



The State of Implementation of the Human Rights Strategy of Armenia

7th Meeting of EU-Armenia Civil Society Platform

Introduction and issue at task

The Comprehensive and Enhanced Partnership Agreement (CEPA) between the European Union and the Republic of Armenia places strong emphasis on the protection and promotion of human rights as a core element of the partnership. Alongside political, economic, and sectoral cooperation, the agreement explicitly reaffirms the shared commitment of both parties to uphold democratic principles, the rule of law, and fundamental freedoms. In its Title III on Justice, Freedom and Security it also establishes frameworks for enhanced cooperation in the human rights field, aiming to strengthen institutions, improve governance, and ensure that human rights are fully respected and protected in practice.¹

To advance the goals outlined in the CEPA and its accompanying action plan, Armenia adopted a National Human Rights Strategy and corresponding Action Plan², establishing a coordinated framework for implementing its human rights commitments. This strategic document translates CEPA's principles into concrete national priorities and measures aimed at strengthening rights protection, improving legal safeguards, and enhancing accountability mechanisms. The strategy was adopted by the Government's decision of 26 December 2019 together with its action plan of 2020-2022 which later was amended and complemented with the action plan of 2023-2025³. It should be noted that the new action plan was adopted without any public consultation and through unreported procedure⁴.

The implementation of the national Human Rights strategy and its action plan of 2023-2025 is still ongoing.

This policy brief assesses Armenia's progress in implementing the human rights strategy and its action plan and provides recommendations to support more effective implementation moving forward.

Key findings

According to the action plan there have been envisaged overall 93 activities⁵. The report on the implementation of the action plan of strategy for 2024 shows a mixed level of completion across strategic areas, particularly the overall implementation status has the following results:

¹ Under the Title III of CEPA on Justice, Freedom and Security

https://www.mfa.am/filemanager/eu/CEPA_ENG_1.pdf

² <https://www.moj.am/page/575>

[https://moj.am/storage/uploads/%D5%B0%D5%A1%D5%BE%D5%A5%D5%AC%D5%BE%D5%A1%D5%AE%203%20\(1\)%20\(1\)%20\(3\)%20\(2\).pdf](https://moj.am/storage/uploads/%D5%B0%D5%A1%D5%BE%D5%A5%D5%AC%D5%BE%D5%A1%D5%AE%203%20(1)%20(1)%20(3)%20(2).pdf)

The Human Rights Defender's National Strategy and Action Plan.

³ On the Approval of the National Strategy for the Protection of Human Rights and the Action Plans Derived from it for 2020–2022 and 2023–2025 <https://www.arlis.am/hy/acts/191790>

⁴ <https://www.e-gov.am/gov-decrees/item/41300/>

⁵ <http://e-rights.am/?app=AppEvent>

1. Fully completed actions: approx. 40–45%
2. Partially completed actions: approx. 35–40%
3. Not completed / delayed: approx. 15–20%⁶

Legislative initiatives and pending drafts

The study of the implementation reveals that a significant portion of draft laws have been developed and circulated. However, many legal initiatives remain partially completed due to slow adoption processes. Such examples include legislative initiatives targeting both criminal and civil sector, for example it was intended to introduce mechanisms and regulations for the concept of "amicus curie" (friend of the court) into the domestic legal system, which will assist the court by providing information or advice on legal or other related matters. For this purpose and within the relevant action legislative drafts have been prepared and put for discussion however they were not presented to the National Assembly and were not adopted. Another example is the long-discussed issue related to the regulations in the field of legal incapacity. The action intended to review the regulations relating to the right of access to court for persons deprived of legal capacity, excluding disproportionate restrictions on the right to apply to court or to be heard on other issues relating to their rights and interests. In this case again the draft was prepared and discussed however it was not adopted and no changes are made in the law.

One similar and major example relates to the important strategic goal in the field of prohibition of discrimination. This goal and actions envisaged under it have been in the agenda for almost one decade however until now Armenia has not adopted any anti-discrimination law, though several drafts were in circulation.

These and many other examples show that actions that required legislative decision-making, mostly remain partially completed and have not been finally adopted consequently there are no tangible results in those fields.

Actions marked completed without impact assessment

The monitoring shows that many actions have been marked completed due to training courses organized for different public servants. For example, under the strategic goal on fight against discrimination numerous judges, judge candidates, prosecutors and other representatives of law enforcement agencies have been trained in the topics on equality and fight against discrimination which as such is not enough and the mere numbers of training courses cannot ensure the achievement of the goal.

Similar problem raises under the strategic goal in the field of prohibition of torture and right to life. According to the action plan it is intended to ensure the absolute implementation of the right to be free from torture and other cruel, inhuman, or degrading treatment or punishment in penitentiary institutions, the armed forces, psychiatric institutions, places of detention and arrest, and during criminal proceedings, by organizing professional training and introducing appropriate mechanisms and using the necessary tools. The same goal is envisaged for the protection of right to life.

As expected result in both areas it is mentioned that the cases of deaths and ill-treatment in closed and semi closed institutions will be decreased. Though many professionals in relevant fields have been trained which leads also the numerous actions to be marked as completed,

⁶ Report on the Implementation of the 2023–2025 Action Plan Derived from the National Strategy for the Protection of Human Rights, for the Year 2024

http://e-rights.am/file.php?class_name=company_document_file&file_uniq_id=128167ea5a41a1be85461&size_mode=1

however, the practice shows that there is strong increase of deaths in closed institutions which additionally are left unexamined⁷. One of the main reasons of such practice is that the medical care and service system remains highly inadequate and worrisome. The situation is characterized by both serious obstacles to access to medical care and ineffective cooperation between healthcare authorities⁸.

The number of training courses delivered and participants reached, while useful for tracking completion, is insufficient to demonstrate that the action has been fully implemented or that its objectives have been achieved in the absence of an impact assessment.

Digitalization and inter-agency coordination

The study of action plan and its monitoring reveals that multiple digital modules, platforms, and inter-operability functions have been developed or tested however the final roll-out of several systems is still pending.

Moreover, different working groups and coordination formats were established within the purposes set in the strategy. However, many actions remain in progress due to dependency on other ministries and institutions.

Additionally, though the Ministry of Justice is the main responsible agency however there is lack of centralized coordination authority which leads to prolonged discussions, postponed timelines, and duplicated efforts.

Conclusion

To strengthen the impact of Armenia's National Human Rights Strategy and its 2023–2025 Action Plan, state authorities need to focus on expediting legislative processes, ensuring transparency in policy development, assessing the real impact of completed actions, enhancing inter-agency coordination, and accelerating the digitalization of human rights systems. By addressing these areas, Armenia can better fulfill its commitments under the Comprehensive and Enhanced Partnership Agreement (CEPA) with the European Union and improve the overall protection and promotion of human rights in the country.

Recommendations

Ministry of Justice and National Assembly

- Strengthen legislative adoption processes: The slow adoption of crucial draft laws (e.g., "amicus curiae," legal incapacity regulations, and anti-discrimination law) should be prioritized. To address delays in legislative decision-making, the government should set clear timelines for the adoption and review of all draft laws and ensure that they are presented to the National Assembly promptly.

Ministry of Justice

- Enhance public consultation and transparency: Future amendments and developments of action plans should involve meaningful public consultation. The adoption of the

⁷ Statement by the Prison Monitoring Group of the death cases in prisons

<https://www.facebook.com/photo?fbid=1313009147533534&set=a.567240858777037>

⁸ Statement by the Prison Monitoring Group on the on the quality of medical care, responses of health authorities and gaps in cooperation

<https://www.facebook.com/photo?fbid=1315330013968114&set=a.567240858777037>

2023-2025 Action Plan without public involvement is a concern, as transparency and public input can enhance legitimacy and create a stronger sense of ownership among civil society.

- Introduce mechanism for impact assessment: Implement robust impact assessment mechanisms for completed actions, particularly those related to training initiatives under various strategic goals. Monitoring should go beyond counting the number of training courses to evaluating whether these initiatives result in measurable changes in behavior and outcomes.
- Improve inter-agency cooperation and oversight: Establish a centralized coordination body that can oversee the implementation of the action plan across ministries and agencies. This body should be empowered to set deadlines, resolve inter-agency disputes, and track progress in real-time to ensure alignment with human rights goals.
- Accelerate digitalization efforts: Expedite the roll-out of digital platforms and inter-agency interoperability functions that have been developed or tested. Ensure that all digital systems are fully operational and accessible to relevant stakeholders, including human rights organizations and the public.

Ministry of Justice and Investigative bodies

- Address the gaps in the prohibition of torture and right to life: Strengthen oversight and accountability mechanisms in the implementation of the prohibition of torture and the right to life in closed institutions (e.g., penitentiaries, psychiatric institutions, etc.). This could include independent investigations into deaths and ill-treatment, and more transparent reporting on these incidents. Additionally, it is necessary to introduce clear disciplinary and criminal consequences for officials who obstruct investigations or fail to report incidents.

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For more information, please contact the author: Hasmik Harutyunyan hasmik@prwb.am