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## Freedom on the Net 2018 - Armenia

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**Status:** Free  
**Total Score:** 27/100 (0 = Best, 100 = Worst)  
**Population:** 2,930,450  
**Internet Penetration:** 62%  
**Social Media/ICT Apps Blocked:** No  
**Political/Social Content Blocked:** No  
**Bloggers/ICT Users Arrested:** No  
**Freedom in the World Status:** Partly Free

### Key Developments, June 1, 2017 – May 31, 2018

- Social media platforms, communication apps, and live-streaming tools were fundamental to Armenia's Velvet Revolution, resulting in the National Assembly electing Nikol Pashinyan as prime minister (see Digital Activism).
- Online journalists were physically harassed and assaulted for live streaming protests in and around Yerevan during the Velvet Revolution (see Intimidation and Violence).
- In February, the parliament passed legal amendments requiring reporters to acquire permission from the Yerevan mayor to attend municipal council sessions (see Media, Diversity, and Content Manipulation).
- 30 libel cases were filed, but later dropped, against the fact checking website *Sut.am* and its founder for an investigative article on election fraud (see Prosecutions and Detentions for Online Activities).

### Introduction:

Internet freedom in Armenia improved after citizens effectively used social media platforms, communication apps, and live streaming to engender political change in April 2018. Online content and social media apps were not restricted during the reporting period, and there were no reports that civil society figures were hacked.

The past year in Armenia was marked by transformational civil unrest that resulted in a new prime minister. In April, term-limits forced President Serzh Sargsyan to step down. Despite Sargsyan's promises to do so, however, the ruling Republican Party (HHK) run parliament quickly elected him as prime minister, without any opportunity for opposition candidates to run.<sup>[1]</sup> In response, thousands of Armenians mobilized against the appointment and, ultimately, the HHK as a whole. Nikol Pashinyan,<sup>[2]</sup> an opposition member in the National Assembly and a former journalist, led the protest and galvanized Armenians to join the cause. On May 8, the National Assembly elected Pashinyan to be prime minister.<sup>[3]</sup>

Digital activism and live streaming were essential to the Velvet Revolution's effectiveness, a fact that did not go unnoticed by government supporters. Police and government sympathizers physically attacked online journalists using digital live-streaming tools to broadcast the events.

Access to the internet continued to grow during the reporting period, and some operators have been working to install 5G service. The government generally refrains from blocking or filtering, and no social media or

communication apps were restricted in the past year. Self-censorship on some issues improved during the coverage period. As tensions between Armenian and Azerbaijani forces in the Nagorno-Karabakh region simmered down following the April 2016 flare up in hostilities, social media users and online journalists faced less pressure to restrict their discussions of and reporting on the conflict.

### **Obstacles to Access:**

*Internet access in Armenia continues to grow. The ISP market is relatively diverse, with foreign-owned as well as local providers competing for customers, though an urban-rural divide persists, limiting access and quality for those living outside major cities.*

#### *Availability and Ease of Access*

Internet is ubiquitous in the capital, Yerevan, with most shopping malls, cafés, universities, and many schools providing free Wi-Fi access. There is also Wi-Fi connectivity in central areas of Yerevan, buses on certain public routes, the metro, some railway stations, and several taxis.

As of 2017, mobile penetration was at 119 percent.<sup>[4]</sup> Mobile 3G service is widely available, covering about 90 percent of the country (excluding mostly unpopulated mountainous regions).<sup>[5]</sup> Operators continued rolling out faster 4G and 4G+ service, and speeds of up to 100 Mbps speeds were available in some large cities in 2018, including Yerevan, Gyumri, and Vanadzor, and tourist destinations such as Dilijan, Tsakhadzor, Echmiadzin, and Jermuk.<sup>[6]</sup> Operators are also working on the installation of 5G service.<sup>[7]</sup> Internet service providers offer fixed-line broadband service through the telephone network (ADSL) and fiber-optic cables, as well as Wi-Fi and WiMax technologies.

The quality of service may be limited outside cities due to lack of competition between providers. In contrast to the diverse market in Yerevan, many villages have only one or two mobile broadband services from which to choose. At the end of 2017, nearly 100 percent of Armenian cities and villages were covered by mobile networks: 4 percent of areas are covered only by one mobile operator, 16 percent are covered by two operators, while three operators are present in 80 percent of areas.<sup>[8]</sup>

In November 2017, Veon Armenia (Beeline) completed its project aimed at modernizing mobile network. The project resulted in Beeline's 2G network covering 99 percent of the population and its 3G network covering 82 percent of the population.<sup>[9]</sup> Beeline's 4G network operates in 15 cities,<sup>[10]</sup> with Yerevan seeing a 30 percent increase of Beeline's 4G coverage in 2017.<sup>[11]</sup> In November 2017, 88 percent of the population could access Ucom's 4G+ broadband mobile.<sup>[12]</sup> At the end of 2017, Ucom also launched the VoLTE (voice over LTE network) service, a first in Armenia.<sup>[13]</sup> During the coverage period, both Ucom and Rostelecom announced that Facebook's cache will be included in the companies' data centers.<sup>[14]</sup>

#### *Restrictions on Connectivity*

The government does not shut down internet access, and control of the internet infrastructure is decentralized. Armenian internet users enjoy access to internet resources without limitation, including social media platforms, peer-to-peer networks, and voice and instant messaging services.

The Armenian government and the telecommunications regulatory authority, the Public Services Regulatory Commission (PSRC), do not interfere with the planning of network topology. Private telecommunications operators plan and develop their own networks independently. Moreover, the PSRC requires service providers to indicate any technological restrictions in their public offers.

Four ISPs maintain fiber-optic backbone networks which connect to the international internet via the Republic of Georgia. There is also a limited fiber-optic connection through Iran, which mostly serves backup needs.<sup>[15]</sup> ISPs exchange traffic through a local exchange point operated by the ArmEx Foundation, a non-profit organization (see Regulatory Bodies).

In 2011, physical damage to cables in Georgia cut off internet access in Armenia.<sup>[16]</sup> While there have been no major disruptions since then, the limited number of connections to and from the country present challenges in ensuring uninterrupted internet access.

#### *ICT Market*

The telecommunications market is reasonably diverse, with three mobile service operators and dozens of ISPs, 46 percent of which are foreign-owned.<sup>[17]</sup> Armenia was one of the first post-Soviet countries to privatize the telecommunication industry, and ISPs are not required to obtain a license.

There were 89 ISPs in Armenia, according to the PSRC. However, four operators control 95 percent of the broadband internet market.<sup>[18]</sup> As of 2016, these are Ucom with 39 percent market share, Veon Armenia (Beeline) with 37 percent, Vivacell-MTS with 13 percent, and Rostelecom with 7 percent.<sup>[19]</sup> Ucom is Armenian, while the other three are foreign-owned. Beeline is owned by Vimpelcom, one of largest mobile operators in Russia; Vivacell-MTS is owned by Mobile TeleSystems, another large Russian mobile operator. Rostelecom is also Russian-owned. Ucom acquired Orange Armenia from France Telecom in August 2015 instead of building up its own network. Vivacell-MTs is also the largest mobile service provider, followed by Beeline and Ucom.<sup>[20]</sup>

In February 2018, Russian ICT giant Rostelecom suggested that it was considering selling its Armenian branch GNC-Alfa, one of the biggest ISPs in Armenia.<sup>[21]</sup> Additionally, in November 2017, it was reported that Beeline was interested in purchasing Rostelecom-Armenia.<sup>[22]</sup>

Entering the market is comparatively easy. In 2013, amendments to the Law on Electronic Communication removed the need for internet service providers to obtain a license, instead requiring that they simply notify the regulator before providing services or operating a telecommunication network.<sup>[23]</sup> Public access points such as cafes, libraries, schools, universities, and community centers must be licensed if they offer internet service for a fee; nonprofit access points are exempt, according to a separate law.<sup>[24]</sup> The regulatory authorities in Armenia primarily focus on companies with significant market power.

### *Regulatory Bodies*

The PSRC, an independent regulatory authority, was assigned responsibility for telecommunications regulation under the Law on Electronic Communication in 2006.

Under Armenia's multi-sector regulatory model, a single body is in charge of energy and water supply, as well as telecommunications. The PSRC's authority, mechanisms of commissioners' appointments, and budgeting principles are defined under the Law on State Commission for the Regulation of Public Services.<sup>[25]</sup>

One of the weakest provisions of the Armenian regulatory framework is the absence of term limits. Commissioners are appointed by the president of Armenia based on recommendations from the prime minister. Once appointed, a commissioner can be dismissed only if they are convicted of a crime, fails to perform their professional duties, or violates other restrictions, such as obtaining shares of regulated companies or missing more than five meetings.

The commission's operations in the telecommunications sector, however, are transparent and have generally been perceived as fair. Under the Law on Electronic Communication, all decisions are made during open meetings with prior notification and requests for comments posted online.<sup>[26]</sup> The PSRC is accountable to the National Assembly in the form of an annual report, but parliament cannot intervene in its decisions.

Though industry self-regulation remains underdeveloped, three well-established ICT-related nonprofit associations have helped shape the sector. The oldest is the national chapter of the worldwide Internet Society (ISOC) network, which served as the primary internet policy advocate in the early stage of industry development in the mid-1990s. It has since ceded much of its regulatory role to the PSRC, but continues to maintain the registry of country-level domain names according to best practices recommended by ICANN, the nonprofit which manages global domain name systems. Though it lacks formal dispute resolution policies, the Armenian ICT market enjoys a liberal and non-discriminatory domain name registration regime. ISOC Armenia's board is composed of industry representatives. A second well-established industry association is the Union of Information Technologies Enterprises (UITE). A third institution, the ArmEx Foundation, was established by leading telecommunication companies, ISOC Armenia, and UITE, to create a local data traffic exchange point.

In 2014, the government established the Internet Governance Council of Republic Armenia to address emerging challenges relating to the internet. The council consists of stakeholder groups from state, public, and private sectors.<sup>[27]</sup> The council also organizes the annual Internet Governance Forum of Armenia.

### **Limits on Content:**

*The Armenian government does not consistently or pervasively block users' access to content online, and no social media or communications apps were restricted during the reporting period. Digital activism fueled Armenia's Velvet Revolution, while the online information landscape was subject to some manipulation around the protests.*

### *Blocking and Filtering*

In general, online content is widely accessible, and no social media or communication apps were restricted during the coverage period.

In July 2016, armed political activists captured a police compound in Yerevan for two weeks, demanding the release of a radical opposition leader jailed the previous month and the resignation of President Sargsyan.<sup>[28]</sup> The hostage takers surrendered on July 31.<sup>[29]</sup> When police responded violently to their supporters gathering outside the compound,<sup>[30]</sup> thousands more protesters mobilized using online tools (see Digital Activism).

On July 17, 2016, during the initial assault on the police station, internet users reported that they were unable to access Facebook through major ISPs, including Veon Armentel (Beeline) and Ucom. News reports said connectivity was restored within approximately 40 minutes.<sup>[31]</sup> Facebook confirmed "a disruption affecting access to Facebook products and services" had taken place in Armenia, coinciding with protests.<sup>[32]</sup>

Observers took the outage as an indication that the authorities may be willing to block social media platforms during times of unrest. Law enforcement authorities have the right to block content in order to prevent criminal activity under Article 11 of the Law on Police,<sup>[33]</sup> but cases of government-ordered blocking have been rare. The most prominent case of internet censorship occurred in 2008, when the government blocked some independent internet news outlets during a state of emergency imposed to contain clashes following an election,<sup>[34]</sup> which was followed by criticism from international observers.<sup>[35]</sup>

Since then, blocking cases have generally been limited to locally-hosted content found to contravene laws on pornography or copyright. Article 263 of the criminal code stipulates that the production and dissemination of pornographic materials or items, including videos, images, or advertisements, is punishable by a fine of five hundred times the minimum monthly salary in Armenia or imprisonment for up to two years.

Orders to block content can be challenged in court by the content owners, who may claim compensation if a judge finds one to be illegal or unnecessary. Since Armenia is a signatory to the European Convention on Human Rights, blocking can also be challenged at the European Court of Human Rights.

### *Content Removal*

There are few reported cases of content removal, and no high profile incidents were documented during the coverage period.

International platforms rarely remove content that violates Armenian law, but at least one takedown has attracted controversy. In May 2015, an episode of a web series satirizing the police response to protests in Yerevan was removed by YouTube. Police had flagged the video for YouTube to take down on grounds that it included a clip of a news report that violated copyright, though observers argued this was a pretext to suppress content that mocked local law enforcement.<sup>[36]</sup> The police later took the authors of the web series, SOS TV, to court, arguing that the video undermined the honor and dignity of the police (see Prosecutions and Detentions for Online Activity).

Internet service providers and content hosts are shielded from liability for illegal content stored on or transmitted through their system without their prior knowledge.

In March 2018, Facebook banned dozens of Armenian users, including some journalists and bloggers. In what was intended to be an effort to combat hate speech, users were banned for using a particular word that is often included in Armenian names or even in a title of one news outlet. Some users were banned despite posts previously being published, including at least one case in which a post was written five years ago.<sup>[37]</sup> Some Facebook users reported that they were not sure what posts were getting them blocked.<sup>[38]</sup>

### *Media, Diversity, and Content Manipulation*

Armenian internet users are able to access a wide array of content online, though online media outlets based within the country are subject to financial and political pressures. In some cases, both online and traditional journalists are not allowed to deviate from the editorial policy of online media outlets, which are often linked to one of the political parties. Such pressure has the potential to affect the overall situation of freedom of speech in the country,

though online publishers and individual bloggers strongly resist self-censorship. Indeed, there is a wide diversity of opinion on social media, and virtual battles between supporters and opponents of the government are often observed. A variety of independent and opposition web resources provide Armenian audiences with politically neutral or oppositional opinions.

During the reporting period, measures were taken to limit journalists' access to politicians and government debates. In a high-profile incident on February 13, 2018, there was a clash at a Council of Elders session in Yerevan between members of the opposition Yerkir Tsirani party and members of the ruling HHK. The altercation was broadcasted online.<sup>[39]</sup> Additionally, on February 19, 2018, while making a recording with opposition politician Zaruhi Postanjyan, Ruzanna Stepanyan, *Radio Azatutyun* correspondent, and Susanna Poghosyan, correspondent for *D?I+ TV* company, were interrupted by police and a representative of the Yerevan Municipality.<sup>[40]</sup> After these two incidents, Yerevan Mayor Taron Markarian called for regulating journalists' access to council sessions by only allowing them to watch via monitors in a press room.<sup>[41]</sup> Media and human rights organizations jointly came out against these restrictions of journalists.<sup>[42]</sup> On March 23, 2018, the Armenian parliament approved the restrictions and passed legal amendments requiring reporters to acquire permission from the mayor to attend Yerevan's municipal council sessions.<sup>[43]</sup>

Social media is routinely used in Armenia. Since Pashinyan took office, he and his government have used social media and video streaming as a way to involve Armenians in the political process.<sup>[44]</sup> For example, a video shared on May 13 detailed Pashinyan and government officials boarding a plane before traveling to Sochi for a Eurasian Economic Union summit. Another newly appointed minister has also shared posts across Facebook to discuss his policy stances and decisions.

During the Velvet Revolution, there were reports that unknown social media accounts and some anonymous websites shared misinformation about the protests.<sup>[45]</sup> However, there was no clear evidence showing who was behind the misinformation. In hopes of unfollowing and countering manipulation, one report claimed that Pashinyan and other supporters of the protest created a document outlining what they perceived to be reliable and unreliable outlets and accounts. It is unclear, however, how many people contributed or whether the list was ever utilized.

In the lead-up to the April 2017 parliamentary election, observers noted attempts to manipulate the online information landscape. In March 2017, Twitter users circulated a fake email which purported to show that the U.S. government was attempting to meddle in the election with the assistance of local non-governmental organizations (NGOs). The content, disguised as an internal email leaked from the U.S. government Agency for International Development (USAID), was swiftly debunked, but users continued to share it, including accounts that bore telltale signs indicating they were automated, or bot accounts.<sup>[46]</sup> The accounts, all created at around the same time and little used, were tweeting similar content in Russian, which is understood by many Armenians though is not an official language. Observers said the activity was reminiscent of a troll farm<sup>[47]</sup> or a brigade of online commenters for hire, which were documented to be operating in Russia.<sup>[48]</sup> It is not known if the accounts were representing interests in Russia or Armenia, and it is unclear whether any candidates benefitted from the misleading information, though it may have had a destabilizing effect by undermining public trust in the election. Some of the same accounts had tweeted during 2017 anti-corruption protests in Russia, flooding hashtags used by protesters with irrelevant content.<sup>[49]</sup>

Suspected bot activity on Twitter continued through to the eve of the 2017 election, when the accounts of four prominent, respected figures in the Armenian media industry were suspended for approximately two hours. The accounts, which belonged to two independent Armenian media outlets, independent journalist Gegham Vardanyan, and the director of a local NGO<sup>[50]</sup> were among the most active in the Armenian Twittersphere documenting unfolding election results and suspected election law violations;<sup>[51]</sup> Vardanyan was among the first to tweet about the fake USAID memo. The suspended accounts were restored after users complained to the company and to international rights groups.<sup>[52]</sup> Vardanyan and other observers said the suspensions were likely triggered by bots reporting their target accounts to Twitter for violating the platform's guidelines, which can result in suspension pending further investigation.<sup>[53]</sup>

In late 2017 and during the first half of 2018, tensions between Armenian and Azerbaijani armies were relatively calm, which caused less discussions of military activities online and, in turn, less self-censorship. This lessening of tensions continues the 2017 trend of an improvement in self-censorship. In April 2016, hostilities flared between Armenia and Azerbaijan over the disputed Nagorno-Karabakh territory. Freedom of expression online was undermined when the Defense Ministry appealed to citizens to refrain from discussing the situation on the frontline on the internet for fear of revealing "war secrets" to the other side. Online commentators practiced self-censorship,



and discussions online often turned hostile when publications or users were perceived to be publishing unfavorable information or figures about Armenia's standing in the conflict.<sup>[54]</sup>

### *Digital Activism*

Armenian protest movements rely on social media to mobilize citizens and gather support. Thanks in large part to live-streaming tools and social media and communication platforms, Armenia's April and May protests led to Prime Minister Serzh Sargsyan's resignation on April 23 and the parliament's election of Pashinyan as prime minister thereafter. UCOM reported that they saw about a 300 percent increase in demand for internet traffic during the protests.<sup>[55]</sup>

Prior to and during the nationwide demonstrations, civil society organizations, activists, tech employees, and ordinary internet users turned to Telegram and other communication apps to communicate and coordinate demonstrations. Toward the beginning of the protests, for example, one private chat on Telegram added 800 members representing 20 different technology companies in less than one day.<sup>[56]</sup>

Live streaming on YouTube and Facebook by media outlets and ordinary ICT users captured pivotal moments during the demonstrations. On April 23, for example, Pashinyan's release after a one-night detention was broadcasted via live stream.<sup>[57]</sup> The YouTube and Facebook Live pages of the popular *RFE/RL*/<sup>[58]</sup> news outlet received over 100 million views in April alone, while the smaller outlet *Civilnet.am* increased its reach to over a million views in the same month.<sup>[59]</sup> News crews often followed demonstrators around cities, sometimes using a picture-in-picture view to show two locations on a screen simultaneously. Demonstrators, however, were not the only ones to recognize live streaming as essential to the protest's effectiveness, as the government also cracked down against those streaming (see Intimidation and Violence).

In early- to mid-November 2017, students protested against a new draft law on conscription. The protests against the law, 'On the Military Service and the Status of Servicemen,' suspended the regular school schedule in Yerevan. The protest organizers widely used social media, mostly Facebook and Twitter, to mobilize people.<sup>[60]</sup>

In July 2016, gunmen calling themselves the Sasna Tsrer (Daredevils of Sasoun) seized control of a police compound in Yerevan, taking several hostages. The group declared their support for Founding Parliament, a fringe political opposition movement whose leader, Jirair Sefilian, had been recently jailed on suspicion of planning to seize government buildings, and called on President Sargsyan to resign.<sup>[61]</sup> The hostage takers held the compound for two weeks and killed three police officers before surrendering.<sup>[62]</sup>

Facebook was an essential tool for locals seeking to stay informed about the confrontation, though access to the entire platform was briefly restricted (see Blocking and Filtering). The "Sasna Tsrer" Facebook group, for example, published real-time updates about the siege.

Opposition supporters who sympathized with the activists' goals gathered near the compound, but police used violent measures to contain them. In protest, demonstrators used Facebook and other platforms to mobilize thousands of people to take to the streets. Police violence escalated in turn,<sup>[63]</sup> and several journalists broadcasting news coverage in real-time were attacked (see Intimidation and Harassment).

### **Violations of User Rights:**

*There have been very few cases of prosecutions against internet users or bloggers for content posted online. While Armenia eliminated criminal penalties for defamation in 2010, concerns over high financial penalties for defamation persist, though the number of cases and fines imposed have decreased in recent years. Journalists from online media outlets were subject to targeted violence while reporting on the Velvet Revolution, with most perpetrators being law enforcement officials or police-friendly individuals.*

### *Legal Environment*

The Armenian constitution was amended following a referendum on December 6, 2015. Protections for online expression were unchanged. Article 42 guarantees freedom of speech to both individuals and media outlets, regardless of source or location.

Some laws threaten that guarantee, though they have not been widely implemented to suppress online speech. Armenian criminal legislation prohibits the dissemination of expressions calling for racial, national, or religious enmity, as well as calls for the destruction of territorial integrity or the overturning of a legitimate government or constitutional order.<sup>[64]</sup> These laws apply to expression both online and offline.

Defamation has been used by Armenian politicians to restrict public criticism in the past, though it was recently decriminalized and does not significantly curb oppositional viewpoints or media independence. In May 2010, the Armenian National Assembly passed amendments to the administrative and penal codes to decriminalize defamation, including libel and insult, and introduced moral damage compensation for public defamation.<sup>[65]</sup> In November 2011, the Constitutional Court ruled that courts should avoid imposing large fines on media outlets for defamation, resulting in a decrease in the number of defamation cases.

Armenian laws on pornography and copyright infringement generally align with European legal standards,<sup>[66]</sup> and companies have not been held liable for illegal content shared by users (see Content Removal). The act of downloading illegal materials or copyrighted publications is not subject to prosecution unless prosecutors can prove the content was stored with intent to disseminate it. Armenia is a signatory to the Council of Europe's Convention on Cybercrime, and Armenian cybercrime legislation has followed the principles declared in the Convention.

Other laws governing digital news media are viewed as largely positive. Armenian criminal legislation grants journalists certain protections related to their profession. According to Article 164 of the criminal code, hindering the legal professional activities of a journalist or forcing a journalist to disseminate or withhold information is punishable by fines or correctional labor for up to one year. The same actions committed by an official abusing their position is punishable by correctional labor for up to two years, or imprisonment for up to three years, and a ban on holding certain posts or conducting certain activities for up to three years.<sup>[67]</sup> However, neither criminal law nor media legislation clearly defines who qualifies as a journalist or whether these rights would apply to online journalists or bloggers.

In 2003, Armenian media legislation changed significantly with the adoption of the Law of the Republic of Armenia on Mass Media.<sup>[68]</sup> One of the most positive changes was the adoption of unified regulation for all types of media content irrespective of the audience, technical means, or dissemination mechanisms. Content delivered through a mobile broadcasting platform or the internet is subject to the same regulations.

#### *Prosecutions and Detentions for Online Activities*

Users are not often sanctioned for their expression online, but there have been defamation cases brought for online activity in the past. During the reporting period, public school and preschool directors filed 30 libel cases against the fact-checking website *Sut.am*, a project founded by the Union of Informed Citizens, and the website's founder Daniel Ioannisyan.<sup>[69]</sup> The cases pertained to an article published in March 2017 that claimed that school directors provided names of potential voters after being pressured by the ruling HHK during the election campaign. The 30 libel cases used similar language, were filed on the same day, and requested AMD 2 million (US\$4,200). The directors claimed that the article damaged their honor and dignity. All 30 cases were eventually dropped on the same day in July 2017.

During the Velvet Revolution, over 180 people were detained in Yerevan, but it is unclear whether any of these detentions related to online activity like live streaming.<sup>[70]</sup>

In March 2017, an Armenian court ordered the administrators of a YouTube channel, SOS TV, to apologize to the police for damaging their honor and dignity. SOS TV had posted videos satirizing police behavior (see Content Removal).<sup>[71]</sup> The administrators refused to apologize and said they would appeal.<sup>[72]</sup>

Defamation suits can be brought for moral damages, and several cases have been recorded since the compensation was introduced in 2010 (see Legal Environment).<sup>[73]</sup> In 2016, the Committee to Protect Freedom of Expression, an Armenian NGO tracking free speech issues, documented 17 new court cases involving mass media, including 14 insult or defamation charges, though it is not clear how many of them relate to online speech.<sup>[74]</sup>

#### *Surveillance, Privacy, and Anonymity*

The Protection of Personal Data law, which came into effect in July 2015,<sup>[75]</sup> protects the right to personal privacy with respect to the processing of personal data, bringing Armenian law in line with European standards and international obligations. The law created the Agency for Protection of Personal Data, which has the authority to appeal decisions of state agencies where they violate the right to privacy with regard to personal data.

Under the same law, government and law enforcement bodies are allowed to collect an individual's personal data, but only with a court order in cases prescribed by the law. Government monitoring and storage of customer data is illegal unless it is required for the provision of services. Only data obtained according to the narrow legal



requirements may be used as evidence in legal proceedings. Nonetheless, the courts support most data requests from law enforcement bodies. Armenia's judiciary lacks independence from the executive, and it is one of the least trusted public institutions.<sup>[76]</sup>

The Personal Data Protection Agency publishes tutorials to instruct users on how to protect their personal data on social media and on their smartphones.<sup>[77]</sup> The Agency started publishing these tutorials in 2016, but only recently made them public on their Facebook page.

Anonymous communication and encryption tools are not prohibited in Armenia; however, the use of proxy servers is not very common. Individuals are required to present identification when purchasing a SIM card for mobile phones. No registration is required for bloggers or online media outlets.

Armenian legislation does not require access or hosting service providers to monitor traffic or content. Moreover, the Law on Electronic Communication allows operators and service providers to store only data required for correct billing. Cybercafes and other public access points are not required to identify clients or to monitor or store personal data and traffic information.

### *Intimidation and Violence*

At least 16 journalists faced physical harassment and violence during the Velvet Revolution, many of whom were targeted for live streaming the protests in real-time.<sup>[78]</sup> Both Narya Bulgadaryan, *Radio Azatutyun* reporter, and Vrezh Margaryan, *Factor.am* reporter, had their cameras smashed by police. *CivilNet.am* reporter Tatul Hakobyan was also attacked while trying to film Pashinyan's arrest. On April 22, another police officer assaulted Public Radio of Armenia correspondent Aza Sargsyan while trying to live stream.<sup>[79]</sup>

Civilian-clothed individuals, suspected to be police or supporters of the police, also attacked online journalists during the demonstrations. On April 21, Arus Hakobyan, correspondent for *Radio Azatutyun*, was assaulted while live streaming an argument between government supporters and opposition activists heading to Yerevan to join the protests. She reported blood coming from her teeth afterwards and noted that police on the scene did nothing to help her.<sup>[80]</sup> Ani Grigoryan of *CivilNet.am* and Tehmine Yenokyan of *Lragir.am* were also attacked by civilian-clothed individuals suspected to be police or government sympathizers.

On April 20, Tirayr Muradyan, an online journalist for the Union of Informed Citizens and *Sut.am* news website, was physically forced into a police car while covering demonstrations despite showing his media credentials, and then later dropped off.<sup>[81]</sup> The day prior to this incident, Muradyan reported that plainclothed individuals beat him up while police were in the area.<sup>[82]</sup>

During the previous reporting period, multiple journalists faced violence in the performance of their work, and several appeared to have been targeted because they were broadcasting online. Sisak Gabrielian, a journalist working for *RFE/RL*, was assaulted near a HHK campaign office by government loyalists while investigating potential voter fraud during the April 2017 parliamentary elections. Gabrielian reported receiving minor injuries.<sup>[83]</sup>

Law enforcement authorities targeted journalists during the two weeks that the Yerevan police compound was under siege from armed activists in July 2016 (see Digital Activism). According to a report by Armenian NGO Committee to Protect Freedom of Expression (CPFE), police used violence against 19 journalists while attempting to disperse antigovernment protesters who gathered in support of the raid. Many worked for online news outlets and were using digital live-streaming tools to broadcast the events in real-time. Mariam Grigoryan, a journalist for the news website *lin*, told CPFE that police intentionally gathered journalists in one place in order to obstruct their work. She was injured by a flash grenade thrown by police officers. Another *lin* journalist, Davit Harutyunyan, reported that police officers beat him, causing bruising across his body, and broke his equipment after he continued broadcasting live footage of police attacking journalists.<sup>[84]</sup> President Sargsyan publicly apologized to journalists for the violence, and several police officers were sanctioned for their participation in the incidents.<sup>[85]</sup>

### *Technical Attacks*

Technical attacks target both government websites and civil society groups in Armenia, although there were no reported cases of hacking attempts against civil society figures during the reporting period. In November 2017, however, it was reported that Azerbaijani hackers targeted several thousand Armenians and leaked their Facebook information, including email addresses and passwords in some cases. The leaks were so-called patriotic hacking attacks.<sup>[86]</sup>

Government websites are also periodically targeted by cyberattacks. Most of the attacks are believed to originate in Azerbaijan. For example, in August 2017, a large number of Armenian websites were hacked by groups which news reports said were based in Azerbaijan. The hackers also targeted state websites, including the sites of various Armenian embassies.<sup>[87]</sup>

On November 2, 2017, the *Associated Press* (AP) reported that Fancy Bear, the hacking group which is perceived to be aligned with the Russian government, hacked individuals across the world during the 2016 U.S. presidential election.<sup>[88]</sup> On the list of those targeted includes 41 citizens of Armenia.<sup>[89]</sup> While the identities of the Armenians who were targeted are not public, AP reported that Maria Titizian, *EVN Report* Editor-in-Chief, had been targeted since the 2015 Electric Yerevan protests.<sup>[90]</sup> Other targets are reportedly Western-leaning political scientists and analysts.<sup>[91]</sup>

On June 7, 2017, the government ordered the PSRC to mandate ISPs to provide internet connectivity to the governmental bodies, as well as to the local governments with distributed denial-of-service (DDOS) protection.<sup>[92]</sup>

A large number of email users, many of them civic activists and independent journalists, reported hacking<sup>[93]</sup> and phishing<sup>[94]</sup> attempts on their accounts, particularly in the weeks preceding the April 2017 parliamentary elections. For example, prominent commentator Babken DerGrigorian received a notification from Google a day before the election indicating that government-backed hackers had tried to compromise his Gmail account.<sup>[95]</sup> The timing of these attacks may indicate attempts to disrupt independent coverage of the election. The origin of these attacks remains unclear.

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