Armenia

	2015	2016
Internet Freedom Status	Free	Free
Obstacles to Access (0-25)	6	6
Limits on Content (0-35)	10	10
Violations of User Rights (0-40)	12	14
TOTAL* (0-100)	27	30

* 0=most free, 100=least free

Population:	3 million
Internet Penetration 2015 (ITU):	58 percent
Social Media/ICT Apps Blocked:	Yes^
Political/Social Content Blocked:	No
Bloggers/ICT Users Arrested:	No
Press Freedom 2016 Status:	Not Free

^Occurred after coverage period until September 2016

Key Developments: June 2015 – May 2016

- In July 2016, amid clashes between an armed militant group and authorities, Facebook was briefly unavailable for users in Armenia across several ISPs (see **Blocking and Filtering**).

- In April 2016, hostilities broke out between Armenian and Azerbaijani forces over the disputed Nagorno-Karabakh territory. Throughout the conflict, online commentators were encouraged to practice self-censorship (see **Media, Diversity, and Content Manipulation**).

- In June 2015, police targeted journalists livestreaming the Electric Yerevan protests in the capital, beating them and confiscating their equipment (see **Intimidation and Violence**).

- In July 2015, a trial commenced against the creators of satirical YouTube Channel "SOS TV", with police seeking an apology and payment of a fine for a video which they claim insults the Armenian police force (see **Prosecutions and Detentions for Online Activity**).

Introduction

Internet freedom remained largely uninhibited in the past year, though Armenia's overall score declined somewhat after police physically attacked journalists livestreaming protests in Yerevan.

The past year in Armenia has been marked by periods of civil unrest and regional conflict. In late 2015, a constitutional referendum changed the country from a semi-presidential system to a parliamentary republic, a change which critics say would allow President Sargsyan to serve beyond his second term in office. The referendum was marred by suspicions of ballot stuffing and pressure. In April 2016, hostilities broke out between Armenian and Azerbaijani forces over the Nagorno-Karabakh territory, resulting in casualties on both sides. Later, in July 2016, armed anti-regime militants clashed with police in the capital.

While Armenians are generally free to express themselves online without restriction or fear of sanction, some incidents of censorship occurred during and after the coverage period, coinciding with the periods of violence and unrest. Facebook was briefly restricted in July 2016 while armed militants were challenging the authorities, and netizens were pressured to self-censor as violent clashes briefly resumed on the Nagorno-Karabakh frontline.

However, historically the internet has remained relatively free in Armenia, with gradual improvements in infrastructure and accessibility connecting more of the population. Activists regularly use social media as a tool to promote their causes, and opposition and independent media flourish online.

Obstacles to Access

Internet access in Armenia continues to grow, though growth slowed somewhat in 2015, possibly due to market saturation. The internet penetration rate increased to just over 58 percent. The ISP market is relatively diverse, with foreign as well as local providers competing for customers, though an urban-rural divide persists, limiting access and quality for those living outside major cities.

Availability and Ease of Access

According to the International Telecommunication Union (ITU), the internet penetration rate reached just over 58 percent in 2015, compared with 42 percent in 2013 and just 15 percent in 2009.[1] Average internet speeds more than doubled in 2015 reaching 17Mbps compared to 8.7Mbps in 2014, according to government figures.[2]

By the end of 2015, there were 289,102 fixed-line broadband subscriptions, representing an increase of 29,217 relative to the same period in 2014. In December 2015, mobile broadband subscriptions

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1   International Telecommunication Union, "Percentage of Individuals Using the Internet," http://bit.ly/1QYT4u2. The Armenian Ministry of Transport and Communication estimated internet penetration at 55.29 percent in 2015.

2   Armenian Ministry of Transportation and Communications, "Report on Results of Work and Implementing Priority Objectives in 2015, " [in Armenian] http://bit.ly/1QwsdZ7

reached 244,443, an increase of 13,669 over 2014.[3]

The mobile penetration rate reached 124 percent in 2015.[4] Based on reports provided by mobile operators, more than 1.6 million mobile phones out of a total of 3.5 million were connected to the internet as of December 2015.[5] The use of internet connected phones increased by 2.3 percent (85,071 subscribers) compared with the same period last year.

Internet is ubiquitous in Armenia's capital Yerevan with most cafés, universities, and many schools providing free Wi-Fi access. There is also Wi-Fi connectivity in some of Yerevan's public buses, the metro, some railway stations, and some taxis. In contrast to the diverse market in Yerevan, the capital city, many villages have only one or two mobile broadband services from which to choose. Approximately 60 percent of rural towns are covered by fixed-line broadband. 3G services are available to almost 100 percent of the population, covering 90 percent of the country (excluding mostly unpopulated mountainous regions).[6]

Many operators are also offering three-in-one packages including IP television and fixed telephone services; the average price for this package with an average speed of 20 Mbps is AMD 10,000 (US$22).[7]

Restrictions on Connectivity

The government does not typically restrict internet access, though in an isolated incident Facebook was reportedly unavailable for approximately 40 minutes in July 2016 during a period of civil unrest in Yerevan (see Blocking and Filtering).

In practice, the Armenian government and the telecommunications regulatory authority, the PSRC, do not interfere with or try to influence the planning of network topology. Operators plan and develop their networks without any coordination with either the government or the regulatory authority. Moreover, the regulatory authority requires service providers to indicate any technological restrictions in their public offers. Armenian internet users enjoy access to internet resources without limitation, including peer-to-peer networks, voice and instant messaging services.

Access to the internet in Armenia is ensured through four backbone networks that use fiber-optic cable systems. The international internet connection is made possible by five telecommunication operators[8]. At the network level they are interconnected with fiber-optic cable systems operating in the territory of the Republic of Georgia. There is also a fiber-optic connection through Iran, which is limited in capacity and mostly serves backup needs.[9] In the past, physical damage to the cables in

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3   Ministry of Transportation and Communications, "Report on Results of Work and Implementing Priority Objectives in 2015, " [in Armenian] http://bit.ly/1QwsdZ7

4   Business 24 (b24.am) business newswire, "Number of Mobile Subscribers in Armenia, Q4, 2015," April 13, 2016, http://bit.ly/2c5hd8T .

5   Business 24 (b24.am) business newswire, "Number of Mobile Subscribers in Armenia, Q4, 2015," April 13, 2016, http://bit.ly/2c5hd8T.

6   This information was derived from reports published on several mobile operators' websites, including MTS (Mts.am), Beeline (Beeline.am), and Orange Armenia (Orangearmenia.am).

7   Panorama.am, "2 Million People Use The Internet in Armenia. Enterprize Incubator Foundation,"March 21, 2015, http://bit.ly/1X6i5rS.

8   Hetq.am, "The Owners of Armenian Internet," [in Armenian], October 6, 2015, http://bit.ly/1UOOp3Q.

9   Noravank Foundation, "The Problems of Armenian Internet Domain," [in Armenian], January 12, 2016, http://bit.ly/1QDh61R
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the territory of Georgia has caused disruptions in internet access.[10] While there have been no major disruptions in the recent years, the limited number of connections to and from the country present challenges in ensuring uninterrupted internet access.

ICT Market

Armenia was one of the first post-Soviet countries to privatize the telecommunication industry. Since the mid-2000s, the Armenian mobile and ISP market became increasingly diverse, with Armenian users able to choose from three mobile service operators and dozens of ISPs, 46 percent of which are foreign-owned. Internet service providers offer ADSL, fiber-optic and cable access, WiFi and Wi-Max wireless technologies, general packet radio services (GPRS), EDGE, CDMA and 3G technologies (UMTS/WCDMA), and 4G LTE. All three current mobile operators offer 2G and 3G+ networks, and two operators offer 4G LTE network services. However, 4G LTE services are available only in limited locations, including Yerevan, Gyumri, Vanadzor, Dilijan, and Tsakhkadzor.[11]

According to the Public Services Regulatory Commission (PSRC) there are 71 ISPs in Armenia. However, an analysis of data published by service providers shows that the four leading operators together control approximately 90 percent of the market for internet access, and 96 percent of the total revenue from internet service. The regulatory authorities in Armenia primarily focus on companies with significant market power, one of which is Armenian, while the other three are foreign-owned.

The four major providers are Ucom with 40 percent market share, Armentel (Beeline) with 36 percent, Vivacell-MTS with 15 percent, and Rostelecom with 7 percent. The fastest growing ISP is Rostelecom, a cable provider with 31,161 subscriptions, an increase of 9,265 subscribers in one year, while Armentel (Beeline), the largest ADSL broadband internet access provider, is losing ground.[12]

There are three mobile operators in Armenia. The largest mobile internet provider is the local company Ucom,[13] followed by VivaCell-MTS and Armentel (Beeline). Armentel (Beeline) is owned by Vimpelcom, one of largest mobile operators in Russia; Vivacell-MTS is owned by Mobile TeleSystems, another of the largest mobile operators active in Russia. In 2013, Ucom was issued a license allowing its entry into the telecommunications market, but acquired Orange Armenia from France Telecom in August 2015 instead of building up its own network.

Regulatory Bodies

The concept of an independent regulatory authority was implemented in 2006 with the adoption of the Law on Electronic Communication. Armenia has chosen a multi-sector regulatory model in which one body, the PSRC, is in charge of the regulation of energy, water supply, and telecommunications services. The PSRC's authority, mechanisms of commissioners' appointments, and budgeting principles are defined under the Law on State Commission for the Regulation of Public Services.[14] The Law on Electronic Communication contains provisions guaranteeing the transparency of the deci-

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10   The Guardian, "Georgian woman cuts off web access to whole of Armenia," April 6, 2011, http://bit.ly/1nsMLau.

11   EIF, *ICT Industry Report*, (Armenia, 2014), http://bit.ly/1OYd3ri

12   Rostelecom, "Reports," http://bit.ly/1GmOszd; Roseltelecom, *Report 2015,* [in Armenian] http://bit.ly/1Sto5f2

13   *Orange Armenia 2015 Report, http://oran.ge/1QFb9OD*

14   The Law on Public Services Regulation Commission was adopted by the National Assembly of the Republic of Armenia on December 25, 2003.

sion-making procedures of the commission: all decisions are made during open meetings with prior notification and requests for comments from all interested persons posted on the website.[15] The PSRC is accountable to the National Assembly in the form of an annual report, but the parliament merely takes this report into consideration and cannot take any action.

However, one of the weakest provisions of the Armenian regulatory framework is the absence of term limits for commissioners. The members or commissioners of the PSRC are appointed by the president of Armenia in accordance with the recommendations of the prime minister. Once appointed, a commissioner can be dismissed only if he or she is convicted of a crime, fails to perform his or her professional duties, or violates other restrictions in the law, such as obtaining shares of regulated companies or missing more than five PSRC meetings.

This dependence on the political leadership has been shown to undermine regulatory independence in the past, including in the media sector.[16] In 1995, the broadcasting license of the independent television company A1+ was suspended for refusing to broadcast only pro-government material, and in 2002 its broadcasting frequency was awarded to another company. Despite a ruling by the European Court of Human Rights in 2008, which stated that the regulatory authority's refusal to reinstate the company's broadcasting license amounted to a violation of freedom of information, the license was never reinstated.[17]

Amendments to the Law on Electric Communication removed the need for internet service providers to obtain a license, instead requiring that they simply notify the regulator of their provision of internet services or the operation of a telecommunication network.[18] Public access points such as cafes, libraries, schools, universities, and community centers are also not required to obtain a license to offer internet access unless they offer services for a fee. According to a separate licensing law, nonprofit entities are not required to obtain a license for the provision of internet services.[19]

In spite of three well-established ICT-related nonprofit associations, self-regulation of the industry is significantly underdeveloped in Armenia. The oldest nonprofit institution is the Internet Society (ISoc), which is the national chapter of the worldwide ISoc network. At the early stage of internet development in Armenia (1995 through 1998), ISoc Armenia was the primary internet policy advocate and industry promoter. However, after the establishment of the independent regulatory authority, ISoc no longer plays as much of a regulatory role, as most industry disputes are filed with the PSRC.

ISoc continues to maintain the registration of domain names, and despite the lack of formal dispute resolution policies, it carries out the registry function effectively with minimal influence from government authorities or the regulator. As a result, the Armenian ICT market enjoys a liberal and non-discriminatory domain name registration regime. ISoc Armenia registers domain names according to ICANN recommendations and best practices. ISoc's board is composed of service provider managers, and in general, the Society's policy agenda is strongly influenced by the interests of traditional pro-

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15   Article 11 of the Law of the Republic of Armenia on Public Service Regulation Commission.

16   There are three independent regulatory authorities in Armenia that are part of the executive, but not a part of the government. These three authorities are the public utilities regulator, the broadcasting regulator, and the competition authority.

17   In September 2012, A1+ began broadcasting on the airwaves of Armnews. During this time, A1+ was nonetheless able to continue publishing news content on its website. For further information on Meltex LTD and Mesrop Movsesyan v. Armenia: European Court of Human Rights, "Article 10 – Judgement," in "Information Note on the Court's case-law," June 2008, http://bit.ly/1MPDVhi

18   Law of the Republic of Armenia on Changes and Amendments to the Law on Electronic Communication of April 29, 2013, Official Bulletin No 05/29(969), June 5, 2013.

19   Art. 43, Law of the Republic of Armenia on Licensing, May 30, 2001, with several amendments from 2002-2012.

viders that started their business in the mid-1990s.

Another well-established industry association is the Union of Information Technologies Enterprises (UITE).[20] Though industry self-regulation is one of the main goals of the Union, so far it has not developed any significant policies for industry regulation. Both ISoc Armenia and UITE are founders of a third notable nonprofit institution, the ArmEx Foundation, which was established with the sole purpose of creating a local data traffic exchange point. Other founders include leading ISPs as well as mobile and landline telecommunication operators.

Limits on Content

The Armenian government does not consistently or pervasively block users' access to content online. In an isolated incident, Facebook was reportedly briefly unavailable during clashes between police and armed groups in July 2016. The most common incidents of censorship of online content relate to blocking and filtering of platforms and websites by the Russian regulatory authority, which affects access to the same content for some internet users in Armenia, since Armenia receives some of its web traffic through Russia. However, these cases are promptly resolved by internet service providers once reported by users.

Blocking and Filtering

In general, online content is widely accessible for internet users in Armenia. However, during times of civil unrest, the government has been known to restrict access to social networks and other websites. On July 17, 2016, as a group of opposition gunmen stormed a police station in Yerevan after calling for an armed rebellion via Facebook, users reported that they were unable to access Facebook through major ISPs, including Armentel (Beeline) and Ucom. [21] Connectivity was reportedly restored within approximately 40 minutes.

The most prominent case of online censorship occurred in March 2008 during post-elections clashes.[22] The government declared a state of emergency and restricted certain media publications, including independent internet news outlets. The security services demanded that the Armenian domain name registrar suspend the domain names of opposition and independent news sites, and requested that ISPs block certain outside resources, such as some opposition pages on social network platforms, particularly the blog platform LiveJournal, which was popular among opposition and civil society activists. Armenian authorities were strongly criticized by international observers for restrictions on access to internet resources.[23] After the events of 2008, Armenian authorities have been very cautious about restricting internet content, though the most recent Facebook restriction could indicate that the government remains willing to block social media platforms.

Due to the fact that some internet users in Armenia receive filtered traffic from Russian ISPs, there have been a few cases where websites blocked in Russia are incidentally blocked for users in Ar-

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20   Union of Information Technology Enterprises, "UITE History," accessed April 30, 2013, http://bit.ly/1PungBq

21   Mashable, "Facebook reportedly blocked in Armenia during unrest in the capital," July 17, 2016, http://on.mash.to/2c2lGGa.

22   Reports on the number of people killed vary; according to the official report from the Council of Europe, eight people were killed. Thomas Hammarberg, "Special Mission to Armenia," Council of Europe, Commissioner for Human Rights, March 12-15, 2008, http://bit.ly/1OOJ6OH

23   Parliamentary Assembly of the Council of Europe, "Observation of the Presidential Election in Armenia," April 8, 2008.

menia. For example, in July 2015, a Russian opposition media outlet and a gambling website, both blocked in Russia by a court decision, were blocked in Armenia as well. Following the first reports, Beeline started to work toward unblocking the websites and restored them later that same day.[24]

According to Article 11 of the Law on Police,[25] law enforcement authorities have the right to block particular content to prevent criminal activity; in practice, such blocking cases have been limited to locally-hosted, illegal content such as illegal pornography or copyright-infringing materials. For example, in 2012 the police blocked the website Armgirls.am for disseminating pornographic content and for hosting bulletins of women working in the Armenian sex industry.[26] Article 263, section 20 of the criminal code stipulates that the production and dissemination of pornographic materials or items, including printed publications, films and videos, images or other pornographic items, advertisements, or sales is punishable by a fine in the amount of five hundred times the minimum monthly salary in Armenia, or imprisonment for up to two years.

Any decision of a law enforcement body to block particular content can be challenged in court by the resource or content owners, and if the court rules that the measure was illegal or unnecessary, the resource or content owners may claim compensation. Additionally, Armenia is a signatory to the European Convention on Human Rights; therefore, any such decision can also be challenged at the European Court of Human Rights.

Content Removal

In May 2015, an episode of a web series satirizing the police response to protests in Yerevan was removed by YouTube. The video was flagged by the police for removal for copyright infringement since it contained a copyrighted clip of a news report, though it was likely targeted because it was mocking police behavior.[27] The Armenian police also took the authors of the web series, SOS TV, to court claiming the episode contained insults towards the police. The trial began on July 28, 2015, with the police seeking a public apology and a fine of AMD 2 million (US$4,200). SOS TV continued to refuse to apologize for their satirical clip.

Internet service providers involved in transmitting illegal content, such as child pornography, or content related to online crime or cyberterrorism, are not liable for carrying such content, provided that they had no prior knowledge of it.

Media, Diversity, and Content Manipulation

Armenian internet users are able to access a wide array of content online, though online media outlets based within the country are subject to financial and political pressures. Similar to traditional media outlets such as television or printed press, Armenian internet news resources are exposed to political pressure. In some cases, journalists are not allowed to deviate from the editorial policy of online media outlets, which are often linked to one of the political parties. Such pressure has the potential to affect the overall situation of freedom of speech in the country, though online publishers

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24   "Ej.ru and bet365.com blocked by Russian Roskomnadzor in Armenia," *Samvel Martirosyan* (blog), July 1, 2015, http://bit.ly/1QI6NpZ

25   "Episode of Satirical Web Series Removed from YouTube After a Complaint from Armenian Police," *ePress,* May 26, 2015, http://bit.ly/1MPFw6F

26   "Armenia's Police block a site offering intimate services," *Media Max*, March 23, 2012, http://bit.ly/1W2n54J

27   SOS, Facebook Page, http://on.fb.me/1PuqZin

and individual bloggers strongly resist self-censorship. Indeed, there is a wide diversity of opinion on social media, and virtual battles between supporters and opponents of the government are often observed. A variety of independent and opposition web resources provide Armenian audiences with politically neutral, or oppositional opinions.

However, throughout the flare up of hostilities between Armenia and Azerbaijan over the disputed Nagorno-Karabakh territory, expression online was skewed by the Defense Ministry's appeals to citizens to refrain from discussing the situation on the frontline on the internet, for fear of revealing "war secrets" to the other side. Online commentators practiced self-censorship, and discussions online often turned hostile when publications or users were perceived to be publishing unfavorable information or figures about Armenia's standing in the conflict.[28]

Digital Activism

Young activists campaigning against energy price hikes utilized Facebook to mobilize thousands of supporters in a major protest movement, which blocked Baghramian Avenue, a central street in Yerevan, for two weeks starting from June 22, 2015, and also reverberated in the regions.[29] The protest action known as Electric Yerevan attracted international media coverage after the police used force and water cannons to break up protestors on June 23, 2016. The movement regrouped and went on protesting, forcing the authorities to promise concessions, including a temporary price freeze while a special commission investigated the reasons for the increase, as well as government subsidies for some of the most vulnerable social groups.

In another example of digital mobilization, an activist group called "No Pasaran" (You Won't Pass It),[30] campaigned between September and December 2015 against constitutional amendments which may allow Armenian President Serzh Sargsyan to serve for a third term. Activists relied on social media to spread their message, sharing informative videos and communicating via Facebook. The constitutional changes were ultimately passed in a referendum held on December 6, 2015, a move which was criticized by local and international observers amid suspicion of irregularities in the voting process.[31]

Violations of User Rights

There have been few cases of prosecutions against internet users or bloggers for content posted online. While Armenia eliminated criminal penalties for defamation in 2010, concerns over high financial penalties for defamation persist, though the number of cases and the fines have decreased in recent years. Journalists from print and broadcast media have been subject to intimidation and attacks, though no cases of violence against online journalists were recorded during this coverage period.

28   "Keep the Military's Secrets," Ministry of Defense, May 4, 2015, http://www.mil.am/hy/media/video/67;
Defense Ministry Statement, May 4, 2015, http://www.mil.am/hy/media/video/65

29   "No to Plunder", Facebook Page, http://on.fb.me/1YviXYl

30   "No Pasaran," Facebook Page, http://on.fb.me/1TrULXm

31   Transparency International anticorruption center, "Final Report: Observation Mission for the Constitutional Amendments Referendum of the Republic of Armenia on December 6, 2015," http://bit.ly/1TKloXX; OSCE/ODIHR Election Expert Team, "Armenia, Constitutional Referendum, 6 December, 2015, Final Report," http://bit.ly/1U37CiP.

Legal Environment

The Armenian constitution was amended following a referendum held on December 6, 2015. The new constitution continues to guarantee freedom of speech in Article 42, irrespective of the source, person, or place, applying to both individuals and media outlets.

In 2003, Armenian media legislation changed significantly with the adoption of the Law of the Republic of Armenia on Mass Media (also referred to as the Media Law).[32] One the most positive changes was the adoption of unified regulation for all types of media content irrespective of the audience, technical means, or dissemination mechanisms. The Television and Radio Law contains additional requirements on content delivery, but it does not regulate news, only erotic or violent programs, as well as advertising, the mandatory broadcast of official communications, and rules on election coverage and other political campaigns. Content delivered thorough a mobile broadcasting platform or the internet is subject to the same regulations.

In a positive development, the Constitutional Court of Armenia ruled on October 20, 2015 that journalists are not obliged to disclose their confidential sources, with the exception of cases involving serious crimes or where people could be in danger. The case was brought to the court after state prosecutors dropped controversial charges brought against Kristine Khanumian, editor of the ilur.am news website, for refusing to disclose the confidential source behind a June 2014 report that accused a senior Armenian police officer of assaulting two men. The charges were subject to criticism from international organizations.[33]

Overall, Armenian criminal legislation grants journalists certain protections related to their profession. According to Article 164 of the criminal code, hindering the legal professional activities of a journalist or forcing a journalist to disseminate or withhold information is punishable by fines or correctional labor for up to one year. The same actions committed by an official abusing their position is punishable by correctional labor for up to two years, or imprisonment for up to three years, and a ban on holding certain posts or practicing certain activities for up to three years.[34] However, neither criminal law nor media legislation clearly defines who qualifies as a journalist or whether these rights would apply to online journalists or bloggers.

In May 2010, the Armenian National Assembly passed amendments to the administrative and penal codes to decriminalize defamation, including libel and insult, and introduce the concept of moral damage compensation for public defamation.[35] The initial result was an increase in civil cases of defamation, often with large fines as penalties. In November 2011, the Constitutional Court ruled that courts should avoid imposing large fines on media outlets for defamation, resulting in a decrease in the number of defamation cases. Defamation has been used by Armenian politicians to restrict public criticism (see Prosecutions and Detentions for Online Activity), though it is not considered to

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32   The Law of the Republic of Armenia on Mass Media of December 13, 2003, http://bit.ly/2cBhAdK

33   OSCE, "Forcing journalists to disclose confidential sources infringes work of media in Armenia, OSCE representative says," July 16, 2015, http://bit.ly/1R6cahX; Reporters Without Borders, "Journalist Prosecuted for refusing to reveal her source," July 21, 2015, http://bit.ly/1M6eoMZ

34   Art. 164, Criminal Code of the Republic of Armenia as amended on January 6, 2006, accessed April 30, 2014, http://bit.ly/1jxplj9

35   Concept of compensation for moral damage caused by defamation was introduced by adding Article 1087.1 to the Civil Code of the Republic of Armenia, Official Bulletin of the Republic of Armenia, 23 June 2010 No 28(762).

significantly curb oppositional viewpoints or media independence.

Since 2003, when the concept of cybercrime was first introduced in the Armenian criminal code,[36] criminal prosecution for crimes such as illegal pornography or copyright infringement on the internet demonstrates that Armenian law enforcement authorities generally follow the practices of the European legal system, and neither service providers nor content hosts have been found liable for illegal content stored on or transmitted through their system without their actual knowledge of such content. The downloading of illegal materials or copyrighted publications is not prosecuted under Armenian legislation unless it is downloaded and stored for further dissemination, and the intention to disseminate must be proved. Armenia is a signatory to the Council of Europe's Convention on Cybercrime, and further development of Armenian cybercrime legislation has followed the principles declared in the Convention.

Armenian criminal legislation also prohibits the dissemination of expressions calling for racial, national, or religious enmity, as well as calls for the destruction of territorial integrity or the overturning of a legitimate government or constitutional order.[37] These laws apply to expression both online and offline.

Prosecutions and Detentions for Online Activities

No cases of imprisonment or other criminal sanctions for online activities were recorded over the past year. However, cases of civil liability, such as moral damages compensation for defamation, have been recorded several times over the past few years.[38] There were 15 civil defamation and insult suits against journalists and the media in 2015, according to the Committee to Protect Freedom of Expression.[39] Of these cases, 13 included online media or media outlets that also have an online presence.

Surveillance, Privacy, and Anonymity

The newly adopted Law on the Protection of Personal Data came into effect on July 1, 2015.[40] The law is intended to ensure the implementation of the right to personal privacy with respect to the processing of personal data, bringing Armenian legislation regarding personal data in line with the European standards and international obligations. The law created the Agency for Protection of Personal Data, which started operating in October 2015. The agency is headed by Shushan Doydoyan, the founder of the Freedom of Information Center of Armenia, and will have the authority to appeal decisions of state agencies where they violate the right to privacy with regard to personal data.

The collection of an individual's personal data by the government is allowed only in accordance with a court decision in cases prescribed by the law. The monitoring and storing of customers' data is illegal unless it is required for the provision of services. Personal data can be accessed by law en-

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36   Cybercrime was defined under the new Criminal Code of the Republic of Armenia, adopted on April 18, 2003. The first prosecution case for the dissemination of illegal pornography via the internet was recorded in 2004.

37   Art. 226 and 301 of the Criminal Code of the Republic of Armenia, accessed April 30, 2014, http://bit.ly/1jxplj9

38   "Demanding Financial Compensation from Armenian News Outlets is Becoming Trendy," Media.am, March 3, 2011, http://bit.ly/1MPHcx1

39   CPFE, "Annual report 2015", http://bit.ly/1USZ9y4

40   National Assembly of Armenia, "The Law on Protection of Persoanal Data" [in Armenian], http://bit.ly/1R7RMTT

forcement bodies only with a court decision. Motions must be justified, and if not, the defense attorney may insist on the exclusion of evidence obtained. Nonetheless, the courts support most data requests from law enforcement bodies.

Anonymous communication and encryption tools are not prohibited in Armenia; however, the use of proxy servers is not very common. Individuals are required to present identification when purchasing a SIM card for mobile phones. No registration is required for bloggers or online media outlets, though tax authorities may question bloggers or media outlets on revenue-related issues (advertisements or paid access).

Armenian legislation does not require access or hosting service providers to monitor traffic or content. Moreover, the Law on Electronic Communication allows operators and service providers to store only data required for correct billing. Cybercafes and other public access points are not required to identify clients, or to monitor or store their data and traffic information.

Intimidation and Violence

There were eight documented cases of physical violence against journalists in 2015, according to CPFE. [41]

A number involved journalists and media personnel covering the June 2015 protests against energy price hikes in Yerevan or the December 6, 2015 constitutional referendum. On June 23 2015, police attacked journalists live-streaming the Electric Yerevan rally on Baghramian Avenue (see Digital Activism). Four police officers are under investigation in connection with the attacks.

On July 29, 2016, a group of plainclothes men attacked at least 14 journalists while they were covering clashes between riot police and protesters marching in support of armed gunmen who had occupied a police compound in Yerevan.[42] Some of the journalists were hospitalized as a result of the attacks; some of their equipment was broken. Armenian authorities promised to investigate the attacks.

Technical Attacks

Technical attacks target both government websites and civil society groups in Armenia. Most of the attacks are believed to originate in Azerbaijan. On June 19 and 20, 2015, a large number of Armenian websites were hacked by groups which news reports said were based in Azerbaijan. The hackers targeted state websites, including the sites of various Armenian embassies.[43]

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41   CPFE Annual Report 2015, http://bit.ly/1USZ9y4

42   Committee for the Protection of Freedom of Speech, "Statement by Armenian Media Organizations," 30th July, 2016, http://bit.ly/2drc9IZ

43   "Embassy Websites Targeted in A Massive Attack," [in Armenian] *Samvel Martirosyan* (blog), January 20, 2016, http://bit.ly/1LREvwh.