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#### EXPERT OPINION OF MEDIA ETHICS OBSERVATORY

Regarding the complaint filed by RA Prime Minister Chief of Staff Arayik Harutyunyan against the information of a 24News.am piece titled “Who Were the Officers in Berets that Used Violence Against the 24News Reporter, and on Whose Orders Did They Operate?”

#### A. FACTS

- On June 10, 2024, RA Prime Minister Chief of Staff Arayik Harutyunyan submitted a complaint to Media Ethics Observatory. He requested to evaluate the compliance of the information within the [article](#) titled “Who Were the Officers in Berets that Used Violence Against the 24News Reporter, and on Whose Orders Did They Operate?” (published on 24News.am news website on May 13) with the Code of Ethics of Armenian Media and Journalists.
- In the article in question, discussing the May 13 [case](#) of violence against 24News.am reporter Mary Manukyan by the police on Yerevan’s Tumanyan Street, the editorial team suggested that the act was carried out intentionally on political orders. *“We especially want to point out Arayik Harutyunyan, Chief of the Government’s staff, and Andranik Kocharyan, Chair of the RA NA Committee on Defense and Security, who have recently started displaying “unhealthy” curiosity towards our media, and issuing threats through intermediaries. As long as all this was only “verbal”, we did not take their threats seriously. However, now we believe that the violence against Mary Manukyan, the slanderous “content” about our media and its head Narek Galstyan circulated in pro-government Telegram channels stem from the same official policy,”* the piece specifically read.
- In his complaint, Arayik Harutyunyan claimed that the information presented about him in the article was false and constituted disinformation. The complaint noted that when publishing the piece the editorial team of the website had not attempted to contact Harutyunyan or his representatives to verify the information or seek a comment. According to Harutyunyan, the publication seriously damaged his good reputation and that of the political force he represented.
- After reviewing the complaint, MEO reached out to the editorial office of 24News.am, notifying them about the complaint and expecting their clarifications and position on the issue. On June 11, 2024, 24News.am director Narek Galstyan replied to MEO in writing that the viewpoint expressed in the article was triggered by

Arayik Harutyunyan's remarks from a week prior to the incident involving Mary Manukyan. In particular, in a conversation with his acquaintance, Harutyunyan had shared his "concerns" regarding the media's active engagement, as well as "had hinted" that this could not go "without consequence." Galstyan further noted that he was unable to disclose his source, advising Harutyunyan to go to court. Regarding the issue of seeking a comment from Arayik Harutyunyan prior to publishing the information, the head of 24News stated that he considered it pointless, since "it was evident that he (Harutyunyan) could not publicly acknowledge the information about his curiosity and hints."

- In his letter to MEO, Narek Galstyan also raised concerns that in connection with the incident involving Mary Manukyan, no internal probe had been initiated against any police officer, and the policemen who had used violence against the journalist were still on duty.

## **B. LEGISLATIVE AND ETHICAL NORMS**

### **I. 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;

**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;

**1.6.** to ensure that... the headlines derive from the content of the material...;

**2.2.** to the extent possible, avoid using confidential sources of information and, before promising to keep the source of information confidential, always justify that decision. However, if the provision of information is conditioned upon keeping the source confidential, never to disclose the source.

### **II. ECHR Judgment on "Savva Terentyev v. Russia" No. 10692/09, 28/08/2018 case**

**68.** The style constitutes part of the communication as the form of expression and is as such protected together with the substance of the ideas and information expressed.

### **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

Following a comprehensive examination of the complaint submitted by Arayik Harutyunyan, Chief of Staff of the RA Prime Minister, against the information of a 24News.am piece titled “Who Were the Officers in Berets that Used Violence Against the 24News Reporter, and on Whose Orders Did They Operate?”, as well as an analysis of the clarifications provided by 24News.am director Narek Galstyan, **the votes of the members participating in the discussion of MEO were split** on the key conclusions of the Opinion.

Accordingly, taking into account the unprecedented nature of the situation and the narrow margin in the voting results (6-5) between the two opposing viewpoints, as well as acknowledging the public significance of the main arguments raised during the discussions, MEO made a decision to present both approaches in the Opinion.

#### 1. Thus, six of the MEO members that participated in the review of this case believe that:

- The ambiguity of the facts and information provided in the article titled “*Who Were the Officers in Berets that Used Violence Against the 24News Reporter, and on Whose Orders Did They Operate?*” along with the lack of referencing run contrary to the requirement of paragraph 1.4 of the Code. The author of the article expressed an opinion based on unverified information obtained from a confidential source, which is contrary to paragraph 1.5 of the Code. MEO recognizes the media’s right to freedom of expression, urging the latter to support opinions with verified or verifiable facts.
- The author of the publication did not attempt to reach out to the individuals mentioned in the piece and seek a comment or clarification, which contradicts the principles outlined in paragraphs 1.1, 1.2 of the Code. Even if the journalist or the media believe that the individual may have reasons to conceal or distort the facts mentioned in the piece, the attempt to reach out to him/her is a rule derived from universal norms of journalistic ethics.
- Taking into account the specifics of the day the piece was published (obstruction of the journalist’s work through police compulsion) and the urgency factor, the information in the piece could have been viewed as a protective statement against the illegitimate interference by the authorities. In this case, the media would not have been required to adhere to paragraphs 1.4 and 1.5. However, by specifically naming individuals, the media, in fact, deprived itself of that protection.
- Regarding complainant Arayik Harutyunyan’s claim that the passages cited in the piece were false and damaged his good reputation and that of the political force he represented, MEO abstains from addressing the legal side of the issue.

#### 2. Five of the MEO members that participated in the discussion

**believe that:**

- In the article titled *“Who Were the Officers in Berets that Used Violence Against the 24News Reporter, and on Whose Orders Did They Operate?”* no behavior contradicting paragraphs 1.4 and 1.5 of the Code was observed. The author of the 24news.am publication had reasons to suppose that the audience was aware of the negative attitude expressed openly by the representatives of the authorities towards their media. As a result, the author of the article might have considered it unnecessary to present specific quotations. Added to that, the article was apparently prepared against the backdrop of the obstruction of the journalist's activities through harsh police measures, as well as the indignation over officials' justifications of the actions of law-enforcement officers.
- Given these circumstances, although the publication in general does not adhere to the high standards of quality journalism, the cited provisions of the Code should not be applied unambiguously to the present information dispute.
- Regarding the issue that the author made no attempt to reach out to the individuals mentioned in the article for their comments or clarifications, the MEO members who support this perspective believe that despite the existing formal contradiction with the principles outlined in paragraphs 1.1, 1.2 of the Code, even the media's adherence to the relevant provisions could not have significantly affected the content of the publication.

**3. MEO also urges:**

- **officials** to publicly and promptly respond to similar pieces that concern them, maintaining proper communication with the media and the public through comments, clarifications, refutations or objections.
- **representatives of political authorities** to behave in a manner that leaves no doubt within the journalistic community about their commitment to the protection of press freedom.
- **the security structures** to eliminate the practice of obstructing the activities of journalists through police compulsion (sometimes accompanied by violence), and in the event of such incidents, to publicly condemn them, while keeping the public informed about the measures taken and their outcomes.

As for the concern of 24News.am director Narek Galstyan that the state failed to take proper actions regarding the case of Mary Manukyan, who faced police violence, MEO informs that, in response to the report of a number of journalistic organizations regarding the incident, the Investigative Committee, in a written communication dated 22.06.2024, indicated that the report had been attached to the criminal case No. 69117224 initiated based on similar materials. Nevertheless, MEO does not have enough grounds to conclude that the state has taken sufficient and effective measures and is genuinely interested in revealing what occurred.

In this regard, MEO recalls the [statement](#) issued by journalistic organizations on May 13 regarding the obstruction of the activities of journalists by officers of the RA Police Special Forces while dispersing the

protest actions in Yerevan on the same day.

MEO urges 24News.am and other media to disseminate this Expert Opinion through the channels at their disposal.

***Adopted on August 9, 2024  
by the following MEO composition:***

**Gnel NALBANDYAN**, Chief Editor of “Newmag” Publishing House

**Ruben BABAYAN**, Director, Professor

at Yerevan State Institute of Theatre and Cinematography

**Boris NAVASARDIAN**, Honorary President of Yerevan Press Club

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

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

**Karineh HARUTYUNYAN**, Director of “Regions TV” Website

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

**Ara GHAZARYAN**, Lawyer

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

**Nouneh SARKISSIAN**, Managing Director of Media Initiatives Center

**Anzhela STEPANYAN**, Editor of Armavir “Alt” TV Company

*[Media Ethics Observatory](#) was established by the media, joining the self-regulation initiative, which make 83 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.*