



**ՀԱՅԱՍՏԱՆԻ ԶԱՆԳՎԱԾՍՆԻՆ ԼՐԱՏՎՈՒԹՅԱՆ ՄԻԳՐԱՆԵՐԻ ԷԹԻԿՍԻ
ԴԻՏՈՐԳ ՄԱՐՄԻՆ**

9B, Ghazar Parpetsi str.
0002 Yerevan, Republic of Armenia
Tel.: +374 10 53 00 67; 53 35 41
Fax: +374 10 53 56 61
E-mail: meo@ypc.am

MEDIA ETHICS OBSERVATORY

JUDGMENT

MEO Composition:

Davit ALAVERDYAN

Narineh AVETISYAN

Ruben BABAYAN

Shushan DOYDOYAN

Ara GHAZARYAN

Karineh HARUTYUNYAN

Mesrop HARUTYUNYAN

Ashot MELIKYAN

Gnel NALBANDYAN

Boris NAVASARDIAN

Nouneh SARKISSIAN

Anzhela STEPANYAN

Ara SHIRINYAN

Gegham VARDANYAN

Regarding the Remarks Voiced During the May 13, 2022 Livestreams of “Hayeli Akumb” and the May 20, 2022 Issue of “Thursday with Edik Andreasyan” Program Broadcast on “Armenian Second TV Channel”

Applicant: Commission on Television and Radio

A. FACTS

1. On May 24, 2022, Media Ethics Observatory received the letter No. 04-454 of the Commission on Television and Radio regarding the remarks voiced during the May 13, 2022 livestreams of “Hayeli Akumb” (by the program host Anzhela Tovmasyan and guests Davit Sahakyants, Edgar Ghazaryan, Hripsimeh Arakelyan), as well as during the May 20, 2022 issue of “Thursday with Edik Andreasyan” program (by the guest Armen Ashotyan) of “Armenian Second TV Channel” audiovisual program broadcast by “HAYKAKAN ERKRORD HERUSTAALIQ” Ltd. The CTR also attached the transcripts of individual remarks and the video recordings of the segments in question from the programs. Guided by point 4.7 of Paragraph 4 of the MEO Regulations, the CTR expected to receive the MEO position regarding the remarks made.
2. On May 24, 2022, MEO informed H2 TV about the complaint.
3. On May 27, 2022, MEO received a letter from Shavarsh Gevorgyan, Head of H2 “Lraber” program, in which he expressed interest in sharing their viewpoints and comments related to the CTR appeal during the forthcoming MEO session.
4. At the June 9, 2022 online session of MEO, the CTR appeal was discussed, and Levon Sultanyan, Deputy Director of H2 TV channel, presented their position.
5. On June 12, 2022, MEO sent a letter to H2 TV channel Deputy Director Levon Sultanyan, requesting a response to the following specific questions: “1. Is the coverage of the press conferences at “Hayeli” club considered part of your TV channel’s editorial policy? Is there a decision made by the management (owners) in this

regard? 2. Does the TV channel have an official contract with “Hayeli” club on the coverage of press conferences? 3. Have the representatives of the TV Company ever attempted to negotiate with the host of “Hayeli” club press conferences regarding her conduct during the coverage of the events?”

6. On June 15, 2022, MEO received a response letter from Levon Sultanyan, Deputy Director of H2 TV channel, which contained the following clarifications:

“1. The coverage of press conferences and other events of public interest organized in press clubs, including “Hayeli” club and other venues, is part of our TV channel’s editorial policy. The editorial policy of the TV Company is determined by the management of our company. 2. Our TV Company does not have a contract with “Hayeli” club regarding the coverage of press conferences, since they are not necessary for such coverage, we do not have contracts in place for the coverage of press conferences with any individual or legal entity. 3. The representatives of our TV Company have not engaged in any negotiations with the host of press conferences at “Hayeli” club regarding the latter’s rules of conduct. Similarly, we have not engaged in discussions with organizers and coordinators of the press conferences and other significant public events held at different venues. We consider interference with the professional activities of others as unacceptable and impermissible.”

7. On June 22, 2022, a MEO online session took place, in which the current judgment was agreed.

B. ETHICAL NORMS

I. Code of Ethics of Armenian Media and Journalists

- 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.
- 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. In relation to ethical issues concerning 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 an appropriate applicant as a state body regulating the sphere, which is also authorized to monitor the observance of professional ethics norms by these media. The appeals received from the CTR shall be reviewed in accordance with the existing procedure. In cases where the dispute concerns a TV or radio company that signed the Code, MEO shall issue a

judgment, whereas in other cases an expert opinion or a statement shall be provided.

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 Media Ethics Observatory;

reluctant

- to extensively disseminate through this judgment the offensive remarks and hate speech voiced during “Hayeli Akumb” press conference and “Thursday with Edik Andreatsyan” program;

states:

- the free expression of opinions 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, as well as public peace, and value judgments should not devolve into insults or hate speech;
- MEO does not reserve the right to interfere with the editorial independence of media. Nevertheless, MEO reminds that the editorial office remains responsible for the content broadcast, regardless of whether it is a live or pre-recorded reportage;
- while in the case of a livestream it may be impossible to avoid broadcasting the remarks made at that moment, in pre-recorded videos it is necessary to employ technical measures to ensure that hate speech and obvious insults are not broadcast;
- both the CTR and MEO have repeatedly touched upon the issue of inappropriate language, insults and calls for violence during the live broadcasts from “Hayeli” club, as well as in subsequent recorded videos on “Armenian Second TV Channel”;
- hence, MEO believes that the TV Company should have either avoided live reporting and informed the public about the club's press conferences, discussions and other events solely through pre-recorded pieces (when technical interventions make it possible to avoid broadcasting undesirable expressions), or it should have opted for a 20 to 30-second delay livestream, which also enables technical interventions.

MEO clarifies that

- in its work practice, apart from assessing the compliance of the content of the disputed pieces and their vocabulary with legal norms and principles of professional ethics, MEO takes into consideration several specific circumstances. In particular, when the complaint concerns interviews, press conference coverage, the following could be viewed as crucial factors: a) whether the piece presents a different viewpoint (for example, by quoting the opinion

of someone with an opposing position by the interviewer); b) whether the offensive, vulgar expressions are used solely by the guest or by the journalist as well, and whether the latter makes an attempt to steer the conversation towards a more respectful tone; c) whether the sharp remarks or evaluations stem from factual content.

Based on the above, MEO concludes:

- the remarks voiced during the May 13, 2022 livestreams of “Hayeli Akumb” (by the program host Anzhela Tovmasyan and guests Davit Sahakyants, Edgar Ghazaryan, Hripsimeh Arakelyan), as well as during the May 20, 2022 issue of “Thursday with Edik Andreasyan” program (by the guest Armen Ashotyan) of “Armenian Second TV Channel” audiovisual program contain both insult and violations of Paragraph 5.2. of the Code of Ethics of Armenian Media and Journalists. Specifically, these remarks exhibit discrimination on political grounds and hate speech;
- at the same time, in the critical judgments of the guests of the aforementioned programs, MEO does not identify violations of the Code of Ethics, considering that their statements fall within the boundaries of intense political polemics;
- nevertheless, the circumstances giving grounds for the above-mentioned distinction allow us to claim that during press conferences, the participants’ remarks, which are of significance to the public, can be conveyed to the audience without resorting to expressions grossly violating ethics.

MEO calls on:

- especially broadcast media, given the prevailing tense atmosphere in the country, to exclude to the best of their abilities the dissemination of hate speech and calls for violence within the society;
- in cases where the reported information is not of immediate urgency, and based on previous work experience there is a substantial likelihood of hate speech and insults being uttered live, it is better to avoid that and produce programs with pre-recorded material, or implement a 20-30 second delay in live broadcasts. This can be easily achieved in the current technological age;
- the Commission on Television and Radio to be consistent in identifying violations of ethical norms also on the air of other authorized broadcasters and making them subjects of professional discussion.

Media Ethics Observatory recalls that the representatives of the media that have signed the Code have acknowledged the authority of MEO (which was elected by them) to review the compliance of their actions and publications with the provisions of the Code. Additionally, they have expressed their readiness to publish the MEO decisions on their respective media.

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, Ombudsman of “Armenia” TV Company

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