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2014 Scores

Press Status: Not Free

Press Freedom Score: (0 = best, 100 = worst) 62

Legal Environment: (0 = best, 30 = worst) 19

Political Environment: (0 = best, 40 = worst) 23

Economic Environment: (0 = best, 30 = worst) 20

Despite constitutional and legal protections, press freedom in Armenia is restricted, and the media environment remains dominated by political influence. Positive changes observed in 2012 – including more balanced media coverage of parliamentary elections – were partly reversed in 2013, as violence against journalists and political interference in their work regained prominence during presidential and municipal elections. Civil defamation cases also rose sharply after declining in 2012, and they were often accompanied by motions to freeze a media company's assets pending resolution of the case.

Although the government decriminalized libel in 2010, eliminating imprisonment as a punishment, the move was followed by an increase in civil libel cases. In most instances, the plaintiffs were politicians, and the compensation sought was out of proportion to the damage allegedly inflicted. However, in a landmark 2011 decision, the Constitutional Court ruled that media outlets could not be held liable for "critical assessment of facts" and "evaluation judgments," encouraging lower courts to suggest nonmaterial compensation in lieu of hefty fines. The ruling stemmed from a case filed by Armenia's human rights ombudsman arguing that Article 1087.1 of the civil code, establishing monetary fines in libel cases, was unconstitutional. The Constitutional Court stopped short of such a finding.

Following the Constitutional Court ruling, the number of defamation cases dropped by more than half in 2012, and monetary fines were significantly reduced. In 2013, however, the problem was again on the rise: The Committee to Protect Freedom of Expression (CPFE), a local nongovernmental organization (NGO), recorded 24 civil defamation and insult cases brought against journalists. Of particular concern to media advocacy groups were a number of cases, filed just prior to the presidential election in February, that included motions to freeze the assets of media outlets. In January, the courts admitted a case brought by former president Robert Kocharian and his son against Skizb Media Kentron Ltd. – owner of the newspaper *Zhamanak* – and the news

website 1in.am. The Kocharians initially sued the two outlets for 5 million drams (\$12,000), but in its October judgment the court upheld only part of the complaint, ordering Skizb Media Kentron to pay 600,000 drams (\$1,500) in damages and lawyers' fees. This was the Kocharian family's second lawsuit against the company. Also in January, business magnate Khachik Khachatrian sued the daily *Zhoghovurd* for 3 million drams (\$7,400) in damages for publishing an article claiming that his company was selling eggs past their expiration date. A court in the capital, Yerevan, froze the newspaper's assets, as well as those of the journalist who wrote the story, until the hearing in March – after the presidential election. The decision put the paper in a precarious financial situation. The court finally dismissed the case in October after concluding that libel and insult could not be proven.

Although Armenia passed freedom of information legislation in 2003, the government has stalled in adopting a number of regulations needed to implement the law. Since 2012, however, authorities have grown more responsive to freedom of information requests, and there were fewer access to information complaints in 2013 than in 2012. On numerous occasions, courts also upheld the right of access to information. In January, an appellate court upheld a lower court's decision ordering the Democratic Party of Armenia to disclose its campaign spending. The court not only sided with the NGO that brought the case, but ordered the party to pay the organization's legal fees. Despite such progress in the courts, many government departments still do not willingly respond to information requests, and access to some files – including previously classified Soviet-era data – remains problematic.

Armenia's licensing and regulatory framework tends to limit media freedom and diversity. The country officially began its transition to digital broadcasting with amendments to the *Law on Television and Radio* – approved by the parliament in May 2010 – that were criticized by local and international groups for further restricting media pluralism. However, in 2012 the government announced that analog frequencies would continue to operate until 95 percent of Armenian households had switched over to digital receivers. In June 2013, the parliament extended the deadline for ending analog broadcasting to July 2015. The broadcast licenses for the frequencies due to expire were also extended to this date.

The license of television station A1+ remains suspended despite a 2008 European Court of Human Rights ruling that the government had improperly revoked the license in 2002. In September 2012, A1+ had returned to the airwaves after reaching an agreement with Armnews to broadcast a 20-minute news program five days a week on the latter's frequency. A1+ continued to broadcast via Armnews in 2013 while pursuing the legal battle for its own license. 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 be forced off the air by 2015.

During the February 2013 presidential election, coverage was given to all candidates, with the majority of airtime going to incumbent Serge Sarkisian and the leading opposition candidate, Raffi Hovannisian. However, media stories were mostly limited to formal presentations of the candidates, as broadcasters appeared concerned that more substantive reporting would be viewed as biased. In May, the Organization for Security and Cooperation in Europe recommended amendments to the electoral code that would clarify guidelines for impartiality and balanced reporting. More critical

reporting and a wider range of viewpoints were available online, both from independent sources and the websites of traditional media outlets. No broadcasters aired televised debates after the president refused to participate.

CPFE reported as many as 57 incidents of various forms of pressure on media workers during the year. In June, the progovernment television station Shant TV fired news anchor Armen Dulian for a post on his Facebook page in which he joked about the Russian media's inability to criticize President Vladimir Putin and lamented the similarities between the state of Russian and Armenian media. Shant TV later explained the dismissal by claiming that Dulian had shown a "disrespectful attitude" toward the broadcaster, making any future collaboration impossible.

Armenia's perceived lack of judicial independence, harassment and violence against journalists, and climate of impunity continue to contribute to widespread self-censorship, particularly in the broadcast sector. CPFE observed a rise in violence against journalists in 2013, with 10 recorded incidents during the year – compared with four in 2012. Six of those cases occurred during the campaign for the Yerevan city council elections or on the day of the presidential election in February. According to journalist Artak Ambartsumian of the NGO Journalists for Human Rights, a group of individuals restrained him near a polling station during the presidential election to prevent him from filming while another group engaged in ballot stuffing. Gayane Saribekian, a journalist for *Hraparak* newspaper, reported an incident outside the presidential campaign headquarters in which she was verbally abused and her camera was seized by a group of unidentified men. These attacks prompted media organizations to issue a joint statement voicing their concern about violence against journalists during the election period and the impunity following such incidents. Only two of the 10 attacks reported in 2013 resulted in criminal investigations; one was later closed due to the authorities' inability to find evidence of criminal activity.

Most of the dominant media are controlled by the government or government-friendly individuals. Print media are available mostly in Yerevan and larger cities, and are 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 rather than providing balanced views. Television is the country's primary medium, and one of the few outlets with a national reach is state owned, though almost 100 private stations operate. Russian and minority-language media are widely available. The internet penetration rate was 46 percent in 2013. Online news media and bloggers have played an important role in recent years in providing a diverse, alternative range of news and analysis. 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 the lion's share of government advertising. In December 2013, media advocates welcomed the approval of legislation banning commercial advertising on the public broadcaster, saying the decision would strengthen the institution's independence and public-service role. Small state subsidies are available for private print media, but due to high distribution and licensing costs, the vast majority of newspapers are not profitable. Most media outlets rely on limited advertising resources and have little guarantee of editorial independence.