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ANALYSIS

ARMENIA WEAPONIZES “DEMOCRACY” NARRATIVE IN TERRITORIAL AMBITIONS

Armenia underwent a series of political transformations in the aftermath of the governmental change brought about by the popular upheaval in April 2018. Not only its domestic politics but also its foreign policy was affected in this process. Democracy became a buzzword for the new government of the country and, describing the reform initiatives as the triumph of democracy, the new government, led by Prime Minister Nikol Pashinyan, and Armenia’s diaspora institutions have been seeking to weaponize their “democracy” against Azerbaijan, which they portray as an authoritarian regime that wants to undermine Armenia’s democratization. On this ground, they urge the international community to support democratic Armenia’s territorial claims against authoritarian Azerbaijan. A closer analysis of the political developments in Armenia demonstrates, however, realities that directly contradict the narratives of the political leadership and reveal embedded elements of ethno-nationalism.

First and foremost, it is important to note that one of the pillars of democratization is the provision of equal rights to all citizens and ensuring inclusivity in social and political life. A state that discriminates against a certain segment of its population due to their ethnic, religious, cultural, or any other characteristic is disqualified from the right to call itself a democracy. The attempt to build democracy under these circumstances resembles the dark pages of human history when human rights meant privileging only one group of a population based on race or ethnicity, as exemplified in the white and black segregation in the United States before the 1960s. The post-Soviet governments of Armenia, by building up an ethno-nationalist state discriminating against ethnic and religious minorities and repressing dissenting political voices, have created a political regime that privileges ethnic Armenians and mobilizes major political and economic resources for territorial expansion at the cost of the internationally recognized Azerbaijani territories.

Investigations have indicated that, contrary to what the legislation specifies, tolerance for other people’s religious identities is not always practiced in Armenia today. “On Protection of National and Ethnic Affiliation” is the subject of Article 56 of the Armenian Constitution. People who are members of a national minority have the right to preserve and advance their national and ethnic identity, customs, religion, language, and culture, according to that article.¹ The draft law “On National Minorities,” discussed in the Ministry of Justice of Armenia in 2019, provides for the protection of national and ethnic identities, traditions, language, religion, and culture of persons belonging to national minorities.² Furthermore, according to that law, the state is encouraged to carry out projects and programs that safeguard and advance the national values of people who are members of national minorities. In 1998, the National Assembly of the Republic of Armenia passed a law “On the Protection and Use of Historical and Cultural Monuments, Historical Environment,” which forbids political, ideological, religious, racial, and national discrimination in the administration of cultural resources.³ Article 26 of the 1991 Constitution of Armenia governs the freedom of religion and conscience.⁴

This body of law contains, however, several contradictions. For example, the Armenian Apostolic Church has special access to state institutions because it dominates among religious organizations. Because of this, “History of the Armenian Church” has been taught in Armenia’s public schools grades 5 to 10 since 2002. The Center of Collaboration for Democracy kept an eye on the subject matter of textbooks and instructional techniques in public schools in 2012.⁵ As a result, it was discovered that the educational process actively promotes the faith of the Armenian Apostolic Church. This is against the Armenian Education Law’s secular tenets. In the school setting, propaganda was spread against other religious faiths and movements, and their adherents. Additionally, this element is in violation of the European Convention on Human Rights.⁶ Moreover, attendance at religious

¹ Constitution of the Republic of Armenia, adopted 06.12.2015

https://adsdatabase.ohchr.org/IssueLibrary/ARMENIA_Constitution.docx

² «ԱԶԳԱՅԻՆ ՓՈԶՐԱՄԱՍՆՈՒԹՅՈՒՆՆԵՐԻ ՄԱՍԻՆ», «ԻՐԱՎԱՀԱՎԱՍԱՐՈՒԹՅԱՆ ԱՊԱՀՈՎՄԱՆ ՄԱՍԻՆ» ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ՕՐԵՆՔՆԵՐԻ ԵՎ ՀԱՐԱԿԻՑ ՕՐԵՆՔՆԵՐԻ ՆԱԽԱԳԾԵՐ <https://www.e-draft.am/projects/1801>

³ ՊԱՏՄՈՒԹՅԱՆ ԵՎ ՄՇԱԿՈՒՅԹԻ ԱՆՇԱՐԺ ՀՈՒՇԱՐՁԱՆՆԵՐԻ ՈՒ ՊԱՏՄԱԿԱՆ ՄԻՋԱՎԱՅՐԻ ՊԱՀՊԱՆՈՒԹՅԱՆ ԵՎ ՕԳՏԱԳՈՐԾՄԱՆ ՄԱՍԻՆ <https://www.arlis.am/DocumentView.aspx?DocID=38019>

⁴ On the Freedom of Conscience and on Religious Organizations <http://www.parliament.am/legislation.php?sel=show&ID=2041&lang=eng>

⁵ Issues Of Religious Education At Public Schools Of The Republic Of Armenia 12.06.2012.

<https://religions.am/en/article/issues-of-religious-education-at-public-schools-of-the-republic-of-armenia/>

⁶ The European Convention on Human Rights and its protocols <https://www.coe.int/en/web/compass/the-european-convention-on-human-rights-and-its-protocols>

classes was considered mandatory. In turn, the Armenian Apostolic Church actively participates in the publication and financing of relevant textbooks. It should be noted that the law “On relations between the Republic of Armenia and the Armenian Apostolic Church” was adopted in 2007, and the latter was given a number of privileges and budget support.⁷

The UN Commission on Children’s Rights reported in 2014 that it was necessary to eliminate the subject “History of the Armenian Church” from the required school curriculum due to the infringement of the children’s freedom of religion.⁸ However, the question of deleting this subject from the school curriculum was not to be discussed, according to Armenia’s Minister of Education and Science, Armen Ashotyan, at that time.⁹ The National Institute of Education's deputy director, Anait Bakhshanyan, felt that the teaching of this topic was essential and opposed its elimination. The argument made by A. Bakhshanyan has a few anomalous aspects. According to her, minorities, not the national representatives, were opposed to this issue.¹⁰ She claimed that instruction that begins in the classroom has a beneficial impact and has led to a recent increase in the number of young people attending church and taking part in liturgies. The Yerevan State University Faculty of Theology plays a major role in organizing the personnel for these religious classes.

This discrimination is also manifested in the legal opportunities for the political participation of ethnic minorities. For example, the representatives of only four national minorities may be included in the national election list, according to the Election Code of the Republic of Armenia, approved in 2016, and the most recent census statistics.¹¹ Even though there are also Greeks, Ukrainians, and Jews living in Armenia, only Russian, Yezidi, Kurdish, and Assyrian delegates are eligible for the mandate. There is also a quota on the number of representatives from these ethnic minorities, which can only elect one

⁷ Role of Nation Preservation of The Armenian Apostolic Church Valued

http://www.parliament.am/news.php?cat_id=2&NewsID=2210&year=2007&month=02&day=07&lang=eng

⁸ 2014 Report on International Religious Freedom – Armenia <https://www.refworld.org/docid/562105db9.html>

⁹ Вопрос исключения предмета «История церкви» из школьной программы не обсуждается правительством – министр образования

http://arka.am/ru/news/society/vopros_isklyucheniya_predmeta_istoriya_tserkvi_iz_shkolnoy_programmy_ne_obsuzhdaetsya_pravitelstvom/

¹⁰ Предмет «История армянской церкви» нельзя исключать из школьной программы – эксперт

<https://newsarmenia.am/news/society/society-20140523-43060174/>

¹¹ ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ԸՆՏՐԱԿԱՆ ՕՐԵՆՍՊԻՐՔ.

<https://www.arlis.am/documentview.aspx?docid=105967>

individual from their ethnic group.¹²

Additionally, there are some issues with the preservation of Armenian minorities' cultural landmarks. The Nestorian St. Thomas Church was constructed in the 19th century using clay bricks and, according to Razmik Khosroyev, one of the community's leaders, it has nearly collapsed. R. Khosroyev made a fundraising drive and a plea for the church's restoration to the Armenian Catholicos in 2001, the year Armenia celebrated the 1,700th anniversary of Christianity in the country. The Catholicos, however, rejected the plan on the grounds that there was no connection between the Armenian Church and the Nestorian Church.¹³

Press freedom in Armenia is another area that is becoming increasingly repressive. For example, a number of journalists criticized the country's parliament for amending the civil code in March 2021 to enhance the penalties for insults and defamation. The amendment put out by Alen Simonyan, a member of the My Step faction in parliament, calls for raising the penalties for insult and defamation to 3 million and 6 million drams, respectively: in the previous bill, the equivalent fines were 1 million and 2 million drams.¹⁴ This shift is exceedingly risky, especially in light of the propensity of politicians, public figures, and other well-known individuals to interpret even objective criticism as slander and file lawsuits. Decisions on such claims may have a negative effect on the media's future activity because the court system is plagued with issues. Freedom House issued a statement criticizing this choice. The statement denounced the law's approval by the legislature, backed up the residents' legitimate complaints, and asked for the law's repeal.¹⁵

There was a series of cases of physical assault against media professionals in the second quarter of 2022. These incidents took place while media outlets were covering protests organized by opposition forces. Compared to past years, there has been a threefold increase in violence against media professionals.¹⁶ Another concern is the limitations

¹² Armenia's quotas for ethnic minorities in parliament <https://jam-news.net/armenias-quotas-for-ethnic-minorities-in-parliament/>

¹³ Hovhannisyanyan Hasmik, The Three Essential Issues Facing the Assyrian Community in Armenia <https://hetq.am/en/article/25486>

¹⁴ Проект принят: За клевету - штраф в размере до 6 миллионов драмов и до 3 миллионов драмов - за оскорбление <https://www.panorama.am/ru/news/2021/03/24/%D0%9F%D1%80%D0%BE%D0%B5%D0%BA%D1%82-%D0%BF%D1%80%D0%B8%D0%BD%D1%8F%D1%82/2474521>

¹⁵ Armenia: New Amendments Threaten to Stifle Media Freedom and Freedom of Expression <https://freedomhouse.org/article/armenia-new-amendments-threaten-stifle-media-freedom-and-freedom-expression>

¹⁶ On Situation With Freedom Of Expression And Violations Of Rights Of Journalists And Media In Armenia <https://khosq.am/en/reports/quarterly-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-april-june-2022/>

placed on journalists' ability to do their jobs in regions such as Syunik and Gegharkunik. The international organization Reporters Without Borders denounced these barriers to journalists.¹⁷

On November 12, 2020, after the victory of Azerbaijan in the 44-Day War, the special investigative service of Armenia reported on arrests in the framework of a criminal case on violations of the law on the organization and holding of mass meetings. The leader of the Prosperous Armenia opposition party, Gagik Tsarukyan; the deputy heads of the Motherland Party, Ara Sahakyan, and the Republican Party, Eduard Sharmazanov; the head of the Yerkir Media TV channel; a member of the Dashnaksutyun Party, Gegham Manukyan; and opposition activists David Hambardzumyan and Suren Sureniants were detained¹⁸.

Sashik Sultanyan, the founder of the Yezidi Center for Human Rights and a Yezidi by nationality, was charged with violating the civil rights of Yezidis living in Armenia on October 3, 2020, by the National Security Service.¹⁹ The criminal prosecution was based on a conversation Sultanyan had with the news source Yezidinews.com in which he discussed the concerns facing Yezidis residing in Armenia and expressed concern that some problems had not yet been remedied despite efforts.

On August 11, 2021, UN human rights activists issued an appeal to the Armenian authorities demanding a stop to the persecution of activist Sashik Sultanyan.²⁰ The UN Special Rapporteur on Minority Issues, Fernand de Varin, the Special Rapporteur on Human Rights Defenders, Mary Lawlor, and the Special Rapporteur on the Protection of the Right

¹⁷ RSF in English https://twitter.com/RSF_en/status/1359795901443809280

¹⁸ В Армении задержали 10 противников Пашиняна после протестной акции в Ереване 12/11/2020 <https://www.rfi.fr/ru/%D0%B2-%D0%BC%D0%B8%D1%80%D0%B5/20201112-%D1%81%D0%BB%D0%B5%D0%B4%D1%81%D1%82%D0%B2%D0%B5%D0%BD%D0%BD%D0%B0%D1%8F-%D1%81%D0%BB%D1%83%D0%B6%D0%B1%D0%B0-%D0%B0%D1%80%D0%BC%D0%B5%D0%BD%D0%B8%D0%B8-%D0%B7%D0%B0%D0%B4%D0%B5%D1%80%D0%B6%D0%B0%D0%BB%D0%B0-10-%D0%BB%D0%B8%D0%B4%D0%B5%D1%80%D0%BE%D0%B2-%D0%BE%D0%BF%D0%BF%D0%BE%D0%B7%D0%B8%D1%86%D0%B8%D0%B8-%D0%BF%D0%BE%D1%81%D0%BB%D0%B5-%D0%BF%D1%80%D0%BE%D1%82%D0%B5%D1%81%D1%82%D0%BD%D0%BE%D0%B9-%D0%B0%D0%BA%D1%86%D0%B8%D0%B8-%D0%B2-%D0%B5%D1%80%D0%B5%D0%B2%D0%B0%D0%BD%D0%B5>

¹⁹СНБ сводит счеты с Сашиком Султаняном после его слов о нарушении прав езидов 1 августа, 2021 <https://epress.am/ru/2021/08/01/%D1%81%D0%BD%D0%B1-%D1%81%D0%B2%D0%BE%D0%B4%D0%B8%D1%82-%D1%81%D1%87%D0%B5%D1%82%D1%8B-%D1%81-%D1%81%D0%B0%D1%88%D0%B8%D0%BA%D0%BE%D0%BC-%D1%81%D1%83%D0%BB%D1%82%D0%B0%D0%BD%D1%8F%D0%BD%D0%BE%D0%BC.html>

²⁰ Эксперты ООН: власти Армении должны прекратить преследовать преследовать езидского правозащитника Сашика Султаняна 11 августа 2021 <https://news.un.org/ru/story/2021/08/1408022>

to Freedom of Expression, Irene Hahn, made an appeal to the Armenian authorities.

Arush Arushanyan, the mayor of Goris, was held on December 21, 2020, for attempting to stop Prime Minister Nikol Pashinyan's arrival.²¹ On the same day, locals in the Syunik district blocked the road. On December 22, 2020, the court determined that his arrest was not justified. Arushanyan, an MP, was once more apprehended and taken into custody on July 7 in connection with a voter fraud case. A court freed him from detention after he had been detained for nine months.²² At the same time, the court sentenced Arushanyan to six months of probation after finding him guilty of violating Part 1 of Article 308 (Abuse of Official Authority) and Parts 3 and 6 of Article 113 (Intentional Infliction of Moderate Harm to Health). **Arushanyan was represented in court by lawyer Erik Aleksanyan, a well-known attorney who represented clients in a number of high-profile criminal cases, who was later the target of a criminal investigation.**

The case involving former Prime Minister Vazgen Manukyan was first heard at the Yerevan Court of First Instance on July 20, 2021.²³ Manukyan was accused in accordance with the Armenian Criminal Code's Article 301 (voicing public calls for the violent overthrow of the constitutional order in Armenia). The defense of the opposing party claimed that the case was politically motivated. Erik Aleksanyan, a second attorney, was hired by Vazgen Manukyan to represent him. The trial was put off indefinitely on August 18, 2022.

Erik Aleksanyan was placed in custody on October 19, 2022, by the Yerevan Court of General Jurisdiction as a preventative measure.²⁴ In accordance with Section 2 of Article 441 of the Armenian Criminal Code, criminal procedures were opened and the judge and attorney were detained (abuse of official powers or excess of official powers). The accusations against Aleksanyan were described by him as political persecution.

When reviewing the municipal elections that were held on December 5, 2021, the

²¹ Суд по делу мэра Гориса прошел на фоне акции его сторонников 06 ноября 2022 <https://www.kavkaz-uzel.eu/articles/369823/>

²² Мэр Гориса Аруш Арушанян освобожден из-под стражи в зале суда 28 март, 2022 <https://rus.azatutyun.am/a/31774647.html>

²³ Назначенное на сегодня судебное заседание по делу Вазгена Манукяна отложено 18/08/2022 <https://www.panorama.am/ru/news/2022/08/18/%D0%92%D0%B0%D0%B7%D0%B3%D0%B5%D0%BD-%D0%9C%D0%B0%D0%BD%D1%83%D0%BA%D1%8F%D0%BD/2720291>

²⁴ Адвокат Эрик Алексанян арестован 19/10/2022 <https://www.panorama.am/ru/news/2022/10/19/%D0%AD%D1%80%D0%B8%D0%BA-%D0%90%D0%BB%D0%B5%D0%BA%D1%81%D0%B0%D0%BD%D1%8F%D0%BD-%D0%B0%D1%80%D0%B5%D1%81%D1%82%D0%BE%D0%B2%D0%B0%D0%BD/2744925>

American diplomatic mission called attention to the fact that they had heard reports of the government putting pressure on the opposition.²⁵ For example, Armen Charchyan, a member of parliament from the Armenia bloc, was detained on June 23, 2021, thereby sending a message to prominent Armenian doctors and attorneys who refused to accept the new administration.²⁶ Charchyan was the previous director of the Izmirlyan Medical Center in Yerevan. Erik Aleksanyan, a lawyer, appeared in court on behalf of Charchyan. Despite Charchyan's parliamentary immunity, the arrest happened. By order of the Armenian Constitutional Court, Armen Charchyan and two other deputies, Mkhitar Zakaryan and Artur Sargsyan, were released from custody on December 10, 2021.

These facts demonstrate that the political realities of Armenia are dramatically different from what is portrayed by the government of the country.

The power change in 2018 failed to amend the situation and brought about a government that continues to discriminate against ethnic, religious, and political minorities, and dissenting voices in the media and the political sphere. Thus, this governmental change could not push for larger foundational change in the political governance of the country. Prioritizing ethnic Armenians, the post-Soviet governments of Armenia have established an ethno-nationalist state that more closely resembles the fascist governments of last century rather than modern democracies. Nevertheless, they persistently portray their regime as a democracy which, they claim, needs to be supported by the international community. They expect this support, particularly, in their territorial claims against Azerbaijan, which Armenian politicians and diaspora institutions portray as an authoritarian regime. Thus, on the one hand, they imitate democracy while, on the other hand, they weaponize it for their ambitions for territorial expansion.

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²⁵ Выборы в органы местного самоуправления в Армении в целом прошли спокойно, но были также сообщения о давлении - посольство США 07 Декабрь, 2021 <https://rus.azatutyun.am/a/31597655.html>

²⁶ Армен Чарчян снова арестован. Оппозиция считает решение политическим и незаконным 23 август, 2021 <https://rus.azatutyun.am/a/31424520.html>