



**ՀԱՅԱՍՏԱՆԻ ԶԱՆԳՎԱԾՍՆԻԿԻ լրատվության միջոցների էթիկայի  
ԳԻՏՈՐԳ ՄԱՐՄԻՆ**

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**JUDGMENT OF MEDIA ETHICS OBSERVATORY**  
**On the November 22, 2021 Reportage (Author - Lilit Kasyan) of**  
**“Lraber” Audiovisual Programme of**  
**the Second Armenian TV Channel,**  
**Dedicated to the Press Conferences at “Hayeli” Club**  
**Applicant - Commission on Television and Radio**

**A. FACTS**

1. On December 7, 2021, MEO received the complaint of the Commission on Television and Radio regarding the November 22, 2021 reportage (author - Lilit Kasyan) of “Lraber” audiovisual programme of the Second Armenian TV Channel, dedicated to the press conferences at “Hayeli” Club.

The Commission expects to receive the position of MEO on broadcasting some remarks made by the participants of the press conferences within the above-mentioned reportage.

2. The disputed piece is a reportage covering several consecutive press conferences held at “Hayeli” Club, which was broadcast within “Lraber” news program, but was not further included in the Internet version of the programme.

3. According to the complainant, the reportage contains offensive remarks, calls for violence and hate speech. In particular, the Commission draws MEO attention to the statements by press conferences' participants freedom fighter Shahe Achemyan and colonel Sayat Shirinyan, presented in a direct speech by the author of the reportage.

4. On December 14, 2021, MEO informed the TV company about the complaint.

5. On December 17, 2021 and February 2, 2022, MEO initiated an online discussion of the complaint.

6. At the February 2 , 2022 online session, the position of the TV company was presented by the deputy director of the "Armenian Second TV Channel" Levon Sultanyan. In particular, he commented on the expressions broadcast in the report as execution of the principle of free dissemination of opinions, noting that

in those remarks they do not see hate speech or violence against specific people, and that, according to internationally accepted norms, the threshold of protection of speech addressed to officials is higher, hence they may also be criticized harshly.

## **B. ETHICAL NORMS**

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

1.4. To clearly distinguish facts and information from opinion, comment and analysis.

1.5. To rely on accurate facts and trustworthy information when making analysis and comments.

4.2. In case of a conflict between the freedom of expression and other fundamental human rights, the media independently decides what to give preference to, and bears responsibility for its decision.

5.1. To avoid prejudice against people on the ground of their race, sex, age, religion, nationality, geographic origin, sexual orientation, physical handicap, external look or social status.

5.2. Not to promote in any way ethnic or religious hatred and intolerance, or any discrimination on political, social, sexual, and language grounds, exclude hate speech.

5.3. Not to advocate pornography, violence, war, in any form; not to deny genocide and crimes against humanity.

### **II. Regulations of Media Ethics Observatory**

4.7. For the ethical issues related to the activities of audiovisual media service providers the Commission on Television and Radio (according to the RA Law “On Audiovisual Media”) shall be recognized as a proper applicant as a state body regulating the sphere, which is also authorized to monitor the observance of the norms of professional ethics by these media. The appeals received from the CTR shall be reviewed in accordance with the current procedure, and if the dispute concerns a TV or radio company that signed the Code, MEO shall provide a judgment, and in other cases, an expert opinion or shall make a statement.

## **C. MEO JUDGMENT**

Media Ethics Observatory

### **Appreciating that**

- The Commission on Television and Radio continues to support the highlighting and strengthening of the media self-regulation initiative in the country with the expectation of receiving the position of the Media Ethics Observatory;

**Once again underlining that**

- Hate speech is spread by generating, when the society does not react to the first such words, it leads to further dissemination through repetitions, growing more and more, and at the same time noting that in this case the piece published on YouTube has not gained broad audience;

### **Taking note of the fact that**

- The press conferences were not broadcast live, and when making a story on them the TV company could have avoided including the expressions outwardly containing insult, hate speech, calls for violence;

### **Reluctant to**

- Replicate the offensive remarks, however particularly emphasizing the tendency and incitement to violence and hate speech in such remarks as ***“one day people may lynch him, if people get him, they will tear him apart”, “there are people who want to eat him raw”, “people want to see him on gallows, in prison, in court”, “they will hang him by feet like Mussolini”;***

### **States:**

- The free expression of opinion is not an absolute right and can be restricted, in particular, for the purposes of protecting the rights, freedoms, honor and good reputation of others, public peace, and evaluative judgments should not lead to insults or hate speech.

- If a person makes public statements, then he/she alone is responsible for it, but when the media, having the opportunity to avoid broadcasting those expressions word for word, fails to do so, then it becomes co-responsible.

- When preparing this report, the journalist herself chose the expressions to be included in it and could have avoided the use radical remarks, at the same time giving the essence of what was said and the opinions and positions of the participants of the press conference. In other words, both the journalist and the editorial staff of the TV company, through an intervention acceptable for the report, had the opportunity to avoid apparent hate speech and expressions containing calls for violence.

- By not having intervened and having broadcast in full the radical remarks, the author of the report and the TV company gave preference to such a way of disseminating the opinions and positions of the participants of press conferences, which, given the atmosphere of intolerance and aggression in the public of Armenia, can be assessed as an abuse of freedom of speech, conflicting with other fundamental human rights. Therefore, according to Article 4.2 of the Code of Ethics of Armenian Media and Journalists, the TV company is responsible for that preference.

- Neither in that reportage, nor in the newscast of the day did the TV company provide space for viewpoints opposing the above-mentioned opinions and remarks, which could have somewhat balanced and neutralized the possible negative perception of the report.

- The expressions voiced in the report violate the points 5.2 and 5.3 of the Code of Ethics of Armenian Media and Journalists.

## **MEO calls on**

- Especially the broadcast media to take into account the overall tense atmosphere in the country, and exclude as much as possible the spread of hate speech and calls for violence;
- The Commission on Television and Radio to be consistent in detecting violations of ethical norms also on the air of other authorized broadcasters, to make them a subject of professional discussion.

## **Media Ethics Observatory recalls**

that the representatives of the media that have signed the Code, recognizing the authority of MEO, which was elected by them, to review the compliance of their actions and publications with the provisions of the Code, have expressed their readiness to publish the MEO decisions on their media.

***Adopted on February 2, 2022  
by the following MEO composition:***

**Davit ALAVERDYAN**, Chief Editor of “Mediamax” news agency  
**Narineh AVETISYAN**, Executive Director of Vanadzor “Lori” TV Company  
**Karineh HARUTYUNYAN**, Executive Director of Gyumri “GALA” TV Company  
**Mesrop HARUTYUNYAN**, Media expert  
**Ara GHAZARYAN**, Lawyer  
**Ashot MELIKYAN**, Chairman of Committee to Protect Freedom of Expression  
**Gnel NALBANDYAN**, Chief Editor of “Zham” news program of “Armenia” TV Company, Chief Editor of “Newmag” magazine  
**Boris NAVASARDIAN**, President of Yerevan Press Club  
**Anzhela STEPANYAN**, Editor of Armavir “Alt” TV Company  
**Gegham VARDANYAN**, Producer at Media.am

*[Media Ethics Observatory](#) was established by the media, joining the self-regulation initiative, which make 69 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*