

# EU Normative Power in the South Caucasus: reception of the European value system in Armenia

---

Arevik Anapiosyan

The research has been implemented within the SCOPES project, Swiss National Science Foundation

December 2014

## **TABLE OF CONTENTS**

<b>LIST OF ACRONYMS .....</b>	<b>3</b>
<b>BACKGROUND .....</b>	<b>4</b>
<b>RESEARCH METHODOLOGY .....</b>	<b>4</b>
RESEARCH SETTING.....	4
DESIGN.....	4
SAMPLING .....	5
<b>NORMATIVE FRAMEWORK AND HUMAN RIGHTS ISSUES .....</b>	<b>6</b>
<b>ENP IMPLEMENTATION VIS-À-VIS HUMAN RIGHTS: NATIONAL STRATEGIC FRAMEWORK.....</b>	<b>7</b>
NATIONAL FRAMEWORK FOR HUMAN RIGHTS PROTECTION .....	7
JUSTICE AND JUDICIARY .....	10
FREEDOM OF EXPRESSION AND MEDIA.....	14
FREEDOM OF ASSEMBLY AND ASSOCIATION .....	15
WOMEN’S RIGHTS.....	16
FIGHTING DISCRIMINATION .....	19
<b>RECEPTION OF HUMAN RIGHTS AGENDA THROUGH MEDIA.....</b>	<b>22</b>
NATIONAL MINORITIES.....	23
WOMEN RIGHTS.....	25
RELIGIOUS MINORITIES .....	27
LGBT COMMUNITY.....	28
ABOUT DISCRIMINATION .....	30
<b>SOME THOUGHTS AND CONCLUSION .....</b>	<b>30</b>
<b>RECOMMENDATIONS.....</b>	<b>32</b>
<b>BIBLIOGRAPHY .....</b>	<b>33</b>
<b>INTERVIEWS .....</b>	<b>35</b>
<b>ANNEX 1 .....</b>	<b>36</b>

## List of Acronyms

EU	European Union
PCA	Partnership and Cooperation Agreement
ENP	European Neighbourhood Policy
NGO	Non-Governmental Organisation
CSO	Civil Society Organization
RA	Republic of Armenia
UN	United Nations
OSCE	Organisation of Security and Cooperation in Europe
CoE	Council of Europe
PACE	Parliamentary Assembly of the Council of Europe
RPA	Republican Party of Armenia
EPSCF	Eastern Partnership Civil Society Forum

## Background

Since 2009 Armenia has been engaged in Human Rights Dialogue with the European Union on human rights and democracy issues. As of November 2014, there were five meetings within the framework of the Human Rights Dialogue<sup>1</sup>, and after each meeting there was a press release briefly pointing at the issues discussed. The Armenian delegation has always been presented by high-level officials, which signifies the importance the country has attached to the Dialogue.

Human Rights Dialogues are instruments of the EU external policy and they are aimed at ensuring sustainable development, peace and security through promotion of human rights and democratization in third countries. Moreover, these dialogues set the overall framework for cooperation between the EU and the third countries, as EU has expressed commitment for integrating human rights issues in all its actions (EU Council 2009).

EU has initiated Human Rights Dialogues with a number of countries, and based on the issues discussed there are four broad types of dialogues: 1. Discussions of a general nature based on regional or bilateral agreements; 2. Discussions focusing exclusively on human rights; 3. Ad hoc dialogues; and 4. Dialogues with certain third countries on issues of common interest and cooperation possibilities (Council of the European Union 2009, 22-23). The dialogue with Armenia serves to enhance the fulfilment of the human rights commitments the country has agreed upon with the EU at regional and/or bilateral level.

## Research methodology

The aim of this research is to provide an overview of the Government policies that anyhow cope with the EU-Armenia Human Rights Dialogue, and to understand the reception of human rights agenda by civil society.

### Research setting

The research has two major components: the first section of the report discusses Human Rights Dialogue related national policies the implementation of which has been impacted by ENP and/or Eastern partnership; and the second section of the research looks at media content that cover most salient human rights issues discussed during the Dialogue. Policy concepts, strategies, action plans and legal framework were studied to understand the national policy towards ensuring human rights protection. Over 300 media articles have been analysed to understand the social discourse regarding the selected human rights issues.

### Design

For the purposes of this research predominantly qualitative analysis was performed. Textual analysis was done to understand and evaluate policy memos, concepts, strategies, reports, publications and finally, legal framework. Media content, including social media was studied using critical discourse analysis method. For having a complete understanding of the field and complementing available data with practical expertise, 8 expert interviews were conducted.

---

<sup>1</sup> The meetings of the EU-Armenia Human Rights Dialogue are convened once a year in Yerevan and in Brussels, consecutively.

## Sampling

**Interviews:** The selection of interviewees was guided by the research ToR. In cases when the pre-selected interviewee was not available, a new person was selected based on professional background and experience. Complete list of interviewees can be found in Annex 1.

**Documents and publications:** Preliminary field exploration identified the recent research related to the issues studied within this research project. The documents comprising the international framework of the study were selected based on the official data available on the EU Website. To identify the spectrum of human right issues related to the purposes of the current research, all the documents on EU-Armenia Human Rights Dialogue have been studied, besides ENP implementation reports were considered as a reference point for understanding the scope of the issues. In clarification of the spectrum and the scope the input of Dr. Kirakosyan has been tremendous, as he had first hand experience related to Human Rights Dialogue<sup>2</sup>.

**Media:** first stage of sampling concerned the selection of media sources. Out of 21 media sources 8 were selected based on their coverage and number of website attendants (sample includes those media, which have larger audiences). Media Sources were grouped in 4 categories:

- News Agencies;
- Online newspaper;
- Social Media (Facebook, blogs);
- Online TV/Radio.

2-4 sources have been selected in each category with the application of the following principles: each category should have at least one pro-governmental and one independent source, should include agencies/newspapers that heavily lean on press-releases and those that provide opinion pieces, and finally, the coverage and popularity was considered while sampling. Based on these criteria the sample is as follows:

- News Agencies: - ARMENPRESS (pro-governmental), MediaMax
- Online Newspapers: - News.am, 1in.am (pro-governmental), a1plus.am, aravot.am
- Social media: - BlogNews.am, blog.mediamall.am
- TV/Radio: - CivilNet.am, media-center.am

Based on the study of the policy documents and interview data the following critical issues were identified for media content analysis:

- Ethnic minorities;
- Women;
- Religious minorities;
- LGBT.

---

<sup>2</sup> Dr. Kirakosyan participated in the Dialogue as Deputy Justice Minister in 2012 and 2013

Media articles were sampled through the application of key words related to each issue. In searches, Armenian equivalents of the key words were used.

Ethnic minorities	Ethnic minorities, national minorities, ethnicity, minority communities, discrimination
Religious minorities	Religion, religious minorities, Jehovah, Mormon, religious tolerance, “word of life”, sect
Women	Gender, gender equality, gender policy, men and women, violence, domestic violence, sex-base/sex-selective, gender-based
LGBT	LGBT, minorities, sexual minorities, gay, lesbian, bisexual, homosexual, transsexual, sexual discrimination

For evaluation purposes, media articles were coded in the following categories:

- Informative neutral (I);
- Informative with negative bias (IN);
- Informative with positive bias (IP);
- Negative (N);
- Analytical - valuing diversity (ADV);
- Analytical with a bias of intolerance (AN).

Overall, 300 articles were included in the sample.

## **Normative framework and Human Rights issues**

The dialogue between the EU and Armenia provides a platform for the exchange of views on human rights situation in both places, and the legitimacy to question an issue stems from bilateral agreements and the regional policies the EU peruses regarding Armenia.

The policy and legal framework of Armenia-EU relations currently includes Partnership and Cooperation Agreement (1999), European Neighbourhood Policy (2004), Eastern Partnership (2009), and Visa Facilitation and Readmission Agreements (2014). In all the abovementioned documents the issues of human rights have always been prioritized and the PCA, as the first legal document concluded between the EU and Armenia, has a special Title for cooperation on human rights matters. After the development of the European Neighbourhood Policy, in 2006 Armenia adopted ENP Action plan, which has prioritised strengthening of respect for human rights and fundamental freedoms. In the Country Strategy Paper of the European Neighbourhood and Partnership Instrument 2007-2010 Strengthening of respect for human rights and fundamental freedoms is listed among the top priority areas of the European Commission assistance (European Commission 2007, 17). Moreover, in the National Indicative Programmes of 2007-2010 and 2011-2013 human rights

have been identified as a sub-priority of support to strengthening of democratic structures and good governance<sup>3</sup>.

Human rights dialogue has been targeting those issues that have been of particular salience for the given period. Overall, not much public information is available on the dialogue, still putting together/juxtaposing the press releases of the meetings and ENP implementation country progress reports, the following human rights related key matters have been identified<sup>4</sup>:

- national framework for the protection of human rights;
- reform of judiciary;
- freedom of expression and media;
- freedom of assembly and association;
- women's rights;
- fight against discrimination.

Since 2009 Armenia has been extensively involved in reforming and approximating its legal framework to that of the European, especially having the vision of Association Agreement ahead, thus, Human Rights Dialogue has been facilitating this. Field experts<sup>5</sup> agree upon the understanding that the EU has accelerated the drafting and adoption of a number of strategies and laws. However, the outcome of the efforts is still questionable.

### **ENP implementation vis-à-vis human rights: National Strategic Framework**

After the first EU-Armenia Human Rights Dialogue a number of strategy and policy papers have been developed by the Government of the Republic of Armenia that were directly or implicitly deriving from the EU human rights agenda in the country, which is being addressed during the Dialogue meetings.

#### **National Framework for Human Rights Protection**

One of the vivid developments impacted by the Human Rights Dialogue is the adoption of the National Strategy on Human Rights Protection by the order of the President of the Republic on the 29<sup>th</sup> of October, 2012. According to the presidential order the Government had to develop an Action plan in a three-month period and the National Security Council Administration twice a year was

---

<sup>3</sup> The ENP Action Plan and a number of other documents that were studied for this research purposes are not cited here as the research framework is time bound - covers the period from 2009 to 2013.

<sup>4</sup> The scope of the key issues discussed in the Dialogue was confirmed during the Interview with Yeghishe Kirakosyan. Dr. Kirakosyan has been Deputy Justice Minister during June 2012-May 2014. He has been involved in EU-Armenia Human Rights Dialogue in 2012 and 2013. In 2013 he has been the head of the Armenian delegation during the Dialogue

<sup>5</sup> Interviews conducted with professionals involved in the Human Rights Dialogue, leaders of civil society organizations as well as academia showed a consistent pattern of consent that a number of government policies have been adopted due to their importance to for the EU vis-à-vis Armenia.

supposed to report to the President on the implementation of the Human Rights Protection National Strategy Action Plan (President of the Republic of Armenia 2012).

The Strategy has been developed by the National Security Council, and as our fact-finding revealed, it was developed by direct support of the EU Delegation in Armenia, without sufficient involvement of the civil society and human rights protection NGOs (Amiryan 2014), (Hovhannisyanyan 2014)<sup>6</sup>. The strategy is a beautiful document well-articulated with the international commitments of Armenia, national legal framework and strategy papers. As it is highlighted in the document, the Strategy aims to consolidate the national policy framework on matters of human rights protection, ensure the continuousness of reforms towards the enhancement of legal framework, awareness raising, cooperation with civil society, identification of human rights priorities, compliance with international law, etc. The strategy is supposed to serve as a reference point for a number of human rights related sectorial policies, including “Sustainable Development Programme” (2008), “Strategy on Gender Policy 2011-2015”, “Strategy Programme fighting Gender-based Violation” (2011-2015), “National Programme on the Protection of the Rights of a Child”, “Strategy on Social Protection of Persons with Disabilities” (2006-2015), and “2012-2016 Strategic Programme for Legal and Judicial Reforms” (National Strategy on Human Rights Protection 2012).

While being an achievement in terms of showing the country willingness to enhance human rights protection, the Strategy has a number of drawbacks. First of all, the document would benefit if better developed in terms of structural logic: strategy programmes of general nature are presented equivalently with specific activities to be undertaken by specific institutions, for example. Secondly, there are a number of international documents that the Republic of Armenia has signed but not ratified, thus, as a strategy paper it could envisage the ratification of those documents<sup>7</sup>. Moreover, there are target groups identified in the Strategy the protecting whose rights is of priority concern: among these groups are children, women, disabled persons, and interestingly enough, national minorities. Definitely, recognition of the rights of national minorities at strategy level is essential, however, considering the predominantly mono-ethnic population of the Republic (97% are Armenians<sup>8</sup>), it is important to note, that if national minorities are considered, then other minorities (including religious and sexual minorities) should also be considered as vulnerable groups.

---

<sup>6</sup> The representatives of the civil society organizations interviewed repeatedly mentioned this.

<sup>7</sup> For instance, in September 2009 Armenia signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (2008), still, so far it has not ratified the document (source of information – United Nations Treaty Collection. Accessed October 28, 2014.

[https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=IV-3-a&chapter=4&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg_no=IV-3-a&chapter=4&lang=en)).

<sup>8</sup> Source of information – Office of Human Right Defender, Republic of Armenia

Finally, the Strategy includes activities that aim to improve the functioning of institutions that no longer exist. For example, within the Strategy article on ensuring the labour rights, it is envisaged to approve certain procedural documents of the State Labour Inspectorate, whereas, the Inspectorate has been merged with State Sanitary and Epidemiological Inspection: the restructured unit functions within the Ministry of Health, and it is no longer identified with its predecessor (Mejlumyan 2014).

The adopted version of the document has been noticeably developed since its initial draft. Partnership for Open Society initiative prepared and presented to the Government *Recommendations on the National Strategy on Human Rights Protection* (2012). This document harshly criticized the draft Strategy and provided a range of recommendations, which could improve the Strategy. Civil society actors included in the Initiative claim that their recommendations remained unaddressed, however, closer analysis of the Strategy and the Recommendations provides little ground for inferring that the final text of the strategy was impacted by the *Recommendations*. Article 20 of the initial draft, for instance, mentioned that the “final output of the strategy is the approximation of the national legislation to the international framework on human rights protection” (Draft National Strategy on Human Rights Protection 2011, 12), and Recommendations developed by the Partnership for Open Society objected to this statement, explaining that the Strategy should result in improved human rights protection. And still, as we see in the final text (Article 19) the output of the Strategy is the high level of protection of human rights (National Strategy on Human Rights Protection 2012, 10).

According to the Human Rights Protection Strategy, Action plan was supposed to be developed in six-month period after the adoption of the document. Still, the Action plan was adopted by the governmental decree only on the 27<sup>th</sup> of February 2014. The Action plan is a more comprehensive document than the Strategy itself, and its programme of activities is designed for 2014-2016.

The Action plan upholds and improves the structural logic of the National Strategy and separates activities by the fields of human rights protection. Findings revealed that the action plan has been developed in consultations with relevant field representatives and a number of issues, which were not included in the Strategy, but were touched upon during the EU-Armenia Human Rights Dialogue, have been included in the Action plan (Kirakosyan 2014)<sup>9</sup>.

To name a few, fight against discrimination is not mentioned about in the National Strategy on Human Rights Protection, still the Action plan includes article towards developing discussion on the adoption of the Law Fighting Discrimination (Government of the Republic of Armenia 2014, Article 8). The Law on Radio and Television Broadcasting is also foreseen to be amended in order to meet the European requirements for the election and administration policies of broadcasting bodies. It is worth mentioning that the independence of

---

<sup>9</sup> Dr. Kirakosyan has been Deputy Justice Minister during the period of June 2012-May 2014. He has been involved in EU-Armenia Human Rights Dialogue in 2012 and 2013. In 2013 he has been the head of the Armenian delegation in the Dialogue.

broadcasting bodies has been consistently underlined in the ENP implementation reports to the Commission.

The Action plan has incorporated a number of innovative ideas and activities, which definitely comprise the added value of the document. Article 36 of the Action plan schedules discussions for the possible incorporation of video recording practice during interrogations. This initiative had been completely denied by the prosecutors when NGO representatives first presented it, and thus, mentioning of this possibility in a national policy document could be considered as a serious achievement (Kirakosyan 2014).

The Action plan has a group of activities for the protection of right to favourable environment. It is noteworthy that the Human Rights Strategy has not referred to this right at all, and Partnership for Open Society criticized the document for that reason.

Among the activities devoted to the enhancement of the mechanisms for human rights protection, the Action plan proposes to establish the institute of the Martial/Military Ombudsman. Article 114 of the Action plan mentions that the abovementioned institute should be established according to the PACE 1742 Recommendation on Human rights of members of the armed forces (2006).

Vast majority of activities included in the Action plan have been scheduled for 2014. However, there is no implementation monitoring report. What is more, the Action plan has been developed and approved by the Government of Mr. Tigran Sargsyan, and the new Government has not shown commitment towards implementing the Action plan.

### **Justice and Judiciary**

Collaboration on the matters of judiciary has been one of the EU–Armenia cooperation areas since Partnership and Cooperation Agreement, and with the initiation of EU-Armenia Human Rights Dialogue the EU has constantly underlined the importance of the reform of the judiciary. Regarding judiciary, the key concerns that the EU has predominantly reported to the Commission about, and has invited Armenia to address are as follows: proper implementation and enforcement of legislation, independence of judiciary and increased trust towards the system, ill-treatment and torture in detention facilities and elsewhere, and finally, improvement of penitentiary.

To address the concerns, in April 2009 the President of the Republic of Armenia published a directive on approving the 2009-2011 Strategy Programme on the Reform of the Judiciary and its action plan. The third section of the reform strategy underlines the fact that by approving the European Neighbourhood Policy Armenia has committed herself towards implementing the ENP Action plan, which in turn, anticipates a number of priority areas for the judicial reform (Strategy Programme on the Reform of the Judiciary 2009-2011).

Considering national strategy papers, the Sustainable Development Programme, ENP priorities regarding the reform, the Strategy was aiming to ensure:

- Independence and accountability of judiciary;
- Corruption risks reduction;
- Access to justice, its efficiency and transparency;
- Improved enforcement of court decisions;
- Improvement of the legislation and strategies of judicial system.

In June 2012 the president approved 2012-2016 Strategic Programme for Legal and Judicial Reforms, which came to complete and further develop the reform priorities. This new strategy confirms that despite the adoption of a number of legislative documents, the reform and the Judicial Code could not address the main concern, that is, fair and effective judiciary (Programme for Legal and Judicial Reforms 2012-2016). The 2012-2016 Strategy takes record that a number of measures anticipated by the 2009-2011 Strategy were not implemented<sup>10</sup>, among which are improvement of the penitentiary conditions, modernization of archiving at courts and prosecutors' offices, improvement of expertize quality, etc.

With reference to 2009-2011 Judiciary Reform Strategy aims, the new strategy pursues the following goals:

- Effective advancement of the criminal justice and system of criminal punishment;
- Effective advancement of administrative justice and administrative proceedings;
- Increase of the efficiency of the civil justice;
- Increase the of effectiveness of procedural functions' performance;
- Ensure the reform of the system of advocacy;
- Increase of the effectiveness of prosecutorial activities;
- Increase of the productivity of public service provision.

The two strategies that guided the reform of the Judiciary considerably lacked implementation on key matters: law enforcement, independence of judiciary, penitentiary. Moreover, there is neither impact nor anticipated impact analysis of reforms. In line with the strategies, legislation framework, especially the Criminal Code, Criminal Procedure Code, Civil Code, Civil Procedure Code, Judicial Code, and other key documents are being constantly amended, which opens floor to consider that the amendments are not being developed with appropriate reference to international agreements and Covenants that Armenia has joined and ratified, necessary and proper articulations are not in place while developing amendments, and the reform of legislation has no intensity, or there is no political will to put the reform agenda forward (Sargsyan 2014)<sup>11</sup>.

---

<sup>10</sup> According to the strategy the main reason for underperformance of the Action plan has been insufficiency of financial resources: However, NGO representatives interviewed argued that the reason could not be the lack of resources, but improper budget administration.

<sup>11</sup> Dr. Sargsyan is an experienced advocate, and he has been recently taking up cases on minority rights and migrant workers.

**Independence of Judiciary:** The other two key concerns – law enforcement and independence of judiciary, are closely intertwined, still the common reference point for effectiveness is internal and external independence of judges. Independence starts with the appointment and continues during daily activities that judges perform. The two consecutive strategies on judicial reform have addresses the procedures, roles and responsibilities for appointment of judges. Resulted from the reform, the procedures for developing the lists of candidates for appointing judges has become considerably transparent, however, influence of the executive branch over judicial appointments remains: the President of the Republic upholds the right to discretionary appointments from the list.

The Strategies have also addressed the procedures on developing promotion lists of judges. As a result, since January 2015 there will be assessment of performance of judges, and the promotion lists will be developed based on the assessment results (Amendments and Additions to the Judicial Code 2014, Article 3).

An important indicator for independence is the mechanism and the roles of the actors involved in filing **disciplinary charges against judges**. The Strategies have underlined the importance of differentiating between the institutions, which will decide on disciplinary charges, and the ones that will initiate the procedure for bringing up charges. Currently, the Council of Justice has the responsibility for decision-making and a number of institutions are granted with a mandate to file disciplinary charges. However, the problem here is that the executive branch (Minister of Justice) has a mandate to bring up disciplinary charges against judges, including the court chairmen of the First instance courts as well as Court of Appeals (Judicial Code 2007, Article 155(1)). Although this mandate of the executive is not preserved for filing cases in other levels of judicial system (Court of Cassation), judiciary is, thus, dependent from the executive branch (Republic of Armenia 2007,). Moreover, disciplinary charges can be presented every time a responsible unit considers there is an obvious and grave violation of a legislative norm. Thus, judges of lower instance courts are indirectly dependent from Court of Cassation, as the later may reverse the judgement based on “illegal” ruling and then the judge responsible for the judgement may be subject to disciplining. As our findings show, “obvious and grave violations” were being applied in a rather discretionary manner (Amiryan 2014) (Sargsyan 2014), and the 2012-2016 Strategy on judiciary reform included a clause on developing an understanding about what is “obvious and grave violation.” As a result, in June 2014 the Judicial Code has been amended, and the criteria for “obvious and grave violation” have been developed: “if a violation jeopardises the Authority of Justice and it is incompatible with the high standing of a judge, than it will be considered obvious and grave” (Judicial 2007, Article 153.2).

Disciplinary sanctions are imposed upon judges based on the content of their judgement, and not for the violation of rules of conduct, as it required by international standards. This breaches the principle of independence of judges and freedom to render decisions. In addition, disciplinary measures may result in termination of powers, as the Council of Justice may file such a motion to the President of the Republic (Judicial Code 2007, Article 157(1)).

**Ill-treatment and torture:** Another serious concern refers to *ill treatment* and *torture*. The number one concern is that national legislation does not comply with the UN Convention against Torture, as the legal definition of torture does not include crimes with direct or indirect involvement of public officials (Criminal Code 2003, Article 119). Under the UN Optional Protocol to the Convention against torture the Human Rights Defender of Armenia has been designated as the national prevention mechanism, however, due to inadequate legislation, the Defender has not been effective in carrying out his tasks.

The issue of access to *detention facilities* and police stations has been addressed since 2009. Police investigations rooms are closed for access, where torture and ill treatment may be used for acquiring self-incriminating evidence. Meanwhile, detention facilities are relatively open for certain groups of people, including detainee advocates and civil society representatives. Even though detention facilities are moderately accessible, there are a number of procedural drawbacks in guaranteeing access: besides there are days (mainly weekends) that detention facilities are completely closed for access. The legal framework, including the Law on Persons Arrested and Detained, is currently being drafted for amendments and additions, after adoption of which certain groups of people - human rights defendant NGOs, solicitors, will have greater access to places of detention (Minasyan 2014).

According to the Monitoring Group over Police Detention Facilities only 267 out of 1676 detainees applied to have a lawyer in 2013 (Open Society Foundations Armenia 2013). Moreover, detainees are reluctant to complain of torture as they lack trust in the Justice system.

**Penitentiaries:** A huge matter of concern is human rights protection in *penitentiaries*. The EU has underlined this provision a number of times and the issue has also been discussed during the EU-Armenia Human Rights Dialogue (Kirakosyan 2014). With EU budget support a new prison has been constructed, and the aim was to support the strategy for solving the issue of overcrowding. Still, this can hardly be a sustainable solution. As we know, in 2005 the Minister of Justice issued an order to establish a Public Monitoring Group over Penitentiaries (Ministry of Justice 2005), and this group has repeatedly reported on the problem of overcrowding and understaffing. Overcrowding brings up concerns with inadequate hygiene conditions, lack of bed space, lack of access to natural light and permanent electricity, access to water, heating in winter, and food.

The problem of overcrowding could partially be solved by the introduction of Probation service. The Strategy on Judiciary Reform 2012-2016 anticipates this provision, however, no significant development has taken place. The strategy on probation service started to be drafted since 2012 (Ministry of Justice 2012), still, it was not properly advocated, and now the Justice Minister underlines the

importance of finalising the concept paper on probation service, after which the legal framework will be developed<sup>12</sup>(News.am Agency 2014).

### **Freedom of Expression and Media**

During EU-Armenia Human Rights Dialogue discussions over freedom of expression and media have remained central since 2009. The key concerns regarding the field are:

- Media independence,
- Pluralism of broadcasting media; and
- Freedom of expression on topics not much favoured by the Government<sup>13</sup>.

The National Strategy on Human Rights Protection anticipates improvements regarding the freedom of expression. It first considers the approximation of the rules of procedure for the elections of the Television and radio regulatory bodies to the OSCE and Council of Europe Standards (National Strategy on Human Rights Protection 2012, 17). Moreover, according to the Action Plan stemming from the Strategy, by October 2014 draft law on amending the rules of procedure for the elections of the television and radio regulatory bodies was supposed to be presented to the Government. Still, there is no available report or data on implementation of this action. It is noteworthy that the Law on Television and Radio has been amended a number of times and the issues of broadcasting media plurality or the independence of National Committee of Television and Radio was never addressed<sup>14</sup>.

The issue with independence is rather obvious: ***media independence*** is supposed to be ensured by the National Committee of Television and Radio. Meanwhile, this committee, although declared to be independent, is not factually independent. Overall, the Committee has 8 members – the National Assembly elects 4 members of the Committee, and 4 members are appointed by the President of the Republic (National Assembly 2000, Article 38). In addition, the National Assembly and the President hold the right to terminate the membership of the Committee members they elected or appointed (National Assembly 2000, Article 41). There are specific grounds on which membership can be terminated, still, the first ground, which is written resignation, raises concerns regarding the actual independence of the Committee members.

***Pluralism of media*** is another fundamental concern. Although EU monitoring reports have been inviting the government of the Republic of Armenia to pay

---

<sup>12</sup> The EU was expecting that Armenia would revise the Criminal Procedural Code and adopt legal framework for introducing probation service in 2014.

<sup>13</sup> These issues have been identified through the analysis of the ENP implementation reports, EU-Armenia Human Rights Dialogue press releases, and ENP implementation shadow reports. The scope of discussions was confirmed by interviews with field representatives.

<sup>14</sup> The amendments never addressed the recommendations of the Council of Europe or the OSCE. Instead they concerned the prolongation of broadcasting licenses of existing broadcasters from 2013 till 2016; increase of salaries of the committee members, and alike.

attention to this matter, no initiative has been performed to ensure pluralism, at least in terms of amending the legal framework.

Matters on media ownership and concentration are not transparent. According to civil society sources, the majority of leading broadcasting companies and online media belong to Government officials or persons with strong connections (family) in Government<sup>15</sup>.

As we already mentioned, the only policy document that somehow addresses the concerns of freedom of speech and media, is the Human Rights Protection Strategy and its Action plan. However, either the action plan is not being implemented, or there is no accessible data on the implementation of the Strategy actions.

### **Freedom of Assembly and Association**

In 2011, new Law on Freedom of Assembly was adopted, which in fact replaced the Law on Meetings, Assemblies, Rallies and Demonstrations. According to the Council of Europe Venice Commission opinion, the legal framework for ensuring freedom of assembly is mostly in line with the international standards (Council of Europe Venice Commission 2010). However, there are a few concerns that EU-Armenia Human Rights Dialogues pay attention to. Main concerns are regarding Article 12, which is on the prior notification of assemblies and Article 19 that is about the prohibition of assemblies. According to Article 12, organizers of an Assembly should notify the relevant public institution at least 7 days prior to the event. Seven-day notice prior to holding a public event leaves room for manipulation by authorities. The other article regarding the grounds of prohibition of assembly bans protests in places near the National Assembly, Office of the President, Government Institutions, Courts and Penitentiaries, as the regular work of these institutions might be impeded because of the assemblies (National Assembly 2011, Article 19(3)).

As to freedom of Association, since 2009 there has been a continual effort to amend the NGO law. In 2013 a Concept was drafted on Institutional Enhancement and Legislative Improvements regarding Civil Society Organizations, and this concept aims to create more favourable legislation for creating associations, as well it envisages development of the legal framework, which will enable other legal forms of association than it is anticipated today. For example, the Law does not allow establishing a think tank as a legal entity other than Non-Governmental Organization. The concept anticipates legal changes that would better categorize civil society organizations according to the specificities of the activities performed. As appropriate legal framework is not in place, there are a number of obstacles for the proper functioning of civil society organizations. And thus, the concept aims at diminishing those obstacles. The concept also seeks to simplify and clarify the administrative procedures of registration, facilitate institutional development and financial sustainability by liberalizing the legal framework on governing the organization and waiving the

---

<sup>15</sup> This information is available among general public and civil society organization, however, as the law does not require the media companies to disclose their owners or beneficiaries, the information cannot be verified.

restriction on pursuing commercial ends (Ministry of Justice, NGOs 2012/13). The Concept, in general, aims to create a more transparent environment for the functioning of civil society organizations.

Besides this concept there is another concept developed by the Public Council of the Republic of Armenia<sup>16</sup>. Civil Society Organizations are concerned with the alternative concept, as its approval may create favourable conditions for controlling rather than regulating the activities of CSOs, limiting their independence, and as well, centralising local and international funding in the hands of the authorities (Public Council 2012).

The two concepts have been simultaneously circulated, and in February 2014, the Government approved the concept presented by the Ministry of Justice and the NGOs<sup>17</sup>.

### Women's rights

The issue of women's rights within the framework of gender equality, anti-discrimination, and gender based violence, including domestic violence and sex-selective abortions, have become one of the state's priorities towards enhancing democracy and rule of law. The National Strategy on Human Rights Protection has also addressed the abovementioned frameworks that Government has to pay attention to.

Adjunct to the Prime Minister of the Republic of Armenia there is a Council of Women's Affairs that aims to improve the status of women in political, social and economic spheres, and support the implementation of gender policies in the Country, and most of the policy implementation and monitoring activities are overseen or supported by this Council.

**Gender equality:** In 2010 The Government of the Republic approved the Concept on Gender Policy according to which gender equality is the foundation for democratic development of the country fostering social justice and rule of law (Government of the Republic of Armenia 2010). According to this concept gender equality implies equal opportunities for men and women based on merit, assurance of equal participation of men and women in the socio-economic, political and cultural development of the country, fight against discrimination based on gender – equality before the law, adoption of equal treatment and conduct towards men and women. In general, this concept aims at gender mainstreaming at absolutely all aspects of socio-political life, and not only.

This concept sets priorities of drafting a law on equal rights and opportunities of men and women, developing and implementing complex activities aiming to ensure women representation in decision making positions, developing and promoting discourse on gender equality, and finally, introducing progress monitoring and evaluation criteria and mechanisms. It is worth mentioning, that

---

<sup>16</sup> Public Council is an advisory body created by the presidential decree in 2008.

<sup>17</sup> Source of information is the website of the Ministry of Justice - Accessed 17 October 2014 (<http://www.justice.am/legal/view/article/593>)

the framework for reference is supposed to be international obligations that Armenia has committed herself to (Government of the Republic of Armenia 2010).

The provisions and principles set in the Concept are well articulated with the policy documents developed for the enhancement of democratic development of the country. And this endeavour can be considered as an important step towards gender mainstreaming.

Based on this concept, in May 2011 the Government adopted Gender Policy Strategic Plan, which considers gender mainstreaming at the level of management and decision making, in socio-economic, cultural and public provisions, as well as in education and healthcare (Government of the Republic of Armenia 2011).

According to the strategy, the first step for ensuring gender equality is the development and enhancement of the legal framework, which includes ratification of UN Conventions on the subject matter and compliance with international standards, and surely adoption of local legislation. The next group of objectives have the goal of raising awareness on gender, gender equality, rights and responsibilities, tolerance and attitude. Importantly enough the strategy takes note of the differences of perception towards gender equality in the capital and the rural areas. Another objective that is vital for gender mainstreaming is the provision of developing a media culture that is gender sensitive, and this strategy addresses the issue by awareness raising and education (Government of the Republic of Armenia 2011).

Based on the strategy, action plan has been developed since 2011, and unlike in other fields, implementation of action plans has been well reported. The action plans are reported to be completely implemented<sup>18</sup>.

The action plans are well developed in terms of identifying the key actors and government institutions for carrying out the planned activities. In fact the action plans aim to support gender mainstreaming throughout all the government policies. According to the reports, in 2011-2013 a number of seminars, workshops and discussions have been organized for the journalists on gender sensitive issues<sup>19</sup>, civil servant and employees of local self-governance organization, and also municipality employees are reported to be trained on gender equality issues.

Certain measures have been taken to fights against sex-selective abortions. In 2011 a research was conducted with the UN support to analyse the current situation and to understand the reasons for sex-selective abortions. The findings were presented in a report, and a few follow-up activities took place. Still, not much awareness raising activities were performed, and the deteriorating

---

<sup>18</sup> Source for this judgment is the analysis of action plans and implementation reports.

<sup>19</sup> Though the action plans indicate numbers and reports mention about the seminars, there is no available data on how many journalists have been included in those seminars, workshops and discussions.

situation with these abortions remains to be a matter of concern (L. Karamyan 2014). Moreover, no valid data can be found on exact numbers of cases<sup>20</sup>. The issue of sex-selective abortions is addressed also in the Concept of Gender Violence.

An important development is the adoption of the Law on Equal Rights and Opportunities for Men and Women in June 2013. Despite the fact that the law somehow regulates the field, no matter the quality at this point, it creates discourse on gender issues. For example, rather prejudiced discussions have been evolved around the term 'gender,' and in most of the cases certain organizations and journalists tried to twist the discourse and attach negative connotations to the term<sup>21</sup>. This issue became so grave that the Council on Women's Affairs prepared an announcement addressing the allegations around the term 'gender.' With reference to international documents, they explained the origin of the term, the differences of the terms 'sex' and 'gender', and the purpose of its use (Council on Women's Affairs 2013).

Besides the efforts and the fact that laws and policies are supposed to undergo gender sensitive expertise (Petrosyan 2014), gender mainstreaming remains a concern, especially in the content of education. In 2012 there was a research on the role of the gender in the textbooks of primary education, and the overarching finding was that boys/men are presented to have more leading and important roles (in texts and visualizations) compared to girls/women (Tsatouryan 2012). This not only hampers the development of tolerance in general, but also replicates and enhances the prevailing masculine social culture.

**Gender-based violence.** The other concern related to women's rights is domestic violence. This matter, together with gender equality has been among the top priority concerns during EU-Armenia Human Right Dialogues (Kirakosyan 2014).

Domestic violence, as a form of gender violence is discussed within the frame of gender equality, and women and children are identified as main victims of gender violence.

The concept provides rather comprehensive analysis of current situation. It goes further explaining that the level of awareness on gender issues in general and

---

<sup>20</sup> Certain women's rights protection NGOs, Women Recourse Centre, for instance, have data on sex-selective abortions, but this data cannot be validated, as cases are not often reported and medical staff at hospitals is very cautious on providing information. Our small fact finding on the matter (informal interviews at Erebuni Medical Centre and women rights protection NGOs) revealed that sex-selective abortions are often performed in cases of the second child in a family. Moreover, uncommon to the general perception that men enforce women to have sex-selective abortions, often women decide to have such abortions without external influence. This is even more deteriorating, as it may imply that women reject gender equality, to certain extent, either consciously or sub-consciously. This issue is extremely problematic and it needs further socio-psychological research.

<sup>21</sup> Representatives of civil society organizations interviewed stated that the Church has been a key initiator for twisting the term 'gender' and associating it with homosexuality.

gender based violence, in particular, is very low, which results in high level of tolerance toward any type of gender violence. There is considerable research in the country revealing that domestic violence is the most common manifestation of gender violence<sup>22</sup>.

The aim of the concept is to develop a policy that will reduce the number of cases of gender violence. And according to them the policy should stick to the following principles:

- Gender violence prevention;
- Protection of victims of gender violence;
- Prosecution of persons responsible for gender violence.

As a mechanism for prevention the concept first and foremost calls on compliance with the international obligations of Armenia, particularly with the UN Convention to eliminate all Forms of Discrimination against Women (Council on Women's Affairs 2011). Then, it is anticipated to have better legislative framework not only for responsive, but also for preventive purposes. Besides, awareness raising and information campaigns are underlined as important preventive measures.

The second set of principles relates to the protection of victims. Within this framework, it is designed to have better legal mechanisms for bringing up the case, better social, legal and healthcare services for victims and their families, and capacity building of staff at police stations immediately dealing with cases of violence.

Since 2007 a law on domestic violence has been drafted which has been widely discussed by civil society organizations and international experts. After a number of discussions and redevelopments, the draft has been presented to the Government, however, the Government responded that there is no rationale to have a separate law on domestic violence, and suggested to add provisions on domestic violence in other laws<sup>23</sup>.

Civil society organization, especially women's rights groups are providing protection services to victims, however, their attempts are segmental and it cannot replace the role of the government, particularly if there were a law on Domestic Violence.

### **Fighting Discrimination**

Discrimination in all aspects of socio-economic, political and cultural life remains to be a sensitive issue, and EU –Armenia Human Rights Dialogue has addressed the issues of discrimination more intensively during 2012 and 2013 (Kirakosyan 2014). Discriminatory attitudes, behaviour, and policies are not often perceived

---

<sup>22</sup> In 2007 Turpanjian Centre for Policy Analysis (AUA) conducted a nation-wide survey on domestic violence. Accessed 9 November, 2014

[http://tcpa.aua.am/files/2012/07/TCPA-DV-Survey-2007\\_English.pdf](http://tcpa.aua.am/files/2012/07/TCPA-DV-Survey-2007_English.pdf)

<sup>23</sup> Source of information is the Civil Society Institute NGO. Accessed 30 October, 2014

<http://www.hra.am/hy/point-of-view/2014/10/03/coalition>

by the general public as discrimination, *per se*. If direct discrimination towards certain group is relatively admitted to be so, indirect forms of discrimination are absolutely marginalised in terms of addressing them. Women in Armenia, for instance, often face indirect discrimination during employment: employers prefer male candidates as the perception of the role of women is tightly linked with family duties and bringing up children, and because of the groundless alarm that women are not 'strategically lasting' employees, male have more favourable opportunities for employment.

The problem with incomplete understanding of the term has a number of layers. Political rhetoric has subjugated the discourse on discrimination, and it has resulted in boiling down the term to predominantly religious and sexual minorities. If discrimination is discussed with inclusion of its broad spectrum of groups, than discourse gains more societal validity and less sensitivity towards political rhetoric. Still, lack of political will to genuinely address discrimination explains the failure of Government initiatives to develop societies valuing diversity and tolerance.

In 2012 the Human Rights Defender's office of Armenia initiated drafting an Anti-Discrimination law, and the draft was developed in consultations with civil society organizations (Petrosyan 2014). There were rounds of discussions around the draft law and certain politicians, local organizations, civil society representatives purposefully narrowed the scope of the draft law, and presented it to be a tool for promoting (and not protecting) the rights of sexual and religious minorities (Petrosyan 2014). Finally, the draft law was not adopted and the explanation was that there is no need to have a stand-alone law for protecting the rights of vulnerable groups (Kirakosyan 2014). Field experts as well as lawyers agree that the draft was not well articulated, and thus, it was widely misinterpreted.

Dr. Kirakosyan underlined the importance of reframing the concept of discrimination and providing a fresh content to the term (2014): currently it is distorted and certain groups use biased concepts for their political ends.

Within the framework of ***child's rights protection***, discrimination towards children is of very central concern during the Human Rights Dialogue<sup>24</sup>. In 2012 the Government adopted a programme on the Protection of the Rights of a Child (Government of the Republic of Armenia 2012). The strategy addresses children rights in five major dimensions: social protection, healthcare, education, culture and juvenile justice.

The action plan of the Strategy was adopted in February 2013, and it included range of activities to be performed in 2013-2016. In 2014 Strategy implementation plan was approved specifically for the actions in the mentioned year.

Social protection and access to education have been of primary concern for civil society organizations, as well as for the EU, as expresses in 2011, 2012 and 2013

---

<sup>24</sup> This matter was confirmed by Dr. Kirakosyan (for more information *see footnote 3*)

ENP Implementation Country Progress reports. Regarding social protection the 2013-2016 Strategy aims to ensure:

- Social protection of children in severe life conditions;
- Development of child protection system;
- Monitoring and coordination of child protection system;
- Public awareness raising on protection of child's rights.

Introduction of three-level child protection (local/community, regional, state levels) is reported to be a major success. This project is being implemented with the support and participation of UNICEF Armenia, and the three-level protection system has already been piloted in Syunik region (Poshosyan 2014<sup>25</sup>).

The other major concern is access to education, which can be ensured with providing truly inclusive education. Inclusive education is today perceived as inclusion of persons with disabilities, however inclusion implies education for all - without discrimination. The basic ideology behind the concept of inclusive education is that all students attend and are welcomed by their neighbourhood schools in age-appropriate, regular classes and are supported to learn, contribute and participate in all aspects of the life of the school. A very important aspect is the quality of education: parents of all children, regardless the needs, express concerns that quality of education may suffer in inclusive schools, and for this reason parents take their children to special schools, thus feeding discrimination.

Although Armenia had its first inclusive school back in 2001, when school N27, named after D. Demirchiyan started to provide inclusive education with the support of the "Bridge of Hope" NGO and Ministry of Education, perceptions of inclusive education and attitude towards it in general public is twofold.

A recent report of UNICEF Armenia unveils this reality (2014). More than 50% of the survey respondents consider that a child with physical disabilities should attend a special school. Moreover, 86% of respondents mentioned that a child with intellectual disabilities should go to special schools. Still, eighty-three percent of all respondents think that it is acceptable for their child to have a classmate with physical disabilities. The percent of those who consider acceptable that a child with intellectual disabilities attend the same class with their child is considerably small – forty-eight percent of all respondents. This is obviously discrimination, which Armenian society, unfortunately, does not perceive it to be so.

The other concern relates to discrimination based on *belief*. In general, the social, political and even academic environment has little tolerance towards religious minorities (L. Karamyan 2014). A survey on religious education at public schools in Armenia raised concern about the fact that the system of belief of the Armenian Apostolic Church was actively taught and some of its religious rituals were practiced in the classroom whereas there were no such provisions in place for members of other religious groups, and that the teaching tended to

---

<sup>25</sup> The interview with Ms. Poghosyan was conducted within the scope of a different research project on Inclusive Education in Armenia.

equate religious and national identity (Stepan Danielyan 2012). The authors of the abovementioned research claim that the teaching of the subject fosters development of a negative attitude towards other religious beliefs, trends and their followers, which amounts to intolerance with some characteristics of proselytise (2012). Mr. Danielyan affirms that in this context the State authorities show inaction as a result of which the Republic of Armenia violates its positive obligations under Article 2 of Protocol 1, Article 9 and Article 14 of the European Convention of Human Rights (2012). It is noteworthy here that over centuries when Armenians had lost their statehood and the Church was the only structure to consolidate the nation, this changed role gave the Church a perceived legitimacy to be actively involved in the secular-political life of the Armenian communities. As Armenian nation could not be identified with a state (due to the absence of statehood), it was being identified with the Church, and today, when there is statehood, the Armenian Apostolic Holy Church is reluctant to give up its well-structured former role.

Coming to the issues of the **LGBT** communities, they are one of the most sensitive and controversial topics in the country. These communities definitely face discrimination as they are seen as ‘evil’ or ‘a disease’ who intend to ‘demoralize’ the traditional ways of life (L. Karamyan 2013). No policy level actions have been undertaken to address discrimination towards these communities.

## Reception of Human Rights Agenda through Media

Online media penetration has mushroomed in the last few years. Users of web resources are reported to be over 1.2 million, and this represents only the number of users in Yerevan<sup>26</sup>. Web users in rural area are also slowly increasing in numbers, and print newspapers are extensively marginalized. Still, TV remains a valuable and dominating source of information for the population section, which has no access to Internet, or information technologies. Although, according to 2009 opinion survey, information provided by TV is neither trusted, nor distrusted. Hence, in this media context, online media is multiplying its role as a primary source of relatively trusted information.

Due to moderate independence of media, insecure environment for journalists, and a number of other reasons, including the level of competences of journalists, provided information is not always accurate and free from bias. Instead of becoming a mechanism for creating a discourse, media is often replicating the political rhetoric promoted by the Authorities.

Besides the authorities, the Church also tries to impact the social discourse, however, it is not influential in terms of shaping public opinion. Moreover, Theology professor Dr. Hovhannisyanyan said that very few representatives of the clergy have the ‘right’ to talk in public fora (2014). There are only a few clergymen who have the approval from the Church to talk on behalf of the Armenian Apostolic Holy Church and try to impact public opinion, if at all. (Hovhannisyanyan 2014). Besides, till today, the Church has no social concept, and

---

<sup>26</sup> Source of information is publications of State Statistical Service [www.armstat.am](http://www.armstat.am)

only now it is being drafted. Still field professionals believe drafting and approval of the concept will take years.

The role of the Church is also dependant on the discretion of political leaders of the country. The former president of Armenia, Mr Robert Kocharyan, was atheist and he personally attached very little importance to the Church (Hovhannisyan 2014). While current president, as Stepan Danielyan and Hovhannes Hovhannisyan claim, gives more political space to the Church. Surely, there are a number of mutually beneficial deals that the Authorities of the Country and the Church make<sup>27</sup>, still the fact is that during the office of the current president a number of public lands were given to Church for free use. The ruling Republican Party, which has evolved around the ideology of nationalism, sees the Church as an ally for promoting their political agenda covered with fake nationalism and religious beliefs. Often fake and nationalist policies are well covered by religious concepts, and in this case religion serves as a source for legitimating political ends. In fact, in recent years clergymen stand beside the state officials in their public appearances, and this is in the interest of the Clergymen as well, as they try to attach importance to their role, although not being influential (Hovhannisyan 2014).

Coming to the correlation of the Church policies and EU values, the clergy does not refer to the EU or its policies whenever criticising any of the EU promoted policies and values, at least not in public fora or interviews. Instead, they abstractly refer to the West and Western values. Theology professor Hovhannisyan assures, that the West to which the Clergy refers is not the geographical west, but the Christian West, against the hegemony of which the Armenian Apostolic Holy Church has struggled throughout the centuries. Moreover, a considerable number of clergymen received their education in Western institutions, and there are very liberal and open-minded representatives among them, who express their liberal thoughts in private conversations: however, if they speak in public fora they do not sound liberal.

### **National minorities**

National minorities comprise only 3% of the population, and there are 11 Communities, total of 85000 members<sup>28</sup>. Protection of the rights of national minorities is declared as a priority area in the Human Rights protection Strategy of the Country. Although, protection of their rights cannot be considered as salient issue discussed during the Dialogues, this matter is worth examining for the following reasons. First of all, every time there is an issue over minority rights, Government brings it down to national minorities, where its policy is largely favourable. Secondly, Government attitude towards national minorities and their policies is exemplary of how political rhetoric can replace a discourse. And finally, despite numerous efforts there are issues that remain unaddressed by the Government.

---

<sup>27</sup> The Church representatives in diaspora communities are actively engaged in fundraising, and thus, the church is a channel for diaspora donations.

<sup>28</sup> See State Statistical Service [www.armstat.am](http://www.armstat.am).

Media screening revealed 48 articles that are related to national minorities living in Armenia. 23 articles were categorized as purely informative, 23 – informative with positive bias, and 1 was considered as informative with negative bias. Besides there was 1 article that had sarcastic connotation: when the director of a Russian language TV programme, a franchise of a Russian popular TV show, was criticized for having a Russian language programme on National TV, he responded that the programme was for Russian speaking national minorities<sup>29</sup>. Even those articles that brought up problems of national minorities, were presented with positive bias, meaning that the journalists positioned them in favour of the rights of national minorities.

Majority of the articles were covering events either with the attendance of a public official, including the President, or with the reference to an activity performed by the government. There were only 6 articles that covered events organized by the national minorities only, or referring to their customs and daily life.

Analysis of the articles reveals a few rather interesting findings. First of all, they predominantly favour the Government and the ruling Republican Party, as leaders of minorities would make statements supporting their candidates. Moreover, further researched revealed that a number of Yezidi community members (Yezidies comprise majority in national minorities – about 50000 population) are Prosperous Armenia<sup>30</sup> or Republican Party members.

Interestingly enough, there is special budget allocation for the 11 national minority communities. In 2013 10 million AMD (~47500 USD) has been provided to community organizations for community development purposes. This has actually been practiced since 2011. In 2013 additional 10 million AMD was provided to the Ukrainian community based on Armenian-Ukrainian agreement on mutual support for enhancing the development of their communities.

Another observation regarding minority rights protection is that national minorities are subconsciously favoured in Armenia. Most of the officials in their speeches would mentioned that Armenia respects the rights of national minorities and hopes that Armenian minorities can protect their rights in other countries, the way minorities do it in Armenia. Thus, National Minority issues have certain emotional context.

The main problem that minorities express to have in Armenia relates to the language of official documentation, and scarcity of resources for printing periodicals in their languages. The one negative article we found in our sample relates to exactly this problem, in other cases, the Government skilfully bypasses this issue.

---

<sup>29</sup> The Name of the TV show is “What? Where? When?” (Что? Где? Когда?)

<sup>30</sup> Prosperous Armenia has only recently positioned itself as opposition. Although, party leaders have strong family relationship with the ruling party and the Government.

## Women rights

There are over 100 media articles presented by the online sources included in our sample, but for this research 51 articles have been selected for the final sample of the issue related to women rights. Those articles that are not included in the sample either cover the topics/events already addressed in other articles, or simply present predominantly negative opinions expressed in social media.

The two main topics we were interested in women's rights protection were gender equality, and gender-based violence. Overall, 23 articles out of 51 had informative nature, with no explicit positive or negative bias. About 18% of the sample articles had informative nature but with a little positive bias: while being informative, articles would also elaborate on what is gender, or gender equality, then they would explain what forms of violence there can be. So, to some extent, the articles had educational character. Over 30% of articles expressed extremely negative attitude towards the issues related to gender.

As is has already been mentioned, both gender equality and gender based violence have been underlined during the EU-Armenia Human Rights Dialogue, and the adoption of the Law on gender equality was predominantly urged by the EU. The government of Armenia finally adopted a law on equality, but the term 'gender' had raised a huge debate among nationalistic groups and organizations, including the clergy, so 'gender' was replaced by 'men and women': Law on equal rights and opportunities for men and women.

The other concern that the EU has expressed relating to gender based violence and development of relevant legal framework is not yet properly addressed by the Government, and despite the drafted law on gender based violation, there has not been wide public discussion over it, and only a few marginalized groups discussed the issue.

These two issues were studied in the media coverage, and the first two observations from the analysis of media on women's issues are that pro-governmental media provide more balanced content, and articles in pro-governmental media involving the word "gender" were either translated into English, or even appeared in English only. So, if there was negative attitude towards any issue related to women's rights protection, the pro-governmental media would either refrain from elucidating, or would present facts only. Articles on domestic violence had predominantly condemning attitude towards the issue. Journalists have at least tried to inform the public about the forms of violence, possible impact on the victim, mechanisms for bringing complaint, etc. Official data on the cases of domestic violence is not accurate as a number of women simply do not report to the police department, and in this context the role of media is very important in spreading the word and developing a culture where a woman feels empowered to protect her rights.

In general, media seems to have positive bias in presenting the issues of domestic violence: this implies that journalists condemn cases of domestic violence, and media representatives are united in that regard.

Still, the situation is totally different regarding gender equality. First of all, the term “gender” has caused a number of misinterpretations, allegations, falsifications, etc. There were discussions prior to the adoption of the law, but after the National Assembly adopted the law on Equal Rights and Opportunities for Men and Women, gender issue became one of the most salient topics of public discourse.

The most negative attitude was coming from the clergy. They were often misinterpreting the term gender and attaching immorality, homosexuality and other not related epithets to the term. As presented in the opening of this section, the Church works closely with the Authorities of the country and the aim of their collaboration is not religious:

*“The Church has a priority to validate its role and the Authorities use religion to benumb rationality” (Hovhannisyan 2014).*

Related to the law on gender equality one of the representatives of the clergy in one interviews expressed his fear that gender in Armenia is identified with biological sex, while in Europe gender is perceived to be the acquired sex based on the choice of a person. Answering the question that the authorities of the country have received money for the adoption of the law the clergyman said:

*“I cannot trust this kind of information without proper investigation”<sup>31</sup>*

The second wave of negative attitude was coming from some youth organizations that were repeating the concepts of the clergy.

Interestingly enough, bloggers, persons actively updating their status and posting various things on social networks had the most negative attitude towards gender equality. For them, gender implied homosexuality, representation of LGBT community, advocacy for immorality, and other completely irrelevant things. There were announcements that had very negative stance towards gender equality, and journalists, politicians, cultural representatives, and even civil society organizations put their names under those announcements. Rarely gender equality is perceived as promotion of women’s rights, but it is understood as promotion of the rights of the LGBT.

Where key words in the article are ‘woman’ and ‘women equality’ vs. ‘gender’ and ‘gender equality’, articles in online newspapers are mostly neutral or information is provided with a positive tone. However, the term ‘gender’ raises rather negative emotions. There are at least two reasons for this: a. person does not know the meaning of the term or is rather prejudiced towards the interpretations; b. person knows the meaning, but uses the political rhetoric for populist purposes.

---

<sup>31</sup> The thought was expresses during the interview of the leader of Ghegharqunuk episcopate with the journalist of a news agency, 2013, (<http://www.aravot.am/2013/10/23/398754/>)

## Religious minorities

There are over 300 articles covering the issues of religious minorities in the period of 2009-2013. We have included 62 articles in our sample, as most of the articles have covered the same issue but on different online newspapers. 46% of the articles had informative nature, still, 20 (32%) articles, while being informative, had negative bias. 13% of the articles had purely negative content and only 5 articles were informative and had positive or more educational perspective.

We have presented in the first section of the paper that the EU has been underlying the rights of the religious minorities since 1999. Since 2009 a new law on the freedom of religion and conscious has been circulating and the Venice Commission in 2012 has presented its positive opinion. However, the law has not been adopted.

Our first observation of the media shows that religious tolerance has very low level, even lower than tolerance towards LGBT community: if the latter is not a wide spread phenomenon in Armenia, religious minorities have mushroomed in the last 7-10 years. Yerevan Press Club in partnership with other NGOs has recently published a research, which confirms that Armenians have very little tolerance towards religious minorities. Even more, religious minorities are not even perceived to be so, they are referred as “sects” (Hovhannisyan 2014), and our media content analysis also revealed this. Interestingly enough, when using “religious minorities” as a key phrase for finding articles, the search result would bring 5 to 7 articles at most. Meanwhile, when using “sect” as the key search word, each online media would bring at least 30 articles. This finding comes to second the argument of the NGOs that media has played a crucial role in labelling religious minorities as ‘irregular’ phenomenon. Even those articles, which were just informative, they would tell about negative stories and cases. For instance, if someone committed a suicide in questionable circumstances, journalists would often relate that person to a religious grouping and very vaguely mention about the source of their judgement.

Still, the Church is moderate in its accusations in regard to religious minorities. The Church has its own broadcasting channel “Shoghakat” and if wanted, it could impact it could widely campaign against religious minorities. However, National club of media found in its research that the TV channel seems to be the most tolerant, as it does not put negative light on other religions and/or sect, whereas other TV programme label other religions as sects and present them negatively (Hovhannisyan 2014). The programmes in Shoghakat introduce or present only those concepts that Armenian Apostolic Holy Church accepts. The clergymen express their negative attitude when they give interviews or talk in TV programmes. Meanwhile, a number of influential policy makers have very negative attitude regarding the religious minorities.

Clergy and a number of politicians express their concern that “these sects will harm our national identity, our history and belief.” Some of the political leaders, who now have very influential positions in the republic, express extreme opinions regarding religious minorities, even hatred towards them. The

Chairmen of the National Assembly, prior to his current position during an interview in 2013 said:

*“for sectarians, in 2014, I wish misfortunes.”<sup>32</sup>*

As it is known there are 65 religious minorities in Armenia, the biggest of which are “Jehovah’s witnesses”, “Word of life” and Mormons. For some of these minorities it is not acceptable to serve in army, and there are a number of lawsuits against the republic on this matter. Moreover, in the European Court of Justice there were lawsuits against Armenia, where the country lost the case and thus, had to pay a lot of money to the victim. Elucidation of such cases brings very negative reactions among the general public, and we believe it has the following main reasons. First of all, given the regional security situation of Armenia (Nagorno-Karabakh war) and the probability of military escalation at any time, mandatory military service could include risks, and thus, even be threatening for life, although the concept of ‘protecting Fatherland’ is very strong and young people go to military service with honour. However, public perception is that exemption from military service on the grounds of religion is unjust towards those young men who die protecting the country<sup>33</sup>. The other reason is that after the judgement of the European Court of justice the State pays considerable amount of compensation to a minority representative. In current unfavourable social conditions, when there are extremely poor families which government should probably care about, compensation given to religious minorities seems to be untimely, and it develops negative emotions among the public, although these two phenomenon might not even intersect.

It is also important to notice that certain minority organizations provide some compensation to their members, and given the social situation in the country, it could be possible that people simply want to have some social security, which is provided by minority organizations<sup>34</sup>.

The issue of the increase of minority organisations, or their expansion is not well studied. Definitely there are favourable socio-economic conditions for these organizations to appear, and thus the problem is not in the organizations but in the republic. Proselytization is really a problem, but freedom of choice of religion is a basic human right.

### **LGBT community**

When analysing media content on LGBT issues, the first observation was that articles on Gender issues are interlinked with LGBT rights, as gender equality is often perceived to be promoting the rights of LGBT communities<sup>35</sup>. The next observation is that media seems to be censored on providing explanation about

---

<sup>32</sup> This though was expressed during an interview with journalist in December 2013. (<http://news.am/arm/news/187131.html>)

<sup>33</sup> The source for this judgment is the interviews with common citizens that journalists sporadically present in their articles.

<sup>34</sup> There is no data on this statement; however, there is anecdotal evidence that organizations provide some compensation.

<sup>35</sup> Within the context of gender issues this matter was discussed in the paper, so there will be no repetition here.

what is LGBT, are there biological preconditions, to what extent choice can matter, what are the biological risks, if at all, or any other kind of educational information. Media is extremely stereotyped, and furthers the labelling practice of certain groups which consciously undermine the value of individuality.

The rights of LGBT have been stressed by the EU within the framework of fight against discrimination. As it was already presented, the law on discrimination developed by the office of the Human Rights Defender was not adopted, and only now the Government considers reframing the concepts and developing a new draft. Still, former Deputy Minister of Justice Dr. Kirakosyan, assures that “we have to understand the local culture when prioritizing the rights of this or that groups”.

After media screening we identified 69 articles that have been included in our sample. As we mentioned above, there is very little tolerance towards LGBT communities: Nearly 50% of the articles were either informative with negative connotations or completely negative. 31% of the articles were categorized as informative, however, the problem is that those articles would neutrally inform on how intolerant the society is, or the Government, or the youth towards the community. There were articles, which explicitly advocated for the fight against the community. Only 16% of the articles in the sample have some positive bias.

There were a few government officials who would urge for tolerance and approach the matter from human rights perspective criticizing any form of discrimination. Human rights defender has been very cautious in addressing the issue, especially during the discussions around the Anti-Discrimination draft law. Knowing about the negative attitude of the general public toward the LGBT rights, he tried underlining the general human rights perspective and called for tolerance and respect.

Draft Law on Discrimination caused lots of discussions especially in the public fora and for certain reasons anti-discrimination was perceived as promotion of immorality, conspiracy for distorting family values, and other similar concerns. Surely, clergy had important role in twisting the discourse. In general, the Church has to validate its importance by showing the evil against which the public should consolidate and fight. Thus, an issue like the rights of LGBT, which is not widely accepted in a society with traditional family culture, is a great opportunity for fighting against ‘evil’ (Hovhannisyan 2014) Again, there is no explicit reference to the EU when condemning the efforts of granting rights to LGBT, but it is the ‘West’ form where the ‘evil’ penetrates. Civil society organizations, engaged in human rights issues, claim that distortion of the concept of ‘discrimination’ aims to distract public attention from socio-economic and political matter.

Pro-governmental news agencies had very few articles on the LGBT related issues in Armenia, but there were a lot of articles that would touch upon the matter by informing what was happening in the world regarding LGBT rights: it is important to underline that the “world” was predominantly pinned down to

Europe<sup>36</sup>. For example, there were articles where religious representatives of various countries express their concern regarding the marriage of homosexuals, and condemn the government for trying to 'dishonour' the country.

Posts in social media are the most extreme manifestations of the public attitude towards the LGBT communities. Users would mostly use very negative words when expressing their stance. Those words would be 'perversion', 'evil that has to be harshly condemned', 'LGBT should be beaten up', etc. Moreover, they would set the rules of certain 'acceptable' social behaviour, and marginalize everyone not fitting into their mental framework. Interestingly enough, there is more coverage on gays rather than on other sexual minorities. Hence, in masculine-favouring society of Armenia gays are among the most rejected and discriminated groups.

### About discrimination

All the target groups discussed in this section are facing discrimination. Certain groups face more discrimination, others – less. However, the fact that tolerance is not a characteristic of Armenian society, prevails. The artificial distortion of the concept of Anti-Discrimination law is a vivid manifestation of stereotyped Armenian society: it is still to be identified who benefited from the fiasco of the draft – it was, certainly, not the society. The shift of the State integration policy declared in 2013 brings critical concerns regarding genuine respect for human rights and unclear impulses to the society for denouncing European values perceived as promotion of homosexuality.

The role of media is critical in shaping discourse, and even if media is censored and not fully independent, it can still impact the opinions of the general public. As media content analysis revealed, personal bias of journalist matter, and an event can have coverage only if a journalist wants it to. We saw that with domestic violence media was working 'together with' women's rights organization to raise awareness, condemn the acts of violence, and take the message to the citizens. On other issues media has not been cooperative, and this is the platform civil societies could try to impact.

### Some thoughts and conclusion

Prior to reflecting on human rights protection in Armenia, it is worth addressing the legal context in general.

For more than seven centuries Armenia did not have statehood and was obeying the rules of the conquerors. Thus, power was the source for legitimacy of the rule, and only authorities had power. In fact, law served the hierarchical power tool for subjugating people, and according to theory, law, as a tool of power, is *positive law*. Obviously, Armenia has long tradition of valuing positive law, whereas human rights are based on *natural law*. Here we observe an underlying conflict of frameworks and values.

---

<sup>36</sup> For further research please see the website of the new agency <http://armenpress.am/eng/search/?q=համալստեղծագրություն>

Since the beginning of cooperation between the European Union and the Republic of Armenia, law was being used as a tool for achieving the underlying goal. A number of reforms aimed at approximating the legal framework, workshops and trainings were conducted for the representatives of the judiciary, and still, human rights are not respected and protected the way they were anticipated to be. Dr. Bournazian, who is university professor and human rights expert, underlined in his interview that if a judge is educated and trained within the framework of positive law, there is very little possibility that respect for natural law will become his framework with a training or two<sup>37</sup>. Therefore, there is a need to understand the extent to which human rights can be protected in courts where natural rights are often marginalized.

Normative framework in Armenian society is custom, and divergence from custom is “shameful.” Armenians often say that it is a “shame” not to be identified as Christian; it is a shame to be a LGBT representative. Thus, we observe here a shame-based society vs. guilt-based society of the West (Bournazian 2014).

Human rights experts believe that the EU has not properly addressed the question of framework, if at all. As a result, political rhetoric has replaced the genuine discourse, and for that reason we have beautiful strategy papers with uncertain level and quality of implementation.

Armenian society has multiple fears, and it is extremely complicated to understand which fears are artificial. There is this fear of having right and wrong identities, and this fear is a key in understanding attitudes towards human rights. Human rights are about equality, meaning that each life is equal, and if it is so then we need to value individuals. All individuals are distinct from each other, and thus, distinction is about diversity. Distinction is also a legitimate criterion for merit; yet, it can be a source of satisfaction if there is a merit-based society. However, without modifying the social norm that diversity is harmful and ensuring respect for human rights, there can be no appraisal of merit.

It is essential for the EU to pay due attention to frameworks. Human rights are not European, neither western: they are universal. Universality gives more legitimacy for acceptance. As the analysis showed, media can be very skilful in creating artificial discourse and serving it to political rhetoric. So, it should be a priority to think about mechanisms for creating and moderating a genuine discourse. As we witnessed with the failed EU initiative to show the Serbian movie “Parada”, direct confrontation is not always successful in a society bound with customary and social constraints. There have been a number of movies in film industry that related to LGBTs and were freely shown in the cinemas of Yerevan<sup>38</sup>. Probably, not all the issues are worth politicising, and gradual penetration could possibly be more successful.

---

<sup>37</sup> Dr. Vahan Bournazian is an American-Armenian who received his education in the United States, and has accumulated international experience of research and fact-finding in human rights issues.

<sup>38</sup> Hollywood movie “Cold Mountain”, for instance.

In conclusion, protection of human rights is fundamental, but it cannot be protected in papers, strategies, reports, and communication activities. Reception of human rights comes with evolution, and of course, there can be accelerated evolution if there is political will, genuine discourse and guidance in terms of true support.

## **Recommendations**

Based on the research the following recommendations have been developed.

- To ensure accurate reception of human rights, EU could stimulate discourse which would be free from politics and will be reframed to address wider audiences;
- There could be diversified priorities of EU Human rights agenda in the country: less sensitive issues having greater public support could come first, develop tolerant environment, and only afterwards push for more respect and protection. Accurate framing is of key importance.
- To ensure sustainability of human rights protection, curricula of law education should be addressed and revised.
- Investing in education (general and higher education) will bring more benefits in the long run than occasional trainings with short term and often non-tangible results.

## Bibliography

1. Council of Europe Venice Commission. "Interim joint opinion on the draft law on assemblies of the Republic of Armenia by the Venice commission and." 2 December 2010. [http://www.venice.coe.int/webforms/documents/?pdf=CDL\(2010\)128-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL(2010)128-e) (accessed October 17, 2014).
2. Council on Women's Affairs. "Announcement on the situation evolved around the term 'gender'." 2013. [http://www.gov.am/u\\_files/file/kananc-xorh/5.pdf](http://www.gov.am/u_files/file/kananc-xorh/5.pdf) (accessed October 10, 2014).
3. Council on Women's Affairs. "National Programme Fighting against Gender-based Violence 2011-2015." 2011. [http://www.gov.am/u\\_files/file/kananc-xorh/Ynddem%20brnutyan%202011-2015%20programm\(1\).pdf](http://www.gov.am/u_files/file/kananc-xorh/Ynddem%20brnutyan%202011-2015%20programm(1).pdf) (accessed September 27, 2014).
4. "Draft National Strategy on Human Rights Protection." 2011. [http://www.parliament.am/committee\\_docs\\_4/HumanRights/25.11.2011Strategy.pdf](http://www.parliament.am/committee_docs_4/HumanRights/25.11.2011Strategy.pdf) (accessed September 28, 2014).
5. EU Council. "EU guidelines on human rights dialogues with third countries." 2009.
6. Government of the Republic of Armenia. "2013-2016 Strategic Programme on the Protection of the Rights of a Child." 27 December 2012. [http://www.justice.am/storage/uploads/Yerexayi\\_iravunq.pdf](http://www.justice.am/storage/uploads/Yerexayi_iravunq.pdf) (accessed October 13, 2014).
7. —. "Gender Policy Concept." 2010. [http://www.gov.am/u\\_files/file/kananc-xorh/Gender-hayecakarg.pdf](http://www.gov.am/u_files/file/kananc-xorh/Gender-hayecakarg.pdf) (accessed October 14, 2014).
8. —. "Gender Policy Strategic Plan 2011-2015." May 2011. [http://www.gov.am/u\\_files/file/kananc-xorh/gender-strategic%20programm%202011-2015.pdf](http://www.gov.am/u_files/file/kananc-xorh/gender-strategic%20programm%202011-2015.pdf) (accessed September 27, 2014).
9. Karamyan, Lusine'. *Armenian Professionals about Homosexuality and LGBT Community: The Level of Awareness and Attitude*. Yerevan: "YEGEA" publishing, 2013.
10. Mejlumyan, Avetiq. "The Problems of State Supervision and Control of the Implementation of the RA Labour Legislation Requirements." Policy paper, Yerevan, 2014.
11. Ministry of Justice. "Decree on Establishing a Public Monitoring Group over Penitentiaries." 2 December 2005. [http://www.moj.am/storage/files/legal\\_acts/legal\\_acts\\_38275854\\_q\\_60.pdf](http://www.moj.am/storage/files/legal_acts/legal_acts_38275854_q_60.pdf) (accessed October 28, 2014).
12. Ministry of Justice, NGOs. "Concept on Institutional Enhancement and Legislative Improvements regarding Civil Society Organizations." 2012/13. [http://www.moj.am/storage/files/legal\\_acts/legal\\_acts\\_6609299985941\\_NGO\\_Concept\\_FINAL\\_version\\_15\\_04\\_2013\\_new.pdf](http://www.moj.am/storage/files/legal_acts/legal_acts_6609299985941_NGO_Concept_FINAL_version_15_04_2013_new.pdf) (accessed October 17, 2014).
13. Ministry of Justice. *Presentation of the Initial Draft of Law on Probation Service*. 30 October 2012. <http://www.justice.am/article/566> (accessed October 28, 2014).

14. National Assembly. "Law on Freedom of Assembly." 2 May 2011. <http://www.arlis.am/DocumentView.aspx?DocID=90902> (accessed October 17, 2014).
15. —. "Law on Television and Radio." 2000. <http://www.arlis.am/documentview.aspx?docid=73839> (accessed October 29, 2014).
16. *National Strategy on Human Rights Protection*. Yerevan: Presidential Administration of the Republic of Armenia, 2012.
17. News.am Agency. *Minister of Justice "Armenia Needs a Law on Probation Service"*. 29 October 2014. <http://news.am/arm/news/236700.html> (accessed November 3, 2014).
18. Open Society Foundations Armenia. "Report of the Monitoring Group over Police Detention Facilities in 2012." 2013. [http://policemonitoring.org/DownloadFile/4072arm-Report\\_2012.pdf](http://policemonitoring.org/DownloadFile/4072arm-Report_2012.pdf) (accessed October 28, 2014).
19. Parliamentary Assembly of the Council of Europe. "Recommendation 1742 (2006) Human rights of members of the armed forces ." 11 April 2006. <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta06/erc1742.htm> (accessed October 23, 2014).
20. President of the Republic of Armenia. *President Directive on the Adoption of the Human Rights Protection National Strategy*. 29 October 2012. <http://www.president.am/en/Directives/item/838/> (accessed October 2, 2014).
21. "Programme for Legal and Judicial Reforms 2012-2016." 30 June 2012. [http://www.parliament.am/committee\\_docs\\_4/LegalCom/11.01.2012\\_Kargadrutyun\\_2012-2016.pdf](http://www.parliament.am/committee_docs_4/LegalCom/11.01.2012_Kargadrutyun_2012-2016.pdf) (accessed October 2, 2014).
22. Public Council. "Strategy Concept on the Development of Civil Society Organizations." 2012. <http://www.publiccouncil.am/hy/documents/item/2012/10/22/program1/> (accessed October 17, 2014).
23. Republic of Armenia. "Amendments and Additions to the Judicial Code of the Republic of Armenia." 21 June 2014. <http://www.arlis.am/DocumentView.aspx?docid=91459> (accessed October 2, 2014).
24. Republic of Armenia. "Criminal Code of the Republic of Armenia." 1 August 2003. <http://www.arlis.am> (accessed October 3, 2014).
25. —. "Judicial Code of the Republic of Armenia." 21 February 2007. <http://www.arlis.am> (accessed November 3, 2014).
26. Stepan Danielyan, Ara Ghazaryan, Hovhannes Hovhannisyanyan and Arthur Avtandilyan. "Issues of Religious Education at Public Schools of the Republic of Armenia." July 2012. <http://www.religions.am/eng/articles/issues-of-religious-education-at-public-schools-of-the-republic-of-armenia> (accessed 21 July 2014). (accessed October 3, 2014).
27. "Strategy Programme on the Reform of the Judiciary 2009-2011." 21 April 2009. <http://www.arlis.am/DocumentView.aspx?docid=66236> (accessed October 22, 2014).
28. Tsaturyan, Ruzanna. *Role of Gender in Textbooks of Primary Education*. Policy paper, Yerevan: Open Society Foundations - Armenia, 2012.

29. UNICEF Armenia, CIVILITAS Foundations. "Armenia: Understanding Attitudes towards Children with Disabilities." Yerevan, 2014.

## Interviews

1. Amiryan, David, interview by Arevik Anapiosyan. *Deputy director, Open Society Foundations - Armenia* Yerevan, (5 November 2014).
2. Bournazian, Dr. Vahan, interview by Arevik Anapiosyan. *Human Rights Expert; Experienced researcher with international fact-finding experience; University Professor (YSU, AUA)* Yerevan, (18 October 2014).
3. Hovhannisyan, Hovhannes, interview by Arevik Anapiosyan. *Director, SKIL NGO* Yerevan, (13 October 2014).
4. Karamyan, Lucine', interview by Arevik Anapiosyan. *Yerevan State University lecturer* Yerevan, (19 October 2014).
5. Kirakosyan, Yeghishe', interview by Arevik Anapiosyan. *Consultant to the President of the Constitutional Court* Yerevan, (30 October 2014).
6. Minasyan, Mikael, interview by Arevik Anapiosyan. *Head of Legality Control Inspectorate* Yerevan, (21 October 2014).
7. Petrosyan, Ghenya, interview by Arevik Anapiosyan. *First Deputy of the Human Rights Defender of Armenia* Yerevan, (4 November 2014).
8. Poshosyan, Mary, interview by Arevik Anapiosyan. *Education coordinator UNICEF Armenia* Yerevan, (June 2014).
9. Sargsyan, Arman, interview by Arevik Anapiosyan. *Assistant Professor at Yerevan State University Chaire of International Law* (9 October 2014).

## Annex 1

Interviewee	Affiliation	Date of the interview
Dr. Vahan Bournazian	Human Rights Expert; Experienced researcher with international fact-finding experience; University Professor (YSU, AUA)	18 October 2014
Dr. David Amryan	Deputy director, Open Society Foundations Armenia; Coordinator of the <i>democracy and human rights</i> working group of the EPSCF National Platform Armenia; University Professor (YSU)	5 November 2014
Dr. Hovhanness Hovhannisyan	Director of SKIL Foundation NGO; Coordinator of <i>Contacts Between People</i> working group of the EPSCF National Platform Armenia; University Assistant Professor (YSU, AUA) PhD in theology	13 October 2014 3 December 2014
Dr. Yeghishe´ Kirakosyan	Advisor to the President of the Constitutional Court; University Assistant Professor (YSU, AUA, French University)	31 October 2014
Ms. Genya Petrosyan <sup>39</sup>	First Deputy of the Human Rights Defender of Armenia	4 November 2014
Dr. Lucine´ Karamyan	University Assistant Professor (YSU); Freelance researcher on minority issues	13 October 2014
Dr. Arman Sargsyan	University Assistant Professor (YSU); EU Law researcher	15 October 2014
Mr. Mikael Minasyan	Head of Legality Control Inspectorate, Ministry of Justice of the Republic of Armenia	31 October 2014
Ms. Maria Yeghoyan	Women’s rights activist	15 October 2014
Ms. Mary Poghisyan <sup>40</sup>	Education Programme Coordinator, UNICEF Armenia	June 2014

<sup>39</sup> We did not manage to arrange an appointment with Human Rights Defender due to his busy schedule. Thus, his first deputy replaced the Defender for the interview.

<sup>40</sup> Ms. Mary Poghosyan was interviewed for another project on inclusive education performed by this researcher. Her consent has been taken to use her interview data for current research,.

