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**EXPERT OPINION OF  
MEDIA ETHICS OBSERVATORY  
REGARDING THE COMPLAINT BY LEVON SARDARYAN,  
POLITICAL COMMENTATOR OF “LURER” NEWS PROGRAM  
OF THE PUBLIC TELEVISION OF ARMENIA,  
AGAINST THE PIECE “STARSHE EDDY: WHAT DO  
PASHINYAN’S DEFEATED HENCHMEN SAY?”  
PUBLISHED ON NEWS.AM ON FEBRUARY 11, 2021**

Levon Sardaryan, political commentator of "Lurer" news program of the Public Television of Armenia, appealed to Media Ethics Observatory regarding the [piece](#) "Starshe Eddy: What Do Pashinyan's Defeated Henchmen Say?". The piece was presented in translation from "Starshe Eddy" Telegram channel and republished by News.am on February 11, 2021.

The applicant expects MEO to consider the above-mentioned piece from the perspective of professional ethics and to carry out actions stipulated by its regulations.

**A. FACTS**

1. On February 11, 2021, News.am published the piece "Starshe Eddy": What Do Pashinyan's Defeated Henchmen Say?", in which the website presented the translated article of "Starshe Eddy" Telegram channel with some abridgement.

The piece is preceded by a short introduction, in which it is presented as the thoughts of "Starshe Eddy" Telegram channel's author German Kulikovsky on "what platform the defeated supporters of Pashinyan are preparing." The article quotes Levon Sardaryan's Facebook posts, based on which certain conclusions and comparisons are made. The introduction does not present News.am's attitude towards the published information, neither does it mention whether the editorial staff made an attempt to check it.

2. On February 17, 2021, Media Ethics Observatory received the complaint by Levon Sardaryan. The applicant believed that the above-mentioned piece

violated a number of points of journalistic and partnership ethics, in particular it contained both hate speech and unverified information.

3. On March 3, 2021, Media Ethics Observatory contacted Levon Sardaryan to find out whether his Facebook posts had been distorted in the piece or they had not been quoted properly. The applicant informed that they had not been distorted, but had been cut off from the temporal and event context, and that the media had not checked it with him when publishing the untrue information contained in the piece.

4. Levon Sardaryan requests to consider the above publication from the perspective of professional ethics.

5. On March 2-16, 2021, MEO held online discussions on the appeal.

## **B. LEGISLATIVE AND ETHICAL NORMS**

### **I. RA Law “On Mass Communication”**

Article 8. Right to refutation and response

1. A person has the right to demand from a person carrying out media activities a refutation of factual inaccuracies violating his/her rights contained in the information disseminated by the person carrying out media activities, if the latter does not prove that the facts are true.

Article 9. Liability of a person carrying out media activities

2. A person carrying out media activities is released from liability for the dissemination of that information if:

3) it is a verbatim or bona fide reproduction of information contained in a public speech, official documents of state bodies, another media or any author's work, and when disseminated, a reference to that source is made.

### **II. RA Civil Code**

Article 1087.1. The procedure and terms of compensation for damage caused to honor, dignity and business reputation

9. If no reference has been provided to the source of information (author) while insulting or defaming, or the source (author) of the information is unknown, or a person carrying out media activities does not disclose the name of the author based on his/her right of not disclosing the source of information, then the obligation to compensate is on the one who has publicly presented insult or defamation, and if it has been presented in the information disseminated by a person carrying out media activities, then that person shall be responsible for compensation.

### **III. Code of Ethics of Armenian Media and Journalists**

1.1. 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;

1.3. to clearly distinguish facts and information from opinion, comment and

analysis;

1.4. to rely on accurate facts and trustworthy information when making analysis and comments;

3.5. set rules of conduct in social networks for the editorial staff and follow the compliance with thereof;

6.2. to be ready to meet with persons or representatives of organizations who feel offended or defamed by a certain publication, and provide an opportunity of response for all those against who criticism and accusations have been made in the publications.

#### **IV. Guidelines on the Rules of Conduct of Editorial Staff on Social Networks**

##### **1. Reliability**

In case of a more direct and intimate communication with the audience on social networks one should not forget that he/she should maintain the reputation of the media. Every link shared on a social network or any comment written is public information regardless of what visibility restrictions have been set.

A media representative is not recommended to share a statement or write posts on social networks that may be considered as manifestations of discrimination on political, racial, sexual, religious and other grounds. This concerns also the photos and videos published.

(...)

If any post written on social networks can put into doubt one's professional objectivity and honesty, then it is better to refrain from publishing it.

#### **C. EXPERT OPINION**

Media Ethics Observatory

##### **having discussed**

the complaint of Levon Sardaryan, political commentator of "Lurer" news program of the Public Television of Armenia, against the News.am piece,

##### **admitting that**

the piece is a translation from "Starshe Eddy" Telegram channel,

##### **states:**

1. On February 11, 2021 in the piece "Starshe Eddy: What Do Pashinyan's Defeated Henchmen Say?" News.am, making reference to the Telegram channel and presenting the publication in translation without verification imparted ungrounded or untrustworthy information on Levon Sardaryan being a person close to Nikol Pashinyan, as well as being the Editor-in-Chief of the "Lurer" news program. These inaccuracies in this case are important, since

they lead to defamatory conclusions.

Although according to Point 3 of the second part of Article 9 of the RA Law “On Mass Communication” and Part 9 of Article 1087.1 of the RA Civil Code, the media is released from liability in case of reprinting and making a reference, nevertheless had the editorial staff of News.am demonstrated journalistic good faith, they could have checked and notified on the inaccuracies of “Strashe Eddy” Telegram channel, especially as an Armenian media they must be more aware of local realities and the article refers to a person well known in journalistic circles.

**2.** By republishing the improper comparison with Enver Pasha of the piece, News.am editorial staff obviously insulted Sardaryan, as in such a comparison the person in public perception is unequivocally associated with being the author, perpetrator of the Armenian Genocide, and racist. Meanwhile, Sardaryan's posts do not contain elements of racism and do not give grounds for such a comparison.

**3.** By republishing the far-reaching political conclusions of the piece made on the basis of a private post, which have nothing to do with Levon Sardaryan's professional activity (without checking the information and not presenting their own clarifying comments on it), the editorial staff in fact questions the individual's right to free expression on social networks.

**4.** Thus, the fact that News.am republished the piece in question provides grounds for recording several violations of journalistic ethics, in particular, unverified information that gives cause for being perceived as biased, the conclusions based on it were disseminated without prior verification, facts, hypotheses, opinions and comments were presented without a clear distinction, and the person was groundlessly insulted.

**5.** At the same time, Levon Sardaryan, as a political commentator of Public Television of Armenia, should have realized that his posts on social networks could be perceived not as a subjective opinion, but as a position of the Public Television, thus questioning the adherence to the principles of objectivity and impartiality stipulated by the RA Constitution and legislation for that TV company. Attaching importance to this fact may reduce the dissemination of manipulative publications in foreign media, such as the article in question.

**6.** It is advisable for the Public Broadcaster Council to develop rules of conduct on social networks for its representatives and to follow their adherence, as this conduct may affect both the editorial staff member and the public trust in the media.

SINCE News.am is not a member of the self-regulation initiative and is not obliged to publish the current expert opinion, Media Ethics Observatory urges the author of the complaint to exercise his right to publish a response under the RA Law “On Mass Communication”. MEO calls on the media to disseminate this opinion, thus contributing to the observance of the principles of responsible journalism.

***Adopted at the MEO session of March 16, 2021  
In the following composition:***

**Narineh AVETISYAN**, Executive Director of Vanadzor “Lori” TV company

**Mesrop HARUTYUNYAN**, Media Expert

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**Anzhela STEPANYAN**, Editor of Armavir “Alt” TV company

*Media Ethics Observatory was established by the media, joining the self-regulation initiative, which make 61 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*