



ARMENIA

Joint submission by a Group of Civil Society Organisations\* to the UN Human Rights Council 35th Session of the Universal Periodic Review (20 – 31 January 2020)

Yerevan, Armenia  
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Part I

**Preface**

This is a joint submission by a coalition of civil society actors with extensive experience in monitoring, documenting and reporting human rights violations in Armenia. The report covers the following areas: **justice, corruption and elections; anti-discrimination; freedom of assembly and association, of media; and protection of human rights defenders.** The report is prepared following broad consultations with all of the organisations and is based on the first-hand data collected during their monitoring and right protection work. Preparation of the report was supported and coordinated by the Open Society Foundations – Armenia.

In 2014, a group of civil society organisations submitted the report on Armenia’s implementation of the UPR recommendations alerting that the situation reported during the previous cycle had not improved but continued deteriorating. The human rights and democratic governance principles and practices took a serious dive as the former President Serzh Sargsyan decided not to sign the Association Agreement with the EU in 2013. Constitutional Amendments, adopted in 2015, institutionalised the decline of democracy and justice and took a heavy toll on anti-discrimination, anti-corruption and women’s rights. The guarantees of certain rights (namely, right to liberty, sufficient living standards, healthcare, access to information, working conditions, social security, confidentiality of correspondence, right to fair trial, presumption of innocence

and right to marry) overshadowed these critical changes and, most importantly, allowed Sargsyan, after his two terms as president, to claim the post of the prime minister, the highest office by the amended constitution. Moreover, right before the prime minister took office, a new legislation had been adopted granting the prime minister's office wide powers and minimising its accountability. The Police, National Security Service, Special Investigative Service, Investigation Committee, and State Control Service were to report solely to the prime minister.

Massive peaceful protests led by the opposition MP Nikol Pashinyan against Sargsyan's voting in as a prime minister resulted in Serzh Sargsyan's resigning from the office in April 2018, a week after the vote. In May 2018, following large-scale protests, the parliament elected Nikol Pashinyan as the prime minister. In December 2018, early parliamentary elections were held resulting in consolidating the results of the peaceful Revolution and the formerly ruling Republican Party of Armenia losing the legislative branch. Democratic changes in Armenia allow for higher expectations from the new government and the following report outlines the priority issues that should be resolved to reconcile with the human rights violations committed by the former government.

Since the Revolution in April 2018, some serious advancement has been registered in honouring and protecting rights. Specifically, for the first time in decades, Armenia had free and fair national elections, preceded by equally high-integrity Yerevan City Council elections. The right to freedom of expression and freedom of media have substantially improved in practice. The control over the Public TV broadcast substantially weakened. The authorities have declared and pursued zero tolerance towards corruption and have started addressing some systemic issues in a more systematic way by developing a robust anti-corruption strategy. There is a serious commitment of the authorities to improve the situation of mental health in the country by de-institutionalising the care and by securing the legal capacity of the patients. Palliative care has received government support and is expanding.

These democratic gains are encouraging. However, these are still thematic initiatives with limited intentions to institutionalise the change. Similarly, it is difficult to draw a clear and wholesome picture of the commitments taken by the new authorities with regards to human rights, as they have not published the new human rights strategy. Their inert position towards the right to be free from torture and ill-treatment and poor protection of the rights of LGBTI community representatives—a position characteristic to prior authorities—is concerning. To make the transition irreversible and to end systemic violations of human rights and impunity for such violations, systemic reform of the entire justice system, including prosecution and investigation services, penitentiary, and judiciary is urgently needed. And for this reform to be substantial and enduring, it should be informed by a profound revision of the past violations and of the state capture that allowed systemic injustice and corruption.

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