

ARMENIA 2015 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Armenia's constitution provides for a republic with an elected head of state and a unicameral legislature, the National Assembly. The Republican Party of Armenia (RPA) held a majority of seats in the National Assembly, and with President Serzh Sargsyan as leader, continued to dominate the country's political scene. The country held a presidential election in 2013 and legislative elections in 2012. The Organization for Security and Cooperation in Europe (OSCE) described the presidential election as well administered but with shortcomings, including an uneven playing field, some serious election-day violations, and concerns about the integrity of the electoral process. Similar flaws marred the 2012 National Assembly elections. Civilian authorities maintained effective control of the security forces.

The most significant human rights problems during the year were officials' use of government resources to maintain the dominance of the ruling RPA, use of economic and political power by the country's elite to enrich supporters and to corrupt the law enforcement and judicial systems, and limited judicial independence. During the December 6 constitutional referendum, local and international observers, members of civil society, and journalists reported witnessing numerous types of electoral violations, including use of administrative resources, multiple voting, ballot-box stuffing, and the intimidation of commission members and observers by officials. As of December 18, the Republic of Armenia Investigative Committee (RAIC) had initiated 34 criminal cases stemming from the referendum.

Other reported problems and abuses included suspicious deaths in the military under noncombat conditions and continued bullying and mistreatment of conscripts by officers and fellow soldiers without accountability. Police employed torture and mistreatment to obtain confessions and reportedly beat and abused citizens during arrest and interrogation. Some prisons were overcrowded, unsanitary, and lacking in medical services for inmates. Authorities continued to arrest and detain persons arbitrarily and without reasonable suspicion. Trials were often lengthy, and courts failed to enforce laws providing for fair trials. Authorities did not adequately enforce laws prohibiting government intrusion of privacy and unlawful searches. The media lacked diversity of political opinion, and most outlets reflected government views. Self-censorship was a problem. There were credible reports that police targeted journalists at citizens' protests. Authorities' respect for

freedom of assembly was uneven. The roles of senior officials in the governance of prominent academic institutions and the politicization of student activities inhibited academic freedom. Authorities restricted freedom to participate in the political process and political pluralism. Government restrictions affected some minority religious groups, and members of religious minorities suffered from societal discrimination. Domestic violence remained a problem. A significant imbalance in the birth ratio of boys to girls pointed to gender-biased sex selection. Human trafficking was a problem. Persons with disabilities experienced discrimination in almost all areas of life. Officials, including police and military and prison authorities, subjected lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons to abuse and discrimination with impunity; they also experienced societal violence and discrimination. Society stigmatized persons with HIV/AIDS. The government limited workers' rights and weakly enforced labor laws.

Although the government took some steps to punish officials in the security forces and elsewhere for human rights abuses, officials often continued to commit abuses with impunity. Authorities did not hold anyone accountable for the 10 deaths that occurred following postelection clashes in 2008.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings, although noncombat deaths in the military continued to be a problem.

In one such instance, on January 29, the Ministry of Defense reported the death of Haykaz Barseghyan, a cadet at the Vazgen Sargsyan Military Academy, who was found hanged at the sports grounds of the academy. An autopsy revealed numerous injuries on his body. On January 30, authorities arrested four academy cadets--Vache Sahakyan, Movses Azaryan, Gnel Tevosyan, and Norik Sahakyan--on charges of murder by a group. According to media reports, following an argument, the suspects beat the victim and hanged him to present his death as a suicide. Six other cadets were reportedly present during the incident but had been afraid to interfere. On May 6, National Assembly member Naira Zohrabyan stated there were many witnesses in this case who had been intimidated and were afraid to speak up. The trial of the four began on October 22.

On January 31, following an urgent meeting on the incident called by Minister of Defense Seyran Ohanyan, authorities fired the academy's head, a number of deputy heads, and numerous other officials. On February 13, authorities arrested Artyom Avetisyan, a captain at the academy, and charged him with failing to act in the case. On October 1, press reports indicated authorities had opened a case against one of the dismissed deputy heads, Zarmik Markosyan, the father of suspect Gnel Tevosyan, for creating a privileged position for his son.

Human rights observers continued to assert that authorities presented sanitized versions of reported incidents of bullying and death in the military and then focused their follow-up investigations on reinforcing the initial versions. According to one nongovernmental organization (NGO), the Helsinki Association, investigators, prosecutors, and courts at all levels worked as a system to conceal the real perpetrators of deaths in the military services. According to the Helsinki Association and other experts, courts upheld, and prosecutors defended, indictments based on investigations in which investigators and military police illegally detained suspects and witnesses and subjected them to physical and psychological abuse to force them to give false testimony. Investigators reportedly destroyed or replaced physical evidence and fingerprints. In a March 10 report on a wide range of human rights concerns, the commissioner for human rights of the Council of Europe, Nils Muiznieks, stated he was "struck by the high level of distrust of the families of the victims and civil society in relation to such investigations." According to Muiznieks's report, a common complaint was that officials did not allow victims access to materials on their cases and did not give proper consideration to their testimony.

Separatists, with Armenia's support, continued to control most of Nagorno-Karabakh and seven other Azerbaijani territories. The final status of Nagorno-Karabakh remained the subject of international mediation by the OSCE Minsk Group, cochaired by Russia, the United States, and France. There was an increase in violence along the Line of Contact and the Armenia-Azerbaijan border. Military actions throughout the year resulted in the highest number of deaths in one year since the signing of the 1994 ceasefire agreement, including six confirmed civilian casualties.

Authorities did not hold anyone accountable, including those with command responsibility, for the deaths of eight civilians and two police officers in disturbances in the aftermath of the 2008 presidential election. They stated that investigations continued but provided no new information on their progress.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices. Nevertheless, there were reports that members of the security forces continued regularly to engage in mistreatment of persons in their custody. On June 9, the National Assembly adopted a new definition of torture in the criminal code to make clear that certain actions of government officials may be prosecuted as torture. The UN Human Rights Committee, during its March 2014 session and in follow-up communications, concluded the country had not yet established an independent system for receiving and processing complaints regarding torture or mistreatment in all detention facilities.

Police abuse of suspects during their arrest, detention, and interrogation remained a significant problem. According to human rights NGOs, most victims did not report abuses due to fear of retaliation. Mistreatment reportedly occurred most often in police stations, which, unlike prisons and police detention facilities, were not subject to public monitoring. In his March 10 report, the Council of Europe's human rights commissioner expressed concern about "persisting reports of torture and mistreatment by the police and other law enforcement agencies--often with the purpose of obtaining confessions--and the related problem of impunity."

On January 27, the Council of Europe's Committee for the Prevention of Torture (CPT) published a report on its 2013 visit to the country. According to this report, the CPT's delegation received a significant number of allegations from detained persons who said police officers had subjected them to physical or psychological mistreatment or excessive force. The alleged physical mistreatment consisted mainly of punches, kicks, and beating with batons and occurred at the time of apprehension or during subsequent questioning (in particular by operational police officers). Detainees also told the CPT that officers used threats of physical violence against them and of repercussions for family members. The CPT report stated that in several cases the alleged mistreatment was so severe (e.g., extensive beatings, electric shocks, simulated asphyxiation with a gas mask, and blows to the soles of the feet) as to be considered torture. In a number of cases, findings from the CPT's medical examination of the detainees or documents in their medical files were consistent with their allegations.

In June the Public Observer's Group of Police Detention Facilities (POG), a coalition of NGOs that inspected police detention cells with permission of the authorities, released its annual report covering 2014. It found that police continued to subject persons they detained and arrested to abuse. Citing police registries, the report stated that 39.4 percent of persons brought by police to detention centers in Yerevan in the first eight months of 2014 had physical injuries. While police usually claimed arrestees received their injuries before their arrest or while resisting arrest, the POG dismissed such claims. The POG also noted an increase in the number of injuries after inmates were transported outside police facilities to the crime scene or to participate in other off-site investigative actions.

On April 17, the Special Investigation Service (SIS) dropped its investigation of charges that police mistreatment of Vanadzor resident Ani Boshyan led her to attempt suicide in late 2014. According to the NGO Helsinki Citizens' Assembly, Vanadzor Office (HCAV), which provided legal support to Boshyan, her suicide attempt took place a few days after police took her to the Taron police station in Vanadzor city in November 2014 on charges of distributing pornography.

According to Boshyan, police kept her for more than 10 hours, subjecting her to threats, psychological pressure, and degrading and humiliating treatment. They allegedly forced her to strip and photographed her. They held her father in the police station as hostage to make her confess to putting pornographic images of another woman on a social media internet site, treatment that allegedly led to the suicide attempt. The SIS dropped the case due to "an absence of crime."

Investigators accepted police statements that no abuse had occurred and Boshyan's and her father's actions at the police station were voluntary. According to Boshyan, police had also solicited a bribe of \$5,000 to drop the charges against her. The HCAV appealed the SIS decision to the court, but trial court judge Artur Mkrtchyan rejected the appeal. As of December Boshyan's trial on charges of distributing pornography was in progress.

Police used arrest itself as a form of punishment, according to the POG.

According to official information, during the first 10 months of the year, police released almost one-half of those arrested without charging them. According to the POG, in some regions the proportion of arrestees released without charge exceeded 90 percent.

In the military services, substandard living conditions, corruption, and commanders' lack of accountability continued to contribute to mistreatment and injury of soldiers by their peers or superiors in rank, although there were no reliable statistics on the extent of abuse. According to human rights organizations,

a subculture based on “a criminal value system” undermined military discipline and resulted in a concept of “manly behavior” that overrode statutory rules. According to the Ministry of Defense, this subculture led soldiers to underreport criminal behavior and abuse. While the military leadership recognized the problem and attempted measures to overcome it, in the view of some observers, commanders in certain military units regarded it, as well as violence towards conscripts in general, as an effective way of keeping discipline.

Soldiers’ families claimed corrupt officials controlled many military units, and human rights monitors and the Office of the Human Rights Defender (ombudsman) reported the government continued to conscript soldiers with serious health conditions that should have disqualified them.

Military police, who are not subject to any outside monitoring, subjected soldiers in their custody to physical and other abuse, according to the annual report of the domestic NGO, the Helsinki Committee. The report, published in January, relied on interviews with 38 former military personnel whom military police had initially taken into custody but who were later transferred to various civilian penitentiaries. Many of those willing to talk (i.e., persons who were not awaiting trial and not afraid to criticize the military police) reported that their mistreatment included beating, kicking, punching, hitting with rubber truncheons, and humiliation. According to the Helsinki Committee, military police kept many individuals in custody for as long as four days before transferring them to police detention facilities.

Ministry of Defense efforts to improve discipline included use of the civilian legal system rather than administrative discipline to enforce military regulations, training officers in human rights, and providing boys with social-psychological and legal preparation for military service. In November the Ministry of Defense announced the creation of the Center for Human Rights and Building Integrity, whose mandate includes protecting human rights, strengthening integrity, promoting ethics, implementing anticorruption policy, and making management changes, as well coordinating with international organizations.

Prison and Detention Center Conditions

Poor sanitation, inadequate medical care, corruption, and overcrowding in some facilities remained problems, and conditions in some cases were harsh and life threatening. Prisons generally lacked accommodations for inmates with disabilities.

Physical Conditions: In its December 2014 report, the Prison Monitoring Group (PMG) described the continuing problem of overcrowding as one of the most serious facing some prisons, including the largest, Nubarashen penitentiary.

According to official data, 24 prisoners died during the first 10 months of the year, 23 from natural causes and one from accidental electrocution. According to human rights organizations, overcrowding, the poor condition of the buildings, and negligence in providing health care to inmates contributed to the death rate. Human rights observers also noted there was no proper investigation of these deaths.

According to the report of NGO Protection of Rights without Borders on conditions at the Abovyan penitentiary, the facility did not meet the gender-specific needs of female inmates, such as appropriate medical care, sanitation, nutrition, and psychological services. Inmates relied on personal resources to obtain television sets, refrigerators, and furniture, as well as to renovate and heat their spaces, resulting in unequal conditions. Almost all inmates relied on food, medicine, and sanitary and hygiene products from outside the prison since the quality of the prison food was low, medicine included only standard analgesics, and sanitary and hygiene products were unusable. Other problems included insufficient restrooms and showers, limited access to running water, insufficient heating in winter, poor ventilation, no access to medical services, no facilities for physical exercise, and limited job opportunities. The report found no evidence of violence or degrading treatment of inmates, although it described some prison conditions as constituting inhumane treatment.

Most other prisons had similar problems with food, sanitary conditions, ventilation, and medical care, according to observers. The PMG noted prison medical personnel lacked independence and had to obtain approval of administrators to transfer an inmate to a hospital, record a physical injury in a prisoner's file, or perform similar actions.

In its December 2014 report, the PMG described continuing problems related to treatment of prisoners, relations between inmates, and widespread corruption. Physical violence and degrading treatment were common, with solitary confinement and beating with batons being the most common forms of punishment. When such incidents became known, prisoners usually tried to shield abusers or deny the incident occurred. According to the PMG report, homosexual males, those found to have associated with homosexual males, and inmates

convicted for crimes such as rape were segregated from other inmates and forced to perform the most humiliating jobs and to provide sexual services.

Administration: No information was available on the adequacy of overall recordkeeping by prison authorities, although the PMG's 2014 report noted that since inmates usually did not report abuse, it could not be adequately recorded. There were no reports indicating authorities employed alternative sentencing for nonviolent offenders, although they allowed early release, release on parole, and occasionally, amnesty. The early release program continued to be a subject of concern. Human rights activists and attorneys were critical of the performance of the commissions that determined early release and release on parole. The lack of criteria for release, the absence of an appeal mechanism, and the overrepresentation of law enforcement representatives on commissions remained obstacles to due process.

The PMG reported an increase in the number of convicts seeking early release, while approvals declined. In the view of the Helsinki Committee, prison administrations and early release commissions were interested in retaining large inmate populations, despite overcrowded conditions, to obtain more money from the state budget and to have a larger pool of convicts from whom to extort bribes. Early release was more accessible to convicts with personal connections to the government. For example, according to media reports in December 2014, the son of the country's ambassador to Georgia, sentenced to four and one-half years in prison for drug trafficking, obtained release after serving approximately one year and two months.

The PMG continued to report to the Ministry of Justice about convicts whose deteriorating health should have, in its view, qualified them for early release. The interagency medical commission in charge of considering the early release of prisoners on health grounds was generally very slow to act and did not have established procedures.

Human rights organizations and the ombudsman's office continued to report that convicts and detainees did not always have reasonable access to visitors due to the lack of suitable space for visitations.

Prisons did not have ombudsmen, and prisoners lacked effective mechanisms to report problems with their confinement. Authorities did not always permit prisoners and detainees to submit uncensored appeals to authorities concerning credible allegations of inhuman conditions. According to the PMG, prisoners'

written complaints and appeals to various government bodies were put into their mailing envelopes by the prison staff, a practice that gave prisoners no assurance of the confidentiality of their complaints.

Independent Monitoring: The government generally permitted domestic and international human rights groups, including the CPT, to monitor prison and detention center conditions, and they did so regularly. They could speak to prisoners privately. The government permitted the International Committee of the Red Cross to visit both prisons and pretrial detention centers.

Improvements: The newly opened Armavir penitentiary offered better conditions and better-trained prison staff than older facilities. During the year prison officials made some infrastructure upgrades, including installing a ventilation system and removing glass partitions from some of the ventilation booths.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention. Although authorities generally complied with the legal requirement that judges review detentions, judges were often reluctant to challenge prosecutors' requests to detain individuals or to review police conduct during arrests. Police arbitrarily detained citizens, including participants in demonstrations.

Role of the Police and Security Apparatus

The national police force is responsible for internal security, while the National Security Service (NSS) is responsible for national security, intelligence activities, and border control. The SIS is a separate agency specializing in preliminary investigation of cases involving suspected abuses by public officials. The RAIC, established in 2014, is responsible for conducting pretrial investigations into criminal cases and incorporates the investigative services formerly under the police and the Ministry of Defense. The president appoints the heads of all these bodies.

Impunity was a problem, and there was no independent mechanism dedicated solely to investigating police abuses. Although there were numerous SIS investigations of police misconduct, such investigations rarely resulted in conviction, and the Council of Europe's human rights commissioner and the CPT criticized the frequent involvement of police officers in collecting evidence in cases of police misconduct.

Citizens may sue police, but this avenue was limited. Prior to trial defendants have the legal right to file complaints alleging abuse by law enforcement personnel in the course of an investigation, but they must obtain permission from police or the prosecutor's office to undergo the forensic medical examination necessary to legally substantiate an accusation of physical abuse. Human rights organizations continued to report authorities rarely granted such permission or delayed it until physical signs of abuse were no longer visible.

NGOs reported judges routinely ignored defendants' claims their testimony was coerced through physical abuse. In his March 10 report, the Council of Europe's human rights commissioner expressed serious concern about the reliance by courts on evidence defendants claimed was obtained under duress, especially when such evidence was the basis for a conviction. In an April 6 presentation to the National Assembly, Prosecutor General Gevorg Kostanyan described the defendants' "obviously made-up" allegations of duress as a reason for trial delays. The prosecutor general suggested investigators should warn defendants about criminal responsibility for falsely reporting a crime.

Corruption, selective application of the law, and impunity for powerful officials and those related to them were problems. In multiple instances law enforcement bodies either refused to prosecute high-profile cases involving individuals linked to the government or were lenient towards such perpetrators (see section 1.c.).

In a number of instances, external pressure appears to have been exerted on victims or witnesses to recant their official accounts of mistreatment by authorities. For example, on May 2, the media reported that Tigran Khachatryan, son of the Syunik governor Surik Khachatryan, and a group of his friends beat brothers Harutyun and Mushegh Zakaryan following a roadside argument. The brothers suffered numerous injuries, with Harutyun Zakaryan suffering irreversible damage to his eyesight. Although they gave numerous press interviews about the role of Tigran Khachatryan in the beatings, the Zakaryan family eventually changed their testimony, with Harutyun Zakaryan claiming he did not remember exactly who hit his eyes. On October 10, authorities released Tigran Khachatryan following an appeal by the RAIC, although his associates remained in detention. By October 30, investigation of the case ended with no charges brought against Tigran Khachatryan.

Law enforcement bodies continued to lack the political will, training, resources, and procedures to prevent abuse.

Arrest Procedures and Treatment of Detainees

Although the law requires warrants or reasonable suspicion for arrests, authorities on occasion detained and arrested criminal suspects without warrants or reasonable suspicion. By law an investigative body must either arrest or release an individual within three hours of taking the individual into custody. Within 72 hours the investigative body must release the arrested person or bring charges and obtain a detention warrant from a judge. Judges rarely denied police requests for detention warrants. According to the POG report, police did not keep accurate records and either backdated or failed to fill out protocols of detention and arrest.

The law requires police to inform detainees of the reasons for their detention or arrest, as well as their right to remain silent and to make a telephone call. Bail was a legal option, but judges were reluctant to employ it. Defendants were entitled to representation by an attorney from the moment of arrest. The law entitles detainees to public defenders if they are indigent. According to the POG, few detainees were aware of their right to legal representation. The POG's 2014 report indicated fewer than 15 percent of arrestees used the services of an attorney. According to an HCAV report, individuals who engaged attorneys from the beginning of their interaction with law enforcement personnel experienced few violations of their rights. Observers indicated police often avoided granting individuals their due-process rights by summoning and holding, rather than formally arresting, them, under the pretext that they were material witnesses rather than suspects. This practice allowed police to question persons without giving them the benefit of a defense attorney.

The law allows defendants to claim monetary compensation for nonpecuniary damages suffered due to a miscarriage of justice or illegal acts by law enforcement bodies. There were no reports to indicate whether defendants took advantage of these provisions.

Arbitrary Arrest: According to international organizations and human rights observers, police, NSS personnel, and border guards often detained or arrested individuals without a warrant. Human rights organizations alleged such detentions were often not the result of police investigations but a way of beginning investigations, with authorities hoping the suspect would confess and make further investigation unnecessary.

Pretrial Detention: Lengthy pretrial or preventive detention remained a chronic problem. According to official statistics, during the first 10 months of the year, an

average of 8 percent of the prison population consisted of pretrial detainees, and an additional 19 percent were detainees whose trials were in progress, or who were waiting for the verdicts to enter into force. Some observers linked the use of excessive pretrial detention with the goal of investigative bodies to induce defendants to confess or reveal self-incriminating evidence.

On November 9, for example, after Hrachya Gevorgyan had spent four years in pretrial detention, a court sentenced him to eight years for hostage taking, extortion, and violence against law enforcement representatives. According to the NGO Helsinki Association (which observed Gevorgyan's case and provided support to him during his detention), Gevorgyan's physical and mental health had deteriorated to such a degree during his four years in pretrial detention that he was hardly able to talk and was held in the prison hospital.

Law and precedent provide for bail in all criminal cases, but judges seldom considered it. In a March 10 report, the Council of Europe's human rights commissioner noted a statement from the Association of Judges that judges were reluctant to employ pretrial measures other than detention because prosecutors often objected, and the court of appeals usually reversed the trial judge's decision.

In a rare demonstration of judicial independence, however, trial court Judge Davit Harutunyan released one nonviolent defendant on bail as an alternative to pretrial detention on four separate occasions between July 2014 and April. Each time, the judge detailed the government's failure to meet its burden of demonstrating the defendant posed a flight risk, would be a danger to the community, or would tamper with witnesses or evidence. Following each decision the investigators or prosecutors appealed the decision to the court of appeals, which reversed it. After each reversal, Judge Harutunyan continued to justify his decision for bail by citing precedents from the Court of Cassation and the European Court of Human Rights (ECHR). On the fourth appeal, the court of appeals upheld judge Harutunyan's decision authorizing bail.

The overuse of detention applied also to juvenile offenders. In 2013 the Committee on the Rights of the Child reported the country lacked a holistic juvenile justice system that included juvenile courts and comprehensive juvenile justice statutes with efficient alternatives to the formal justice system. The government also did not provide preventive and restorative services for child offenders. Authorities detained children for lengthy periods during pretrial investigation and could punish them for alleged infractions while in pretrial detention with five to 10 days of solitary confinement. According to the Council

of Europe's human rights commissioner, juveniles were especially vulnerable in the criminal justice system and were not protected by safeguards against violations of their rights.

Although the law requires prosecutors to present a well-reasoned justification every two months for extending pretrial custody, judges routinely extended detention on unclear grounds. Authorities generally complied with the 12-month limit on total time in pretrial detention, but once prosecutors forward their cases to court for trial, the law does not provide time limits on further detention but indicates only that a trial must be of "reasonable length." Prosecutors regularly requested and received trial postponements from judges on the grounds they needed more time to prepare for a trial, that is, to prolong the investigation. Prosecutors tended to blame trial postponements on defense lawyers and their requests for more time to prepare a defense. Severely overburdened judicial dockets across all court levels also contributed to lengthy trials.

e. Denial of Fair Public Trial

Although the law provides for an independent judiciary, the judiciary did not exhibit independence, although administrative courts were relatively more independent than others. There were reports the Court of Cassation dictated the outcome of all significant cases to lower-court judges. According to observers, the Court of Cassation's control over judicial decisions remained an overarching problem affecting judicial independence.

Judges remained subject to political pressure from every level of the executive, including law enforcement agencies, as well as from the judicial hierarchy. Lacking life tenure, they were vulnerable to dismissal by the president and had no effective legal remedies if executive, legislative, or more senior judicial authorities decided to punish them.

In a March 10 report, the Council of Europe's human rights commissioner, reflecting concerns of human rights observers, stated that disciplinary proceedings were used unfairly against judges to influence their decisions or retaliate against them. He also noted the involvement of the minister of justice in disciplinary proceedings against judges, a practice incompatible with judicial independence.

Authorities generally complied with court orders.

Trials usually met many of the procedural standards for fairness. They were often unfair in substance, however, because many judges felt compelled to work with prosecutors to achieve convictions.

On March 31, the ECHR found violations of the right to fair trial and prohibition of torture in the case of *Nalbandyan v. Armenia* and ordered the state to pay a total 62,100 euros (\$68,300) to the applicants. The applicants, husband and wife Bagrat and Narine Nalbandyan and their daughter Arevik, made allegations of torture and mistreatment against the Vardenis Police Department, which suspected the Nalbandyans of killing one of Arevik Nalbandyan's classmates in 2004. Bagrat Nalbandyan alleged police arrested and beat him to make him confess to killing the victim. His wife alleged that when she refused to testify against her husband, police beat her with batons on the soles of her feet and threatened to rape their minor daughter, who was also in custody. As a result Narine Nalbandyan confessed to the killing and her husband confessed to assisting her. The presiding judge at the trial disregarded the two defendants' allegations that they confessed under duress and sentenced the Nalbandyans to nine and 14 years in prison, respectively. During the trial the judge allowed the proceedings to degrade to an atmosphere of constant disorder, including threats, verbal abuse, and physical attacks against the defendants, their lawyers, and family members. The ECHR noted this conduct also continued in the court of appeals and ruled both the presiding judge and the court of appeals had infringed upon the defendants' right to a fair trial. On February 7, the president appointed the presiding judge, Davit Balayan, to be chief judge of one of the Yerevan trial courts. As of the end of year, Narine Nalbandyan continued serving her sentence. In December the Court of Cassation accepted for additional review the main case under which the family was convicted.

Human rights NGOs continued to highlight violations of the human rights of persons serving sentences of life imprisonment. According to these groups, those serving life sentences lacked the opportunity to have their sentences meaningfully reviewed by courts when changes in criminal law occurred that could possibly have replaced life sentences with less severe punishment. According to human rights groups, one of the greatest obstacles to justice for those serving life sentences was the destruction of case files and evidence by court orders. This action deprived convicts of the opportunity to have their cases reviewed based on forensic analysis conducted using new technologies, such as DNA testing.

Trial Procedures

While the law provides for presumption of innocence, the Council of Europe's commissioner for human rights, Niels Muiznieks, and the domestic media reported cases when officials breached this right. Nevertheless, the RAIC and the SIS reaffirmed the presumption of innocence of suspects in their press releases.

The law requires most trials to be public but permits exceptions, including in the interest of "morals," national security, and the "protection of the private lives of the participants." Juries are not used; a single judge issues verdicts in trial courts (except for crimes punishable by life imprisonment), and panels of judges preside in the higher courts. Defendants have the right to counsel of their own choosing, and the law requires the government to provide them with a public defender upon request. A shortage of defense lawyers sometimes led to denial of this right outside of Yerevan. According to the Council of Europe's human rights commissioner and other observers, while the creation of this system of public defenders was a positive and necessary step, the heavy workload, insufficient number, and low salaries of public defenders were not conducive to the delivery of quality legal aid, particularly in regions distant from Yerevan.

The law limits the defendant's right and available time to prepare a defense at the pretrial stage by permitting the accused and the defense access to investigative material only after the preliminary investigation is completed. By law defendants may confront witnesses, present evidence, and examine the government's case in advance of a trial, but defendants and their attorneys had very little ability to challenge government witnesses or police, while courts tended to accept those materials routinely. In particular, the law prohibits police officers from testifying in their official capacities unless they were witnesses or victims in a case. Judges were reluctant to challenge police experts, hampering a defendant's ability to mount a credible defense. Judges' control over witness lists and over the determination of the relevance of potential witnesses in criminal cases also impeded the defense. Defense attorneys complained that judges at times did not allow them to call or obtain the attendance at trial of witnesses whom they believed had evidence helpful to their client's defense. According to lawyers and domestic and international human rights observers, the prosecution retained a dominant position in the criminal justice system.

Defendants, prosecutors, and injured parties have the right of appeal and often exercised it.

There was an expectation that judges would find the accused guilty in almost every case, and the vast majority of criminal cases sent to trial, including many weak

cases, resulted in conviction. The practice of police investigators not to forward most weak cases to the courts also likely played a role in the high conviction rate. According to court statistics, there were 92 acquittals among the 2,185 court verdicts reached in the first 10 months of the year, and only 69 of these were full acquittals.

On March 31, the SIS dropped its investigation of allegations that police physically abused and otherwise mistreated Alexander Tsverianov to elicit his confession to charges of home theft in 2014. The HCAV, which provided legal support to Tsverianov, appealed the SIS decision in court, but trial court judge Artur Mkrtchyan rejected the appeal. The investigation had been ordered by a court when it acquitted Tsverianov of the theft charges because Erebuni police had coerced his confession.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees, but human rights defenders continued to assert authorities enforced laws selectively and chose to prosecute certain individuals and not others based on their political views.

Civil Judicial Procedures and Remedies

Although citizens had access to courts to bring lawsuits seeking damages for, or cessation of, human rights violations, the courts were widely perceived as corrupt. Citizens also had access to the ombudsman's office, as well as the possibility of challenging the constitutionality of legislation in the Constitutional Court. While the Constitutional Court exercised its power to determine the constitutionality of statutes in dozens of cases, lower courts, which are subordinate to the Court of Cassation rather than the Constitutional Court, enforced its decisions unevenly.

Citizens who exhaust domestic legal remedies can appeal cases involving alleged government violations of the European Convention on Human Rights to the ECHR. The government generally complied with ECHR awards of monetary compensation but usually did not reopen cases on which the ECHR ruled, and courts often did not follow the applicable ECHR precedent.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits unauthorized searches and provides for the rights to privacy and confidentiality of communications. There were reports law enforcement bodies did not always abide by these prohibitions.

Authorities may not legally wiretap a telephone, intercept correspondence, or conduct searches without obtaining the permission of a judge based on compelling evidence of criminal activity. Human rights observers indicated police sometimes conducted searches at homes without warrants under the pretext of looking for wanted persons. Although law enforcement bodies generally adhered to legal procedures, attorneys claimed judges often authorized wiretaps, the interception of correspondence, and searches without receiving the compelling evidence required by law, rendering the legal procedures largely a formality. Authorities reportedly tapped the telephone communications, e-mail, and other digital communications of individuals the government wanted to keep under scrutiny, including human rights activists and political figures.

Throughout the year Hrayr Manukyan, a reporter and a member of the Heritage party board, made unsuccessful attempts to promote a criminal investigation of NSS representative Vladimir Hakobyan's June 2014 attempt to recruit him as an informant for the NSS. Hrayr Manukyan had taped and publicized the conversation with Hakobyan, in which Hakobyan threatened Manukyan and his family following Manukyan's refusal to cooperate. On July 18, the president appointed Hakobyan as his spokesperson.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, but the government did not always uphold these rights. Print, online, and broadcast media generally expressed views sympathetic to their owners or advertisers, a mix of government officials and oligarchs. There were several incidents of violence toward journalists in connection with their coverage of citizens' protests.

Freedom of Speech and Expression: While most individuals were able to criticize the government publicly or privately and discuss matters of general public interest without fear of reprisal, members of the media often exercised self-censorship to avoid official harassment. Beginning in late 2014, there were instances of violence towards activists and political figures who criticized the government; the majority of these incidents remained unsolved. One such attack in December 2014

hospitalized opposition National Assembly member Aram Manukyan, who suffered a concussion, abrasions, and bruises on his face. Police characterized Manukyan's injuries as "light," and on July 18, a court sentenced Arshak Ayvazyan to one month's detention for the assault. The RAIC dropped its investigation of at least four other such attacks claiming the perpetrators were unknown.

On July 16, the OSCE's representative on freedom of the media, Dunja Mijatovic, wrote the foreign minister to express concern about an SIS criminal investigation of the editor of the *ILur.am* news portal, Kristine Khanumyan. Prosecutors charged Khanumyan with deliberate failure to comply with a court order that the portal reverse its earlier refusal to disclose the confidential sources for Khanumyan's article concerning abuse by a regional police chief. Conviction could have resulted in heavy fines and up to two years in prison. Following the OSCE intervention, prosecutors dropped the charges against Khanumyan. On October 20, the Constitutional Court ruled that compelling the disclosure of sources was not warranted in the case of Khanumyan's article.

Press and Media Freedoms: Print and broadcast media for the most part lacked diversity of political opinion and objective reporting. Private persons or groups owned most newspapers, and the newspapers, whose circulation was limited, tended to reflect the political leanings of their proprietors and financial backers, who in turn were often close to the government. On politically sensitive topics, the media overwhelmingly provided only government-supported views and analysis.

Broadcast media, particularly national television, remained the primary source of news and information for the majority of the population. Politicians in the ruling party and politically connected executives owned most stations, and the stations presented one-sided views of events. Regional television channels provided some alternative viewpoints, often through externally produced content.

The government continued to fail to release the audit of the country's television and radio frequencies that provided the technical basis for limiting the number of digital broadcasting licenses it will permit after the country switches from analog to digital transmission. Digital transmission, initially planned to start on July 1, was postponed, reportedly for six months.

The government did not generally control the content of online media. Online media outlets and social networks were an important alternative source of information. Unlike broadcast media they provided diverse political opinions. The

livestreaming of important political events gained in importance among the online media outlets during the year. Nevertheless, online media also showed signs of the influence of politically connected owners and advertisers. There were credible reports of continuing consolidation of both online and broadcast media outlets by a few government-affiliated individuals. Traditional and online media ownership remained nontransparent.

Violence and Harassment: There were occasional attacks on journalists during the year. The government did not conduct credible investigations into such attacks.

On several occasions police used violence against reporters who were covering citizens' protests. The most notable of these occurred on June 23, when the police beat and detained journalists, damaged their equipment, and erased memory cards, while dispersing a peaceful sit-in protest in downtown Yerevan against a proposed increase in electricity rates. Reports from 24 journalists and camera operators indicated police physically attacked them or otherwise hampered their activities. All asserted the targeting was deliberate and that police ignored their press credential badges and the logos on their cameras. In a statement released on June 23, police alleged the journalists had neglected to follow "police officers' demands to keep a reasonable distance from the assembly venue so as not to hinder police officers in the lawful performance of their duty." Speaking to the press later that day, however, the chief of police made a public apology. The same day authorities reportedly demoted one officer and reprimanded 11 others for excessive use of force. They returned or replaced some media outlets' damaged equipment. Observers considered the criminal investigation initiated by the SIS in early July to be perfunctory. As of September 11, prosecutors had not charged anyone with an abuse.

Verbal attacks on journalists by members of the National Assembly went unchallenged by the assembly's ethics committee or other government officials. For example, in response to articles critical of the defense minister's wife, one National Assembly member from the ruling RPA, Arakel Movsisyan, stated he would behead and rape those behind the articles.

Censorship and Content Restrictions: 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 when advertisers learned an outlet was in disfavor with the government. Fear of retribution resulted in media self-censorship.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content. Individuals and groups could generally engage in the expression of views via the internet, including by e-mail. Some human rights activists and opposition party members claimed authorities monitored their e-mail and other internet communications with no, or perfunctory, judicial oversight (see section 1.f.).

The International Telecommunication Union estimated that 46.3 percent of the population used the internet in 2014.

Academic Freedom and Cultural Events

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

Most educational institutions chose not to criticize the government openly and exercised self-censorship. Both the administration and student councils of the most prominent state universities were politicized and affiliated with the RPA. For example, the president of the Board of Trustees of Yerevan State University, Serzh Sargsyan, was president of the country. Government ministers led, or were members of, the boards of trustees of other universities. According to human rights observers, student councils in most universities experienced various forms of pressure and were expected to support the interests of the university rather than those of the student body. During the year, in contrast to 2014, there were no reports that faculty members lost their positions because of their political affiliation or views.

In September students of the Gyumri State Economic University protested the conduct of student council elections, accusing the university faculty, particularly young RPA supporters, of intervening to ensure the student council represented the views of the ruling party.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and the law provide for freedom of assembly. While the government frequently respected this right, police sometimes used violence and

excessive force against demonstrators or detained them arbitrarily and otherwise hampered peaceful gatherings.

There were no reports that officials obstructed political rallies, but police sometimes impeded peaceful demonstrations by civic activists, who demonstrated frequently over a variety of social and human rights problems. While many protests were peaceful in nature, in some cases protesters actively sought to provoke or engage in physical altercations with police.

On September 15, the Helsinki Committee published findings based on observations of 99 demonstrations and marches in 2014-15. Civic activists organized 74 of the events, and more than half had fewer than 100 participants. According to the report, police presence at these events was often disproportionate. The report cited significant police interference in 26 cases. In eight cases they detained participants. In five they halted the participants' movements or forcibly removed them from streets and used violence against them resulting in injuries. The report also questioned police methods, such as giving orders or instructions to participants without an accompanying justification or reason and then charging them with resisting a "lawful demand" when they did not comply.

On April 7, in an unprecedented decision, administrative court judge Liana Hakobyan rejected a police appeal for administrative proceedings against Ara Nedolyan, whom they detained during a protest in Freedom Square in January 2014. Judge Hakobyan ruled the police acted illegitimately as they disrupted the protest, failed to fine Nedolyan on site, and kept him at the police station for two hours after finishing all paperwork required to issue an administrative fine. The judge stated that police demands, preceding his arrest, that Nedolyan change his location violated his rights to freedom of assembly and expression.

On June 19, public protests and sit-ins sprung up in Yerevan and elsewhere over a proposed increase in electricity rates. On June 22, police in Yerevan blocked a protest march towards the Presidency, resulting in a sit-in at a major intersection. Police and demonstrators engaged in peaceful negotiations until early on June 23, when police dispersed the crowd, including by use of water cannon at close range. Videos showed police charging after, beating, and detaining demonstrators who were blocks away from the sit-in. Videos also suggested that a group of 40-50 plainclothes police, some wearing "Police" armbands, led by the then deputy head of Yerevan Police, also out of uniform, were responsible for most of the abuses. Many participants were hospitalized. Police detained 237 participants (including women, minors, journalists, and human rights monitors and defenders), mostly in

Yerevan, and approximately a dozen in Gyumri, all accused of “hooliganism.” According to media reports, the deputy chief of the national police, Levon Yeranosyan, allegedly instructed officers to target journalists and destroy their equipment. Police held some demonstrators for up to 12 hours without clarifying their status, allowing them access to lawyers, or providing medical assistance. Human rights observers accused police of using excessive force to break up the demonstration and of illegally dispersing protesters while not in uniform.

After public statements by foreign missions in the country and critical coverage in the local and international media Chief of Police Vladimir Gasparyan apologized to reporters for police actions on June 23. Following the police actions, the sit-in attracted a much larger following, and the days passed without significant incidents between demonstrators and police. While participation gradually dropped off, crowds continued to gather in the evenings, until early afternoon of July 6, when police cleared the makeshift barricades and removed and detained the 46 remaining protesters, releasing them without charge later that day. On July 13, Gasparyan announced that nine police officers, including the then deputy head of Yerevan Police, were reprimanded in connection with the June 23 violence. According to human rights groups, these administrative penalties were inadequate and a cosmetic measure.

Freedom of Association

The constitution and law provide this right, and the government generally respected it. The government did not provide a legal framework to support the financial sustainability of NGOs. The law does not permit such organizations to charge fees for their services, create endowments, or engage directly in profit-generating activities to fund their operations and achieve their statutory goals. As a result NGOs continued to be dependent on grants and donations (see section 5).

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these

rights. Authorities cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern.

In-country Movement: There were isolated press reports authorities attempted to restrict travel to prevent attendance at political rallies.

Foreign Travel: Citizens must obtain exit visas to leave the country on a temporary or permanent basis. Citizens could routinely purchase exit visas for temporary travel out of the country within one day of application for approximately 1,000 drams (\$1.90) for each year of validity.

Internally Displaced Persons

During the country's war with Azerbaijan over Nagorno-Karabakh, authorities evacuated approximately 65,000 households from the border region, but most internally displaced persons (IDPs) later returned to their homes or settled elsewhere. Some of the country's IDPs and former refugees continued to lack adequate housing and had limited economic opportunities. As of May, according to the Internal Displacement Monitoring Center, there were 8,400 IDPs.

Protection of Refugees

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees. The law has a number of shortcomings, and human rights observers contended asylum procedures did not meet international standards. Information about access to the territory for potential asylum seekers who were not ethnic Armenians was limited, although in three cases reported during the year, authorities facilitated access to the country's territory and asylum procedures following intervention by UNHCR. During the year the State Migration Service adopted new operating procedures that promote approaches more consistent with international standards.

Refugee Abuse: In 2012 the UN Human Rights Committee expressed concern that the government prosecuted some asylum seekers for illegal entry despite their having identified themselves as asylum seekers. Authorities did not generally release asylum seekers serving sentences for illegal entry into the country after registering their asylum applications but required them to serve the remainder of their sentences. Independent observers were given access to detainees. During the

year authorities adjusted the legal framework to address the detention of asylum seekers, and at least one asylum seeker who had crossed the border illegally was released. UNHCR reported authorities detained two Afghan asylum seekers for illegal border crossing. As of December, despite the registration of their asylum applications by the State Migration Service, the two individuals remained in prison.

The rejection of the applications of asylum seekers who were not of ethnic Armenian origin, often on grounds of national security, continued to be a concern. During the year authorities determined that circumstances had changed sufficiently in the home countries of a small number of African refugees to justify termination of their refugee status, despite country information provided by UNHCR to the contrary. There were no reported cases of refoulement during the year.

Access to Basic Services: Authorities offered ethnic Armenians from Syria who remained in the country a choice between expedited naturalization, a residence permit, or refugee status. Quick access to permanent resident status and citizenship gave refugees the same legal rights to health care and most other social services as other citizens. Housing allocated to refugees from the 1991-94 conflict over Nagorno-Karabakh was often inadequate in supply and in poor condition. During the year authorities opened an integration house with places for 29 refugees and offered accommodation free of charge to refugees during the first months after they acquired refugee status. Language differences, even with Syrian-Armenian refugees who spoke a different dialect of Armenian, created barriers to employment and, initially, education. In addition refugees faced many of the same social and economic hardships that confronted the general population. Refugees who were not ethnic Armenians needed three years of legal residence in the country to be naturalized.

Refugees had access to courts, including the European Court of Human Rights (ECHR). On June 16, the ECHR issued a judgement in Sargsyan v. Azerbaijan, that an ethnic Armenian refugee who was unable to return to his home in Azerbaijan due to the unsettled Nagorno-Karabakh conflict should be compensated by the Azerbaijan government through a property claims mechanism.

Durable Solutions: Authorities offered ethnic Armenians from Syria who remained in the country the option of expedited naturalization. During the year the State Migration Service established a new integration unit tasked with drafting a national integration strategy.

Stateless Persons

As of June 30, according to UNHCR, there were 113 stateless persons with residency permits in the country. In addition 1,542 refugees from Azerbaijan were also stateless. In May the National Assembly amended the law on citizenship, inter alia, to prevent persons from renouncing Armenian citizenship unless they acquired citizenship in another country (thus preventing them from becoming stateless or avoiding military service and other obligations of citizenship). The amendments permit children born in the country who would be otherwise stateless to register as citizens. There was anecdotal evidence that some persons without documents were stateless or at risk of statelessness because they had entered the country informally or lived in remote areas and still held Soviet documents. Rejected applicants for naturalization did not have the right to appeal. There was no clear procedure for the determination of statelessness and no national legislation on the rights of stateless persons.

Section 3. Freedom to Participate in the Political Process

Although the constitution and laws provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, the government continued to interfere with that ability both during elections and afterward through practices designed to ensure the dominance of the ruling RPA.

Elections and Political Participation

Recent Elections: The country held a presidential election in 2013 and parliamentary elections in 2012. The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) described the presidential election as well administered but with shortcomings, including an uneven playing field, serious election-day violations, and concerns about the integrity of the electoral process. Reports of bribery of voters, large-scale abuse of administrative resources to favor incumbents, concerns about impostors voting in place of absentee voters, and the presence of unauthorized organized groups at many precincts undermined the integrity of the election process and further discredited the institution of elections in the public eye. Similar flaws marred the 2012 National Assembly elections, in which OSCE/ODIHR found credible allegations of vote buying, deficiencies in the complaints and appeals process, and continued shortcomings in the electoral code despite improvements.

On December 6, citizens voted in a referendum, initiated by the president, to make major changes in the constitution, including changing from a semipresidential to a parliamentary model of government. Significant portions of the public and civil society expressed concern about the way the amendments were drafted, approved by the National Assembly, and adopted. Although a concept paper was initially published in early 2014, the first complete draft was not made public until August 2015, a new draft with significant changes was introduced in parliament October 5, and parliamentarians had approximately one hour to consider the package before a final vote.

Many civil society organizations and some opposition political forces contended the constitutional changes did not respond to any demand in society and represented an effort by the ruling party to prolong the power of the country's existing leadership.

A late change in acceptable voter identification documents proved contentious. Approximately one month before the referendum, the ruling Republican Party secured parliamentary approval for legislation to legalize the use of government-issued identification cards as proof of identity when voting. Authorities contended that failing to validate the documents for this purpose could have disenfranchised more than 180,000 persons. Acknowledging this benefit, representatives of civil society and political opposition groups nevertheless questioned the last-minute decision to accept the cards at polling stations. Since the cards did not give the address of the bearer and could not be stamped after being used to vote, critics claimed they helped facilitate multiple voting. Critics also pointed out the failure to counter weak public trust in the country's voter lists and overall management of elections, shortcomings noted by OSCE/ODIHR observers after previous elections.

The constitutional referendum was peaceful, but there were numerous credible media reports that officials threatened and pressured employees in the large state-run sector to vote in favor of the referendum. Senior government officials-- regional and national--led and administered the "Yes" campaign. Although legal, this high-level participation created the impression that supporters had access to state and government resources to advance their cause.

Domestic observers and the media reported numerous irregularities during December 6 referendum, including ballot-box stuffing, replacement of ballots, vote buying, multiple voting by the same individuals, substitutive voting, and harassment and intimidation of observers, journalists, and commission members. On December 10, Human Rights Ombudsman Karen Andreasyan sent a letter to

the prosecutor general citing 67 emergency calls received by the ombudsman's office regarding possible electoral violations. Domestic observation missions also submitted complaints to administering authorities. Most civil society organizations and observer groups considered the complaints process legally ineffective and alleged election commission personnel deliberately obstructed complaints.

The Armenian National Congress opposition political party questioned the preliminary results and appealed to the Central Referendum Commission to declare the referendum invalid, citing many violations. The commission determined the violations did not affect the outcome of the referendum and, with approximately 51 percent turnout and approximately 63 percent of votes cast in favor of the changes, declared the constitutional amendments adopted.

Political Parties and Political Participation: While the law does not unduly restrict the registration or activity of political parties, authorities suppressed political pluralism in other ways. Early in the year, a group of opposition forces was building momentum for antigovernment street protests and challenging the government's proposed constitutional changes. At the center of these protests was tycoon Gagik Tsarukyan, a member of the National Assembly and chair of Prosperous Armenia, its second largest political faction. One week before a major rally, President Sargsyan, who was also chairman of the ruling RPA, publically rebuked Tsarukyan on national television, expelled him from the National Security Council, instructed authorities to look into allegations about his previous crimes and tax history, and implied he might be expelled from the National Assembly.

Sargsyan's televised speech and the events that followed were described by many observers as a methodical dismantling of the country's most viable opposition force. As a result of various forms of alleged government pressure, including audits and harassment by tax inspectors, a number of Prosperous Armenia members and local leaders left the party. Shortly after the crackdown, Tsarukyan announced his resignation as chairperson of Prosperous Armenia and head of the party's faction in the National Assembly, and his departure from political life. Reports indicated the harassment of businesses and Prosperous Armenia loyalists stopped soon thereafter, and President Sargsyan appeared in public alongside Tsarukyan. Many observers regarded these measures as public intimidation and selective application of the law to pressure an opposition leader who was potentially capable of rallying large numbers of people in opposition to the country's leadership.

Complaints continued that the government used its administrative and legal resources to discourage financial contributions to opposition parties, thereby limiting their activities. The inability of opposition parties to raise significant funds due to government pressure on potential donors marginalized opposition parties even further. Civil society organizations reported incumbents abused government resources during election campaigns and on voting days, including by threatening to deprive families of social benefits and students of scholarships as punishment for refusing to vote for the incumbent.

Affiliation with the ruling party reportedly helped individuals maintain and further their careers in both the public and private sectors. Numerous reports from local observers indicated some local community heads who ran as independent candidates either joined the RPA or became RPA loyalists after they were elected, due to concern they would not be able to function effectively otherwise. Local communities depended in part on funding from the state budget, and reports suggested the level of support community heads received from the state budget often depended on their party affiliation. Similarly, within public schools, universities, state medical facilities, and other publically funded institutions, individuals had to be RPA members or loyalists to attain leadership positions and resources. According to media and other reports, university student councils were largely steered by RPA youth wing members, and becoming a ruling party member or loyalist paved the way for better grades, scholarships, and other types of favorable treatment. The ruling party and its candidates allegedly abused administrative resources at public and some private places of employment to intimidate employers and to ensure their support.

There were complaints that well-connected business owners funneled a portion of their profits to the ruling party or to parties affiliated with the ruling political elite in return for economic advantage in the form of light or no taxation. There were also allegations the government discriminated against members of opposition political parties in hiring decisions.

Participation of Women and Minorities: The strong hierarchical and patriarchal nature of society inhibited participation by women in political life and in decision-making positions in the public sector. At year's end there were 13 women in the 131-seat National Assembly, three in the cabinet of 18 ministers, and no female governors in the country's 10 regions. Only 10 of the 65 elected Yerevan City Council members were women, and no women headed any of Yerevan's 12 administrative districts.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. There were numerous allegations of government corruption. According to the World Economic Forum's Global Competitiveness Report for 2014-15, corruption was viewed as the most problematic factor for doing business in the country. Freedom House's *Nations in Transit 2015* report noted that despite some improvements, corruption remained pervasive, and bribery and nepotism were reportedly common among government officials, who rarely faced prosecution or removal for abuse of office.

Corruption: Although the constitution prohibits individuals engaged in entrepreneurial activity from holding public office, company executives and oligarchs continued to occupy seats in the National Assembly, and various government officials continued to use their offices to promote their private business interests. In the view of many observers, oligarchs linked to the government or holding government posts monopolized the economy. According to civic groups working to address corruption, authorities continued to ignore media and other reports implicating government officials in corrupt practices. Many public officials disclosed large sums of unexplained income and assets as required by ethics rules, but authorities failed to invoke anticorruption laws or investigate such declarations.

There were numerous reports of systemic government corruption in urban maintenance, construction, public administration, the judiciary, state procurement and auctions, health care, taxation, law enforcement bodies, and military personnel. There were reports of embezzlement of state funds, involvement of government officials in questionable business activities, and tax privileges for government-linked companies.

Following the May announcement of a hike in electricity rates by Electric Networks of Armenia (ENA), authorities published ENA's financial information on its website. This report and numerous media reports shed light on ENA's spending practices, which included the purchase and rental of lavish houses, apartments, and cars for official use, large donations to a state-run education foundation, and donations toward the construction of a church sponsored by the prime minister.

Following public protests in June, the president ordered an external audit of ENA, which was underway as of September, and announced the government would subsidize the difference between the old and new rates for small households until the audit results were available. On September 17, the government decided to review the proposed sale of ENA to a company that was registered offshore and owned by a wealthy Russian-Armenian businessman.

The prosecutor general was responsible for prosecuting corruption, while the newly established RAIC was responsible for investigating corruption. According to widespread reports, neither the RAIC nor police operated effectively or independently, and neither had sufficient resources. A former prosecutor general was appointed as the head of the RAIC, which led members of civil society to question the organization's independence.

Financial Disclosure: The law requires high-ranking public officials and their families to file annual asset declarations. There were administrative penalties for noncompliance or filing false declarations, but the Ethics Commission for High-Ranking Officials, which is responsible for collecting and monitoring the filing of declarations, lacked authority to verify their accuracy or origins of the declared income or to penalize officials for false declarations. During the year several judges, as well as the prosecutor general and other officials, declared gifts of thousands of dollars as part of their income, but no state body investigated the origins of the gifts.

Public Access to Information: While the law provides for public access to government information, some government bodies and officials were reluctant to grant it. According to the NGO Freedom of Information Center of Armenia and the Transparency International Anticorruption Center, the biggest challenge continued to be governmental bodies that, while creating an impression they were satisfying freedom of information requests, provided answers that were either irrelevant or incomplete. As a consequence NGOs were less successful in pursuing freedom of information cases in court than in previous years, as judges rejected their claims on the grounds that government entities already provided answers, regardless of their content.

The government has appointed freedom of information officials as points of contact in all ministries and regional governors' offices, as required by law. No information on the effectiveness of these officials was available. On October 15, the government adopted regulations for the implementation of the 2003 Freedom

of Information law; in the past, officials cited the absence of such regulations when refusing requests for information.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restrictions, investigating and publishing their findings on human rights cases. Although at times government officials were cooperative and responsive to their views, authorities also occasionally harassed activists.

Authorities generally agreed to requests for meetings by domestic NGO monitors and followed some NGO recommendations, particularly those related to social welfare, education, and local matters. At the same time, they usually failed to take significant action in response to NGO allegations of mistreatment and abuse by law enforcement bodies. They typically responded in such instances that they investigated the allegations but could not corroborate them.

Authorities occasionally harassed human rights groups, civic activists, and citizens who engaged in peaceful protests on a variety of high-profile government measures and policies during the year, including the demolition of a historic building, driving and parking fines, an electricity rate hike, and pension issues. There continued to be media reports that police visited and searched the homes of activists with questionable justification.

During the year human rights organizations and the media reported on the continued harassment of and threats against human rights defender Marina Poghosyan. Poghosyan's NGO, Veles, provided legal support to victims of moneylenders allegedly linked to the government. On October 5, Human Rights House Yerevan, a union of 11 human rights NGOs, released a statement asserting Poghosyan and her organization had been under pressure since Veles' creation in 2014. In May 2014 a criminal investigation on charges of extortion was launched against Poghosyan, based on a statement by former government official Hovhannes Yeritsyan, who allegedly was involved in the moneylending. Although authorities dropped their investigation of Poghosyan, the RAIC also dropped Poghosyan's case against Yeritsyan for filing false charges. On July 29, a trial court upheld an appeal by Poghosyan, ruling that the RAIC had to reopen the case since it had failed to conduct a thorough and objective examination. That same day, however, the committee informed Poghosyan she was under investigation for fraud. Poghosyan also reportedly received numerous threats from the RAIC. On August

9, unknown assailants tried to set fire to electrical cables at her office. On August 11, police reportedly confiscated her car on unknown grounds.

Some government figures and progovernment media labeled prominent human rights groups and corruption watchdogs that received foreign funding as “grant eaters” and traitors who undermined national interests, security, and traditions.

Government Human Rights Bodies: The Office of the Human Rights Defender (the ombudsman) has a mandate to protect human rights and fundamental freedoms from abuse at all levels of government. Throughout the year the ombudsman published both issue-specific and scheduled reports on human rights problems. Resource constraints at times limited the ombudsman’s effectiveness.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on gender, race, skin color, ethnic or social origin, genetic features, language, religion, ideology, political or other views, membership in a national minority, property status, birth, disability, age, or other personal or social circumstances. The government did not effectively enforce these prohibitions. In its July 2014 report, the UN Committee on Economic, Social, and Cultural Rights (CESCR) expressed concern about the absence of a comprehensive legal framework against discrimination covering all of the grounds for discrimination enumerated in the International Covenant on Economic, Social, and Cultural Rights.

Women

Rape and Domestic Violence: Rape is a criminal offense and carries a maximum sentence of 15 years; in the absence of a law specifically criminalizing domestic violence, general rape statutes applied to the prosecution of spousal rape. Domestic violence was similarly punishable under the general violence statutes.

Spousal abuse and violence against women appeared to be widespread. In its July 2014 report, the CESCR expressed concern about the persistence of high levels of violence against women, particularly domestic violence, as well as the absence of a specific law on the subject. Authorities did not effectively prosecute domestic violence.

Spousal abuse and violence against women continued to be underreported due to social stigma, “victim blaming,” the absence of female police officers and

investigators, and, at times, police reluctance to act. According to local observers, most domestic violence went unreported because survivors were afraid of physical harm, apprehensive that police would return them to their husbands, or ashamed to disclose their family problems. There were also reports that police, especially outside of Yerevan, were reluctant to act in such cases and discouraged women from filing complaints. A majority of domestic violence cases qualified under the law as offenses of low or medium gravity. In such cases a victim may decline to press charges, and perpetrators often pressured survivors to withdraw charges or recant previous testimony.

According to the Women's Support Center, an NGO that maintained a hotline and a shelter for victims of domestic violence, most of the persons they assisted also experienced spousal rape. The Women's Rights Center maintained the other shelter in the country. International funding sustained both shelters, but neither was adequate to meet the needs of survivors.

According to media experts and women's rights NGOs, locally produced soap operas, popular and frequent on all television channels, tended to reinforce existing attitudes and gender stereotypes and legitimize violence against women.

Sexual Harassment: The law does not specifically prohibit sexual harassment, although it addresses lewd acts and indecent behavior. While there was no public data on the extent of the problem, observers believed sexual harassment of women in the workplace was widespread.

Reproductive Rights: The law gives couples and individuals the right to decide the number, spacing, and timing of their children; manage their reproductive health; and have the information and means necessary to do so, free from discrimination, coercion, or violence. The husband and his parents often made decisions about the spacing and timing of a couple's children. Skilled attendance during childbirth was more accessible in large towns and other population centers where birthing facilities were located. There were reports that women, especially in rural or remote areas, had insufficient access to general and reproductive health care services. In its July 2014 report, the CESCR expressed concern about the limited availability of contraception.

Discrimination: Men and women enjoy equal legal status under family, labor, property, and inheritance laws and in the judicial system, but discrimination based on gender was a continuing problem in both the public and private sectors. There were reports of discrimination against women with respect to occupation and

employment (see section 7.d.). Women remained underrepresented in leadership positions in all branches and at all levels of government (see section 3).

The CESCR's report expressed concern about deeply rooted patriarchal attitudes and stereotypes regarding the role of women and men in the family and in society. According to gender experts, the education system at all levels reinforced these attitudes.

Gender-biased Sex Selection: In its July 2014 report, the CESCR expressed concern about the country's high level of male births compared with female births. The government and the National Assembly supported surveys on gender-biased sex selection as well as campaigns to raise awareness of the problem. According to the most recent survey, released by the UN Population Fund in May 2014, the ratio of boy-to-girl births in various regions of the country ranged from 111 to 124 boys per 100 girls for first-born children and 160 boys per 100 girls for second or subsequent children. According to the *EurasiaNet* website, a Ministry of Health official stated in July that a two-year program involving the Labor Ministry and NGOs was underway to raise awareness about the detrimental effects of sex-selective abortions.

Children

Birth Registration: Children derive citizenship from one or both parents, and birth registration is a responsibility of parents, who must present the birth certificate to the hospital before checking out. Absence of a birth certificate results in denial of public services.

Education: Although education is compulsory through grade nine and free, in practice it was not universal. According to the UN Children's Fund (UNICEF), children with disabilities and from socially vulnerable families continued to face systematic disadvantages in access to school and to continuing use of education services (see Persons with Disabilities, below). Enrollment and attendance rates for children from ethnic minority groups, in particular Yezidis, Kurds, and Molokans, were significantly lower than average, and dropout rates after the eighth grade were higher. UNICEF expressed concern about the integration into the local community of the increasing number of refugee children from Syria, Iraq, and Ukraine.

Child Abuse: There were no comprehensive statistics on violence against children, although such violence appeared to be a problem, especially for children living in

institutions and in socially vulnerable families. Children living in areas bordering Azerbaijan risked being caught in the crossfire. According to UNICEF, the lack of official, unified data on violence against children limited the ability of the government to design adequate national response and prevention mechanisms. There was no official referral procedure for children who became victims of violence and referral was not mandatory for professionals working with children except doctors.

The Women's Resource Center noted increased incidence sexual assault against minor girls and boys. The center also reported instances in which young victims were stigmatized, mocked in their communities, and expelled from school.

Early and Forced Marriage: According to UNICEF, 7.2 percent of children (both boys and girls) married by the age of 18. Early marriage of girls was reportedly more frequent within the Yezidi communities, but the government took no measures to document the scale or address the practice.

Sexual Exploitation of Children: Antitrafficking statutes prohibit the sexual exploitation of children and carry sentences of seven to 15 years in prison for violations, depending on whether aggravating circumstances are present. Child pornography is punishable by imprisonment for up to seven years. The age of consent is 16.

Institutionalized Children: In its July 2014 report, the CESCR noted that despite the government's deinstitutionalization program, the rate of institutionalization for children, a majority of whom had living relatives, remained high. The committee reported families who maintained their parental rights but placed their children in boarding schools and residential institutions because of their inability to pay for their children's basic needs. The committee was further concerned about the lack of protection for children against corporal punishment.

According to November media reports, the RAIC concluded an investigation into fraud, embezzlement, and violence against students in the Byureghavan Boarding School. The committee charged former school director Gayane Margaryan and accomplices with embezzling especially large amounts of money and abusing 14 students in 2004-14.

The government continued to maintain 37 residential institutions with more than 4,000 institutionalized children, the majority of whom had at least one living parent. Experts believed corruption was the primary impediment to

deinstitutionalization, since the government based its funding for institutions on the number of residents. On average the government spent more than \$13 million annually to maintain institutions to care for children.

According to UNICEF and other observers, institutionalized children were at risk of physical and psychological violence by peers and by staff. UNICEF notified state bodies about numerous violations of food and health standards, but authorities made few improvements. During the year UNICEF and NGOs, using foreign funding, began working to reduce the number of children in institutions and to establish community- and family-based alternatives as well as inclusive schools for children with special needs.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/content/childabduction/en/legal/compliance.html and country-specific information at travel.state.gov/content/childabduction/en/country/Armenia.html.

Anti-Semitism

Observers estimated the size of the country's Jewish population at between 500 and 1,000 persons. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with any disability in employment, education, and access to health care and other state services, but discrimination remained a problem. The law and a special government decree require new buildings and those under reconstruction, including schools, to be accessible to persons with disabilities. Very few buildings or other facilities were accessible, even if newly constructed or renovated. The Ministry of Labor and Social Affairs is responsible for protecting the rights of persons with disabilities but failed to carry out this mandate effectively.

Persons with disabilities seldom left their homes due to the social stigma associated with disabilities. According to a 2012 UNICEF survey, one in five children with disabilities did not attend school. This was due both to discrimination and the absence of facilities to accommodate their needs. According to a UNICEF-commissioned survey released in 2014, nearly one-third of the population believed children with intellectual disabilities should be kept isolated from society. Girls with disabilities were consistently more likely to be held out of school than boys, with gender disparities being most prevalent outside the capital. The CESCR indicated in its July 2014 report that 18 percent of children with disabilities lacked access to formal education. The committee reported that in spite of state efforts to expand the network of inclusive schools, officials did not fully implement the policy. On January 3, changes in the law on public education came into effect requiring all public schools to become inclusive by 2025.

According to the 2012 UNICEF report, one in eight children with disabilities was in a residential care institution (orphanage or special boarding school). There were instances of parents abandoning children with disabilities, including at birth, often on the advice of medical staff and under the pressure of extended family members.

Persons with all types of disabilities experienced discrimination in virtually all spheres of life, including access to health care, social and psychological rehabilitation, education, transportation, communication, employment, social protection, cultural events, and use of the internet. Lack of access to information and communications was a particularly significant problem for persons with sensory disabilities.

The National Alliance to Advocate for the Rights of the Disabled reported that women with disabilities faced further discrimination, including in social acceptance, and access to health and reproductive care, employment, and education, because of their gender. According to the National Alliance, families were more likely to place girls than boys with disabilities in orphanages, and women with disabilities were more likely than women without disabilities to experience physical and sexual violence.

Penitentiaries lacked adequate accommodations for persons with disabilities. Hospitals, residential care, and other facilities for persons with more significant disabilities remained substandard. According to official data, more than 90 percent of persons with disabilities who were able to work were unemployed.

The HCAV, which monitored neurological-psychiatric institutions, reported in 2013 that authorities subjected patients in such facilities to humiliating and cruel treatment, labor exploitation, inappropriate food, poor sanitary and hygienic conditions, abusive use of physical restraints, and inadequate medical care. They had inadequate access to communications and information and limited or no access to information about their rights or their medical condition and treatment. The HCAV and other human rights observers cited the risks of corruption and human rights abuse inherent in the nontransparent nature of commitment procedures, which subjected persons to mandatory treatment in neurological-psychiatric institutions without their informed consent, as well as in the process of declaring a person legally incompetent. According to the HCAV, the government did not keep track of, or properly investigate, deaths in these institutions.

Media reports alleged corruption and arbitrary rulings on the part of the Medical-Social Expertise Commission, a governmental body under the Ministry of Labor and Social Affairs that determines a person's disability status. Disability status, in turn, determines eligibility for various social benefits.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

Antidiscrimination laws do not apply to sexual orientation or gender identity. There were no hate crime laws or other criminal judicial mechanisms to aid in the prosecution of crimes against members of the LGBTI community. Societal attitudes toward LGBTI persons remained negative, with society generally viewing homosexuality as a medical affliction. Societal discrimination based on sexual orientation and gender identity negatively affected employment, family relations, and access to education and health care (see section 7.d.).

In June the NGO Public Information and Need of Knowledge (PINK Armenia) published its annual review of the human rights situation of LGBTI persons for 2014. According to the review, rather than promote equality, leading political party representatives and media affiliated with authorities continued to employ "hate speech" toward members of the LGBTI community, strengthening the environment of impunity in the country. According to the review, LGBTI persons experienced physical violence and threats of violence, blackmail, and harassment. Police were unresponsive to reports of such abuses and at times themselves mistreated LGBTI persons. The review reported instances of police responding to an LGBTI person who filed a complaint about an anti-LGBTI crime by

prosecuting the complainant for filing a false crime report. As a result some LGBTI victims avoided reporting abuses to police.

According to the September newsletter of PINK Armenia, five men beat two transgender sex workers in a park in downtown Yerevan on the night of August 27. The two victims hid in a nearby hotel waiting for the attackers to leave but were subsequently followed from the hotel to the prosecutor general's office, located nearby, and attacked again near the office. According to the victims, office guards did not help them. The victims suffered numerous injuries, including head trauma. The RAIC initiated a criminal investigation of the attack on charges of battery, and on October 7, charged one person. At the end of October, the investigation was continuing, with law enforcement agencies seeking to identify and locate the other attackers.

The media, including progovernment outlets, continued active dissemination of anti-LGBTI propaganda. According to PINK Armenia, LGBTI individuals whose Facebook profile links were included in a homophobic article published in May 2014 by the *Iravunk* newspaper continued to face social bias and harassment. One of them reported receiving a stream of hate mail from senders threatening to find his address and harm him. Because of employment discrimination, he could not find a job. PINK reported that the participants in the first Armenian LGBTI Rainbow Forum, held on October 17-18, received numerous threats both online and in person. PINK reported the threats to law enforcement bodies, who were conducting a preinvestigation as of October.

Openly gay men were exempt from military service, purportedly because of concern that fellow service members would abuse them. The exemption, however, required a medical finding, based on a psychological examination, that an individual had a mental disorder; this information appeared in the individual's personal identity documents and was an obstacle to employment and obtaining a driver's license. Gay men who served in the army reportedly faced physical and psychological abuse.

According to the Prison Monitoring Group and other human rights activists, LGBTI persons experienced the worst prison conditions. They were frequent targets for humiliating discrimination, other inmates forced them to perform degrading labor, and administrators separated them from the rest of the prison population.

HIV and AIDS Social Stigma

In the most recent demographic and health survey (conducted in 2010), 86.1 percent of women and 84.4 percent of men reported they held discriminatory attitudes towards persons with HIV/AIDS.

In a 2013 report, the UN Committee on the Rights of the Child reported de facto discrimination against certain categories of children, including those with HIV/AIDS.

According to human rights groups, persons regarded as vulnerable to HIV/AIDS infection, such as sex workers (including transgender sex workers) and drug users, faced discrimination and violence from society as well as mistreatment by police.

The NGO Real World Real Life registered cases of husbands who became infected with HIV/AIDS during migrant work abroad and who hid their condition from their wives. Once they infected their wives, the husbands forbade them from seeking help and medication, although the husbands underwent treatment themselves. According to the NGO, this was a manifestation of both domestic abuse and the social stigma associated with HIV/AIDS. A November 11 report on the *Medialab.am* website reported the story of an HIV/AIDS-infected pregnant woman who experienced significant discrimination from medical personnel throughout her pregnancy, including advice by a doctor to terminate her pregnancy.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of all workers to form and to join independent unions, except for personnel of the armed forces and law enforcement agencies. The law also provides for the right to strike, with the same exceptions, and permits collective bargaining. The law stipulates that worker rights cannot be restricted because of membership in a union. The list of justifiable grounds for firing a worker, enumerated in the labor code, does not include union activity.

The government did not always effectively enforce labor rights. Resources, inspections, and remediation were reportedly inadequate. There were no specific penalties for violation of the right to freedom of association and collective bargaining; administrative and judicial procedures were subject to lengthy delays and appeals.

Labor organizations remained weak because of employer resistance, high unemployment, and poor economic conditions. Labor unions were generally inactive with the exception of those connected with the mining and chemical industries. According to domestic observers, the informal consent of the employer was required to establish a formal trade union.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced and compulsory labor, and the government effectively enforced the law. Resources, inspections, and remediation were adequate. Penalties for violation range from five to 15 years in prison and were sufficiently stringent to deter violations. In the first 10 months of the year, the government investigated two cases of labor trafficking, one of which involved a minor boy forced into begging.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

There are laws and policies designed to protect children from exploitation in the workplace. In most cases the minimum age for employment is 16, but children may work from the age of 14 with permission of a parent or a guardian. The labor code was amended in June to allow children younger than age 14 to participate in the entertainment sector. The maximum duration of the workweek is 24 hours for children ages 14 to 16, and 36 hours for children ages 16 to 18. Persons under age 18 may not work overtime; in harmful, strenuous, or dangerous conditions; at night; or on holidays. The authorities did not effectively enforce applicable law.

According to the *2010 Armenia Demographic and Health Survey* conducted by the National Statistical Service and the Ministry of Health, 4 percent of children between ages five and 14 who were attending school were involved in child labor, most of them in family businesses. In a 2013 report, the UN Committee on the Rights of the Child expressed concern that significant numbers of children, including children younger than age 14, were dropping out of school to work in informal sectors of the economy, such as agriculture, automobile service, construction, gathering waste metal, and family businesses. The committee noted an increasing number of children begging in the streets or doing heavy manual

work, including as laborers and loaders. It also noted labor inspectors were not effective in controlling child labor.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The constitution prohibits discrimination based on sex, race, color, ethnic or social origin, language, religion or belief, political or any other opinion, national minority status, property ownership, birth, disability, age, or other personal or social circumstances. Other laws and regulations specifically prohibit discrimination in employment and occupation based on gender and sex. The government did not effectively enforce the law. There were no effective legal mechanisms to implement these regulations, and discrimination in employment and occupation occurred based on gender, age, presence of a disability, sexual orientation, HIV/AIDS status, and religion.

Women generally did not enjoy the same professional opportunities or wages as men, and employers often relegated them to more menial or low-paying jobs. While providing for the "legal equality" of all parties in a workplace relationship, the labor code does not explicitly require equal pay for equal work. In its July 2014 report, the CESCR reiterated its concern about the disproportionately high level of unemployment among women. The committee was equally concerned about the prevalence of vertical and horizontal gender segregation in the economy and the concentration of women in low-paid sectors of the economy, despite legal equality between women and men. The committee noted a significant gender pay gap, with women earning approximately 60 percent as much as men in 2012.

Many employers reportedly discriminated against potential employees by age, most commonly requiring job applicants to be between ages 18 and 30. Such discrimination appeared to be widespread, and authorities did not take any action to mitigate it. Vacancy announcements for young and attractive women for various jobs were common. Unemployed workers, particularly women, who were older than 40 had little chance of finding jobs appropriate to their education or skills.

e. Acceptable Conditions of Work

The monthly minimum wage from July was 55,000 drams (\$105). According to the most recent official estimate, in 2014 the extreme poverty line was 23,384 drams (44\$) per month, and the general poverty line was 40,264 drams (\$77). The law provides for a 40-hour workweek, 20 days of mandatory annual leave, and compensation for overtime and nighttime work. The law prohibits compulsory overtime in excess of four hours on two consecutive days and 180 hours in a year. The government established occupational and health standards by decree.

Authorities did not effectively enforce labor standards in either the formal or informal sectors. The State Health Inspectorate, which employed 60 contract labor inspectors, is responsible for overseeing implementation of labor legislation and occupational safety and health standards. Resources, inspections, and remediation were inadequate, and penalties for violations of labor standards were insufficient to deter violations.

Many employees of private companies, particularly in the service and retail sectors, were unable to obtain paid leave and were required to work more than eight hours a day without additional compensation. According to representatives of some employment agencies, many employers also continued to hire employees for an unpaid and undocumented “probationary” period of 10 to 30 days. Often employers subsequently dismissed these employees, and they were unable to claim payment for the time they worked because their initial employment was undocumented. Managers of enterprises that were the primary employers in certain poor geographic areas frequently took advantage of the absence of alternative jobs and neglected problems related to adequate pay, job safety, and environmental concerns. According to Asian Development Bank data from 2011, approximately one-half of the country’s workers were in the informal sector. These workers did not receive any governmental protection.

Safety and health conditions remained substandard in numerous sectors, and there were several fatal workplace incidents during the year. Several cases of explosions at oil and natural gas pumping stations led to fatalities and heavy injuries due to lax safety standards and enforcement in the industry. After the accidents, the government announced it had increased the safety oversight and inspections at the stations. In light of high unemployment in the country, workers generally did not remove themselves from situations that endangered health or safety. Authorities offered no protection to employees in this situation, and employees generally did not report violations of their rights.