

OSCE HUMAN DIMENTION IMPLEMENTATION MEETING  
Warsaw, 29 September – 10 October 2008

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**Working session 2**

**Fundamental freedoms I, including:**

**Freedom of expression, free media and information**

**STATEMENT**

**BY THE DELEGATION OF THE REPUBLIC OF ARMENIA**

**IN THE EXERCISE OF THE RIGHT OF REPLY**

On September 10, 2008 an amendment to the Law on Television and Radio of the Republic of Armenia was adopted by the National Assembly which supplements Article 59 of the said Law with a new paragraph stating the following:

“Competitions for licensing of television and radio broadcasting shall not be announced until 20 July 2010. TV companies having license that expires before 21 January 2011 may submit an application for extending the validity period of the license to the National Commission. The validity period of the license is extended for the claimed period but not longer than 21 January 2011.”

The motion was driven by the commitment of the Republic of Armenia to start the digitalization process according to the rules set by the International Telecommunications Union (ITU,) and have the switch-over in effect by 2012. It is in line with international practice to have a period of moratorium for issuing analogue licenses. The timeframe chosen takes into account legal issues that might arise from early termination of licenses as such a motion has to take into consideration the legitimate interests of broadcasters that have made investments and count on certain business period. Hence the switch-over from analogue to digital broadcasting should be carried out in a gradual manner, for which a moratorium is required.

In addition, a moratorium provides enough time for all contenders to have sufficient time for adequate preparations and allows for the competition to be carried out on an equal-footing in a fair and transparent manner.

The recent amendment to the Law on Television and Radio of the Republic of Armenia establishes a technical guidelines for switch-over to digitalized broadcasting according to ITU requirements and will be carried out according to,

inter alia, the Council of Europe Committee of Ministers Recommendation Rec(2003). It can in no way be interpreted as a step impeding on the rights of existing or any of the potential broadcasters.