ICCPR List of Issues Submission

Joint NGO Submission to the Human Rights Committee

129th Session: 29 June - 24 July

Date of review: *not yet known*

List of Issues - Armenia

Joint Submission by:

**Human Rights House Yerevan (HRHY) -** HRHY (<https://hrhyerevan.org/>) is a coalition of civil society actors with extensive experience in monitoring, documenting, and reporting human rights violations of human rights defenders in Armenia. HRHY was established in Yerevan, Armenia in 2012. HRHY unites 5 organizations: “Socioscope” Societal Research and Consultancy Center NGO ([www.socioscope.am](http://www.socioscope.am)), “Pink” human rights defender NGO ([www.pinkarmenia.org](http://www.pinkarmenia.org)), “Women’s Resource Center” NGO ([www.womenofarmenia.org](http://www.womenofarmenia.org)), “Real World, Real People” NGO ([www.realwrp.com](http://www.realwrp.com)), and PEN Armenia (https://pen-international.org/centres/armenian-centre).

This joint submission focuses on issues related to the situation of human rights defenders in Armenia, freedom of assembly and association, of media; and protection of human rights defenders at particular risk[[1]](#footnote-1).

**Issue 1. Freedom of expression, freedom of assembly, and freedom of association.**

*Smear campaigns against civil society and Human Rights Defenders (HRDs):* Defamation campaigns carried out by the state media and public officials were often used to stigmatize civil society organizations, HRDs and discredit their work in Armenia from 2015 to 2018. These campaigns were portraying HRDs as foreign agents and spies who could result in increased threats. After the “Velvet Revolution” in May 2018, the smear campaigns against human rights defenders were launched again in an unprecedented manner by those affiliated with the former political elite in an attempt to discredit the government by promoting myths about the activity of foreign-funded non-governmental organizations, human rights defenders and their motives. The anti-human rights and anti-human rights defenders’ movements are more vocal in post-revolutionary Armenia.

*Freedom of Assembly*

The government continued to seek accountability for cases of disproportionate force used against protesters by police during the largely peaceful events of April 2018. As a result of two official investigations into police conduct, two police officers were reprimanded. On August 9, however, the government suspended a criminal case that had merged multiple episodes of police violence into a single case after investigators, who had identified 55 victims, interrogated 200 persons, reviewed video recordings, and conducted forensic examinations, stated they were unable to identify the perpetrators. Several other officers charged with abuse of power for their role in using flash grenades were included in an amnesty granted in October 2018[[2]](#footnote-2).

*Detentions of journalists and human rights defenders:* In 2012-2018, cases of human rights violations at times of public demonstrations have been reported, including excessive use of force by the police of Armenia. The State has prosecuted and detained human rights defenders, journalists during different peaceful protests who were critical of its policies. There is an absence of full and impartial investigations into acts of violence against defenders and there has been a downward trend in respect of freedom of the press. The criminal cases instituted in connection with those incidents were subsequently terminated, while the police officers, who had committed violence against the participants of peaceful assembly, were subject to only disciplinary measures and fines. The authorities have failed to meet their obligation to facilitate and support peaceful protests, and in many cases, they have undermined efforts to ensure events remained peaceful.

**Relevant ICCPR Articles**

Articles 19, 21 and 2

**Previous concluding observation**

26. The Committee is concerned about information received on threats and attacks on journalists and human rights defenders (art. 19).

The State party should ensure the protection of journalists and human rights defenders from threats and attacks, the immediate and thorough investigation of all allegations of such acts, the prosecution and sanction of perpetrators, as well as the access to reparation for the victims.

**Recommended questions**

* What steps did the Armenian authorities take to ensure the freedom of peaceful assembly?
* What practical steps are the Armenian authorities planning to undertake to strengthen the protection of the rights of freedom of opinion and expression and ensure that HRDs rights are protected?
* What steps did the Armenian authorities take to properly investigate the cases of detentions of the journalists and human rights defenders from the peaceful assemblies?
* Is the Armenian State registering and compiling statistics of threats and attacks against HRDs?
* What practical steps is Armenia planning to set to carry out an independent, prompt, effective and impartial investigation into attacks on human rights defenders?

**Issue 2. Rights of HRDs working with the most vulnerable communities, persons belonging to minorities.**

*Women Human Rights Defenders (WHRDs):*

HRDs working in the field of sexual and reproductive health and rights are extremely vulnerable in the public sector as well, as they are harassed both by state institutions and by reactionary groups promoting discriminatory culture. WHRDs become targets of hate speech and degrading statements many times in recent years as a result of their human rights activities. Women human rights defenders, lawyers, social workers, psychologists, working with the victims of domestic violence, sexual assault and other forms of gender-based violence, constantly operate in an environment risking their lives and health; however, the Police of Armenia do not take practical steps on this situation.

*LGBT Human Rights Defenders։*

The institutional impediments to protecting the rights of LGBT persons negatively affect the human rights defenders working in this field, as the impediments contribute to the reinforcement of social stereotypes and spread of hate speech against these HRDs. NGOs and their staff members protecting LGBT rights regularly become targets of hate campaigns, receive death threats, calls for violence to be committed against them. The homophobic policies of the state government institutions foster social replication and legitimization of such positions.

*Environmental Activists։*

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

*Political and civil rights defenders։*

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

**Relevant ICCPR Articles**

Articles 2, 3, 7, 19, 26

**Previous concluding observations**

6.The Committee is concerned about the lack of comprehensive legislation on discrimination. It is also concerned about violence against racial and religious minorities, including by civil servants and high-level representatives of the executive power, and about the failure on the part of the police and judicial authorities to investigate, prosecute and punish hate crimes (arts. 2, 18, 20 and 26).

The State party should ensure that its definition of discrimination covers all forms of discrimination as set out in the Covenant (race,colour, sex, language,religion, political or other opinion, national or social origin, property, birth or other status). Further, the State party should combat violence and incitement to racial and religious hatred, provide proper protection to minorities, and ensure adequate investigation and prosecution of such cases. Moreover, the Committee encourages the State party to strengthen its efforts to ensure the effective implementation of the laws adopted to combat racial discrimination and to ensure the achievement of their objectives.

7.The Committee remains concerned about the high level of discrimination suffered by women, their reduced participation in public and political life, and the low level of their representation in decision-making posts in the public and private sectors. The Committee regrets that gender stereotypes still prevail on the role and responsibilities of women and men in the family and in society (arts. 2, 3, 25 and 26).

The State party should adopt specific legislation on the equality of men and women, thus recognizing officially the special nature of discrimination against women. Are view should be undertaken of the effectiveness of the quota system for candidates standing for election. The State party should also enhance its efforts to eliminate gender stereotypes on the role and responsibilities of men and women in the family and in society.

10.The Committee is concerned at the discrimination and violence suffered by lesbian, gay, bisexual and transgender (LGBT) persons and rejects all violations of their human rights on the basis of their sexual orientation or gender identity (arts. 3, 6, 7 and 26).

The State party should state clearly and officially that it does not tolerate any form of social stigmatization of homosexuality, bisexuality or transsexuality, or harassment of, or discrimination or violence against persons because of their sexual orientation or gender identity. The State party should prohibit discrimination based on sexual orientation and gender identity and provide effective protection to LGBT persons.

**Recommended questions**

* What steps did the Armenian State undertake to adopt comprehensive legislation on discrimination?
* What efforts did the Armenian State take to prevent and ensure the fight against all forms of discrimination?
* What did the Armenian State do to prohibit discrimination based on one’s sexual orientation and gender identity and provide effective protection to LGBT persons?
* What did the Armenian State do to eliminate gender stereotypes, protect the WHRDs who are challenging the gender-stereotypes on a daily basis?
* What steps did the Armenian State take to fully investigate the deaths threats, hate speech, and other complaints reported to the state police by HRDs, WHRDs?
* What practical steps is the Armenian state planning to take in order to prevent and punish attacks and hate speech against women human rights defenders, and to ensure their protection while doing their work in defending human rights?
* What practical steps are the Armenian State planning to take to end the atmosphere of impunity regarding the violations of human rights of HRDs, WHRDs, environmental activists, and political and civil rights defenders?
1. The information used in the List of Issues submission is based on the monitoring, documenting, and reporting human rights violations of human rights defenders in Armenia by HRHY. More information regarding the human rights situation of human rights defenders in Armenia can be found here: <https://hrhyerevan.org/en/home/> [↑](#footnote-ref-1)
2. U.S. Department of State: 2019 Country Reports on Human Rights Practices: Armenia:<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/armenia/>

 [↑](#footnote-ref-2)