



EU – Armenia Human rights Dialogue December 2013

The Norwegian Helsinki Committee is at the moment working on a report on the democratic development in Armenia with a particular view at the civil participation in democratic processes. We are pleased to introduce some of the findings and recommendations from this report to the EU in advance of the EU- Armenia human rights dialogue in December 2013.

Recently, Armenia's President Sargsyan decided to sign initial agreements with the Russian-led Customs Union on the eve of when he was expected to sign an Association Agreement and a Deep and Comprehensive Trade Agreement with the EU. There are several human rights aspects with this decision and the following events in Armenia that the EU should take into consideration in case of future negotiations rather than writing it off completely.

Though the Armenians have not taken to the streets with the same numbers and intensity as the Ukrainians in their similar situation, there is a growing discontent with the President and his decision. The EU must not turn its back on the Armenian population and their rights at this crucial moment.

The Norwegian Helsinki Committee urges the EU to pay notice to the following five elements in the human rights dialogue with the Armenian authorities and future negotiations:

1. Armenia is much smaller in population than Ukraine and has not had any Orange Revolution. The state violence and abuse of court against demonstrators in connection with the disputed 2008 Presidential elections have not been addressed adequately by the authorities, and an atmosphere of fear exists in connection with demonstrations. The lacking closure on this issue contributes to the lack of confidence and trust in state institutions in Armenia;
 - The Armenian authorities should be urged to adequately explain the circumstances surrounding the 10 deaths on 1 March 2008; identify the perpetrators; investigate the command responsibility; and provide reparation to the victims' relatives.¹
2. In addition to the atmosphere of fear, a more substantial atmosphere of shame is prevalent, in which participation in such demonstrations and discussions by large parts of the population is seen as treason, or a shame. The safety and security of Armenia is seen to depend on the strong Armenian unity, from which it is very uncomfortable and sometimes even dangerous to deviate when even high rank political figures use derogatory language and encourage discrimination. For example, the statement of the Republican Party's Deputy Speaker of the Parliament that the May 2012 firebombing of the DIY gay bar in Yerevan was "completely right and justified";
 - The Armenian authorities should follow up on their stated intentions on tolerance during the Council of Europe Chairmanship and include civil society activists in the process to develop effective anti-discrimination legislation that also addresses intent and hate-

¹ Joint mid-term statement on Armenia's obligations to the UPR:
http://nhc.no/no/nyheter/Armenia+urged+to+implement+UPR+commitments+and+recommendations.b7C_wlfQO_ips

crimes against all minority groups; Widely discourage homophobic and intolerant statements by public figures and derogatory terminology in the media; Prosecute offenders of hate crime and protect representatives of minority groups and their defenders.

3. Further, the rapprochement with EU is seen to put Armenia at risk by distancing Armenia from its long-term military ally Russia in case of war, and the European values allowing the Armenian unity to wither. This view is enforced by the Armenian media, in which national TV highlights the traditional unity with Russia and the untraditional elements in Europe, and alternative views rarely are highlighted;
 - The EU should take care to cooperate with a wider range of the Armenian civil society, also those not part of the Eastern Partnership Civil Society Forum; and encourage Armenian authorities to implement its legislation on freedom of expression and provide the public with adequate information on relevant issues for the state, including allowing A1plus and all willing companies to take part in broadcasting tenders.
4. The recent behaviour of Serge Sargsyan and his Ukrainian counterpart Viktor Yanukovich, should also serve as a reminder to the EU representatives about who they are negotiating with. No matter promising reforms and binding intentions, other arguments might change their mind in the end.
 - The EU should do well in restarting negotiations with Armenia on potential agreements, but demand more concrete implementation of promises and reforms, and make sure that civil society actors participate in the development.
5. On this background, the 2 December demonstrations with up to 1000 participants and later demonstrations are unprecedented and of substantial size in Armenia. This is a welcome sign that civic participation is on the rise in the country. The harsh police treatment of protestors, arrests, fines and home search that followed the peaceful demonstrations are however warning signs that Armenia's authorities in its new partnership is in danger of returning to a more restrictive line.
 - The EU should take care to continue the condemnation of such actions by the Armenian authorities. The EU should make clear to Armenia that such demonstrations should be allowed to take place without interference, and that the police should be there to maintain the security of the demonstrators.

Please do not hesitate to contact us should you want further information on any of the above:

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