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JUDGMENT OF MEDIA ETHICS OBSERVATORY

Regarding the complaint by the Commission on Television and Radio against the remarks made during the May 23, 2023, 1PM issue of “Lraber” newscast of the “Second Armenian TV Channel”

Applicant: Commission on Television and Radio

A. FACTS

1. On May 30, 2023, Media Ethics Observatory received a letter from the CTR President Tigran Hakobyan regarding the specific remarks made by the host, the author of the piece and Armen Ashotyan during the May 23, 2023, 1PM issue of “Lraber” newscast of the “Second Armenian TV Channel” (H2) audiovisual program. The applicant also attached the transcripts of the program segments in question. The CTR emphasized that, apart from the use of slang, Armen Ashotyan thrice showed the so-called “combination of three fingers” in the piece.
2. Despite the [clarification](#) issued by MEO on April 17, 2023 regarding numerous and repeated violations on H2 air, the Commission of Television and Radio still expected MEO to review this complaint.
3. At min. 13:03:05 of “Lraber” newscast, prior to presenting an excerpt from Armen Ashotyan's Facebook live, journalist Hratsin Safaryan quotes Ashotyan's speech. Subsequently, a segment from Ashotyan's Facebook live is displayed, followed by the transmission of specific parts of his speech. (MEO has decided against replicating or disseminating Armen Ashotyan's remarks).
4. To clarify the issue, on May 31, 2023, MEO sent an e-mail to H2.
5. On June 1, 2023, MEO received the response of H2, which, in particular, read: *“The criticism by one politician directed at another politician, although harsh, is fully consistent with the spirit and letter of the fundamental principle of freedom of speech. We firmly believe that when reviewing such complaints, MEO should not consider the criticism out of context. We remind MEO that all this is happening in a country where the Speaker of the National Assembly spits in the citizen's face, where high-ranking state officials one after the other ignore the right to self-determination of the people of Artsakh and the RA declaration of independence both in their public speech and in their actions.”*

6. At several sessions held in October-December 2022, MEO discussed the appropriateness of reviewing the CTR appeal regarding the “Second Armenian TV Channel”. In the course of these discussions the following circumstances were taken into account: a) Before this appeal, during the 2021-2022 period, MEO had dealt with 5 other appeals concerning H2 TV Channel and had issued 4 judgments, which were similar in nature, mostly addressing the coverage of “Hayeli Akumb” press conferences. b) During 2022, there was an intensive communication between MEO and H2 management, marked by correspondence and the participation of the Deputy Director of the TV Channel in MEO discussions. These interactions exposed significant contradictions between the representatives of the self-regulatory body and the media regarding the interpretation of the Code of Ethics of Armenian Media and Journalists and the MEO activities. c) The judgments issued on the previous complaints against H2 did not have any impact on the editorial policy of the TV Channel.

7. The CTR regularly reaches out to MEO, suggesting to examine any instances of journalistic or quoted profanity, vulgar language, use of slang and manifestations of hate speech in H2's political programming.

8. MEO regularly underscores that broadcasting offensive language, along with expressions and gestures typical of criminal subcultures is not appropriate for the media that have joined the media self-regulation initiative. This practice runs counter to the principles of quality journalism.

9. H2 regularly declares that according to their editors, this is a manifestation of their freedom of speech *“in this pivotal period for Armenia”*.

B. ETHICAL NORMS

Code of Ethics of Armenian Media and Journalists

1.3. To demonstrate a responsible approach to the dissemination of information taken from social networks or new media, to be sure to mention whether it is verified, reliable, or subject to further verification.

3.5.6. To moderate comments on publications on social network pages of media, if possible deleting entries of an openly offensive nature containing hate speech, calls to violence or other actions prohibited by law.

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.

5.2. 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.

6.4. To encourage the public to express critical opinions about media and to be ready for a public discourse on matters of journalistic ethics.

C. MEO JUDGMENT

- While a politician or a representative of a political party is free to express him/herself on their personal social media accounts using profanities and idioms associated with criminal world, TV channels, however, when preparing a news piece on such statements, must

keep their air free from low-class vocabulary. Editorial teams should be interested in not disseminating street vocabulary on their broadcasts, and refrain from presenting the language used in criminal or semi-criminal contexts as a manifestation of political struggle and patriotism. In this specific case, H2 acted contrary to the spirit of Paragraph 3.5 of the Code. The fact that such content is created in response to the actions or speech of political opponents cannot justify gross and frequent violations of the rules of ethics.

- Viewing the conscientious and responsible work of media as an important element of self-regulation, as well as taking into account H2's tendency to equate foul language with freedom of speech or indeed regard it as a unique form of free expression "*in a pivotal period for the Armenian people*", MEO urges H2 to revise its editorial policies. The essence of sharp political discourse, after all, can be communicated without employing the disputed expressions. Such an approach will ensure both freedom of speech and the principles of journalistic ethics. Neglecting this perspective sets a precedent for violation of Paragraph 5.2 of the Code.
- MEO takes note of the bias displayed by H2 during the broadcast of the political statements from the video in question, where the TV Company failed to offer an alternative perspective. This is because H2's editorial stance clearly aligns with the political standpoint of the politician in question. This circumstance contradicts Paragraph 6.1 of the Code, which reads: "*To encourage free exchange of opinions, regardless of any differences between those opinions and the editorial views.*"
- MEO notes that H2 violated Paragraph 6.3 of the Code, which reads as follows: "*To admit mistakes and to be ready to correct them.*"

Note

Media Ethics Observatory recalls that the representatives of the media that have signed the Code have expressed their readiness to publish the specific parts extracted from the Media Ethics Observatory judgments that relate to violations of the Code, without adding any editorial remarks. They have also committed to notifying MEO by providing a link to the particular publication.

***Adopted on June 25, 2023
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
Gnel NALBANDYAN, Chief Editor of "Newmag" Publishing House
Boris NAVASARDIAN, Honorary President of Yerevan Press Club
Anzhela STEPANYAN, Editor of Armavir "Alt" TV Company

Ruben BABAYAN, Director, Professor
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Ara SHIRINYAN, Chairman of the Council of Public Broadcaster of
Armenia

Vigen SARGSYAN, Chairman of the Commission on Professional Ethics
of Yerevan Press Club

Levon BARSEGHYAN, Founder and Head of “Asparez” Journalists’ Club

[Media Ethics Observatory](#) was established by the media, joining the self-regulation initiative, which make 76 as of today. In its judgments MEO is guided by the Code of Ethics of Armenian Media and Journalists, adopted on March 10, 2007 and revised at the June 25, 2023 general meeting of the media that joined the self-regulation initiative.