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# HUMAN RIGHTS IN ARMENIA 2014 REPORT

Helsinki Committee of Armenia







# HUMAN RIGHTS IN ARMENIA



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Helsinki  
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# Human Rights **in Armenia** 2014 R E P O R T

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Helsinki Committee of Armenia  
2014

# Human Rights in Armenia in 2014

**The human rights situation worsens during national elections, especially during presidential elections as evidenced by the developments in the aftermath of all presidential elections held in Armenia<sup>1</sup>. From that perspective, 2014 should have been a relatively 'calm' year. However, as was the case in previous years, no serious progress was observed in the human rights field in 2014.**

A number of specific features were observed in 2014. For the public at large, perhaps the biggest surprise in domestic politics was Surik Khachatryan's re-appointment as the Governor of Syunik region<sup>2</sup>. At first glance, this appointment might seem as having nothing to do with human rights. However, besides the well-known incident that occurred in 2013 in his mansion in the town of Goris<sup>3</sup>, the general public is well-aware of numerous facts of violence committed by Surik Khachatryan and his relatives. Surik Khachatryan's re-appointment showed Armenia authorities' attitude towards human rights and democracy.

In late 2014 quite a number of acts of violence occurred against civic and political activists (arson of cars and brutal beating).

In 2014, Shant Harutiunian and his friends were given harsh sentences of 4-7 years in prison.

In the foreign policy area the preparation and signing was finalized of the documentation necessary for Armenia's membership in the Eurasian Economic Union (EEU). In the Armenian National Assembly 4 out of 5 political party groups represented in the National

Assembly voted for Armenia's membership in the EEU (Republican Party of Armenia, Prosperous Armenia party, Armenian National Congress and Armenian Revolutionary Federation - ARF-Dashnaktsutjun). Only the Heritage Party group and two opposition MPs voted against. The vote showed that sovereignty and independence of Armenia is not a priority idea for Armenia's main political forces, whether in power or in opposition.

Considering the fact that the EEU member states (Russia, Kazakhstan and Belarus) have authoritarian system of government and that human rights and democracy there are not in a particularly good situation, Armenia's accession to the Union arouses serious concern.

1 <http://armhels.com/activity/12844/>,  
<http://armhels.com/wp-content/uploads/2012/06/202arm-Naxagahakan-Yntrutyunner-2008.pdf>,  
<http://armhels.com/wp-content/uploads/2012/06/166arm-Ditord-12.pdf/>

2 In 2013, Avetik Budaghian, a former candidate for the position of a mayor of the town of Goris, died from the gun shots fired from the direction of the Syunik Regional Governor Surik Khachatryan's mansion, while his brother Artak Budaghian sustained serious gunshot wounds. Surik Khachatryan's son and the bodyguard were held under arrest for 2 months but then were released. The Regional Governor resigned.

3 <http://armhels.com/publications/ditord-n-1-68/>

# The Right to Freedom of Speech

**2014** was a year of various government agencies' attempts to limit freedom of speech and to put severe pressure on mass media.

In 2014, Committee To Protect Freedom of Speech (CPFS) registered 9 instances of physical violence against journalists, 44 instances of various types of pressure brought to bear on media outlets and their staff and 13 instances of violations of the right to receive and impart information (in 2013 there were 7, 49 and 8 instances, respectively).

On 4 March 2014, the draft Law on amending the Civil Code of the Republic of Armenia was circulated in the National Assembly. The amendments in the draft Law introduced liability for media outlets for dissemination of the so-called "fake" publications or comments posted by anonymous users or those using pen names. The proposed bill aroused concerns even among international journalistic organizations because how come in the 21<sup>st</sup> century one would "impose unjustified constraints; social networks are new media, aren't they?"<sup>4</sup>

On 14 March, 9 journalistic organizations, including CPFS, issued a statement with the demand to remove the bill from circulation and to develop new conceptual principles for the communications sphere in conformity with modern European standards. This issue was discussed during the 31 March parliamentary hearings; however, the discussions did not result in crucial decisions.

Another alarming signal for mass media was a message posted on May 22 on the website of the Office of the Prosecutor General. It reminded media outlets of criminal liability for unauthorized disclosure of information about cases that are at a preliminary investigation

stage. On June 26, disregarding a number of provisions of the RoA *Law on Mass Media*, the first instance court obligated *Hraparak* daily and *iLur.am* website to disclose the source of information for the publication on the criminal case. The two media outlets appealed the court decision to a higher court but the Criminal Appellate Court rejected the appeal. *Hraparak* daily and *iLur.am* website declared that they would take the matter to the Cassation Court. Many media outlets and journalistic organizations emphasized that the approach taken by the Office of the Prosecutor General to this issue may pose a threat to freedom of speech as well as unjustified restrictions on the operation of mass media.

**Case 1.** On 12 February 2014, on Mashtots Avenue, policeman Vardan Gevorgyan made an attempt to snatch video camera from Ani Gevorgyan, a reporter with Chorrord ishkanutiun ("Fourth power") newspaper and then forcibly took her to the police department. At the police department of Kentron community the department head Artak Poghosian hit the reporter. The policemen seized the memory sticks of the camera from the reporter, which later were returned but damaged. The journalists submitted a report about the criminal act; however, the criminal case was closed. That decision of the Special Investigation Service was appealed against in the court of general jurisdiction and then to the Criminal Appellate Court; however, the judgments upheld the decision<sup>5</sup>.

**Case 2.** On 9 September 2014, Karen Hayrapetian, the Head of the Security Service of the National Assembly, first tore the 'Hello, Rob' poster attached to the gates of the National Assembly and then assaulted Ms Marineh Khachatrian, a reporter with A1+ TV station, hit her hand and threw the video cam-

4 <http://www.a1plus.am/1332937.html>

5 <http://www.aravot.am/2014/11/21/517887/>

era, which she was using, to the ground<sup>6</sup>.

The Prosecutor's Office ordered the Special Investigation Service (SIS) to examine the incident. However, on September 25, it became known that the SIS had refused to open a criminal case in connection with the incident, citing a lack of the corpus delicti and contending that one blow cannot be considered physical violence, even though the facts of violence and obstruction had been videotaped and posted on the Internet by many media outlets<sup>7</sup>.

A1+ TV station lodged a complaint with the Office of the Prosecutor General, which overturned the SIS decision to discontinue the criminal case and sent the case for a new preliminary investigation. A1+ TV station declared that in case all domestic judicial instances will have been exhausted, it will submit an appeal to the European Court<sup>8</sup>.

Ms Dunja Mijatović, the OSCE Representative on Freedom of the Media, too is concerned about instances of violence against journalists in Armenia. In late September Ms Mijatović called on the Armenian authorities to bring to justice those responsible for attacks on journalists and to end the climate of impunity.

## Hate speech

On 17 May 2014, Iravunk newspaper published Hovhannes Galajian's article titled *'They serve the interests of the international homosexual lobby: A black list of the enemies of the nation and the State'*<sup>9</sup>. The author of the article mentioned those who in their Facebook pages criticized the statement made by singer sisters Inga and Anush Arshakian con-

cerning Conchita Wurst, the participant, representative of Austria and subsequently the winner of the Eurovision Song Contest<sup>10</sup>. It is noteworthy that in 2009 the singer sisters represented Armenia in the Eurovision Song Contest and in 2014 they were selected by Armenia as the national jury members. When talking about those who posted their criticisms on the Facebook, the author of the article resorted to such expressions as "those ... zombies believing the gay propaganda tenets" and "...all that is not relevant: each lobbyist is an internal enemy of the Nation and of the State." In the end the author made an appeal to terminate any contacts with those individuals both in the Internet and in real life, to NOT greet them or help them on any issue or have any business deals with them or admit them to civil service and if they are already in the civil service - to discharge them under any convenient pretext, etc. In addition, at the end of the article he listed the Facebook pages of the most vocal critics.

On 31 May 2014, the individuals whose Facebook pages had been mentioned sent a letter to the author of the article stating that the article contains insults and demanding that he publish refutation. However, the latter ignored that call and on June 3 posted another similar article that contained insults. In particular, the individuals who had demanded publication of the refutation were referred to in the article as "these characters," "[persons] with filthy biographies", and a number of other similar appellations were used.

On June 18, the citizens, whose Facebook pages had been mentioned in the article, filed a suit in the general jurisdiction court of Kentron and Nork-Marash administrative districts with a demand to obligate the respondents to make a public apology for smearing "the honor and dignity" and "business reputation" of the plaintiffs and for the information that incites hatred and discrimination as well as to exact 5,000,000 AMD from the respondents as compensation.

6 The reporter was at that moment providing coverage of the 'Hello, Rob' protest action staged by 'Counterblow' civic group in commemoration of Poghos Poghosian who had been brutally beaten and killed in Aragast cafe 13 years earlier for saying 'Hello, Rob.' See: <http://www.a1plus.am/1336929.html>

7 <http://www.a1plus.am/1340311.html>

8 <http://www.a1plus.am/1340311.html>  
<http://armhels.com/2014/11/28/datakhazutyuny-erkrord-angam-karchec-a1-lragroghi-gortsy/hetq.am>

9 <http://www.iravunk.com/index.php?option=com-content&view=article&id=16435:2014-05-17-16-18-23&catid=41:lurer&Itemid=57>

10 <http://www.aravot.am/2014/05/14/460287/>

On October 7, the general jurisdiction court of Kentron and Nork-Marash administrative districts handed down a ruling throwing the case out on the grounds that the requested intervention regarding the published material is not necessary in a democratic society, that the

entire combination of essential facts (which is related to the aim of smearing concrete honor and dignity) constituting ultimate facts of the suit have not been proved.

*\* The material has been prepared jointly with the Committee To Protect Freedom of Speech NGO.*

# Freedom of Peaceful Assembly and Association

## Freedom of Peaceful Assembly

In 2014, there was progress in securing the right to freedom of assembly in contrast to earlier situations, when the right to hold a peaceful rally had been often restricted disproportionately and on a mass scale. There were basically no fewer rallies held that year than in 2013. Again were registered instances when the police dispersed or obstructed peaceful rallies or used violence against rally participants, the only difference being the smaller number of cases when rally participants were forcibly taken to police departments. A number of civic initiatives that had emerged in 2013 (such as the civic initiative 'We are against the Customs Union with Russia' that emerged after on 3 September 2013 RoA President Serzh Sargsyan announced the Armenia's decision to join the Customs Union or the initiative "Against illegal construction") continued to stage their protest actions also in 2014. At the same time new protest civic initiatives emerged (such as "I am against" initiative against the system of mandatory funded pensions or "No to Plunder" civic initiative against a 10% raise in electricity unit rate that was to be applied from August 1). In February 2014, four political parties that did not ally with the ruling party and constituted minority in the Parliament

(Prosperous Armenia, Armenian National Congress (ANC), Armenian Revolutionary Federation (ARF-Dashnaktsutun) and Heritage) banded together and came up with joint initiatives. However, because of a disagreement over the Constitution amendments necessity issue the ARF-Dashnaktsutun withdrew from the 'quartet,' while the three remaining political forces later on announced that they would initiate a series of rallies.

From June to December 2014, Helsinki Committee of Armenia observed more than 40 peaceful rallies. 20 of those were held without giving prior notification to the City Hall, while 10 were held with prior notification and were acknowledged by the City Hall (1 rally was urgent and 9 were spontaneous). Over the period of observations the total of 33 instances of individuals forcibly taken to police departments were registered.

In 2014, instances of violence against the participants of peaceful rallies were registered. For example, during the May 13 protest against renaming the so-called 'Mashtots' small public garden the police used violence to take several activists to the police department. Based on the mass media coverage of the incident the RoA Special Investigations Service launched a criminal case. Another instance of violence was registered on June 23 during a protest action staged against the raise in electricity unit rate,



when police used violence against the protest action participants to disperse the rally<sup>11</sup>. In connection with the incident 12 participants of the rally applied to the RoA Special Investigations Service, which launched a criminal case on June 30 as per Article 309 paragraph 2 (*"Actions willfully committed by an official which obviously exceed his authorities and caused essential damage to the rights and legitimate interests of citizens or organizations, to legitimate interests of the public or the State and that were accompanied by violence through the use of weapons or special means"*) and Article 164 paragraph 3 (*"Obstruction of lawful professional activities of a journalist, or forcing the journalist to disseminate information or not to disseminate information, which were made by using violence or threat of violence dangerous for the journalist or his relative's life or health"*) of the RoA Criminal Code.

In 2014, in terms of the number of protesters forcibly taken to police departments the 23 June protest action staged against the raise in electricity unit rate stands out because during that rally 27 activists were forcibly taken to police departments. On 5 November, 9 citizens who were taking part in the march of the Anonymous in support of political prisoners were forcibly taken to police departments. It is noteworthy that all those detained by the police were wearing the Anonymous mask; none of the march participants who were not wearing masks were detained. It is clear that the reason for detaining 9 march participants was their wearing the mask. The police issued a statement regarding the incident, which said that those individuals had been taken to police department to establish their identity. It is noteworthy that the police records do not state the marchers' wearing the masks as a reason for taking them to police departments. They state that the marchers did not comply with policemen's legitimate demand to take the masks off,

even though the Armenian legislation does not contain any ban on wearing masks and as regards the right to freedom of peaceful assembly those actions that are not expressly prohibited by the legislation are allowed for rally participants.

Observations have registered that the police for the most part would forbid the participants to go into streets and adjacent sidewalks as they saw that as violation of public order.

Not infrequently the police would form a human wall thereby actually restricting the movement of the participants, while at the same time preventing the coming potential participants from getting to the rally. The police would justify their actions by the necessity to ensure public order and participants' safety.

While analyzing the results of observations of rallies, one can draw a conclusion that the number of policemen during rallies/marches depended not on the number of participants but on the type and nature of the rally. At the rallies staged by various civic groups (e.g. in support of political prisoners or against the raise in electricity unit rate) there would be 100 or more policemen in case of 150 participants. At the same time at the rallies staged by three parliamentary groups (*Prosperous Armenia party, Armenian National Congress and Heritage party*) that drew 10,000 or more participants (on October 10 and October 24) there were only 20-25 policemen present. On one of those days, a 3000-strong march in the aftermath of the rally was accompanied by 270 policemen, while on the other day only 282 policemen accompanied a 12,000-strong march.

Back in 2013, the RoA Police instituted criminal cases regarding the facts of attacks on civic activists by unknown persons. However, so far the perpetrators have not been found and brought to justice.<sup>12</sup>

11 <http://hetq.am/arm/news/55345/bakhumner-elektraener-giayi-tankacman-dem-payqarox-qaxaqacineri-ev-ostikanutyanyan-mijev-lusankarner.html>

12 <http://armhels.com/wp-content/uploads/2014/01/Ditord-2014-01armNew.pdf>

## Freedom of association

In 2014, the RoA Ministry of Justice posted on its website ([www.moj.am](http://www.moj.am)) a draft Law on non-governmental organizations. As per Article 23 of the draft Law, it shall be incumbent on every non-governmental organization to publish - not later than May 30 of each year following the reporting year - on the official website of public notifications (<http://www.azdarar.am>) a report about its activities. The report has to include the total annual amount and source of funds received, the implemented projects' titles and locations, the conclusion of the person conducting an audit of financial reports (if the amount received by the non-governmental organization exceeds 10 million AMD), the number of members and volunteers, the titles of the positions held by individuals in governance bodies and in the organization as well as those individuals' first and last names and the number of meetings and collective governance bodies' sessions.

The draft Law also requires that in case the annual turnover of the non-governmental organization's assets exceeds 10 million AMD in the reporting year its annual financial reports should be subjected to mandatory audit. The control over compliance with the requirements of the Law shall be exercised by the authorized entity (the RoA Ministry of Justice) and in the cases stipulated by law also by other competent State bodies in conformity with their powers and with legally stipulated procedures for checks and examinations. In the event the non-governmental organization fails to publish its report or published a flawed report within the set deadline the authorized body shall notify the executive body of the non-governmental organization. If within 30 days after the issuance of the warning the executive body of the organization does not respond or does not properly respond to the demand of the authorized body, the latter will take measures in line with the RoA Administrative Violations Code.

If this Law is adopted, upon the justified demand of the authorized body made with a view to checking the compliance with the Law, it will be incumbent on non-governmental organizations to submit within a reasonable period of time the copies of the decisions of their governance bodies or of other documents related to their activities, to allow representatives of that body to attend its meetings and its collective governance bodies' sessions.

Non-governmental organizations already submit one way or another to State bodies almost all the data required by the draft Law. If the State needs separate registration of this data, it can collect statistics instead of engaging in what essentially will be double reporting. As regards the non-governmental organization's number of members and volunteers and the number of its meetings and of its collective governance bodies' sessions, those are internal issues of the organization in question and the State should not interfere in any way, whether directly or indirectly.

Thus, a conclusion can be drawn that the State wishes to use this draft Law to keep non-governmental organizations under its control. If a Law like this is adopted, the government bodies will have leverage over the activities of non-governmental organizations, while those organizations will lose their important function of being a counterbalance to State power. The regulation proposed by the draft Law runs counter to the principle of autonomy of civic organizations and to the principle of the right to freedom of association enshrined in Article 11 of the European Convention on Human Rights.

One can recall that a similar attempt was made in 2012, when a revised version of the Draft Law On making changes in and additions to the "RoA Law on non-governmental organizations" was put into circulation, which, too, contained many controversial issues for non-governmental organizations<sup>13</sup>.

Particularly problematic is the provision which makes it incumbent on non-governmental organizations to allow representatives of the

13 <http://armhels.com/wp-content/uploads/2013/02/Ditord-2013-01armNew-1.pdf>

authorized body to attend the organizations' meetings and its collective governance bodies' sessions. This is a serious violation of associations' independence and it can be viewed as quite a gross interference into the right to freedom of association. Political parties and trade unions, too, constitute a type of non-governmental associations; will not this Law subsequently apply to them as well?

What is most amazing is that a Concept Note for the Law on non-governmental organizations" has been in circulation form about 2

years. Discussions were held for the Concept Note; however, it did not contain provisions of such interference into operation of non-governmental organizations and it was regarded as on the whole positive. What is the reason for suddenly putting this draft Law into circulation? May be it can be accounted for by Armenia's membership in the Eurasian Economic Union because in a number of the former post-Soviet countries (Russia, Azerbaijan, Kyrgyzstan and Tajikistan) there is close State control over NGO activities.

# Torture, inhuman or degrading treatment

## Police

**I**nstances of torture and inhuman and degrading treatment in police departments were not discontinued in 2014.

The Group of Civic Observers that conducts monitoring of the RoA Police detention facilities (DF) issued several statements in 2014 concerning torture cases. The first statement referred to A.T. detained by Taron department of the Lori Regional Division of the RoA Police. According to the statement, the detainee told the observers he had been beaten by the police but proper medical assistance had not been provided in the detention facility. The Group recorded his bodily injuries and submitted a report the Prosecutor's Office. The RoA Special Investigation Service initiated a criminal case under Article 309 Part 2 of the RoA Criminal Code.

Another statement referred to D.H. who had been forcibly brought to Armavir Police Department. The Group recorded the violations committed while the detainee was being brought to the police department. It noted that the person in question went on a hunger strike

to demand that the policeman who had beaten him be punished.

Despite substantial facts and evidence the criminal cases for torture are not initiated, or, if initiated, are dismissed. While tortures in police custody in previous years could for the most part be accounted for by the desire to extort a confession, the year 2014 was notable for acts of violence committed against the participants of various protest actions and related to their political views.

On 12 June 2014, the day of the court session in Shant Harutiunian's case Haik Kureghian staged a political action in front of the court building in support of Shant Harutiunian<sup>14</sup> and other individuals on trial with him. While taking Haik Kureghian to the police department, the policemen used violence against him first in the vehicle and then in the department by dealing blows to various parts of his body.

On June 28, following the statement made by Kyureghian a criminal case was instituted and he was recognized as an aggrieved party.

<sup>14</sup> In greater detail about Shant Harutiunian see the Political persecutions section.



Subsequently, on October 13, a decision was made to dismiss a criminal case on the grounds that the fact of the policemen using violence against Kyureghian had not been proved.

On 13 May 2014, citizens held a protest action in *Mashtots* public garden in Yerevan against the renaming of the garden. During the protest action several participants were taken to police departments and subjected to violence. A criminal case was instituted in connection with the incident; however, the activists were not involved in the investigation as an aggrieved party. Furthermore, one activist was accused of using violence against the policemen. On September 30, the Special Investigation Service made a decision to discontinue the criminal prosecution. Among those taken to the police department was Dvin Issanians who sustained injuries in the neck and abdomen and in the right vertebral area; there was also a bruise under the left eye. On the day of the incident D. Issanians gave an explanation in the police department saying that before he was taken to the police vehicle the police dealt blows to various parts of his body and when he was near the vehicle a policeman hit him so hard on his face that he lost consciousness. However, the police made no response whatsoever to D. Issanians' statement.

On 13 October 2014, Arman Davtian<sup>15</sup> was detained at Bagratashen customs station and was not allowed to cross the border. Then he was taken to the police department in the town of Hrazdan. The Head of the police department (who was formerly a deputy head of Mashtots police department in Yerevan) was mentioned

in A. Davtian's letters as the individual who participated in tortures that A. Davtyan was subjected to. The police seized his personal belongings and passport.

A. Davtian told members of the group from Helsinki Committee of Armenia that policemen in the Hrazdan department had not tortured him since they knew from the previous case that he would make noise and submit a statement. When they tried to make him testify, he said that he would testify only in the presence of his lawyer. However, even before the lawyer came, he was released on the same day.

On 19 December 2014, the RoA Special Investigation Service posted information on its website, according to which on the basis of Tamara T.'s statement the Special Investigation Service initiated a criminal case under Article 308 Part 1 ("Abuse of official authority") and Article 309 Part 2 ("Exceeding one's official powers") of the RoA Criminal Code.

According to Tamara T., on 6 August 2014, policemen from Erebuni department of the RoA Police took her husband to the police department beating him and using other forms of violence in the process. Having unlawfully held him there for one day they eventually detained him. In addition, after the husband had been arrested, the employees of Nubarashen penal institution did not give him proper medical assistance, as a result of which he died on November 26<sup>16</sup>.

Despite the existing situation, according to the 8 December 2014 note N 24/3002 issued by the Police, during 9 months of 2014 the RoA Police carried out an internal inquiry in cases of reported beatings and torture of and violence against detainees or individuals forcibly brought to police departments. The inquiry process was suspended until a relevant decision would be made by the Special Investigation Service in the criminal case No. 62204114 that it was investigating. At the same time, it was pointed out that the said case had been sent to the court and was currently at a trial stage.

15 *It is noteworthy that back in 2011 Arman Davtian, his wife S.M. and his friend A.M. were forcibly brought to Mashtots police department. Several individuals submitted them to beatings using rubber truncheons and parquet boards forcing them to "confess" and to give self-incriminating testimonies (for the detailed description of the case See: <http://armhels.com/wp-content/uploads/2013/02/Ditord-2013-01armNew-1.pdf>). The criminal investigations department of Mashtots district and then the Special Investigation Service refused to institute a criminal case. The decisions to not initiate a criminal case were appealed against in courts of various jurisdictions. On 23 July 2014 the RoA Cassation Court handed down the final decision to return the cassation complaint.*

16 <http://www.investigatory.am/am/News/item/1389/>

## Other manifestations of inhuman or degrading treatment

On 24 March 2014, several uniformed individuals committed violence against Arman Gasparian (Mnatsakanov) in the building for execution of alternative punishments by hitting him on his head with their hands. Arman Gasparian and the Human Rights Ombudsman reported the incident to the RoA Special Investigation Service (SIS). The SIS initiated a criminal case under Article 309 Part 2 of the RoA Criminal Code ("Exceeding one's official powers, with actions committed with violence, weapons, or special measures"). Employees of the Department for execution of alternative punishments at the RoA Justice Ministry's Penal Institutions Division Tigran Petrossian and Tigran Malkhassian were involved as accused within the framework of the initiated case. Later a decision was made to dismiss the case on the grounds that an adequate number of proofs for the indictment had not been obtained during the preliminary investigation.

On 19 October 2014, after the end of the awareness-raising car drive "the 100th anniversary without the [current] regime" a group of people approached Vahram Gabrielian's car on Sayat-Nova avenue and introduced themselves as officers of the Criminal Investigations Department of the police. Alek Yenigomshian, too, was in the car. The individuals who introduced themselves as police officers rudely shoved Alek Yenigomshian and pulled him out of the car. Even though Alek Yenigomshian told them several times that he is blind and does not see, the policemen left him in the traffic area of the street and left taking with them V. Gabrielian and the latter's car. A bit later some passers-by helped Alek Yenigomshian to get out from the traffic area of the street.

On the day following the incident an internal inquiry was launched by the order of the RoA Police Chief V. Gasparian. Later on the

Police issued an explanation which states that it was the policemen who helped Alek Yenigomshian to get out from the traffic area of the street onto the sidewalk.

With regard to the 28 October 2014 incident, the RoA Special Investigation Service initiated a criminal case under Article 128 Part 2 ("Abandonment in danger") and Article 309 Part 1 ("Abuse of official authority") of the RoA Criminal Code.

## Military Police

In 2014, Helsinki Committee of Armenia conducted a study of the individuals who were initially detained by the military police and then held in custody. The study aimed to find out whether those individuals were informed about their rights after they had been detained and whether they had been subjected to physical violence or psychological pressure and to get answers to some other questions.

The study was a survey of 38 inmates in *Nubarashen*, *Hrazdan* and *Artik* penal institutions. 10 convicts and 1 arrested person filled out the questionnaires. Other 27 inmates refused to fill out the questionnaire. The study showed that the individuals held in custody are not inclined to talk about violence that they had been subjected to. The main reasons are distrust in the justice system and the sub-culture prevalent among those held in custody. Nevertheless, many of those who refused to fill out the questionnaire mentioned during the conversations that they had been subjected to tortures while held in military police facilities. The tortures were various forms of beatings. In contrast to the detainees, the convicts were inclined to talk.

When asked: "Were you subjected to physical violence or psychological pressure, when you were held in military police facilities or in investigations department?", 6 respondents answered in the affirmative and 4 in the negative. According to the respondents, acts of violence usually including beating, kicking,

punching, hitting with rubber truncheons, humiliation, etc.

To the question: "Were you informed about your rights after you were detained?" 4 respondents answered in the affirmative and 6 in the negative.

5 respondents said that they had not been in the court when arrest had been selected as a measure of restraint for them; in 3 cases the trial lasted half an hour or less.

## The system of penal institutions

The Civic Observers' Group that conducts monitoring of penal institutions of the RoA Ministry of Justice published its annual report for 2013. According to the report, the studies conducted by the Group showed that in Armenian penal institutions there was no significant progress in terms of material conditions of detention, treatment of inmates, especially of widespread corruption and interpersonal relations. Corruption is widespread in penal institutions. A certain price is set for each service. For example, to stay in a medical station a convict or a detainee basically has to pay 50,000-60,000 AMD monthly. To get a cellular phone brought into the penal institution costs 5,000-10,000 AMD. An additional amount has to be paid for keeping a cellular phone in the penal institution. The price list of services goes on and on.

Physical violence against convicts still occurs in Armenia's penal institutions. Violence is used both by the staff and other convicts. Proportionality in the use of force and of special means by the staff of penal institutions, as prescribed by law, still remains a problem.

The studies conducted by various civil society organizations and the Group's observations in penal institutions and confidential talks with convicts and staff indicate that interpersonal relationships in penal institutions are hierarchical and regulated by unwritten "laws" of the

criminal world. Crime bosses control the internal law and order in penal institutions. Gambling is a widespread phenomenon.

Homosexuals can be regarded the most vulnerable group of inmates in penal institutions as they are placed on the lowest rung of the hierarchy. They live separately from other inmates. Their utensils, other things, etc. are also different. No one is in contact with them. Homosexuals are often forced into labor which is regarded in penal institutions as the most degrading, such as, for example, cleaning out a sewer.

A major problem in penal institutions is availability of professional medical staff. Doctors from penal institutions do not attend professional development courses. Not everyone has access to medical service. Medical service remains unsatisfactory in terms of availability of medical personnel, necessary medication, equipment, etc.

There is also the issue of independence of medical staff from heads of penal institutions. In case of issues of taking convicts to a hospital, sending them to a punishment cell, registering bodily injuries, etc., before making a decision the doctor by all means consults with the Head of the institution as the power to make the final decision rests with the Head.

Funds are not allocated from the State budget for methadone treatment in penal institutions. Often, the convicts' requests to get methadone treatment are rejected without proper justification. In 2013, only 61 detainees and convicts received methadone treatment.

In 2013, there was not a single case of the detainees or convicts, on whom penalties had been imposed, appealing against those penalties. The existing complaint mechanisms are not effective and are not trusted. The inmates of penal institutions submit their complaints and appeals for the most part to various State bodies, viz. to the Office of Prosecutor General, Ministry of Justice, National Assembly, etc. As a rule, it is the staff of the institution who seal up the envelopes with complaints and stamp them with the seal of the institution. Detainees



and convicts receive replies to their complaints in unsealed envelopes. In some cases, the staff of penal institutions does not take the inmates' complaints or letters, thereby obstructing the enjoyment of their various rights.

Sometimes inmates resort to extreme measures in protest by injuring or maiming themselves. The main reasons for infliction of self-injuries are related to failure to provide adequate medical care, to their criminal cases or to the transfer to another penal institution. In 2013, 238 instances of self-injury by detainees and convicts were registered. Such a large number of instances of self-injury shows distrust of the justice system. Steps to analyze the causes of self-injury, to prevent them and to reduce their number are not taken.

The issue of early release is also a problem in penal institutions. There are no clear-cut decision-making procedures and criteria to assess whether the convict has indeed been reformed. Eventually, only a small percentage of the individuals eligible for parole are released. In 2013, the cases of 5,468 convicts were presented at the meetings of the Penal Institutions' Administrative Commission; in the end, 261 persons (i.e. 4.8%) were released.

In 2014, as in 2013, overcrowding in Armenian penal institutions continued to be a problem. Even though the amnesty declared in 2013 alleviated to some extent the problem of overcrowding of penal institutions, it did not solve it. Some penal institutions remain overcrowded. As of 25 November 2013, there were 994 inmates in *Nubarashen* penal institution (with maximum capacity to accommodate 840 inmates), 221 inmates in *Vardashen* penal institution (with maximum capacity to accommodate 154 inmates) and 673 inmates in Kosh penal institution (with maximum capacity to accommodate 640 inmates). In 2014, too, instances were registered, when in *Nubarashen* penal institution in the cells designed to hold 8 inmates there were twice as many or even more inmates.

## Issues of Life-Termers

As of 2014, there were 104 prisoners sentenced to life imprisonment. As regards the number of life-termers per 100,000 population, Armenia ranks high among the Council of Europe member States. Among current life-termers 35 were initially sentenced to death. According to the Recommendation of the Council of Europe, the member States' legislation should make a provision for the opportunity for persons sentenced to life in prison to be released at some point. In the Armenian legislation there is a provision that having served 20 years the life-terminer is entitled to a parole. Even though about 10 life-termers have served their sentence for 20 years, nevertheless so far none of them has been granted an early release.

As far back as 1 August 2003, the persons sentenced to death were pardoned by the presidential decree. By the same decree the country's President, assuming *de facto* the role of the court of law, meted out the punishment of life imprisonment to those individuals<sup>17</sup>.

As per the amendment made to the RoA Criminal Code in 2011, the earlier maximum penalty of 15-year imprisonment was replaced by 20-year imprisonment. In the justification of the Bill the Prosecutor's Office pointed out that in many cases life imprisonment is harsh punishment, while a 15-year prison term is not sufficiently harsh. Not infrequently, the courts prefer to sentence the perpetrator to life imprisonment. At the same time, if the upper limit for imprisonment is to be 20 years, the number of life-termers will go down. Dozens of persons sentenced to life imprisonment applied to the court with a request to review the verdict; however, all applications were rejected<sup>18</sup>.

17 For details see <http://armhels.com/wp-content/uploads/2013/02/Ditord-2013-01armNew-1.pdf>

18 For details see <http://armhels.com/wp-content/uploads/2012/06/1708arm-Ditord-157-2012.pdf>

The problems of life-termers are not limited to that. So far there has not been in the history of Armenia a single case of a retrial of a person who had been given the maximum punishment. Such attempts failed.

Soghomon Kocharian was sentenced to death on 1 December 1995. By the 1 August 2003 Armenian President's decree S. Kocharian was granted a pardon and his punishment was commuted to life imprisonment. On 6 May 2014, *hetq.am* electronic media outlet published an article titled "Scout Soghomon Kocharian was sentenced to death under political pressure: the prosecutor reveals." The author of the article presented the facts regarding the pressure that had been brought to bear on Jirayr Kharatian, who had been a prosecutor in S. Kocharian's case<sup>19</sup>.

With regard to the above-mentioned publication, the Office of the Prosecutor General decided on 31 May 2014 to dismiss the request of starting a retrial due to newly emerged circumstances. The S. Kocharian's representative filed an appeal with the court against the decision. On 25 August 2014, the court handed down a ruling to partially satisfy the appeal and obligated the body in charge of the investigation to eliminate violations of the rights of the lodger of the appeal. On 25 September 2014, the Office of the RoA Prosecutor General again made a decision to reject the appeal. The decision stated, *inter alia*: "The statement does not present any circumstance that in and by itself or together with other circumstances would confirm Soghomon Kocharian's innocence or the offense that he committed being less or more severe than the one that he was convicted for. The statement merely cites the statement made by the prosecutor, who had been in charge of the case, about his disagreement with the form or extent of the punishment meted out to the person in question."

The Kocharian's representative also submitted to the Prosecutor's Office a report about

a crime noting that interference in the prosecutor's activities had occurred, i.e. a crime had been committed punishable under Article 332 of the RoA Criminal Code ("Obstruction of Justice and of Investigation"). In connection with the statement the Special Investigation Service on 20 October 2014 decided to reject the request of instituting a criminal case. The Special Investigation Service justified its decision by stating that no interference had occurred with a view to obstructing the activities of Jirayr Kharatian, who was a former prosecutor in S. Kocharian's case, in comprehensive, complete and impartial investigation.

On 18 June 1997, Arthur Mkrtchian was sentenced to death as he had been charged with murder of his 5 fellow military servicemen. After the new RoA Criminal Code was adopted in 2003, his death penalty sentence was commuted to life imprisonment. At the trial A. Mkrtchian pleaded not guilty and declared that murders had been committed by the unknown persons who had arrived to what then became a crime scene. The court did not regard his testimony as credible. In 2014, *hetq.am* electronic media outlet published an interview with former military prosecutor G. Jhangirian<sup>20</sup>. During the interview the former military prosecutor spoke about some information obtained in the course of the investigation. According to him, at the site of the incident there were other persons as well. He voiced a suspicion that the murder of two servicemen may have been committed by persons other than Arthur Mkrtchian. That is to say, the former military prosecutor corroborated the Mkrtchian's testimony that the court had not regarded as credible. The above-mentioned information that had been obtained in the course of the investigation was never reviewed during the trial.

Considering all that as grounds, on 8 November 2014, Mkrtchian's attorney submitted a request to the Office of the RoA Prosecutor General to start the investigation for reviewing the sentence. However, on

19 <http://hetq.am/arm/news/54439/hetakhuyz-soxomon-qocharyany-mahapatzhi-e-datapartvel-qaxaqakan-tchn-shmamb-bacahaytum-e-datakhazy.html>

20 See: <http://hetq.am/arm/news/32412/mahvan-datavtchirmiguce-ov.html>

November 26, the Central Office of the RoA Military Prosecutor made a decision to reject the request to start the investigation for reviewing the sentence on the basis of newly emerged circumstances. In its decision the Military Prosecutor's Office noted, in particular, that the statement made by the former military prosecutor cannot be regarded as newly emerged circumstances.

## Armed Forces

Information about the total number of the military servicemen who died in the army from 1994 till present was published on the restricted-access page created on the Facebook social network (facebook.com) by the "Army As It Is in Reality" initiative. According to the publication, the number of soldiers who died in the army is over 1,500. According to the media publications posted on the same website, in 2014 there were publications about acts of violence committed by military servicemen against other servicemen and about the military servicemen who had been convicted for hazing.

According to information provided by the Vanadzor Office of the Helsinki Citizens'

Assembly, in 2014 in the armed forces of the Republic of Armenia and in the Defense Army of Nagorno-Karabakh 46 servicemen died as a result of 42 incidents. As compared to year 2013, this number increased by 15. Of the 45 deaths registered in 2014 26 resulted from ceasefire violations by the enemy, 6 from accidents, 4 from homicide (2 cases of premeditated murder and 2 cases of violation of rules for handling weapons), 3 from violation of rules for combat duty or for active military service, 3 from inadequate medical assistance in cases of health problems, 3 from suicide (as qualified in the course of launched criminal investigations) and 1 from violation of rules for handling weapons.

Parents of some military servicemen who died in peacetime stage protest actions from time to time in front of the Government building with the demand that their children's murder cases be solved.

In December 2013, the lottery principle was introduced into the army for the first time. The transition to the new procedure took place during the 2013-2014 draft. The goal of determining the location of military service by drawing lots was to minimize the corruption risks and to ensure justice during the process of the military draft.

# Political Persecutions

## Political Prisoners

On 17 October 2014, after about a 5-month trial the general jurisdiction court of Kentron and Nork-Marash administrative districts of the city of Yerevan handed down judgments to the accused Shant Harutiunian and his friends. The court meted out punishment to **Shant Harutiunian**<sup>21</sup> and his adherents ranging from fines to 7 years in prison. Shant Harutiunian and Albert Margarian were sentenced each to 6 years in prison, Vaheh Mkrtchian to 7 years in prison,

while Avetis Avetissian, Liparit Petrossian and Vardan Vardanian to 5 years in prison. Hayk Harutyunian was sentenced to 4 years and 6 months in prison, Alek Poghosian and Mkrtich Hovhannissian to 4 years in prison, Armen Hovhannissian to 2 years in prison, Tigran Petrossian to 1 year in prison and Sevak Mnatsakanian to 1 year and 6 months in prison. Misak Arakelian was sentenced to a 50,000 AMD fine, while underage Shahen Harutiunian was given a conditional sentence of a 4-years imprisonment.



On 24 September 2014, during his speech in Columbia University Armenian President Serzh Sargsyan declared<sup>22</sup> that Shant Harutiunian had committed a crime of hooliganism. It should be borne in mind that at the time of this statement the court had not yet handed down its judgment. A question arises of whether the country's President had violated the presumption of innocence and whether by making that statement he had predetermined the outcome of the trial.

On 5 November 2013, Shahan Harutiunian took part in the march organized by his father with a group of adherents and during clashes between the demonstrators and police he tried to protect his father as evidenced by the published video materials. On 2 April 2014, Shahan Harutiunian was charged under Article 258 part 4 of the RoA Criminal Code (Hooliganism committed with an object used as a weapon and offering resistance to a representative of authorities). On 17 October 2014, the court gave Shahan Harutiunian a conditional sentence of a 4-years imprisonment (at the time of committing an offense he was 14 years old). Speaking about the sentence given to Shahan Harutiunian by the court the Council of Europe Commissioner for Human Rights Nils Muižnieks said that the jail term given to the teenager is tantamount to life imprisonment given his age.<sup>23</sup>

21 *Shant Harutiunian and his adherents declared a sit-in in the Liberty Square from October 31, 2013 on against the Armenian authorities' policies. On November 5, they attempted a march, which was blocked by the police and demonstrators clashed with the police. As a result, over 30 individuals were detained. 14 of them were charged under Article 316 of the RoA Criminal Code ("Violence or threat of violence, not dangerous for life or health, against a representative of authorities or the latter's close relative, concerned with performance of his official duties"). In April 2014, after about a 5-month preliminary investigation there was a change in the criminal case of Sh. Harutiunian, A. Avetissian, A. Poghosian, A. Hovhannissian, H. Harutiunian, M. Arakelian, T. Petrossian, L. Petrossian, V. Vardanian, Shahan Harutiunian and S. Mnatsakanian. Charges under Article 316 of the Criminal Code were dropped and they were charged under Article 258 ("Hooliganism").*

22 <https://www.youtube.com/watch?v=YnJ8Nijfy3M>

23 <http://armhels.com/2014/10/10/ekh-handznakatary-shahen-harutyunyani-masin>

On September 18, after the trial that lasted nearly 7 months the general jurisdiction court of Arabkir and Kanaker-Zeytoun administrative districts of the city of Yerevan handed down a judgment in the case of the Army Reserve Colonel Volodya Avetissian<sup>24</sup>. The veteran freedom fighter was sentenced to 6 years in prison and to a fine. He was ordered to pay for the benefit of the State the amount of Armenian drams equivalent to 2,000 USD. On 18 August 2014, the court judgment was appealed against in the RoA Criminal Appellate Court. However, on September 16 the Appellate Court published its ruling thereby rejecting V. Avetissian's appeal and upholding the judgment handed down by the first instance court. On October 28, the ruling of the RoA Criminal Appellate Court was appealed against in the RoA Cassation Court.

## Persecutions

The trials in the criminal cases that had been opened still in 2013 against the editor-in-chief of *Armenia Today* news agency Argishtie Kivirian were held in the general jurisdiction court of Arabkir and Kanaker-Zeytoun administrative districts of the city of Yerevan.

During the 24 August 2013 protest staged at 5 Komitas Street the police used violence against the rally participants and dispersed the peaceful rally. Over 10 rally participants, including Argishtie Kivirian, were forcibly brought to the police department. A criminal case was opened against him under Article 316 ("Violence or threat of violence, not dangerous for life or health, against a representative of authorities or close relatives, concerned with

24 *On 9 May 2013, the Karabakh war veteran, the Army Reserve Colonel Volodya Avetissian staged a protest action, a sit-in in the Liberty Square by which he wanted to draw the attention of the Government to social problems of freedom fighters. On 20 September 2013, V. Avetissian was detained and was charged for committing an offense punishable under Article 178 of the RoA Criminal Code ("Swindling").*

performance of his official duties") and Article 333 ("False crime reporting, if the person consciously provided false information") of the RoA Criminal Code.

On 1 August 2013, Argishtie Kivirian reported to the police department in Kentron district about violence that policemen had used against him. On 20 August, those materials were sent to the RoA Special Investigation Service, which made a decision on September 28 to reject the request of opening a criminal case contending that there had been no corpus delicti in policemen's actions. That decision was appealed against on 26 November 2013 to the general jurisdiction court of Kentron and Nork-Marash administrative districts of the city of Yerevan. By its 3 February 2014 ruling the court revoked the 28 September 2013 decision made by the body in charge of a preliminary investigation to reject the request of opening a criminal case.

On 5 May 2014, the Office of the RoA Prosecutor General opened a criminal case under Article 309 Part 2 of the RoA Criminal Code. Later on, on October 28, the Special Investigation Service made a decision to not open a criminal case. On 6 November 2014, a complaint against that decision was lodged with the RoA Prosecutor General.

Besides the criminal cases, the RoA Police opened 5 administrative cases against Argishtie Kivirian in the administrative court under Article 182 of the RoA Code of Administrative Offences (i.e. disobeying a lawful demand of a serviceman of police troops or of a police officer made in the performance of his duties of maintaining public order, ensuring public safety and/or protection of facilities). In one out of those 5 cases the administrative court made a decision to subject Argishtie Kivirian to administrative liability, while the other 4 cases are still in progress.

## Persecution of politicians by secret services

The year 2014 demonstrated that the policies pursued by the Committee for State Security (KGB), a remnant of the Soviet era, are continued in Armenia. The policy of getting agents "implanted" into various entities, including political parties, is still going on. During the 10 December press briefing, while answering the reporters' question why there are no policemen at the rallies staged by the Prosperous Armenia political party (and whether he was sure that there would be no revolution) the Chief of the RoA Police Vladimir Gasparian replied: "I am very confident. Of course, I am confident... Ex officio, I am the person who has a lot of information. I do not make a wasteful use of the police force because besides the overt police force there are also plainclothes policemen, clandestine services. I know who think what and what ideas they entertain"<sup>25</sup>.

This is evidenced by the secret services' attempt to recruit Hrayr Manukian, the Heritage political party Board member. On 8 July, he submitted a written statement about a crime to the RoA Prosecutor General, in which he declared that in June a person who had presented himself as Vlad Hakobian and as an employee of the National Security Service (NSS) offered him to collaborate with the NSS. When Hrayr Manukian declined the offer, the said person threatened him and warned him about negative consequences of Manukian's and Heritage party's political and other activities. Manukian audio taped the conversation and submitted an electronic device with recorded conversation to the Prosecutor's Office.

In a written response to the statement the Office of the Prosecutor General said that the actions attributed to the NSS employee in the materials related to the attempt to recruit Hrayr

25 See: <http://www.azatutyun.am/content/article/26735236.html>

Manukian do not contain characteristics of an obvious crime. On 11 August 2014, a complaint was filed with the court asking the court to eliminate the violation of the person's rights and freedoms and to obligate the body in charge of investigations to open a criminal case. The case is currently at a trial stage.

## Arson cases

On the night of 27 November 2014, in various parts of the city unknown persons set on fire the cars of the MP candidates to the Founding Parliament Shahen Poghosian, Vardan Hakobian, Varuzhan Avetissian and Susanna Melkonian. The only thing that those cars had in common was that they had taken part in the awareness-raising car drive "the 100th anniversary without the [current] regime." An attempt was also made to set on fire the car of yet another MP candidate to the Founding Parliament Karo Yeghnuanian. All the cars carried the slogan "the 100<sup>th</sup> anniversary without the [current] regime."

On the night of 26 November 2014, unknown persons set on fire the car of civic activist K. Harutiyunian.

## Acts of violence

In the evening of 27 November 2014, at about 6:00 p.m. the Pre-Parliament member Gevorg Safarian was attacked in Khanjian Street<sup>26</sup>. He was hit from behind. As a result, he lost consciousness, received injuries and was taken to a hospital. G. Safarian made a statement to the police about the crime.

With regard to the above-mentioned instances of arson of cars the RoA Police opened a criminal case under Article 185 Part 2 of the RoA Criminal Code ("Willful destruction or spoilage of property"), while in connection

26 See: <http://www.aravot.am/2014/11/28/520287/>

opened a criminal case under Article 118 of the RoA Criminal Code ("Battery or committal of other violent acts").

On 10 December 2014, the board members of the Freedom Fighters Alliance declared that 2 days earlier the commander of Arabo squad Manvel Yeghiazaryan and the commander of Aparan squad Razmik Petrossian were assaulted, while on December 10 morning, four masked men subjected the board member of the Freedom Fighters Alliance Suren Sargsian to beating. In their opinion, freedom fighters are persecuted by the authorities because they demand a regime change. They view the incidents as an attempt by the authorities to silence the opponents and that those individuals are persecuted for holding opposition views. They declared that they had not informed the police because they do not trust law-enforcement agencies<sup>27</sup>.

Addressing the issue of attacks on freedom fighters, the RoA Police Chief Vladimir Gasparian declared during his 10 December press briefing: "If they have a problem, let them come and make a statement rather than having articles published in the newspapers." According to the information published by media outlets, bodyguards of V. Gasparian's Deputy, Commander of Police Troops Lieutenant General Levon Yeranossian were among those who assaulted the freedom fighters<sup>28</sup>.

On 11 December 2014, the secretary of the parliamentary group of the Armenian National Congress political party Aram Manukian was assaulted near his home. The spokesperson of the Armenian National Congress party Arman Mussinian told reporters that an unknown person wearing a hat dealt several blows to the MP's face without any words or without offering any explanation. The political party's spokesperson said that the incident was linked to Aram Manukian's political activities<sup>29</sup>.

27 See: <http://www.azatutyun.am/content/article/26735428.html>

28 See: <http://www.1in.am/1500685.html>

29 See: <http://www.azatutyun.am/content/article/26738189.html>



On December 12, police received a report that in the yard of one of the buildings in the town of Hrazdan the head of the Hrazdan territorial branch of the Armenian National Congress party Ashot Pilipossian was subjected to assault and battery. Residents of Lernanist village in Kotayk region Parkev and Roman Manukian came to the police department and declared that they had argued with Pilipossian<sup>30</sup>.

On 19 December 2014, during a protest action staged in front of the Government building the civic activist Vaghinak Shushanian said: "The lawlessness has reached such proportions now that they raise their hand on the freedom

fighters who defended the homeland, the borders and it is a police lieutenant colonel who raised his hand. I am cursing Yeranossian and his President. Let Yeranossian come. I want to see how he is going to cut my ears." The next day after his words two young men beat him up when he was coming out of a grocery store. Talking to the media Vaghinak Shushanian pointed out that two young men had attacked him saying: "So, you were cursing the President, you brat, so now get it [the beating]."<sup>31</sup>

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30 See: <http://www.a1plus.am/1355692.html>

31 See: <http://www.aravot.am/2014/12/22/527387/>

## Freedom of Conscience & Religion

In recent years, violations of the freedom of religion, thought and conscience have become of a systemic nature, the main cause being a "merger" of the Armenian Apostolic Church (AAC) and the State. This merger is reflected in the church's active incursion into the general education sector, in the church's immediate presence in armed forces and cooperation between the police and the church, which has become closer. Government officials, including Defense and Education Ministers and high-ranking police officials qualify various religious organizations as "sects" subjecting them to discrimination, which is unacceptable and violates the principle of separation of church and State.

The RoA Defense Ministry has developed the *Fight against street mores* roadmap, according to which the Ministry representatives and the clergy visit schools and distribute copies of the Gospel. In military registration and enlistment offices conscripts are asked to fill out a questionnaire, where they must indicate their religious views. There have been instances

when the military clergy subject members of various religious organizations other than the Armenian Apostolic Church to the so-called "explanatory and moral instruction."

An example of discriminatory treatment of members of other religious organizations in the army is the case of Ashot Mkrtchyan (his real first and last names have been changed to protect his identity), a follower of the *Word of Life* Church, who, while in mandatory military service, was forced against his will to say prayers under the guidance of AAC priest. Ashot Mkrtchyan told the *MediaLab* website<sup>32</sup> that when some servicemen in his military unit suspected that he was a follower of another Church, he was taken to the commanding officer and was forced to abandon his Church. He was subjected to ridicule and threatened that if he did not participate in the daily prayers of their unit priest, the consequences would be bad for him. In order not to have problems with the heads of the military unit, for 8

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32 <http://medialab.am/news/id/5913>

months he took part against his will in the religious ceremonies performed by the Armenian Apostolic Church priest.

This case shows that presence of the Armenian Apostolic Church priests in the army creates problems for those servicemen who are followers of other religious organizations.

The influence of AAC clergymen in schools has been getting stronger. In about 60 schools the *Christian Education* religious subject is taught, as a pilot project, in grades 2-4. The Minister of Education & Science declared that this subject would become compulsory in all schools.

The UN Committee on the Rights of the Child recommends<sup>33</sup> revising the curriculum of schools in order to reflect the freedom of religion of all children. The matter concerns History of Armenian Church. This observation made in 2013 stresses that this subject is compulsory and that there should be respect for the rights of children belonging to religious minorities (e.g. children from Yezidi or Molokan or Evangelical denomination communities) rather than perceives History of Armenian Church as a problem. As per Article 14 of the UN Convention on the Rights of the Child, States Parties shall respect the right of the child to freedom of thought, conscience and religion. Armenia ratified the Convention in 1993. In response to the above observation the Minister of Education & Science declared that this subject would still be taught in schools. The holding of religious ceremonies in and unrestricted access for clergymen to schools is a usual occurrence. At the beginning of each school year the Minister of Education & Science with school principals and teachers visits Armenian Apostolic churches, where they take "the Teacher's Vow."

Ms Margarita Kooshkryan, a principal of school N 166, explained in the following way why it is important to teach that subject: "Students testify that they have become more

tolerant and friendly. There are more than 1,200 students from 800 families in this school, where I am an administrator. We also have families belonging to various sects whose children do not sing the national anthem of the Republic of Armenia. They stand up but do not sing. Their parents complain saying that teachers should not force them [to sing] because with the anthem we glorify our motherland, while we glorify only Jehovah [God]. Students do what is in their power to make those children understand. They do it without a fight, they just explain in a friendly manner."

In response to this issue, Priest Koriun Karapetian, the pastor in air defense troops, noted that the same children who do not sing the national anthem eventually grow up and are conscripted into the armed forces. Says the priest: "... *From the national standpoint, who is and what is the child in our country who, at school, does not esteem our country and does not sing the national anthem? Let no representative of any ethnic group take offense at my words, I respect all ethnic groups, but God gave us an ordinance to keep, protect, love and consolidate the country and it is simply incumbent upon us to do that. The presence of the Church in the army helps the soldier to be more patriotic and to provide psychological support to his friends. The number of sectarians in the army reflects that number in the general population of the country. Some sectarians are conscripted for military service. At least 80 percent of the sectarians who serve in the army return to the Armenian Apostolic Church.*"<sup>34</sup>

During the roundtable session on "Christian foundations of our society's morality and present-day issues"<sup>35</sup> (held on June 17, 2014) Police Colonel Nelly Durian, the head of the RoA Police Department for Protection of Minors and for Combating Domestic Violence, spoke about how policemen accompanied by priests meet the schoolchildren, who

33 <http://armhels.com/2014/05/26/mak-n-arajarkum-e-hargel-erexaneri-iravunqneri-yev-veracnel-hay-ekexecu/>

34 <http://armhels.com/2014/11/13/dprocum-aghandavorneri-erekhanery-votki-en-kangnum-bajc-hrazharvum-en-ergel-hh-orhnergy>

35 <http://www.youtube.com/watch?v=r2dOmlu4Evg>

have been found to be sectarians, and their parents and re-educate them. It is noteworthy that policemen involve those children's friends in the "reeducation" process.

Another important issue is that law enforcement officials do not make answerable the individuals who make speeches and statements containing blatant religious hostility and hate. Back in 2013 some followers of other religious organizations were assaulted<sup>36</sup>. In 5 instances criminal investigation was launched; however, the police did not take any steps to identify the perpetrators.

During the 9 September 2013 press conference organized in Noyan Tapan press club Bishop Komitas Hovnanian and a co-chair of *Youth League* organization declared that a "sect" infiltrated Armenia from Ukraine that encourages pedophilia and sexual perversions and preaches homosexuality and that the "sects" that operate in Armenia receive about 500 million dollars annually to undermine the State. The bishop made similar statements during subsequent TV shows and debates without presenting any evidence or facts.

In connection with the said statement, Stepan Danielian, a chairperson of Partnership for Democracy Center, in February 2014 turned to the National Security Service (NSS) with a request to check the validity of the information publicly stated by Bishop Komitas. If the information is correct, what actions does the NSS undertake? If, however, the information is wrong, what steps does the NSS take to hold answerable those who mislead the public and incite animosity towards religious organizations through incorrect information? The statement about *Christian family* "sect" infiltrating Armenia was made by Sevak Hovhannissian, co-chair of Youth League organization, who had got that information incidentally in a café.

In his explanation given to the NSS, Bishop Komitas pointed out that he had got that information from websites. He learned

from the same publications and from the data posted on the internet that over 210 religious movements exist in the Republic of Armenia and that every year they hold various meetings, undertake construction and lease space spending, according to the above-mentioned sources, about 2 million dollars. By multiplying that amount by the number of religious organizations he obtained the approximate figure that he mentioned during the interview.

On 16 September 2014, a decision was made not to launch a criminal investigation in that case on the grounds that Bishop Komitas' actions do not contain the *corpus delicti* specified in Article 226 of the RoA Criminal Code ("Inciting national, racial or religious hatred"). At the same time it was discovered that there are no grounds for validity of that information. The said decision did not mention the websites from which Bishop Komitas had obtained the information that he then disseminated.

## Press and freedom of religion

The Armenian Apostolic Church names religious organizations operating in Armenia as sects and their followers as sectarians.

However, it is not only the Armenian Apostolic Church that portrays other religious organizations as sects and subjects them to malicious verbal attacks. Armenian media does the same, sparing no effort.

There are bloggers who serve this very purpose. They take the liberty of using insulting and indecent language as regards religious organizations other than the Armenian Apostolic Church and of designating them as a source of perversion.

There is the <http://axandneridem.do.am/> website that, while it has not been updated for quite some time, has a clear structure and purpose. What is a "sect"? What are "sectarian organizations" in Armenia? Why are they

36 <http://armhels.com/wp-content/uploads/2014/01/Ditord-2014-01armNew.pdf>

"destructive"? What damage do they do? It is these and similar topics that the blogger or bloggers address.

It might seem that similar actions are limited to bloggers. However, one can come across such materials also on news websites.

Having examined several news websites, which are visited by quite a few people, we have come to the following conclusion: As regards their coverage of religious topics, those websites can be divided into 2 groups, viz. into those that use the words "sect," "sectarian" and "proselytism," citing someone else's words and the websites that express their own opinion in posted materials.

The online version of *Aravot* daily can serve as an example of the first group. In the last 2 years, while covering some religious topic, the periodical uses quotations and refrains from expressing any opinion.

For instance, the words "sect" or "sectarian" are used only when quoting someone, while the reporter of *Aravot* daily would use the words "religious organization."<sup>37</sup>

*Mediamax* news agency too refrains from publishing materials without quotations. The word "sect" is used only in quotations<sup>38</sup>.

However, many other media outlets see it as their duty to inform and warn about religious organizations other than the Armenian Apostolic Church labeling them as "destructive sects."

Thus, within the framework of its *Media spokesperson* project, **mamul.am** published an article titled "Sectarrians, or the Seed of Satan." The author of the article likens followers of religious organizations other than the Armenian Apostolic Church to "prostitutes standing in Tsereteli Street." The author uses the word "sect" as an insult<sup>39</sup>.

Another media outlet, **nyut.am**, published an article titled "Social networks are a powerful tool for training underage sectarians."<sup>40</sup> Here too the word "sectarian" is used disparagingly.

There is no shortage of articles like this on *iravunk.com*, *168.am* and many other internet media websites that urge to beware and to fight against religious organizations other than the Armenian Apostolic Church, or "sectarians", as they put it<sup>41</sup>.

It should be borne in mind, though, that under Article 8.1 of the RoA Constitution, "Freedom of activities for all religious organizations in accordance with the law shall be guaranteed in the Republic of Armenia."

However, a number of media outlets in Armenia fight against freedom of operation of religious organizations and preach religious intolerance.

## Alternative labor service

The Alternative Service Law was amended in May 2013, as a result of which 123 adherents of religious organization Jehovah's Witnesses went to alternative labor service.

From November 2014 on, Helsinki Committee of Armenia has undertaken a study of an alternative service. According to the preliminary results, those in alternative labor service are on the whole content with the service. Only several servicemen expressed their discontent regarding the 3-year term of the service. At the same time some other servicemen regarded the term as normal, when compared to the service in the armed forces.

The study findings indicate that there are no clearly defined types of work for those in alternative labor service. Such servicemen perform different types of work that is assigned to them by the leadership of the institution where they serve.\*

\* The material has been prepared jointly with the Partnership for Democracy NGO.

37 <http://www.aravot.am/2014/03/28/445024/>

38 <http://www.mediamax.am/am/news/society/2059>

39 <http://goo.gl/OKnYdE>

40 <http://nyut.am/archives/1075>

41 <http://www.iravunk.com/index.php?option=com-content&view=article&id=22426:h&catid=41:lurer&Itemid=57v>, <http://168.am/2014/11/08/424320.html>

# The Rights of the child

The top priority task of the local and international organizations that are engaged in Armenia in protection of the rights of the child is prevention of violence against children in all types of institutions (public, special, care and protection, and orphanages). The reports produced by local and international organizations state that in Armenia violence against children still goes on. It is noteworthy that various forms of violence are used (physical, psychological, sexual, neglect); children are also subjected to discrimination.<sup>42</sup>

8,000 children with disabilities are registered in Armenia. That number constitutes one percent of all children in the country. They are still a group isolated from the society at large.<sup>43</sup>

13% of children with disabilities live in institutions, 18 percent do not attend school, 77 percent do not receive any rehabilitation services, while one-third of those children do not participate in any community event.

The findings of the monitoring conducted in 22 special education institutions (SEIs) under the Ministry of Education and Science (MoES) and the Ministry of Territorial Administration (MOTA) (with 10 institutions being under MoES and 12 under MOTA) are presented in the *Special Educational Institutions Monitoring Report, 2013*.<sup>44</sup> The monitoring was conducted by the civic observers group approved by the 16 December 2009 Order N 1071-A/K of the RoA Minister of Education and Science.

The report presents all violations of the rights of children in special education institutions. Children are subjected to psychological and physical abuse, neglect and exploitation.

The study findings revealed that children from socially vulnerable families make up a

large share of the children that live and receive education in SEIs. In fact, those children should have been sent to care and protection institutions because SEIs are intended only for children with special educational needs. The underlying reasons are *not adequate assessment standards* used by the agencies that refer children to SEIs or desire to secure a larger number of children for those institutions (*since SEIs are funded according to the number of children in them, so principals are interested and use various methods to get a greater number of children*).

According to the report, instances of physical and psychological violence occur in SEIs. Acts of violence are committed not only by educational staff (*usually the deputy principal for educational matters, physical education teacher or military training teacher, etc.*) but in many cases also by support staff of those institutions (*nursemaid, guard, and stockkeeper*). The climate of fear is obvious when you talk to children in SEIs. They are usually unwilling to talk; they do not speak out; they do not want to show their discontent. If you ask them about what they want, their cherished dream is to live with parents or to maintain a constant contact with relatives.

The main "disciplinary" methods used by the SEI staff or the methods of punishment that they mete out to children displaying a "disorderly conduct" are chiding them, intimidating or insulting them or resorting to various forms of violence. The list of punishment methods in all institutions is quite long and diverse, such as making children stand in the corner of the room, shouting at and beating them, and boxing their ears. The use of swear words, keeping children in a dark place and even expelling them from the institution is not a rare occurrence; neither are non-standards forms such as disregard of children in the classroom, not returning their greeting, giving a low grade, not letting them visit a psychologist, use a comput-

42 <http://armhels.com/wp-content/uploads/2013/07/Zekuic-ARMENG.pdf>

43 <http://unicef.am/uploads/file/Final-Civilitas-UNICEF-arm.pdf>

44 <http://armhels.com/wp-content/uploads/2014/09/monitoring.pdf>



er or play a favorite game or even denying them a meal or giving them more assignments for homework. Children are most hurt by the staff members' words that stigmatize them or their parents.

It is a common occurrence in all institutions that children's basic needs are disregarded (e.g. indifference towards regular medical examination of children, disregard of children's opinion as well as non-consideration of their food, clothing and leisure time preferences).

The report also addresses the institutions' material conditions. It was found that material conditions are far from those in family homes (bedrooms are overcrowded, water closets are in an unhygienic condition, playrooms are primarily equipped with toys and games that are not in line with children's age, dining halls and food storerooms do not have sufficient amount of required foodstuffs, etc.).

Students' individual development plans are a mere formality. Among the specialists working in SEIs there are many who have not taken training courses in child care and child development, while topics for training sessions are not always chosen taking into account the educational needs of the staff.

The primary task of SEIs is to ensure that children enjoy the right to education. However, it can be argued that children with special educational needs do not get proper education (most of them are illiterate). The obligation to ensure the children's right to health is neglected as children do not get an adequate medical treatment and rehabilitation. The institutions do not have clear guidelines and procedures for staff that would regulate relations with children and moral instruction-related activities. A relevant national referral procedure for protection from violence is non-existent, thereby contributing to an increase in violence.

An Appendix to the report mentioned an instance of violence against and exploitation of child labor in one of the SEIs. The employees of the institution subjected the child to beating and held him in a basement. Members of the Observers' Group applied to the Minister of

Territorial Administration in connection with the incident and notified the police. No one was held responsible, as a result. During the next meeting with the members of the Observers' Group the child in question and his parent asked the Group to no longer bring up that issue to public attention. They said, "We complained and ended up having more problems; it is better to remain silent ..."

***Thus, a conclusion can be drawn that children in those facilities are not protected from all forms of violence, abuse or neglect, while the bad treatment that they are subjected to has negative repercussions on their psychological state, thereby causing a variety of problems for children.***

The group intended to conduct monitoring also in orphanages and institutions of care and protection operating under the Ministry of Labor and Social Affairs (MLSA); however, the MLSA did not give its permission. In its report on the monitoring conducted in 2012<sup>45</sup> the Group presented the facts and egregious violations that had been discovered in the institutions under that Ministry. The violations committed in the care institution in the town of Byureghavan received significant public response. It is noteworthy that on the basis of media reports the police launched a criminal investigation against the principal of the Byureghavan boarding school on charges of embezzlement or misuse of funds through the abuse of official power. He was arrested on charges of embezzling a large amount of money.<sup>46</sup>

Helsinki Committee of Armenia pays much attention also to the issue of children's absenteeism from school. For the most part those children do not attend school owing to the family's bad socioeconomic situation and poverty.

45 <http://armhels.com/wp-content/uploads/2013/07/Zekuic-ARMENG.pdf/>

46 <http://hetq.am/arm/news/57543/byurexavani-gisherotik-dproci-nakhkin-tnoreny-kalanavorvel-e-khoshor-chaperov-gumar-yuracnelu-mexadranqov.html>,  
<http://armhels.com/2014/04/11/gisherotiki-sany-hastatum-e-erexaneri-cesi-entarkvelu-masin-texekutyunnery/>

They drop out of school to pick up a job and thus provide for their families. In the country's regions it is mostly children with disability who do not attend school because general-education schools are not adapted to their needs, while special education institutions are inaccessible because they are located far from those children's homes. Another reason is that many parents do not want to notify relevant entities that their children have disability.<sup>47</sup>

"Poverty and malnutrition of children are the main reasons why they are deprived of the right to education. In many cases, poor families pull out their children out of school only to send them to work; many [parents] coax children into begging. Besides, children are exposed to violence also at home," Anna Safarian, a staff member of the Human Rights Ombudsman's Office, said in an interview to Tert.am.

Vahan Tumasyan, a head of Shirak Center in Gyumri, points out that malnutrition is a number one problem for children in Gyumri as are the problems of education and homelessness. He also notes that it is for the most part single mothers who live in temporary housing and that many children do not continue their education and after they graduate from a secondary school. Those responsible for children's rights, such as custody and guardianship authorities, do not adequately protect children's rights.<sup>48</sup>

Only 10 percent of general-education schools in Armenia are officially recognized as inclusive. However, many schools that have been designated as inclusive are in fact not adapted for children with disabilities. 22 SEIs that are intended for children with different types of disability are still operational.

**Case 1. Basic school N 174 in Yerevan, which provides inclusive education, underwent major renovation in 2013 with funds allocated from the State budget. However, in the course of the renovation the school building was not adapted for children with disabilities. In particular, the ramp that was built does not meet relevant construction**

**standards, even toilets and doors are not accessible and the three-story building does not provide for free movement of children with disabilities. Thus, the Yerevan City Hall's actions have violated the rights of children with disabilities who attend the school every day.<sup>49</sup>**

**Case 2. In Demirchian secondary school N 139 in Yerevan an elementary military training teacher insulted and subjected to beating Shahen Harutyunyan for his political views. Shahen Harutyunyan is the son of Shant Harutyunyan, the Chairperson of Tseghakron (Nationalist-Religious) political party, who was arrested in the aftermath of the 5 November 2013 clashes with police. In response Shahen Harutyunyan hit the teacher (For more detailed information about Shahen Harutyunyan see "Political persecutions" section).**

**Case 3. A student was expelled from Shirakatsi School for possessing an iPhone. The child's mother said that last spring the school signed a contract with a mobile phone network operator, according to which all parents had to purchase the operator's cards for their children as well as Alcatel phones. In September 2014, her son took his iPhone to school one day instead of Alcatel phone. The high school principal demanded that the phone be handed over to him. The boy refused to do so. The child was suspended for 3 school days as punishment and then was expelled from the school on the grounds of disciplinary violations.<sup>50</sup>**

47 <http://armhels.com/2014/11/04/kwshik-chuni-dproc-chi-gnum/>

48 <http://armhels.com/2014/06/02/axqatutyun-terstnvsutyun-hay-manukneri-himnakan-xndimery/>,  
<http://armhels.com/2014/04/17/8-amyaghajnak-dproc-chi-hachaxum-noracinn-el-vkayakan-chuni/>

49 <http://armhels.com/2014/01/25/yerevani-qaghaqapetany-xaxtel-e-hashmandamutyun-unecogh-yerexaneri-iravunqnery/>

50 <http://www.aravot.am/2014/11/20/517042/>

# Protection of Labor Rights

In 2014, Helsinki Committee of Armenia conducted in the city of Yerevan a study on the right to work. Its findings are summed up in the Report **Labor rights in Yerevan: The law and practices in services sector**<sup>51</sup>.

About 60 employees of taxi services, large or medium-sized enterprises, supermarkets and taverns were involved in the study. In-depth interviews were conducted with those individuals on whether they have labor contracts as well as on working hours, wages, days off, vacations and other issues. The study identified numerous violations of labor rights.

## Labor contracts

All employees in taxi services and taverns and over a half of supermarket employees do not have labor contracts. However, some employees are registered in registration logs. In big businesses labor contracts are signed with most employees.

The majority of workers in all sectors are not aware of either labor contracts or registration logs. According to them, they obtain employment for the most part through verbal consent and agreement. Employees are skeptical whether they have or do not have a labor contract. Many of them consider the labor contract as a 'non-essential' document that can change nothing in the employee's life. The majority of them said that the most important thing is finding a job and *"when you find one, you do not pay any attention to what is written in the employment contract."* The employer acts on the principle "You don't want [a job]? You don't like the working conditions? Don't work then!"

Labor contracts are concluded only with very few employees in taxi services; even the contractually stipulated minimum wages are not paid. Taxi cab drivers give 50%-60% of their daily earnings to the owners of the service, according to a prior verbal agreement. Besides, they not only pay for fuel but also have to take care of the car maintenance.

In supermarkets, the employer has employees with labor contracts for a very good reason: during tax audits only those employees show up in the supermarkets.

## Probation, working hours, wages and additional remuneration

The concept of 'probation' is not used at all in taxi services and taverns. In various supermarkets, probation does not exceed the stipulated period of time (up to 3 months) and usually lasts from several days to one month. Employees are not remunerated during the probation period.

In taxi services, drivers' **working hours** are 12-14 hours a day on the average. Taxi drivers who are individual entrepreneurs work for more than 8 hours daily on their own initiative. In supermarkets, the **working hours** regimes can differ. In some supermarkets the employees are not required to work for more than 8 hours; however, they end up in the situations when they have to work for more than 8 hours. The rotating shift schedule does not apply equally to all employees. It is usually low-status employees with no connections who are assigned to work night shifts. The working hours of tavern employees are not regulated at all. If a tavern is open till midnight, their work

51 See: <http://armhels.com/publications/ashkhatanki-iravunky-yerevanum-orenky-ev-praktikan-tsarayutyun-neri-volortum/>

starts at 4:30 p.m. and ends at 12:00 a.m., in other instances the shift can be from 5:30 p.m. till 2 a.m. and sometimes it can be till 3 or even 4 a.m.

Taxicab drivers provide various and inconsistent information about their daily **income**. An average daily income is 10,000 AMD. To earn it taxi drivers have to work 16-18 hours.

The wage scale in different supermarkets is different. The wages of employees working the day and night shifts are also different. The salary range for day shift employees is 60,000-90,000 AMD, while that for night shift employees is 80,000-120,000 AMD. Some employees get paid at an hourly rate of 300-400 AMD, while the regular staff is paid by the number of working days of the month. Some supermarkets pay their employees bonuses.

There are absolutely no fixed wages for tavern employees. The employees' income comes from tips. Waiters' average wages is 2,000 to 3,000 AMD per day plus the tip, which is distributed in various taverns in various ways.

## Breaks, days off, vacations

The majority of employees in large companies have time set for a **break** (1 hour); others take a break during the day, when it is convenient. Drivers from taxi services and tavern employees take a break, when it is expedient.

The notions of a "vacation" or a "day off" are non-existent for taxi drivers.

There is no fixed time for break for supermarket employees, and that is a major problem. The interviewed employees pointed out that they *"are given a several minute break to eat virtually without taking a seat," "we have to request break time; there is no break during day hours but at night we have a 25-minute break," "there was no break; each employee would do what they could to make sure the*

*administration does not find out..."* In supermarkets, employees were for the most part given days off not on weekends; it is one day a week. As a rule, employees work without days off over the New Year period. Vacation is given only to main staff; however, it is not a paid vacation.

## Fines, demands and attitudes towards employees

The nature and size of **fines** varies from supermarket to supermarket. They are for the most part related to work duties and inter-personal relations. There are lists specifying the kinds and sizes of fines. An employee can be fined for not keeping the section clean, for not noticing that goods are past their expiry date, for being late or chewing gum, for reasons of hygiene, etc. For example, an employee is fined 500-1,000 AMD for being 5 minutes late for work, in another supermarket it is up to 5,000 AMD or the wages for the entire day is withheld. Employees are fined for failure to notice the goods that are past their expiry date. The supermarket employees have to sell imported goods with expiry dates changed in storehouses. As one interviewed employee put it, *"the good were periodically 'refreshed' in the storehouse."* Not infrequently the good with expired dates are forced on employees or their cost is deducted from employees' salaries. Employers threaten to sack employees, if those do not comply with their orders.

Employees often get involved in political processes following employers' orders, in particular, during the elections employees of all supermarkets "have" to ensure a fixed number of votes demanded by the employer.

**Case 1. Three employees who had worked in Karen Demirchian subway for 15 years were discharged on February 15 without prior warning, even though they had never**

**been reprimand in writing. The actual reason was that 2 days earlier they had taken part in a protest action held near the administrative building of the subway with a demand that money withheld from the January salaries for the mandatory funded pensions be returned.**

By the way, 2 days earlier Radio Liberty was alerted to the fact that the protest action participants had been threatened with dismissal. Samvel Mnatsakanian, the head of electro-mechanical unit, did not allow the Radio Liberty correspondent to talk with employees near Barekamutiun subway station and declared that rumours about dismissals were a lie. However, the very next day the three employees were dismissed following direct involvement of S. Mnatsakanian.

**It is noteworthy that so far the trade union of the subway has not reacted in any way to the dismissal.**

One of the members of the civil initiative "We are against the mandatory funded pensions" declared, "We qualify this as pressure on those individuals who stood up to defend their

rights. They did not commit any unlawful act. On the other hand, thereby through threats they want to stop those who have not come out to protest but can come out and to show that in case they come out to protest there is danger in defending their rights because they, too, will be dismissed. An end should be put to this climate of fear in our Republic."

**Case 2. Representatives of the National Security Service and officials from the RoA Ministry of Transport and Communications visited the Gyumri locomotive depot to "talk" to the employees of who had declared a warning strike. The Gyumri locomotive depot employees told reporters: "We have gone today on a 2-hour strike and immediately the KGB has come for us." The strikers' demand was that salaries be reviewed and raised<sup>52</sup>. The strikers were told that "the problem will not be solved through strikes and that strikes must not be organized."**

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52 See: galatv.am

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