

Situation Changes in the Republic of Armenia

since September 3, 2013

The external and internal developments in the Republic of Armenia (RA) were dramatically affected by the hasty decision made by Armenian President Serzh Sargsyan on September 3, 2013 as a result of his official visit to the Russian Federation at the invitation of the Russian President Vladimir Putin. By the said decision, Armenia announced joining the Customs Union and the Eurasian Economic Union to be set up on its basis. Later Armenian President Serzh Sargsyan admitted that the decision was made "in one night" and there was no time for consultations. Meanwhile, by the said decision, Armenia refused to commit to the Association Agreement with the European Union which had been negotiated for almost 3 years and which was on the threshold of initiation.

In autumn 2013, as a result of pressure by Russia, Ukrainian President Viktor Yanukovich did not sign the Association Agreement with the European Union as well, which drew a much tougher response from the Ukrainian public, leading to large-scale protests and revolution that was nicknamed "Euromaidan". Yet, the decision of the authorities to abandon the Euro-association did not stir up such a public response in Armenia. According to the findings of the survey carried out by Helsinki Citizens' Assembly-Vanadzor and "Advanced Public Research Group" NGO (APR Group) in 2014, 38% of the respondents favored Armenia's joining the Eurasian Economic Union and only 25% favored joining the European Union. Note, that this picture changed over the following 3 years; according to the findings of the survey of 2017, 33% of the RA population favored joining the European Union and 32% - favored joining the Eurasian Economic Union.¹

Arguments of the authorities in support of joining the Eurasian Economic Union (EAEU)

The authorities justified Armenia's joining the EAEU by the purposes to ensure security, even though the EAEU is officially an economic cooperation entity with a single customs zone, and the Republic of Armenia does not share its national border with any of the Union's member states (Kazakhstan, Belarus, or Russian Federation). Moreover, the security issues of RA are supposed to be regulated under the mandate of both intergovernmental strategic treaties between Russian Federation and Republic of Armenia and the Collective Security Treaty Organization (CSTO). In other words, security mechanisms were already available and joining a newly-created economic entity for security reasons was rather an indication of potential threats from Russian Federation in case of not joining it. We witnessed the fact that such threats are realistic through Russia's aggression in Eastern Ukraine and annexation of Crimea.

Constitutional Amendments

¹ Positions: to the North or West? 2014-2017, public opinion survey, <http://hcav.am/en/publications/positions-to-the-north-or-west-2014-2017/>

On September 4, 2013, the day following the September 3 decision to join the Customs Union, Serzh Sargsyan announced about implementation of constitutional amendments and signed a decision on setting up a Specialized Commission for Constitutional Amendments under the President of the Republic of Armenia.² The 9-member Commission consisted of pro-government officials and experts and no members of non-ruling parties or civil society, that is to say, it did not ensure diversity of opinions. It should be noted that the agenda of the constitutional amendments was unexpected for the public, as just 7 months earlier, during the presidential elections in February 2013, Serzh Sargsyan had no such provision in his campaign program and never even hinted at the need for constitutional amendments.

After long silence, in July-August 2015, the draft Constitutional Amendments were presented to the public in 2 parts and adopted by the RA National Assembly (NA) in September. The public had only 2 months to get familiar with and discuss the draft Amendments and what is more, those 2 months coincided with the passive, vacation period. The RA National Assembly held a public discussion on the Draft only 1 day and the NA deputies' discussions lasted only 4 days.³

On December 6, 2015, the referendum for the RA Constitutional Amendments was held. The campaign and the very voting process were accompanied with serious and large-scale violations, including inflated voter lists, organized and massive abuse of administrative resources, numerous cases of multiple voting, voter impersonation and vote-buying.⁴ However, the RA Central Electoral Commission approved of the referendum and as a result of the imposed Constitutional Amendments, the Republic of Armenia shifted from a semi-presidential to a parliamentary system of government. The amendments focused on prescribing by the Constitution the institute of stable parliamentary majority that, according to the Electoral Code adopted later, may be made up by a maximum of 3 political forces.

Constitutional changes to the ways of forming national and local government bodies decreased the number of bodies elected by citizens and consequently the number of elections held. The President of the Republic of Armenia is from now on to be elected by the National Assembly. By the same principle, citizens of the 3 largest cities in Armenia only elect parties and party alliances to their community council.. The Council, in its turn, elects the head of the community. This change poses a serious challenge to democracy and development of the electoral institute, as constitutional amendments substantially limit citizens' right to form state bodies. Besides, the new Electoral Code gives needless advantage to the forces receiving the majority of votes through allocating bonus mandates and, moreover, in case of local elections it is enough to get 40% of the votes to be eligible for the bonus mandates.

² RA President's Decree on Setting up a Specialized Commission for Constitutional Amendments under the President of the Republic of Armenia, <http://www.parliament.am/library/sahmanadrakan%20barepoxumner/hramanagir.pdf>

³ HCA Vanadzor Assessment of RA Constitutional Amendments, <http://hcav.am/en/publications/hca-vanadzor-assessment-%D6%85f-ra-constitutional-amendments-2/>

⁴ HCA Vanadzor Report on Adoption Process of Imposed Constitutional Amendments, <http://hcav.am/en/publications/21-01-2016-en/>

Constitutional Amendments also marked a regress in the mechanisms for social, economic, and cultural rights protection. Particularly, RA citizens were deprived of the right to apply to the Constitutional Court, when these rights are violated. Moreover, even the RA Human Rights Defender may not apply to the Constitutional Court in cases of violation of citizens' social, labor, and health rights. This restriction contradicts the provisions of the Council of Europe Revised European Social Charter ratified by the Republic of Armenia.

Escalation of Nagorno-Karabakh conflict

In April 2016, large-scale hostilities unleashed on the line of contact between Nagorno-Karabakh and Azerbaijan and the justifications provided by the authorities of joining the EAEU for security reasons vanished in the air. From April 2-5, 77 servicemen were killed and in late April this number reached 111. Moreover, a considerable number of casualties were caused by improper supply of ammunition, untimely use of intelligence data and malfunction of the military equipment.⁵ After the hostilities, there were publications of corruption risks and crimes in the armed forces. In March 2017, even Prime Minister Karen Karapetyan stated in the RA National Assembly that during the April war the military equipment failed in many cases due to the low-quality diesel fuel used. After the April war, some military officials were dismissed and some criminal proceedings were initiated but so far they have not resulted in any comprehensive investigation into abuses and crimes, full disclosure of cases and holding all guilty persons liable.⁶ By its Decree of February 19, 2015, the RA Government set up an Anti-Corruption Council presided over by the RA Prime Minister and composed of high-ranking officials as well as civil society representatives. In June 2017, the RA National Assembly adopted a package of laws on setting up a new body to prevent corruption and introduce new mechanisms. Meanwhile, the anti-corruption steps taken by authorities have not produced any tangible results so far and the public is skeptical about them.

After the April war, militarization rhetoric highly intensified in the country. In October, 2016 Defense Minister Vigen Sargsyan propounded the “Nation–Army” Concept to strengthen ties between the public and the army. Within the Concept, new conditions of mandatory military service were introduced. Also, a program was introduced to provide large amounts of compensation to the families of killed or wounded servicemen starting from January 28, 2017, for which the Armenian citizens must pay 1000 AMD monthly to the corresponding foundation. The public at large expressed numerous objections related to the mechanism of raising funds to compensate the families of killed or wounded servicemen. Particularly, they suggested raising the necessary funds by reducing the shadow economy growing in huge volumes or by fighting corruption. Besides that, proposed program discriminates servicemen killed or wounded due to ceasefire violations before January 28, 2017, whose families are deprived of the right to get assistance from the Foundation.

⁵ Report on the death circumstances of servicemen perished during the hostilities of April 2016 and the state of social security of their families, Helsinki Citizens' Assembly-Vanadzor, <http://hcav.am/wp-content/uploads/2016/11/Ջեկնյոյց`-մտւոյց-գինձարայողներին-մտւոյց-հանգամանքներին-և-նրանց-ընտանիքներին-վիճակի-մասին.pdf>

⁶ Reference: A year after April hostilities, Helsinki Citizens' Assembly-Vanadzor, <http://hcav.am/publications/25-04-2017-003/>

Militarization rhetoric is accompanied with recognizing the exclusive role of the Armenian Apostolic Church stipulated in the Constitutional Amendments. On September 11, 2017, in response to a journalist's question, RA National Assembly Deputy Speaker Eduard Sharmazanov stated that "the best investment in Armenia is that made in the construction of churches". Later, he also stated that Armenia is unable to ensure its security; therefore creating Armenian-Russian joint forces is indispensable.

Electoral Code and elections

The new draft Electoral Code resulting from the Constitutional Amendments became first available on February 22, 2016 on the official website of the Venice Commission in English and its Armenian version was posted on the RA Government's website no sooner than March 3, 2016.

Unlike the draft Constitutional Amendments and the initial draft Electoral Code prepared within a narrow pro-government circle, a wider participation was ensured during the further amendment of the draft Electoral Code. At the suggestion of Levon Zurabyan, NA oppositional ANC (Armenian National Congress) faction deputy, negotiations on the draft Code started between the ruling party, the opposition and the civil society in 4+4+4 format. As a result, the Electoral Code included a number of recommendations, mostly of administrative nature, of the opposition and civil society, but the authorities made no concessions on issues of mostly political significance and affecting the distribution of power in the parliament to be formed. It should be noted that civil society members took part in the negotiations only at the initial stage and did not sign the agreements reached by the authorities and the opposition.

The Electoral Code adopted in May 2016 imposed significant restrictions on observers and mass media representatives. Particularly, the Code gave the precinct electoral commissions the right to set a maximum number of observers and mass media representatives allowed to be at the polling station. The Code set forth a requirement for election observation organizations to have a provision on human rights and democracy in their statutory goals for at least the past 1 year and prescribed accreditation requirement for the mass media, with a limited number of representatives (a media outlet may have at most 50 representatives throughout the country). The new Electoral Code also stipulates that commission members may remove observers, mass media representatives and proxies from the polling station by a vote.

It is noteworthy that the Electoral Code considers NGOs the main entities engaged in civic oversight and particularly observation but they have no right to appeal the actions/inaction of the electoral commissions and the election results or file any other complaints.

The Code extended the scope of persons with the right to vote, as that right was granted to persons who committed crimes of minor and medium gravity and serve their sentence and persons doing on military study abroad, but the other, at least 450-500 thousand Armenian nationals living abroad were not granted the opportunity to vote.

The Code prescribed an opportunity to form a coalition after the 1st round of elections but only by at most 3 parties or blocs. One of the key recommendations by the Venice Commission on the Electoral

Code was to revise the provision limiting the number of coalition members, but the authorities remained unyielding regarding this issue.⁷

By its amendments passed a few months later, the Electoral Code also provided for publication of signed voter lists, which the opposition and civil society had been demanding for years. Citizens were given the right to file an application for voter impersonation cases; simultaneously the RA Criminal Code prescribed an article on false statement regarding such applications. According to the RA CEC report on the National Assembly elections of April 2, 2017, only one person filed an application on voter impersonation. Among others, this might be caused by the said article in the Criminal Code, though it is widely held that the number of cases of multiple voting or voter impersonation during these elections was not considerable and authorities mostly practiced abuse of administrative resources and vote-buying.

The proportional electoral system set by the Constitutional Amendments was in fact distorted by the district lists introduced by the Electoral Code; such lists made it possible for the nominated forces to get more votes through individuals with influence and leverage in certain regions. Together with abuse of administrative resources and labor rights and vote-buying, district lists guaranteed the victory of the ruling party on April 2, 2017. Given a large-scale emigration and poverty, the Republican Party of Armenia received around 50% of the votes and became the majority in the newly-formed National Assembly. Being in power for around 20 years and through that accumulating enormous amount of resources, only by funds thrice exceeding all of the other nominated parties together, the Republican Party became the de facto dominating power.⁸

During April 2, 2017 National Assembly elections and May 14, 2017 Yerevan City Council elections, widespread abuses of observation institute through fake observation were identified. Central Electoral Commission accredited around 28.000 observers from 49 organizations to observe the National Assembly elections. The overwhelming majority of those observers acted as proxies at polling stations mostly representing the interests of the ruling Republican Party or “Tsarukyan” Bloc.

On February 24, 2016, the Republican Party of Armenia and the Armenian Revolutionary Federation (Dashnaktsutyun) signed an agreement on political cooperation and on May 11, after the 2017 parliamentary elections, the 2 parties formed a coalition. It is noteworthy that ARF is a party with a nationalistic ideology; it is against the Armenian-Turkish reconciliation process and advocates for international recognition of the Genocide. For these reasons ARF had left the coalition with the ruling party in 2009, when the question of Armenian-Turkish protocols entered into the agenda.

Vulnerability of human rights protection

⁷ Reflection of Recommendations by International Election Observation Missions in the RA Electoral Code, <http://hcav.am/en/publications/reflection-of-recommendations-by-international-election-observation-missions-in-the-ra-electoral-code/>

⁸ “Independent Observer”. RA Parliamentary Elections April 2, 2017 Final Report, <http://hcav.am/en/publications/ind-observer-april-2-2017-fina-report/>

At the beginning of 2016, RA Human Rights Defender Karen Andreasyan resigned without providing any actual reasons. It should be noted that in autumn 2015, during the presentation of HRD's Annual Report in the RA National Assembly, Republican Party deputies and particularly Samvel Farmanyan strongly criticized Karen Andreasyan and also threw personal insults. His resignation showed the vulnerability of the Human Rights Defender's institute. It should be noted here that in December 2013 RA HRD Karen Andreasyan published a report on the spread of corruption in courts and lack of independence of judges based on relevant facts and studies; the report was harshly criticized by the RA Prosecutor General's Office, and the Republican faction in the RA National Assembly, and judges. The facts and concerns of the state of judiciary covered in the report have not been considered and examined yet.

Following the appointment of new RA Human Rights Defender by the National Assembly, the concentration of oversight and protection mechanisms in various fields of human rights has been raising serious concerns, particularly children's rights and rights of persons with disabilities. Along with such centralization, the space of other human rights institutions is becoming more limited and the variety of human rights protection mechanisms is being reduced. Given that since the introduction of the Human Rights Defender's institute, all the Ombudsmen resigned before the end of their term under pressure by political and executive powers, monopolization or concentration of protection mechanisms in all areas of human rights in the hands of one person makes both the Human Rights Defender and human rights protection extremely vulnerable.

On December 16, 2016, after long-held discussions the Law on Non-Governmental Organizations was adopted, entitling NGOs to represent public interest in courts but only in the field of environmental protection. It should be noted that by its Ruling of September 7, 2010, the RA Constitutional Court recognized the right of NGOs to represent the public interest in RA courts without any limitation. Another risk associated with the Law on Non-Governmental Organizations was that it initially prescribed state supervision over the financial activity of all NGOs, but as a result of discussions, this requirement was prescribed for the state-funded NGOs only. Currently, there is a draft law on volunteering circulated, which attempts to reintroduce additional accountability requirements for NGOs and unduly restrict and regulate volunteer activities and opportunities.

During the trial of "Sasna Tsrer" group members (we will detail on the group later in the text), significant restrictions were imposed on various stakeholders of human rights protection institute, particularly on attorneys and the public monitoring group in penitentiary institutions. Before the "Sasna Tsrer's" surrender, the members of the Group of Public Observers Conducting Public Monitoring in Penitentiary Institutions and Bodies of the RA Ministry of Justice were illegally banned from meeting Zhirayr Sefilyan, a political prisoner detained at Vardashen penitentiary institution. Later the Group members were also banned from meeting "Sasna Tsrer" group members detained at Nubarashen penitentiary institution, when information was published that on June 28, 2017 the group members were subjected to violence at the General Jurisdiction Court of Avan and Nor Nork administrative districts.

It should be also noted that when the former minister of justice was in office, draft regulations was put forward suggesting that the new members of the Group of Public Observers Conducting Public Monitoring in Penitentiary Institutions be accepted by the Ministry of Justice; whereas the Group's Charter states that new members are accepted by the Group itself. The draft was rejected, but it contained a risk of restricting the activities and independence of the Observers' Group.

As for the defense attorneys of “Sasna Tsrer” group members, attempts were made to illegally search them before entering the courtroom. Attorneys opposed to those searches and as a result, the court adopted a tactic of imposing sanctions on the group members' attorneys and replacing them with public defenders, which posed a risk of substantially reducing their efficient protection. The community of attorneys also faces pressure through disciplinary proceedings initiated against them on suspicious grounds.

Persecution against political opposition

The decision to join the EAEU was followed by the first wave of political persecutions and imprisonments.

On October 31, 2013, Shant Harutyunyan with a group of supporters started a sit-in at Liberty Square in Yerevan intended at sparking a “revolution of values”. On November 5th, Guy Fawkes' International Day, during the march initiated by the group, police officers provoked clashes with the participants of the march, as a result of which 38 people were apprehended and 14 of them were detained.⁹ By the court decision of October 17, 2014, Shant Harutyunyan and his friends were sentenced to up to 7 years' imprisonment.¹⁰

In spring 2014, the “Pre-parliament” (“Nakhakorhrdaran”) movement led by Zhirayr Sefilyan launched the “The Centennial without the Regime” (the 100th year after Armenian Genocide was in 2015) initiative aiming to achieve change of power through civil disobedience by the 100th anniversary of the Armenian Genocide. Once the group was formed, its members suffered violence and persecution going as far as detention and launch of unlawful criminal cases against them.

At the end of 2014, several cars of the group members' or supporters' were set to fire. These incidents remain unresolved. In early 2015, the Founding Parliament was formed on the basis of Pre-parliament. On January 31, 2015, on the way to Nagorno-Karabakh persons in police cars surrounded and brutally beat up the participants of motorcade raising awareness about “The Centennial without the Regime” initiative. On March 26, 2015, Zhirayr Sefilyan announced about 24-hour, indefinite and peaceful protests that would start off after paying tribute at Tsitsernakaberd on April 24, Armenian Genocide remembrance day. Two days later, Hrachya Mirzoyan, a member of the Founding Parliament, was stabbed during an assembly in Gyumri.

⁹ Situation of Human Rights Defenders in Armenia 2013, Report, Helsinki Citizens' Assembly-Vanadzor, <http://hcav.am/wp-content/uploads/2014/09/HRD-Eng-Final1.pdf>

¹⁰ Situation of Human Rights Defenders in Armenia 2014-2015, Report, Helsinki Citizens' Assembly-Vanadzor, <http://hcav.am/wp-content/uploads/2016/06/HRD-report-Eng-2014-2015.pdf>

The major attack at the Founding Parliament members took place on April 7, 2015 when the RA Investigative Committee of the RA National Security Service searched the premises of the Founding Parliament and the apartments of a number of its members by confiscating mostly data carrier devices. Group members Varuzhan Avetisyan, Pavel Manukyan, Gevorg Safaryan, Zhirayr Sefilyan and Garegin Chugaszyan were charged under Article 35-225(1) /Preparing mass riots/, RA Criminal Code and detained. Aram Hakobyan, the representative of Founding Parliament in Gyumri, was charged under Article 235 /Keeping illegal arms and ammunition/, RA Criminal Code. He faced a bail of 500.000 AMD as a preventive measure. On May 4, 2015 the preventive measure against Zhirayr Sefilyan and others was changed to written undertaking not to leave the city by the decision of the prosecutor's office, but the criminal charges were not dropped.

On May 12, 2016, during a media press-conference, Zhirayr Sefilyan announced that Armenian forces lost a 7 million m² area in the north-eastern part of Nagorno-Karabakh-Azerbaijani dividing line. About a month after this announcement, on June 20, 2016 Zhirayr Sefilyan was arrested and criminal proceedings were initiated against him under Article 235(2) /Illegal procurement, sale, keeping, transportation or carrying of weapons, ammunition, explosives or explosive devices/, RA Criminal Code. According to the RA Investigative Committee's statement, the weapons were detected on May 20, 2016 in a vehicle involved in a traffic accident on Tsitsernakaberd Highway in Yerevan. It should be noted that on May 16, 2016 or the following days, neither the RA Police, nor the RA Investigative Committee had posted any official statements on the said traffic accident or detecting any weapons in the vehicles involved.

On November 25, 2015, the RA National Security Service disseminated a statement that a terrorist group set up by Artur Vardanyan was neutralized in a house in Nork-Marash administrative district of Yerevan city and the arms accumulated by the group were confiscated. These actions were followed with a series of arrests, including arrests of former Deputy Defense Minister Vahan Shirkhanyan and the President of "Hayrenik ev Pativ" ("Homeland and Honor") Party, Garnik Margaryan. The publication of footage of law-enforcement bodies' actions incited serious doubts among the public regarding the grounds of the charges brought against the armed group. These concerns deepened during the trial examination of Vahan Shirkhanyan, who is kept in custody for almost 2 years despite his extremely poor health. His defense attorney Hayk Alumyan is convinced that Shirkhanyan's health was deteriorated intentionally.

In summer 2016, "Sasna Tsrer" group members composed of the Artshakh war veterans and Founding Parliament members seized the guard and patrol service regiment of the Police, demanding resignation of Serzh Sargsyan and release of political prisoners. The group was in control over the regiment for days. In that period, 3 police officers were killed and a number of the group members and protesters supporting the group were injured. Eventually, the group surrendered to the law enforcement officers.

After "Sasna Tsrer" armed group seized the RA Police guard and patrol service regiment, the police illegally apprehended hundreds of citizens across the country taking them to police stations where they were kept for 10-12 hours with no access to legal consultation and assistance. Attorneys were simply

banned from meeting persons deprived of liberty and needing their assistance and their access to police stations was denied.

On the night of December 31, 2016 the police hindered the assembly held by “Nor Hayastan” (“New Armenia”) group members in Liberty Square. Gevorg Safaryan was arrested and then detained on charges of exerting violence against a police officer and was later sentenced to 2 years in prison. Whereas, according to the activist, it was Gegham Khachatryan, commander of the “Angels” patrol battalion, who hit him. The criminal charges against Khachatryan were dropped.

Back in 2012, on the initiative of the Armenian National Congress, a number of non-ruling political forces became politically more active aimed at initiating a "bourgeois-democratic revolution". But the political forces joining the initiative did not oppose to the authorities' decision to join the Eurasian Economic Union: they rather found that Armenia's joining the Eurasian Economic Union was "irreversible". Among those political forces, the most influential one in terms of financial resources was Gagik Tsarukyan's “Bargavach Hayastan” (“Prosperous Armenia”) Party that had the 2nd largest faction in the National Assembly. In January, 2015, Gagik Tsarukyan initiated a conference with broad public involvement to discuss the complicated political and economic situation of the country in an attempt to unite around finding solutions to those issues.

After the conference, in February 2015, at the Republican party executive body session, Armenian President Serzh Sargsyan qualified Prosperous Armenia Party leader Gagik Tsarukyan as evil and announced that he was dismissed from membership in the RA National Security Council and demanded examining the issues of Gagik Tsarukyan’s absences from the National Assembly sessions and fulfillment of the tax liabilities of his businesses. As a result, about a month later, Gagik Tsarukyan announced his resignation from the position of his party’s leader and his retirement from politics and ended up remaining only an RA National Assembly deputy. In fact, the political party in power forced the leader of another party to leave the party leader’s position and, in general, to refrain from politics. A few months later, the RA Government stated that the inspection of Gagik Tsarukyan's business revealed no violations of tax obligations.

It should be noted that in the parliamentary elections of 2017 Gagik Tsarukyan was allowed to return to politics. He headed “Tsarukyan” bloc which again became the 2nd largest faction in the National Assembly as a result of elections.

Civic protest and resistance

The second stage of Serzh Sargsyan's term in office was also marked by a rather increased civil activism, which, however, was suppressed by the police and other state bodies. Citizens’ protests mostly related to various issues of public or social significance, particularly transportation and electricity price hike, introduction of the mandatory funded pension system, dismantling and destruction of cultural monuments, environmental issues, and so on.

On December 2, 2013, the day of Russian President Vladimir Putin's state visit to Armenia, a large number of citizens held protests in Yerevan against Armenia's joining the Customs Union and the EAEU. Police dispersed the protests using violence and apprehended 110 peaceful protesters who were kept in the police stations for 8 hours without access to legal assistance.¹¹

The summer of 2015 was marked by "Electric Yerevan" protests against the electricity price hike lasting for almost 2 weeks. On June 23, at 5 am, police used water cannons to disperse the peaceful sit-in on Baghramyan Avenue. Using physical violence, police apprehended about 240 protesters, exerted violence against 21 journalists and damaged their equipment. After the police violence, the number of sit-in participants dramatically rose, but at the end of June protesters split up; some of them followed the police warnings and moved to Liberty Square. The number of the sit-in participants on Baghramyan Avenue gradually decreased and on July 6 police eventually dispersed the demonstration. Criminal proceedings were initiated both against protesters and the police officers who used violence against them. 4 police officers faced charges for using violence against journalists, but none has been held liable for the violence so far.¹²

After "Sasna Tsrer" group seized the Police guard and patrol service regiment, on July 17-31, 2016 a series of mass protests were held in Khorenatsi Street, 'Sari Tagh' district and Liberty Square in Yerevan and the police again used violence against the demonstrators, illegally apprehended hundreds of citizens and brutally dispersed the protests by using special means. According to official data, between July 17 and August 4, 2016, 775 citizens were apprehended. On July 20 and 29, 2016 police used special means and unprecedented violence against protesters; as a result, a number of protesters and journalists received serious bodily injuries. For the first time in the entire history of the Republic of Armenia, protesters were violently taken to the RA Police Internal Troops barracks and illegally deprived of liberty. Many people compared that with the incident when Chilean dictator Augusto Pinochet kept people in the stadium.

As a rule, none of the police officers who used violence against protesters or violated their rights in any other way face responsibility. With this regard, it should be noted that in 2012 a Police Disciplinary Commission was created; representatives of 5 non-governmental organizations can also be included in the commission. The members and work procedure of the Disciplinary Commission were set by the RA Government, but by its decree of March 31, 2016, the Government handed over this power to the Chief of RA Police. This change may lead to a conflict of interests thus even further reducing the Commission's independence.

Also, anti-propaganda against civil society representatives has been growing steadily, especially by organizations financed from Russian sources and on the threshold of possible signing of the EU- Armenia agreement. It should be noted that an official position on this was voiced by the Russian ambassador to Armenia I. Volynkin, who stated in 2014 that "it is necessary to start neutralizing the NGOs operating in Armenia that want to drive a wedge between Russian-Armenian relations."

¹¹ See 3.

¹² Human Rights Violations against Peaceful Demonstrators, protesting Electricity Price Hike, Report, HCA Vanadzor, <http://hcav.am/en/publications/27-06-2015-2/>

Thus, since 2013 human rights and democracy have been considerably regressing in Armenia. The constitutional referendum and the elections to the National Assembly and Yerevan City Council were held with frauds and violations. Armenia turned into a parliamentary republic, where the dominant position of one party and the power of one person were further strengthened. A number of opposition figures suffered and still suffer persecution. Any demonstration of civic activism faced harsh reaction and pressure by law enforcement agencies and the space of non-governmental organizations and initiatives was further limited. The April war led to a large number of human losses showing the country's vulnerability to external threats. All these processes occurred in an atmosphere of impunity. Meanwhile, the reform steps taken by the authorities are imitative or aim at solving the problems by increasing the social burden of citizens rather than by making intra-system changes.

On December 2015, the new phase in EU-Armenia negotiations was launched. The new Comprehensive and Enhanced Partnership Agreement was initialed in March 2017. While it is expected to be signed in November 2017, the unpredictability of authorities creates uncertainty in terms of expected developments in EU-Armenia relations as well, even after signing the agreement.

Authors:

Arthur Sakunts,
Chairman, Helsinki Citizens' Assembly-Vanadzor

Vardine Grigoryan,
Democratic Institutions Monitoring and Reporting Coordinator, Helsinki Citizens' Assembly-Vanadzor

Anush Hambaryan,
Democratic Institutions Monitoring and Reporting Specialist, Helsinki Citizens' Assembly-Vanadzor