

## The situation with freedom of expression in Armenia

### *Helsinki Committee of Armenia*

Freedom of expression in Armenia is encroached to a progressively greater extent. Since 2002, when A1+ TV Company was taken off the air, all TV Companies have lost their independence and are to a differing extent under the Government's control, while covert censorship is practiced.

In 2006, too, there were several instances of journalists being targeted by thugs or harassed with criminal prosecution. As a rule, the perpetrators of violence against journalists are not discovered by law-enforcement agencies and are not punished.

All this can be qualified as another attempt on the part of the authorities to restrict freedom of expression against the background of the upcoming elections.

Listed below are incidents of violence against journalists.

**1. On January 30** in Yerevan downtown sports reporter of “**Haikakan Zhamanak**” daily David Jalalian was assaulted. An unknown male assailant hit the journalist with a knife in the abdomen. Due to the clothes the wound turned to be light and not dangerous for life. Encountering the resistance of David Jalalian, the perpetrator disappeared from the scene. David Jalalian himself and Editor-in-Chief of “Haikakan Zhamanak” Nikol Pashinian could not explain the reason, however, they thought it might be related to professional activities of the journalist.

**2. In the early morning of May 16** in Vanadzor the car owned by the Executive Director of “**Lori**” TV company Narineh Avetisian was stoned. The glasses of the car were broken. After a talk show dealing with the problems of Vanadzor residents, living in the temporary dwellings in one of the city areas, in particular, their eviction process and the sale of the land lots at low prices and with no auctioning, she was going out into the street and she found the car damaged. The two other cars standing by were left intact. **On February 23** she was insulted by the owner of two routes of the city microbuses. The discontent of the entrepreneur was raised by the persistence of the TV company to raise on its air the issue of ungrounded fare raises in the city transport. According to Narineh Avetisian, the entrepreneur was summoned to the police for a confrontation and, as far as she knows, this is how the investigation ended.

3. In “**Syunyats Yerkir**” (Kapan, Syunik region) newspaper on June 15, 2006 was published article “Syunik Energy System Is Corrupt, If Not Fully Corrupt”. **On June 21**, as the statement of the editorial staff tells, the office was visited by the heads of “Tatev” branch of “Electric Networks of Armenia” CJSC, who were offered to publish their response or objections to this article. However, the statement stresses, this offer did not satisfy the management of the regional electrical network, and they orders to cut off the power supply of the “Syunyats Yerkir” office. As a result, the work of the editorial staff was suspended.

4. On July 10 “**Hetq**” online newspaper (the weekly publication of “Investigative Journalists” NGO) reported that throughout the past week “Hetq” received e-mail messages with threats and abuse to the address of “Investigative Journalists”: “The messages warned against writing any more articles about Gagik Tsarukian (RA National Assembly deputy, head of “Multi Group” concern - Ed. note), making threats if disobeyed.” On July 7, the weekly tells, the Chairman of “Investigative Journalists” and the Chief Editor of “Hetq” Edik Baghdasarian addressed the Head of the RA National Security Service Gorik Hakobian with a request to disclose and punish the author of the messages, as the law provides. On July 12 the National Security Service

informed him that the messages were sent out from Irwin, Los Angeles suburb. However, further investigation is impossible as there is no appropriate intergovernmental agreement between USA and Armenia. According to Edik Baghdasarian, the investigation that his organization undertook yielded similar data. For this reason, not expecting an answer from NSS, on July 11 he addressed the US Embassy in Armenia with a request to assist the search of the e-mail author.

5. On July 12 the freelance correspondent of “**Chorrord Ishkhanutiun**” and “**Aravot**” newspapers Gagik Shamshian, residing in Nubarashen, was harassed by the relatives and subordinates of Nubarashen head Mher Hovhannisian with regard to an article, published on July 11 in “Chorrord Ishkhanutiun” (the piece told, in particular, about two relatives of the Nubarashen head, charged with robbery at a Yerevan bank). The journalist was threatened, insulted, his personal belongings were taken away. The harassment continued for days to come: on July 13 the power supply was cut off at the flat of the journalist and the phone line was disconnected, on July 18 several dozens of Nubarashen resident held a “protest action” against Gagik Shamshian. Gagik Shamshian appealed to Erebuni Department of the RA Police. The Prosecutor's Office of Erebuni and Nubarashen communities of Yerevan instituted criminal proceedings on Article 164 (“Impeding the Legitimate Professional Activities of Journalist”), part 1 of Article 176 (“Robbery”) and part 3 of Article 258 (“Public Disorder”) of the RA Criminal Code. On August 3 the Erebuni Investigation Division of the Chief Investigation Department of the RA Police instituted criminal proceedings against Gagik Shamshian himself. The journalist is charged with Part 1 of Article 136 (“Insult”), Parts 1 and 2 of Article 178 (“Cheating”) and Part 1 of Article 182 “Extortion” of the RA Criminal Code.

6. In the morning of September 6 Editor of “**Iravunk**” newspaper Hovhannes Galajian was attacked as he was leaving home: two young men with their heads shaved assaulted the journalist, threw him on the ground and started kicking. Noticing that they were attracting the attention of the passers-by, the attackers left off. Right after the incident the journalist reported it to the Police Division of Arabkir community of Yerevan. As the medical examination showed, Hovhannes Galajian received slight bodily injuries. The Police Division of Arabkir community instituted criminal proceedings as per the Article 118 of the RA Criminal Code (“Beating”).

7. On June 26 the Editor-in-Chief of “**Zhamanak-Yerevan**” daily (the off-shoot of the US-based “Zhamanak-Los Angeles” intended for Armenia, was launched in May this year and immediately expressed itself as a strongly oppositional daily. Arman Babajanian heads both newspapers.) Arman Babajanian was detained. Criminal proceedings were instituted against Arman Babajanian, as per on part 2 of paragraph 2, Article 327 of the RA Criminal Code. (“Avoidance of military service, military exercise or summons”). On July 17 due to the new circumstances revealed in the course of investigation, the charges against Arman Babajanian were extended to include another article of the RA Criminal Code. Arman Babajanian pleaded partially guilty, he made a confession that “he had forged documents to avoid drafting for military service” in November 2002. Only the charge on paragraph 2 of Part 2 of Article 327 was found by the court to be proved. The sentence was defined to be 4 years of imprisonment (notably, Part 2 of Article 327 stipulates the punishment of arrest for 1 to 3 months or imprisonment for 1 to 5 years). On September 25 Robert Grigorian, the attorney of the Arman Babajanian, challenged the sentence of his defendant with the RA Court of Appeals.

8. Recently Armineh Ohanian, who also collaborates with “**Zhamanak-Yerevan**”, was dismissed from the position of press-secretary of the RA Court of Appeals for Civil Cases. “I was offered a choice - either publications, or the position of press-secretary. I chose the former”, Armine Ohanian told “Aravot” daily (July 1, 2006). “Aravot”, on its behalf, made a supposition that the “last straw” was the article of the journalist about Arman Babajanian.

9. On May 25 the National Commission on Television and Radio announced the results for radio broadcast licensing competitions of December 27, 2005 for two vacant FMs in Yerevan - 90.3 and 90.7 MHz. By the voting of the National Commission members, the “A1+” TV company founder, “Meltex” LLC did not gain the right to broadcast on these frequencies.

Thus, since being deprived of air in April 2002 and to this day “A1+” took part in all broadcast licensing competitions for TV /8/ and in for radio /4/ (except the Yerevan competitions announced in 2005, because it offered licenses for exclusively re-broadcasting of already existing channels and not an access to the audience with their own programs). “A1+” “lost” all competitions.

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