[AM] Amendments to Broadcast Legislation Passed

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On 28 April 2009 the National Assembly of the Republic of Armenia (RA) passed a package of amendments and supplements to the national statutes “On Television and Radio”, “Statute of the RA National Commission on Television and Radio”, “Statute of the RA National Assembly”, and “On State Duty”.

The aim of these bills as stated in the Justification was to ensure the “independence of the bodies that regulate public and private media (National Commission of Television and Radio and Public Television and Radio Council)”. Numerous amendments and additions to the existing statutes were introduced, some related to the changes in the formation and activities of the National Commission of Television and Radio (see IRIS 2001-2: 4/9) and of the Council for Public Television and Radio, but many others made corrections and clarifications that were not necessarily connected with the stated aims of the bills. These are new criteria on which the NTRC is to base its choice in granting a broadcasting licence; new norms regarding sponsorship of television and radio programmes, as well as to ensure the transparency of broadcasters; a new procedure for the National Commission on Television and Radio (NTRC) to rebuke broadcasters before suspending their activities, etc.

The amendments to the broadcasting legislation provoked strong criticism from a number of journalists’ associations and from the OSCE Representative on Freedom of the Media. In particular they pointed to substantial problems with the amendments. The selection process of the candidates for the NTRC has a basic flaw in that none of the tests to be taken by candidates and requirements subscribed to by them demand their integrity, their high moral standing, or the understanding of their mission.

The proposed scheme of financing public broadcasting and regulatory bodies in the sector provides for the majority in the parliament an opportunity to sanction or support them at will, thus rendering them dependent on such a majority. In this way, instead of following public duty, the “independent public broadcaster” and “independent regulator” will exercise self-censorship.

The amendments in a number of articles put public broadcasting under the control of the National Commission on Television and Radio. It makes the broadcaster dependent on two overseeing bodies - the Council and the Commission, appointed (elected) differently and, as a result, possibly issuing

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different or even conflicting orders.

Comments on the Draft Law of the Republic of Armenia on Broadcasting commissioned by the Office of the Representative on Freedom of the Media of the Organization for Security and Co-operation in Europe (OSCE), 2009

http://www.osce.org/documents/rfm/2009/04/37230_en.pdf

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