

## **Statement Regarding the Court Cases against the Media**

February 11, 2013

In the beginning of this year, the Armenian journalistic organizations marked a notable decline of court cases against the media in 2012. This was also evidenced by the Human Rights Watch international organization, which noted in its latest report that politically motivated defamation lawsuits no longer appear to be a serious problem in Armenia.

Nevertheless, recently, the political elites and the business tycoons show activeness in exerting pressure on the media, through filing lawsuits against media and claiming the highest amounts of pecuniary compensation. At the same time, motions on putting a ban on the property and assets of the media are being submitted along with the lawsuits. A vivid example of this is the lawsuit of the Armenian Second President Robert Kocharian and his son versus www.1in.am, as well as the two lawsuits of businessman Khachik Khachatryan versus “Zhoghovurd” daily.

As regards the courts, it has become a common trend to partially uphold the motions on securing the suits, which bans the property of the media. Formally, these decisions seem to be intact, however, they lay ground for a fallacious practice, which can benefit the plaintiffs of exerting pressure on the media before a decision on the merits is made.

We, the undersigned, consider such a campaign by the political and business elites against the media unacceptable, and urge them to be more tolerant and seek for off-court solutions.

We also call upon the courts to show a more balanced approach and uphold the motions on banning the property of the media in highly exceptional cases, taking into account that this causes psychological pressure on the journalists, which may lead to self-censorship.

We once again draw the attention of the RA National Assembly on the fact that the lack of necessary criteria for awarding pecuniary compensation, as defined in Article 1087.1 of RA Civil Code, is a temptation for the plaintiffs willing to settle accounts with the media. In this regard, we call to take respective steps for clarifying these legal provisions.

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