

[AM] Armenia adopts criteria on discriminatory and hate-inciting content in audiovisual programmes

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On 11 September 2026, the Commission on Television and Radio of the Republic of Armenia (CTR) adopted Decision no. 110-Ն, establishing criteria for applying the prohibition on certain discriminatory and hate-inciting content in audiovisual programmes.

The decision followed amendments to the Law on Audiovisual Media that entered into force on 28 April 2026. Under the revised Article 9(1)(3), audiovisual programmes may not disseminate information that incites national, racial, gender-based or religious hatred, or that sows, encourages or justifies discrimination based on age, disability or other personal or social characteristics. Article 9(6) requires the CTR to establish the criteria applicable to this prohibition.

The prohibition itself is not new. The previous version of the law already prohibited audiovisual programmes through which discrimination was disseminated or which contained information pursuing such an aim. The 2026 amendments retained the substantive basis of the prohibition while reformulating it in more specific terms, referring expressly to information that sows, encourages or justifies discrimination and separately identifying information that incites national, racial, gender-based or religious hatred. The decision therefore does not create a new independent prohibition, but clarifies the application of an existing statutory restriction in order to promote legal certainty, consistency, proportionality and predictability in regulatory practice.

A central element of the decision is the identification of protected characteristics. These include national, racial, gender-based, religious, age-related and disability-related characteristics, as well as other characteristics of a personal or social nature. The latter may include, among others, skin colour, ethnic or social origin, language, citizenship, worldview, political or other opinions, belonging to a national minority, property status, birth, health status, genetic characteristics, gender identity, marital or family status, migrant or refugee status, and other comparable characteristics connected with a person's status or social position.

The criteria focus not merely on the presence of negative or offensive language, but on the relationship between the content and the protected characteristic concerned. Relevant factors may include whether a person or group is portrayed

as inferior, dangerous, undesirable or as not being a full holder of rights; whether negative conduct by individual members is attributed to an entire group; whether hostility, intolerance or contempt is encouraged or justified; whether ideas of social exclusion are promoted; or whether restrictions on rights and freedoms are advocated based on a protected characteristic.

The decision also addresses the justification or normalisation of unequal treatment. Content may be relevant where discriminatory treatment is presented as natural, necessary, justified or acceptable solely because a person belongs to a particular group. Similarly, attributing collective guilt or responsibility to an entire national, religious, social or other group may be an indicator of discriminatory content.

Context is particularly important. Assessment is not intended to be based on isolated words or expressions. Rather, the content, context, manner of presentation and overall message of the programme must be considered together. Relevant factors may include the programme format, editorial purpose, presenter's position, characteristics of the audience, and whether a controversial statement was presented as the broadcaster's own position or as a third-party view subject to criticism or discussion.

This contextual approach also helps distinguish discrimination from legitimate criticism. Criticism of a person's conduct, actions, beliefs, political position or religious views does not in itself amount to discrimination where it is not directed against that person or group based on a protected characteristic and does not promote, encourage or justify unequal, exclusionary, degrading or hostile treatment on that basis.

որոշումը ՏԵՍԱԼՍՈՂԱԿԱՆ ՀԱՂՈՐԴՈՒՄՆԵՐՈՒՄ ԱԶԳԱՅԻՆ ԿԱՄ ՌԱՍԱՅԱԿԱՆ ԿԱՄ ՍԵՌԱՅԻՆ ԿԱՄ ԿՐՈՆԱԿԱՆ ԱՏԵԼՈՒԹՅՈՒՆ ԲՈՐԲՈՔՈՂ, ԻՆՉՊԵՍ ՆԱԵՎ ՏԱՐԻՔԱՅԻՆ ԿԱՄ ՀԱՇՄԱՆԴԱՍՏՈՒԹՅԱՆ ԿԱՄ ԱՆՁՆԱԿԱՆ ԿԱՄ ՍՈՑԻԱԼԱԿԱՆ ԲՆՈՒՅԹԻ ԱՅԼ ՀԱՏԿԱՆԻՇՆԵՐՈՎ ԽՏՐԱԿԱՆՈՒԹՅՈՒՆ ՍԵՐՄԱՆՈՂ, ԽՐԱԽՈՒՍՈՂ ԿԱՄ ԱՐԴԱՐԱՅՆՈՂ ՏԵՂԵԿԱՏՎՈՒԹՅԱՆ ՏԱՐԱԾՄԱՆ ՉԱՐԱՇԱՀՄԱՆ ԱՐԳԵԼՔՆԵՐԻ ՉԱՓՈՐՈՇԻՉՆԵՐԸ ՍԱՀՄԱՆԵԼՈՒ ՄԱՍԻՆ

<https://www.arlis.am/hy/acts/230994/latest>

Decision defining standards for prohibiting the abuse of the dissemination of information in audiovisual communications that invoke national, racial, sexual or religious hate, as well as instituting, encouraging or justifying discrimination on the basis of age or disability or other characteristics of a personal or social nature

