

[AM] Restrictions on access to COVID-19 information adopted, then amended

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The Armenian Government's Decree "On declaring a state of emergency in the Republic of Armenia" was adopted on 16 March 2020. It provided, in particular, new rules in relation to information on the COVID-19 infection. The public dissemination of information that leads to or is capable of causing panic would only be made possible by making reference to the official source, namely the Commandant's Office, headed by the deputy prime minister. The Office was established the same day.

Article 182-3, paragraph 8 (Violations of the rules of an emergency situation) of the 1985 Code on Administrative Offences of Armenia already provided a penalty for mass media outlets who violate this restriction: a fine of between 500 and 800 times the legal minimum wage. The government explained the measure by referring to the need to prevent "panic-mongering" during the emergency period, declaring that it would slow down and contain the spread of the virus.

On 24 March, following the concerns expressed by national and intergovernmental organisations regarding the need for these harsh measures, the government, by way of Decree No. 345-N, decided to amend its Decree of 16 March and allow alternative and foreign sources to be used in reporting under certain conditions.

The amended provisions still allow the public dissemination of publications, news, interviews and reports on the Coronavirus in the Republic of Armenia, including through posts on Internet websites and on social networks, only if they come from the Commandant's Office, reflect the official information in full and contain clear references to the official source.

At the same time, mass media outlets under Armenian jurisdiction may report on the topic from other sources upon condition that they publish a refutation or clarification of such reports, as (if) provided by the Commandant's Office, within two hours of these reports being received or published. The mass media outlet shall ensure that the refutation or clarification is disseminated via the same platforms used to disseminate the related reports (paragraphs 23, 24 and 24.1 of the Decree).

Mass media outlets are now also allowed to reprint or retransmit, in full or in part, information or analytical materials on the Coronavirus from foreign media upon condition that they cite the source of the material in the headline of their own stories.

On 23 March 2020, relevant amendments were made to paragraph 8 of Article 182.3 of the Code of Administrative Offences. The fines were decreased to between 100 and 300 times the minimum wage for violation of the rules governing the publication and dissemination of information by a media actor during the state of emergency.

A new Article 8.1 was added to the Code, establishing the requirement that within a day of paragraph 8 being violated, the disseminated illegal information be removed, otherwise, the offender would face a fine amounting to between 500 and 1 000 times the official minimum wage.

On 13 April, the state of national emergency was extended for another 28 days, though the Coronavirus-related media coverage provisions were completely dropped from the list of restrictions. The government will, however, monitor all publications and in the event of risks being noted, the original provisions will be reinstated.

Վարչական Իրավախախտումների Վերաբերյալ Հայաստանի Հանրապետության Օրենսգիրք

<http://www.arlis.am/DocumentView.aspx?docid=73129>

Code on Administrative Offences of Armenia

ՀՀ Կառավարության որոշում N 298 - Կոհայաստանի Հանրապետությունում Արտակարգ Դրություն Հայտարարելու Մասին

<http://www.e-gov.am/gov-decrees/item/33564/>

Decision of the Government of the Republic of Armenia No 298-N of 16 March 2020 "On declaring a state of emergency in the Republic of Armenia"

<https://covid19.gov.am/en/v1>

