

**FREEDOM OF INFORMATION CENTER OF ARMENIA**

**YOU HAVE A RIGHT TO KNOW**

**b u l l e t i n N 3 8**

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Published since 2001

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## **FOI Annual Award Ceremony 2012**

The Freedom of Information Center's 10th annual "Golden Key and Rusty Lock" award ceremony took place on September 28, 2012– the International Right to Know Day.



Dr. Karen R. Hilliard - USAID/Armenia Mission Director welcomes the FOI Annual Award Ceremony.



Positive Award for an NGO that best used the right for access to information was given to Suren Deheryan-the head of "Journalists for the Future"NGO by the RA Minister of Culture Hasmik Poghosyan.

An independent jury awarded a Golden Key, as a symbol of openness and transparency, to the following nominations:

- Positive Award for the state institution that was best applied the Armenian FOI Law was presented to the RA Ministry of Healthcare.
- The RA Ministry of Territorial Administration official website [www.mta.gov.am](http://www.mta.gov.am) was recognized as the best official web site in terms of access to information.
- Special Award was given to the RA Ministry of Foreign Affairs for the initiative of Armenia's membership to the Open Government Partnership International Initiative and for developing and presenting a comprehensive country Action Plan in OGP.
- Positive Award for an NGO that best used the right for access to information was presented to "Journalists for the Future" NGO.
- Positive Award for the journalist that best used the right for access to information was awarded to Mrs. Anna Israyelyan ([www.aravot.am](http://www.aravot.am)and "Azatutyun" Radio Station).
- Positive Award for the media outlet most actively covering FOI issues was presented to the CivilNet Internet TV.

This is the first time that the Jury was not able to select the most secret state body, therefore the negative Rusty Lock award, a symbol of

secrecy, was not announced. This is a great indicator that shows the consistent work done by us and our partners to promote access to public information and it demonstrates the continued efforts of the government to ensure transparency. The winners of the positive awards were selected by the independent jury represented by seven organizations that work on the freedom of information.

The selection criteria for the most open and secret agencies can be found at:  
<http://www.foi.am/en/award-standards>

The Award Ceremony was organized by the Freedom of information Center of Armenia NGO with USAID support.



Positive Award for the journalist that best used the right for access to information was awarded to Mrs. Anna Israyelyan by Mr. Oliver McCoy - OSCE Democratization Officer.



Vache Terteryan-First Deputy minister of the Ministry of Territorial administration and Dr. Karen R. Hilliard - USAID/Armenia Mission Director with other guests of the Ceremony.

## FOIANet Adopts 10-10-10 Statement

To celebrate its 10th anniversary and the 10th anniversary of International Right to Know Day, FOIANet has adopted the 10-10-10 Statement: Achievements, Challenges and Goals on the 10th Anniversary of the Freedom of Information Advocates Network (FOIANet).

**T**he Statement highlights the ten most impressive achievements of FOIANet, and the wider community promoting the right to information globally, over the last ten years, the ten main challenges we still face, and our ten priority goals for the coming ten years.

When it was first launched ten years ago, none of the founding members could have imagined that FOIANet would experience such success and growth during its first decade. Its membership has gone up tenfold, to some 200 organisational members, and 600 people on its discussion list. Access to information held by public bodies has been firmly recognised as an international human right, and the number of countries with RTI laws has more than doubled to 93.

There are also significant challenges. More than one-half of the countries in the world still do not have RTI laws, implementation remains a serious challenge in many of the countries that do, and there has been backsliding, in particular on exceptions and independent oversight bodies, in too many countries. A particular concern is the growing phenomenon of physical attacks on RTI activists, and reprisals against whistleblowers.

The challenges also define FOIANet's priorities for the next ten years. High among these are the goals of growing the number of countries which given legal recognition to RTI and the

fostering of more robust implementation in countries that already protect this right. Building and deepening recognition of RTI as a human right represents an important opportunity for the RTI community. For FOIANet itself, key priorities are sustainable management of its growth, providing support and solidarity to its members, especially when they come under attack, forging stronger links to support communities, fostering further development of regional RTI networks, and strengthening the funding base available to the network and its members.

We encourage readers to circulate this 10-10-10 Statement, and to support the goals of FOIANet by working with us for transparency and to deliver on our ten key goals.

*The 10-10-10 Statement is available at:*  
<http://www.foiadvocates.net/en/component/content/article/38-resources/346-10-10-10-statement-adopted>

## The First Session of the OGP Armenia Action Plan Working Group Held

The first session of the Working Group established to coordinate the works stipulated under the Action Plan of the participation of Armenia in the Open Government Partnership initiative took place in the RA Government on October 1, 2012.

The Working Group has been formed in accordance with the Decision # N 931- 2 of September 29, 2012 of the RA Prime Minister. The Working Group includes officials and representatives of NGOs. Liana Doydoyan, FOICA expert, was also involved in the Working Plan developing the OGP Armenia Action Plan.

As mentioned by the Head of the Working Group and Deputy Head of Staff of the RA Government Tigran Gevorgyan, formation and efficient application of an open and transparent governance system is one of the priority objectives of the RA Government; in this respect, membership of Armenia in the Open Government Partnership reflects the readiness of the Government to work more openly and stimulate the enhancement of the efficiency of the governance system through introduction of new tools and skills:

Expert from the RA Government Aram Asatryan presented the progress in implementation of the commitments undertaken under the Armenian Action Plan since April 2012 (when Armenia officially presented its Action Plan at the OGP forum in Brazil).

The Working Group discussed also the steps of the coordination works for implementation of the commitments set out by the Armenia Action Plan; in particular, the members were suggested to present recommendations on specific commitments, which will be discussed during the next session.

The Open Government Partnership was created on September 8, 2011 on the initiative of 8 countries: Brazil, Indonesia, Mexico, Norway, Philippines, South Africa, the United Kingdom, and the US. Over 60 countries have joined this initiative as of today. The Republic of Armenia became a member of the initiative in November 2011. The OGP Declaration says that its goal is to raise the publicity on the actions of managers, encourage the society's participation in the governance of the public life, and have more transparent and responsible authorities.

*Here you can find OGP Action Plan by the RA:*

*[http://mfa.am/u\\_files/file/OGPAP\\_Armenia\\_English.pdf](http://mfa.am/u_files/file/OGPAP_Armenia_English.pdf)*

## **Marzpets' Incomes 2011**

In 2011, Marzpet (Regional Governor) of Lori marz Artur Nalbandyan had the highest income: 52,718,634 AMD and 80,000 USD (total of about 84,718,634 AMD). Marzpet of Tavush marz Armen Ghularyan follows Nalbandyan with his income of 2,288,160 AMD and 20,000 USD (total of about 10,288,160 AMD). The next marzpet having received the third highest income in 2011 is Nver Poghosyan, Marzpet of Gegharqunik marz with his income of 10,576,600 AMD.

**T**he Freedom of Information Center had applied to the Commission on Ethics of High-Level Officials on August 31, 2012 requesting to provide references on the data included in the property and income declarations of the all RA Marzpets. On September 8 the commission provided the requested documents to FOICA. Note that the spouse, the parent living with him/her and adult and unmarried child are considered to be the dependents of an official. Therefore, we will separately present information on the property and incomes of dependents of the RA marzpets.

### **Movable and immovable property**

#### Marzpets

During 2011, of all 10 marzpets, only the Marzpet of Gegharqunik Nver Poghosyan has alienated or purchased immovable and movable property. However, the RA Commission on Ethics of High-Level Officials has not provided any data about what immovable property and with what price has the Marzpet purchased. In the references provided by the Commission, this section was covered. Note that the list of data included in the property and income declarations of the high-level officials and their dependents and subject to be publicized (provided) is defined by the RA Government: according to the Appendix 1 of the decision 1835-N of December 15, 2011 of the RA

Government, among the data included in the declaration of any official, the following are also subject to publication:

Type of the immovable property, price of the property acquired in the tax year and the currency it has been purchased with, the price of the property alienated in the tax year and the currency, if the total price of purchase of the immovable property or the total price of the transactions of purchase of the immovable property has exceeded 50,000,000 AMD or the equivalent foreign currency.

Thus, data on immovable property purchased or alienated by an official are published only in the event when the total price of transactions of purchase of immovable property or total price of transactions of alienation of immovable property has exceeded 50,000,000 AMD or an equivalent foreign currency. Since the Commission on Ethics of High-Level Officials has covered that section of the declaration of the Marzpet of Gegharqunik Never Poghosyan, therefore it is assumed that the total price of the transactions of purchase by the Marzpet or the total price of the alienation transactions has been less than 50,000,000 AMD.

#### Dependents

As to the dependents of marzpets, note that in this case also, immovable or movable property



has been alienated or purchased only by Marzpet Poghosyan's family. Marzpet's son has purchased or alienated both immovable and movable property. However, information on alienated or purchased property has not been available either: the relevant sections of the references were covered.

According to the above decision of the RA Government, the list of data included in the declarations of dependents subject to be publicized include also:

- The type of the property of the parent and adult and unmarried child living together with a high-level official, the price of the property acquired in the tax year and the currency used, the price of the property alienated in the tax year and the currency, if the total price of purchase of the immovable property or the total price of the transactions of purchase of the immovable property has exceeded 50,000,000 AMD or the equivalent foreign currency;
- The type, the brand name, and serial number of the property of the parent and adult and unmarried child living together with a high-level official, the price of the property purchased in the tax year and the currency used, the price of the property purchased in the tax year and the currency used - if the total price (value) of the property purchased by the parent and adult and unmarried child living together with the high-level official during the tax year or, in case of alienation - that of alienated movable property has exceeded 8,000,000 AMD or equivalent foreign currency.

Thus, the data on the immovable and movable property purchased or alienated by the son of Marzpet of Gegharqunik Nver Poghosyan would be published, if the total price of the

transactions of purchase of immovable property or the total price of alienation transaction exceeded 5 million AMD or equivalent foreign currency, and if the total price (value) of transactions of purchased or alienated movable property exceeded 8 million AMD. Since the sections of the declaration of the Marzpet's son related to immovable and movable property were also covered, therefore, in this case also it is assumed that the amounts of 50 million and 8 million AMD have not been exceeded.

### **Incomes in foreign currency**

#### Marzpets

Marzpet of Lori Artur Nalbandyan and Marzpet of Tavush Armen Ghularyan were the only two marzpets having incomes in foreign currency in 2011- 80,000 USD and 20,000 USD, respectively. According to the declarations, the two marzpets have received this capital in foreign currency as a gift.

#### Dependents

in 2011 none of the dependents of the RA marzpets has received incomes in foreign currency.

### **Comparing the incomes**

#### Marzpets

In 2011, Marzpet (Regional Governor) of Lori marz Artur Nalbandyan had the highest income: 52,718,634 AMD and 80,000 USD (total of about 84,718,634 AMD). Marzpet of Tavush marz Armen Ghularyan follows Nalbandyan with his income of 2,288,160 AMD and 20,000 USD (total of about 10,288,160 AMD). The next marzpet having received the third highest income in 2011 is Nver Poghosyan, Marzpet of Gegharqunik marz with his income of 10,576,600 AMD.

It turns out marzpets of Lori marz have received the highest incomes over the recent 4 year, being the first during the 3 of the 4 years. Thus, in 2008, the former Marzpet of Lori Aram Kocharyan was the first (35,070,600 AMD), (3.088.000 AMD), in 2010 the current Marzpet of Lori Artur Nalbandyan was the first (17.739.735 AMD), in 2011 he was leading again, this time with an income worth of 52,718,634 AMD and 80,000 USD.

In 2011 income of Surik Khachatryan, Marzpet of Syunik was the lowest – 2,359,603 AMD, followed by Marzpet of Aragatsotn Sargis Sahakyan, with 2,497,584 AMD. The trio of the lowest income marzpets is concluded by Marzpet of Kotayq Kovalenko Shahgaldyan, with 2,517,088 AMD.

The size of incomes of the rest of marzpets ranges between 2.6-5.3 million AMD.

The total income of all marzpets made 89,800,636 AMD and 100,000 USD in 2011.

### Dependents

Among the dependents of the RA marzpets, the highest income in 2011 was received by the Marzpet of Vayots Dzor Sergey Bagratyan's wife: 2,160,000 AMD, followed by the wife of Tavush Marzpet Armen Ghularyan and wife of Syuniq Marzpet Surik Khachatryan, with 2,095,712 AMD and 1,272,000 AMD worth incomes respectively.

The lowest income in 2011 was received by the wife of Marzpet of Lori Artur Nalbandyan: 600,000 AMD. Son of the Marzpet of Vayots Dzor Sergey Badalyan comes next with 900,000 AMD. The third position is shared by the wife of Marzpet of Armavir Ashot Ghahramanyan and the wife of the Marzpet of Ararat Edik Barseghyan with 1,200,000 AMD worth incomes each.

Son of the Marzpet of Gegharqunik Nver Poghosyan has received an income of 1,510,0 AMD (the data are presented according to the references received from the Commission on Ethnicity of High-Level Officials. Most probably, this particular case is about 1,510,000 AMD). All the rest of dependents of RA marzpets did not get any incomes in 2011.

**The total incomes received by all dependents of RA marzpets in 2011 has made 9,427,712 AMD (to escape inaccuracies, this amount does not include the 1,510,0 AMD received by the son of the marzpet of Gegharqunik Never Poghosyan).**

## The FOICA succeeded in the court case against the "Prosperous Armenia" Party

Prosperous Armenia political party needed a period of 4 months and a summon to finally answer the request by FOICA. With a 4-month delay, On September 4, 2012, FOICA received an answer to the request for receiving information sent to the Prosperous Armenia party on April 25, 2012. FOICA was trying to clarify information about the election campaign funding by PAP.

The court case FOICA vs. "Prosperous Armenia" Party was discontinued, as the Party had provided the whole requested information before the court hearing.

On April 25, 2012, the Freedom of Information Center of Armenia sent an information request to the "Prosperous Armenia" party asking to provide information on finances spent for pre-electoral campaign. The Party has left unanswered the FOICA's information request. Thus, on May 16, 2012, the Freedom of Information Center sent the second information request to the "Prosperous Armenia" Party asking to provide the abovementioned information. The FOICA's second information request also was left unanswered. As a result, on July 2, 2012, the FOICA applied to the First Instance Court of the General Competence of Arabkir and Qanaqer-Zeytun administrative districts asking to oblige the "Prosperous Armenia" party to provide the whole requested information within 5 days.

Before the first court hearing, on September 4, 2012, the "Prosperous Armenia" party provided the whole requested information and asked the court to discontinue the case.

Thus, the FOICA applied to the court mentioning that FOICA had no objection if the Court discontinues the court case by a condition that either the court solves the issue of compensation of the legal expenses made by the FOICA, or the Party compensates the legal expenses on its own initiative. Before the next court hearing the "Prosperous Armenia" party has compensated the legal expenses made by FOICA on its own initiative and provided the whole requested information. Thus, at the court hearing which took place on October 2, 2012, the court case FOICA vs. "Prosperous Armenia" party was discontinued.

## FOICA vs. "Environmental Program Implementation Office" State Institution

The FOICA had sent a written request on May 29, 2012 to the Director of the "Environmental Program Implementation Office" State Institution Victor Martirosyan asking to provide the following information:

1. Have the employees of the "Environmental Program Implementation Office" SI received any rewards (bonuses, gifts) in 2011?
2. If yes, then who have been rewarded (by the staff list) and with what amount of money (what gift)?
3. How much was the total amount of the monetary rewards of the employees of the "Environmental Program Implementation Office" SI?
4. How much was the cost of each of the gifts received by the employees of the "Environmental Program Implementation Office" SI and the total sum of the costs of gifts.

An incomplete answer was received from the "Environmental Program Implementation Office" SI; no information asked by FOICA was received about the employees of the "Environmental Program Implementation Office" SI having received rewards and the amount of money (answers to the 2nd and 3rd questions). Therefore, FOICA sent requests again on June 20, 2012, asking to provide complete and full information.

In response to the second request by FOICA, a memo was received on July 02, 2012 which provides information also about the question mentioned in paragraph 3 of the enquiry; however, making a reference to part 3 of Article 6 and part 1 of Article 8 of the RA law "On Freedom of Information", part 1 of Article 134 and Article 199 of the RA Labor Code, the infor-

mation requested by paragraph 2 of the request was refused with the grounding that it was information on personal data of the employee.

Further, FOICA has asked for information about the employees according to the staff list, i.e. not by names. In addition, according to the memo by the RA Civil Service Council, no restrictions shall be applied to providing information about the cost of rewards received by civil servants. The conjunction of the above two conditions indicates that the requested information does not refer to the immunity of the private life of individual civil servant.

As a result, FOICA turned to the RA Administrative Court and the Court of General Jurisdiction of Center and Norq-Marash administrative districts on July 24, 2012 with the claim to fine the Director of the "Environmental Program Implementation Office" SI of the RA Ministry of Nature Protection V. Martirosyan in amount of 30.000 AMD for refusing twice to provide the requested information as well as to recognize the fact of violation of the right of the FOICA to receive information and oblige the "Environmental Program Implementation Office" State Institution of the RA Ministry of Nature Protection to provide the requested information on how much money was rewarded the employees of the mentioned SI in 2011 according to the staff list.

The court hearing in the Court of General Jurisdiction of Center and Norq-Marash administrative districts will take place on October 8, 2012, at 12:00 and the court hearing in the RA Administrative Court will take place on 18 October, 2012, at 11:40.

## FOICA vs. RA Ministry of Finance, Licensing Agency of RA MF and Financial Oversight Inspectorate of RA MF

The FOICA had sent requests to the Head of the Licensing Agency of the RA Ministry of Finance Karen Tamazyan and the Head of the Financial Oversight Inspectorate of the RA MF Sona Gharibyan on May 29, 2012 asking to provide the following information:

1. Have the employees of the Licensing Agency /Financial Oversight Inspectorate received any rewards (bonuses, gifts) in 2011?
2. If yes, then who have been rewarded (by the staff list) and with what amount of money (what gift)?
3. How much was the total amount of the monetary rewards of the employees of the Licensing Agency /Financial Oversight Inspectorate.
4. How much was the cost of each of the gifts received by the employees of the Licensing Agency /Financial Oversight Inspectorate and the total sum of the costs of gifts?

In response to FOICA's request, an incomplete answer was received from the RA Ministry of Finance. The answer was considered incomplete since no information requested by FOICA was provided about those employees of the Licensing Agency and the Financial Oversight Inspectorate having received rewards and the amount of rewards received by each employee (the answer to the 2nd question). Therefore, FOICA sent requests again on 23.06.2012, asking to provide complete and exhausting information.

In response to double requests, a memo has

been received from the RA Ministry of Finance, by which, making a reference to the RA Labor Code, the RA law "On Civil Service", and the RA law "On Freedom of Information", the information requested by paragraph 2 of the request was refused with the grounding that it was information on personal data of the employee.

Further, FOICA has asked for information about the employees according to the staff list, i.e. not by names. In addition, according to the memo by the RA Civil Service Council, no restrictions shall be applied to providing information about the cost of rewards received by civil servants. The conjunction of the above two conditions indicates that the requested information does not refer to the immunity of the private life of individual civil servant.

As a result, FOICA turned to the RA Administrative Court with a claim on July 24, 2012, asking to:

1. Recognize the fact of violation of the right of the FOICA to receive information and oblige the RA Ministry of Finance to provide the requested information on with what amount of money have the employees of the Licensing Agency and the Financial Oversight Inspectorate, according to staff list, been rewarded in 2011 (2nd questions in the requests).
2. For refusing twice to provide the required information by the Chief of the Staff of the RA Ministry of Finance Armen Shahnazaryan, as well as for not responding to the information enquiries and thus failing to provide the requested information by the

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Head of the Licensing Agency of the RA Ministry of Finance Karen Tamazyan and the Head of the Financial Oversight Inspectorate of the RA Ministry of Finance Sona Gharibyan, fine each of them by 30.000 (thirty thousand) AMD.

The first court hearing will take place on November 14, 2012.

## Guides for journalists by the FOI Center

The Freedom of Information Center has published two guides for journalists, "How to Cover Legal Matters" and "Transparent Elections. How to Receive Information during Electoral Processes" (in Armenian). The manuals are available at <http://foi.am/hy/books/>.

Guidelines were published with the support of USAID and the OSCE Yerevan Office.

For getting the printed copies of the guidelines you can contact the Freedom of Information Center-room 416, Arshakunyats 2, Yerevan.



## IDC opinion on the court case filed by Daniel Ioannisyan, Bayandur Poghosyan and Hasmik Simonyan vs "Mek Azg" Party

On September 7 the Information Disputes Council released its conclusion on the Verdict of the General Jurisdiction Court of Ajapnyak and Davitashen Administrative Districts of Yerevan issued on 28.06.2012 on the Court Case filed by Daniel Ioannisyan, Bayandur Poghosyan and Hasmik Simonyan vs "Mek Azg" Party.

### 1. The Circumstances of the Case

Civic activists Daniel Ioannisyan, Bayandur Poghosyan and Hasmik Simonyan have submitted a court application against "Mek Azg" Party, demanding monetary compensation for discrediting the honour, dignity and business reputation of plaintiffs and a public apology.

The application stems from the following statements about plaintiffs disseminated by "Mek Azg" Faction of organizations in the Facebook social network.

The following has been said about Daniel Ioannisyan:

- *"A defender of homosexuals, who condemns the fight of "Mek Azg" Faction against homosexuals...He is a member of Raffi Hovhannisyan's youth wing..., an active member. Armenians, get to know who are resorting to immorality.... Your pro-western pro-Levon and pro-Raffi camps will be sent to the hell...along with your immoral ideas...only powerful Armenia, only Armenian Apostolic Church. This harlequin is not even Armenian by nationality".*

The following has been said about Bayandur Poghosyan:

- *"This ideological bastard from Lovon's youth wing cannot imagine Armenia without homosexuals and throws stones at our fight against homosexuality...".*

The faction stated the following about Hasmik Simonyan:

- *"This madam, condemning the struggle of "Mek Azg" faction against the phenomenon of homosexuality, places on record only one thing that she is an ardent advancer of sexual revolution and can see Armenia only with a big army of homosexuals".*

### 2. Conclusion

This is the first court precedent in Armenia's inter-state practice when the court has accepted under its proceedings the question of the legality of information disseminated in a social network. From this perspective it can be said that the court's decision had a precedent value, especially taking into account the extensive debates on whether or not the right to free expression in the social networks should be regulated in the same way as in the usual public domain.

With this regard the **Council finds** that the social networks have stopped being a closed environment since the users are using numerous channels to communicate and exchange information with parties in public domain. From this point of view, in terms of both legal and social consequences, there is no difference between cases when a person is raising complaints by making a statement in his/her personal page status or, for instance, expresses the same complaint by placing it on a poster

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and displaying in an active part of the city. In both cases the information is available to all.

The court has applied this very new criterion when determining whether or not the information had a public nature. By referring to the "third party" criterion established in the precedent law, the court at the same time has introduced "available to all" criterion, which, we believe, will have a more appropriate application in terms of information disseminated on the internet. **The Council welcomes** the Court's conclusions mentioned above.

Amongst statements under question the court has considered the word "harlequin" addressed to Daniel Ioannisyanyan and "ideological bastard" addressed to Bayandur Poghosyan as insulting with an intention to damage reputation. The afore-mentioned expressions, which in the given context have been used as value judgments, can receive various connotations in various contexts. In this particular context the Court has found them objectively damaging and insulting based on its inner conviction. Taking this into account the Council abstains from assessing if the statements mentioned in this context are insulting and of damaging nature or not.

As far as the remaining general statements are concerned, the court has found them neither insulting nor defamatory, since the court found that these are abstract statements that are not objectively damaging. According to the Court, belonging to a particular party, defending someone, holding or disseminating ideas, not being Armenian by nationality or disseminating information about all this, even if this does not correspond to the reality, cannot damage a person's honour, dignity or business reputation. The Council welcomes such position since it ensures wide scopes of political speech.

We think that the court showed a reasonable approach as well when solving the issue of

compensation. First, following the Cassation Court's precedent law, in particular that in all cases when the award amount is to be determined it is necessary to take into account the financial state of the person who insulted or defamed and that compensation amounts and forms that can have a decisive impact on the respondent party should be excluded, the court has satisfied the demand for non-pecuniary damage, which makes a symbolic 10 drams each for every plaintiff. With this regard the Council notes again that there is consistent approach in the application of the Cassation Court's precedent law.

As for court expenses, this demand has been completely rejected since the plaintiffs could not justify with documentary proof that such expenses have been actually incurred. Regarding this the Council abstains from expressing its opinion since the application is under the court discretion. As far as the method of legal protection is concerned, the court has obliged the respondent organization to apologize to the plaintiffs by placing the text of apology on Facebook social network. We believe that in the present circumstances the court has been able to fairly counterbalance the interests of the parties.

### **3. RECOMMENDATION**

Considering that the present case is the first case heard by Armenian courts concerning the right to free expression on internet, as well as taking into account that this topic is gaining high popularity in the Armenian internet domain, the Council finds that it is time for broad discussions on issues pertaining to the adoption and application of self-regulation norms on internet and for this purpose invites all active users to debate.

***Information Disputes Council***



## Black List, 3rd Quarter of 2012

These officials have violated the people's access to information right during the 3rd quarter of 2012 (July-September)

- **Mr. Viktor Martirosyan - Director of the “Environmental Program Implementation Office” State Institution**

On May 29, 2012, the FOICA sent an information request to the Director of the “Environmental Program Implementation Office” State Institution Victor Martirosyan asking to provide information about the rewards (bonuses, gifts) received by the employees of the State Institution. An incomplete answer was received from the “Environmental Program Implementation Office” SI; no information asked by FOICA was received about the employees of the “Environmental Program Implementation Office” SI having received rewards and the amount of money. Thus, on June 20, 2012, the FOICA sent the second information request asking to provide complete and full information. The second request got an unjustified refusal with the grounding that it was information on personal data of the employee.

- **Mrs. Sona Gharibyan - Head of the Financial Oversight Inspectorate**

On May 29, 2012, the FOICA sent an information request to the Head of the Financial Oversight Inspectorate Sona Gharibyan asking to provide information about the rewards (bonuses, gifts) received by the employees of the Inspectorate. In response to FOICA’s request, an incomplete answer was received. The answer was considered incomplete since no information requested by FOICA was provided about those employees of the Financial Oversight Inspectorate having received rewards and the amount of rewards received by each employee. Thus, on June 23, 2012, the FOICA sent the second information request asking to provide complete and full information. The second request got an unjustified refusal with the grounding that it was information on personal data of the employee.

- **Mr. Karen Tamazyan - Head of the Licensing Agency**

On May 29, 2012, the FOICA sent an information request to the Head of the Licensing Agency Karen Tamazyan asking to provide information about the rewards (bonuses, gifts) received by the employees of the Agency. In response to FOICA’s request, an incomplete answer was received. The answer was considered incomplete since no information requested by FOICA was provided about those employees of the Licensing Agency having received rewards and the amount of rewards received by each employee. Thus, on June 23, 2012, the FOICA sent the second information request asking to provide complete and full information. The second request got an unjustified refusal with the grounding that it was information on personal data of the employee.

- **Mr. Karen Khtryan - Head of the Legal Act Expertise Agency**

On May 29, 2012, the FOICA sent an information request to the Head of the Legal Act Expertise Agency Karen Khtryan asking to provide information about the rewards (bonuses, gifts) received by

the employees of the Agency. In response to FOICA's request, an incomplete answer was received. The answer was considered incomplete since no information requested by FOICA was provided about those employees of the Licensing Agency having received rewards and the amount of rewards received by each employee. Thus, on June 23, 2012, the FOICA sent the second information request asking to provide complete and full information. The second request got an unjustified refusal with the grounding that it was information on personal data of the employee.

● **Mr. Abram Bakhchagulyan - Head of the State Food Security Service**

On May 29, 2012, the FOICA sent an information request to the Head of the State Food Security Service Abram Bakhchagulyan asking to provide information about the rewards (bonuses, gifts) received by the employees of the Service. In response to FOICA's request, an incomplete answer was received. The answer was considered incomplete since no information requested by FOICA was provided about those employees of the Licensing Agency having received rewards and the amount of rewards received by each employee. Thus, on June 23, 2012, the FOICA sent the second information request asking to provide complete and full information. The second request was left unanswered.

● **Mrs. Lilya Vardgesyan - Director of the School N1 after Stepan Shahumyan**

On August 17, 2012, the FOICA sent an information request to the Director of the School N1 after Stepan Shahumyan asking to provide information about the documents required for admission to the school. The request was left unanswered. Thus, on September 12, 2012, the FOICA sent the second information request, which also was left unanswered.

● **Mrs. Ira Hakobyan - Director of the School N2 after Khachatur Abovyan**

On August 17, 2012, the FOICA sent an information request to the Director of the School N2 after Khachatur Abovyan asking to provide information about the documents required for admission to the school. The request was left unanswered. Thus, on September 12, 2012, the FOICA sent the second information request, which also was left unanswered.

● **Mrs. Anahit Vardanyan - Director of the School N4 after Levon Shant**

On August 17, 2012, the FOICA sent an information request to the Director of the School N4 after Levon Shant asking to provide information about the documents required for admission to the school. The request was left unanswered. Thus, on September 12, 2012, the FOICA sent the second information request, which also was left unanswered.

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**FREEDOM OF INFORMATION CENTER OF ARMENIA**

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