



**EXTRACT FROM THE JOINT OPINION OF
MEDIA ETHICS OBSERVATORY AND INFORMATION DISPUTES COUNCIL
ON THE PIECE “THE MAN THAT COMMITTED SELF-IMMOLATION ON
BAGHRAMYAN AVENUE WAS HIV-POSITIVE: WHAT DANGER CAN THREATEN THE
PEOPLE THAT HELPED HIM? THE DOCTOR’S OPINION”**

On July 30, 2016, during the protest on Marshal Baghramyan Avenue in Yerevan citizen Kajik Grigoryan committed self-immolation. The incident was widely covered in the media. A few days later Kajik Grigoryan died in the hospital from burns sustained. On August 2, 2016, Armlur.am published an interview with Norayr Davidiants, Head of the Research Center of Radiation Medicine and Burns of the RA Ministry of Healthcare, in which the combustiologist noted that Kajik Grigoryan was HIV-positive and as a drug addict had also underwent methadone maintenance treatment. The combustiologist also underlined in the interview that all those who had helped Kajik Grigoryan on Baghramyan Avenue and had touched his open wounds, should undergo a medical examination for their own security (<http://armlur.am/563606/>). This information was reprinted by a number of media, quickly becoming available to wide public.

The information on a person’s health is under special protection of law. By publishing such information the media face a dilemma: on the one hand stands freedom of expression, and on the other hand - respect of one’s private life. When facing such a problem, the media should be guided by the extent of public need for the information on one’s health condition.

The necessity of keeping balance between the freedom of expression and respect of one’s private life is enshrined in the RA Law “On Mass Communication”, where point 3 of Article 7 prohibits the dissemination of information violating the right to privacy, and point 3 of the same Article allows the dissemination of such information if it is necessary for the protection of public interest.

Information Disputes Council and Media Ethics Observatory consider that the circumstances surrounding Kajik Grigoryan’s death, as well as its cause (self-immolation) are definitely of certain public interest, for the incident which caused death occurred during an event of public significance widely covered by the media. At the same time, the information that Kajik Grigoryan is a drug user, undergoes treatment for drug addiction and is HIV-positive, could be interesting only to a narrow audience. Although the reference to the source of information, i.e. the combustiologist, at first sight can serve as a justification for the authors of such pieces, however it does not eliminate the moral problem. In other words, journalists and doctors had to reach an agreement on such a coverage which would inform those who had helped Kajik Grigoryan of the possible risks, at the same time not violating the principle of protection of one’s privacy.

Relaying on respective provisions of the November 15, 2011 ruling of the RA Constitutional Court, IDC and MEO noted that journalists’ main mission of informing the public does not imply possibility of disseminating any information by simply following the legislative requirement on proper reference to the source of information. Here the principle

of respect of privacy is more important. And the interference in it by the media can have irreversible consequences for the person.

Point 4.6 of Code of Ethics of Armenian Media and Journalists stipulates: “To be tactful when collecting information, broadcasting video or audio materials, publishing interviews or photos of people with severe health issues, persons who committed/attempted suicide or suffered tragedy and sorrow.”

Point 4.1 of Code of Ethics makes it obligatory for the editorial staff 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.”

The above-mentioned ethical norms prove that even if Kajik Grigoryan sought to draw public attention with his action, it by no means justifies the dissemination of information on his health condition, since there was no clear public need for that.

In conclusion IDC and MEO underlined that after Kajik Grigoryan’s death the publication of information that he was a drug user, underwent treatment for drug addiction and was HIV-positive, can be considered as a violation of professional ethics, in spite of the use of a proper reference to the source of information in the piece.

***Adopted on September 28, 2016 by
Media Ethics Observatory and
Information Disputes Council***