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A STUDY OF FREEDOM OF SPEECH AND MEDIA
IN ARMENIA: YESTERDAY, TODAY AND TOMORROW

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TABLE OF CONTENTS

1. Introduction	5
2. Literature Review	6
3. Methodology.....	8
4. Part I. Findings. How developed is the sphere of free media in the countries of the South Caucasus, and especially in Armenia?	
4.1. Discussion.....	9
4.1.1. Azerbaijan	10
4.1.2. Georgia	11
4.1.3. Armenia.....	13
4.1.4. Armenia Today.....	15
4.2. Analysis.....	18
5. Part II. Findings. How satisfied is the public with the quality and quantity of the information of local importance provided by the broadcast media of Armenia?	
5.1. Discussion.....	20
5.2. Analysis.....	21
6. Conclusion	22
7. Policy Recommendations.....	23
8. List of References.....	25

LIST OF CHARTS AND TABLES

Chart 1: Reporters Without Borders Index 2007-2008	28
Chart 2: Public Opinion Survey Results, Yerevan, October 2008.....	28
Table A: Media legislation of Armenia, Georgia and Azerbaijan.....	29
Table 1: Type of mass medium preferred.....	29
Table 2: Frequencies. Correctness of Information.....	29
Table 3: Frequencies. Satisfaction with the Information Provided.....	30
Table 4: Frequencies. Age.....	30
Table 5: Frequencies. Education.....	30

Introduction

The purpose of this policy internship project is to analyze the current situation with freedom of speech and free press in Armenia. The analysis will start with outlining the chronological development of this sphere during the last decade in three countries of the South Caucasus (Armenia, Georgia and Azerbaijan), then comparing it to each other; and will proceed with introducing the current situation in Armenia in more detail and comparing it to the previous years.

Research questions of the present project are the following:

1. How developed is the sphere of free media in the countries of the South Caucasus, and especially in Armenia?
2. How satisfied is the public with the quality and quantity of the information of local importance provided by the broadcast media of Armenia?
3. Is freedom of speech and free press in Armenia a distant dream or a policy that is in a gradual progress?
4. What can the media and the society do to improve the situation?

The present project will start with a literature review briefly introducing the roots of the concepts “freedom of speech” and “freedom of press” and their current role in the formation of democratic society. Further the methodology of the research will be introduced. It will be followed by findings and analysis for the first and the second research questions.

Then, conclusions will be made to answer the third research question, and finally, some policy recommendations will be suggested for the forth research question. Recommendations will be given separately to state institutions, non-governmental organizations, and stakeholders: journalists and civil society.

Literature Review

“Freedom of speech is a human yearning – insistent, persistent, and universal” (Smolla 1992, 3). Today, in the age of globalization and information boom, the same idea can be applied to the freedom of press. Millions of people all over the world form their opinions about the reality depending on the news coverage presented by the journalists. Mass media provides people with enough information that further helps to form public opinion and promote active participation of people in political affairs (Graber 1993). That is why it is so important to have truly free press.

The roots of freedom of press and freedom of expression go deep into the history. “The phrase “freedom of speech” originated in Anglo-American history during the struggle of the Parliament to achieve the privilege of free debate, and in that sense it has a history separate from the history of free speech as a civil liberty” (Levy 1985, 3). Freedom of speech became not only a parliamentary right, but also a civil right already in the end of the eighteenth century. At that time freedom of speech derived from freedom of press and freedom of religion (Levy 1985).

As Levy points out,

“Neither freedom of speech nor freedom of press could become a civil liberty until people believed that the truth of their opinions ... was relative rather than absolute; until kings and parliaments felt sufficiently strong and stable to be able to ignore political criticism; and until the people considered themselves as the source of sovereignty, the masters rather than the servants of the government” (1985, 5).

The Universal Declaration of Human Rights (December 10, 1948) is the first document that universally declared by its Article 19 that, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers” (www.un.org).

Today, when so much has already been spoken about the rights and freedoms of people, the world is full of clichés about free speech. “At some point in a debate over freedom of speech someone will be tempted to pontificate, “I disagree with what you say but will defend to the death your right to say it.” The stock rejoinder will usually be “But free speech does not include the right falsely to shout ‘Fire!’ in a crowded theater.” To which the reply may be “I was taught that ‘sticks and stones may break my bones, but words will never hurt me’.” (Smolla 1992, 22). Although people are so well informed about their rights and responsibilities regarding the right to speak freely and to freely receive information, the reality does not always reflect the theory.

The need to have free press in a democratic political system is obvious basically because otherwise the public won’t be able to receive all the information it needs about government actions or public issues that is necessary to exercise its sovereign powers (Bollinger 1946).

Many scholars have examined the effect of press on citizens’ political knowledge and political participation, among those, Bartels (1993), as well as Iyengar and Kinder (1987). They all support the idea that mass media does matter. Indeed, while mass media often shapes the knowledge, provides necessary information on political issues and motivates the citizens to be more politically active (Carpini et al. 1996, Scott and Trautman 2004), absence of freedom of speech may result in informational vacuum or disinformation.

The sweet freedom of speech... In spite of all the above-mentioned facts, some still may think that journalists have it in excess. Maybe that is the reason why completely free press seems to be a utopia in Armenia today, and journalism is still a very challenging profession both in war and in peacetime. While numerous scholars try to build worldwide patterns of countries with “free” or “not free” media and society, the present project will

focus on narrower circles and try to analyze the above-mentioned phenomena within the frameworks of South Caucasus region and Armenia in particular.

One of the reasons why it would be useful to compare the situation in Armenia with that of Georgia and Azerbaijan is that these three countries share a similar geopolitical and historical background, including the legacy of more than 70 years of Soviet power and the fact of being young democracies.

According to some analysts (Sayadyan 2007), problems with freedom of the press in Armenia stem from the following factors: legal restrictions, violence and failures of the rule of law, economic dependency, and a low level of professionalism and professional ethics. The subsequent research will try to find out which of those factors apply to the Armenian reality today, and whether the same logic can be relevant for the other countries of the South Caucasus.

Methodology

The methodology of the present project is largely based on two approaches. In order to answer the first research question, how developed the sphere of free media in the countries of the South Caucasus, and especially in Armenia is, comparative analysis will be done of the media legislation and its implementation in Armenia, Georgia and Azerbaijan, including analysis of constitutional provisions of the countries, freedom of expression, general media legislations, and specific provisions on broadcast sphere. This comparison will be followed by analysis of the existing findings regarding the current situation in the sphere of freedom of media in Armenia during the last two years.

To answer the second research question, how satisfied the public is with the quality and quantity of the information of local importance provided by the broadcast media of Armenia, results of a public opinion survey will be analyzed. The public opinion survey was

conducted by Yerevan Press Club in Yerevan, in October 2008. For the purpose of this study 400 respondents were randomly selected¹ in Yerevan. A total of 400 interviews were conducted. Some of the questions of the survey were aimed at finding out if the respondents considered the information provided by Armenian media correct, if they were satisfied with the quality of the news provided by the media and if they were satisfied with the quantity of the news coverage of the issues important² for Armenia.

The answers to the last two research questions regarding the future steps that should be taken to improve freedom of speech and press in Armenia, will be based on the both above-mentioned analyses and will make conclusions and policy recommendations.

Findings. Part 1.

How developed is the sphere of free media in the countries of the South Caucasus, and especially in Armenia?

“The degree of observance of the rights of journalists and media is often called a measure of democracy level in the state and the society” (Melikyan, Gasanov, Gugunishvili 2004, 464). Sharing similar history of Soviet era and being situated in the same geopolitical region, Armenia, Georgia and Azerbaijan nowadays experience many similar problems, among those there are some related to freedom of press and freedom of expression. In general, “development of the South Caucasian countries during last years passed in the same dynamics” (Melikyan et al. 2004, 343).

After joining the Council of Europe, legal and normative bases of the three countries had to be brought into compliance with international standards. Nevertheless, in practice

¹ Respondents (18 years old or older) were chosen randomly from 400 households that were proportionally chosen from each community, according to the number of its population by a systematic sampling with a random start.

² Thirteen issues of local importance were chosen to measure the level of satisfaction of the respondent with the quantity of news provided. The issues included political news, legislation, business, economics, local self-administration, human rights, healthcare, education, social security, etc. Answers to each of them were then grouped in order to see a general tendency of satisfaction.

there were still many inconsistencies that needed time to be fixed. Although existing progress should not be underestimated, annual surveys of “Freedom House” in 2000-2003 were still announcing Armenia, Georgia and Azerbaijan as partly free or not free interchangeably (Melikyan et al. 2004).

Azerbaijan

Although the mass media legislation of this country is a comparatively new process, its development started very actively. Freedom of mass information in Azerbaijan is defended by Article 50 of the Constitution which provides for the rights to freely search, purchase, transfer, compile and disseminate information (Constitution of the Azerbaijan Republic).

These functions fully coincide with Article 10 of the European Human Rights Convention. Even though Azerbaijan, as well as Armenia and Georgia, has some obligations regarding the freedom of press before the Council of Europe, some laws (even in draft yet) aim at limiting the rights and freedoms of the media. While there is always a lot of pressure on the lawmakers on behalf of the stakeholders, some inconsistencies still slip into the laws, and then amendments are required.

Nevertheless, Azerbaijan aims at creating confident legal conditions to guarantee pluralism in mass media. The country wants to have access to a greater number of various sources of information, means of production and distribution. There is another major problem Azerbaijan faces today - construction of media-holdings that actively grows in the capital of Azerbaijan, results in concentration of some print and/or broadcast media in the hands of several ‘oil oligarchs’. Therefore, new laws must be underway to provide some special standards aimed at promoting decentralization of media.

Although it seems that there is a law for each special case in Azerbaijan (law on advertisement, law on notary, law on obligatory copy of document, etc.), and there is full

compliance of the laws with the standards and demands of the European Council, it is only the top of the iceberg, and more conceptual approach might be required. This means that those laws do not fully protect the society from informational vacuum, and the authorities still have the right to halt functioning of ‘wrong’ broadcasters. A recent example of media restriction is the ban on several foreign radio broadcasters in Azerbaijan.

According to Freedom House report “Freedom of the Press 2008 - Azerbaijan”, in 2007 Azerbaijani media is defined as “not free”. Population of Azerbaijan is mostly using TV as the main source of information while only 12% of the population is using the Internet for receiving information. (Freedom of the Press 2008).

According to the ranking of “Reporters Without Borders”, in 2008 Azerbaijan occupied 150th position out of 173 countries, registering regress as compared to the previous year (See Chart 1).

Georgia

Constitution of Georgia in its second chapter defines the principles of human rights and freedoms. Article 19 of the constitution generally discusses freedom of religion, but guarantees freedom of speech as well, while article 24 provides for freedom of expression (Constitution of Georgia).

Initial analysis of the provisions of the constitution infers that those fully correspond to the requirements of the modern pluralistic democracy in general and to those of the Council of Europe in particular. Nevertheless, media legislation of Georgia does not fully replicate the provisions of the constitution, sometimes they even contradict to each other.

The main legislative act regarding mass media in Georgia is the Law “On Press and other Mass Media”. It was adopted in 1991 and not amended since then. This means that it contains many provisions reflecting the Soviet realities, and in general is highly influenced by

the Soviet legislative norms. That is why a new law on Freedom of Press and Speech is coming to replace it.

Cases when issues related to media freedom or freedom of expression turn out not to be fully addressed in the legislation, are more frequent in Georgia than in Armenia and Azerbaijan. That is why those issues are often solved with the assistance of the Criminal Code or the Code on Journalistic ethics (Melikyan et al. 2004).

Analysis of Georgian legislation shows that the existing legislative base cannot promise successful functioning of the independent mass media due to numerous loopholes in it. The situation becomes even more complicated because of the underdeveloped condition of the national courts (Melikyan et al. 2004). While liberal norms of journalistic ethics, suitable for the public are not formulated yet, and awareness of journalists about legal standards regulating their activities is low, the level of public activity in this regard is high which shows that all the above-mentioned shortcomings will be solved soon. In its 2008 annual report Freedom House defined Georgia in 2007 as “partly free”, mentioning that there are still large problems. Freedom House particularly referred to such problems as appointment by the president of the members of Georgian media regulatory body, the Georgian National Communications Commission, the ban on making photo and video records in courtrooms, etc. (Freedom of the Press 2008- Georgia).

Freedom House report also states that in 2007 only 7% of population of Georgia was using the Internet for receiving information, while the Internet is considered the information source that is the most difficult to ban.

Although strong economic growth in 2007 positively affected media freedom in Georgia, political crisis unfolded in this country had an opposite effect. On the whole, while the media legislation is rather progressive in Georgia, there is still lack of willingness on behalf of the government (Freedom of the Press 2008- Georgia). Political opposition,

journalistic community and human rights organizations are accusing the authorities of disregarding the democratic values and restraining freedom of speech. As an example authorities' control recently imposed on Rustavi 2 and Imedi TV companies can be mentioned.

Another international organization, "Reporters Without Borders", released its annual Worldwide Press Freedom Index based on events between September 1, 2007 and September 1, 2008. According to this evaluation, Georgia occupies 120th position out of 173 countries, going down by 54 ranks as compared to the previous index (See Chart 1). Reasons for such a decrease are still to be found in the political situation within the country and around it.

Armenia

During the last decade, since the independence of Armenia in 1991, development of free press and freedom of speech in the country has been slow and often variable. There was no direct censorship; some popular independent channels were kept off the air, and many journalists and ordinary citizens, not directly involved in the process of news creation and introduction, associated elections and other political events with violations of freedom of speech and press freedom: some even feared for their safety (Sayadyan 2007).

According to a number of observers, 1996 was a record year in the history of independent Armenia in terms of violations of freedom of speech and press. A number of international human rights organizations and widely reputed publications gave much attention to Armenia in their articles, protests, declarations or in their annual reports. International Helsinki Federation for Human Rights, Human Rights Watch, Freedom House, Reporters Without Borders, OSCE/ODIHR, Amnesty International, Index on Censorship, War Report are among those.

Indeed, many factors that exist in any developing country, like unstable economic and political climate, make it hard for media to become fully independent, and many media outlets choose to be influenced by political parties or financial-industrial groups that support them.

Freedom of expression in the Republic of Armenia is stipulated by Article 24 of the Constitution. There are also some restrictions introduced in Articles 44 and 45, regarding such situations as the martial law, etc. (Constitution of the Republic of Armenia). Article 19 of Universal Declaration of Human Rights and Article 10 of the European Convention on the Protection of Human Rights and Fundamental Freedoms also apply to Armenia since it ratified the above-mentioned documents (Melikyan et al. 2004).

On November 14, 2003 the RA Law “On Freedom of Expression” came into force. It guarantees the constitutional right of the citizens to seek and receive information. This law mostly complies with the international standards. Another important law “On Television and Radio” was passed on October 9, 2000. It can truly be considered one of the most controversial documents that are most frequently discussed in the context of freedom of media. Due to some contradictions to the constitution and some other inconsistencies it was amended several times (Melikyan et al. 2004). A comparatively new Law “On Mass Communication” came into force in 2004 replacing the Law “On Press and Other Media Outlets” (1991) and aimed at being more compliant with the commonly accepted international requirements. Among other achievements it should be mentioned that the new law abolished the demand of mandatory registration of media. As compared to the above-mentioned ones, the Law “On Freedom of Information” is considered by local and foreign experts as mostly liberal and compliant with international standards. However, half of the members of Commission on TV and Radio, defined as independent, are appointed by the government, and the other half – by the President.

The Resolution 1609, adopted on April 17, 2008 by the Parliamentary Assembly of the Council of Europe, said: “Even though there is a pluralistic and independent print media, the current level of control by the authorities of the electronic media and their regulatory bodies, as well as the absence of a truly independent and pluralist Public Broadcaster, impede the creation of a pluralistic media environment and further exacerbate the lack of public trust in the political system.”

According to Freedom House report “Freedom of the Press 2008 - Armenia”, in 2007 media was “not free” in Armenia, and it still faces the issue of economic and psychological pressure on journalists. Only 6% of population of Armenia uses the Internet as a news medium (Freedom of the Press 2008), while, according to Yerevan Press Club survey (October 2008), 78% of the population of Yerevan most frequently uses TV as the main source to obtain information (see Table 1).

As “Reporters Without Borders“ stated in its annual Worldwide Press Freedom Index, in 2008 Armenia occupied positions 102-103, sharing them with Turkey, while in 2007 the index was better by 25 ranks (Armenia was at the 77th line) (See Chart 1). RSF outlined that such a phenomenon that occurred in the South Caucasus this year can be explained by political instability in the region.

Armenia Today

Having introduced the chronological development of the sphere of free media in the three countries of South Caucasus, it is now necessary to take a look at the present situation in Armenia from different perspectives.

First of all, it is very important to synthesize all the positive changes that took place in Armenia in developing legal guarantees for freedom of expression and media diversity since joining the Council of Europe in 2001.

Those positive steps include:

- the passing of a modern law on freedom of information in September 2003;
- the passing of a law on mass media in December 2003 which guarantees the protection of confidential sources and abolishes the registration system for the media;
- the pledge to create a public service broadcaster in the Broadcasting Law of 2000;
- the Armenian government has also made the processes by which it adopts laws more transparent and available to the public;
- the final versions of the freedom of information and mass media laws were developed in a process of consultation with civil society organizations and several NGO recommendations were incorporated as part of this process.

Nevertheless, serious concerns remain, and critical remarks of a number of international and local organizations are still common.

On January 31 the international organization “Human Rights Watch” released its report on human rights practices in over 75 countries of the world in 2007.

In the reports section dealing with Armenia the media freedom and freedom of speech in the country are discussed, too. In particular, “Human Rights Watch” notes: “Notwithstanding that on July 3 parliament turned down the amendments to media laws that effectively would have banned the broadcasts of Radio Free Europe/Radio Liberty and other foreign broadcasters on public television and radio, the broadcasting of the RFE/RL Armenian Service on Public Radio of Armenia was stopped and is now implemented on private networks”.

“Journalists continue to face threats, harassment and criminal charges”, the report says and quotes the examples of the assault on the Chief Editor of “Iskakan Iravunk” newspaper on September 15, 2007, the arsons of cars of the founder of “Football Plus” weekly in the morning of January 30, 2007 and the Chairman of the editorial board of “My Right”

newspaper and Panorama.am news portal on February 8, 2007, the sentence, made on June 6, 2007, to another free-lance journalist, who was attacked and harassed due to an article he had published, yet charges were further introduced not to the assaulters but to the journalist himself. The report also mentions that on January 12, 2007 the Court of Appeals lessened the sentence of the Chief Editor of “Zhamanak-Yerevan” daily, who was earlier convicted for 4 years’ imprisonment for document fraud to evade military service. The sentence of the journalist had been considered unnecessarily harsh. Among more recent events the attack of three unknown individuals on the chairman of “Investigative Journalists” NGO on November 14, 2008 can be mentioned.

Therefore, there is no surprise that a part of society is always not satisfied with the level of freedom of press and especially the price it is being necessary to pay for that freedom. Besides, the need of bringing the broadcast legislation of Armenia and its practice in line with Council of Europe standards as soon as possible is being stressed almost all the time by different stakeholders, and the current lack of uniformity between the two definitely should be considered as one of the obstacles in having free press.

Nevertheless, On October 16, 2008, the NA Speaker Mr. Hovik Abrahamyan addressed the journalistic society of Armenia and again spoke about positive dynamics:

“Today we can record that the press of the third Republic of Armenia is an established structure, which adequately responds the society’s all important and viable problems, forming public opinion and ensuring the right of peoples’ getting information formulated by the Constitution of the Republic of Armenia. On the Armenian Press Day we can state also that in Armenia the information field is established: there are journalists, who are clever and well aware of their work, and due to their everyday work we get information not only about the events in the country and out of the country, but we also become witnesses of analytical and journalistic investigations, and their aim is to see everybody’s life more perfect”

After comparing all the above-mentioned facts and opinions, the following question arises: if there is an established legislative structure for press in Armenia, and if the work of

media outlets mostly responds to the needs of society (see Findings, Part II), where should the roots of concern regarding media freedom be found?

Analysis

While comparing the media legislations of the three South Caucasian countries, it becomes obvious that they are more similar than different: the huge legacy of the Soviet period can still be seen in social, political and legal realities of the three countries.

The Constitutions of Georgia, Armenia and Azerbaijan were adopted approximately at the same period. Laws on media were also adopted in the three countries only with slight deviations in dates and labels. For instance, while Azerbaijan has more specific laws for different aspects of press freedom, Georgia has one or two laws that cover all those issues (see Table A).

Since integration in the European structures, the three countries have been eagerly striving to correspond to the international legislative norms. The field of media legislation may serve an illustration. But still, legislations of Georgia and Azerbaijan envisage prohibition of dissemination of information including state secrets. This restriction is partially reflected in the Armenian law on “Mass Information”. Meanwhile, most of the European countries do not accept such an approach.

The problems that local media is facing are almost identical in the three countries. There is common lack of independence of organs regulating the field of broadcasting. While most of the legislation seems to be promoting freedom of expression and freedom of press, there is still a huge gap between the laws and the reality. Although Armenia occupies a leading position in the activities connected with introduction and adoption of progressive media legislation (See Table 1), its overall efficiency is not very high. This fact can be justified by the lack of public awareness about the existing legislation, as well the reluctance of different stakeholders to follow some of the rules stipulated by the legislation.

Although the internet nowadays is considered to be a freer and more accessible medium as compared to traditional TV and newspapers, as it was mentioned in Freedom House report, in 2007 only 6% of population of Armenia was using the Internet, while in Georgia the number of population using the Internet was 7%, and a little more – 12% in Azerbaijan (Freedom of the Press 2008).

Even though Armenia still has a lot to do, comparison with the neighbors is almost encouraging. Results of the analysis show that currently Armenian mass media and Armenian journalists can be considered to be more independent than those in Georgia and Azerbaijan. Regarding the reports about the situation of the freedom of expression in Armenia made by different organizations, it is necessary to keep in mind that those evaluations are sometimes politicized. Besides, often media that is criticized for being “dependent”, especially that of developing countries, just cannot exist without financial support. This problem often leads to having biased media reflecting the opinions of its owners.

Summing up the information above, it becomes obvious that there are several factors that can influence the sphere of media freedom and are common for the three countries analyzed. Among them are:

- “Soviet Past”
- Economical and political instability
- Concentration of media in one hands
- Low level of public awareness about the legislation
- Lack of cooperation between the government and the journalistic society (also in the process of making amendments to the media legislation)
- Low level of usage of modern technologies for obtaining information

Findings. Part 2

How satisfied is the public with the quality and quantity of the information of local importance provided by the broadcast media of Armenia?

A poll conducted in summer of 2002 in Armenia revealed that less than 15% of the population read newspapers on a daily basis while 48% did not read newspapers at all (Bertelsmann Transformation Index 2003). An Armenian journalist Mark Grigorian reported the results of another survey conducted in September 2002 which showed that in 2002 only 1.5% of the Armenian population trusted the country's print media, compared to 80% of some 5-6 years before.

Taking into account this tendency of low usage of newspapers as a reliable source of information, and also the low level of Internet use in Armenia (see pg.14), the results of the public opinion survey conducted in Yerevan by Yerevan Press Club in October 2008 are analyzed with the aim of finding out what the perceptions of Armenian urban population are towards Armenian *broadcast* media.

After the results of 400 surveys were consolidated and analyzed, the following findings were acquired.

Indeed, when asked if they could mention the one source they used most frequently to obtain information, 78% of the respondents (n=312) said it was TV (see Table 1).

When the respondents were asked if they thought the information provided currently by the Armenian media was correct, 75% of them (n=292) answered that they considered it correct or almost correct, while 25% (n=96) said that the provided information was incorrect (see Table 2).

To the question if they were overall satisfied with the timeliness of the information provided currently by the Armenian media, 51% of the respondents (n=198) answered that they were either almost satisfied or very satisfied with it, while 49% of the respondents

(n=193) were either almost unsatisfied with the timeliness of the provided information or not satisfied at all (see Table 3).

Out of 400 respondents 47.5% (n=190) were younger than 40 years old, while 52.5% (n=210) were older than 40 (see Table 4). 52% of the respondents (n=209) had no higher education, while 48% (n=191) had higher education (see Table 5).

As a result of a test run, statistically significant correlation was found between the variables of the first two questions. Test showed that those respondents who considered the information provided by the Armenian media correct, tend to be satisfied with it, and vice versa – those respondents who consider the information incorrect, tend to be unsatisfied with it.

While there was no statistically significant difference between the age groups and their perception of information, negative correlation was found between the perception of correctness of the news by respondents, and their education. The respondents without higher education tend to perceive the information provided as incorrect and vice versa.

Another set of questions was asked to the respondents about the quantity of the information currently provided by the Armenian mass media. Thirteen issues were named that were conceptualized as being of local importance for the citizens of Armenia, and were evaluated by Yerevan Press Club as receiving high coverage. 76% of the respondents (n=304) were not satisfied with the quantity of coverage of those issues, and said they would like to receive more information on those issues.

Analysis

The very first question of the survey has shown that this research largely (by 78%) applies to the broadcast media, which once again proves the idea that improvements in freedom of media should be more concentrated on the field of TV broadcasting.

Further, the results of the public opinion survey have shown that although it is currently widely spoken about absence of free and fair press, and about total mistrust of the public towards the information provided, such tendency could be noticed only among the least educated layers of the public, and represented a very small percentage.

Instead, in general, the biggest concern among the public is not about the quality of news but about the quantity of information they receive. This fact can be explained by difference of perceptions of priorities for the public and for the journalists or for the government.

Conclusion

Although the findings discussed above cannot be used for wider generalizations, these data are sufficient to make conclusions and identify tendencies. Therefore, taking into consideration the research done, it is now feasible to answer the third and fourth research questions on freedom of speech and free press in Armenia as a distant dream or a policy that is in a gradual progress, and what can the media and the society do to improve the situation.

Regarding the first part of the question stated above, it is now definitely clear that Armenia is currently in the process of developing further policies for achievement of freedom of speech and press. This includes both overcoming the burden of the “Soviet Past” and being open to new challenges of the “European Future”.

One of the reasons why freedom of speech and press is still underdeveloped in Armenia is that Armenia is a young democracy and does not have a long history of establishing such freedoms. It is one of the reasons why the process of moving towards a completely free democratic society is so slow not only in Armenia, but in the whole South Caucasus region.

After analyzing the current sources of problems arising in the field of freedom of media, the following factors can be mentioned as keys to free press and free society:

- Peace and prosperity of the country
- Economic and political stability in the region and in the country
- Active civil society
- Competitive media environment
- Transparency of legislative processes
- Cooperation of different stakeholders

Instead, usually the government blames the non-governmental organizations for being subjective, the non-governmental organizations blame the government for being reluctant, the journalistic society blames the both for being passive, and the civil society blames all of them from time to time.

As a result, policies aimed at the development of freedom of speech and free press in Armenia are few and slow in their implementation.

Therefore, some recommendations can be given to improve the situation and escape the created vicious cycle.

Policy Recommendations

As there are still many problems existing in the sphere and requiring solutions, state structures of the South Caucasus, as well as public associations and international organizations should pay more attention to the problems of freedom of press and expression. More conditions should be created for the development of independent media in Armenia.

Taking into consideration specific problems that each of the stakeholders has, policy recommendations should be given to the state institutions, non-governmental organizations, as well as to the journalistic and civil societies.

Recommendations to the state institutions and non-governmental organizations:

- Work together to bring laws and practice of media regulations in line with the Council of Europe standards,
- Decrease the gap between adoption and implementation of laws;
- Make selection of members of the Council of Public TV and Radio Company not by political forces alone, and avoid creation of monopolies in media environment;
- Analyze and apply the experience of some countries of the Western Europe (Great Britain, France, Spain, Netherlands, Sweden, Finland, etc.)

Recommendations to the journalistic and civil societies:

- Establish more interactive contacts with the institutions involved in media issues;
- Raise public awareness and interest regarding the issues of free press;
- Increase activity of public and interest groups in promoting development of freedom of media and expression;
- Encourage diversity in types of mass media used to obtain information.

Finally, the following points can be mentioned as questions for a future discussion to find solutions for media freedom in the region.

- Weakness of access to information regarding the legislative base in the sphere of mass media;
- Weakness of economic basis of mass media, underdeveloped media market, reliable levers of economic pressure on mass media by the authorities;
- Intolerance of governmental officials and social and public figures to criticism by mass media;
- Low level of professionalism and legal knowledge of journalists.

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APPENDIX

Chart 1 . Reporters Without Borders Index 2007-2008

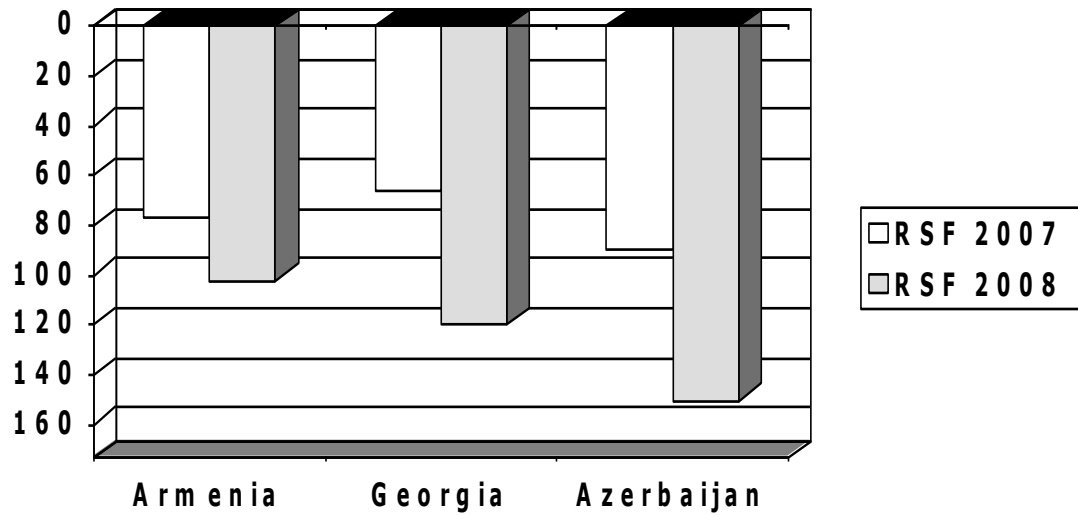


Chart 2. Public Opinion Survey Results, conducted in Yerevan, October 2008

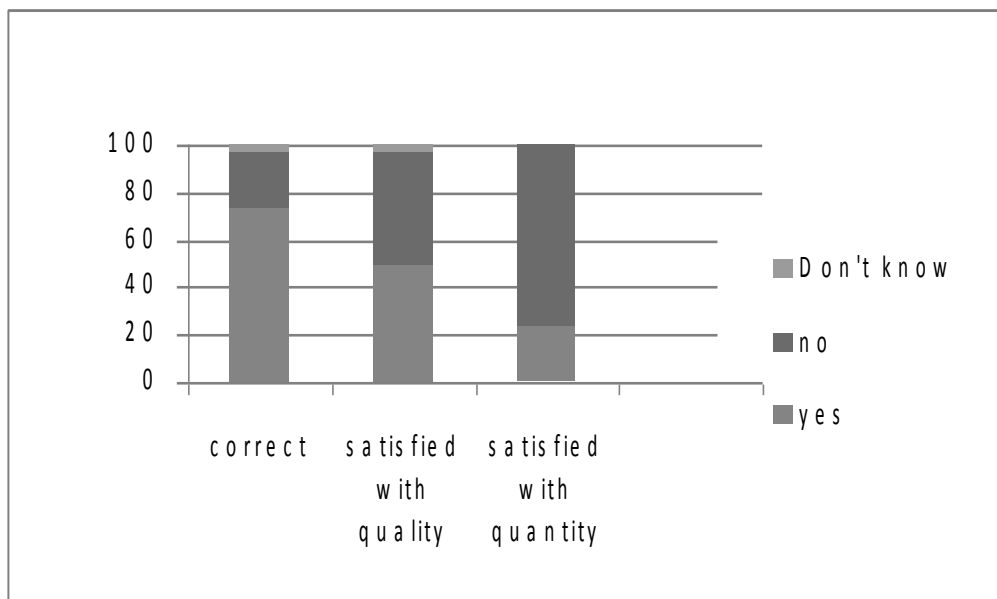


Table A. Media legislation of Armenia, Georgia and Azerbaijan

Type of legislation \ Country	Armenia	Georgia	Azerbaijan
On freedom of expression	Universal Declaration of Human Rights, Article 19	Universal Declaration of Human Rights, Article 19	Universal Declaration of Human Rights, Article 19
On freedom of expression	European Convention on the Protection of Human Rights and Fundamental Freedoms, Article 10	European Convention on the Protection of Human Rights and Fundamental Freedoms, Article 10	European Convention on the Protection of Human Rights and Fundamental Freedoms, Article 10
On freedom of expression	Constitution, Article 24 (July 1995)	Constitution, Articles 19, 24 (Aug. 1995)	Constitution, Article 50 (Nov. 1995)
On freedom of expression	Law on Freedom of Expression (2003)		
On free access to information	Law on Freedom of Information (2003)	Law on Press and other Mass Media (1991)	Law on Press and other Mass Media (1991)
On broadcasting	Law on Television and Radio (2000)		Law on Television and Radio Broadcast (2002)
On broadcasting	Law on Mass Communication (2004)		Law on Mass Media (2004)

Table 1. Type of mass media preferred

	Frequency	Percent
TV	312	78
Other	88	22
Total	400	100

Table 2. Frequencies. Correctness of Information

	Frequency	Percent	Valid Percent
Correct	292	73	75
Incorrect	96	24	25
Total	388	97	100
Don't know/can't say	12	3	
Total	400	100	

Table 3. Frequencies. Satisfaction with the Information Provided

	Frequency	Percent	Valid Percent
Satisfied	198	49	51
Unsatisfied	193	48	49
Total	391	97	100
Don't know/can't say	9	3	
Total	400	100	

Table 4. Frequencies. Age

	Frequency	Percent
18-40	190	47.5
40-75	210	52.5
Total	400	100

Table 5. Frequencies. Education

	Frequency	Percent
No higher education	209	52
Higher education	191	48
Total	400	100