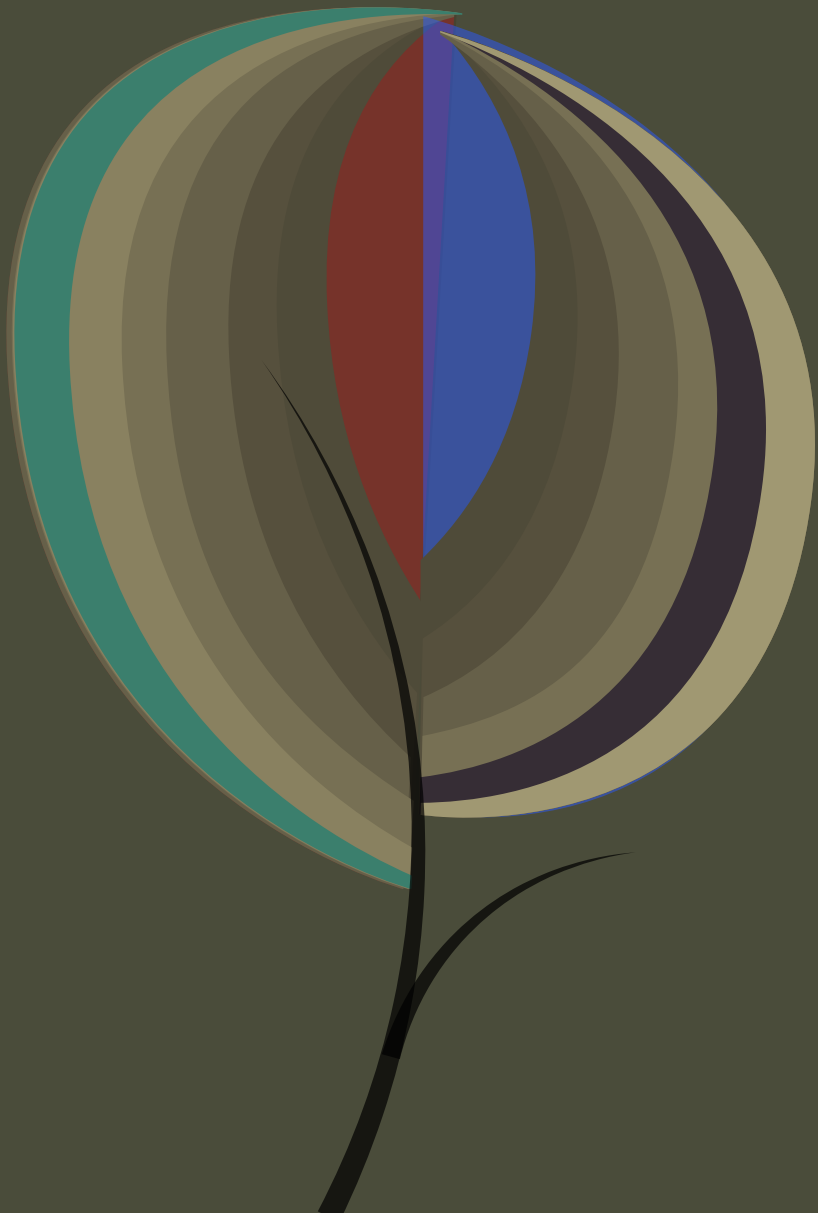


**PREVENTION OF GENDER-BASED
VIOLENCE IN ARMENIA**

National Conference 2022



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November 29, 2022



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Introduction

The national conference “Prevention of gender-based violence in Armenia” was organized within the framework of the 2020-2022 EU-financed project entitled “Women human rights defenders stepping up against gender-based violence in Armenia”.

The conference took place on November 29, 2022 in Yerevan, Armenia. More than 100 participants from the Republic of Armenia came together to discuss the existing challenges and legal gaps impacting victims of gender-based violence, including marginalized women, as well as the successes to date and steps forward in preventing and combating gender-based violence.



Conference speakers included the European Union Ambassador, RA Human Rights Defender, Members of Parliament, deputy ministers, criminal justice department heads, chief specialists at various ministries, and other state representatives as well as civil society representatives representing various marginalized groups across Armenia.

This conference reports aims to present the various speakers' speeches during the conference and summarize discussions and recommendations. The report is prepared in the spirit of the conference, echoing the call to action repeated by many actors, namely that representatives of the state and civil society stand ready to collaborate and carry out large-scale efforts to prevent and address gender-based violence.



Welcoming remarks

Zaruhi Hovhannisyán, Communications and External Relations Officer at the Coalition to Stop Violence Against Women, welcomed and thanked all partners for joining the conference. She noted the work carried out by the Coalition over the last 3 years with support from the European Union.

H.E. Andrea Wiktorin, Ambassador, Head of the EU Delegation to Armenia, expressed about how it is fitting that Human Rights Defender's day falls within the 16 Days of Activism against Gender-Based Violence. She noted how combating violence

against women started as a grassroots effort led by activists and now involves national and international stakeholders who have realized the importance of working together to improve the situation. Ms. Wiktorin described the manifestations of violence at the societal, institutional, community, and individual levels. She spoke about how psychological violence is still a silent crime that many women face and is a result of misperceptions, stereotypes, and fear. She also noted that the home is a place where women should feel safe but unfortunately is where most violence occurs.



Ms. Wiktorin described how violence must be seen in a broader context that is found in all elements of society, from educational institutions to the workplace. She believes there is a need to combat stereotypes through positive narratives and reject comments made in jest that perpetuate stereotypes. Ms. Wiktorin explained that the EU holds a zero-tolerance policy and it is important that all stakeholders—from churches, trade unions, businesses, and workplaces— fight against GBV by establishing similar policies and having mandatory trainings. She noted that

authorities are obliged to protect society's most marginalized populations, explaining that this is imperative in a pluralistic democracy. Additionally, she spoke about how the media has an important role in educating and informing the public. Ms. Wiktorin expressed how impressed she is by civil society's involvement and engagement and how the EU stands by civil society when they are threatened for their work. She called on the Armenian government to ratify the Istanbul Convention, which proposes a legal framework to fight against violence. She believes that there is a need to fight back against myths surrounding the Convention and how a legal framework is necessary for families to be protected and for people to develop their own capacities. In conclusion, she spoke about the importance of engaging men to change narratives and how the EU will continue to support Armenia's path toward ending GBV.

Arpine Sargsyan, RA Deputy Minister of Justice, described how the Ministry of Justice gives great importance to combating GBV. She spoke about imperative it is for Armenia to have legal frameworks to combat GBV. In her own words, Ms. Sargsyan expressed that there are a variety of directions that need to be taken to comprehensively tackle this issue, including changes to the criminal code. She spoke about how the new criminal code includes psychological violence, thus combating GBV and protecting socially marginalized women. She also noted that, while the older criminal code did not have a clear stance against GBV, there are now greater measures in place. In addition, she spoke about the need for proper implementation of not just the criminal code but also equality and anti-discrimination legislation. In this regard, she noted that the Ministry of Justice has expressed its commitment to the CEDAW committee and will lead discussions early next year on draft equality and anti-discrimination legislation.



Ms. Sargsyan asserted that it is necessary for people to stand up against violence. She believes campaigns and open discussions are important in this regard. In her own words, she expressed that there must be follow up and a unified approach to ending GBV. She noted that the Ministry of Justice has been involved in campaigns and hopes to continue such work to impact the struggle against GBV. Moreover, Ms. Sargsyan expressed the importance of establishing systems for victims receive services so that those facing violence are not met with resistance from the justice system. She reported that, alongside international partners and with financial support from the EU, the Ministry of Justice will implement the Barnahus model in Armenia, piloting this project in Yerevan and Kapan. This will entail a one-stop shop for the provision of comprehensive services including medical services to women and minors who are victims of sexual discrimination and violence, with the goal of ensuring proper services and ensuring that the victim does not encounter secondary victimization. She is hopeful that the pilot program, once shown to be successful, can be expanded throughout the country.

Finally, Ms. Sargsyan expressed the importance of working with perpetrators. She noted that the penitentiary and probation sectors have developed a module for perpetrators on how to prevent DV that includes gaining control over emotions so as to bring their behavior in line with the law. She also noted that the Ministry of Justice is in dialogue with the Human Rights Defender about concrete steps to take to improve the situation at the Abovyan penitentiary and is hopeful that progress on this issue will be made next year.

Kristinne Grigoryan, RA Human Rights Defender, thanked women's human rights defenders for bringing the issue of GBV to a national forum. She spoke about how, despite many improvements, new challenges continually appear owing to technology, politics, COVID-19, and war—all of which have increased the risk of GBV. Ms. Grigoryan expressed her alarm at how targeted violence against women as a result of extremism takes place during times of conflict. She noted being shocked at the barbaric acts of violence perpetrated against women soldiers. She shared that criminal code amendments and the ratification of the Istanbul Convention are priorities for the Human Rights Defender's Office. She noted that a monitoring process has begun in order to assess the situation six months after new amendments to the criminal code go through and that, during this process, the monitoring GBV cases will be of particular importance.



Ms. Grigoryan believes that, while important amendments have been made, there is more work to do so that violence perpetrated by a former husband, intimate partner, and former intimate partner, for instance, is penalized. She also believes that sexual harassment must be inserted into the criminal code, as it is prevalent in the workplace and there is a lack institutional mechanisms to tackle this issue. She noted that These issues have been brought to the attention of the CEDAW committee and that the state has work to do in this area. Echoing a statement made by Ms. Wiktorin, she firmly rejected the harassment of women’s human rights defenders and stated that all individuals, not only NGOs and international organizations, must stand up against this harassment. Finally, she expressed how societal indifference perpetuates violence, and this issue must be tackled.

Liana Amirbekyan, Senior Project Officer at the Council of Europe, expressed her view that collaboration around the issue of GBV is key. She believes that, while it is laudable that there are a growing number of people dedicated to this issue, it is

imperative that more people become engaged. Ms. Amirbekyan detailed the positive changes to tackle GBV, noting the work of the Coalition the Stop Violence Against Women in providing professionalized training and hold awareness raising campaigns around this issue as well as the DV support centers in supporting victims across the country. Lastly, she again expressed the importance of a collaborative approach to creating changes at an institutional and societal level, despite the fact that the Istanbul Convention has yet to be ratified.



Zaruhi Hovhannisyán, Communications and External Relations Officer at the Coalition to Stop Violence Against Women, began her speech by celebrating the women human rights defenders who have been working collectively since 2010 and who came together to create the Coalition. She recalled how few activists spoke out about GBV at that time, as society hadn't yet perceived GBV as an issue and instead viewed violence as normal. In the beginning, Ms. Hovhannisyán noted, it was a struggle that activists took to the streets. She alluded to the DV prevention law, stating

that there were gaps in legislation and procedural issues that the Coalition's reports define. She expressed that collaborate with state and international bodies has grown significantly and that, in this regard, the EU has been an important partner.

Ms. Hovhannisyan added that the Coalition has brought forward the issues facing marginalized women, including women in penitentiaries, women living with HIV, and women intravenous drug users, who often face double discrimination. She believes that the Coalition's publications on these issues can serve as a strong foundation for policy change. She also believes that they can set forth a movement to tackle the issue of sexual violence, which is still not talked about in society. Ms. Hovhannisyan noted that, within the framework of the EU project, the Coalition carried out many trainings with institutions like the police and medical centers as well as civil society actors in the regions, who served as ambassadors for its message. She also proudly expressed that campaigns and theater productions the Coalition developed used art to speak to people's emotions and encourage them not to be indifferent towards GBV. She ended her speech by stating that it is women who are at the center of this struggle and who are making change.



Panel 1.

Challenges and opportunities in the sphere of prevention and response to domestic violence in Armenia

Moderator Anna Hovhannisyants from the Women’s Resource Center NGO began the first panel’s discussion by highlighting the advances made starting in 2017 to establish DV legislation, a new criminal code, and introduce regional support centers that are partially subsidized by the state. At the same time, she stated that women in Armenia continue to face issues like sexual harassment in the workplace due to the lack of legal frameworks

and policies to protect women. She highlighted the issue that criminal justice actors continue not to show a victim-centered approach to GBV cases.

Maro Matosian, Executive Director of the Women’s Support Center NGO, spoke about the work being carried out by the Center, including the development of a police guideline and guideline for social workers working with DV victims. She highlighted the important role that the NGO sector has played to take action against DV over the years. She proudly stated that the Women’s Support Center has trained all service providers at the newly established DV support centers and now runs two DV shelters. Ms. Matosian explained that the new social work guideline, which includes 22 teaching modules, will be taken up by the National Institute and Ministry of Labour and Social Affairs. She emphasized that shadowing and practice experience is crucial to couple with the guideline so that social workers can become familiarized with the field. She also noted the dearth of social workers in the field and the need to recruit more social workers, especially given that social workers at the United Social Services and daycare centers don’t have specialized training in DV.



Finally, Ms. Matosian highlighted the need to examine structural violence affecting women and carry out prevention work at the community level. She believes that much progress has been made since the DV law passed, as state bodies are now more willing to work on the issue. She believes that this is exemplified by the establishment of working groups and dialogue between the police and our support centers. She also welcomes the steps taken by the state authorities to make systemic changes.

Arman Gharibyan, Co-founder of the Human Rights Power NGO, began his speech by alluding to the Ministry of Justice representative's call to action that the legal framework itself was not enough and that people must speak out about violence. In response, he stated that women are indeed reaching out for support from police and other state bodies, but these agencies are not yet fully ready to protect these women and their rights. Mr. Gharibyan spoke about his court monitoring efforts and echoed a finding that one of the main obstacles to justice is the dearth of competent professionals in the criminal justice system, which can sometimes even make it dangerous for a victim to seek support. He highlighted another barrier, namely lengthy trials. Mr. Gharibyan welcomed the new criminal code changes but noted that trials under the old criminal code will continue to be tried under that code and that many cases are simply terminated. He asserted that trials do not have to be lengthy, as many cases are straightforward and could be handled over 1-2 months. He also highlighted that unnecessarily lengthy trials also risk repeated abuse, noting that it is extremely dangerous for women who have to appear at courthouses or the investigative committee to face their perpetrators and that women are continually disappointed in the state for not creating better safety nets for them.



Mr. Gharibyan went on to speak about the need for better trained judges and also better conditions at courthouses. He asserted that victims and perpetrators should have separate waiting areas and entrances so that victims can feel safe. Highlighting another obstacle, Mr. Gharibyan spoke about how the criminal justice system does not try DV as DV but rather as one case of violence. He believes that if there are several cases against the same perpetrator in one year, this should be viewed as torture, but instead the criminal justice system does not consider cases collectively. During the court monitoring process, he mentioned witnessing how judges, prosecutors and other actors cut women off during testimonies and how they do not consider the cycle of violence as an aggravating circumstance. He ended his speech by insisting that the court stop the practice of giving out small fines to perpetrators, because this sends the wrong signal and is often more dangerous for victims.

Zaruhi Hovhannisyan, Communications and External Relations Officer at the Coalition to Stop Violence Against Women,

highlighted the need for support for women victims of DV and shared findings from a research study she conducted that examined the obstacles facing DV support centers. Ms. Hovhannisyan started off by describing how the program to establish DV support centers began in 2020 under the leadership of the Ministry of Labour and Social Affairs and with great support from the Women’s Support Center. She noted that all DV support centers, consisting of already established NGOs in the region, have social workers and psychologists but that not all have lawyers, as this is an expensive service and it is challenging to find specialists in the region. In the absence of lawyers, she stated, legal cases are taken up by the Women’s Support Center in Yerevan.



According to Ms. Hovhannisyan, the lack of specialists and financial resources are the biggest obstacles facing the DV support centers. She found that it was extremely challenging for support centers to pay rent to keep their centers running given the small funding allocated to them. She also reported that, since

the state hotline service is only offered during working hours, the DV support took it upon themselves to seek donor support and operate 24-hour hotlines to fill this gap and keep in line with international standards, including the Istanbul Convention. She highlighted that there have been several emergency cases reported outside of working hours, such that these 24-hour hotlines have indeed been life-saving. Ms. Hovhannisyan described the improved collaboration between the police and DV support centers, though there are still areas of improvement necessary, including streamlining the referral mechanism and clamping down on the practice of encouraging reconciliation with abusers. She also described how guardianship and trusteeship bodies and the regional administration do not have a professionalized approach and show gender insensitivity as well as the issue that women victims are often further victimized in court. Lastly, she highlighted the issue that DV support center staff are sometimes attacked by the public and are viewed as breaking up families.

During the discussion, clarifications around how the DV support centers operate and collaborate with various bodies were made. The need to collaborate on public campaigns was mentioned, as hotlines have not been widely distributed at regional administrations. A recent decision made by the Ministry of Labour and Social Affairs was described, namely that the United Social Services will no longer take on DV cases as of next year. It was expressed that United Social Services staff be trained to better identify DV and make proper referrals.



Panel 2.

Systemic and intersecting issues surrounding gender-based violence in Armenia

Anush Poghosyan, Executive Director of the Women’s Resource Center NGO, introduced the second panel and shared that the panel will be dedicated to examining the most egregious forms of GBV, namely femicide, sexual violence, and the various forms of violence facing marginalized women. She highlighted the importance of taking an intersectional approach to preventing and addressing GBV such that all women can raise their voices against violence. She expressed her contentment with how the

CEDAW committee accepted many of the recommendations the Coalition to Stop Violence Against Women made related to DV, SV, femicide, and violence facing marginalized women and directed specific instructions to the state based on these recommendations. She reminded that audience that, while people are now talking about DV, SV remains a silent crime. She believes that remaining united is the only way to overcome the issue of GBV.



Stella Chandiryan, European and International Comparative Law Expert, shared that the use of the term femicide in place of murder is intentional, as femicide takes into account the gendered aspects of the murder and shows that the murder took place because the victim was a woman. She noted that the term femicide also includes those women who take their own lives because of the violence. In her speech, Ms. Chandiryan asserted that we do not have a systemic approach to femicide and that the state takes a neutral stance. The issue of incomplete statistics is great, from her perspective, as obtaining exact figures remains challenging.



Ms. Chandiryan went on to add that legal frameworks for femicide were absent and that judges who deal with femicide cases do not understand these cases and can allow for mitigating circumstances to crimes in which women are murdered. She gave examples of mitigating circumstances, including if the perpetrator was young, if he showed remorse for the crime, and if he was a caretaker for a child under the age of 14, even in cases when the child witnessed domestic abuse over many years. Finally, she described how women victims of DV can defend themselves but that women victims of femicide did not have a voice, making it more important for the state to take a stronger stance against this issue and institute greater prevention mechanisms.

Tatevik Aghabekyan, President of the Sexual Assault Crisis Center NGO, started off her speech by celebrating women human rights defenders. She described the difficult path and the threats, the setbacks, and the many advancements. She reported how SV is still not recognized in society and that one of the reasons for this is the lack of sexuality education. She went on to say that, since 2010, DV survivors have used their voices to talk about violence,

but SV victims are still not ready to speak about the issues they face given where we are in society. She asserted that if SV victims are women that they themselves are blamed, while if they are underage children that their mothers are blamed for not raising them properly.

Ms. Aghabekyan believes that the lack of confidentiality in the criminal justice system is a major obstacle to justice for SV victims. She described how trauma that is experienced by SV victims is different to that of trauma experienced by other victims and that therapy must be offered for years. In cases dealing with underage DV victims, she stated that the state approaches the Sexual Assault Crisis Center to figure out a solution, given the lack of a mechanisms. Furthermore, she noted that social workers either don't have social work diplomas or are not ready to work with victims.



Ms. Aghabekyan moved on to discussing the issue that state bodies don't take a victim-centered approach when dealing with SV cases, nor are there statistics on SV. She asserted that

the lack of statistics makes it challenging to understand the situation and the scope of the issue. She also spoke about the issue of identifying a case of SV, given the lack of rape kits in Armenia and professionals who can properly assess cases. Given confidentiality issues, she stated that women in Armenia generally avoid seeking medical assistance in the first place when they've experienced SV. As the only organization in the country working on the issue, she described how the Sexual Assault Crisis Center's resources are limited. She asserted that a standardized approach is needed to tackle this issue.

Zhenya Mayilyan, President of Real World, Real People NGO, stated that women living with HIV and women intravenous drug users deal with GBV in specific ways. She shared findings from the first comprehensive research study that Real World, Real People conducted to examine this issue, noting that data collection was challenging, given that these communities were concerned about confidentiality and being outed. She said that women shared stories during interviews that had never before been shared and that the majority of women taking part in the study experienced DV but had not reached out due to a variety of factors, including having little trust that state bodies and organizations will be sensitive to them; having to disclose their status at shelters where medication was distributed by shelter aides; being told by their family members that they will be outed if they seek support; and not knowing about existing support services.



Moreover, Ms. Mayilyan shared that women living with HIV have psychological issues and fear because of their status, which is why they rarely disclose their status to family or service providers. She also stated that there are incomplete statistics on women intravenous drug users and that these women remain very isolated and dependent on their partners while facing indescribable violence. She added that medical institutions have services for intravenous drug users but these services are rarely used. Lastly, she stated that recent legal changes introduced for shelter and support centers use stereotypical wording to describe drug users, thus further discriminating against them and deterring them from seeking support.

Gayane Grigoryan, Programs Director at AGATE Rights Defense Center for Women with Disabilities, talked about how AGATE is one of few organizations working with women victims with disabilities. She asserted that women living with disabilities face

many challenges that require a systemic approach, including the lack of data and the fact that the United Social Services does not work appropriately to support women with disabilities. She added that the research her organization has conducted shows that women living with disabilities are more vulnerable to GBV and face often double or triple the level of violence faced by other women. She stated that women with disabilities often cannot get an education or take on work due to family objections and that in many cases, it is mothers who are perpetrators of violence, as they are also typically caretakers for women and girls with disabilities.



Ms. Grigoryan added that all forms of violence are prevalent in this population and that SV is especially prevalent among women with intellectual disabilities. She reported that many of AGATE’s beneficiaries have a lack of awareness around GBV and don’t recognize that they are victims of GBV for many reasons. She asserted that there is a need for more resources like easy-to-read manuals, hotline services for women with hearing disabilities, and proper conditions at centers. She went on to speak about systemic issues with police and investigators. She noted the need

for the state to provide services like sign language translation, instead of relying on NGOs to cover this need. Lastly, she spoke about the work AGATE has implemented within the framework of the EU projects, which included the development of manuals and awareness raising PSAs accessible to people with disabilities as well as training of DV support center staff on how to work with women with disabilities.

Lilit Avetisyan, Chairperson of PINK human rights defender NGO, shared that LBT women victims of violence avoid talking about the violence they face, which takes on all forms, and that PINK has developed a specific portfolio for LBT women facing violence. She spoke about how women and girls who are victims of GBV are taken into consideration but that trans and intersex individuals who don't fit into these categories are often left out. Ms. Avetisyan gave examples of how trans individuals were harassed at the workplace, attacked on the street and sexually violated in public. She also gave examples of how LBT women were threatened to be outed by police and forced to take back complaints. She shared that LBT women who face DV often deal with physical violence and psychological pressure and threats by family.



Ms. Avetisyan finds it particularly alarming that PINK has registered an uptick in cases against underage individuals. She said that, for such cases, seeking out support centers and guardianship bodies often create more challenges when service providers hold stereotypical views. She asserted that the main reason LBT women don't seek support for GBV is because they prefer to avoid police and because they are humiliated in court. There is also still no legal recourse for trans women attacked in the street. Finally, she spoke about how public awareness raising is vital but that PINK alone doesn't have the resources to raise public awareness at a national level. Therefore, she believes, there must be more dialogue around enhancing sensitivity.



During the discussion, the issue of awareness raising efforts not reaching women living with HIV and women intravenous drug users was discussed. It was reported that institutions and shelters are centralized in Yerevan, and many women living with HIV and intravenous drug users live in the regions where they have difficulty accessing services or are concerned that a support center staff member might personally know them and figure out

their status. Moreover, current DV shelters cannot accommodate women intravenous drug users. Another issue brought up was that of how to better serve women with hearing disabilities and women staying at mental health institutions. Regarding women with hearing disabilities, it was stated that a systemic approach and proper functioning referral system would ameliorate this issue. Services can be provided remotely or professionals with sign language expertise can be brought on board to work with beneficiaries. One way to do this is to support universities to offer elective sign language courses. Regarding women staying at mental health institutions, it was stated that AGATE currently works with those who have mental health illnesses and who are not in closed institutions but that it tries to create dialogue with institutions through the Human Rights Defender's office.



Panel 3.

The legal framework concerning the fight against gender-based violence in Armenia

Moderator Zaruhi Hovhannisyán, Communications and External Relations Officer at the Coalition to Stop Violence Against Women, introduced the third panel dedicated to the legal framework in the fight against GBV. She expressed that the police department is one of the most important agencies in this fight, as they are first responders to cases of DV. She went on to describe how the police are given wide authority under the DV prevention law in terms of response, prevention, and putting

forth limitations and that it is the only agency that has the authority to go into homes. She noted that the panel discussion will continue the earlier conversation about the gaps in response and the need for training and amendments to the law.

Edgar Petrosyan, Deputy Head of the General Department of Public Security of the Department of Juvenile Crimes and Domestic Violence Prevention of the RA Police, continued the conversation started by colleagues about criminal law, describing what the police has done, what it is doing currently, and what needs to be done. He noted that his department visited every region of the country to better understand the current issues and put together recommendations to tackle these issues. He went into detail about specific internal legal acts that were put in place after dealing with specific cases in which solutions didn't exist previously. One example he gave was in relation to a person with diplomatic immunity carried out violence. He also spoke about cases related to legal and illegal weapons, describing how his department instated legal acts to regulate the use of weapons, such that following a 20-day protective order, a weapon would not be given back to an abuser. He also described working closely with the Women's Support Center to revise the police intake forms and developing referral mechanisms and specific internal orders for those mechanisms. He asserted that these efforts will ensure that police officers are kept accountable and properly refer cases to NGOs.

Mr. Petrosyan then switched gears to speak about the DV prevention law amendments that have been put forth by MPs, noting that he has had several meetings with colleagues at the Human Rights Defender's Office, Ministry of Justice, Ministry of Labour and Social Affairs, and the Prosecutor's Office under the leadership of MP Zaruhi Batoyan to help put forth these amendments. He stated that, now, when the police report a

case, they are mandated to elucidate whether previous acts of violence have been committed and respond accordingly.



Additionally, Mr. Petrosyan noted that there have also been recommendations to the timeline when it comes to specific problematic types of cases. He stated that the police department was in discussions about administrative detentions and prolongation of detention to deal with cases of serious abuse when the abuser is not sober and is not abiding by protection orders and court processes. Another recommendation he noted referred to RA Constitutional Court Decision 15/22 which relates to protective orders. He described that taking abusers out of the home for a period of time is the most important step to take to protect a victim. From his perspective, there should be a legal body that formally carries out this responsibility, because the majority of time abusers will not voluntarily stay at a shelter. He also brought up the absurdity of situations in which a protection order was granted but that the abuser and victim continuing living in the same home, keeping a distance of 5 meters—something he believes must be reformed.

Mr. Petrosyan next spoke about the initiation of electronic screening. In this regard, a package of amendments is circulating and the hope is that these amendments will be accepted next year. When it comes to collaboration, he stated that his department cooperates well with NGOs but that he is ready to broaden this collaboration to more state and civil society representatives. He brought up the issue that work with the criminal court is not streamlined, as there are cases in which the police give out protective orders and an investigator overrides it. Finally, he described that the struggle against GBV was a struggle that men have to be engaged with.

Mariana Danielyan, Head of the Legal Acts Development and Examination Division of the Legal Acts Development and Examination Department of the RA Judicial Department, started off her speech by describing a court decision that requires information on all cases decided by the court, including information about the defendant and plaintiff, be sent to the supreme court, which then examines the case to ensure that the information is correct. She noted that the supreme court does not specifically isolate out cases of DV to determine how many cases have been tried, suspended, or terminated, because that is not a requirement of the supreme court. Until a case is decided, executive and legislative bodies cannot communicate to understand how a case was investigated and what statistics we have.

Ms. Danielyan believes that there is the wrong perception that court authorities are not open to collaboration. With regards to the issue presented of judges taking discriminatory approaches, she stated that in practice the judicial council looks at the number of cases a judge has taken on. She believes that we need to have data on how many cases a judge handles at least over a 3-5 year period to decide if there is a need to hire judges that specialize in trying SV and DV cases. Within the context of the 2022-26 judicial action

plan, she stated that specialized trainings are planned for civil cases, though not for criminal cases, and that new amendments to the judicial criminal and administrative codes will be drafted. She encouraged organizations to collaborate with the Ministry of Justice and other legal bodies drafting these amendments.



Ms. Danielyan said that she welcomed efforts to carry out monitoring of court cases to shed light on the shortcomings. From her perspective, there are certain steps to take if a judge is not properly investigating a criminal case. The Ministry of Justice alongside the Justice Academy can carry out thematic trainings with judges until the planned specialized trainings take place. She encouraged organizations to suggest topics to be covered in these trainings. She asserted that judges are required to carry out proceedings according to the law, taking into consideration all legal documents, and that many times the issue is not due to a judge's discriminatory behavior.

With regards to draft legislation, Ms. Danielyan shared that this is circulated in the court and investigating judges can provide their

feedback. With regards to cases being delayed, she believes that this is a systemic issue with all cases and one she hopes to solve. She believes this issue related to judges being overworked. Given the specificities with all the various court cases, Ms. Danielyan believes it would be difficult to assign a timeline. She said that this issue could be brought to the attention of the High Judicial Council and an average timeline for investigating cases decided on.

Additionally, she noted the need to work with investigative bodies and the court as well as improving legislation. She stated that the law has to be changed, for instance, for a plaintiff and defendant not be seated in the same waiting room. If there is an issue with a victim facing abuse during recesses, she noted that this can be brought up with the High Judicial Council who can decide to add provisions to their code of conduct. Finally, she noted that there are institutes that work with judges and investigators on their behavior to ensure that legislation and legal acts are adhered to.

With regards to two comments made by the moderator about the need to comprehensively training criminal justice actors to ensure a gender sensitive approach and the issue with regards to how a judge can easily override a protective order or other decision made by the police without properly investigating a case, Ms. Danielyan asserted that such cases can be taken to the appeals court to ensure that the judge is kept accountable. She also mentioned that organizations can collaborate with the Justice Academy to recommend certain topics to be covered in trainings given by the Judicial Council during their annual conference.

Zaruhi Mejlumyan, Criminal lawyer at the Women’s Support Center NGO, spoke about seeing the legislative gaps and gaps in response in her everyday work at the Center, sharing that both the legislation and how it is implemented must be reformed. In 2020, she noted that the Women’s Support Center was involved

in discussions related to amendments to the criminal code. She described her work alongside Member of Parliament Zaruhi Batoyan on a package for legislation reform, consisting of more than 30 amendments to the DV law and comprehensive amendments as well to the criminal code. Ms. Mejlumyan explained that the law has aggravating circumstances for violence committed by close relatives, but a case in which two brothers fighting over inheritance can be tried the same as a case of DV, yet DV involves power and control. She asserted the need to collect statistics on cases that are suspended or terminated, since from her perspective most of the cases that are terminated are terminated due to false reconciliation or issues relating to children.



Ms. Mejlumyan also described legislative progress. She noted that, while Article 184 of the previous criminal code examined a victim’s helpless state or the frequency of abuse, now the proceedings are initiated and continue without the victim’s complaint. She also described how well she has been able to work on certain cases with the police and investigative committee on cases. Ms. Mejlumyan believes that sensitivity training is very important, not only for judges but also for prosecutors and

lawyers. She also believes that perpetrator rehabilitation is also important and should be mandated by law. She described a pilot rehabilitation program for male prisoners who carried out DV, but stated that, because most abusers get off with a fine, there were few prisoners in that program and they began to include men who did not carry out DV.

Ms. Mejlumyan alluded to a provision put forth in 2021 owing to the COVID-19 pandemic that would allow confrontations between victims and abusers remotely. While on paper, she said this was never carried out in practice, as the given technical parameters put in place made it difficult to allow remote confrontations. She asserts that these in-person confrontations should not be required, as they cause victims psychological distress. Moving on, Ms. Mejlumyan mentioned that there are certain restrictions of freedom for prisoners, for instance the workplace, the woman's place of resident, that are included in the law, but how this will be carried out in practice is yet to be seen. She also noted that there is an article on discrimination in the criminal code, but there are no statistics on this. Lastly, touching on the issue of lengthy court cases, she stated that there have been cases for serious crimes that have dragged on for 2 years and then terminated without justification. However, her experience shows that it is possible to try certain cases in one day where.

Shushanik Israelyan, Head of the Department for Combating Crimes Against Persons of the RA General Prosecutor's Office, discussed changes starting from December 2017, whereby a prosecutor could initiate a criminal investigation without a witness complaint. She explained that international best practice shows that prosecutors are given discretionary power to carry out private prosecution and that there were departmental acts put in place to be in line with international best practices. In cases where the victim doesn't make complaints or takes back complaints, she noted that the prosecutor would need

to understand the reasons for this and understand whether repeated violence is likely. As a result, the Prosecutor's Office put forth a guideline outlining circumstances that would allow one to assess whether repeated offense is likely. She noted that research that her department conducted examining cases that took place in 2018 and the first half of 2019 showed that prosecutors did indeed use this authority and fewer DV cases were terminated as a result. She added that the department's research shows that training of prosecutors has had an impact. She believes that it is important not to simply carry one-time trainings but to offer ongoing trainings in order to change attitudes and encourage prosecutors to be more gender sensitive and take a victim-centered approach.



During the discussion, audience members wanted to know how trainings could be supported, whether procedures were in place to support DV victims not to take back their complaints, and whether there are any plans to conduct monitoring on criminal cases that have been terminated unjustly. It was stated that, with regards to training, training topics can be decided together with the High Judicial Council and that discussions were taking place

about training judicial assistants as well. With regards to victims taking back complaints, it was shared that new procedures have been developed that can be shared with conference attendees. An answer was not provided as to whether monitoring on cases that were terminated was being planned, simply that this is a criminal procedural process if a prosecutor reports that a case is illegally terminated. With regards to shortening trials, the representative stated that this question would need to be directed to relevant bodies drafting legislation. Audience members also commented on the lengthy court trials, asking whether research on international best practices had been conducted to understand how long proceedings should take and whether the need for a specialized court to handle cases could be determined by the number of cases judges take over a one-year period. Concrete answers could not be provided about the trial length. It was stated that the situation would need to be monitored over a long period of time in order to then decide on a timeframe but that, in the meantime, specialized trainings and discussions could take place to support behavior change among judges.



Panel 4.

Opportunities in the area of prevention of gender-based violence in Armenia

Moderator Gayane Grigoryan, Programs Director at AGATE Rights Defense Center for Women with Disabilities, introduced the panel aimed at discussing concrete opportunities to prevent GBV in Armenia as well as support to DV victims.

Zaruhi Batoyan, Member of Parliament, described the package of amendments to the DV law and what positive changes may be

anticipated. She noted that there is a consensus in Armenia that DV is an issue that needs to be solved, though this is the first time since 2018 that significant advances will be made to legislation surrounding DV. While she didn't go into detail about the package, Ms. Batoyan stated that she worked closely with NGOs, who provided a large portion of the package of amendments, as well as the police department and other stakeholders. She mentioned that the suggested amendments are to the DV law, the criminal code, the administrative code, and family law and that new definitions will be put into place for stalking, the various types of abuse, the concept of intimate partners, and children who witness abuse. She mentioned that there were discussions to remove warnings in cases of physical and sexual violence but that the law currently already provides for this and allows for police to immediately give out protective orders. In this regard, she noted that there is more of an issue with how the law is implemented rather than the law itself.



Ms. Batoyan spoke about the difficulty in isolating out the various types of abuse given that they are all interconnected. She said

that a main focus is on awareness raising and capacity building, as well as including monitoring and established mechanisms to enhance prevention. Suggestions to the timeframe of protective orders, according to her, are still in discussions, but that they anticipate changes to authorizations and procedures around how victims receive services, including the timeline around protective orders. Ms. Batoyan went on to say that she firmly believes that the point about reconciliation in the law needs to be taken out and that she has suggested expanding medical care provided to victims so that it is not just urgent medical care that is covered.

Anahit Muradyan, Chief specialist of the Department of General Education of the RA Ministry of Education, Science, Culture and Sports, started off her speech by talking about teacher training and work being conducted in schools to ensure gender sensitivity in school curricula. She stated that the school is where children should learn about the law, their rights, and how to think about the issue of DV. She described a pilot program establishing new benchmarks to determine competencies, which from her perspective took gender sensitivity into consideration in all aspects. She went on to describe how over the next few years, the Ministry of Education will have established benchmarks and measurable indicators for teachers for every grade and that she also anticipates continual online and offline training for teachers on all subjects.

Speaking more about the issue of prevention, Ms. Muradyan brought up the Healthy Lifestyles course, which is a 17-hour mandatory course in all public schools that, in her own words, aims at providing children with the tools to overcome life challenges—dealing with emotions, decision-making, sexual education, learning about values. International organizations were involved in developing the curriculum and teacher training. Ms. Muradyan asserted that there is a strong emphasis on gender sensitivity in



all topics covered in the Healthy Lifestyles course, and primary prevention will also be supported by bringing psychologists to every public school—something that it anticipated for 2023-4.

Ms. Muradyan stated that schools do not have mechanisms for identifying and referring DV cases, nor the authority to do so. She brought up discussions taking place about providing schools with the authority to do this under the child protection law. She believes that there should be a system in place to monitor a child who doesn't attend school for 10 days in a row and is left out of the school system, since it is likely that these children are being neglected or abused. Lastly, she spoke about the fact that, while the Ministry of Education doesn't have the authority to take a child out of a violent circumstance, the Ministry did create policies for children left out of school.

Greta Harutyunyan, Specialist on Financial and Administrative Affairs of the Secretariat of the Country Coordinating Mechanism against HIV/AIDS, Tuberculosis and Malaria of the Republic of Armenia at the RA National Institute of Health,

began her speech by thanking her colleagues for working with her department to take HIV/AIDS and tuberculosis off the list of illnesses that prevent people from staying at shelters. She spoke about the need to put forth changes to show children from a young age that violence is not tolerable and to dispel stereotypes about women being harassed because they dressed a certain way so that society does not continue engaging in victim blaming. She continued by saying that psychological violence always precedes physical violence and that, if a teacher doesn't know how to discern violence, a child will grow up not being able to discern this.



Ani Sahakyan, Chief specialist of the Division of Human Trafficking and Women's Issues of the Department of Ensuring Equal Opportunities of the RA Ministry of Labour and Social Affairs, ended the last panel by showcasing how the Ministry of Labour and Social Affairs has been involved in the development of package of amendments to DV law as well as policy changes dealing with the United Social Services, such that so that the agency's representatives will no longer take on DV cases. According to her, the Ministry found that home visits made

by United Social Services staff was ineffective since they are not specialized in DV. Now, United Social Service staff will only deal with DV victims in that they will continue giving out state benefits and making referrals. Ms. Sahakyan also described the Ministry's program to establish DV support centers in every region. She reported that every since the Ministry puts out a call for proposals, and NGOs with at least one year of experience in the field can apply and receive grants. She went on to say that DV victims are being given social, psychological, and legal services as well as hotline services; 150,000 drams to cover basic needs; and shelter services. In terms of prevention work, she noted that the Ministry understands that economic empowerment is a way out of violence. For this reason, the Ministry has decided to increase the state budget starting next year for women's economic empowerment, piloting this program in 3 regions. Through these efforts, she believes that the Ministry is helping to ensure women's reintegration into society.

During the discussion, audience members insisted that mechanisms be established so that a teacher could report abuse and asked whether mechanisms were in place to train teachers on SV and sexual harassment that takes place in the school environment as well as how teachers are trained on sexual harassment and inappropriate sexual behavior. The response given was that the Ministry of Education continues to have no authority when it comes to cases of violence and that these cases must be directed to the police.



Closing Remarks

Zaruhi Hovhannisyan, Communications and External Relations Officer at the Coalition to Stop Violence against Women, thanked all participants, including state and civil society representatives in attendance who have been involved in dealing with GBV. She ended on a positive tone, insisting that this was just the beginning of our collaboration.