



**Eurasia Partnership Foundation *Freedom of Expression* project
Consultation on Freedom of Expression issues
Tzaghkadzor, January 30-February 1, 2009
Report**

On January 30 – February 1, Eurasia Partnership Foundation (EPF) organized a large-scale consultation on Freedom of Expression as part of its project entitled *Institutionalizing Freedom of Expression in Armenia*. The project is implemented by EPF and funded by the UK Foreign and Commonwealth Office’s Human Rights and Democracy Fund and USAID.

The consultation was held in the *Kecharis* hotel, Tzaghkadzor, and was attended by 70 participants including Armenian media and NGOs representatives, social scientists, anthropologists and representatives of youth groups and research centers. In addition, high-level government officials participated in various ways, many working with the group for a day or more, including National Assembly deputies, a deputy minister of Culture, and representatives of the Ombudsman’s office, the ministries of Foreign Affairs and Diaspora, representatives of the Constitutional Court, and the Deputy President of the National Commission on TV and Radio.

EPF held the consultation to promote discussion and to glean the perceptions of major stakeholders. The consultation’s objectives were:

- to set the stage for cooperation between stakeholders in different sectors on the issue and build mutual understanding;
- to set out an Action Plan and recommendations on the institutionalization of Freedom of Expression.

Participants discussed a number of matters related to perception of Freedom of Expression (FOE) in Armenia. In Armenia, FOE is not perceived as an essential Human Right for which citizens should strive; moreover it is politicized and is usually relegated to the margins of public attention.

The methodology of the event relied on components of business games, focus groups and strategic planning. The invited guests met for 3 days (Friday- Sunday) to brainstorm and map out problems.

Consultation participants discussed FOE issues in groups debating seven different themes (participating in the thematic group of their own choosing):

1. freedom and society
2. freedom and the government
3. written and unwritten laws
4. resources for freedom
5. freedom of expression and media
6. freedom of expression and urban culture
7. freedom and screen arts

The group discussions were facilitated by Gevorg Ter-Gabrielyan, EPF Country Director; David Hovhannisyian, president of Center for Civilization and Cultural Studies (Yerevan State University); Nouneh Dilanyan, lecturer, YSU; Mikayel Hovhannisyian EPF's European Integration program manager, Nouneh Sarkissian, managing director of *Internews* Media Support NGO; Ara Hamazaspyan, executive director of Izmirlian foundation; and Boris Navasardyan, president of Yerevan Press Club.

On January 30, Vladimir Vardanyan, Head of the International Treaties Department of the Constitutional Court of the Republic of Armenia, made a presentation *Freedom of Expression and legislation of the Republic of Armenia*. In his presentation, Mr. Vardanyan emphasized the conformity of Armenian legislation to international laws on Freedom of expression, nevertheless pointing out those areas of the law which may be open to different interpretations and consequently may lead to rights violations; the legislation needs to be polished in order to ensure clarity and legal determinacy; further, legal and executive powers should ensure the equal and consistent interpretation of legislative provisions, taking into consideration not only the appropriate definition of law, but also its spirit and pursued objectives.

On January 31, Boris Navasardyan, president of Yerevan Press Club, spoke about *Freedom of speech and media in Armenia* and Nouneh Dilanyan, lecturer, YSU, presented *Cultural cycles and flows of information* (based on the theory of Abraham Mole)¹.

On January 30-31, the participants discussed obstacles to and resources available for Freedom of Expression in groups. The results of those discussions were presented by all seven groups in the evening.

The participants pointed out a number of subjective and objective obstacles that Armenia and its government must overcome while working to ensure Freedom of Expression. Those obstacles included:

- Unresolved conflicts with neighboring countries;
- Absence or lack of information, and limitation of information flows;
- Censorship, self censorship, and the lack of truly independent unbiased TV channels;
- Devaluation of the meaning of Freedom of Expression;
- The culture of poverty;
- Societal taboos;
- Intolerance;
- Flaws in related Laws and their implementation, and the absence of rule of law in general;
- Economic factors, including corruption and bribery;
- Lack of technology (e.g. insufficient Internet connectivity);
- Passivity among society and the intelligentsia, lack of a *civic stand* on the issue;
- Problems in education, lack of professionalism;
- Lack of real leadership and public trust, or authoritarian governance;

The groups discussed the FOE resources they had found that can help to overcome these obstacles, as relates to implementation of FOE. The groups then made the following recommendations:

¹ http://www.speedylook.com/Abraham_Moles.html

Recommendations for the Armenian public:

- Foster better understanding of the role of the government; society should not wait until those in power are perfect, but should cooperate with its leaders, even if a significant part of society considers them to be illegitimate. By constantly generating dialog, tirelessly seeking all possible means to express its ideas, society can fulfill its potential for the sake the country's protection and progress.
- Expand cooperation between different levels of society, i.e. local and international organizations, to create common strategies, define common goals, manifest Freedom of Expression during public events; and use modern technologies as an alternative source of information;
- Increase society's legal conscience and develop mechanisms for public oversight;
- Create or take advantage of opportunities for distance education;

Recommendations for the Armenian government:

- Diversify the means of expression, de-politicize and make accessible means of expression in order to include new viewpoints and ideas. In the modern world, a government's viability depends on its competitiveness. Competitiveness, in turn, requires a government to implement new ideas, projects, and initiatives which come from society. Everybody should understand, that to avoid stagnation governments must be open and permeable. In order to progress, a country's leaders must receive feedback from society and therefore must permit freedom of expression if they wish to remain viable and competitive. In other words, the very existence of governments requires respect for the freedom of expression.
- Foster the understanding among members of the government that FOE is necessary for ensuring a government's legitimacy and effectiveness; leaders that are closed from the society are likely to be vulnerable and defenseless against external threats. By adopting Freedom of Expression as a value, the government will prove that it is not afraid of being criticized, and in this way will regain credibility in the eyes of society.
- Gather and receive feedback from society through public consultations, research and publications in different fields (i.e. economic, social, and cultural). Constant dialog among representatives of the government, non-governmental organizations, businesses, cultural and media institutions and individuals will help develop principles, values, and ideas that will contribute to the public's progress and the country's competitiveness.
- Eradicate impunity;
- Ensure maximum transparency in government affairs;
- Help make the Internet more accessible;
- Contribute to the development of alternative media.

Participants proposed a variety of themes for a series of talk shows and documentaries, such as:

- Education and the main issues related to FOE;
- The unresolved conflicts (neither war nor peace) and their impact on FOE;
- The importance of FOE for the progress of society;
- Lack of FOE in everyday life;
- Media: is FOE a resource or an obstacle?
- The professionalism and ethics of journalism;
- Harassed journalists; the journalist and the policeman.

In order to receive immediate quantitative information and qualitative feedback from attendees, EPF distributed a questionnaire to participants. Its results were analyzed by Gayane Ghazaryan, a researcher employed by EPF. Among other suggestions, proposed themes for additional public consultations and discussions included:

- Possibilities for development of long term resources on FOE;
- FOE and social consciousness;
- Civic attitude: its essence and components;
- FOE and the individual, inner freedom;
- Nations and tolerance.

The consultation (working group discussions and meetings) was filmed by film maker Karen Gevorgyan. The photos taken during the consultation are available on:
http://picasaweb.google.ru/epfound.photos/FreedomOfExpressionConsultation?authkey=iZ7G_1laiRM&feat=directlink

Attached documents:

1. The presentation by Vladimir Vardanyan
2. The presentation by Nouneh Dilanyan
3. The presentation by Boris Navasardyan