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EXPERT OPINION OF MEDIA ETHICS OBSERVATORY

Regarding the complaint by Avetik Chalabyan's representative Narineh Beglaryan against the information published on "Iravunk" newspaper's website

A. FACTS

- On September 3, 2024, Narineh Beglaryan, the representative of Avetik Chalabyan, a public and political figure, member of "Hayakve" (Armenian Vote) initiative, submitted a complaint to Media Ethics Observatory regarding the violation of norms of journalistic ethics against her client in several articles published on Iravunk.com news website. In particular, according to the complainant, in the second paragraph of an [article](#) titled *"Democracy? No, it's something we have neither seen nor heard of: ASTONISHMENT,"* published on 17.07.2024 on Iravunk.com, video blogger Vardan Ghukasyan's information was used to ascribe close ties between the incumbent government and Chalabyan, who is engaged in opposition activities, because, according to the article, Chalabyan *"has ceased his efforts to save Artsakh and is now involved in a strawberry business"* and in that period *"he has received a \$4 million subsidy loan"* from Nikol Pashinyan's government.
- After the publication of this article, Avetik Chalabyan's representatives reached out to the editorial office of "Iravunk" within the legally established timeframe, demanding to either refute the statements in the aforementioned piece or to publish Avetik Chalabyan's response. According to the complainant, the editorial office did not respond within the legally established timeframe, nor did they provide any well-reasoned rejection. However, on August 30, 2024, Iravunk.com published a [piece](#) titled *"Avetik Chalabyan is fond of strawberries and has applied to the RA government and Acba Bank: Vardan Ghukasyan,"* which more extensively reproduced V. Ghukasyan's public remarks, at the same time showing disrespect towards Chalabyan. The complainant believed that not providing Avetik Chalabyan with an opportunity to respond in this situation constituted a violation of various provisions set by the Code of Ethics of Armenian Media and Journalists, in particular, those found in paragraphs 6.1 and 6.2. Added to that, the August 30, 2024 publication violated the principle of accuracy and impartiality. Specifically, facts were distorted, the public was not informed that Avetik Chalabyan had demanded to publish his response, the information provided by Chalabyan was concealed, and only the position of one party was presented. Additionally, the complainant believed that labeling Chalabyan's demand to exercise his right to response/refutation as "masochistic" in the publication of August 30, 2024 violated the

principle of journalistic ethics concerning “respect for privacy and other human rights.”

- After reviewing the complaint from the representative of Avetik Chalabyan, the Coordinator of Media Ethics Observatory contacted the editorial team of “Iravunk”, presenting the key points of the complaint and proposing that they share their perspective on the matter.
- “Iravunk” responded by informing MEO that through Davit Sargsyan, the spokesperson of “Hayakve” initiative, they had invited someone responsible for the Initiative to the editorial office to discuss the issue, but the opposing party had declined the invitation. The editorial team stated that there was correspondence documenting the statement made. They also mentioned that they considered it unnecessary to discuss the issue at Media Ethics Observatory. Nevertheless, they provided MEO with links to the [piece](#) that had sparked the dispute, which included details about Chalabyan's business activities, along with information from Chalabyan's lawyer.

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.
5. Along with refutation, a person has the right to demand publication of a response.

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;
- 1.3. 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;
- 1.5. to rely on accurate facts and trustworthy information when making analysis and comments;
4. respect for privacy and other human rights;
- 6.1. to encourage free exchange of opinions, regardless of any differences between those opinions and the editorial views;
- 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.

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

Considering that "Iravunk" is not a member of the media self-regulation initiative, MEO, in accordance with Article 5.3 of its Regulations, contacted the editorial office but did not receive their consent to review the complaint concerning them. Nevertheless, acknowledging the importance of the issues raised in the complaint, MEO, utilizing the opportunity granted by the same article of the Regulations, reviewed the complaint, and

- studying the submitted materials;
- analyzing the additional clarifications provided by the complainant and the responding media,

states that

- The information in the piece titled *"Democracy? No, it's something we have neither seen nor heard of: ASTONISHMENT,"* [published](#) on July 17, 2024 on Iravunk.com and concerning Avetik Chalabyan, contradicts paragraphs 1.1, 1.3, 1.5 of the Code. This is because the media, prior to publishing the piece, did not verify the accuracy of the information from a third source, in this case, a social media post, nor did they indicate whether the information was reliable or required further verification.
- The publication also contradicts paragraph 1.5 of the Code to the extent that the media, in addition to reproducing the actual information from another source, offered analyses and comments based on unverified facts.
- Following the submission of a demand for refutation and response by Avetik Chalabyan's representative, the media published a [second article](#) on the issue on August 30, essentially not meeting the demand and not providing Chalabyan with an opportunity to respond, which goes against paragraph 6.2 of the Code. Nevertheless, the editorial team made a written proposal to Chalabyan's representatives to hold a discussion on the issue, which, in fact, was not accepted by the latter.
- MEO is pleased to observe the readiness of the editorial office to resolve the issue through bilateral talks. MEO encourages citizens and organizations with informational problems with media to use every option to reach reconciliation through dialogue with media prior to turning to MEO.
- Labeling Chalabyan's demand to exercise his right to response/refutation as "masochistic" in the August 30, 2024 publication contradicts the principle of respect for people's privacy and other rights enshrined in the Code.

MEO urges the parties to disseminate this Expert Opinion through the channels at their disposal.

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

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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

Anzhela STEPANYAN, Editor of Armavir “Alt” TV Company

Media Ethics Observatory was established by the media, joining the self-regulation initiative, which make 84 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.