

State reply
to the alert “Emergency restrictions force media to suppress independent information on COVID-19”

In response to the COVID-19 pandemic, Armenia declared a state of emergency effective as of 16 March 2020 and officially notified the Secretary General of the Council of Europe of possible derogations from the obligations of Armenia under the Convention.

The state of emergency envisages temporary limitations related to media activity given the urgent need to counter the spread of disinformation and “fake news” related to COVID-19. In this regard, we concur with the assessment of the Secretary General of the Council of Europe contained in the [toolkit](#) prepared for member States on respecting democracy, rule of law and human rights in the framework of the COVID-19 sanitary crisis, that “Media and professional journalists [...] should adhere to the highest professional and ethical standards of responsible journalism, and thus convey authoritative messages regarding the crisis and refrain from publishing or amplifying unverified stories, let alone implausible or sensationalist materials”. It should be recalled that the issue of “fake news” in our country has been consistently raised by the Armenian authorities. The lack of regulatory framework on countering the “fake news” in the times of pandemic, which poses a real threat to public health, may create a fertile ground for panic among the population.

However, right after the day the state of emergency was declared in Armenia, the Government officials in charge held a number of inclusive meetings with editors, representatives of media advocacy NGOs to consult and find the best solutions for amending the relevant provision regulating the media activity in times of the state of emergency. The recommendations submitted by the participants of the meetings were largely addressed and subsequently a Government Decree was adopted on 24 March 2020, revising the restrictions, which [was welcomed also by the OSCE Media Freedom Representative](#), as well as commended by the Armenian media.

It is important to underline that the Decree of the Government regulated only the publication of information of a medical and epidemiological nature, thus ensuring the safeguards for the genuine freedom of media outside this narrow topical framework. Those amendments referred to the legal regime of the state of emergency in general and applied in the context of a relevant decree on the state of emergency. In this particular situation, the penalty could be applied only

in case of non-publication of official refutation or clarification. The Government's Decree of 24 March 2020 did not contain a requirement of the removal of information and did not, in any way, restrict the freedom of the media to have other publications on the matter.

It should also be emphasized that within the time period of 16 to 24 March 2020 not a single legal procedure has been launched against any media outlet/actor.

On 13 April 2020, the Government of Armenia adopted a Decree on prolongation of the state of emergency. Taking into account the high confidence in the information on COVID-19 provided by official sources among population and a responsible behavior of the media during this period in general, by this new Decree the provisions related to restrictions of media activities became void.