giorgi Baratashvili to the position of the general director and his compensation for the missed salary. To this effect, on December 24, 2013 the court issued writ of execution, which was submitted to the general director of the Public Broadcaster. **Bearing in mind that Giorgi Baratashvili's return to his position is not linked to issuing any additional act by the management of the public broadcaster, immediately, after submitting the writ of execution to Giorgi Baratashvili, he should start fulfillment of his duties.**

On September 6, 2013 it was the second case of announcing mistrust to the general director by the Board of Trustees. Initially, Giorgi Baratashvili was dismissed from the post for the announced mistrust on March 4, 2013. The court found the decision illegal as well. GYLA's Medial Legal Defense Center represented Giorgi Baratasvili's interests in this case either.

The court's December 20, 2013 decision is important in other point as well. When announcing the resolution part, the court explained that it upholds the argument of the applicant's representative and considers that granting of the authority by the member of the Board of Trustees to another member and signing of the Board documents based on the power of attorney issued by the notary, comes in conflict with the law. We think that the Board should take into account the interpretation of the court, since as reported there are also other cases of delegating authority among the members of the board.

By its decision the court confirmed that in both cases, Giorgi Baratashvili's dismissal from the position of the General Director was illegal. We remain hopeful that the Board will refrain from making illegal and unsubstantiated decisions in terms of the activities of the General Director.