

## AEJ AUSTRIA 2014 CONGRESS MEDIA FREEDOM REPORT: ARMENIA

by Liana Sayadyan

Protection of journalists sources: Hraparak newspaper and iLur.am online news outlet have appealed to Armenia's highest appeal court, the Court of Cassation, against a court order obliging them to reveal their confidential sources in a violent assault case. A disturbing precedent was set when the court of First Instance and the Court of Appeal both ruled that the two media organisations should disclose the source of their reports, upholding the prosecution's case that the protection of public interest in the criminal process is stronger than the public interest in not disclosing the source. Armenia's Law on Mass Media clearly protects the right of journalist to keep their sources anonymous.

The case: <http://media.am/en/armenian-journalist-info-source-case-in-court> concerns media reports about a violent brawl between a regional police chief and two athlete brothers, in which the police officer allegedly struck one of the brothers on the head with a gun, and held the same gun to the chest of the other brother.

Gevorg Hayrapatyan, a lawyer for the Freedom of Information Center of Armenia, commented that the principle of respecting a journalist's confidential sources may only be questioned in cases where there is no alternative to solve a particularly grave crime. He questioned whether the true motive of the prosecution was to ensure the public interest, or rather to silence news outlets.

Law-enforcement failures in cases of attacks targeting journalists: On 13 September 2014, Hetq reported on a case in which a reporter from that newspaper was assaulted outside a trial court in May this year by supporters of a former leader of the Progressive Socialist Party Robert Aharonyan.

In August 18 a decision was made to quash the case, despite material evidence, including video footage of the incident, being presented to the police. It is reported that the investigator did not consider the statement addressed to the journalist "You be careful; We'll find [you] in Yerevan [and] kill you" to be a serious threat.

Hetq reported that the police refused to launch a criminal case on the grounds of hindrance of the professional duties of the female journalists who was assaulted, Ani Hovhannisyan. And that an investigator identified as H. Mkrtchyan said, "... issuing threats to Ani Hovhannisyan happened during the conflict, at a moment of anger, and they weren't serious..."

The newspaper's account states that the investigator justified the aggressive behavior of the men allegedly involved solely on the basis of their testimonies, concluding without an assessment that they were in an "emotional" state; meanwhile, videos uploaded online show the exact opposite.

Systematic monitoring of attacks and violations: Hetq newspaper continues to monitor and report on frequent cases of violence, obstruction, judicial harassment and failures by state authorities to protect journalists' individual and professional rights.

Information about cases of violence against journalists in Armenia during the first nine months of 2014 is published on this link <http://hetq.am/eng/news/56431/armenian-police-not-inclined-to-expose-cases-of-violence-against-journalists-corporis-delicti-nearly-always-absent.html> A detailed analysis of incidents of violations of journalists' safety and the protection of journalism in 2013 can be found here: <http://hetq.am/eng/news/31380/freedom-of-news-outlets-in-armenia.html>