



**ՀԱՅԱՍՏԱՆԻ ԶԱՆԳՎԱԾՆԻԿԱՆ ԵՐԱՏՎՈՒԹՅԱՆ ՄԻԳՐԱՆԵՐԻ ԷԹԻԿԱՆԻ  
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## **MEDIA ETHICS OBSERVATORY**

### **JUDGMENT**

#### **MEO Composition:**

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### **On “Briefing” And “Live From “Hayeli” Club” Audiovisual Programmes Aired in January-February 2022 on “ArmNews” And “Second Armenian TV Channel” Applicant - Commission on Television and Radio**

#### **A. FACTS**

1. On January 15, 2022, MEO received the first complaint of the Commission on Television and Radio regarding the “ArmNews” TV company January 14, 2022 “Briefing” and “Live from “Hayeli” Club” audiovisual programmes.

The Commission expected to receive the position of MEO on broadcasting some remarks made by “Hayeli” Club host and participants within the above-mentioned programmes.

2. On February 1, 2022, MEO informed the TV company about the complaint.

3. The representative of the TV company Narek Nikoghosyan informed that they had decided to completely remove the live broadcasts from "Hayeli" Club.

4. At the February 2, 2022 session MEO initiated a preliminary discussion of the complaint.

5. On February 3, 2022, MEO received a new complaint from the Commission, which read: “During the live broadcasts of “Hayeli” Club (hereinafter referred to as “Programme”) on “ArmNews” and authorized “Second Armenian TV Channel” of “ARMNEWS” CJSC and “SECOND ARMENIAN TV CHANNEL” LLC respectively, both the host and the guests constantly resort to expressions containing hatred, violence, discrimination, intolerance and insults.”

6. During the February 2, 2022 online discussion of a previous complaint by the CTR against the coverage of "Hayeli" Club event by “Second Armenian TV Channel”, the deputy director of the TV channel Levon Sultanyan had already

presented their position.

7. On February 10, 2022, “Qaryak Media”, founder of “ArmNews”, issued a statement on the termination of its activities. On February 12, 2022, the CTR suspended the license of “ArmNews” TV for 5 days, and on February 18, 2022, terminated the license of the company to use the slot in the public multiplex in the territory of Yerevan.

8. On February 17, 2022, MEO received another complaint against expressions containing hatred, violence, discrimination, intolerance and insults used by the host and guests of “Hayeli” Club, live-streamed on February 9, 10, 14, 16 on the “Second Armenian TV Channel”.

9. MEO, through an online discussion, decided to discuss the complaints against all the programmes related to the “Hayeli” Club press conferences (irrespective of the TV channel they were broadcast by and the format of broadcast) as one precedent case, and to release a joint judgment.

10. At the online discussion MEO also decided not to disregard the complaint against “ArmNews” TV, which had ceased operation, as the judgment is important from the point of view of the development of self-regulation system and formation of approaches towards precedents.

## **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.

### **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;

### **Underlining that**

- although “ArmNews” TV has ceased operation, the dissemination of hate speech and intolerance on air remains problematic, and this judgment could be important in terms of development of the self-regulatory system. Added to that, the authorized Second Armenian TV Channel continues to operate;

### **Reluctant to**

- replicate also through this judgment the offensive remarks and hate speech used by the host and guests of “Hayeli” Club;

### **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.

- MEO does not reserve the right to interfere with the editorial independence of the media, however MEO reminds that the editorial office is responsible for the content it broadcasts, regardless of whether it was a live or pre-recorded report.

- If in case of livestream it is not possible to avoid broadcasting the expressions uttered at the moment, then in the pre-recorded videos it is necessary to use technical means in order to exclude the broadcasting of hate speech or apparent insult.

- Both the CTR and MEO have repeatedly warned “ArmNews” and the “Second Armenian TV Channel” about unquotable expressions, insults and calls for violence during live broadcasts from “Hayeli” Club. Therefore, the TV channels should either avoid live broadcasts and inform the public about the Club's press conferences, discussions, or other events with pre-recorded pieces (whenever possible, to avoid unwanted expressions through technical interventions), or use the 20-30 second delay live broadcast option, when technical interventions are also possible.

- The expressions used during “Hayeli” Club programmes aired on “ArmNews” and “Second Armenian TV Channel” contain insults, at the same time violating point 5.2 of the Code of Ethics of Armenian Media and Journalists, since they contain discrimination on political grounds, hate speech.

- The main, publicly significant content of what the participants have to say during press conferences can be conveyed to the audience without expressions, which are a gross violation of ethics.

**MEO Calls on:**

- Especially the broadcast media to take into account the overall tense atmosphere in the country, to oversee their own air and exclude as much as possible the spread of hate speech and calls for violence.

- If past experiences suggest a significant probability that hate speech, insults could be used live, it is better to avoid it, especially when the information provided is not extremely urgent, and prepare programmes with pre-recorded pieces, or arrange live broadcasts with 20-30 seconds delay, which is quite possible in the current technology age.

- 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, acknowledging 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 March 9, 2022***

***by the following MEO composition:***

**Davit ALAVERDYAN**, Chief Editor of “Mediamax” news agency

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

**Ara GHAZARYAN**, Lawyer

**Ashot MELIKYAN**, Chairman of Committee to Protect Freedom of Expression

**Gnel NALBANDYAN**, Chief Editor of “Zham” news programme 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*