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Constitutional Court strengthens media freedom in Armenia

European Friends of Armenia (www.EuFoA.org) strongly welcomes this week's ruling of Armenia's Constitutional Court, which strengthens media freedom. The ruling provides interpretation guidelines for the new defamation law, following a request by the Armenian Ombudsman, Karen Andreasyan.

During the recently organised EuFoA round-table on the state of Democracy and Human Rights in Armenia, Mr Andreasyan elaborated his decision to address the Court, saying that *"even though the law itself is good and largely based upon recommendations from the Council of Europe, high fines are regularly issued by courts where the European case law would demonstrate greater tolerance when dealing with such issues"*. He expressed hope that *"guidelines for the handling of future cases can be created and thus the existing problems can be contained"*. The Court's ruling is a success for the Ombudsman and media freedom in Armenia.

"Political journalism in Armenia has become more and more outspoken and sometimes very polarised in Armenia, where observers talk about 'pro-governmental' and 'pro-oppositional' press. We welcome that today the resulting disagreements about libel, like in any European country, are addressed in civil courts", comments EuFoA Secretary General, Dr Michael Kambeck. *"Thanks to the timely initiative by the Ombudsman and the prioritisation of the issue by the Constitutional Court, Armenia is now heading towards the upcoming parliamentary elections with improved safeguards for media. This is a vital step for a more democratic media landscape and discussion culture."*

Armenian legislators decriminalised libel in 2010 but in too many cases, the fines allocated by Armenian courts threatened the survival of the media concerned. The Constitutional Court now ensured a better application of this new law and wisely did not simply refer the law back to the National Assembly for a lengthy redrafting procedure. The new ruling orders courts to take into account the financial capabilities of the convicted and largely excludes that journalistic opinions and interpretations can be taken as libel. This considerably widens media freedom. Inspired by European best practices in the field of libel legislation and freedom of speech, the ruling is an important step for Armenia to implement European values and standards in the country's political arena.

EuFoA is happy to provide commentary or background analysis in English, German, French, Italian, Polish, Russian and Armenian. Members of the Europe-Armenia Advisory Council may also be available for comments; for enquiries please contact our secretariat.

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