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“The Status of Human Rights Defenders in Republic of Armenia”

Joint submission by:

Human Rights House Yerevan members:

“Socioscope” Societal Research and Consultancy Center NGO

“Pink” Human Rights Defender NGO

“Women’s Resource Center” NGO

“Real World, Real People” NGO

With the support of the Human Rights House Foundation (HRHF) NGO in General Consultative Status with ECOSOC

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ARMENIA

**Joint submission by a Group of Civil Society Organizations* to the UN
Human Rights Council 35th Session of the Universal Periodic Review (20 –
31 January 2020)
Yerevan, Armenia
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I. Preface

1. This is a joint submission by a coalition of civil society actors with extensive experience in monitoring, documenting and reporting human rights violations of human rights defenders in Armenia. The report covers the following areas: the situation of human rights defenders in Armenia, freedom of assembly and association, of media; and protection of human rights defenders at particular risk. The report is prepared following the data based on the first-hand data collected and documented during their monitoring and right protection work by the member organizations of Human Rights House Yerevan. Preparation of the report was supported and coordinated by the Human Rights House Yerevan in Cooperation with the Human Rights House Foundation.

- List of the organizations joining the report:

Human Rights House Yerevan members:

“Socioscope” Societal Research and Consultancy Center NGO www.socioscope.am

“Pink” human rights defender NGO www.pinkarmenia.org

“Women’s Resource Center” NGO www.womenofarmenia.org

“Real World, Real People” NGO www.realwrp.com

2. Recommendations to the Government of Armenia

We urge the Government of the Republic of Armenia

- 1) to conduct a high-level public campaign in support of human rights defenders with the official and public condemnation of attacks on human rights defenders and their families when they occur;
- 2) to carry out an independent prompt, effective and impartial investigation into attacks on human rights defenders and end the atmosphere of impunity against human rights defenders;
- 3) to register and compile statistics of threats and attacks against human rights defenders, along with information relating to their investigation and rates of prosecution.

II. The Situation of Human Rights Defenders in Armenia

3. In its last Universal Periodic Review in January 2015, Armenia accepted all recommendations specific to human rights defenders (HRDs), mainly calling for better protection against harassment and intimidation, respect and guarantee the right to freedom of expression, association, and peaceful assembly, as well as speedily and effectively investigating threats against human rights defenders.

4. Defamation campaigns carried out by the state media and public officials were often used to stigmatize HRDs and discredit their work in Armenia from 2015 to 2018. These campaigns were portraying HRDs as foreign agents and spies who could result in increased threats. Even though freedom of expression was relatively respected and a free media existed in Armenia in that period of time, journalists who were critical of the authorities and those who exposed human rights violations and corruption were subject to harassment, restrictions on their work, threats and attacks. Human Rights Defenders consider the “Velvet Revolution” in May 2018 as an opportunity to advance policies which prioritize social justice, ensuring space for civil society action in Armenia and protect the human rights of human rights defenders as well.

5. Nevertheless, challenges remain in many areas with respect to guaranteeing the freedom and security of HRDs as per Armenia’s promises during the past and the long-term sustainability of various positive developments is unclear. The smear campaigns against human rights defenders were launched again in an unprecedented manner by those affiliated with the former political elite in an attempt to discredit the government by promoting myths about the activity of foreign-funded non-governmental organizations, human rights defenders and their motives. The anti human rights and anti human rights defenders movements are more vocal in post-revolutionary Armenia. Armenia must strengthen its efforts to preserve the rights of freedom of opinion and expression and ensure that HRDs rights are protected.

III. Risks facing Human Rights Defenders and Limited Public Support for Human Rights defenders

6. Cases of human rights violations at times of public demonstrations have been reported, including excessive use of force by the police – such as the use of water cannon, sound grenades during several protests in Armenia. The State has prosecuted and detained human rights defenders during different peaceful protests who are critical of its policies. There is an absence of full and impartial investigations into acts of violence against defenders and there has been a downward trend in respect of freedom of the press. The criminal cases instituted in connection with those incidents were subsequently terminated, while the police officers, who had committed violence against the participants of peaceful assembly, were subject to only disciplinary measures and fines. The authorities have failed to meet their obligation to facilitate and support peaceful protests, and in many cases, they have undermined efforts to ensure events remained peaceful. The freedom of expression is manipulated in the media and civil society domains by means of inciting mistrust and hatred towards human rights defenders, especially, persons and individuals engaged in the protection of vulnerable groups, as well as by

calls to hinder their activities and through physical vendetta. This style of conduct is particularly encouraged and sponsored by groups representing the former political elite and media sources affiliated with them.

7. In June 2015, 237 protestors, including journalists and human rights defenders, were arrested in Armenia during the protest against rising electricity prices - Electric Yerevan. Council Chairman of the Journalists' Club Asparez, Levon Barseghyan, and co-president of the Socioscope Societal Research & Consultancy Center, Anna Zhamakochyan, were both detained.

8. During the mass protests (largely peaceful) in Yerevan, sparked by the armed occupation of a police station in the city's Erebuni district in 2016, up to 80 people were detained by police. The president of the board of Journalists' Club "Asbarez", Levon Barseghyan was detained illegally in the early morning of the 27th at 3 am, by the special unit of the Yerevan Central Police. He was detained for more than 12 hours without the possibility to inform his family or colleagues of his whereabouts, and without access to a lawyer.

9. During the peaceful demonstrations against the long-time rule of Serzh Sargsyan in 2018, that resulted in "Armenian Velvet Revolution", authorities also targeted human rights defenders and journalists. Human rights defenders Lara Aharonian (co-founder of Women's Resource Center NGO, member NGO of Human Rights House Yerevan) and Anna Nikoghosyan (the coordinator of the Coalition to Stop Violence against Women) were temporarily detained and taken to a police station on 20 April. Also, on 19 April, two persons in civilian clothing attacked journalist Tirayr Muradyan from armrus.info. As reported by the journalist, those beating him were police officers in civilian clothing, who attacked after requesting him not to film. None of the police officers in the vicinity intervened or prevented the attack. On the morning of 17 April 2018, Vardan Hambardzumyan, an LGBT rights defender and Pink Armenia board member, was detained while participating in a peaceful protest. He was handcuffed and dragged into a police car, where he was thrown on the floor and severely beaten, while the police shouted sexual slurs at him. He was not given a reason for his detention and his telephone was taken from him. After two hours of detention, he was brought to Erebouni Medical Center and released after receiving medical assistance.

10. According to the 2017 Annual Report of the Committee to Protect Freedom of Expression, 11 journalists were physically assaulted, 113 cases of harassment of mass media and journalists were recorded with 62 of them involving violation of the right to receive and disseminate information.

11. Artur Sakunts, the director of one of the most prominent human rights organizations in Armenia, the Helsinki Citizens Assembly Vanadzor Office, received death threats as a result of his vocal criticism of the human rights violations of the State in June 2017. Sakunts reported the death threat to the general prosecutor's office. The case was suspended as the police could not find the perpetrator.

12. The editor of an Armenian media outlet Medialab.am, Marianna Grigorian, received death threats on social media after her MediaLab.am publication posted on January 28, a political cartoon (caricature) that mocked Defense Minister and how the government is spending the state budget. Ms. Grigoryan reported the death threats to the police. The case was terminated because of lack of evidence. The decision is appealed.

13. Gayane Abrahamyan, journalist and public figure (after the elections in 2018, she has become an MP), became a target of a wave of hate speech in relation to her article published on June 2017 on the “nation-army” militarist strategy promoted by the Armenian government. In September 2017, “Article 3” club headed by her was added to the target of harassment.

IV. Human rights defenders facing particular risks

14. The patterns of harassment and intimidation of human rights defenders, as well as cases of continued denial of the right to an effective remedy are the problems that human rights defenders in particular risks face.

15. Women Human Rights Defenders (WHRD)

Human Rights defenders working in the field of sexual and reproductive health and rights are extremely vulnerable in the public sector as well, as they are harassed both by state institutions and by reactionary groups promoting discriminatory culture.

16. Women Human Rights Defenders become targets of hate speech and degrading statements many times in recent years as a result of their human rights activities. One of the many videos specifically targeting Aharonian and Matosyan was published on June 30, 2017, by an anti-rights and anti-European propaganda Facebook page allegedly under the tacit patronage of the government of Russia.

17. Lara Aharonian, one of the most outspoken women human rights defenders in the South Caucasus, working on the advancement of women’s rights, started receiving threats of violence, death, rape and hate speech through television and mostly social media on March 8, 2019. Among others, a TV station, a private company, ordinary social media users and a law professor have participated in these threats that have also targeted Lara Aharonian’s husband and children. On 11 March 2019, Lara Aharonian applied to the police and has been vocal since then on social media about threats against her. Several national NGOs issued a public statement. However, there was no reaction and an official statement from any public official. Ms. Aharonian reported the threats to the police, which is under investigation currently. On May 4, 2019, at Bookinist café Sexual Assaults Crisis Center (SACC) organized a presentation of the book called “My Body is Personal” during the event about 25 people broke into the café and made a disturbance because of which the event had to be canceled. Days leading up to the event and after, an organized campaign and “witch hunt” against women’s rights defenders is taking place. Serious threats and harassment are not new to the SACC and WRC teams.

18. In November 2017, during the period of domestic violence prevention law adoption, followed by signing the Istanbul Convention at the beginning of 2018, reactionist discriminatory individuals and groups reactivated hate speech, offenses, practices of disseminating misinformation against the human rights defenders advocating for the adoption of this law. The smear campaign included dissemination of fake information about the mission and activities of women’s rights organizations, activists and women’s rights groups.

19. Swearwords and calls for threats are regularly made against NGOs in relation to their provision of legal, psychological and other types of assistance to women. The staff

members of those NGOs (ex: “Women’s Support Center” (WSC) NGO) are regularly targeted, threatened, pressured by husbands, partners and family members of their beneficiaries who are women subjected to domestic violence. Women human rights defenders, lawyers, social workers, psychologists, working with the victims of domestic violence, sexual assault and other forms of gender-based violence, constantly operate in an environment risking their lives and health; however, the Police of Armenia do not take practical steps on this situation. On the contrary, their actions often seem to back the husbands of victims of violence, to tolerate acts of violence and to demonstrate an inadequate response to the needs of women.

20. LGBT Human Rights Defenders

The institutional impediments to protecting the rights of LGBT persons negatively affect the human rights defenders working in this field, as the impediments contribute to the reinforcement of social stereotypes and spread of hate speech against these human rights defenders.

21. NGOs and their staff members protecting LGBT rights, and more specifically Pink Armenia and its’ executive director MamikonHovsepyan, who is known to the public due to their active work in the field, regularly receive private messages on social media containing hate speech. The homophobic policies of the state government institutions foster social replication and legitimization of such positions.

22. On August 3, 2018, while an LGBTI activist was hosting eight friends, some of them were LGBTI activists, in his parents’ house in Shurnukh village (Southern Armenia), a mob of approximately 30 persons attacked them and chased them out of the village, hitting, kicking, and throwing stones at them while yelling insults. Six of the activists were taken to the hospital. The victims reported the attack to police, who opened a criminal case on charges of beating. In December 2018, the police dropped the case based on the November Amnesty, although nobody had been charged within the case, although according to the reports, the names of the perpetrators, allegedly most of the village residents, were known.

23. On November 6, 2018, the European Forum of LGBT Christian Groups and New Generation NGO announced the cancellation of the Forum of LGBT Christians of Eastern Europe and Central Asia to take place in Yerevan November 15-18. The Forum would have brought participants together for networking, discussions, and prayer. After news leaked about the forum, local and Russia-connected bloggers seized on the information to provoke anti-LGBTI sentiment and issue threats of violence and death against the LGBTI community and forum participants. Police officials met with New Generation to discuss security risks facing the organizers and participants. New Generation subsequently canceled the forum. “I don’t consider it appropriate to hold the forum in Armenia, considering the risks and security considerations,” Armenia’s police chief Valeriy Osipyan told journalists: “We advised that the forum should not be held in Armenia.”

24. On 5 April 2019, LGBT rights defender Lilit Martirosyan gave a speech at the National Assembly of Armenia in which she discussed the issues faced by the LGBT community in the country. This caused severe criticism by the chair of the Standing Committee on Human Rights and Public Affairs, which forced her to leave the room. Since the day of

the speech, the human rights defender, her colleagues and family have faced intimidation and death threats.

25. Environmental Activists

The pressures against environmental activists that had begun yet in 2016 persisted through 2019. The purpose of such repressions was to create impediments to their activities at policy and decision-making levels. The environmental activists are being frequently targeted by the mining companies and other businesses.

26. Ani Khachatryan, a member of the Armenian Eco Front, has been harassed many times during her environmental struggle both by the state officials and staff of mining companies.

27. Journalist Tehmine Yenokyan, who is covering the environmental struggle around the Amulsar mining, was targeted by mining companies for fighting for the protection of nature and for reporting it. The employees of Lydian Armenia (the company that wanted to exploit gold in Amulsar), were spying on the journalist. She has applied to the police, however, the case was terminated on the grounds that the published information referred to TehmineYenokyan's public life and was not of a personal character.

28. Political and civil rights defenders

Pressures against attorneys and political and civil rights defenders were observed in the Armenian courts, specifically in relation to the high profile trials.

29. In 2017, threats were addressed at attorney Inessa Petrossian and her family on account of her professional activities. The attorney received threats into her mailbox. In May 2017, Inessa Petrosyan turned to the Chief Prosecutor's office of Armenia with a request to initiate an investigation and criminal proceedings in relation to the swearwords and threats addressed against her. the case did not advance from the stage of pretrial investigation throughout 2017. The case did not advance from the stage of pretrial investigation.

30. Daniel Ionnisyan's (the Program Coordinator of the Union of Informed Citizens NGO) private and family-related information, only available to Armenian law enforcement bodies, was illegally disclosed. Prior to that, the fact-checking platform of UIC disclosed systemic and large-scale abuses of the administrative resources by the Republican Party, including exploitation of the school and kindergarten principals for the purpose of collecting vote pledges and passport details against the will of voters. Ionnisyan applied to the Special Investigative Service with a request to initiate criminal proceedings, however, the proceedings were initiated by the Investigative Committee. On October 7, the case was closed with a claim that it was not possible to identify those who can be charged. On October 12, Ionnisyan appealed the decision of the Investigative Committee in the Chief Prosecutor's office. With their decision of October 26, the Chief Prosecutor's office rejected the appeal.

31. Zaruhi Mejlumyan, a human rights defender and investigation journalist dealing with the human rights of life-sentenced prisoners, became a target of threats and a smear campaign in January 2019 because of her activism, as her husband, Mher Yenokyan, is a life-sentenced prisoner applied for pardon petition.

V. The lack of response of the State regarding the protection of human rights defenders

The government and state institutions of Armenia, in violation of their obligations towards Armenia's citizens and international partners, not only do not promote the protection of human rights in Armenia but on the contrary, they systematically impede human rights protection through the judicial, local and central governance and non-governmental institutions.

32. Armenia does not have a law or policy implementing the Declaration or a national protective mechanism for human rights defenders at risk. The rights articulated in the Declaration are generally enjoyed in law, though in practice human rights defenders partaking in protest face violations of their rights, there are restrictions on the freedom of expression of defenders and human rights defenders remain at risk of threats and violence; perpetrators of attacks against human rights defenders, often allied with the State, enjoy impunity. There is an absence of full and impartial investigations into acts of violence against defenders and there has been a downward trend in respect of freedom of the press. The Committee Against Torture has condemned the impunity enjoyed by those attacking journalists as well as the practice of initiating criminal proceedings against journalists in retaliation for their reporting of police violence.

VI. Recommendations to the Government of Armenia

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- 3) to register and compile statistics of threats and attacks against human rights defenders, along with information relating to their investigation and rates of prosecution.

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