

A Tale of Two Environments: Practices and Regulations Shaping Armenian Traditional and Online News Media

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Abstract

Armenian regulatory commissions have maintained tight control over the broadcast media through licensing legislation, undermining media independence and plurality. On the other hand, many independent online media have rapidly grown and contributed to the open public expression and diversity of voices in the media market. What are the factors that have made it possible for Armenian online media to go against the grain and break through the conventional control mechanisms?

Introduction

Armenian traditional media continue to face challenges that impede media freedom. A lack of independence, poor legislation and the working conditions of the journalists have all played a role in compromising media freedom. The regulation of broadcast media licensing has served as an important control mechanism for the state. Armenian regulatory commissions have maintained tight control over Armenian TV, the major news source for 90 percent of the population, favoring government-friendly channels and restricting diversity of opinions. The opposition has been limited to a number of low-circulation newspapers consumed by a mere 1 percent of the population.

The internet, nevertheless, is changing the scenario. The entry of new providers into the market and the decreased cost of using the Armenian internet have greatly contributed to the rate of internet penetration, raising it to 57 percent across the country. Armenian authorities have also taken a more liberal approach to internet regulation adopting the best practices of European legislation for the operation of service providers. The Armenian authorities do not engage in extensive blocking and filtering of content and have only applied censorship in occasional attempts during periods of heightened political activity. In a short time, the conditions under which the internet operates have allowed fast development of the independent online news media, which have increased the level of pluralism in the Armenian media landscape. By offering high volumes of fast and diverse content, the online media have gained more audience share than print and radio together, becoming the second major source of news for Armenians. This article examines the set of practices and regulations that have reinforced the lack of media independence, and have helped the rise of independent online media.

Traditional Media Environment

Being a full member of the Council of Europe since 2001 and a participating state in the OSCE since 1992, Armenia has made commitments to respect and protect free-

dom of the media, in addition to the constitutional protection of freedom of expression. However, the overall media environment has remained somewhat oppressive. International organizations have continuously identified low levels of media independence, limited plurality of opinions, a difficult legal environment, and poor working conditions for journalists as major issues that Armenia needs to address to improve its media freedom.

Armenian traditional media have been unable to provide diversity and open public expression due to the concentration of ownership, high levels of partisanship, and state-directed monopoly of control. Many of the newspapers are financially dependent on influential political and business figures and carry strong political biases. The broadcast media particularly lack in independence: television, which is the most popular source of news for Armenians, has been restricted to channels that portray the state favourably. The influence of interests is particularly apparent and consequential during elections. For example, the 2012 parliamentary elections were marked by several TV channels using material taken from paid political advertisements in their news coverage, failing to fulfil their duty to the public, and damaging the credibility of their reporting. The lack of independence and pressures for self-censorship also hindered the traditional media from covering important issues during the campaign, including various allegations of corruption.

The lack of media independence has been reinforced under the cover of legal mechanisms, such as restricting broadcasting licenses to the media that promote the interests of power holders. The broadcast media is regulated by the National Commission on Television and Radio (NCTR), which is an independent body according to the Armenian constitution. However, the members of the NCTR are appointed by the parliamentary majority with preference given to those who have a pro-government bias. Thus, essential decisions about licensing regulations are taken at the discretion of the NCTR, whose independence is highly questionable. Several legal changes in recent years have amplified the possibilities of power holders to put pressure on the media. In

2010, amendments to the Law on Television and Radio enabled the NCTR to revoke licenses without any justification and to impose broadcasting restrictions. The law also specifies that only one digital television license will be issued for each region outside of the capital (Freedom House, 2011). Such broadcast media regulation has traditionally served as one of the most powerful mechanisms of control over the Armenian media.

The Expanding Internet and the Rise of Online News Media

The internet has rapidly expanded in Armenia in recent years. The entry of new providers into the market, improved internet bandwidth, the launch and extension of 2G and 3G telecommunication network services to the distant regions of Armenia, and the decreased cost of the Armenian internet have greatly contributed to the rate of internet penetration (Open Society Foundation, 2013; ITU, 2011). According to a nationwide survey by the NGO *Internet Society of Armenia*, during December 2012 and March 2013, approximately 57 percent of Armenians had access to the internet at home, at work or in public spaces, including via mobile phones. In Armenia's capital, the internet users represent 61 percent of the population, and they represent 48 percent in other regions (Internet Society of Armenia, 2013).

The internet expansion has been accompanied by the emergence and development of many independent online news media. By offering high volumes of rapid and diverse content with low production costs, the online media have greatly contributed to the media plurality and gained more audience share than print and radio together. As of 2011, 7 percent of Armenians used the internet as a source of information, while only 2 percent preferred radio and 1 percent preferred newspapers. Approximately 36 percent of internet users turn to online media for reading news, and that number is steadily increasing. Compared with the most widely read daily newspapers, which have a circulation of 2,000–6,000 copies per day, the audience of the top five news websites is 20–30 times larger. For example, the most popular online news media, News.am, received approximately three million monthly visits in 2011 (Open Society Foundation, 2013, pp. 17–24). Many independent web resources, such as News.am, publish factual, non-biased content. Such publications provide freedoms to journalists to report on all types of issues. But what factors have contributed to the rise of independent online news media?

Against the Grain: Online Media Environment

Governments in many countries apply a variety of tactics to censor and control the information flow online,

restricting media freedom. Legal regulations, as well as internet infrastructure-based controls, are commonly used to restrict freedom of expression and access to information, with third parties frequently implementing this mission. For example, popular information intermediaries such as Google and Twitter receive thousands of requests from governments around the world asking them to remove content deemed illegal. In Russia, new legislation allows the state to block websites if they publish so-called “extremist” or “harmful” materials (Bochenek, 2013; La Rue & Reidy, 2013). An example of infrastructure-based control is the “kill-switch” strategy: when governments completely cut internet access during times of social unrest by ordering outages of the internet infrastructure. Such cases have happened during the civil unrests in several North African countries in 2011 and in the aftermath of the 2009 disputed Iranian presidential elections (Deibert, 2010; DeNardis, 2012).

Despite the stringent control of online information flows in many countries, the Armenian internet is not on the list of heavily censored networks (Reporters Without Borders, 2013; OpenNet Initiative, 2010) and is considered “free” (Freedom House, 2013). The Armenian internet appears to be relatively more open due to the liberal operation of service providers based on favourable legislation, fewer obstacles to internet access, and fewer limits on content. According to the amended Law on Electronic Communication, the internet service providers in Armenia are not required to obtain a license to operate; they need only notify the regulatory authority (Freedom House, 2013). Armenian service providers and host service owners are not liable for storing or transmitting illegal content, unless they had prior knowledge of such content. These regulations play a huge role in allowing a free flow of online news: the service providers do not need to engage in censorship in fear of being held liable for illegal, defamatory or harmful content.

There have been no significant cases of blocking content since the 2008 presidential elections, which were followed by a state of emergency and media blackout. At the time, upon request from the Armenian government, the domain name registrar suspended the domain names of opposition and independent news sites, while the internet service providers blocked certain opposition pages on social network platforms (Freedom House, 2013). A distributed denial-of-service (DDoS) attack in Armenia occurred during the 2012 parliamentary elections and during the 2013 presidential election. The targets of attacks were an oppositional news site, a blog aggregator and an election monitoring website. Some selective filtering of the political and national security-related content also occurs, but the Armenian government has not engaged in any consistent censorship activ-

ities (Freedom House, 2013; Open Net Initiative, 2010). The reason for the government's inconsistent intervention online may be the relatively small audience of the online media (compared to television) and its limited influence on social change.

Conclusion

The conditions under which the internet operates have facilitated the growth of Armenian online media. Liberal regulation of the service providers in Armenia, adopted based on the best practices of European legislation, as well as the absence of aggressive censorship activities, have created a more benevolent environment for Armenian online media. Additionally, and more importantly, Armenian online media do not require a license to operate, and can be started with little financial investment in comparison to the broadcast media. Consequently, in a short period many independent online news media were launched contributing to the pluralism and diversity in the media market.

Some of the challenges that the traditional media face are shared by the online media as well, includ-

ing defamation lawsuits used as a proxy for oppression against the oppositional media; the ownership and editorial policy influence on content; and the occasional violence against journalists during elections and periods of political unrest. Additionally, despite the benevolent regulatory environment for the internet service providers, host owners, online media, and various online service providers, there is no insurance against government interventions. Armenian authorities readily block the information flow when there is a real threat to their power, as there was during the mass protests following the 2008 presidential election. The government did not hesitate to interrupt the frequencies of broadcast media, to censor print houses, to block the oppositional websites and social networks, and to order the arrest of more than a hundred civilians. There is no guarantee that a similar situation will not occur again when the stakes are high. But for now, the online news media are growing to become an alternative source to the state-dependent broadcast media.

About the Author

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