



INTERIM

REPORT

2019



**HUMAN
RIGHTS
HOUSE**
Yerevan

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Human Rights House Yerevan would like to acknowledge the following individuals for having participated in our interviews: Arsen Mkrтчyаn (attorney); Tatevik Aghabekyan (Sexual Assault Crisis Center); Gohar Shahnazaryan (Women’s Resource Center), Larisa Minasyan (Open Society Foundations – Armenia); Mamikon Hovsepyan (Pink Human Rights Defender NGO) and Zarouhi Mejloumyan (journalist, attorney).

Introduction

Monitoring of the conditions in which human rights work was carried out during the first 6 months of 2019, and more specifically in which human rights defenders worked, indicates of an increased rate of online threats of violence, hate speech and misinformation. The target of such online assaults were primarily women human rights defenders and defenders of LGBTI persons. The increase in targeting these human rights defenders is primarily related to manipulative tactics employed by groups and individuals affiliated with the ousted authorities, as well as by the Armenian Apostolic Church (its servants) engaging wide circles of the society around sensitive issues. More specifically, these groups and individuals have been portraying activities aimed at increasing human rights sensitivity as anti-national, against traditional family values, while at the same time portraying the current authorities as advocates of “unacceptable” values.

At the same time, we had already noted in our 2018 report that attorneys who had taken up defense of high profile former officials charged with criminal offences, experienced a surge of hatred and intolerance, a phenomenon that carried on in the first 6 months of 2019 as well, and resulted in even more adverse manifestations, such as physical stalking and harming the property of one such attorney. We have also documented for 2019 that environmental activists continued to be sued by a mining company for alleged defamation which created unfavorable conditions for their environmental work. In addition to this, without sufficient grounds one of the environmental activists was taken to the police station for an alleged suspicion of significant fraud. The subject of the suspicion was the fundraising event organized publically for the individuals carrying out protection of Amulsar Mountain.

Aside from targeting individual human rights defenders, activists and NGOs, the first half of 2019 was notable by an overall organized campaign against human rights work, most remarkably by a campaign against the Open Society Foundations – Armenia and its beneficiaries.

Parallel to presenting violations of the rights of human rights defenders, the report also touches upon the actions taken up by human rights defenders to protect their rights and the outcomes thereof. The report also features statements and recommendations published by Human Rights House Yerevan and other NGOs.

1. Women Human Rights Defenders – A Target of Hate Speech

1.1. A New Wave of Hate Speech against Woman Human Rights Defender, Lara Aharonian

In the first half of 2019, hate speech, threats of harassment and assault, insults and slander against women human rights defenders increased, especially online. Lara Aharonian, a defender of women's rights, has been a target of threats since 2013 primarily related to her expressed activeness in advocating for gender equality, women's sexual and reproductive health rights and women's rights in general. The new wave of hate speech and hostility against her erupted after her March 8 speech at an event called "Civil Society-National Assembly Partnership Platform for equal rights and opportunities for women and men." During this event, Lara Aharonian spoke of the necessity of incorporating into public policies the needs and interests of all groups of women, including poor, single mother, lesbian, trans and bisexual women, women with disabilities¹. Aharonian received, among other statements, threats of being murdered, raped, seeing family members harmed. "Those like her need to be burned on our fire of intolerance and denial," wrote Armen Haykyants, a professor of law with a PhD degree on his Facebook page.² Lara Aharonian believes that the aim of such threats is to silence her, as "in a patriarchal and conservative society a woman is not allowed to express her opinion about various topics."³

Lara Aharonian filed a report with the police of Armenia demanding that persons who had threatened her be identified and brought to criminal responsibility.⁴ In a conversation with us, Gohar Shahnazaryan, co-founder of Women's Resource Center said that preliminary investigation was still in progress and persons threatening were not yet identified. Lara Aharonian has also lodged civil suits against Hayeli.am and Livenews.am media websites, as well as Hayk Ayvazyan who made a statement that Lara Aharonian was 'engaged in molesting children' and the above-stated websites disseminated that information.⁵ These civil suits are currently in progress.

Local, regional and international NGOs, including Human Rights House Foundation (Oslo, Norway) have issued statements condemning the online assaults and hostility against Lara Aharonian and have called on the authorized bodies to take up necessary steps to safeguard the human rights defender's interests. While acknowledging the support of partners, including international organizations, Gohar Shahnazaryan states with regret that authorized bodies in Armenia are not adequately responding to the cases of harassment of human rights defenders, despite the fact that generally there are positive trends in the human rights protection area. The statement issued by Human Rights House Yerevan and the Coalition to Stop Violence against Women demanded from the state authorized bodies of Armenia, among others:

- **To carry out a due investigation of these cases, as well as to adopt a gender-sensitive policy with an emphasis on the need to comply with international norms.**⁶

1.2. “My Body is Private” Book Presentation Disruption as Part of the Campaign against Women Human Rights Defenders

On May 14 2019, “Bukinist” (“World of Books”) bookstore was hosting the inauguration of “My Body is Private” book’s publication. The book was published by the Sexual Assault Crisis Center for parents of children aged between 3 and 6. The discussion of the book was forcibly stopped due to the intervention of around 20-25 persons who raised a commotion and started shouting around. They claimed that the book was propagating perversion and was against the traditional Armenian family.⁷ Whereas the book, according to Tatevik Aghabekyan, Program Manager of the Crisis Center, was an attempt to help parents talk to their small children about bodily integrity. “We attach a great importance to speaking with small children about bodily integrity,” clarifies Tatevik.⁸ The commotion around the book was not limited to disrupting the book presentation and targeting the human rights defenders who were in support of the initiative, it also resulted in canceling other planned events, including a book presentation at “Khanko Aper” National Children’s Library.

Despite the fact that a criminal file was reported to the police for eggs thrown at event participants, Tatevik Aghabekyan notes that a criminal investigation was denied. She emphasizes that those events had a psychological toll on the staff of the Crisis Center, disrupted their normal work due to which they had to cancel a number of activities. Tatevik reports that for safety purposes, they had to remove or hide photos from their website and Facebook page of persons who had earlier participated in events organized by their Center.

In defense of “My Body is Private” book, Zarouhi Batoyan, Minister of Labor and Social Issues made a Facebook statement and condemned the attempt to disrupt the book presentation. In order to demonstrate that there is no speaking of preaching perversion, the Minister posted the photos of all the pages of the book and made it accessible to wider circles.⁹ After her Facebook post, she herself became a target of hate speech.

The issue did not sidestep Prime Minister Nikol Pashinyan. He made a statement that the commotion around the book forced him read it.¹⁰ He cited statistics on child molestation in Armenia and emphasized the significance of giving sexual education to children, to which this book serves. He also emphasized the importance of non-governmental organizations whose work is likely to have had a positive role in resulting in reduction of the number of sexual offences against children.

Commenting on the statement by Prime Minister Pashinyan, Tatevik Aghabekyan said that it had a positive influence by “subsiding emotions.” This is yet another indicator that the commotion was only a manipulation organized by certain groups and not a real public outcry. While at the same time, speaking of the new government in general, Tatevik valued the attitude of certain state officials, that being more inclined towards partnership and sensitive to the issues in this sphere.

A number of non-governmental organizations, including the Human Rights House Yerevan and Women’s Resource Center addressed the public and state authorities with a statement. Their call for the law enforcement bodies, specifically read:

- **Law enforcement bodies should give an appropriate criminal and legal assessment to what has happened by carrying out effective and objective investigation, while the government of Armenia should, inter alia, ensure an unobstructed environment for the work of human rights defenders.¹¹**

1.3. Zarouhi Mejloumyan, a Target of Hate Speech in Her Struggle of Raising Issues Related to Prisoners with Life Imprisonment

Zarouhi Mejloumyan, a journalist focusing on the issues of prisoners with whole-life orders, as well as a practicing attorney, became a target of hate speech, insults and threats at the beginning of 2019. This flare-up was due to her motion to petition a pardon to Mher Yenokyan serving a life sentence. The backlash intensified after information was leaked that the Pardon Consultative Committee had drafted a positive conclusion for the petition. Commenting on this, Zarouhi states: "Our rights started to be overly violated when the issue being discussed behind closed doors was illegally leaked (by the way, related only to Mher's case) from the Pardon Committee to a third party."¹² The pardon petition, eventually, received a negative conclusion by Prime Minister Nikol Pashinyan.

It is noteworthy that Zarouhi Mejloumyan and Mher Yenokyan contracted in marriage yet in 2013, however the fact of their marriage was made public in January 2019, which made her work as a journalist and an attorney even more difficult.¹³ Her preceding professional work of years aimed at raising the issues of prisoners serving life sentences was called personally-motivated, while Zarouhi started this work yet in 2010. Denying her bias towards this particular case, Zarouhi is stating that she has dealt with eleven similar cases, including that of Soghomon Kocharyan.¹⁴ Especially after the reopening of Soghomon Kocharyan's case, she became the target of the former government, while according to her, the current events around Mher Yenokyan are also largely an organized manipulation waged by the same political forces against the current government.

Aside from online assaults, Zarouhi alerts of having felt a real threat of physical violence. "I am walking in the street now and I don't know whether I will reach my destination or not," – says Zarouhi.¹⁵ For all the above-stated instances, Zarouhi reported to the police demanding investigation over a number of offenses against her involving crimes against human life and health, constitutional rights and freedoms, as well as illegal collection, storing, usage or dissemination of private or family life information (RA Criminal Code, Article 144). Criminal investigation for all these instances was denied. In a conversation with us, Zarouhi stated that these decisions were appealed in a court. The first instance court did not overturn the decisions of the investigative body. Zarouhi contends that they will appeal to all instances and will eventually turn to the European Court for Human Rights.

In defense of Zarouhi Mejloumyan, the Coalition to Stop Violence against Women issued a statement to which the Human Rights House Yerevan joined.¹⁶ In relation to the campaign waged against Zarouhi, assaults against her honor as a woman and reputation, the human rights organizations condemned these acts:

- **Finding it unacceptable to intervene into a woman's private life and targeting her in the public arena in a way that harms her dignity and good reputation.¹⁷**

2. Defenders of LGBTI Interests a Target of Hate and Threats of Violence

In a conversation with us, Mamikon Hovsepyan, Executive Director of Pink human rights defender organization commented on the changes recounted after the revolution. Despite hopes and expectations, according to him, no significant advances were recorded in terms of human rights protection. Civil society representatives are not sufficiently engaged in discussions, while suggestions for amendments in draft laws are mostly rejected. An example of this is the legal act on ensuring equal rights. According to Hovsepyan, one explanation for this is that civil society representatives have entered the current parliament and government who assure the human rights defenders that they are aware of the issues in the field and will reach solutions. The reality is different. Mamikon contends that after the revolution, human rights defenders and the civil society are generally passive. However, it is high time to act.

Speaking of harassment and pressures on the basis of sexual orientation and gender identity, Hovsepyan stated that more such incidents were recorded in the first half of this year compared to the same period last year. Between January and June 2019, 24 cases of offences on the basis of sexual orientation and (or) gender identity accompanied with discrimination were filed with Pink. This figure was 25 for the entire year of 2018.¹⁸ According to Hovsepyan, this can be explained by the inadequate response of the law enforcement bodies to such incidents. More specifically, in relation to the Shurnukh case,¹⁹ the law enforcement bodies did their best to make sure the case was "closed". In relation to Lilit Martirosyan, whose case will be elaborated below, no criminal investigation was initiated despite explicit threats, including a death threat while displaying a knife.

2.1. Harassment and Abuse of Lilit Martirosyan's Rights

2.1.1. Lilit Martirosyan's Speech at the National Assembly Followed by a Backlash

On April 5, 2019, parliamentary hearings were organized on the "Human Rights National Agenda" as part of the "UN Universal Periodic Review" during which various civil society representatives and human rights defenders took the floor, including Lilit Martirosyan, an openly transgender woman, chairperson of "Right Side" NGO. In her speech, Lilit highlighted the unique opportunity she received to present the historically continuous maltreatment of LGBTI community members and called on the new authorities to carry out legislative reforms aimed at ensuring gender equality.²⁰ Naira Zohrabyan from the Prosperous Armenia party who chairs the Standing Committee on Human rights and Public Issues immediately reacted to the speech with the following discriminatory statement: "You have violated our agenda; I find this simply a disrespect towards the Committee. You are not allowed to break the rules of the agenda that were set out clearly."²¹ In protest to this statement, Lilit Martirosyan and a number of human rights defenders left the auditorium. A strong backlash full of hate speech and threats of violence followed against the transgender woman, as did a new wave of hostility against LGBTI persons erupt.

Social and mass media started disseminating a video featuring a member of an alleged suicide killers' guerilla group called "Artsiv-30 Ararat" who called for a large-scale offensive against transgender persons, made a death threat presumably keeping in mind Lilit Martirosyan with the following statement: "If we beat one of those transgenders to death, don't make a murderer out of us."²² At another event, a plenary meeting of the "Union of War Veterans" (Yerkrapah Volunteers) where elections of President were taking place, union member Ararat Khandoyan made a motion to include the topic of "exterminating the LGBT community members" in the meeting agenda.²³

In speeches following the backlash against LGBTI persons, Prosperous Armenia Party members demonstrated remarkable discrimination. Vardan Ghukasyan, specifically, called on to burn LGBT persons and added that he was not afraid of being arrested.²⁴ Another Prosperous Armenia MP, Gevorg Petrosyan, made expressly negative remarks to the opportunity the transgender woman had received to speak from the National Assembly's floor, and reinstated his intention to bring a legislative initiative that would ban LGBT propaganda.²⁵ Head of the same party's fraction, Gagik Tsarukyan, reflected on these incidents and stated that it [a different sexual orientation] is a disorder and they were not going to allow it to be spread. As for the fact that Naira Zohrabyan and members of Prosperous Armenia party had made discriminatory remarks on Lilit Martirosyan's speech, all of them denied it and clarified that Naira Zohrabyan's discontent was due to deviation from the agenda.²⁶ Nonetheless, in one of her interviews, Naira Zohrabyan made a remark that Lilit Martirosyan's speech was an indecent act, a slap to the face of the Parliament.

Another MP, Sofia Hovsepyan, member of the "My Step" Coalition called people's backlash something logical as that scale of publicity of LGBT rights had led to the violation of the rights of others.²⁷ In relation to Lilit Martirosyan's speech that transgender persons are subject to violence, Marina Khachatryan, a former Yerevan Council member, now acting as an activist wrote on her Facebook page: "Now, this transgender person should be upset with her LGBT colleagues for being raped by them and should fight against these dirties", adding "Would a normal person do such things?"^{28, a}

2.1.2. Protests against Lilit Martirosyan's Speech

The online backlash against Lilit Martirosyan's speech on April 5, 2019 moved from the internet space to physical life in a short period of time. A number of people, including clergymen organized protests in front of the National Assembly against Lilit Martirosyan's speech and demanded a meeting with the secretariat of the National Assembly. Several of the above-mentioned MPs of the Prosperous Armenia party also joined them.²⁹ Priest Ter Ghazar, participant of the protests made remarks that Lilit's speech was aimed at polluting people, training them to profanity, profaning them. He called for fumigating the National Assembly's dais.

During the protests on April 5 speech, Aysor.am media website published an interview with a

^a It is noteworthy that in the case of Marina Khachatryan, when she was publicly assaulted by co-members of the Municipal Council of Yerevan on February 13, 2018, many organizations and individuals stood up to defend her. Despite this, Khachatryan has not spared occasions to express insults and hate speech towards human rights defenders, including those that had stood up for her rights. Marina Khachatryan was assaulted for her direct action during the Council meeting voicing on behalf of the local residents, of the unacceptable conditions in one of the residential districts where the sewage system of the adjacent Nubarashen prison was leaking.

participant of protests who was making murder threats to LGBT persons. This person picked out a knife and emulated beheading as a symbolic statement of his readiness to “dispose of sexual minorities.” Despite the fact that a report was filed with the Arabkir police station, criminal investigation was denied due to lack of criminal conduct.³⁰

Another protest was organized on April 12, 2019 in front of the Public TV and Radio Company by an initiative called ““Will” Initiative in Defense of Armenian Values.” The aim of the protest was to receive a clarification from the administration of the Public TV and Radio Company regarding the broadcasting of the transgender woman’s speech from the National Assembly’s floor on April 5. Continuing their protest, the participants marched to the UN and EU offices in Yerevan to voice their protest against their alleged attempts to intervene into Armenia’s internal affairs.³¹

2.1.3. Domestic and International Reaction to the Backlash against Lilit Martirosyan’s Speech

Lilit Martirosyan’s speech and the backlash that followed found a large resonance in the international community.

A joint statement was issued by the EU delegation and embassies of EU member states resident in Armenia. The joint statement specifically read that they “are gravely concerned with a number of recent cases where serious threats, including death threats, have been made against minorities and human rights defenders in Armenia. Hate speech, including death threats directed at Ms. Lilit Martirosyan, her colleagues and the LGBTI community as a whole represent the latest in this worrying trend and amount to discrimination prohibited under the European Convention on Human Rights and Fundamental Freedoms to which Armenia is party and which is reflected in the Constitution of Armenia.”³² In conclusion, the signatories called on all in Armenia who promote and believe in the universality of human rights to condemn hate speech and on law enforcement agencies to take urgent steps to guarantee the physical safety of Armenian citizens and to investigate allegations against those suspected of perpetrating hate crimes.³³

A statement was also issued by the UN resident office in Armenia by which they expressed concern over “the recent rise in hate speech and threats of violence against human rights and LGBTI activists” and called on the Armenian authorities to investigate and prosecute cases of harassment and abuse of LGBTI community members.³⁴ “Neither threats of violence nor any form of discrimination against any group or individual can be tolerated,” read a statement.

In response to the statement made by the resident diplomatic representations, the spokesperson of the Ministry of Foreign Affairs made a response on April 10, 2019.³⁵ The spokesperson highlighted that the Government of the Republic of Armenia fully adheres to its commitments to protect and promote human rights. The spokesperson then added that human rights, generally, are effectively protected if they become part of a social consensus and are perceived as universal social and moral values.³⁶ Taking note of that, the spokesperson said: “... Our international partners should demonstrate more respect and sensitivity towards the Armenian society and refrain from undue engagement in the public debate, even if they disagree with its tonality.”³⁷ This response resonated very negatively among Armenia’s civil society.

In the meanwhile, Pink together with Helsinki Citizens' Assembly-Vanadzor and Human Rights House Yerevan appealed to the Chairperson of the National Assembly of Armenia, Ararat Mirzoyan with the demand:

- **to establish an ad hoc ethics committee and discuss the statements made by Naira Zohrabyan, Gagik Tsarukyan, Gevorg Petrosyan and Vardan Ghukasyan as in violation of an MP's code of ethics.**^{38, b}

^b In a conversation with us, Mamikon Hovsepyan of Pink said that still months after the appeal was sent, no response has been received.

3. Campaign against the Civil Society

3.1. Slander and Fabricated Accusations against Open Society Foundations – Armenia

The first half of 2019 was remarkable with an organized campaign against civil society organizations. The primary target of the campaign were Open Society Foundations-Armenia (hereinafter, Foundation) and its beneficiary organizations. The campaign first started online when separate groups and individuals started spreading information in their social media pages and through media associated with them about certain NGOs, initiatives and individuals that had received funding from the Foundation, including the amount of funding, the goal, brief description of funded projects etc. The target were specifically the “Restart” student initiative, “Women’s Resource Center” NGO, PINK, as well as other NGOs and individuals. A number of high profile officials that had previously been engaged in various NGOs were also targeted. In relation to this, the current state, civic and political work of these officials was being presented as anti-national, anti-state and serving the interests of the Foundation. Amongst other statements, the individuals and NGOs that had received grants from the Foundation were called “sorosists”, “beings on sold”, “servants of Soros”, their activities were presented as against Armenian national and traditional values and in destruction of the Armenian family and society. It is interesting that some of these individuals making such “accusations” had received grants from the Foundation,³⁹ e.g. Hayk Babukhanyan, an ardent critic of the “Soros Foundation” and others.⁴⁰ Remarkable is the case of “Restart” student initiative accused of having received large amounts of grants, having used that funding for intervening in the life of Yerevan State University, however, as it turned out later, the university was a large recipient of the Foundation’s funding itself. Hayk Ayvazyan, Narek Samsonyan and Narek Malyan appeared to be most active speakers of ungrounded and defamatory statements in relation to the Foundation. “I declare the Soros Foundation a sponsor of perversion, child molestation and coup d’etat” wrote Hayk Ayvazyan on his FB page.⁴¹

Given that individuals and organizations were being targeted for having received funding from the Foundation and not using it in “national interests”, the foundation released a statement on March 4, 2019 in which it highlighted the false allegations against the Foundation and its civil society partners by “a certain segment of Armenia’s social and public discourse”. It called for a reasoned and informed dialogue and called the allegations against the Foundation a falsehood.⁴² With another statement released on May 31 2019, the Foundation condemned “the recent promotion of false allegations against the foundation by a small group of people who seek to destabilize Armenia and sow division.”⁴³ These falsehoods—which accuse us of everything from controlling the government to seeking violent clashes—are evidently ludicrous.”⁴⁴

Speaking about the situation around the foundation and the current situation of the civil society in Armenia, Larisa Minasyan, Executive Director of OSF-Armenia told us that while the limitations imposed on the work of human rights defenders in the past was a premediated policy on the part of the authorities, now it is an outcome of sabotage by revanchists, sponsored groups and forces. “The former authorities saw no danger, however the revolution has insulted and infuriated them,” said Minasyan. She continued, “Now those speaking and campaigning against human rights defenders

are directed both by foreign and domestic forces and have serious resources, including media resources.”

3.2. Protests in Front of the OSF-Armenia Office

The harassment campaign of the OSF-Armenia Foundations soon after being waged online transferred into the physical space. The so-called “VETO” movement members held protests in front of the office of the Foundation and in effect blocked its entrance. The protests started on May 31, 2019 and intermittently lasted until June 11. These protests disrupted the routine operation of the office, the free access of staff to the office facilities. Intrusion into the Foundation’s office facilities was only blocked due to police presence.

The protest actions continued on June 2019 again with the same demand to ban the operation of the Foundation in Armenia.⁴⁵ The participants of this small protest attempted to break through the police line-up and access the office site, due to which they clashed with the police forces. All this time, participants of the actions were making accusations that the Foundation was promoting religious conversion and national treason that they held a grip of leverages within the authorities.

Commenting on the actions carried out in front of OSF-Armenia’s office, Executive Director Larisa Minasyan stated that the actions disrupted their routine operation for three-four days. She added that despite the fact that they had not filed a report with the police; the latter were alerted in order to safeguard their safety.

In defense of the Foundation, a number of civil society organizations, more specifically, 66 signatories issued a joint statement.⁴⁶ In support of the Foundation, they stated that “the targeted nature of the actions by “a number of citizens” near the Foundation’s office, their provocations against police officers maintaining public order on the site, threats spelled out against OSF-Armenia staff, explicit manifestations of hate speech and calls for violence under the presence of national interest are unacceptable from the perspective of human rights. “Dissemination of fabricated information, allegations and other presumptuous accusations regarding the operation of the Foundation are an attempt to downplay the role and significance of civil society in human rights defense, formation of accountable and transparency governance to which the Foundation was in service.” In conclusion, they called on Armenia’s law enforcement bodies:

- **To take measures of maintaining public order, safeguarding the unobstructed movement of the Foundation’s staff and visitors, to prevent future possible infringements upon the life, health and property of people.**

4. Legal Suits and Online Harassment of Environmental Activists

“Lydian Armenia” private mining company started suing environmental activists still in 2018 and continued with more suits in the reporting period for alleged slander and staining of the business reputation of the company.⁴⁷ According to data presented at a press conference-discussion convened by Armenian Environmental Front civic initiative on May 24, 2019,⁴⁸ between June 2018 and May 2019, Lydian Armenia⁴⁹ filed 9 civic suits, of which 8 were related to defamation and staining business reputation. Lydian has sued both activists and Jermuk residents, namely, Levon Galstyan, Ani Khachatryan, Hayk Grigoryan, Nazeli Vardanyan, Shirak Buniatyan and Edmond Aghabekyan, as well as Sergey Bagratyan, a member of the parliament. It is noteworthy that the cases are not only related to public statements, but also posts by activists and local residents in social media. The company is demanding a compensation in the amount of 1mln AMD and public denial of their statements. In addition to this, for some of the cases the courts have satisfied motions for injunction, that being in the form of limiting expression of statements that may be defamatory and seizure of property.

In addition to these 8 cases, a collective suit was brought against 28 citizens, including Tehmine Yenokyan with a demand to compensate a loss of 80.000 USD. The claim was returned by the court due to incompliance with the law and not being corrected in due timing.⁵⁰

Reflecting on the defamation cases, Anna Shahnazaryan, member of the Armenian Environmental Front civic initiative states that in the context of environmental work they conduct, this can be viewed as an infringement upon environmental activists’ freedom of speech. Moreover, this can be viewed as a persecution of environmentalists given the current condition of the justice system in Armenia (added, being clear from bias and subjectivity). According to environmentalist Levon Galstyan, these defamation cases are also a means to exert psychological pressure on them, they also take much of their time, while lack of financial means to cover attorney costs places them in an even more difficult circumstance.^{51, 52}

In addition to court suits, the environmentalists are also harassed online. In a statement on fake profiles and pages in social media, Levon Galstyan specifies that the problem became more persistent starting May 2018, when newly created and non-identifiable users and pages started spreading fabricated and defamatory information about Amulsar protectors and activists. These users and profiles also disseminated fabricated videos “with an attempt to stain the environmental struggle.”⁵³

4.1. Infringement upon Environmental Rights Defender Anna Shahnazaryan’s Freedom

One of the more problematic issues recorded in the first half of 2019 was Anna Shahnazaryan’s arbitrary detention. On July 6, 2019, Anna Shahnazaryan was removed by police officers from the public area where fundraising was being organized for Amulsar protectors and she was taken to the police station on the grounds that she was suspected of financial fraud. A video released by Armenian Environmental Front shows that while detaining, the police officers did not present the legal grounds on which they were detaining Shahnazaryan.⁵⁴

In their statement released on July 7 2019, ArmeEcoFront called the actions of the police illegal and stated that they will take steps to ensure that "such a grave intervention into the lawful activities of environmentalists be punished."⁵⁵ The civic initiative group added that a fundraising in public spaces is not prohibited by law. Moreover, their activities were always public and transparent, they carried out environmental events and protection of environmental rights as volunteers, while the fundraising was organized in order to support Amulsar defenders.⁵⁶

The Police of Armenia made a clarification on 07.07.2019 in their official Facebook page that Anna Shahnazaryan, introduced as the initiator of the fundraising, did not present any document or permission therefore she was presented to the Central Police Station with a suspicion of fraud.⁵⁷

A public outcry followed this incident, immediately Facebook was filled with the news. State officials made statements on the extent to which the actions of the police were lawful and proportional. In a Facebook post on July 8 2019, Lena Nazaryan, Deputy Speaker of the National Assembly ("My Step") cast a doubt on the grounds for existence of fraud and the demand for documents and permissions. She wrote: "I am puzzled why such a known fact is not understandable at the police and why are citizens taken and kept [to police stations] for activities not prohibited by law."⁵⁸

After being released from the police station, Anna Shahnazaryan made a Facebook address, and presented the details of the incident. She said that she was kept at the police station for around 3 hours and the police were suspecting her of significantly large amounts of fraud (Article 178, Part 2 of the Criminal Code, Seizure or possession of rights over the property of somebody else through deceit or abuse of trust done in significantly large amounts). Shahnazaryan refused to testify, as the given situation was not understandable to her. She stressed that most problematic was the fact that while being detained, no reasons were provided to her. Despite the assurances of the Police that Shahnazaryan was not detained but was only 'presented' to the police, she believes that this was an infringement upon her rights and should have repercussions. She personally, and the Armenian Environmental Front she is part of, had previously organized similar fundraisers and had always transferred the collected money to persons engaged in protecting Amulsar Mountain and never had there been any suspicions of this activity. Anna Shahnazaryan states that this could indicate that state bodies lack an understanding of what kind of activities the environmentalists are engaged in.⁵⁹

In relation to this incident, Civil Society Institute's Artak Kirakosyan published a document on his Facebook page on August 28, 2019 that the police officers who had obstructed Anna Shahnazaryan's fundraising event and had taken her to the police station without sufficient grounds were held to disciplinary action for having failed in their functions.⁶⁰

The Human Rights House Yerevan emphasizes the need to ensure favorable conditions for the free activities of environmentalists and calls on authorized bodies:

- **To ensure that court trials and administrative proceedings in participation of environmentalists are carried out in an unbiased and objective manner without intervention from state or private parties;**
- **To refrain from any unlawful intervention into the activities of environmentalists, including their freedom of assembly and self-organization in any manner not prohibited by law. In case an intervention is made, carry out due investigation in order to identify those liable and hold**

them to liability;

- **To create favorable conditions for the free activities of environmentalists, ensure the participation of environmental activists in public policy making and administration in order to ensure transparency, publicity, accountability and public control.**

5. Hate Speech and Threats against Attorneys

We recorded an increase in hate speech, hostility, pressures, threats and insults against attorneys for 2018-2019 as reported in our Human Rights House Yerevan annual report 2018.⁶¹ The target of these attacks were specifically attorneys defending high profile former officials, including attorney Arsen Mkrtychyan defending Manvel Grigoryan, former Republican MP, head of “Yerkrapah Veterans’ Union”, Hayk Aloumyan defending second president of Armenia, Robert Kocharyan etc. While in the past, the targeting was carried out in the online space, at the beginning of 2019 one of the attorneys (Arsen Mkrtychyan) was persecuted physically, his freedom to move was obstructed and his property was damaged. A motion was once again brought to criminalize defamation, insult, explicit disrespectful attitude towards attorneys, as well as threats to their family members.⁶² The draft law, however, was not accepted allegedly because criminalization of insult towards one group would entail criminalization of insult in general.

5.1. Pressures against Attorney Arsen Mkrtychyan, Incidents of Obstructing His Work and Insulting Him

This incident took place on January 11, 2019 after the trial hearing of Manvel Grigoryan’s case, when protesters gathered at the court building blocked the road and obstructed Arsen Mkrtychyan’s car’s exit from the area. Only with the help of a few police officers was Mkrtychyan able to drive away, however the protesters managed to spray paint on his car. Some of them also spat in his direction while he was driving.⁶³ These actions were triggered by the court’s decision on December 21, 2018 to release Grigoryan from detention which subsequently caused the discontent of a segment of people.

A meeting was summoned on January 14, 2019 at the Chamber of advocates of Armenia, where the attorneys expressed their concern over the safety of their fellow attorneys.⁶⁴ According to them, such incidents were placing justice at risk.⁶⁵ Ara Zohrabyan, chairperson of the Chamber of Advocates, specifically stated: “We are especially worried by the fact that they have moved from verbal insults to actions. They have specifically spat on the attorney’s car. If we do not react, the next action is likely to be an assault against attorneys.”⁶⁶ In a press conference convened on the same day, Levon Baghdasaryan, another defender of Manvel Grigoryan, stated that the incident involving his colleague was a direct intervention into his defense work.⁶⁷

Attorney Arsen Mkrtychyan himself called it an act against justice, however opted not to take steps towards calling the assailants to responsibility, as, according to him, he was not going to give in to provocations.⁶⁸ In a conversation with us, he said that the wave of hatred against himself was due to the fact that the public was associating him with his defendant. The attorney also added that on those days many statements were made in his support, including an address by Nikol Pashinyan. He also said that the specific protestor who had threatened him and harmed his car apologized to him after Pashinyan’s speech. In the meanwhile, Prime Minister Nikol Pashinyan spoke of the inadmissibility of associating an attorney with their defendants and stressed the significant role attorneys have in achieving justice.⁶⁹

Highlighting the important role attorneys have in human rights protection and establishment of justice, Human Rights House is calling upon authorized institutions in Armenia:

- **To take measures aimed at raising the reputation of attorneys and awareness about their important role and mission in human rights defense and establishment of justice;**
- **To take measures aimed at preventing unduely and unlawful interventions into the work of attorneys, acts against their honor and dignity, as well as develop effective mechanisms of protection from such interventions and actions.**

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