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**EXTRACT FROM THE EXPERT JUDGMENT OF  
MEDIA ETHICS OBSERVATORY  
ON RECIPROCAL COMPLAINTS OF  
JOURNALISTS GOHAR VEZIRIAN AND PAYLAK FAHRADIAN**

Journalist Gohar Vezirian filed a complaint to Media Ethics Observatory (MEO) against journalist Paylak Fahradian's February 23, 2016 Facebook post. According to the applicant, the post contained false and libeling information. Moreover, the applicant believed that the information was paid.

Paylak Fahradian also filed a complaint to MEO against the piece "It was Ordered by Hovik Abrahamian: Correspondence" published on February 23, 2016 on Newsbook.am website, whose editor is Gohar Vezirian. According to the applicant, by making public his personal correspondence, the media violated professional ethics and the accusation of him performing someone's order is defamation.

The complaints were discussed at the MEO March 23, 2016 session with the participation of the disputing parties, which introduced their arguments.

**A. Facts**

1. On February 16, 2016 an incident happened in the RA National Assembly between journalists and MP Mher Sedrakian, which was broadly covered by the Armenian media.
2. On February 23, 2016 a group of journalists held a protest action in front of the parliament building in connection with the incident.
3. On the same day, after the protest action was over, at 16.50 Newsbook.am published a piece "It was Ordered by Hovik Abrahamian: Correspondence", which in particular noted that RA Prime Minister Hovik Abrahamian is behind these actions against MP Mher Sedrakian. As a proof to the journalist's partiality, the piece provided the screenshot of Paylak Fahradian's correspondence with Tigran Abrahamian, Director of Information and Analytical Center state non-commercial organization, who, as the piece read, is the officer of the Prime Minister.
4. On the same day, at 21.47 in response to that piece, Paylak Fahradian

wrote a post on his Facebook page, which in particular said that Gohar Vezirian defends the MP through her website, as Mher Sedrakian is her godfather, he has personal contacts with Gohar Vezirian's uncle and resolved the issue of her expensive apartment in Erebuni administrative district of Yerevan.

5. Gohar Vezirian informed MEO that Mher Sedrakian is not her godfather, has no personal and business relations with her, moreover, as a resident of the above-mentioned administrative district she had a conflict with Sedrakian.

## **B. Legislative and Ethical Norms**

1. Point 3 of the Article 1087.1 of the RA Civil Code: "Procedure and Conditions of Compensation of Damage to the Honor, Dignity or Business Reputation".

2. Point 2 of the Article 7 ("Restrictions to the Right to Freedom of Speech in the Sphere of Communication") of the RA Law "On Mass Communication": "It is prohibited to disseminate information obtained through video and audio recording conducted without notifying the person on the fact, or recording, when the person expected to be out of sight or earshot of the implementer of video and audio recording and has taken sufficient measures to ensure it, with the exception of cases, when such measures were obviously not sufficient. The dissemination of information related to one's personal or family life as well as those mentioned in the second part of this Article is allowed if it is necessary for the protection of public interest".

3. Point 3 of the Article 9 ("Responsibility of the Person Carrying out Media Activity") of the RA Law "On Mass Communication": "The person carrying out media activity is not liable for dissemination of secret information as stipulated by law, provided the information in question was lawfully obtained, or it was not apparent that the information was secret as stipulated by law. If the person carrying out media activity has disseminated information the secret nature of which has been evident, it will be exempt from liability if dissemination of information was done for the sake of protecting public interest".

4. Principle 1("Accuracy and Impartiality") of the Code of Ethics of Armenian Media and Journalists: "Prior to publishing, to check the accuracy of information from any source, not to conceal or distort facts, and not to publish obviously false information" (p. 1.1); "To rely on accurate facts and trustworthy information when making analysis and comments"(p. 1.4).

5. Principle 4 of the Code of Ethics of Armenian Media and Journalists: "To respect and protect the human right to private life, including respect to personal and family life, residence, property, health condition, correspondence. Only public interest or protection thereof can justify publication of information regarding the privacy of high rank officials, public figures, and individuals aspiring to power or public attention" (p. 4.1);

6. Social Media Guidelines for News Personnel, developed by MEO.

## **C. Conclusion**

### **1. On Gohar Vezirian's Complaint against Paylak Fahradian:**

- Paylak Fahradian's information on Gohar Vezirian's personal contacts with Mher Sedrakian were not backed by facts, and hence his Facebook post violated the above-mentioned points 1.1 and 1.4 of the Code of Ethics of Armenian Media and Journalists.

- This information as such might not be considered as defamatory. But when it is presented as a reason explaining why Gohar Vezirian keeps defending the MP, it becomes obvious that the publication of unchecked and unverified information aimed at damaging Gohar Vezirian's honor, dignity and business reputation.

### **2. On Paylak Fahradian's Complaint against Newsbook.am:**

- Although Gohar Vezirian claims that the publication of the screenshot of Paylak Fahradian's correspondence is of public interest, MEO considers that in this case the prevalence of public interest was not obvious. Moreover, it was necessary to abstain from publishing the screenshot, because it had apparently been received illegally. Thus, MEO believes that Point 4.1 (protecting the right to privacy) of the Code of Ethics has been violated. Besides, MEO considers groundless the claim of Newsbook.am that Paylak Fahradian was performing someone's order.

## **C. Call to the Disputing Parties and Media**

1. MEO suggests that in the future the disputing parties abstain from reciprocal accusations of personal character or of serving others' interests, especially when a professional platform like media is used for the dissemination of such information. The necessity of being guided by the ethical principles gains more significance in case of coverage of events of public importance.

2. At the same time it should be noted that the dissemination of insufficiently verified information on any media by a third person or organization can blacken not only the reputation of that media, but also the entire journalistic community.

Such policy characteristic of "information wars" causes an irreparable harm to the relationships between the media. Journalists or media, even without wanting to, take a risk of becoming tools of manipulation in the hands of the powers, pursuing economic, political, administrative or other interests, which results in the loss of their independence - the fundamental component of their public mission.

MEO calls both on the disputing parties and the Armenian media to abstain from "settling a score" with colleagues from the "opposite camp". Such practice of "unmasking" and "revelation" cannot be justified by the public importance of the information.

Such phenomena are harmful to the journalistic community, as they can result not only in the loss of public trust but also in the control of information field by groups pursuing their own interests. In this respect, it

is of utmost importance to the journalists to prepare and publish materials in a way that the audience does not have doubts or accusations regarding the journalists and media being under some shadow influence.

***Adopted at the MEO session of March 23, 2016,  
In the following composition:***

**Gegham BAGHDASARIAN**, Chief Editor of “Analyticon” journal

**Ara GHAZARIAN**, Lawyer

**Haykuhi HARUTYUNIAN**, President of “Protection of Rights without Borders” NGO

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**Gnel NALBANDIAN**, Chief Editor of “Zham” news program of “Armenia” TV company,  
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**Ara SHIRINIAN**, Creative Director of “Shoghakat” TV company

**Gegham VARDANIAN**, Producer of Media.am

*[Media Ethics Observatory](#) was established by the media, joining the self-regulation initiative, which make 42 as of today. In its judgments MEO is guided by Code of Ethics of Armenian Media and Journalists, adopted at the self-regulation body’s meeting on March 10, 2007, and revised on May 16, 2015.*