

ARMENIA 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Armenia's constitution provides for a parliamentary republic with a unicameral legislature, the National Assembly (parliament). The prime minister, elected by parliament, heads the government; the president, also elected by parliament, largely performs a ceremonial role. During 2018 parliamentary elections, the My Step coalition, led by Acting Prime Minister Nikol Pashinyan, won 70 percent of the vote and an overwhelming majority of seats in parliament. According to the assessment of the international election observation mission under the umbrella of the Organization for Security and Cooperation in Europe, the parliamentary elections were held with respect for fundamental freedoms.

The national police force is responsible for internal security, while the National Security Service is responsible for national security, intelligence activities, and border control. The Special Investigative Service (SIS) is a separate agency specializing in preliminary investigation of cases involving suspected abuses by public officials. The Investigative Committee is responsible for conducting pretrial investigations into general civilian and military criminal cases and incorporates investigative services. The National Security Service and the police chiefs report directly to the prime minister and are appointed by the president upon the prime minister's recommendation. The cabinet appoints the heads of the Special Investigative Service and Investigative Committee upon the prime minister's recommendations. Civilian authorities maintained effective control over the security forces. Members of the security forces committed some abuses.

During 44 days of intensive fighting from September 27 to November 10 involving Armenia, Armenia-supported separatists, and Azerbaijan, significant casualties and atrocities were reported by all sides. After Azerbaijan, with Turkish support, re-established control over four surrounding territories controlled by separatists since 1994, a Russian-brokered ceasefire arrangement announced by Armenia and Azerbaijan on November 9 resulted in the peaceful transfer of control over three additional territories to Azerbaijan, as well as the introduction of Russian peacekeepers to the region. Since 1995 the final status of Nagorno-Karabakh has

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been the subject of international mediation by the cochairs of the Organization for Security and Cooperation in Europe's Minsk Group (the United States, France, and Russia). There was also an outbreak of violence with casualties along the international border between Armenia and Azerbaijan near Tavush from July 12 to July 16. Following the September 27 outbreak of hostilities, the government declared martial law under which restrictions were imposed on freedoms of expression, assembly, and movement. The restrictions were lifted December 2, and only provisions for partial mobilization of troops remained in effect at year's end. (See sections 1.a., 1.b., 1.c., 1.d., 5, and 6; and the *Country Reports on Human Rights Practices* for Azerbaijan for conflict-related abuses.)

Significant human rights issues included: torture; arbitrary detention, although with fewer reports than in 2019; harsh and potentially life-threatening prison conditions; serious problems with judicial independence; arbitrary interference with privacy; trafficking in persons; crimes involving violence or threats of violence targeting civil society figures and lesbian, gay, bisexual, transgender, or intersex persons; and use of the worst forms of child labor. Significant human rights issues connected with the Nagorno-Karabakh armed conflict included unlawful killings and civilian casualties.

The government took steps to investigate and punish alleged abuses by former and current government officials and law enforcement authorities. For example, throughout the year, an investigation continued into the culpability of former high-ranking government officials surrounding events that led to the deaths of eight civilians and two police officers during postelection protests in 2008.

Section 1. Respect for the Integrity of the Person, Including Freedom from

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

Human rights nongovernmental organizations (NGOs) continued to express

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concerns over noncombat deaths in the army and the failure of law enforcement bodies to conduct credible investigations into those deaths. During the year there were major personnel changes in the army, and some observers noted a drastic decrease of suicides in the army following the appointments as well as increased public attention to the problem.

According to civil society organizations and families of the victims, the practice of qualifying many noncombat deaths as suicides at the onset of investigations made it less likely that abuses would be uncovered and investigated. According to human rights lawyers, the biggest obstacle to investigation of military deaths was the destruction or nonpreservation of key evidence, both by the military command (in cases of internal investigations) and by the specific investigation body working on a case. In addition, human rights NGOs disagreed with the statistics on military deaths presented by the Prosecutor General's Office and the Ministry of Defense, citing arbitrary decision making as to whether the deaths were classified as related or not related to military service. They also decried the government's failure to provide the public with prompt and complete information on nonmilitary deaths. The NGO Helsinki Citizens Assembly-Vanadzor reported a doubling in the number of reported suicides in the army in the first half of the year, as compared with 2019.

On February 2, the family and community members of military conscript Vahram Avagyan, who allegedly committed suicide on January 30, attempted to bring his body to Yerevan and blocked the Armavir-Yerevan road in protest against the investigative body's declaration that Avagyan's death was a suicide. Following then minister of defense Davit Tonoyan's personal assurance that a proper investigation would be conducted and any culprits punished, the family returned to their village to hold the funeral. On the same day, the Investigative Committee reported the arrest of three of Avagyan's fellow conscripts--Davit Movsisyan, Khachik Gasparyan, and Spartak Avetisyan--on charges of violating statutory relations leading to grave consequences.

Responding to a question during a February 12 National Assembly session, Prime Minister Pashinyan stated that noncombat military deaths were caused by the continued existence of a criminal subculture throughout society. Human rights

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activists asserted, however, that the criminal subculture, which they agreed was prevalent in the military, was not created by conscripts but instead created and maintained by officers and commanders. Human rights NGOs reported that improvements to material conditions, food quality, and safety at duty locations were carried out prior to the September 27 to November 10 fighting but called on authorities to take concrete measures to punish those maintaining the criminal subculture.

On February 28, then deputy minister of defense Gabriel Balayan stated that human rights defenders' call on authorities to seek out elements of a criminal subculture among the command staff was destructive, averred that they revel at each new unfortunate event, and stated that law enforcement bodies would soon look into the organizations and their funding. On February 29, the NGO Human Rights House condemned Balayan's statements, called upon authorities to refrain from attempts to discredit human rights defenders and threaten them with legal action, to examine if there were grounds to discipline Balayan and have him issue an apology, and for the Defense Ministry to take measures to strengthen public oversight over the armed forces.

In response to continued demands from families whose sons died in the army under noncombat conditions, on August 3, Prime Minister Pashinyan signed a decree to form a working group to look into eight outstanding criminal cases. Consisting of three independent attorneys and three experts from the Ministry of Justice and the Prime Minister's Office, the group was reportedly granted full access to case materials without having to go through law enforcement structures that the families stated they do not trust. In October 2019 the government approved the *Judicial and Legal Reform Strategy for 2019-2023* and action plan for its implementation that envisage the creation of a fact-finding group to examine noncombat deaths, among other human rights problems. The action plan's deadline, however, for adopting relevant legislation and establishing the commission was not met.

During the 44 days of intensive fighting involving Armenia, Armenia-supported separatists, and Azerbaijan, there were credible reports of unlawful killings involving summary executions and civilian casualties (also see sections 1.b., 1.c., 1.d., 5, and 6; and the *Country Reports on Human Rights Practices* for

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Azerbaijan). The sides to the conflict submitted complaints to the European Court of Human Rights (ECHR) accusing each other of committing atrocities. The cases remained pending with the ECHR.

On December 10, Amnesty International issued a report based on 22 videos it had authenticated, out of dozens of videos circulating on social media depicting atrocities committed by both ethnic Armenians and Azerbaijanis. Among these 22 videos, the Amnesty report documented the cutting of an Azerbaijani border guard's throat while the guard was gagged and bound, and it assessed that the guard received a wound that led to his death. According to Amnesty, Azerbaijani media named the border guard as Ismail Irapov. Amnesty urged both countries to investigate what it described as "war crimes."

There were credible reports of Armenian or ethnic Armenian separatist forces and Azerbaijani forces firing weapons on residential areas and damaging civilian infrastructure with artillery, missiles, and cluster munitions. Such attacks resulted in significant civilian casualties.

For example, on October 4, Human Rights Watch reported "Armenian forces" struck Ganja, Azerbaijan's second largest city located about 28 miles from the areas involved in active fighting at the time. Azerbaijani government officials reported one civilian was killed and 32 injured as a result of the missile strike. On October 17, another Armenian missile struck Ganja, killing 14 civilians.

On October 30, Human Rights Watch reported that on October 28, Armenian or separatist forces fired cluster munitions from a Smerch installation, striking the Azerbaijani town of Barda, located approximately 10 miles east of the front. The Armenian Ministry of Defense denied allegations that Armenian forces had conducted the attack. It later published a list of military targets it claimed were located in Barda. The Azerbaijani government reported that 26 civilians were killed on October 27 and 28 in attacks on the city, including a humanitarian aid worker from Azerbaijan's Red Crescent Society, confirmed by the International Committee of the Red Cross.

On November 2, the office of the UN High Commissioner for Human Rights criticized continuing attacks in populated areas in and around the Nagorno-

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Karabakh conflict zone. High Commissioner Michelle Bachelet noted that “homes have been destroyed, streets reduced to rubble, and people forced to flee or seek safety in basements.”

On December 11, Human Rights Watch documented 11 incidents in which “Armenian forces” used ballistic missiles, unguided artillery rockets, and large-caliber artillery projectiles, which Human Rights Watch reported resulted in the deaths and injuries of dozens of civilians.

Authorities reported 75 ethnic Armenian civilians were killed and 167 were wounded during the fighting. The Azerbaijani government reported 98 civilians killed and more than 400 wounded during the conflict.

There also was an outbreak of violence--including the exchange of fire using heavy weaponry and deployment of drones--at the international border between Azerbaijan and Armenia from July 12 to July 16. Recurrent shooting along the Line of Contact caused civilian deaths.

There was no progress in the investigation into the 2018 death of Armen Aghajanyan, who was found hanged in the Nubarashen National Center for Mental Health where he had been transferred from Nubarashen Penitentiary for a psychological assessment. His family believed Aghajanyan was killed to prevent his identification of penitentiary guards who beat him prior to his transfer to the hospital. One of the alleged attackers, Major Armen Hovhannisyan, was initially charged with torture and falsification of documents, but the trial court requalified his actions as exceeding official authority and released him on the basis of a 2018 amnesty. During the year the family appealed the decision to the court of appeal with no success. The investigation into the death continued.

During the year hearings continued into a high-profile case against former officials for their alleged involvement in sending the military to break up protests following the 2008 presidential election, in which eight civilians and two police officers were killed. Charges filed in this and associated criminal cases included allegations of overthrowing the constitutional order, abuse and exceeding official authority, torture, complicity in bribery, official fraud, and falsification of evidence

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connected with the investigation of the 2008 postelection events.

High-profile suspects in the cases included former president Robert Kocharyan, former minister of defense Mikhail Harutyunyan, former deputy minister of defense Yuri Khachaturov, former defense minister Seyran Ohanyan, former chief of presidential staff Armen Gevorgyan, former police chief Alik Sargsyan, former prosecutor general Gevorg Kostanyan, and others. In July 2019 Kocharyan was charged with overthrowing the constitutional order in connection with the violent suppression of protests in 2008. On June 19, Kocharyan, who also faced corruption charges, was released after paying two billion drams bail (approximately four million dollars). As of May 19, the case against Gegham Petrosyan, a former deputy police commander charged in June 2019 with the murder of Zakar Hovhannisyan during suppression of the protests remained under investigation.

In September family members of victims of the postelection violence in 2008 announced they would refuse to attend further court hearings, given that two years into the trial, the court had not yet started discussing the merits of the case, following countless motions and appeals, often similar, by the defense. The families accused the defense of purposely dragging out the process and blamed the Prosecutor General's Office for turning the trial into a farce and not taking effective measures to move the case forward.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

The International Committee of the Red Cross (ICRC) processed cases of persons missing in connection with the Nagorno-Karabakh conflict and worked with the government to develop a consolidated list of missing persons. According to the ICRC, approximately 4,500 Armenians and Azerbaijanis remained unaccounted for as a result of the conflict in the 1990s. According to police, as of 2019 a total of 867 Armenians were missing from the conflict in the 1990s. On December 15, the ICRC reported it had received thousands of calls and visits from families of individuals missing and received hundreds of tracing requests for civilians and soldiers connected with the fall fighting. At year's end the government was

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working to clarify the number missing.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices. Nevertheless, there were reports that members of the security forces continued to torture or otherwise abuse individuals in their custody. According to human rights lawyers, while the criminal code defines and criminalizes torture, it does not criminalize other cruel, inhuman, and degrading treatment. There were no convictions of officials for torture since the 2015 adoption of a new definition of torture in the criminal code.

According to human rights activists, impunity for past instances of law enforcement abuse continued to contribute to the persistence of the problem. Furthermore, observers contended that the failure to prosecute past cases was linked to the lack of change in the composition of law enforcement bodies since the 2018 political transition, other than at the top leadership level.

On May 22, the Helsinki Citizens Assembly-Vanadzor published a report on torture and degrading treatment, the third of a series of reports on the human rights situation in the country under the state of emergency to combat COVID-19. In the period covered by the report (March 16 to May 16), the Helsinki Citizens Assembly-Vanadzor received eight complaints from citizens alleging police had subjected them to degrading treatment, torture, or physical and psychological violence. According to the report, these numbers exceeded the number of similar cases registered under normal circumstances and indicated that some police officers took advantage of their broadened authorities under the state of emergency. There were no reports of police officers being held responsible for these wrongdoings.

On September 13, weight-lifting champion Armen Ghazaryan filed a police report stating that police officers from Yerevan's Nor Nork district had kidnapped and tortured him. According to the report, which he provided to the media, on September 6, Ghazaryan was outside an acquaintance's home in Yerevan when he witnessed plainclothes police officers apprehending a person. When he asked the officers what they were doing, he was "kidnapped" by the officers in their personal

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car. According to Ghazaryan, they told him they would “break him too, fold him up,” while beating him and cursing. Ghazaryan said that he later discovered the officers had detained the other man due to a personal dispute involving one of the officers. While in the police station, Ghazaryan was beaten by a group of officers, heard sounds of beatings coming from another room, and was subjected to degrading and inhuman treatment. He said the beating made it hard for him to breathe and that he was not sure he would make it out of the station alive. He was released after three hours, after being forced to sign papers he was not permitted to read. A medical examination indicated chest and lung injuries. Ghazaryan reported that after he filed a police report, employees of the Nor Nork police department began pressuring him to recant his testimony, threatening to frame him if he did not. Ghazaryan said that he was more shocked by the level of impunity the officers believed they enjoyed than by the violence done to him. On September 17, the SIS announced that it had opened a criminal case on charges of torture and, on September 25, announced it had arrested three officers on torture charges and the department chief on charges of abuse of authority for trying to interfere with the internal investigation following Ghazaryan’s complaint. On December 15, SIS forwarded the case against the three officers, who remained under pretrial detention, to the trial court on charges of torture. On November 30, authorities dropped the charges against the chief of the department, citing his repentance.

There were reports of abuse in police stations, which, unlike prisons and police detention facilities, were not subject to public monitoring. Criminal justice bodies continued to rely on confessions and information obtained during questioning to secure convictions. According to human rights lawyers, procedural safeguards against mistreatment during police questioning, such as inadmissibility of evidence obtained through force or procedural violations, were insufficient. According to human rights lawyers, the videotaping in police stations was not effective in providing safeguards against abuse, given that the same police stations had control over the servers storing the recordings and were able to manipulate them.

There was no progress in the investigation of the April 2019 death of Edgar Tsatinyan, who died in a hospital after having been transferred from Yerevan’s Nor Nork Police Department, where he had been in custody. Tsatinyan died of a drug overdose after swallowing three grams of methamphetamine, with which police

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reportedly intended to frame him after he refused to confess to a murder. The investigation of the torture charges launched by SIS in April 2019 remained underway; no suspects had been identified as of year's end.

The trial of the former chief of the internal police troops, Lieutenant General Levon Yeranosyan, on charges of exceeding official authority committed with violence and leading to grave consequences during the 2018 postelection violence against protesters continued at year's end.

There were no reports regarding the scale of military hazing in the army and whether it constituted torture. According to the NGO Peace Dialogue, the lack of legislative clarity concerning the functions and powers of military police as well as a lack of civilian oversight mechanisms, made it possible for military police to employ torture and other forms of mistreatment against both witnesses and suspects in criminal cases.

On September 9, Syunik regional trial court judge Gnel Gasparyan made an unprecedented decision, ruling in the case of Artur Hakobyan that investigators had failed to carry out a proper investigation into Hakobyan's torture claims. The judge ruled that investigators should undertake a psychological assessment of the victims that adhered to provisions in the *Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, commonly known as the Istanbul Protocol. In 2015 Hakobyan had been released from the army early due to a mental disorder. According to his family and lawyer, Hakobyan was in good mental health before joining the army but experienced deep psychological trauma as a result of torture and abuse. In January 2019 the Court of Cassation recognized there had been a violation of Hakobyan's right to freedom from torture, but, up to the September 9 trial court decision, the case had been stalled due to continuing appeals and counterappeals.

There were credible reports that Armenian forces desecrated dead bodies of enemy soldiers connected with the Nagorno-Karabakh conflict (see section 1.a. and the *Country Reports on Human Rights Practices* for Azerbaijan). For example, on December 10, an Amnesty International report authenticated 22 of the dozens of videos circulating on social media, which--among other abuses--included the desecration of the dead bodies of enemy soldiers. According to the report, 11 of

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the videos showed what Amnesty termed “violations” by “Armenian forces.” In some videos ethnic Armenian soldiers were seen cutting the ear off a dead Azerbaijani soldier, dragging a dead Azerbaijani soldier across the ground by a rope tied around his feet, and standing on the corpse of an Azerbaijani soldier.

As of year’s end, authorities had not reported any arrests linked to alleged abuses.

Prison and Detention Center Conditions

Prison conditions were marked by poor sanitation, inadequate medical care, and predation by hierarchical criminal structures (“thieves-in-law”), and in some cases they were harsh and potentially life threatening. Overcrowding was no longer a problem at the prison level but still existed at the cell level in Nubarashen Prison.

Physical Conditions: According to the Prison Monitoring Group (PMG), a coalition of local NGOs, prison renovations underway since 2019 had not resulted in major improvements for inmates. Conditions in Nubarashen Prison, one of the country’s 12 penitentiaries, in some cases were harsh and potentially life threatening. Human rights observers and the PMG also continued to express concern regarding the physical conditions of Armavir Penitentiary, which did not have an air ventilation or cooling system, which allowed recorded cell temperatures as high as 113 degrees Fahrenheit in past summers. Some efforts were made to improve ventilation during the year, but they were piecemeal. On June 18, the minister of justice announced there was a criminal case in progress to investigate why a ventilation system had not been built, despite inclusion in the original Armavir construction plan.

According to the ombudsman and the PMG, impunity related to the deaths of inmates and the lack of a systemic approach to their prevention continued to be one of the most significant human rights problems in prison. There were no investigations into the circumstances of deaths due to illness, such as whether an illness was acquired due to incarceration or if the illness had been preventable or treatable. Nonetheless, the government reported improvements in medical treatment during the year, including more rapid access to treatment, and stated that despite COVID-19 risks, there were only five prison deaths (none due to COVID-

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19), in contrast to 21 deaths in 2019.

There was no progress in the government's investigation into the January 2019 death of Mher Yeghiazaryan, the deputy chairman of the Armenian Eagles: United Armenia Party, nine days after he ended a hunger strike at Nubareshen Prison.

The Ombudsman's Office and the PMG continued to note the need for better psychological services in prisons. According to the PMG, there was a shortage of psychologists on staff and hundreds of inmates in need of care. The PMG linked the absence of psychological care to numerous instances of self-mutilation and suicide. According to research published by the PMG on April 15, the number of patients per psychologist, overwhelming amounts of paperwork, and inappropriate working conditions, as well as the ambiguous role of prison psychologists, contributed to the failure of psychological services and led to burn out among the few existing specialists. The ombudsman criticized the practice of punishing inmates who self-mutilated instead of providing them with appropriate medical and psychological care.

The government reiterated its zero-tolerance policy towards corruption in prisons and expressed its determination to root out the organized hierarchical criminal structure dominating prison life, in which select inmates (called "watchers") at the top of the informal prison hierarchy controlled the inmate population and prison life. Serious gaps in prison staffing both led to and exacerbated the situation, as prison officials relied on the watchers to keep order.

According to some reports, the government's efforts to combat the criminal hierarchy at times led to the violation of prisoners' human rights. On August 24, the president of the NGO Journalists for Human Rights, Zhanna Alexanyan, reported that masked men had abused three inmates located in a cell at the Nubarashen Penitentiary. In later reports, the wife of one of those beaten said that approximately 10 to 12 masked persons used their hands, feet, batons, and a Taser to abuse the three inmates.

The Ministry of Justice spokesperson stated on August 24 that unplanned searches were occasionally carried out in the penitentiaries to find prohibited items and that penitentiaries had the right to use proportionate physical force in cases of

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noncompliance or obstruction of official legal demands. In response the Ombudsman's Office and the PMG visited inmates and reported violations of their rights, including numerous bodily injuries, which were initially recorded as resulting from falling from a bed. In a special report to the Ministry of Justice, the PMG noted this was one of the worst cases of inmate abuse it had witnessed in several years. The PMG also reported what it believed was a crime to the Prosecutor General's Office. On September 4, the PMG received information that SIS had open a criminal case into an incident of exceeding official authority with violence.

On August 31, SIS reported the arrest of former Nubarashen Penitentiary chief Samvel Mkrtchyan for his role in arranging and covering up the February attack on inmate Vahagn Abgaryan. Mkrtchyan was released on September 2 after a trial court refused to satisfy the SIS motion for pretrial detention. Mkrtchyan was charged with fraud and abuse of power for the February 24 beating of Abgaryan (reportedly a member of the criminal hierarchical system) by other inmates. To hide the circumstances of the attack, which according to earlier official reports was instigated by orders from "criminal authorities" from abroad, Mkrtchyan instructed employees to report that Abgaryan had slipped exiting the bathroom. Other penitentiary employees were also arrested in the case.

According to observers, political will at the highest level to eradicate corruption in the penitentiaries had not yet been translated into institutional change, despite the punishment of individual staff for corruption. Experts assessed that corruption was likely to continue as long as the criminal subculture continued to exist.

Since September 2019 the Penitentiary Medicine Center, a state noncommercial organization reporting to the Ministry of Justice, provided medical care in penitentiaries. Nevertheless, health-care services in prisons remained understaffed and poorly equipped, and there were problems with access to specialist care. There was also a shortage of specialized medication despite a threefold increase in the budget for medication in prisons since 2018. In some cases inmates had to rely on family members to bring them specific medications or medications that were more

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effective than ones provided by the penitentiaries.

Most prisons continued to lack accommodations for inmates with disabilities.

According to the PMG and other human rights organizations, lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals continued to experience the worst prison conditions. Prison administrators reinforced and condoned abusive treatment and held LGBTI individuals in segregated cells in significantly worse conditions. The PMG noted that homosexual men or those assumed to be homosexual, those associating with them, and inmates convicted of crimes such as rape, as well as those who refused to live by the “unwritten prison rules,” were segregated from other inmates and forced to perform humiliating tasks, such as cleaning toilets, picking up trash for other prisoners, and providing sexual services. Food preparation and cutlery for these prisoners was kept separate, they had a separate laundry machine, and even a separate solitary confinement cell.

On April 3, an advisor to the Prosecutor General’s Office announced that the prosecution would apply to the courts to change the detention measures of 20 defendants who were in a high-risk group for COVID-19 complications.

Administration: Authorities did not conduct prompt investigations into credible allegations of mistreatment.

Convicts and detainees did not always have reasonable access to visitors due to the lack of suitable space for visits. Visits during the year were also limited due to the COVID-19 pandemic.

Independent Monitoring: The government generally permitted domestic and international human rights groups, including the Council of Europe’s Committee for the Prevention of Torture, to monitor prison and detention center conditions, and they did so regularly. Authorities allowed monitors to speak privately with prisoners and permitted the ICRC to visit prisons and pretrial detention centers.

There were limits, however, to independent monitoring by domestic groups. The Ministry of Justice continued to deny PMG monitors access to those individuals in whose cases the investigation body had put a restriction on communication. The PMG was also unable to check the conditions of confinement for those individuals.

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The PMG asserted the restriction was arbitrary and that the investigation body's decision should not apply to the PMG. Furthermore, on November 19, the PMG criticized the Ministry of Justice for the March 20 adoption of a new decree regulating PMG activities, which contradicted prior agreements. According to a PMG statement, the decree added further restrictions to their activities, such as a new requirement to obtain permission from the prison administration before visits during nonworking hours.

Improvements: During the year the government finished a number of construction projects that improved prisons' physical conditions. These included the renovation of Armavir Prison's long-term visiting unit; capital renovation of the external sewage lines, bathrooms, and restrooms in Abovyan Prison and the hospital for inmates, including the construction of accessible bathrooms and restrooms; and capital renovation of the external drainage system at Kosh Prison and the cafeteria.

During the 2019-20 academic year, the Ministry of Justice Center for Legal Education and Rehabilitation Programs (CLERP) provided secondary education to 11 students at Abovyan and Armavir Prisons. After COVID-19 pandemic restrictions led authorities to stop providing in-person education, CLERP was retasked with providing online secondary education to inmates younger than 19.

The government made some progress in tackling corruption during the year and improved food provision in all penitentiaries. In January, to address corruption as well as staff shortages in prisons, the government increased the salaries of penitentiary officers by 30 percent. On January 22, the National Assembly adopted amendments to criminalize criminal subculture, also known as "thieves-in-law," a set of hierarchical criminal groups. Under the new law, "creating or leading a criminal subculture group" is punishable by five to 10 years in prison and confiscation of assets. "Membership" or "participation" in a group is punishable by four to eight years of imprisonment and possible confiscation of property. The definition of what constitutes a group is broad, allowing members to be arrested, even if they have not committed a crime.

During the year the prison food pilot program that was initially launched at two penitentiaries was expanded to cover all 12 penitentiaries in the country.

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According to the PMG, the quality of food provided to prisoners improved, with breakfasts, lunches, and dinners prepared daily on the premises of the penitentiaries by specialized chefs. To ensure variety, the contracted company offered a new menu every week, while maintaining the dietary quality, caloric value, and other criteria approved by prison wardens.

Observers reported significant improvements during the year in the early release and release on parole of prisoners sentenced to life imprisonment: 13 prisoners with life sentences were moved from high-security isolation wards to lower security wards (from closed to semiclosed type); eight were moved from semiclosed to semiopen facilities; and two were released on parole based on their good behavior while in prison.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. There were reports of arbitrary arrest during the year.

Arrest Procedures and Treatment of Detainees

By law an investigative body must either arrest or release individuals within three hours of taking them into custody. Within 72 hours the investigative body must release the arrested person or file charges and obtain a detention warrant from a judge. The law requires police to inform detainees of the reasons for their detention or arrest as well as their rights to remain silent, to legal representation, and to make a telephone call. Bail was a legal option. According to human rights lawyers, following the 2018 “Velvet Revolution” courts were initially less likely to apply pretrial detention, opting for other preventive measures such as bail and signed undertakings not to leave the country.

Since 2019, however, observers noted courts’ increasing tendency to fall back into the previous practice of applying pretrial detention, with suspects bearing the burden of proof to demonstrate they did not present a flight risk or would not hamper an investigation. Trial courts were more likely to deny bail and apply pretrial detention in ordinary criminal cases, while more frequently rejecting

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prosecution requests for pretrial detention in high-profile corruption cases involving former government officials, causing some observers to question the judges' impartiality. Experts also noted that in high-profile cases, the prosecution often failed to present compelling cases for detention to the courts.

Defendants were entitled to representation by an attorney from the moment of arrest, and the law provides for a public defender if the accused is indigent. According to human rights observers, few detainees were aware of their right to legal representation. Observers indicated police at times avoided granting individuals their due process rights by summoning and holding, rather than formally arresting, them under the pretext that they were material witnesses rather than suspects. Police were thereby able to question individuals without giving them the benefit of a defense attorney. This practice was particularly evident in the regions.

Armenian and Azerbaijani officials alleged that soldiers on both sides remained detained following intensive fighting in the fall (also see sections 1.a., 1.b., 1.c., and the *Country Reports on Human Rights Practices* for Azerbaijan). As of year's end, two exchanges resulted in the return of 57 ethnic Armenian detainees and 14 Azerbaijani detainees. ICRC representatives visited a number of the detainees and continued to work with the sides to develop accurate lists and encourage the exchange of remaining detainees.

Arbitrary Arrest: There were several reports of arbitrary arrest during the year. For example, on August 6, media outlets reported the detention and subsequent release of Helsinki Association for Human Rights chair Nina Karapetyants after she conducted a solo picket against the development of a gold mine, even though the state of emergency provisions did not prohibit solo actions. On the same day, police detained and later released a number of other human rights defenders and environmental activists, including the Helsinki Association's lawyer, Ara Gharagyozyan, and Coalition to Stop Violence against Women coordinator Zaruhi Hovhannisyan, for demonstrating against the mine. According to police, those detained failed to obey legal demands made by police. In its annual report, the Helsinki Committee of Armenia noted an increase in arrests at public assemblies in the July 2019-June 2020 period and criticized the authorities' decision to permit

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gatherings of up to five persons for cultural, entertainment, holiday, or commemorative events under COVID-19 emergency rules while not permitting groups of five for public protest.

Pretrial Detention: Lengthy pretrial detention remained a problem. Some observers saw investigators' use of excessive pretrial detention as a means of inducing defendants to confess or to reveal self-incriminating evidence.

Although the law requires prosecutors to present a well reasoned justification every two months for extending pretrial custody, judges routinely extended detention on unclear grounds. Authorities generally complied with the six-month limit in ordinary cases and a 12-month limit for serious crimes as the total time in pretrial detention. Once prosecutors forward their cases to court for trial, the law does not provide time limits on further detention but indicates only that a trial must be of "reasonable length." Prosecutors regularly requested and received trial postponements from judges. Prosecutors tended to blame trial delays on defense lawyers and their requests for more time to prepare a defense. Severely overburdened judicial dockets at all court levels also contributed to lengthy trials.

On January 21, the Ombudsman's Office released a special report on the lack of mechanisms to ensure court system accountability for compliance with time standards or to obtain redress if a trial has not met the reasonable timeframe requirement. According to the report, 2019 data from the Supreme Judicial Council indicated 155 criminal and 1,628 civil cases in Yerevan alone had continued for more than two years, some for more than 10 years. A total of 1,123 such cases were handled by just seven judges.

On June 1, media outlets reported Armen Ghazaryan was acquitted by the court of appeals after spending six years and three months in detention on charges of robbery, kidnapping, and battery. After six years in pretrial detention, trial court judge Gagik Petrosyan had convicted him and sentenced him to 6.5 years in prison.

Although on March 24 the Supreme Judicial Council ruled that measures such as the use of online communications tools must be adopted to ensure that trials continued during the COVID-19 pandemic, trial delays continued. According to the joint monitoring report of the NGOs Helsinki Association for Human Rights

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and Human Rights Power, a number of courts faced significant delays, apparently due to a lack of technical preparedness; the sessions that were delayed included those devoted to the discussion of urgent matters such as detention measures. The law does not allow for telecommunication measures in criminal cases, and according to observers, delays in such cases were mostly due to the failure of the judges and the prosecutors to appear in court.

Detainee's Ability to Challenge Lawfulness of Detention before a Court:

According to legal experts, suspects had no practical opportunities to appeal the legality of their arrests. In cases where the courts ruled on a pretrial detention, another court was unlikely to challenge its ruling.

e. Denial of Fair Public Trial

Although the law provides for an independent judiciary, the judiciary did not generally exhibit independence and impartiality. Popular trust in the impartiality of judges continued to plummet, while civil society organizations highlighted that the justice sector retained many officials who served the previous authorities and issued rulings consistently favorable to them. Corruption of judges remained a concern. During the year NGOs continued to report on judges who had acquired significant amounts of property and assets that were disproportionate to their salaries, and they noted that the absence of vetting of all standing judges based on objective criteria--particularly of those in the Supreme Judicial Council and Constitutional Court--undermined the integrity of the judiciary.

According to human rights lawyers and other observers, after the 2018 political transition, and on numerous occasions during the year, courts released from detention or refused to issue detention orders for former officials standing trial for major corruption, embezzlement, and other charges. These lawyers noted former president Robert Kocharyan was released on bail in June and that the former chief of the internal police troops, Lieutenant General Levon Yeranosyan, was released with a promise not to leave the country when they charged him with exceeding official authority. By contrast, less famous individuals have been held for lengthy periods in pretrial detention.

On April 20, a group of civil society organizations criticized the mechanisms to

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check the integrity of judicial candidates that were adopted by the National Assembly on March 25. According to the statement, the extremely limited scope of the integrity review was fundamentally disappointing, as it will be conducted only for candidates for Constitutional Court judgeships, prosecutors, or investigators, but not for serving judges, prosecutors, or investigators. The government responded that the mechanisms would enable a gradual transition.

Following widespread concerns about the impartiality of Constitutional Court judges appointed under the former regime, the National Assembly in June approved constitutional amendments requiring all Constitutional Court judges who had served 12 years or more to retire, while those who had not yet met the 12-year tenure limit would continue to serve on the court. Under the amendments, court chair Hrayr Tovmasyan--who was widely viewed as beholden to political interests--was forced to step down although he continued to serve as a judge on the court, not yet having reached the 12-year limit. Parliament adopted the constitutional amendments the day before receiving Venice Commission recommendations. The amendments were mostly in compliance with Venice Commission recommendations but lacked a transitional period for the dismissal of judges. On September 15, the National Assembly approved three new Constitutional Court members, despite civil society concerns, especially regarding Yervand Khundkaryan and the Corruption Prevention Commission's reported negative advisory opinion on him.

According to observers, administrative courts had relatively more internal independence but were understaffed and faced a long backlog.

Authorities enforced court orders.

NGOs reported judges routinely ignored defendants' claims that their testimony was coerced through physical abuse. Human rights observers continued to report concerns regarding the courts' reliance on evidence that defendants claimed was obtained under duress, especially when such evidence was the basis for a

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conviction.

Trial Procedures

The constitution and laws provide for the right to a fair and public trial, but the judiciary did not enforce this right.

The law provides for presumption of innocence, but suspects usually did not enjoy this right. During trials authorities informed defendants in detail of the charges against them, and the law requires the provision of free language interpretation when necessary. The law requires that most trials be public but permits exceptions, including in the interest of “morals,” national security, and the “protection of the private lives of the participants.” Defendants have the right to counsel of their own choosing, and the law requires the government to provide them with a public defender upon request. A shortage of defense lawyers sometimes led to denial of this right outside Yerevan.

According to human rights lawyers, in an illustrative example of a flawed trial, on September 23, *Forrights.am* reported that Tigran Badalyan, who had been in pretrial detention in Armavir Penitentiary for approximately a year, nailed his feet to the ground on the 29th day of a hunger strike he had undertaken to protest the charges against him. According to another media report, Badalyan allegedly found and sold five aluminum sheets in his village. He was later arrested and charged with stealing the aluminum and selling it for 15,000 drams (\$30) and stealing 10,000 drams (\$20) in cash from a neighbor. According to Badalyan’s lawyer, there was no evidence against Badalyan, no witnesses, and even the owner of the stolen cash and aluminum did not believe Badalyan was the culprit. According to the lawyer, police suspected him due to a prior conviction (unrelated to theft), for which he served a conditional sentence. On September 25, trial court judge Tatul Janibekyan found Badalyan guilty and sentenced him to four years in prison.

The law provides that defendants may confront witnesses, present evidence, and examine the government’s case in advance of a trial, but defendants and their attorneys had very little ability to challenge government witnesses or police, while courts tended to accept prosecution materials routinely. In particular the law prohibits police officers from testifying in their official capacities unless they were

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witnesses or victims in a case. Judges were reluctant to challenge police experts, hampering a defendant's ability to mount a credible defense. Judges' control over witness lists and over the determination of the relevance of potential witnesses in criminal cases also impeded the defense. Defense attorneys complained that judges at times did not allow them to request the attendance at trial of defense witnesses. According to lawyers and domestic and international human rights observers, including the Council of Europe's human rights commissioner, the prosecution retained a dominant position in the criminal justice system. Human rights organizations reported there were insufficient provisions for prosecutorial impartiality and accountability and no objective criteria for the nomination and selection of candidates for general prosecutor.

Defendants, prosecutors, and injured parties have the right to appeal a court verdict and often exercised it. In an example of a trial that even the victim's family deemed unjust to the accused, criminal proceedings--originally opened in 2013--against Karen Kungurtsev for the alleged killing of Davit Hovakimyan, continued during the year. A 2018 Court of Cassation order returned the case to trial court and released Kungurtsev on bail. Kungurtsev was originally acquitted in 2015, but in 2017 the criminal court of appeal reversed the acquittal and sentenced him to seven years in prison. The victim's family and the Helsinki Association for Human Rights continued to support Kungurtsev's claim of innocence, asserting that Hovakimyan's real killer was the son of a National Security Service (NSS) official who had used his position to influence police and prosecutors to investigate Kungurtsev. Since the resumption of the trial in 2018, two key witnesses in the case apologized to Kungurtsev and the victim's father for providing false testimony six years earlier under pressure from law enforcement officers and gave potentially exonerating testimony in support of Kungurtsev.

The prosecutor in charge of the current trial insisted on hearing all the witnesses in the case, which led to further delays as most of them were outside the country. According to Kungurtsev's lawyer, the two prosecutors in charge of the initial (preliminary) examination of the case failed to manage the investigation and trial correctly but were subsequently promoted to high positions within the prosecutorial system. He assessed the prosecutors were personally interested in

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pushing the case forward to avoid facing responsibility for their actions.

Political Prisoners and Detainees

There were no credible reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Although citizens had access to courts to file lawsuits seeking damages for alleged human rights violations, the courts were widely perceived as corrupt. Citizens also had the option of challenging in Constitutional Court the constitutionality of laws and legal acts that violated their fundamental rights and freedoms. According to lawyers, lower courts did not adhere to precedents set by the Court of Cassation, the ECHR, and the Constitutional Court. As a result, lower courts continued to carry out the same legal mistakes.

Citizens who exhaust domestic legal remedies may appeal cases involving alleged government violations of the European Convention on Human Rights to the ECHR. The government generally complied with ECHR awards of monetary compensation but did not meaningfully review cases on which the ECHR had ruled. When ruling on a case to which a prior ECHR decision applied, courts often did not follow the applicable ECHR precedent.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits unauthorized searches and provides for the rights to privacy and confidentiality of communications. Law enforcement organizations did not always abide by these prohibitions.

Authorities may not legally wiretap telephones, intercept correspondence, or conduct searches without obtaining the permission of a judge based on compelling evidence of criminal activity. The constitution, however, stipulates exceptions when confidentiality of communication may be restricted without a court order when necessary to protect state security and conditioned by the special status of those in communication. Although law enforcement bodies generally adhered to legal procedures, observers claimed that certain judges authorized wiretaps and

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other surveillance requests from the NSS and police without the compelling evidence required by law. By contrast there were no reports that courts violated legal procedures when responding to such authorization requests from the SIS, the Investigative Committee, and the State Revenue Committee.

On March 31, the National Assembly amended the law on the Legal Regime of State of Emergencies permitting the use of cell-phone data to track COVID-19 cases and requiring telecommunications companies to provide authorities with telephone records. Authorities may use the data to identify, isolate, require self-isolation, or monitor anyone infected with COVID-19 or those who have been in close contact with infected persons. Health-care providers are obliged to report data to authorities on “people tested, infected, persons having disease symptoms, persons treated in hospitals, or persons who had contacts with the patient.”

The amendments raised societal and international concerns about privacy as well as the security of collected data and questions about the identity of the software developers. According to a September 23 report on *Civilnet.am*, data tracking was suspended with the end of the state of emergency on September 11 and parliamentarians were notified to be present at the destruction of the digital data collected, scheduled by law to take place within two weeks after the end of the state of emergency.

Section 2. Respect for Civil Liberties, Including

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press; while the government generally respected this right, it restricted it in the COVID-19-related state of emergency and war-related declaration of martial law.

Freedom of Speech: Individuals were free to criticize the government without fear of reprisal. On April 15, the National Assembly amended the criminal code to criminalize public calls for violence. Penalties for violations include a fine of 50,000 or 100,000 drams (\$100 to \$200), detention for up to two months, or imprisonment for up to one month. The law is stricter for officials, who may be deprived of the right to hold office. Sexual and gender identity is not among the

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protected grounds enumerated in the law.

Freedom of Press and Media, Including Online Media: During the first month of the state of emergency introduced on March 16 to curb the COVID-19 pandemic, the government imposed restrictions on media, setting administrative fines for posting or publishing information on the pandemic that did not reflect reports from official government sources. The government justified the measure as needed to prevent panic and the potential spread of misinformation during the state of emergency. As a result, police officers conducted a spate of visits to the editorial offices of various media outlets, forcing them to remove certain articles under threat of fines.

Media representatives, along with local and international media watchdogs, criticized the move. The Organization for Security and Cooperation in Europe (OSCE) representative on freedom of the media stated: “Publishing only information provided by the authorities is a very restrictive measure which would limit freedom of the media and access to information disproportionately.” Similar views were expressed by Reporters without Borders, which stated, “control of information does not help in the fight against the epidemic but rather spreads gossip and fear.” On April 13, the government lifted all COVID-related restrictions on media.

Following the outbreak of fighting beginning September 27, the government declared martial law. Martial law restrictions included a requirement that local media outlets and broadcasters provide only official government information regarding military activity. Subsequent amendments adopted to the decree on martial law in October banned the publication of reports criticizing the government’s handling of the conflict, refuting actions of state and local government bodies and officials taken in the context of martial law and state security, and questioning or deprecating the effectiveness of those actions “in any way.”

Media outlets in general lacked diversity of political opinion and objective reporting. Private individuals or groups, most of whom were reportedly tied to the former authorities or the largest parliamentary opposition party, owned most broadcast media and newspapers, which tended to reflect the political leanings and

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financial interests of their proprietors. Broadcast media, particularly public television, remained one of the primary sources of news and information for the majority of the population. According to some media watchdogs, public television, which underwent leadership change during the year, continued to present news from a progovernment standpoint. On several occasions independent media experts expressed concern about cases of bias on public television, claiming such bias was especially obvious during critical political debates and coverage of developments. Nonetheless, public television was largely balanced and open and accessible to opposition voices and continued to cover more diverse topics of public interest than prior to the 2018 revolution.

Social media users freely expressed opinions concerning the government and former authorities on various social media platforms. Use of false social media accounts and attempts to manipulate media, however, continued to increase dramatically during the year. According to media watchdogs, individuals used manipulation technologies, including hybrid websites, controversial bloggers, “troll factories,” anonymous Telegram channels, and fictional Facebook groups and stories, to attack the government. There was a particular spike in misinformation on COVID-19-related topics, which led to stronger fact-checking efforts by a number of journals and other local organizations.

The country’s few independent media outlets, mostly online, were not self-sustainable and survived only through international donations and support, with limited revenues from advertising and subscription fees.

Media company ownership was mostly nontransparent. The country’s *Fourth Action Plan of Open-Government Partnership Initiative of the Republic of Armenia (2018-2020)* included commitments to improve ownership disclosure. The July 17 Law on Audiovisual media that replaced the Law on Television and Radio did not foster ownership transparency.

The government maintained a de facto monopoly on digital broadcasting multiplex, while most channels represented the views of the previous government. Some 10 regional television stations remained at risk of closure due to a drop in viewership and advertising. According to local media watchdogs, the July 17 Law on Audiovisual media did not provide a realistic path for the creation of private

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multiplexes, did not solve the issue of digital broadcasting for regional television stations, and did not reform outdated television licensing procedures.

Violence and Harassment: The local NGO Committee to Protect Freedom of Expression reported two cases of violence against reporters in the first nine months of the year. In one case, on June 16, journalists were injured in a scuffle near the NSS building. *News.am* news correspondent Liana Sargsyan, *Tert.am* journalist Ani Ghorgyan, *Yerkir.am* correspondent Tatik Kostandyan, Kentron TV journalist Arthur Hakobyan, and *MegaNews.am* website editor Margarita Davtyan said that they incurred injuries while covering a protest by supporters of Prosperous Armenia Party head and National Assembly member Gagik Tsarukyan in front of the NSS building. Local media organizations condemned the violence against media representatives performing their professional duties and demanded that police conduct an investigation into the incident. Since the events were taking place during the state of emergency to prevent the spread of COVID-19, media organizations urged outlets to refrain from exposing their staff to crowds while covering mass gatherings and to provide clear security instructions if this was not possible.

There were cases of current or former officials impeding the work of journalists or attempting to do so. For example, on August 8, former chief of police Vladimir Gasparyan obstructed the work of a Radio Free Europe/Radio Liberty Armenian Service crew working on a report about government plans to dismantle some private houses illegally constructed near Lake Sevan. Gasparyan, who was already facing charges for abuse of office, fraud, and embezzlement, drove his vehicle towards the two reporters and reportedly came close to hitting them as they filmed near the lakeside area where his house was located. Gasparyan then threatened the reporters, saying “I’ll shoot you” and “I’ll slaughter you.” Using epithets, the former police chief demanded that the reporters not show his house in their report. Police opened a criminal case into the incident on charges of obstructing journalistic activity.

On December 1, police reportedly interfered with the work of journalists and attempted to detain Yerkir Media TV cameraman Hayk Sukiasyan during a protest against the government’s agreement to a Russia-brokered peace agreement

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between Armenia and Azerbaijan.

There also were reports of intimidation of journalists by law enforcement bodies. For example, on July 3, police visited ArmNews and Channel 5 television stations, which were affiliated with the former government, purportedly with the aim of initiating administrative proceedings against them because their personnel were not wearing masks on air. Media watchdogs condemned the actions as abuse of power, exhorted law enforcement officials to refrain from interfering with media activities, advocated loosening pandemic-related restrictions on media outlets, and called on outlets not to violate state of emergency regulations, given their role in protecting the health of both the public and their employees.

Libel/Slander Laws: Media experts noted a decrease in the number of libel and defamation cases against media outlets by lawmakers, former officials, and others during the year. According to the Committee to Protect Freedom of Expression, 55 cases were filed with the courts during the first nine months of the year.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events, and the government expressly supported academic freedom.

Observers criticized some government officials for nepotism in connection with appointments to public educational institutions. One prominent case involved the appointment of Diana Galoyan as rector of the State University of Economics. After allegations arose that parts of her doctoral thesis were plagiarized, the Higher Qualifying Committee (the government body responsible for reviewing doctoral qualifications) overturned the 2015 decision granting her a doctorate. The previous acting rector resigned over a similar issue. The Higher Qualifying Committee chairman, Smbat Gogyan, asserted that the deputy minister of education acted as Galoyan's patron. Gogyan submitted his resignation over the

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case in May, but it was not accepted. On August 17, the Ministry of Education revoked the annulment of Galoyan's doctoral thesis and degree, thereby removing the obstacle to her appointment as rector.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association. The government generally respected these rights but restricted assembly under the COVID-19-related state of emergency and conflict-related imposition of martial law.

Freedom of Peaceful Assembly

Freedom of assembly was restricted during the state of emergency introduced on March 16 to curb the COVID-19 pandemic. The curbs remained in force until August 12, when the government lifted most restrictions on freedom of assembly, permitting demonstrations, marches, and rallies so long as participants wore masks and observed social distancing requirements.

Freedom of assembly also was restricted under martial law, which was imposed on September 27 after the outbreak of fighting with Azerbaijan. Martial law restrictions included a ban on rallies. Although the restrictions were officially lifted on December 2, on December 21, Goris mayor Arush Arushanyan was arrested on charges of organizing an illegal rally, according to his lawyer. Arushanyan had called on local citizens to block roads to the Syunik region to prevent a visit by the prime minister, as a result of which the official visit was curtailed. The following day Yerevan's trial court ruled the arrest unlawful, and Arushanyan was released.

From November 11 through the end of the year, the opposition held rallies and other protest actions throughout Yerevan demanding the resignation of Prime Minister Pashinyan. Prior to the lifting of the ban on assemblies on December 2, police occasionally detained opposition leaders and rally participants for violating martial law provisions. While some claimed the detentions were politically motivated, human rights NGOs largely dismissed the claims.

According to the monitoring report of the Helsinki Committee of Armenia, for the

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period from July 2019 through June, protection of freedom of assembly decreased compared with its monitoring report covering July 2018 to June 2019. According to the report, police actions were inconsistent in the strictness of their application of the ban on meetings and varied depending on who protest organizers were and the issue they raised. Separately, the report also noted that organizers and participants of certain rallies continued the use of hate speech aimed at a person's gender identity, sexual orientation, or religious views.

According to civil society organizations, there was no progress in establishing accountability for police use of disproportionate force against protesters during the largely peaceful protests of 2018.

Freedom of Association

The constitution and law provide this right, and the government generally respected it. The law limits the legal standing of NGOs to act on behalf of their beneficiaries in court to environmental issues. The limitations contradict a 2010 Constitutional Court decision that allowed all NGOs to have legal standing in court.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation; the government generally respected these rights but restricted them in response to the COVID-19 pandemic.

In-country movement: Through April 23, internal travel was restricted, with interregional travel banned and travel within cities permitted only for a limited number of reasons. Internal movement was subsequently not restricted.

Foreign Travel: On February 24, the government closed the country's border with Iran to individual travelers due to the COVID-19 epidemic. Armenia and

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Georgia jointly closed their border on March 14. Only citizens and a few restricted categories of foreigners were permitted to enter the country by air until the restriction was lifted on August 12. Land borders, however, remained closed through the end of the year. The entry restrictions and land border closure affected asylum seekers and refugees.

e. Status and Treatment of Internally Displaced Persons

As of December 2018, according to the Internal Displacement Monitoring Center, approximately 8,400 internally displaced persons (IDPs) of the estimated 65,000 households evacuated in 1988-94 were still living in displacement. Some of the country's IDPs and refugees lacked adequate housing and had limited economic opportunities. The government did not have specific programs and policies aimed at promoting the safe, voluntary, dignified return, resettlement, or local integration of IDPs. According to the government, the fall fighting displaced approximately 100,000 individuals, although some reportedly returned.

f. Protection of Refugees

Authorities cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to IDPs, refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: There were reports of nonsystemic discrimination in the acceptance of applications and in detention of asylum seekers based on the country of origin, race, or religion of the asylum seeker, as well as difficulties with integration. Civil society contacts reported discriminatory attitudes and suspicion directed towards foreign migrants seeking employment.

During the year, seven foreigners seeking asylum were arrested for illegal entry after crossing the border by land or air. Despite a provision in the law exempting asylum seekers from criminal liability for illegal border crossing, authorities required them to remain in detention pending the outcome of their asylum

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applications or to serve the remainder of their sentences.

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees. During the COVID-19 state of emergency, an electronic asylum system was introduced. While processing cases of individuals in detention was suspended, processing of other cases continued. Remote interpretation (partially funded by UNHCR) was made available when needed, and consideration of most asylum claims was reported to be fair. The law accounts for specific needs of children, persons with mental disabilities, and trauma survivors and allows detention centers to receive asylum applications. The law was generally enforced to the extent resources allow. Refugees who are not ethnic Armenians may apply for facilitated naturalization, which requires passing a constitutional knowledge test. Such citizenship, however, was rarely granted.

During the COVID-19 state of emergency, there were at least two cases in which individuals who sought asylum were turned away at the border crossing with Iran. As of year's end, 12 asylum seekers were detained, including four from Iran and two from Azerbaijan.

Shortcomings in asylum procedures included limited state funding for interpreters and deficiencies in training and capacity of eligibility determination officers, with no sustainable quality assurance mechanism and a lack of professional development of staff. Judicial practices continued to improve but were inconsistent; judges who received training on refugee and asylum law issued better quality decisions than those without such training. Asylum-related cases continued to be assigned to judges lacking in-depth knowledge of relevant law, in the absence of a system to assign specific cases to specialized judges. Judicial review remained a lengthy process as judges remained overloaded with cases. Outcomes depended upon individual judges, and there was a lack of consistency in decisions across judges. The courts generally drew more attention to the merit of asylum applications and used country of origin information more systematically than in prior years.

Authorities continued to offer ethnic Armenians from Syria who remained in the country a choice of protection options, including expedited naturalization, a

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residence permit, or refugee status. Quick naturalization gave persons displaced from Syria the same legal right to health care and most other social services as other citizens. Many of the countrywide reforms such as provision of increased social services, higher pensions, and more accessible health care also benefited refugees who became naturalized citizens.

While the quality of procedures and decision making for determination of refugee status improved over the last decade, concerns remained regarding adjudication of cases of asylum seekers of certain religious and gender profiles with non-Apostolic Christian and non-Armenian backgrounds.

Access to Basic Services: Many refugees were unable to work or receive an education while their cases worked their way through the legal system, despite legal provisions protecting these rights, due to a lack of job openings, difficulty in accessing opportunities, and language barriers.

Housing allocated to refugees was in limited supply, in poor condition, and remained, along with employment, refugees' greatest concern. During the COVID-19 pandemic, the close quarters in the refugee center (a housing facility where some asylum seekers were accommodated) also gave rise to fears of infection, although no COVID-19 cases were reported in the center during the year. Many displaced families relied on a rental subsidy program supported by UNHCR and diaspora organizations. Authorities operated an integration house with places for 29 refugees and offered refugees accommodation free of charge during the first months after they acquired refugee status. Language differences created barriers to employment, education, and access to services provided for by law.

During the COVID-19 state of emergency, restrictions on internal movement and the closure of in-person services at government offices hampered access to basic services for individuals whose documents expired during this time. Although the government declared that expired documents would be considered valid until the end of the state of emergency, no instructions were issued to state authorities, including those responsible for medical care, social protection, and education, to accept the expired documents. Delayed access to services continued until the State Migration Service instructed duty officers to issue refugee certificates. Although

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refugees and asylum seekers were instructed to apply for support programs that the government created to assist persons during the state of emergency, many were found ineligible for technical and other reasons. Obtaining COVID-19 tests was reportedly problematic, with some individuals paying for their own tests while others did not receive their results and had to be retested. A total of 16 refugees (who lived in apartments, not the reception center) had tested positive as of August 10. Access to education for many refugees became difficult after the government suspended in-person education in March. Due to a lack of devices to access online programs, UNHCR provided 166 tablet computers to facilitate distance education throughout the year. Children were able to view educational programs on television.

Durable Solutions: The government accepted refugees for resettlement and offered naturalization to refugees residing on its territory. The SMS also offered integration programs to returnees from Western European countries who either voluntarily returned or were deported by the host country. As of January 1, there were 1,319 refugees who fled from Azerbaijan during the Nagorno-Karabakh conflict in the late 1980s and early 1990s. In November 2019 the government allocated 1.5 billion drams (\$3.2 million) for permanent housing for up to 112 families who fled from Azerbaijan who were also granted citizenship along with the housing and thus no longer considered refugees. As of August, 106 applications had been approved and six refused. A second tranche of the program was approved in the spring for another 185 beneficiaries.

g. Stateless Persons

According to official data, as of August 10, there were 976 stateless persons, an increase from 929 in November 2019. The increase was believed to be related to the increasing number of citizens renouncing their Armenian citizenship with the aim of obtaining citizenship elsewhere, particularly in the Russian Federation. The whereabouts of these individuals was unknown, as many were believed likely to have entered the Russian Federation. There was no assessment to determine how many may have received another country's citizenship. Authorities also considered approximately 1,400 refugees from Azerbaijan to be stateless as of

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July.

The law provides for the provision of nationality to stateless children born on the country's territory.

Section 3. Freedom to Participate in the Political Process

The constitution and laws provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In 2018 the country held snap parliamentary elections, preceded by a short and heated, but free and competitive, campaign with generally equal opportunities for contestants. Nikol Pashinyan's My Step coalition won more than 70 percent of the vote and most seats in the National Assembly; the Prosperous Armenia and Bright Armenia parties also won seats, with 8.3 percent and 6.4 percent of the vote, respectively. The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) 2018 preliminary and March 2019 final reports noted, "Early parliamentary elections were held with respect for fundamental freedoms and enjoyed broad public trust that needs to be preserved through further electoral reforms...The general absence of electoral malfeasance, including of vote buying and pressure on voters, allowed for genuine competition." The final report noted, however, that although electoral stakeholders did not report any systematic efforts of vote buying and other electoral malfeasance, several interlocutors alleged that short-term contracting of a number of campaign workers and citizen observers was done, mainly by the Prosperous Armenia Party, possibly for the purpose of buying their votes.

ODIHR observers stated contestants "were able to conduct their campaigns freely; fundamental freedoms of association, assembly, expression and movement were fully respected." At the same time, they emphasized that disinformation, as well as inflammatory exchanges between some candidates, on social networks, were noted during the campaign. Among the few issues that marred the electoral process, the observers noted, "The integrity of campaign finance was undermined by a lack of

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regulation, accountability, and transparency.” For example, organizational expenses such as for office space, communication, transportation, and staff were not considered election-related and therefore could remain unreported, “undermining the credibility of the reporting system and the transparency of information available to election stakeholders.” Other shortcomings highlighted by OSCE observers included the narrow legal standing for submitting electoral complaints.

On June 18, the National Assembly adopted amendments to the electoral code and other relevant laws, which transitioned the system for local elections from majoritarian to proportional representation. The amendments apply to communities with more than 4,000 voters and multisettlement communities. The amended law was a result of cooperation between the government and all three parliamentary factions aimed at elevating the role of political parties at the local level and enhancing the scope for their participation and development.

Political participation was sometimes marred by mutual personal insults between members of the ruling My Step faction and some opposition parties, which at times were followed by violence. For example, on May 8, verbal altercations led to violence on the National Assembly floor when My Step member of parliament Sasun Mikaelyan hit Edmon Marukyan, chair of the opposition Bright Armenia faction, leading to a scuffle between members. The prime minister denounced the violent incident but blamed the opposition, stating it provoked the ruling faction and was serving the former administration’s interests.

Political Parties and Political Participation: The law does not restrict the registration or activity of political parties.

Participation of Women and Members of Minority Groups: No laws limit participation of women and members of minority groups in the political process, but the patriarchal nature of society inhibited large-scale participation by women in political and economic life and in decision-making positions in the public sector. Women held 7 percent of ministerial positions, 9 percent of elected seats in local legislatures, and 23 percent of the elected seats in parliament. There were no female governors in the country’s 10 regions; the first female mayor was elected in

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2018.

The OSCE's reports on the 2018 parliamentary elections noted all candidate lists met the 25 percent gender-quota requirement and that women accounted for 32 percent of the 1,444 total candidates. The OSCE stated, however, that this quota did not provide for the same proportion of representation of women in parliament, as one-half of the seats are distributed according to preferential votes. Parties rarely featured women candidates in their campaigns; women only occasionally campaigned on their own and rarely appeared as speakers in rallies. Female parliamentarians and other female officials often faced gender-related insults, rather than content-based criticism.

There are government-mandated seats in parliament for the country's four largest ethnic minorities: Yezidi, Kurdish, and the Assyrian and Russian communities. Four members of parliament represented these constituencies.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of official corruption. After the May 2018 "Velvet Revolution," the government opened investigations that revealed systemic corruption encompassing most areas of public and private life. The government launched numerous criminal cases against alleged corruption by former high-ranking government officials and their relatives, parliamentarians, the former presidents, and in a few instances, members of the judiciary and their relatives, with cases ranging from a few thousand to millions of dollars. Many of those cases continued as of year's end, and additional cases were reported regularly. The government also launched corruption-related cases against several current government officials.

Corruption: The country has a legacy of systemic corruption in many areas, including construction, mining, public administration, parliament, the judiciary, procurement practices, and provision of state assistance. There were allegations of embezzlement of state funds and involvement of government officials in questionable business activities. Combatting corruption continued to be a top

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priority for the government, and the government continued to take measures to eliminate corruption throughout the year. Authorities continued to adopt legal measures, such as civil forfeiture laws, integrity checks, new forms of asset declaration, and changes to the bank secrecy law, to institutionalize anticorruption measures. The government initiated criminal corruption cases in the tax and customs services, environmental and social affairs ministries, parliament's urban development committee, and the judiciary.

On July 17, the Supreme Judicial Council upheld the motions of the Prosecutor General's Office to detain Bankruptcy Court judges Ara Kubanyan and Gevorg Narinyan. Narinyan had been charged with multiple crimes, including illicit enrichment, money laundering, and presenting fake asset declarations, while Kubanyan had been charged with abuse of official authority. On July 21, the Supreme Judicial Council suspended the judges' authorities while the investigation continued.

According to the Prosecutor General's Office, as of June 30, enforcement bodies and tax services uncovered violations estimated to have caused 129 billion drams (almost \$267 million) in damages to the state as a result of embezzlement, abuse of power, illicit enrichment, and bribery. Of this amount, 25 billion drams (\$52 million) was reportedly paid to the state budget and assets in the amount of 26 billion drams (\$55 million) were frozen or seized. NGOs continued to raise concerns regarding insufficient transparency in this process.

During the year former officials made public announcements of their intent to return assets to the state, allegedly to avoid prosecution. The process and criteria by which the government accepted or negotiated such arrangements remained unclear.

In June the State Revenue Committee (SRC) announced several criminal cases had been opened against Mikayel Minasyan, former president Serzh Sargsyan's son-in-law, who served as Sargsyan's first deputy chief of staff and ambassador to the Vatican. In March he was charged with illicit enrichment, false asset disclosure, and money laundering. The SRC reported that Minasyan's asset declarations indicated a significant unexplainable increase in his wealth. Minasyan was also charged with receiving preferential tariffs for the sale of electricity from a

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hydroelectric power plant in which he had an ownership interest after regulations were changed to benefit him.

In December 2019 the NSS arrested Deputy Minister of Education, Science, Culture, and Sport Gevorg Loretsyan, a member of the prime minister's Civil Contract Party, as part of a corruption investigation. According to the NSS, Loretsyan, who coordinated the sports department within the ministry, helped an Armenian businessperson win government contracts for sportswear and sports equipment in exchange for a bribe. Loretsyan's case was forwarded to the court in September, and he remained under pretrial detention at year's end while the trial was in progress.

Financial Disclosure: The law requires high-ranking public officials and their families to file annual asset declarations, which were partially available to the public on the internet. The Commission on the Prevention of Corruption (CPC), which replaced the Ethics Commission for High-Ranking Officials in November 2019, conducts asset declaration analysis.

The CPC is broadly authorized to check the integrity of appointees to public positions, including candidates for the Constitutional Court, prosecutors, and investigators, but plays an advisory role. The CPC also supports development of anticorruption policy and conducts anticorruption awareness and training.

For several years a number of public officials, including judges and members of parliament and their spouses, disclosed large sums of unexplained income and assets including large personal gifts and proceeds from providing loans. After the 2018 change in government, authorities initiated several investigations of discrepancies or unexplained wealth identified in the declarations. In October 2019 the government adopted an anticorruption strategy that, among other actions, envisages the creation by 2021 of a separate special law enforcement body, the Anticorruption Committee, as well as specialized anticorruption courts.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of

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Human Rights

Following the 2018 change in government leadership, some civil society representatives joined the government. Others, however, continued to serve as watchdogs, scrutinizing the actions of the government. Domestic and international human rights groups generally operated without government restrictions, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. Civil society organizations considered the change in government a window of opportunity for closer collaboration. The initially high expectations, however, led to growing civil society criticism of government reforms, especially in the areas of law enforcement and the judiciary, where some observers argued that the slow speed of reforms not only allowed former regime representatives to enjoy continued impunity for past crimes, but also gave them the time to regroup and try to push back against reforms. On June 23, a group of prominent human rights and other civil society organizations released a statement urging the government to make an immediate assessment of past human rights violations and implement systemic changes to foster the administration of justice, separation of powers, judicial independence, and parliamentary oversight.

In a trend that increased dramatically in 2019 and grew rapidly throughout the year, human rights and other civil society organizations, and individual human rights advocates continued to be vilified and threatened, including via death threats. Some journalists who promoted democratic reforms also received threats. Such intimidation took several forms. In at least two cases, government officials threatened or vilified human rights protectors. On November 10, the offices of Radio Free Europe/Radio Liberty and the Open Society Foundation-Armenia (OSF) were ransacked; on November 13 the Helsinki Citizens Assembly Vanadzor (HCAV) office was attacked. Subsequently, NGO members reported increasing threats to their persons, while online users urged attacks on personnel “and not just offices.” In December a group of young persons entered the premises of the Article 3 Club (an organization that raises awareness of and promotes human rights), live-streaming as they insulted and intimidated those present. NGO members reported little was done to protect them. The intimidation also came from online trolls, media outlets, malign news outlets, and nationalist groups, many

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of which were affiliated with the former government and, some local experts alleged, Russian actors. The following were especially targeted: those promoting human rights, women's and children's rights, and deeper law enforcement and judicial reforms, particularly OSF.

According to civil society reports, the NSS harassed members of the Yezidi Center for Human Rights NGO and launched a criminal case on the basis of material that lawyers assessed as unsubstantiated. On December 5, the anti-OSF "Veto" movement published a video vilifying multiple human rights organizations, which was broadcast the same day by ArmNewsTV (a channel belonging to the opposition).

There was no strong government support for the role of human rights defenders and civil society more broadly, but there were occasional government efforts to push back against attacks on civil society. On December 29, parliament voted to end parliamentarian Naira Zohrabyan's chairmanship of the National Assembly's Human Rights Committee due to intolerant statements she made. On December 30, the ombudsman noted the increase in the number of "insults" directed at civil society at large and called on the government to protect them.

As a result of hate campaigns, increasing numbers of academics and other opinion makers became reluctant to voice their opinions in public, particularly online. As a result, constructive discourse around human rights and other important matters decreased. The government adopted legislation criminalizing public calls for violence. It did not, however, take any effective measures to prevent the increasing marginalization of civil society actors. Rather, on some occasions, officials' public comments contributed to the problem.

Government Human Rights Bodies: The Office of the Human Rights Defender (the ombudsperson) has a mandate to protect human rights and fundamental freedoms from abuse at all levels of government. The office improved its outreach to regions and collaboration with regional human rights protection organizations. The office continued to report a significant increase in the number of citizen complaints and visits, which it attributed to increased public expectations and trust in the institution. In December 2019 the government adopted the 2020-22 *National Strategy for Human Rights Protection* and related action plan and

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launched the *e-rights.am* portal as a public oversight tool.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape is a criminal offense, and conviction carries a maximum sentence of 15 years; general rape statutes apply to the prosecution of spousal rape. Domestic violence was prosecuted under general statutes dealing with violence and carried various sentences depending on the charge (murder, battery, light battery, rape, etc.). Law enforcement bodies did not effectively investigate or prosecute most allegations of domestic violence. Domestic violence against women was widespread and was exacerbated by COVID-19 restrictions on movement. According to some officials, the absence of a definition of domestic violence in the criminal code hampered their ability to fight domestic violence.

There were reports that police, especially outside Yerevan, were reluctant to act in cases of sexual and domestic violence and discouraged women from filing complaints. According to the Sexual Assault Crisis Center NGO, the investigation of sexual violence cases did not differ from the investigation of any other criminal case in terms of secrecy, investigator sensitivity, or number of interrogations, and survivors were obliged to testify or otherwise participate in investigations multiple times, including in face-to-face encounters with their abusers. In reports on standard forensic examinations into alleged rape, the expert reportedly addressed whether the subject was a virgin. Most domestic violence cases were considered by law as offenses of low or medium seriousness, and the government did not hire enough female police officers and investigators for fieldwork to address these crimes appropriately.

According to the NGO Women's Rights Center, during the COVID-19 state of emergency, cases of domestic violence increased; experts blamed the rise in part on social isolation. The persisting social stigma against seeking support, along with the inaccessibility of some support services during the pandemic, further worsened the situation. The Coalition to Stop Violence against Women registered

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an increase in calls to domestic violence hotlines and noted that the ban on public transportation during the state of emergency made it very difficult for some women to reach police precincts or support centers. In one case, a woman escaped from her husband, who had abused her for 25 years, without any money and approached a police officer on the street asking for help. He referred her to a police station without offering any assistance in reaching it. She only managed to reach a shelter after persuading a taxi driver to help her. According to the coalition, the incident demonstrated the need for more sensitivity training and referral mechanisms throughout the police force, especially for those patrolling the streets.

During the year a number of domestic violence cases captured widespread attention, leading to calls for stronger legislation against domestic violence. On March 5, media outlets reported the death of a woman at the hands of her partner in Gyumri. The perpetrator had also beaten the woman's 13-year-old daughter, who was hospitalized with numerous injuries and underwent a long recovery. Visiting the daughter in the hospital, Prime Minister Pashinyan commented, "many of us feel sorry for this girl and her murdered mother, but let's finally admit that this girl and her mother are also victims of the notion that violence in general and violence against women in particular can be justified."

Activists and NGOs that promoted gender equality were frequent targets of hate speech and criticized for allegedly breaking up "Armenian traditional families" and spreading "Western values." On July 7, a former police official, who was registered as a domestic violence offender, verbally assaulted a lawyer for the Women's Support Center and other employees after a civil case hearing. According to the NGO, there were no legal measures in place to protect the center's employees or to bring the offender to criminal responsibility.

The narrow definitions in the law combatting family violence prevented abuse survivors who were not married or in common law relationships with their partners from receiving protections and support under the law. During the year the government continued to support domestic violence victims' support centers throughout the country.

Sexual Harassment: Although the law addresses lewd acts and indecent behavior, it does not specifically prohibit sexual harassment. There are no criminal

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penalties or civil remedies for sexual harassment experienced in the workplace.

Observers believed sexual harassment of women in the workplace and the political arena was widespread and was not adequately addressed by the government, which did not have a functioning, all-encompassing labor inspectorate or other avenues to report such harassment.

Reproductive Rights: The law gives couples and individuals the right to decide the number, spacing, and timing of their children and to manage their reproductive health. They generally had the information to do so free from discrimination, coercion, or violence. Due to the patriarchal nature of Armenian society, however, the husband and his parents often sought to control decisions on the number, spacing, timing, and sex of a couple's children (see section 6, Gender-biased Sex Selection). Skilled attendance during childbirth was more accessible in large towns and other population centers where birthing facilities were located. There were no government programs to provide access to sexual and reproductive health services for survivors of sexual violence.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: Men and women enjoy equal legal status, but discrimination based on gender was a continuing problem in both the public and private sectors. There were reports of discrimination against women with respect to occupation, employment, and pay. Women remained underrepresented in leadership positions in all branches and at all levels of government. The law does not prohibit discrimination in access to credit based on sex.

Socioeconomic factors, women's household responsibilities, as well as a lack of opportunities for women to gain leadership skills played a role in limiting women's political participation, as did their lack of access to the informal, male-dominated communication networks that form the foundation of the country's politics. Women also lacked the necessary sponsorships and funds to build a political career. Even when elected, the visibility of female politicians was limited in the public domain. Women politicians and officials experienced severe hate speech

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targeting their gender.

Gender-biased Sex Selection: Despite legislative changes banning such practices and related public-awareness campaigns, data on newborns continued to indicate a skewed sex ratio. According to the Statistical Committee of Armenia, the boy to girl ratio at birth was 110 to 100 in 2019, a slight improvement from the 2018 ratio of 112 to 100. Women's rights groups considered sex-selective practices as part of a broader problem of gender inequality in the country. According to a household survey conducted from February to March by the Caucasus Research Resource Centers, for the first time, more than one-half of those questioned (55 percent) said they did not have a gender preference for a child if a family had one child, and 34 percent reported they would prefer a boy. These figures represented a significant change since the question was last asked in 2010, when 54 percent of respondents reported preferring a boy, while 35 percent said it "did not matter."

Children

Birth Registration: Children derive citizenship from one or both parents. A centralized system generated a medical certificate of birth to make avoidance of birth registration almost impossible. A low percentage of births were registered in Yezidi and Kurdish communities practicing homebirths.

Education: Although education is free and compulsory through grade 12, in practice it was not universal. Children from disadvantaged families and communities and children with disabilities lacked access to early learning programs despite government efforts to raise preschool enrollment. Slightly more than half of children between the ages of three and five benefited from preschool education, with far fewer in rural areas. Inclusive preschool education was limited to a few preschools located in the capital.

Enrollment and attendance rates for children from ethnic minority groups, in particular Yezidis, Kurds, and Molokans, were significantly lower than average, and dropout rates after the ninth grade were higher. Only a few schools throughout the country offered Yezidi, Assyrian, Kurdish, or Greek language classes at the primary and secondary level. These classes--not part of the formal academic curriculum--were not regulated. Yezidi parents, in particular, continued to

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complain that the classes did not adhere to any standards and were largely ineffective.

According to a December 2019 NGO report to the UN Committee on the Rights of the Child, most Yezidi children grew up speaking their native tongue and had little or no command of Armenian upon entering schools. The absence of preschool educational services in most Yezidi villages created problems for Yezidi children, who struggled in school and fell behind their Armenian-speaking classmates.

The COVID-19 global pandemic reduced access to education and exacerbated existing inequalities. Surveys indicated that more than 10 percent of the school-aged student population was likely left out of the educational process due to a lack of equipment, internet access, and tech-savvy teachers. Public criticism was directed at the government for providing insufficient online instruction or virtual learning alternatives and failure to include all students equally in the educational process, particularly students with disabilities. The government tried to make up for the gaps by offering training for teachers, finding resources for technical equipment, and offering additional instruction during the summer, but these efforts failed to close the learning gaps.

Two of every three children attended schools in earthquake-prone areas where school buildings did not comply with earthquake-resistant standards. To address the problem, the government introduced a new program for safer schools in 2019 and allocated funding for constructing 22 new small-size schools in rural or remote areas incorporating safety standards.

In a March 2019 report on monitoring the water and sanitation situation in 121 schools and 80 preschools throughout the country, the Ombudsman's Office raised concerns regarding poor sanitary conditions in many of the buildings and lack of accessible restrooms in most.

Child Abuse: According to observers, the government prioritized combatting violence against children and took steps to address it, although violence against children continued to be reported and gaps in both legislation and practice remained. In late August media outlets reported the hospitalization of seven children from one household, two of whom were gravely beaten while the others

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were poisoned by family members. One of the children, a six-year-old boy, died in the hospital from his injuries.

According to observers, psychological and physical violence were widely used to discipline both boys and girls, and there was a lack of state supported positive parenting programs. Indirect data showed that peer-to-peer violence was quite common in schools, with no mechanisms in place to address it. Gender inequality and stereotyping also contributed to violence against both girls and boys, and created barriers to access to justice for victims. Complex regulations on referrals and reporting within the child protection system, together with an unclear division of duties and responsibilities within the system, resulted in ineffective responses to violence against children. Despite the 2017 law on prevention of family violence, secondary legislation to ensure its implementation was still not in place.

According to observers, two-thirds of the sexual crimes in the country were committed against minors. According to official statistics, during the first six months of the year, the Investigative Committee examined 206 crimes against children, almost a quarter of which involved sexual violence. According to observers, however, the real picture of sexual violence was even worse, since the strong stigma around such violence led to nonreporting by victims and their families.

Child, Early, and Forced Marriage: The legal minimum age for marriage is 18. Early marriage of girls was reportedly widespread within Yezidi communities, and girls consequently left school. The government did not take measures to document the scale of the problem or address the practice.

Sexual Exploitation of Children: The law prohibits the sexual exploitation of children and provides for prison sentences of seven to 15 years for conviction of violations. Conviction for child pornography is punishable by imprisonment for up to seven years. The minimum age for consensual sex is 16. On June 18, the government established a referral mechanism for child victims of trafficking and exploitation.

According to NGOs, although official statistics showed relatively few cases of sexual exploitation and sale of children, there were numerous undetected and

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unreported cases caused by gaps in legislation, training, awareness raising, detection, and reporting.

Institutionalized Children: The closure and transformation of residential institutions for children in difficult life circumstances and those without parental care continued, with the government allocating resources for family support and prevention services. The government, with support from international organizations and other partners, decreased the number of children in institutional care from 2,400 in 2018 to 1,300 as of January. Most children returned to their biological or extended families, while a smaller number of children were provided with alternative family and community-based options.

Despite the decrease in the number of institutionalized children, the number of children with disabilities in residential and educational institutions remained high, and children with disabilities continued to be less able to access community-based and family-type care options. Nonresidential services for children with disabilities and expansion and accessibility for children and families remained a government priority.

The government continued support for the development of foster-care services. In part due to a fourfold increase in state funding for foster care in 2018, the number of foster families continued to increase, from 45 in 2018 to 75 as of August.

During the year the government made efforts to promote the emergency foster-care system to address the needs of children left without parental care in emergency situations, including due to COVID-19. The government, with UNICEF support, took efforts to prevent child abandonment due to disabilities.

In December 2019 the ombudsman published an ad hoc report on the right to be heard among children and legally incapable adults who were placed in psychiatric institutions. The report noted that the consent of an individual's legal representative was considered legally sufficient for children and incapable adults to be put into psychiatric care, including placement into a psychiatric hospital. As a result, the rights of such individuals to be heard and to give informed consent were violated. Due to legal gaps, there were frequent cases of persons who were officially kept in psychiatric hospitals "on a voluntary basis" due to the consent of

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their legal representatives, but who were in fact subjected to compulsory confinement. Legal regulations prevented them from obtaining a court decision for their treatment. Following the ombudsman's application, in February the Constitutional Court found that the failure to take the opinion of children and incapable adults into consideration when deciding on their placement in psychiatric institutions was unconstitutional.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

In November 2019 the NSS announced it had uncovered an organized crime ring that dealt in illegal adoption, resulting in the sale of more than 30 children to foreigners. According to the press release, the suspects used blackmail, coercion, and fraud to force mothers in vulnerable social situations to carry pregnancies to term and to give up their newborns. In some cases mothers were told that the children were born with grave health problems or were stillborn. The group first transferred the children to orphanages and then falsified documents to permit adoptions by foreign families (local law prioritizes local adoption). The investigation continued at year's end.

Anti-Semitism

Observers estimated the country's Jewish population at between 500 and 1,000 persons. Prior to fighting with Azerbaijan in the fall, no anti-Semitic acts had been reported, although some anti-Semitic comments appeared in social media, smearing government representatives and activists. The government did not condemn such anti-Semitic comments.

The fall fighting with Azerbaijan contributed to a rise in anti-Semitism, according to members of the Jewish community and other observers, who largely attributed this trend to the Azerbaijani use of Israeli-produced weapons. The number of anti-Semitic posts increased, according to members of the Jewish community and other observers. Members of the Jewish community also reported anti-Semitic

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comments directed at them on public transport. The Hebrew and Armenian sides of Yerevan's Joint Tragedies Memorial were defaced with paint on October 14 and burned on October 22. (Also see the Department of State's *International Religious Freedom Report*.)

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with any disability in employment, education, and access to health care and other state services, but discrimination remained a problem. The law and a special government decree require both new buildings and those that are renovated, including schools, to be accessible to persons with disabilities. Very few buildings or other facilities were accessible, even if newly constructed or renovated. Many public buildings, including schools and kindergartens, were inaccessible. This inaccessibility also prohibited persons with disabilities from voting since these buildings often served as polling stations during elections.

Through a process that included individuals with a range of disabilities as well as relevant NGOs, the government developed a new model for assessing a person's disability status based on a comprehensive assessment of their needs, rather than a strictly medical and social examination.

During the year the government expanded state disability assistance to include services provided by daycare centers, which the Coalition for Inclusive Legal Reforms considered an important step toward deinstitutionalization and promoted independent living for persons with disabilities. During the year, following an open competition, the government signed grant agreements with 12 NGOs (an increase from three in 2019) across a wider geographic area, to provide monthly care and social-integration services to 460 persons with disabilities, compared with 190 in 2019. According to the coalition, during the year more NGOs working on disability rights were involved in various public councils, including those under

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municipalities and ministries, thus creating more opportunities for the NGOs to participate in public decision making.

Although the law on general education provides for a transition from general education to inclusive education for children with disabilities by 2025, and despite the increasing trend towards inclusive education, practices continued to be fragmented and discriminatory and did not lead to an extensive and sustainable change of the education system and social norms. Many NGOs continued to report that schools lacked physical accessibility and accessible learning materials and made limited effort to provide reasonable accommodations for children with disabilities in mainstream schools.

The transition to distanced education during the COVID-19 pandemic set back the quality of education provided to children with disabilities who needed accommodation or educational support, in particular children with hearing, visual, and intellectual disabilities. Many children, suffering from a lack of appropriate technology, computer skills, or due to behavioral or other problems, were not able to participate in school programs from March through the end of the school year. Teachers did not have sufficient training to use alternative methods, and as a result, children with disabilities were largely left out of the educational process or did not receive adequate education. In-person classes resumed in the fall.

Persons with all types of disabilities continued to experience discrimination in every sphere, including access to health care, social and psychological rehabilitation, education, transportation, communication, employment, social protection, cultural events, and use of the internet. Lack of access to information and communications was a particularly significant problem for persons with sensory disabilities. Women with disabilities faced further discrimination, including in social acceptance and access to health and reproductive care, employment, and education.

Hospitals, residential care, and other facilities for persons with more significant

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disabilities remained substandard.

Members of National/Racial/Ethnic Minority Groups

Following the closure of borders between Armenia and Azerbaijan in 1991, inflammatory rhetoric and hate speech became increasingly prevalent, particularly as an entire generation grew up without interactions with the other side. During the intensive fighting involving Armenia, Armenia-supported separatists, and Azerbaijan from September 27 to November 10, atrocities were reportedly committed by all sides (see sections 1.a. and 1.c.).

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

Antidiscrimination laws do not extend protections to LGBTI persons on the basis of sexual orientation or gender identity. There were no hate crime laws or other criminal judicial mechanisms to aid in the prosecution of crimes against members of the LGBTI community. Societal discrimination based on sexual orientation and gender identity negatively affected all aspects of life, including employment, housing, family relations, and access to education and health care. Anti-LGBTI sentiments and calls for violence escalated during periods of political activism. Many politicians and public figures, in particular supporters of the former government, used anti-LGBTI rhetoric, often positioning LGBTI persons as a “threat to national security.” Transgender persons were especially vulnerable to physical and psychological abuse and harassment.

The COVID-19 crisis exacerbated the legal, social, and economic inequalities faced by LGBTI individuals. The majority of such persons were employed in the service sector or relied on street-based work or charity and lost their livelihoods during the state of emergency. This affected their access to food, accommodation, and other basic necessities. Some LGBTI individuals who had previously left abusive families risked homelessness, while others were locked down with family members who did not accept them. Many LGBTI individuals also found that they were unable to avail themselves of any of the various government programs to support vulnerable groups during the COVID-19 crisis while discrimination by

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health-care providers severely limited their access to health care.

Throughout the year the NGO PINK documented a total of 41 cases of direct and associated discrimination on grounds of sexual orientation and gender identity, as compared with 37 such cases throughout 2019. These included hate crimes such as physical violence, sexual violence, repeated psychological violence, and violation of property, as well as threats toward the life and health of a person. In most cases the victims did not seek help from law enforcement bodies or the courts, deeming such efforts ineffective since law enforcement was unlikely to respond.

The NGO New Generation reported 130 cases of alleged violations of the rights of LGBTI individuals during the year. The cases occurred in families (37 percent), the conscription process and military service (20 percent), labor relations within the service sector (20 percent), law enforcement (12 percent), and health services (11 percent).

In 2018 the NGO Right Side conducted the first survey on hate crimes against transgender persons, identifying 100 cases of hate-motivated violence in a 12-month period during 2016-17. Most incidents took place in public spaces, usually at night. Victims reported they were more likely to seek support from friends or LGBTI NGOs than from a victim support group or medical professionals. Only a small number of respondents said police were supportive. According to human rights groups, transgender women faced many barriers to accessing medical counseling and treatment, from lack of awareness to outright discrimination by medical personnel. Gender reassignment was not regulated as a health service in the country. As a result, transgender persons underwent reassignment surgeries secretly by doctors invited from abroad, with no further access to relevant medical services and rehabilitation care.

Domestic violence against LGBTI persons was reported during the year. Examples included a lesbian, G.L., who sought assistance from New Generation NGO in July. After her family learned the year before of her sexual orientation, her father beat her and kept her locked up. She managed to escape and eventually ended up at her aunt's house, but her father continued to threaten her. She appealed to police, who instructed her father to stay away from her. He continued to threaten her, leading her to escape to Yerevan. In another example, a

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transgender woman, G.K., reported in September that her family had subjected her to domestic violence due to her gender identity. She eventually left, living on the street until she managed to rent an apartment; however, she said the apartment owner evicted her upon learning she was transgender.

There was no progress in bringing to accountability the residents of Shurnukh village who attacked LGBTI activists in 2018. On August 4, the criminal court of appeal ruled that investigators had not carried out a proper investigation and had not taken into consideration the psychological suffering of the victims and the discriminatory nature of the crime; the court ordered that the case be reopened. As of early September, however, the prosecutor had not reopened the case, and investigators were not able to obtain psychological assessments of all of the victims (five of the nine victims had left the country).

On June 3, there was a similar attack on LGBTI friends at a country house in Yerevan's Shengavit district. One individual, A.A., received serious head wounds and reported the incident to police. After a forensic examination and a preliminary investigation, a criminal case was initially opened on July 6 under a minor charge. After a legal appeal to requalify the case as hooliganism (a more serious charge), the case was sent back for a new investigation.

Openly gay men are exempt from military service. An exemption, however, requires a medical finding based on a psychological examination indicating an individual has a mental disorder; this information appears in the individual's personal identification documents and is an obstacle to employment and obtaining a driver's license. Gay men who served in the army reportedly faced physical and psychological abuse as well as blackmail by fellow soldiers and the command. In an example, when fellow soldiers discovered a gay man's sexual orientation, they subjected him to harassment. He turned to the New Generation NGO for help on March 31, which appealed to the Defense Ministry to exempt him from service. His case continued at year's end.

In March 2019 *Epress.am* published the story of A.A., detailing his account of getting an exemption from military service due to his sexual orientation. The experience included a mandatory check in a psychiatric hospital that violated his confidentiality as well as physical violence at the final round of examination, when

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the examination committee head, Henrik Muradyan, verbally assaulted A.A. and hit him in the face while the 15-person committee verbally abused him. A.A. received a formal diagnosis of having a psychiatric illness. Observers noted that diagnosis codes used in these cases are codes for actual psychiatric diseases--such as schizophrenia or cerebral cortex damage--that, while relieving men from mandatory military service, also impose a number of legal limitations.

HIV and AIDS Social Stigma

According to human rights groups, persons regarded as vulnerable to HIV/AIDS, such as sex workers (including transgender sex workers) and drug users, faced discrimination and violence from society as well as mistreatment by police. Such discrimination was especially noticeable when HIV-positive persons sought medical care.

On April 29, the NGO New Generation reported the case of a person with HIV who was denied surgical care in Izmirlyan Hospital on March 16. Although the patient's doctor classified the case as urgent, he refused to hospitalize the patient. As it was explained to the patient, hospital management requires the isolation of persons with HIV and the lack of an unoccupied bed at the time did not allow them to provide the needed care. The individual later received treatment at a different hospital. Responding to information sent by the NGO, the Health and Labor Inspection Body inspected Izmirlyan Hospital, registered violations, and issued an order to introduce procedures to comply with legislation within 30 days. According to a 2018 UN Human Rights Council report by the rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, stigma and discrimination in health-care settings were major barriers to accessing treatment and services for persons with HIV/AIDS. According to Real World, Real People, women with HIV/AIDSs faced double discrimination and were more at risk of becoming the subject of physical and psychological violence in their families.

According to the Coalition to Stop Violence against Women, the COVID-19 pandemic complicated access to health services for HIV-positive persons, since most hospitals providing multiprofile services to HIV-positive persons were repurposed to treat COVID-19 patients only. Restrictions on movement during the

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early months of the COVID-19 state of emergency also made it impossible for some pregnant women with HIV/AIDS to obtain care, since only one hospital in the country (in Yerevan) provided prenatal care and childbirth services to such women.

Promotion of Acts of Discrimination

Certain groups and individuals as well as online and broadcast media, predominantly connected to the former regime, promoted acts of discrimination targeting government officials, LGBTI individuals, members of religious minorities, individual civil society representatives, foundations, and human rights defenders. Some of these groups aimed to discredit human rights work and democratic values in general and to silence human rights defenders' voices in particular. Civil society activists noted that antidemocratic activists appeared to target individuals one at a time with overwhelming amounts of hate speech and posted photographs online to indicate that the individual was being monitored. This caused some individuals to stop contributing to online fora. The government did not take effective measures to counter such campaigns and at times fed into the narratives promoted by the hate groups.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of all workers to form and to join independent unions, except for noncivilian personnel of the armed forces and law enforcement agencies. The law also provides for the right to strike, with the same exceptions, and permits collective bargaining. The law mandates seven days' notification and mandatory mediation before a strike as well as the agreement of two-thirds of the workforce obtained in a secret vote. The law stipulates that worker rights may not be restricted because of membership in a union. The list of justifiable grounds for firing a worker, enumerated in the labor code, does not include union activity.

During the year the Health and Labor Inspection Body (HLIB) began exercising its authority to conduct preplanned inspections in four areas under its mandate: sanitary-epidemiological safety, health care and services, pharmaceuticals, as well

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as the worker occupational safety and health and protection of the labor rights of minors sections of the labor code. The HLIB conducted 27 inspections in the mining sector. Penalties for violations were commensurate with those for other denials of civil rights. In December 2019 the National Assembly adopted changes to the labor code reviving the state oversight function of the HLIB over the full scope of labor legislation, to come into effect in July 2021.

In July the government approved the hiring of an additional 80 inspectors to start in April 2021. Of the total 340 staff, plans call for 84 to carry out inspections pertaining to the labor code starting in July 2021.

In response to the COVID-19 pandemic, on April 29, the National Assembly amended the labor code to allow the HLIB to carry out full oversight of the labor code during the prevention or elimination of natural disasters, technological accidents, epidemics, accidents, fires and other emergencies. The amendments also provide other protections of worker rights, including regulations covering telework and related wage issues. These changes, as well as amendments to HLIB bylaws from July 3, allowed the HLIB to act upon labor law violations based on written complaints.

During the COVID-19 state of emergency, the HLIB and other state inspection bodies were tasked with carrying out numerous daily inspections to ensure compliance with regulations to prevent disease transmission. All such inspections were related to the enforcement of the health and safety of the employees as mandated by the warden's office; however, inspectors acted on labor code violations if any were uncovered during the COVID-19 visits.

Labor organizations remained weak because of employer resistance, high unemployment, and poor economic conditions; however, the HLIB acted to strengthen labor unions by promoting a stronger labor union inside its structure. Experts reported that the right to strike, although provided in the constitution, was difficult to realize due to mediation and voting requirements.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced and compulsory labor,

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although it does not define forced labor. The government did not effectively enforce the law. Prosecutions were not proactive and heavily relied on victim self-identification; the most recent labor-trafficking conviction was in 2014. Resources, inspections, and remediation were inadequate to identify forced labor cases at large due to the lack of an effective labor inspection mechanism. Penalties for labor-trafficking violations were commensurate with those for other serious crimes but were seldom applied.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all of the worst forms of child labor. In most cases the minimum age for employment is 16, but children may work from age 14 with permission of a parent or a guardian. The law allows children younger than 14 to work in the entertainment sector. The maximum duration of the workweek is 24 hours for children who are 14 to 16 and 36 hours for children who are 16 to 18. Persons younger than 18 may not work overtime; in harmful, strenuous, or dangerous conditions; at night; or on holidays. Authorities did not effectively enforce applicable laws. Penalties for violations were commensurate with those for other serious crimes but were not sufficient to compel compliance. The absence of unannounced inspections impeded the enforcement of child labor laws. During the year the HLIB examined several cases of child labor and issued a fine in one case of a minor younger than 14 working in a bakery.

Children younger than age 14 worked in a variety of industries, including agriculture, construction, and begging. Children living in rural areas were more vulnerable to forced labor in the agricultural sector. In addition, while the government made an effort to reduce institutionalization of children with disabilities, those living in institutions were more vulnerable to child labor.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor*

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at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The constitution and the labor code prohibit discrimination based on sex, race, skin color, ethnic or social origin, genetic features, language, religion, political opinion, belonging to a national minority, property status, birth, disability, age, or other personal or social circumstances. Other laws and regulations specifically prohibit discrimination in employment and occupation based on gender. The government did not effectively enforce applicable laws, and there were no effective legal mechanisms to implement applicable regulations. Discrimination in employment and occupation occurred based on gender, age, presence of a disability, sexual orientation, HIV/AIDS status, and religion, although there were no statistics on the scale of such discrimination. Administrative penalties for violations were not commensurate with those for violations of other similar laws involving the denial of civil rights.

Women generally did not enjoy the same professional opportunities or wages as men, and employers often relegated them to more menial or lower-paying jobs. While providing for the “legal equality” of all parties in a workplace relationship, the labor code does not explicitly require equal pay for equal work. The International Monetary Fund cited the gender pay gap in the country as being strikingly large. Statistics indicate that women faced a wage gap of more than 30 percent compared to men. According to a 2019 Asian Development Bank report, the labor force participation rate was lower for women than men, and women were more likely to work in part-time positions. The report also stated that occupational stereotypes limited women’s choices, and more than 60 percent of women worked in just three sectors: agriculture, education, and health. Women were underrepresented in management positions, and only one in five small or medium-sized enterprises had a female owner.

Many employers reportedly practiced discrimination, most commonly requiring job applicants to be of a specific gender, age, and appearance. Such discrimination appeared to be widespread, but there were no reliable surveys, and authorities did not take any action to mitigate the problem. While there was little awareness of and no comprehensive reporting to indicate the scale of sexual harassment in the

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workplace, media reports suggested such abuse was common. Vacancy announcements specifying young and attractive women for various jobs were common. Unemployed workers, particularly women, who were older than 40 had little chance of finding jobs appropriate to their education or skills. LGBTI persons, persons with disabilities, and pregnant women also faced discrimination in employment. Religious minorities reportedly faced discrimination in public employment.

e. Acceptable Conditions of Work

The monthly minimum wage was above the poverty income level. The law provides for a 40-hour workweek, 20 days of mandatory paid annual leave, and compensation for overtime and nighttime work. The law prohibits compulsory overtime in excess of four hours on two consecutive days and limits it to 180 hours in a year. The government established occupational and health standards by decree.

Authorities did not effectively enforce labor standards in either the formal or informal sectors, and penalties for violations of wage, hour, and occupational safety and health standards were not commensurate with those for other similar crimes. According to lawyers, workers' rights remained unprotected due to the absence of a viable labor inspectorate and lack of independent trade unions. Nonetheless, according to the HLIB, the fact that many of the labor-related complaints received since July were resolved by employers without waiting for HLIB's ruling attested to some improvement in the area, as well as to HLIB's existence serving as deterrent against violations. While administrative courts have a mandate to rule on labor-related cases within three months, few employees applied to the courts to reinstate their rights due to legal costs, the complexity of the application process, and distrust of the judiciary. It was unclear if the overloaded courts were able to meet the legally required three-month window for resolving those labor disputes that were submitted to them.

Many employees of private companies, particularly in the service and retail sectors, were unable to obtain paid leave and were required to work more than eight hours a day without additional compensation. According to representatives of some employment agencies, many employers also hired employees for an

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unpaid and undocumented “probationary” period of 10 to 30 days. Employers often subsequently dismissed these employees, who were then unable to claim payment for the time they worked because their initial employment was undocumented. According to a 2018 survey carried out by the local NGO Advanced Public Research Group, only 48 percent of those employed by small businesses had contracts. The survey also revealed problems involving the inability of workers to take paid annual leave and lack of compensation for overtime work.

Managers of enterprises that were the primary employers in certain poor geographic areas frequently took advantage of the absence of alternative jobs and did not provide adequate pay or address job safety and environmental concerns. A 2019 World Bank report found that approximately 13 percent of the country’s wage employees did not have a written contract and did not have access to any form of benefits related to paid leave, childcare, or sick leave. The agricultural orientation of the country’s economy tended to drive informal employment. According to official statistics, the government’s anticorruption efforts and active efforts by the tax authorities led to a notable increase in the number of officially registered employees in the country. The COVID-19 pandemic spotlighted the issue of informal employment. The government offered benefits to registered workers or those who had lost their work due to pandemic; unregistered or self-employed workers received much lower benefits. The government admitted there was a problem identifying informal employees and the self-employed due to the absence of a universal income declaration system and ultimately decided to provide assistance to families based on indicators, such as the presence of underage children or situations where both parents did not have formal employment before the pandemic. Some of those who lost their livelihoods, however, were not captured by any of the additional assistance programs.

On September 14, *Hetq.am* reported that trial court judge Tatevik Stepanyan ruled to satisfy the claim of about 100 current employees of Rusal Armenia CJSC, one of the country’s largest industrial enterprises, and to grant them 717 million drams (about \$1.5 million) for unpaid overtime accrued from 2007 to 2019. The lawyer representing the employees said that they worked 12-hour days every day with

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only a 57-minute break during that period.

On September 15, *Hetq.am* published the story of electrician Vachagan Nalbandyan, who suffered grave injuries on the job after falling 26 feet from an electrical tower and being hit by a crane that subsequently fell on him. According to the report, his employer (T-Construction CJSC, which belongs to Tashir Capital group owned by Russia-based Samvel Karapetyan and family) refused to pay for the urgent surgeries Nalbandyan needed, claiming they were awaiting an expert assessment and had no responsibility for the crane, which was owned by another person.

Safety and health conditions remained substandard in numerous sectors.

According to a January 17 *Hetq.am* report, there were 39 fatal workplace accidents from 2017 to 2019. According to the report, the greatest number of workplace accidents occurred in open-pit mines in the Syunik region, followed by accidents in the processing industry. In light of high unemployment in the country, workers generally did not remove themselves from situations that endangered their health or safety. Authorities offered no protection to employees in these situations, and employees generally did not report violations of their rights.

Due to limitations on HLIB's authority and a still limited number of inspectors, inspection efforts remained insufficient to enforce compliance. Inspectors did not have the authority to make unannounced inspections.

On June 22, the Ombudsman's Office released a brief on the nature of labor violation complaints it received in 2019. Reported problems included employers failing to pay what they owe to terminated employees; unjustified dismissals from work; violations of disciplinary action procedures vis-a-vis employees; retaining unjustified amounts of money from the workers' salaries; and transferring workers to other jobs without their consent. The Ombudsman's Office also identified widespread and systemic violations such as an absence of signed contracts, forcing employers to submit resignation letters, and failure to pay for overtime work. Helsinki Citizens Assembly Vanadzor NGO, in a report released on June 24, reported similar problems based on its monitoring of the labor rights situation in

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2019.

The outbreak of COVID-19 caused many businesses to close in April, with some gradually reopening beginning in early May. Health, safety, and epidemiological oversight covered both employees and patrons of Armenian businesses. Inspectors shut down numerous businesses for periods of several days for failing to comply with antiepidemic regulations.