

# Armenia - Human Rights Scorecard <sup>1</sup>

Armenia is a landlocked country bordering Turkey, Iran, Azerbaijan, and Georgia. Armenia considers itself to be a part of Europe; however, it could equally be considered as a part of the Middle East. Under Ottoman rule, during World War I, Armenia suffered harsh policies such as forced resettlement, resulting in at least 1 million deaths. Armenia gained its independence in 1918. Armenia and Azerbaijan have fought over land since 1988 and conflict has only escalated since Azerbaijan's 1991 independence. A cease-fire between Armenia, Azerbaijan, and Nagorno-Karabakh took place in 1994. In support of Azerbaijan, Turkey closed its common border with Armenia, further limiting Armenia's economic growth. Armenian leaders made efforts to reconcile relations in 2009, but Turkey has yet to ratify the proposed protocols.

**Official language:** Armenian

**Ethnic groups:** Armenian 98.1%, Yezidi (Kurd) 1.1%, other 0.7%

**Government:** semi-presidential republic

- President: Serzh Sargsyan

- Prime Minister: Karen Karapetyan

**Death penalty:** Retentionist

**Population:** 3,051,250

**Life expectancy:** 74.6 years

**Under-5 mortality:** 16 per 1000

**Adult literacy:** 99.7 percent



## Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

### Human Development (UNDP Human Development Index (HDI)) <sup>2</sup>



#### 0.743 – High Human Development <sup>3</sup>

According to the UNDP, Armenians have a gross national income per capita of \$8,189, and could expect to have on average 12.7 years of schooling. Armenia has a very high HDI; other countries with comparable gross national income per capita tend to have a much lower HDI.

## Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Largely disrespected <sup>4</sup>

There was an increase in violence along the Line of Contact and Armenian-Azerbaijan international border. Clashes caused the highest death toll since the 1994 cease-fire. Criminal code currently being investigated for the seizure of buildings and illegal procurement and usage of weapons.

### Freedom from disappearance



#### Respected <sup>5</sup>

There were no reports of politically motivated disappearances in Armenia.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>6</sup>

Despite the law prohibiting such practices, reports showed that members of the security forces regularly mistreated individuals in their custody.

### Freedom from arbitrary arrest or detention



#### Largely disrespected <sup>7</sup>

While the law prohibits arbitrary arrest and detention, police arbitrarily detain citizens, including participants in demonstrations.

### Freedom from denial of fair public trial



#### Largely disrespected<sup>8</sup>

Although the law provides for an independent judiciary, in reality the judiciary is not independent. However, administrative courts were relatively more independent than others. There were reports that the Court of Cassation dictates regularly the outcome of all significant cases.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Largely disrespected<sup>9</sup>

The constitution prohibits unauthorized searches and provides for the right to privacy and confidentiality of communications. Law enforcement organizations do not always adhere to these prohibitions.

## Section 3: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>10</sup>



#### Score: 28.79, Rank: 79 / 179 – Somewhat controlled, limited or intimidated<sup>11</sup>

The constitution and law provide for freedom of speech and press, but the government does not respect these rights. In addition, the media is generally biased. There are several instances of violence toward journalists in connection with their coverage of peaceful protests.

### Freedom from academic censorship



#### Partially respected<sup>12</sup>

There were some reports of government restrictions on academic freedom and cultural events.

### Freedom of peaceful assembly and association



#### Largely disrespected<sup>13</sup>

The constitution and the law provide for freedom of assembly. Nonetheless, there were multiple instances in which the government used violence and excessive force against demonstrators or detained them arbitrarily. Peaceful gatherings are often repressed.

### Freedom of religion



#### Partially respected<sup>14</sup>

While the constitution guarantees freedom of religion, and separates religious organizations from the state, the Armenian Apostolic Church (AAC) is recognized as the national church and preserver of national identity. Minority religious groups face multiple obstacles of systemic discrimination.

### Freedom of movement



#### Respected<sup>15</sup>

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The Armenian government generally respected these rights.

### Protection of refugees and stateless persons



#### Largely disrespected<sup>16</sup>

Security concerns largely outweigh procedure and implementation of refugee policies. In addition, there is some discrimination against asylum seekers based on religion and/or ethnicity.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>17 18</sup>



#### 4 / 7 – Partly free<sup>19</sup>

Armenian law allows for freedom of speech and press, however instances show that the government's respect for these rights is circumstantial.

## Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>20</sup>



**5 / 7 – Partly free**<sup>21</sup>

Media outlets, particularly broadcasters, feared reprisals for reports critical of the government. Such reprisals could include lawsuits, the threat of losing a broadcast license, selective tax investigation, or loss of revenue.

## Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>22</sup>



**Score: 33%, Rank: 113 / 175 – Highly Corrupt**<sup>23</sup>

There are numerous allegations of government corruption. The law ensures criminal penalties for corruption by officials, yet the government does not implement the law effectively; officials often engaged in corrupt practices with impunity.

## Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



**Largely disrespected**<sup>24</sup>

A number of domestic and international human rights groups operate without government restrictions, investigating and publishing their findings on human rights cases. Although government officials are generally cooperative and responsive, some occasionally harass activists.

## Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)<sup>25</sup>



**No data listed – Possible dangers to minorities**<sup>26</sup>

According to Minorities Rights Group International, Armenia's vulnerable minorities include Yezidis, Russians, Kurds, Ukrainians, and Greeks.

### Rights of women (*World Economic Forum Gender Gap Index*)<sup>27</sup>



**Score: 66.9%, Rank: 102 / 142 – Very unequal rights**<sup>28</sup>

Women generally did not enjoy the same professional opportunities or wages as men. The labor code does not explicitly require equal pay for equal work. Women remained underrepresented in leadership positions in all branches and at all levels of government.

### Rights of Children (*KidsRights Index Overall Score*)<sup>29</sup>



**Score: 66.9 %, Rank: 106 / 165 – Somewhat protected**<sup>30</sup>

There are government measures to limit child exploitation and abuse. Education is free and compulsory until grade 9. However, government protection mechanisms are not universally implemented.

### Rights of persons with disabilities



**Partially respected**<sup>31</sup>

The law prohibits discrimination against persons with any disability in employment, education, and access to health care and other state services, but discrimination remains a problem.

## Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



### Partially disrespected<sup>32</sup>

Government restrictions affected some minority religious groups, and members of religious minorities suffered from societal discrimination. The constitution prohibits discrimination based on sex, ethnic or social origin, language, religion, political opinion, and belonging to a national minority.

## Freedom from abuse and discrimination based on sexual orientation or gender identity



### Largely disrespected<sup>33 34</sup>

Antidiscrimination laws do not apply to sexual orientation or gender identity. Societal attitudes toward LGBTI persons remain highly negative, with homosexuality viewed as a medical problem. Transgender persons are especially vulnerable to physical and psychological abuse and harassment.

## Section 8: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

## Rights to freedom of association and to collective bargaining



### Partially respected<sup>35</sup>

The law protects the right of all workers to form and to join independent unions, provides for the right to strike, and permits collective bargaining. The government does not always effectively enforce labor rights. Resources, inspections, and remediation were inadequate.

## Freedom from forced or compulsory labour



### Respected<sup>36</sup>

The law prohibits all forms of forced and compulsory labor, and the government effectively enforced the law.

## Freedom from forced labour for children, and a minimum age of employment



### Partially respected<sup>37</sup>

There are laws and policies designed to protect children from exploitation in the workplace. Nonetheless, the authorities did not effectively enforce applicable law. Penalties were insufficient to enforce compliance.

## Right to acceptable conditions of work



### Largely disrespected<sup>38</sup>

Authorities did not effectively enforce labor standards in either the formal or the informal sectors. Safety and health conditions remained substandard in numerous sectors, and there were several fatal workplace incidents during the year.

## Right to employment



### 18% - High unemployment<sup>39</sup>

While the unemployment rate in Armenia has dropped somewhat over the last three years, it is still much higher than it should be. It is, however, projected to lower.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed Jan. 8, 2017 <http://hdr.undp.org/en/composite/HDI>

<sup>3</sup> "Table 1: Human Development Index and its components, Armenia" UNDP, based on 2017 or the most recent year available. Accessed Jan. 8, 2017. <http://hdr.undp.org/en/composite/HDI>.

<sup>4</sup> "Country Reports on Human Rights Practices for 2017 Armenia." U.S Department of State. January 1, 2017. Accessed June 14, 2017. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>5</sup> Ibid. U.S Department of State. For purposes of the present analysis, a “disappearance” is different than simple arbitrary detention because a “disappearance” is considered permanent.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> Ibid. U.S Department of State.

<sup>10</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>11</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2017. Accessed June 14, 2017. <http://rsf.org/index2017/en-index2017.php>.

<sup>12</sup> "Country Reports on Human Rights Practices for 2017 Armenia." U.S Department of State. January 1, 2017. Accessed June 14, 2017. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>13</sup> "Armenia." World Report 2017: Armenia. January 1, 2017. Accessed June 13, 2017. <http://www.hrw.org/world-report/2017/country-chapters/Armenia>.

<sup>14</sup> "Armenia." International Religious Freedom Report for 2017. January 1, 2017. Accessed June 13, 2017. <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

<sup>15</sup> "Armenia." World Report 2017: Armenia. January 1, 2017. Accessed June 13, 2017. <http://www.hrw.org/world-report/2017/country-chapters/Armenia>.

<sup>16</sup> "Armenia." World Report 2017: Armenia. January 1, 2017. Accessed June 13, 2017. <http://www.hrw.org/world-report/2017/country-chapters/Armenia>.

<sup>17</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>18</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2017 <https://www.freedomhouse.org/report/freedom-world-2017/methodology#.VldwWzHF98F>

<sup>19</sup> "Armenia." Freedom in the World 2017: Armenia. January 1, 2017. Accessed June 13, 2017. <https://freedomhouse.org/report/freedom-world/2017/Armenia-0#.VIIIHzGG9e8>.

<sup>20</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed June 13, 2017 <https://www.freedomhouse.org/report/freedom-world-2017/methodology#.VldwWzHF98F>

<sup>21</sup> "Armenia." Freedom in the World 2017: Armenia. January 1, 2017. Accessed June 13, 2017. <https://freedomhouse.org/report/freedom-world/2017/Armenia-0#.VIIIHzGG9e8>.

<sup>22</sup> Transparency International (TI) publishes a “Corruption Perceptions Index” annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>23</sup> "Armenia." Corruption by Country. January 1, 2017. Accessed June 13, 2017. <http://www.transparency.org/country#BHR>.

<sup>24</sup> "Country Reports on Human Rights Practices for 2017 Armenia." U.S Department of State. January 1, 2017. Accessed June 14, 2017. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>25</sup> The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed Jan. 8, 2017 <http://peoplesunderthreat.org/>.

<sup>26</sup> "Armenia." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed Jan. 8, 2017. <http://peoplesunderthreat.org/>.

<sup>27</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>28</sup> "Armenia." World Economic Forum. January 1, 2017. Accessed June 13, 2017. <http://reports.weforum.org/global-gender-gap-report-2017/economies/#economy=BHR>.

<sup>29</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>30</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed June 13, 2017. <http://www.kidsrightsindex.org/>

<sup>31</sup> "Country Reports on Human Rights Practices for 2017 Armenia." U.S Department of State. January 1, 2017. Accessed June 14, 2017. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>32</sup> Ibid. U.S Department of State.

<sup>33</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2017. Accessed June 13, 2017. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>34</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

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<sup>35</sup> "Country Reports on Human Rights Practices for 2017 Armenia." U.S Department of State. January 1, 2017. Accessed June 14, 2017.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>36</sup> Ibid. U.S Department of State.

<sup>37</sup> Ibid. U.S Department of State.

<sup>38</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at

[http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>39</sup> "Global Employment Trends." International Labour Organization. January 1, 2017. Accessed December 7, 2017. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2017/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2017/WCMS_233936/lang--en/index.htm).