



MEDIA ETHICS OBSERVATORY OF ARMENIA

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EXPERT OPINION OF MEDIA ETHICS OBSERVATORY

Regarding the complaint by Nona Navikyan, head of the Public Relations Department at the RA Ministry of Justice Penitentiary Service, against the articles published on Mediahub.am

A. FACTS

- On August 21, 2024, Nona Navikyan, head of the Public Relations Department at the RA Ministry of Justice Penitentiary Service, submitted a complaint to Media Ethics Observatory regarding an article titled “Why Did Pashinyan's Assistant Visit Chagh Rustam?”, published on August 16 on Mediahub.am. According to the complainant, the information given in the piece was untrue.
- On the same day, the Penitentiary Service published a refutation, which was also sent to Mediahub.am via e-mail.
- On August 20, the Penitentiary Service sent an official letter to Mediahub.am demanding a refutation (a copy has been provided to MEO). In response to the Service's demand, Mediahub.am published another article in their “Big News” section titled “The PS Claims Chagh Rustam “Did Not Meet Anyone” at the Medical Center: What Happened at “Astghik” MC?” While the PS’s refutation was quoted in the article, the author continued to insist on the accuracy of the previously published information.
- According to the Penitentiary Service, the media failed to meet the refutation requirement. The PS expected MEO to assess the compliance of the media’s actions with ethical norms.
- After reviewing the complaint, MEO proposed a meeting between complainant Nona Navikyan and media representative Vahe Makaryan to attempt resolving the issue through dialogue.
- The parties met at an online MEO meeting on September 24 where they asked each other questions, and answered those posed by MEO members. However, no agreement was reached. Vahe Makaryan claimed that by publishing the refutation text, he had essentially complied with the PS’s demand, while Nona Navikyan argued that publishing the refutation under such a headline and with additional comments could not be considered as fulfillment of the refutation requirement set by the RA Law “On Mass Communication.”

B. LEGISLATIVE AND ETHICAL NORMS

I. RA Law “On Mass Communication”

Article 8: Right to Refutation and Response

1. An individual retains the right to demand that a media entity refute any factual inaccuracies within their information dissemination that violate the individual's rights, should the media entity fail to substantiate the accuracy of those facts. The demand for refutation has to be presented within a one month period following the day of publication of the information subject to refutation.

3. Refutation should carry the title “Refutation”. Its placement, layout, font size and style, as well as the broadcasting time should not be inferior to the information being refuted.

9. If a media entity refuses to publish a refutation or response, or breaches the procedures and terms for their dissemination as set forth by this law, the individual whose rights have been violated has the right to file a lawsuit demanding to disseminate a refutation or response.

II. Code of Ethics of Armenian Media and Journalists

... editors and journalists are obligated:

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;

1.2. clearly notify the audience about the cases when the editorial office received information of public significance, but has been unable to verify the facts after employing all the reasonable measures;

2.1. to the extent possible, specify the sources of information;

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;

6.3. to admit mistakes and to be ready to correct them.

III. MEO Regulations

5.3. Complaints regarding the publications by non-member media of the Self-Regulation Initiative can be reviewed with the media’s consent.

Nevertheless, if the media refuses to grant consent, MEO reserves the right to adopt and publish an expert opinion or a statement, following a review of complaints against the publications by non-member media.

C. MEO EXPERT OPINION

- Upon examining the complaint by Nona Navikyan, head of the Public Relations Department at the RA MOJ Penitentiary Service, against the article published on Mediahub.am,

- taking into account the fact that no agreement was reached between the parties during the MEO-mediated meeting,

- considering that although Mediahub.am is not a member of the Self-Regulation Initiative, it did not object to the examination of the complaint,

MEO releases this Expert Opinion, stating that

- The [piece](#) titled “Why Did Pashinyan's Assistant Visit Chagh Rustam?”, published on Mediahub.am on August 16 contains unverified information from an anonymous source. The content of the article shows that the author made no effort to verify the authenticity of the obtained information by making inquiries or using other means, which goes against paragraphs 1.1 and 1.2 of the Code.
- After receiving the refutation demand sent by the RA MOJ Penitentiary Service, as required by law, the media did not actually comply with it, since the article published on August 20 did not appear under “Refutation” heading, neither the headline nor the content of the piece suggested that the editorial office acknowledged the refutation demand, although part of the refutation text was quoted in the article.
- The editorial team had the option to decline the refutation by providing further details to substantiate the accuracy of the facts in the first article through additional investigation. Since no such action was taken, the editorial team’s conduct contradicts paragraph 6.3 of the Code.
- Nevertheless, MEO highlights the public importance of the reported news and deems the interest in this issue justified. MEO underscores that in the absence of data confirming the accuracy of the information, complying with the refutation demand does not imply that if new relevant data emerges, the editorial team cannot revisit the topic in the future and release further information of public importance.
- MEO appreciates the willingness of the parties to accept its proposal and try to resolve the issue through a joint discussion.

MEO urges Mediahub.am and other media to disseminate this Expert Opinion through the channels at their disposal.

***Adopted on October 15, 2024
by the following MEO composition:***

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[Media Ethics Observatory](#) was established by the media, joining the self-regulation initiative, which make 85 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 May 18, 2024 general meeting of the media that joined the self-regulation initiative.