

**Contribution for the 8th session of the Universal Periodic Review (UPR)
on the human rights situation in Armenia
(as regards human rights capacity building)**

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26 October 2009

Specific human rights problems and CoE activities

The level of domestic implementation of the European Convention on Human Rights (ECHR) in Armenia remains significantly low and the main problems include violations in the course of criminal procedure, length of pre-trial detention, rare use of alternatives to pre-trial detention, as well as ill-treatment practices committed by law enforcement bodies, as documented *inter alia* by the European Committee for the Prevention of Torture and other Degrading or Inhuman Treatment or Punishment (CPT). The wide use of confessions in the course of criminal procedure and lack of effective investigation of ill-treatment complaints remain the opposite sides of the same coin. In addition, there has been little protection of the right to property and very few court cases in favour of individual home owners in cases of expropriation for city development purposes. Law enforcement bodies as well as the judiciary continue to be perceived by the population as corrupt and subject to influence not only by the state, but also by different power groups.

The CoE capacity building activities in Armenia have been carried out in 2007-2009 for key professional groups including judges, prosecutors and lawyers. These activities were implemented within the framework of the CoE Ordinary Budget, as well as the Joint Programme (JP) with the European Commission (EC) entitled “Fostering a Culture of Human Rights”. Training sessions and publications on the ECHR and case law of the European Court of Human Rights (ECtHR) were organised in co-operation with key partners in Armenia. In addition, two major CoE/EC JPs started in Armenia in 2009: 1) “Combating ill-treatment and impunity” aiming at building national capacities for effective investigation of ill-treatment complaints against the police; 2) “Support to access to justice” aiming at supporting the reform of the justice sector, promoting the rule of law and protecting human rights in line with ECHR standards by improving the education of the judicial professions and advocates.

Training activities

The following training sessions were organised for judges, prosecutors and lawyers: 1) training-of-trainers seminars for national ECHR prosecutors’ and lawyers’ trainers; 2) cascade seminars for prosecutors and lawyers in the regions; 3) thematic seminars for judges. These activities were carried out in co-operation with the Office of the Prosecutor General, Chamber of Advocates and Association of Judges.

Publications

The following publications were produced and disseminated to the key groups of legal professionals including judges, prosecutors, lawyers, law enforcement officials, academic institutions, NGOs, libraries and independent experts: 1) the Armenian

translation of “Human rights and criminal procedure: case law of the European Court of Human Rights” by Jeremy McBride; 2) two Volumes of selected ECtHR case law in Armenian; 3) the Armenian translation of the CoE handbooks “Freedom of thought, conscience and religion: a guide to the implementation of Article 9 of the European Convention on Human Rights” by Jim Murdoch and “The right to property under the European Convention on Human Rights: a guide to the implementation of the European Convention on Human Rights and its protocols” by Aida Grgic, Zvonimir Mataga and Ana Vilfan; 4) the Armenian translation of the Human Rights Manual for Prosecutors by the International Association of prosecutors; 5) the Armenian/English version of the ECHR Glossary elaborated by LHRC.

Challenges and assessment

As regards training activities, a challenge that has remained is the lack of organisational, human resources and logistical capacities of some of the local partners. This has in particular been the case of the Judicial School. It is hoped that the current project on access to justice will ensure sustainability of this institution.

The results of the training activities were assessed very positively both by the partners and the participants, who emphasised its importance for ensuring domestic application of the ECHR in Armenia.