

**EXTRACT FROM THE JUDGMENT OF MEDIA ETHICS OBSERVATORY  
ON THE COMPLAINT OF “HERITAGE” PARTY  
REGARDING PIECES PUBLISHED BY “168 ZHAM” ON MARCH 19, 2009**

The subject of the complaint became the pieces “The Client Is Always Right” and “Citizen, Are You a Marker?” published by “168 Zham” on March 19, 2009. By examining the first piece the MEO considers the title “The Client Is Always Right”, offensive, in the applicant’s view, to be just an evaluating opinion, the truth or agreement to reality of which cannot be proved. As an argument the MEO refers to one of the clauses of the decision of European Court on Human Rights on the case of “Lingens vs. Austria”.

Regarding the second piece, “Citizen, Are You a Marker?”, the expression, containing false information, in “Heritage” opinion, is an assumption made by the author of the piece, which she had a right to. The expression, assessed by applicant as misinformation, contains a reference to anonymous sources of information (allowed by Point 2.2 of the Code of Conduct). On the basis of these sources the author makes evaluating opinion. The other expressions challenged by “Heritage” party are a conclusion, which is not subject to any proving.

Thus, in the aforesaid pieces of “168 Zham” on March 19, 2009 there are no violations of Code of Conduct and international norms of professional ethics.

At the same time, MEO shares the concern of “Heritage” about the surge of negative information on the party at the period when the question whether “Heritage” will participate to the Yerevan Council of Elderly elections on May 31, 2009 was being settled. Nevertheless, the absence of accurate information always gives raise to assumptions, which cannot be considered as a violation of the Code of Conduct.

***Adopted at the MEO session of May 12, 2009***