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Freedom of the Press 2015 - Armenia

2015 Scores

Press Status

Not Free

Press Freedom Score

(0 = best, 100 = worst)
61

Legal Environment

(0 = best, 30 = worst)
19

Political Environment

(0 = best, 40 = worst)
22

Economic Environment

(0 = best, 30 = worst)

Despite constitutional and legal protections, press freedom in Armenia remains restricted. Journalists must contend with violence and harassment; heavy political influence on content; and costly defamation suits. After higher-than-usual levels of political interference with the work of journalists in 2013—an election year—the country's media environment stabilized somewhat in 2014. Independent outlets continued to take advantage of the country's relatively open online space.

Legal Environment

The government eliminated criminal liability for defamation in 2010, but the offense remains subject to high monetary penalties. The civil code allows for damages of up to 2,000 times the minimum salary, and plaintiffs—often politicians, businesses, or other media outlets—frequently seek compensation out of proportion to the damage allegedly inflicted. In 2011, the Constitutional Court ruled that media outlets cannot be held liable for “critical assessment of facts” and “evaluation judgments,” and encouraged lower courts to suggest nonmaterial compensation in lieu of hefty fines. Since then, lower courts have indeed been more responsive to claims for disproportionate compensation, often reducing the damages originally requested by plaintiffs. The Committee to Protect Freedom of Expression (CPFE), a local nongovernmental organization (NGO), recorded 17 new civil defamation suits against media workers or outlets in 2014—a decrease from the 24 suits launched in 2013.

In March 2014, authorities circulated a draft amendment to the civil code that would make online media outlets liable for defamatory information—including comments—published through anonymous or fraudulent accounts. Local and international media watchdogs criticized the proposal for its broad scope, vague language, and potential to restrict freedom of expression online. Following a parliamentary discussion in late March, consideration of the proposal was indefinitely postponed.

In June 2014, a Yerevan court ruled in favor of Armenia's Special Investigative Service, requiring the *Hraparak* newspaper and the online portal iLur.am to disclose the sources for reports published the previous month about a violent altercation involving a regional police chief and a prominent athlete. The court ruling followed a message, circulated in May by the office of Armenia's prosecutor general, that publishing information about ongoing criminal investigations without prior authorization is a criminal offense, and that prosecutors were prepared to pursue legal action aimed at forcing journalists to disclose the sources of such information. The message was met with heavy criticism from media workers and watchdogs, many of whom saw it as a threat against journalists pursuing investigative reporting. Critics also used the opportunity to point out weaknesses and contradictions in the various laws that protect journalistic sources, noting that the prosecutor's office had invoked rarely enforced and vaguely worded legislation in its message.

Although Armenia passed freedom of information legislation in 2003, the government has stalled in adopting a number of regulations needed to implement the law. In February 2014, the National Assembly introduced a number of amendments that would create mechanisms and establish standards for the law's implementation, but no changes had been enacted by year's end. Although courts have been responsive in recent years in upholding the right of access to information, many government departments still do not willingly respond to information requests, and access to some files—including previously classified Soviet-era data—remains problematic. In September 2014, the local Freedom of Information Center published the first findings of an annual project aimed at assessing the extent to which government bodies fulfill their responsibilities under Armenia's freedom of information legislation. The project found the Ministry of Defense, the National Security Service, the National Assembly, and the Office of the President to be among the poorest performers.

Armenia's licensing and regulatory framework tends to limit media freedom and diversity. Radio and television outfits must obtain operating licenses from the National Commission on Television and Radio (NCTR). Its eight members serve six-year terms; four are appointed by the president and the rest are elected by the National Assembly. Print and online media do not require licenses. The country officially began its transition to digital broadcasting in 2010, following amendments to the Law on Television and Radio that were criticized by local and international groups for further restricting media pluralism. The transition is set to be completed by July 2015. Organizations like the CPFE and the Organization for Security and Co-operation in Europe (OSCE) have noted pressing problems, including the threat of closure facing more than a dozen regional stations that possess only analog licenses.

The license of television station A1+ remains suspended despite a 2008 European Court of Human Rights ruling that the NCTR had improperly revoked its license in 2002. Although the government paid the compensation ordered by the court, A1+ has been unable to reacquire its license. In 2012, A1+ returned to the airwaves after reaching an agreement with the Armnews television station to broadcast a news program five days a week on the latter's

frequency. Separately, the local television station Gala, based in Gyumri, has been under government pressure since it aired speeches by an opposition presidential candidate in 2007. In July 2011, the Court of Cassation upheld a lower court's decision ordering Gala to stop using the Gyumri television tower and to dismantle its transmitter. The station had to relocate its transmitter to another site. Gala has so far been denied a digital license and will most likely face closure by July 2015, when the digital transition is set to be finalized.

Political Environment

CPFE reported 43 incidents of various forms of pressure on media workers during 2014, compared with 57 such cases in 2013. Among the most egregious examples was the prosecutor general's circulation in May of a warning that journalists who report about ongoing investigations without authorization could face criminal proceedings.

Self-censorship is prevalent, owing to continued harassment of and violence against journalists, a climate of impunity, and concerns about reprisals for criticism of the government. Self-censorship is particularly common in the broadcasting sector. Journalists have more freedom to report online, as a growing number of independent online media outlets serve as platforms for diverse, alternative reporting free from editorial lines established by politically connected owners.

CPFE observed 9 incidents of physical violence against journalists during the year—compared with 10 in 2013 and 4 in 2012. During an opposition demonstration in February 2014, a police officer assaulted Ani Gevorkyan, a journalist for the newspaper *Chorrord Ishkhanutyun*. Police also seized video footage from Gevorkyan and an iLur.am journalist, both of whom were detained during the demonstration. An investigation into Gevorkyan's case was launched in February but closed in June, with the Special Investigation Service citing a lack of evidence. Gevorkyan's subsequent challenge of that decision was dismissed.

Economic Environment

Most of the dominant broadcast media are controlled by the government or by government-friendly individuals. Armenia's small print media sector is generally in decline as online news sources rise in popularity and accessibility. Although most print outlets are privately owned, they tend to reflect the political and ideological leanings of their owners, who are often tied to a particular political party or interest. Television is the country's primary medium, and one of the few outlets with national reach is state-owned, though dozens of private stations operate. Russian and minority-language media are widely available. The internet penetration rate was 46 percent in 2014. Online news media and bloggers have played an important role in recent years in providing a diverse range of news and analysis. Ownership of print, broadcast, and online media outlets is frequently difficult to discern. The government does not require registration to access the internet or satellite television, and both are freely available.

Public media outlets receive preferential treatment, enjoying primary access to official news and a high share of government advertising. Small state subsidies are available for private print media, but due in part to high distribution costs, the vast majority of newspapers are not profitable and remain financially dependent on their owners or patrons. In December 2014, the National Assembly approved amendments banning advertisements on public television.