

April 30, 2025

Opinion

on the Lawfulness of Campaign Content Broadcast on *1in TV* During the Gyumri Snap Elections Pre-Election Period

Facts

Media Ethics Observatory has applied to the Information Disputes Council, requesting its opinion regarding the lawfulness of the dissemination of content on *Skizb Media Kentron Ltd.'s 1in TV* online media. Specifically, this concerned the airing of a video clip and programs campaigning for mayoral candidate Levon Barseghyan between March 15 and 23, during the pre-election period of the March 30, 2025 Gyumri Council of Elders elections. This application was prompted by a letter MEO received from the Commission on Television and Radio. In it, the broadcasting regulatory body reported that, based on its observations, the media in question had repeatedly aired a video clip related to Levon Barseghyan, the candidate for Gyumri mayor from “Evradashinq” (EuroAlliance) party alliance, during the pre-election campaign. The Commission also highlighted that the election-related programs aired by the same outlet had hosted representatives or sympathizers of the alliance, who had voiced support for that political force and its candidate.

Meanwhile, according to the CTR, if the aforementioned audiovisual content constituted election campaigning, *1in TV* should have declared that the airtime had been provided on a paid basis—something the outlet failed to do. The CTR also noted that the media’s representative had verbally communicated that these videos had been aired free of charge. In connection with these facts, the CTR requested MEO to present a position on whether *1in TV* had breached the Code of Ethics of Armenian Media and Journalists, to which the media is a signatory. However, before providing its judgment to the CTR, MEO reached out to the Information Disputes Council, seeking an expert opinion on whether the airing of the video pieces in question was lawfully conducted and whether the failure to publish information regarding the allocation of paid airtime for election campaigning constituted a violation of the law. The disputed videos are available at the following [link](#).

Later, on April 28, MEO notified the IDC that according to the information received from *1in TV*, the media had released a [statement](#) on March 1, announcing that it would not allocate paid airtime to the forces participating in the forthcoming community elections,

while also expressing its readiness to host all interested candidates and provide them with coverage.

Conclusion

According to Article 20 (6) of the Electoral Code, private audiovisual media service providers that allocate airtime for pre-election campaigning to candidates, parties and party alliances running in local self-government elections shall announce on air the price per minute of paid airtime no later than 5 days before the start of electoral list registration period. Article 20.1, which regulates the procedure for pre-election campaigning by media outlets with a domain and hosting registered on the Internet, stipulates that campaign materials must be published with the label “Pre-election campaigning.” In the case of campaign videos, this label must be displayed continuously throughout the video. Notably, the same requirement is also set forth in Article 11 (4) of the RA Law “On Audiovisual Media.”

Thus, if the content of the videos in question makes it possible to regard them as election campaigning - defined in Article 19 (1.1) of the Electoral Code as audiovisual materials aimed at persuading voters to vote or not to vote for a certain candidate or party (party alliance) - then *Skizb Media Kentron Ltd.* should have in advance and within the timeframe prescribed by law announced the price per one minute of paid airtime for election campaigning. The failure to do so amounted to a violation of the requirement set out in Article 20 (6) of the Electoral Code.

In this regard, *Skizb Media Kentron Ltd.*’s argument that a statement was disseminated via *1in TV* on March 1 regarding its decision not to allocate paid airtime to the forces running in the elections, accompanied by readiness to host all interested candidates and provide them with coverage, is difficult to consider well-founded. First, the deadline was breached: the information regarding the platform usage during the campaign should have been made public no later than February 25, as stipulated by law. Added to that, the statement was quite vague: in particular, it failed to specify whether all candidates had the opportunity to publish their campaign videos free of charge, as was the case for one of them.

Even assuming that only Levon Barseghyan made use of the free-of-charge opportunity to share his campaign material on *1in TV*, the audiovisual service provider was nevertheless obligated - pursuant to paragraph 4 of Article 11(1) of the RA Law “On Audiovisual Media” - to ensure the continuous display of the label “Pre-election campaigning.” None of the above-mentioned laws stipulates that media are exempt from the obligation to include the relevant label in campaign materials when publishing them free of charge. Finally, in the event the audiovisual service provider had made a decision to provide a specific candidate with free airtime for the pre-election campaign, it should have announced this decision in advance on air to comply with Article 20 (1) of the Electoral Code, according to which, political parties

running in the elections to the councils of elders of regional centers are entitled to equal access to the airtime of audiovisual service providers, up to the extent specified by the Code.

Thus, during the pre-election period of the March 30, 2025 snap elections for Gyumri Council of Elders, between March 15 and 23, campaign materials on *Skizb Media Kentron Ltd.'s 1in TV* were disseminated in violation of paragraphs 1 and 6 of Article 20, paragraph 3 of Article 20.1 of the Electoral Code, and paragraph 4 of Article 11 (1) of the RA Law “On Audiovisual Media.”

Information Disputes Council

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