



SILENCED VOICES:

Femicide in Armenia

**2016-2017
Report**



Kvinna till Kvinna

 Open Society Foundations - Armenia
Բաց Չափազանցության Գիտարկումներ - Չայստան



Coalition to Stop Violence Against Women

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The report presents the concept of femicide and analyses femicide cases tried in Armenia's courts in the period of 2016-2017.

The aim of the document is to inform state institutions and the public about the phenomenon of femicide and its reasons, as well as present the correlation between femicide and domestic violence. The report touches on the stories of women murdered from 2016 to 2017, presenting the court decisions related to their criminal cases and also identifying the legal gaps that exist in Armenia's legislative and law enforcement systems.

No part of the report can be used and quoted without due reference to the source.

“I compare femicide with genocide given the context in which it takes place: this is an act against an entire group – against a large segment of the society – rooted in the belief that this segment is worthless, inferior, and therefore the act is permissible.”

Anna Shahnazaryan
Feminist and activist

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The report is dedicated to women who have fallen victim to femicide and have been tragically killed by their partners, family members and other men.

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Silenced Voices: Femicide in Armenia

2016-2017 Report

INTRODUCTION

Violence against women is a grave issue and a focal point within the human rights and public health fields. Femicide is one of the most extreme manifestations of violence against women and has reached an alarming magnitude all over the world. According to the World Health Organization, 35% of homicides against women are committed by current or former partners. The same source notes, however, that this statistics is incomplete.¹ Femicide as a manifestation of discrimination against women is still not comprehensively studied due, first of all, to the lack of all-inclusive and trustworthy data, as well as the lack of a unified approach amongst states to qualify the homicide of women as femicide.

According to non-formal statistics, more women die across the world from gender-based violence than from cancer, wars or any infectious disease.² According to the UN Office on Drugs and Crime's Global Study on Homicide, women are much more likely to be killed by their current or former partners and family members than men.³

Femicide is a kind of crime that is depoliticized by the patriarchal system and described as a crime only "crazy" people commit. As a consequence, many criminals do not receive a punishment commensurate to the crime committed. The system is sustained and self-preserved by rationalizing the homicide of women.

1. Understanding and Addressing Violence Against Women, WHO, 2012, available at: http://apps.who.int/iris/bitstream/handle/10665/77421/WHO_RHR_12.38_engpdf;jsessionid=7E6EFECBD717D4371CE9D0E3EA3B05A6?sequence=1.

2. Femicide A Global Issue Demanding Action, 2013, Academic Council on the United Nations System (ACUNS) Vienna Liaison Office, available at: http://www.genevadeclaration.org/fileadmin/docs/Co-publications/Femicide_A%20Gobal%20Issue%20that%20demands%20Action.pdf.

3. Global Homicide Book, UNODC, 2013, pp 13-14, available at: https://www.unodc.org/documents/data-and-analysis/statistics/GSH2013/2014_GLOBAL_HOMICIDE_BOOK_web.pdf.

In order to eradicate the root causes of femicide, it should be borne in mind that femicide is a political crime that demands universal recognition and a systemic response. It is very important to address its real roots and to start off from the idea that femicide is an extreme manifestation of applying power over the life and body of a woman.

This is the second report published in Armenia that addresses femicide. In 2016, the Coalition to Stop Violence against Women published the first report on femicide in Armenia that looked at the homicide of women in Armenia by current or former partners between 2010 and 2015. The current report draws on cases of femicide committed between 2016 and 2017, specifically analyzing the trial proceedings and accessibility of justice, as well as the systematic and deeply-rooted causes of the phenomenon of femicide.

The report is comprised of four main parts. The first part describes the methodology and methodological framework for developing the report. More specifically, it addresses the aim and objectives of the study and key sources of information. The second part discusses the conceptual questions related to the phenomenon of femicide and inclusion criteria. This section also examines the root causes and the types and various manifestations of femicide. The third part of the report presents femicide cases in Armenia recorded in 2016-2017. Analyzing these cases brings voice to the stories of women who lost their lives due to unequal power and control, rooted in stereotypes and widespread indifference. The judicial system's response to the crime is presented within the framework of each story. The report concludes with recommendations to help policy-makers and the larger public tackle the root causes of femicide through more targeted and concrete actions.

METHODOLOGICAL BASIS OF THE STUDY

The analysis of femicide cases is underpinned on the following approaches:⁴

- Feminist approach, which investigates the cases of homicide of women while at the same time confronting patriarchal oppression;
- Sociological approach, which focuses on investigating the specificities regarding the homicide of women that differentiate the phenomenon of femicide;
- Criminological approach, which looks at femicide as a type of offence;
- Human rights approach, which considers femicide within a broader scope, as the most extreme manifestation of violence against women;
- Decolonial approach, which reviews cases of femicide in the context of colonial domination, including “honor killings”.

For the purposes of this report, the cases of femicide and their causal relationship with gender-based violence will be reviewed using feminist and human rights approaches. The main idea of the feminist approach is to analyse the domination exerted by the patriarchal system. The fundamental principle of patriarchy is power (over), wherein the power of women and men is distributed unequally and wherein men dominate over women and violate them in order to maintain their own control.⁵

4. Theories of Femicide and their Significance in Social Research, 2016, p 5, available at: https://www.violenceresearchinitiative.org/uploads/1/15/6/9/15692298/theories_femicide.pdf.

5. Ibid, pp. 5-6.

Despite the fact that the root causes of femicide have long been identified and presented in various studies, differences persist throughout various countries regarding the recognition of femicide as a crime, the response to it, interpretations of it, and forms of punishment for it. This research has been carried out to identify these issues.

In general, manifestations of femicide remain understudied in Armenia. Serving as a precedent, the Coalition to Stop Violence against Women initiated an exploratory study in 2016 aimed at presenting the stories of murdered women.

The relevance of the study is underpinned on the need to identify the features of femicide as a phenomenon in Armenia. More specifically, it is important to identify whether women are killed within the home or by others; to investigate the cause-and-effect relationship between cases of domestic violence and femicide; to identify the national legislative regulations and legal gaps in this area; and to publicize the cases of femicide that were committed in 2016 and 2017.

It is noteworthy that state institutions that deal with investigations and trials for femicide cases do not qualify the murder of women at home or outside of the family as femicide, do not investigate its root causes and do not have a unified information database that can serve as a basis for research. **The relevance of the research is also predicated on the state's lack of comprehensive information and statistics on cases of femicide, pointing to the need to voice this gap and prevent, investigate and ensure a fair trial for these cases.**

The aim of the research is to study and analyze the features of the recorded cases of femicide that were committed in 2016 and 2017. It specifically aims to identify the lethality factors for femicide and to uncover commonalities amongst cases and how they connect with the phenomenon of domestic violence.

The outcomes of the research and the recommendations based on them will be presented to state institutions and the public at large. A consistent implementation of these recommendations will contribute to the prevention of femicide in Armenia.

Given that the state does not keep consistent records of femicide statistics, all the cases of homicide against women were investigated for the research study and then filtered based on a number of criteria before being classified as femicide.

The criteria include:

- the explicit application of patriarchal perceptions over the murdered woman, driven by the use of power within a patriarchal system,
- the (continuous) nature of domestic violence to which the killed woman was subjected.

The objectives of the research are:

1. To identify the common features amongst femicide cases and to present them quantitatively (age, place of residence, marital status, relationship with the accused, circumstances surrounding the homicide, punishment delivered, mitigating circumstances and other characteristics of punishment);
2. To detect the specificities of femicide cases, especially the lethality factors that preceded the homicide, including the link between domestic violence and gender-related issues in Armenia;
3. To find out what kind of mechanisms and approaches are employed in investigating and preventing cases of femicide in Armenia;
4. To develop recommendations based on the identified outcomes that will contribute to preventing femicide and conducting fair trials for cases of femicide.

Research hypotheses

1. There are no mechanisms at the state level to prevent and respond to the phenomenon of femicide in Armenia.
2. Femicide mainly takes place within the family due to unequal distribution of power and abuse of power.

Methods of Information Retrieval

For the goals and objectives of the research, and in order to get a fuller picture of the issue being studied, sociological research was found to be the most appropriate. We applied content analysis of documents, through which we tried to identify the characteristics amongst cases of femicide.

The data provided an opportunity to analyze and understand femicide cases and their common features.

The methodology used for case analysis will be elaborated on in a subsection on the cases.

These data enabled a more in-depth analysis aimed at identifying the relationship between cases of femicide and gender issues, specifically domestic violence. We also analysed the proportionality of punishment and domestic legislation from the perspective of ensuring a fair trial for those cases.

Sampling

In order to become familiarized with the femicide cases, the Coalition to Stop Violence against Women sent a request to the Judicial Department of the Republic of Armenia (RA). The Judicial Department provided a total of 120 court cases dealing with homicide. These 120 court cases from 2016-2017 provided by the Judicial Department became the subject of the research.

Research Limitations and Difficulties

The key limitations of the research were related to the absence of a unified information database by which state institutions would store centralized data. In addition, it is possible that cases are underreported, since the incidents themselves are not appropriately registered due to the reluctance to recognise the phenomenon of femicide at the state level and the concealment of domestic violence cases. Thus, these cases are similarly not covered by this research.

THE TERM FEMICIDE AND THE SCOPE OF ITS USE

Femicide is a relatively new term that depicts the homicide of women based on misogyny. However, the phenomenon it depicts is as old as patriarchy itself.⁶

The “witch-hunt” of the 16th and 17th centuries in many European countries was carried out as a means for men to sustain their dominance in society. Ninety percent of “witch hunt” victims were women. During this period, in many cities across Europe, men would burn or kill those women who, by their appearance or behaviour, were different from the perceptions dominant in the given social group.⁷

The concept of femicide started to circulate at the theoretical level in the 1970s, when the term “femicide” was proposed as an alternative to the gender-neutral term “homicide”. The circulation of this word was predicated on the fact that the definition of homicide did not capture the discriminatory, oppressive, unequal and systemic violence against women.

In 1990, Diana Russell and Jane Caputi defined the term as “... the killing of women by men motivated by hatred, contempt, pleasure or sense of ownership of the woman.”⁸

It is noteworthy that only after the publication of Karen Stout’s article did the term start to actively circulate in academic literature. This article, published in 1992, analysed femicide in the USA using feminist ideology.⁹

6. Jill Radford and Diana E. H. Russell, “Femicide: The Politics of Woman Killing”, 1992, p. 25, Macmillan Publishing Company.

7. Marrienne Hester, “The Witchcraze in 16th and 17th Century England as Social Control of Women”; Femicide: The Politics of Women Killing, pp. 27-36, 2012, Macmillan Publishing Company.

8. Caputi J, Russell DEH. “Femicide: speaking the unspeakable”, pp. 34-37, Ms. 1990;1(2).

9. Karen Stout, “Intimate Femicide: An Ecological Analysis”, The Journal of Sociology & Social Welfare, Vol. 19, Issue 3 Sept. 1992, available at <https://scholarworks.wmich.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=2029&context=jssw>.

After that publication, other research followed that described femicide and addressed the phenomenon of violent killings of women.

In 1992, Diana Russel and Jill Radford proposed another definition, namely “...the misogynist killing of women by men.”¹⁰

In 2001, Diana Russel and Roberta Harns expanded the definition of femicide to “the killing of females by males because they are female,” in order to include all killings on the basis of sexism and not only those on the basis of hatred.¹¹ A group of theorists (Diana Russel, Glenden Lemard) also consider cases when women die during childbirth and unsafe abortion as femicide,¹² as the patriarchal system does not value the life of a woman as much as it values the life of a man. Thus, it doesn’t create appropriate conditions or creates barriers that impact a woman’s health and life.

In December 2013, the UN General Assembly adopted Resolution 68/191 that dealt with the homicide of women carried out by, amongst others, their current and former partners. The resolution uses the term “gender-related killing” of women; however, it also specifies that femicide is an acceptable term that is used in the legislation of a number of countries.¹³

Thus, in order to qualify a homicide as femicide, there must be a clear link between the homicide and the gender of the victim, gender-related roles and status, and stereotypes persistent in society.

In examining femicide, it is also important to address cases of suicide that are related to the woman’s emotional state and a result of their suffering and torture prior to the suicide.¹⁴ In this regard, it is important to investigate how gender-related issues, deeply-rooted stereotypes and discrimination affected the woman’s decision to commit suicide.

Expert discussions on the definition and scope of femicide continue today,

10. Jill Radford and Diana E. H. Russell, “Femicide: The Politics of Woman Killing”, 1992, p 3, Macmillan Publishing Company.

11. Russell DEH., AIDS as mass femicide: focus on South Africa. In: Russell DEH, Harnes RA, eds. Femicide in Global Perspective, pp 100-114, New York, Teacher’s College Press, 2001.

12. Strengthening understanding of femicide: using research to galvanize action and accountability, p 29, Washington DC, 2008, available at https://path.azureedge.net/media/documents/GVR_femicide_rpt.pdf.

13. Resolution on Taking action against gender-related killing of women and girls, UN General Assembly, 2014, available at https://www.unodc.org/documents/commissions/CCPCJ/Crime_Resolutions/2010-2019/2013/General_Assembly/A-RES-68-191.pdf.

14. Psytel. 2010. Estimation de la mortalité liée aux violences conjugales en Europe: “IPV EU Mortality.” DAPHNE Projet No. JLS/2007/DAP-1/140. Rapport scientifique. pp. 9-10, available at <http://www.psytel.eu/violences.php>.

though the most comprehensive definition relates to the killings of women because they are female and is linked to the patriarchal belief system that the life of women and girls is disposable. This, in turn, leads to the ease of killing women and girls, which has deep roots in misogyny.

A noteworthy example of femicide is the mass killing in one of Montreal's universities on December 6, 1989. A young man entered the university and opened fire at the crowd, specifically targeting the women, and exclaimed, "Damn you, feminists!", while he shot them. This bloodshed resulted in 14 women killed and 9 injured. These women were killed because they were women. The motive for the murder was the fact that he was not admitted to the university's department of architecture, and he reasoned that this was due to the admission of women who dared to apply for the "spots of men." He killed these women who were unknown to him only because they had "taken up the space" of men. This act embodied a deep-rooted misogyny and loss of one's power and, consequently, is highly political in nature.¹⁵

Analysing this and similar cases of femicide indicates that each case needs to be examined above the realm of personal liability and within a political context, whereby gender-related issues that influence the motivations of murders are analysed.

Types of Femicide

A number of international institutions and theorists include any type of homicide of women in the category of femicide, including those that are non-premeditated, the aim of which is to re-establish the power exercised by the patriarchal system over the woman. The most widespread type of femicide is the killing of a woman by her current or former partner after also being a survivor of domestic violence for a long time.¹⁶ Women killed as a result of domestic violence are viewed by the patriarchal society as the "property" of the man and the act of killing by the man is viewed as an act of establishing his own authority.

Authors Radford and Russel argue that there are many patterns of femicide, such as racist femicide, when black women are killed by men because of their racial affiliation; homophobic femicide, when lesbian and bisexual

15. Jill Radford and Diana E. H. Russell, "Femicide: The Politics of Woman Killing", 1992, p 13, Macmillan Publishing Company.

16. Understanding and Addressing Violence Against Women, WHO, 2012, available at http://apps.who.int/iris/bitstream/handle/10665/77421/WHO_RHR_12.38_engpdf;jsessionid=7E6EFECBD717D4371CE9D0E3EA3B05A6?sequence=1.

women are killed because of their sexual orientation; marital femicide, when the woman is killed by her current or former partner; and femicide committed by a stranger.¹⁷

Besides homicide committed by a current or former partner, femicide can be committed by:¹⁸

- other family members (father, son, father-in-law),
- close relatives, friends or neighbors, and
- strangers.

In 2012, a summit on femicide was hosted in Vienna. As a result of the summit, the Vienna Declaration on Femicide was drafted which, despite not having been approved by UN member states, is a significant document in this field.¹⁹ According to the declaration, femicide is defined as the killing of women and girls because of their gender, which can take the following forms:

- 1) the murder of women as a result of intimate partner violence;
- 2) the torture and misogynist slaying of women;
- 3) the killing of women and girls in the name of “honour”;
- 4) the deliberate killing of women and girls in the context of armed conflict;
- 5) dowry-related killings of women;
- 6) the killing of women and girls because of their sexual orientation and gender identity;
- 7) the killing of aboriginal and indigenous women and girls because of their gender;
- 8) deaths caused by the genital mutilation of women;
- 9) the killing of women accused of witchcraft or sorcery;

17. Jill Radford and Diana E. H. Russell, “Femicide: The Politics of Woman Killing”, 1992, p 7, Macmillan Publishing Company.

18. Russell DEH, Harmes RA, eds. Femicide in Global Perspective, pp 8-12, New York, Teacher’s College Press, 2001.

19. Vienna Declaration on Femicide, available at: <http://www.dianarussell.com/vienna-declaration-.html>.

10) the killing of women and girls that is connected to organized crime, drug dealing, human trafficking and the proliferation of small arms.

Thus, the analysis of various definitions of femicide proposed by different authors indicates that femicide is the continuous murder of women within a patriarchal system, the aim of which is to exert power over women and wherein the murder is motivated by an internal predisposition towards misogyny. Feminist researcher Jacquelyn Campbell revealed that cases of femicide in the United States increased from 54% to 72% between 1976 and 1999. It is noteworthy that this was a period during which feminists were actively fighting for their rights, and their growing autonomy became a true threat for men. The latter, fearful of the loss of their power, resorted to extreme measures, including murder.²⁰

20. Femicide A Global Issue Demanding Action, 2013, Academic Council on the United Nations System (ACUNS) Vienna Liaison Office, available at http://www.genevadeclaration.org/fileadmin/docs/Co-publications/Femicide_A%20Gobal%20Issue%20that%20demands%20Action.pdf.

THE LINK BETWEEN DOMESTIC VIOLENCE AND FEMICIDE

Since ancient times, men have killed women during any conflict situation within the family. In certain cultures, the burning of newlywed brides and the killing “for dowry” or “for honour” persist to today if the woman does not meet the expectations of her husband or her husband’s circle and goes contrary to traditional values. The beating, rape and violation of dignity carried out in the home against women who “fail” to meet expectations of them and the rationalization of these acts of violence is a common phenomenon in Armenia too.

Domestic violence is a cultural norm in Armenia that is “encouraged” by traditional stereotypes and a patriarchal mentality, which in turn is reinforced by policies and legislation.

All efforts to end violence against women “clash” with the interests of men with greater power, as the status of these men encourages violence and sometimes even obliges them to use violence against their own wives.²¹ Violence against women is one of the most widespread forms of discrimination against women and is considered a violation of fundamental human rights and freedoms. Moreover, violence against women mainly takes place in the home and manifests in the form of **physical, psychological, sexual and economic violence**. All over the world, the majority of victims of domestic violence are women and girls. Every third woman in the world is subjected to a form of violence by a current or former partner.²²

21. Campbell J.C., Runyan C.W. Femicide: guest editors' introduction. *Homicide Studies*, 1998; 2(4), pp. 347-352.

22. Violence against women. Key facts, WHO, 2017, available at: <http://www.who.int/news-room/fact-sheets/detail/violence-against-women>.

Domestic violence is an extreme issue faced by women in Armenia. According to a national survey conducted in 2016 in all regions of Armenia, 22.4% and 45.9% of ever-male-partnered women were subjected to physical and psychological violence at some point in their lives, respectively. 19.5% of ever-partnered women mentioned that their male partners forbade them to get a job or earn a living in one way or another. 7.6% of the surveyed men mentioned that they forced a woman or girl to have a sexual intercourse with them at some point in their lives. The same survey also uncovered a high cultural acceptability of violence against women: one third of the surveyed population mentioned that women should tolerate violence for the sake of keeping their families together, while three quarters expressed a conviction that violence by a partner can be justified.²³

According to data by the RA police, in 2016 there were 756 cases of domestic violence recorded by the police, of which 699 were physical assaults, 4 sexual violence cases and 53 other types of violent crimes. Three of the recorded crimes against women were carried out by partners, 471 by husbands, and 97 by other family members.²⁴ It is noteworthy that there was a registered increase in official domestic violence statistics in 2017, as compared to the same period of the previous year. During the 12 months of 2017, 793 domestic violence-related crimes were recorded and investigated by the police, of which 740 were physical crimes and 53 other types of crimes. Of the overall 793 domestic violence cases, 1 was carried out by a partner, while 480 were carried out by husbands against their wives. At the same time, various bodies and divisions of the RA Investigative Committee filed 258 criminal cases in 2017 and, overall, they handled 458 criminal cases of domestic violence in 2017. Of the 458 aforementioned investigations, 86 were completed with an indictment charge sent to the court. Of the 281 criminal cases that were closed, 69 were acquitted and the remaining 212 closed on grounds other than acquittal.²⁵

The above-mentioned statistics do not give a full and realistic picture of domestic violence and violence against women, as there is no unified record-keeping of domestic violence cases and, additionally, a great

23. Vladimir Osipov and Jina Sargizova, *Men and Gender Equality Issues in Armenia*, UNFPA, 2016.

24. 2016 Report on the Performance of the Ombudsman of Armenia, the State of Protection of Human Rights and Freedoms in Armenia, p. 242.

25. 2017 Report on the Performance of the Ombudsman of Armenia, the State of Protection of Human Rights and Freedoms in Armenia, p. 305.

number of these abuses are concealed.²⁶

The international obligations that Armenia had committed to as a state and the pressure from international and local organizations forced the RA Government to acknowledge the phenomenon of domestic violence and draft relevant legislation in 2017. The draft law was redrafted several times and eventually changed and named the “Law on Prevention of Violence within the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family”, which was subsequently adopted by the Parliament in December 2017.²⁷

Although the adoption of the law was a positive step, it continues not to comply with international norms and standards for the protection of women from domestic abuse.²⁸

As has already been mentioned, murder by a woman’s current or former partner is the most frequent form of femicide in the world. Moreover, relationship breakdown between the abuser and the victim is a significant risk factor for femicide. According to a study conducted in the United Kingdom, 76% of victims of femicide were killed within 1 year of breaking up with their abusers, one third of whom were killed within 1 month.²⁹

The state’s obligations have a great significance in protecting women from possible risks of femicide. In this regard, it is imperative that cases of femicide stop being viewed as only in the realm of responsibility of the abuser and instead as the responsibility of the public and state.

In the precedent set by the judgement of the European Human Rights Court over the “Opuz v. Turkey”³⁰ (2009) case, the court recognized that the state is accountable in all those cases when it failed to protect women’s rights from domestic violence. “Opuz v. Turkey” and the subsequent

26. Ibid, p. 305.

27. RA Law on Prevention of Violence in the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family <http://www.arlis.am/DocumentView.aspx?docID=118672>.

28. The Coalition to Stop Violence Against Women drafted a package of amendments to the law in compliance with international norms and standards.

29. Redefining an Isolated Incident: Femicide Census 2009-2015, Women’s Aid and NIA, 2016, available at: <https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2017/01/The-Femicide-Census-Jan-2017.pdf> and NSW Domestic Violence Death Review Team Annual Report 2015-2017, P. 149, NSW Government, available at: https://www.parliament.nsw.gov.au/lc/papers/DBAssets/tabledpaper/WebAttachments/72106/2015-2017_DVDRT%20REPORT%20PDF.pdf.

30. Opuz v. Turkey Ruling of ECHR, available at: <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=001-92945&filename=001-92945.pdf>.

“Kontrova v. Slovakia”³¹ rulings set a precedent for the European Human Rights Court to recognize violence against women as a systemic issue that reflects an unequal distribution of power. In these cases, the court placed the responsibility of protecting women from domestic violence on the state.³²

In order to reach desired outcomes in eradicating femicide, it is imperative to oppose those traditional and patriarchal institutions that constantly place women in subordinate positions and give dominant positions to men, thereby sowing gender inequality, which is the true reason for femicide. Women will be killed as long as societies remain gendered, wherein women and various other groups remain inferior.

31. Kontrova v. Slovakia ECHR Ruling , available at: https://www.coe.int/t/dg2/equality/domesticviolencecampaign/resources/Kontrova%20v.%20Slovakia_en.asp.

32. Opuz v. Turkey, Europe’s Landmark Judgement on Violence against Women, Human Rights Brief, Vol. 17, Issue 1, Article 5, 2009, summary available at: <https://www.womenslinkworldwide.org/en/files/1153/opuz-v-turkey-europe-s-landmark-judgment-on-violence-against-women.pdf>.

Analysis of Femicide Cases and Scope of Analysis Included in the Report

This section of the report presents the registered cases of femicide in Armenia that were committed in 2016 and 2017 and that were accessible for analysis.

As already mentioned, the absence of true statistics on femicide is due to several factors

- 1) There is a lack of unified, accurate statistical data on domestic violence in Armenia.

Generally speaking, domestic violence is a kind of violence that is concealed, which means that information and statistical indicators on this kind of violence do not fully display the true picture of the violence.

Additionally, before the “Law on Prevention of Violence within the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family”³³ was adopted by the RA in December 13, 2017, national legislation did not define “domestic violence” as a unified concept. As a result, each state body would gather its own records in accordance with its own interpretation of regulations and standards.

It should be noted that pre-investigation bodies of the RA Investigative Committee collect statistical data about investigative work in accordance with the October 23, 2008 RA Government Decree No 1225-N titled “On Unified Forms for Statistical Reporting Indicators for Pre-trial Proceedings and Approval for Completing and Submitting them.” However, this decree and relevant forms do not contain a separate annex or table for taking record of domestic violence.

33. Available at: <http://www.arlis.am/DocumentView.aspx?DocID=118672>.

In order to fill this gap, the RA Investigative Committee issued the report “On Domestic Violence Cases” in accordance with the RA Investigative Committee Chairman’s December 22, 2016 Recommendation No 69-L. The blank report form contained statistical data from the preliminary results of domestic violence criminal cases.

At the same time, it should be emphasized that the term “domestic violence” began being used in statistical data on November 17, 2014 in accordance with clause 3 of the RA Investigative Committee Chairman’s order, which interprets domestic violence as “... *physically and psychologically violent acts carried out within the family or familial unit or between former (or current) spouses or partners, regardless of whether the abuser lives or has lived with the victim in the same home or not.*”³⁴

According to the information provided by the RA Investigative Committee, sexual and economic abuse was also included in the statistical figures, “as both sexual and economic violence is carried out by means of physical or psychological acts of violence.”³⁵

As a result of subsequent legislative changes, certain changes were incorporated in the record-keeping practices of the RA Investigative Committee.³⁶ Presently, the definition of “family member” is used in the statistical data collection process in accordance with Article 4, Section 1 of the “Law on Prevention of Violence within the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family”. This clause, however, does not include people who are in a relationship but unmarried. As a result, the adoption of the law has created a situation in which cases of domestic violence between partners are not included in statistics and, in this way, it has contributed to further distorting the true picture of violence.

The RA police also present statistical data on domestic violence cases. Unlike the RA Investigative Committee, where record-keeping is done in accordance with criminal cases under investigation, the police keep records of data on all cases reported to the police.

It should be noted, however, that the current official figures differ from

34. Available at: <http://investigative.am/news/view/yntanekan-brnutyunner.html>.

35. Information provided in the Letter № 08/22/1405218, dated October 26, 2018 from the RA Investigative Committee.

36. Ibid.

the unofficial figures and, specifically, from data collected from NGO-run hotline calls.³⁷

It should be stressed that the UN Committee on the Elimination of All Forms of Discrimination Against Women also addressed the issue of the lack of complete and accurate statistical data in its concluding observations to Armenia.³⁸

2) During the preparation of the report, it was not possible to investigate the femicide cases under pre-trial investigation. Criminal cases that were cleared were also not accessible for analysis, as well as those cases for which criminal proceedings were not initiated.

Nevertheless, according to the information provided by the RA Investigative Committee,³⁹ during the period of 2016-2017, 19 criminal cases of murdered women were examined by the various units of the RA Investigative Committee, of which 3 were dismissed. During the same period, the RA Investigative Committee units registered 61 cases involving apparent criminal offenses under Article 110 of the RA Criminal Code (Driving to suicide), of which criminal investigations were denied for 18 cases and opened for 43 of them. During examination of 2 of these 43 cases, the person was charged with crimes under another RA Criminal Code article. More specifically, one person was charged under Article 119 of the RA Criminal Code (Inflicting severe physical pain or psychological suffering), and another charged under Section 1 of Article 104 of the RA Criminal Code (Homicide).

According to the information provided by the RA police, 3 cases of women murdered in 2016 and 4 cases in 2017 were recorded.⁴⁰

At the same time, it should be noted that the RA Judicial Department does not collect statistics on femicide cases. The Judicial Department collects trial statistics in accordance with Article 19 of the constitutional law “RA

37. In 2016 and 2017, the single hotline run by the Coalition to Stop Violence Against Women received around 10,600 calls.

38. CEDAW Committee's concluding observations to Armenia (CEDAW/C/ARM/CO/5-6), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/402/28/PDF/N1640228.pdf?OpenElement>.

39. Information provided in the Letter N 08/22/1405218, dated October 26 of 2018 from the Investigative Committee of Armenia.

40. Information provided in Letter N 3/8511, dated August 7, 2018 from the Chief Criminal Investigation Department of the RA Police.

Judicial Code”⁴¹ and by the March 19, 2015 Government Decree No 306-N on “Categorization of Court Cases, List of Statistical Data (Information) Subject to Mandatory Disclosure and Procedure of Disclosure, Format of Description of Statistical Reports.”⁴² The government decree, however, does not set an obligation to collect statistical data on cases of femicide.

At the same time, the Judicial Department provided the RA Court of First Instance criminal court case numbers filed from 2016 to 2017 under RA Criminal Code Article 104 (Homicide), Article 110 (Driving to Suicide), Section 14 of Article 2 (Maliciously inflicting severe harm to a person’s health negligently leading to death), and Article 119 (Inflicting severe physical pain or psychological suffering). We screened these cases and separated out the cases presented in this report.

It should also be emphasized that no cases were filed in 2016 and 2017 by the RA Investigative Committee or the RA Court of First Instance under Article 111 of the RA Criminal Code (Inciting suicide).

3) For the purposes of this report, only criminal cases accessible and presented on the DataLex judicial information database were investigated. It should be noted that the cases of femicide from 2016-2017 that were not found on the database and for which there are restrictions of accessibility are similarly not covered by the report.

4) During the course of the research, criminal cases were found on the DataLex judicial database, wherein the sex of the victim could not be discerned, as the names of victims were not complete and there were no other indications of their sex. Therefore, these criminal cases were also not included in this report.

As a result, based on the information by the RA Judicial Department, 120 court cases were examined with the help of the DataLex judicial information system, of which:

- 98 court cases were charged under Article 104 of the RA Criminal Code (Homicide),
- 9 court cases were charged under Article 112, Section 2,

41. Available at: <http://www.arlis.am/DocumentView.aspx?DocID=119531>

42. Available at: <http://www.arlis.am/DocumentView.aspx?DocID=96715>

Clause 14 of the RA Criminal Code (Maliciously inflicting severe harm to the person's health negligently leading to death),

- 8 court cases were charged under Article 110 of the RA Criminal Code (Inflicting severe physical pain or psychological suffering),
- 5 court cases were charged under Article 110 of the Criminal Code (Driving to suicide).

These cases were clustered according to the sex of the victims, after which the cases of femicide were separated out.

At the initial stage of the investigation, out of the 98 criminal cases, 22 cases with crimes punishable by Article 104 of the RA Criminal Code were separated out, of which:

- 3 criminal cases did not make clear the sex of the victim,
- 3 criminal cases involved homicide that was carried out in 2015,
- 4 criminal cases involved murder that was found to have been carried out with clear motives,
- 2 criminal cases were missing possible features of femicide,
- 10 criminal cases revealed femicide.

As a result, 10 crimes qualified under Article 104 of the RA Criminal Code were studied within the scope of this research.

Of these 10 cases, 9 had features under Section 1 of Article 104 (Standard Homicide), while 1 criminal case had features under Section 2 of Article 104 (Homicide coupled with rape or violent acts of a sexual nature).

The same logic was applied to clustering the criminal cases under other articles.

Of the 9 criminal cases qualified under Article 112, Section 2, Clause 14 of the RA Criminal Code (Maliciously inflicting severe harm to a person's health negligently leading to death), 2 had features of femicide, while for 1, the sex of the victim was not able to be discerned.

As for cases qualified under Article 110 of the RA Criminal Code (Driving to suicide), it should be noted that their accessibility was heavily restricted, thus not making it possible to discuss these cases in this analysis. In the

criminal cases qualified under RA Criminal Code Article 119 (Inflicting severe physical pain or psychological suffering), clear features of femicide were missing. Nevertheless, of the 8 investigated cases, 5 of the victims were women.

As a result, 12 cases of femicide were picked from all these criminal cases carried out in 2016 and 2017, the methodology of which is discussed below.

PRESENTATION OF THE METHODOLOGY AND BRIEF DESCRIPTION OF FEMICIDE CASES INCLUDED IN THE REPORT

The cases of femicide included in the report are presented under three subsections:

1) Cases of femicide in which the criminal case trial has ended and a court judgement is in full legal force

Some of these cases of femicide were tried as offences under RA Criminal Code Article 104, Section 1 (Standard Homicide); Article 104, Section 2, Clause 12 (Homicide coupled with rape or other violent acts of a sexual nature); and Article 112, Section 2, Clause 14 (Maliciously inflicting severe harm to a person's health negligently leading to death).

Investigating the final court decisions allowed for the identification of problems with the national legislation. Where applicable, the legislation appeared to not allow the courts to set more severe criminal penalties against perpetrators of crime. In some cases, the lack of legal regulations resulted in the mitigation of liability and punishment. This report presents 5 criminal cases where criminal court proceedings have ended and there is a judgement in full legal force. Three of these 5 criminal cases were qualified under RA Criminal Code Article 104, Section 1; 1 case under Article 104, Section 2, Clause 12; and 1 case under Article 112, Section 2, Clause 14.

2) Cases of femicide in which the trial is ongoing and a judgement is not fully in force.

The information available on these cases is not complete, and they are discussed inasmuch as information is available.

Three ongoing criminal cases under under RA Criminal Code, Article 104, Section 1 are presented in the report.

3) Cases of femicide that were committed, according to the court, while in a state of temporary insanity.

These cases are presented in order to show that, in some instances, femicide is committed while in a state of mental disturbance. However, these cases make up a very small percentage, and in some cases, the court found that the crimes were committed while in a state of temporary insanity, despite the fact that the person carrying out the crime did not murder any other person during that period, realizing the unacceptability of hurting and killing others.

This report discusses 4 cases of offences committed, according to the court, in a state of temporary insanity. Three of these cases were investigated and tried under RA Criminal Code Article 104, Section 1, while 1 case was tried under Article 112, Section 2, Clause 13.

FEMICIDE CASES WITH COMPLETED CRIMINAL TRIAL AND JUDGEMENT IN FULL FORCE

Ruzan J.⁴³

Ruzan J. was killed by the person with whom she was in an unregistered marriage.

Case Overview

On April 15, 2016, at around 12:40am, Arman S., the person in an unregistered marriage with Ruzan J., saw Ruzan J. speaking over the phone on Araratyan street in the town of Vedi. With a suspicion that she was cheating on him, he followed her for roughly 2-3 km. At around 1am he approached Ruzan J. at the second kilometer of the Vedi-Vanashen highway, and driven by jealousy, punched her in between her eyes. After this, Ruzan J. fell to her knees and received another blow to her cheek, which resulted in her falling to the ground on her back. After that, Arman

43. Court Case N AVD1/0038/01/16

S. started to kick various parts of Ruzan's body with his feet. Upon seeing that she had become immobile, he held her by the armpits, dragged her for about 30 meters, left her on the right side of Vedi-Vanashen highway and departed from the scene. Arman S. pleaded fully guilty and refused to give a testimony.

Evidence Examined During the Trial

Forensic examination established that Ruzan J. died of hemorrhagic shock brought about by the combined blunt force traumas on her skull, chest, abdomen, pelvic area and upper right limb.

Forensic examination also established that Arman S. was sane while committing the crime and during the investigation of the case, and was completely conscious of the danger of his acts and had control over his behaviour.

Court Verdict

Having analysed the evidence brought to the court, evaluating each of them in terms of their relevance and admissibility, as well as the evidence as a whole, the court considered them sufficient for solving the case and concluded that Arman S. carried out a crime under RA Criminal Code Article 104, Section 1 (punishable by 8-15 years of imprisonment). Arman S. pleaded guilty to committing the crime, for which he is subject to criminal liability and punishment.

With reference to the punishment, the legal position expressed by the RA Court of Cassation⁴⁴ on criteria mitigating punishment as per Section 2 of Article 62 of the RA Criminal Code is as follows: "... *The court is endowed with wide discretion (...) over applying factors mitigating the liability of the person (...), however, the powers of the court are not absolute and the mitigating circumstances under consideration should meet a number of criteria. The criteria are:*

- *The circumstance must be genuine, that is, the obtained evidence should establish its existence;*

44. See details in Court of Cassation Judgement N VB-84/07 over Paruyr Bayramyan as of June 1, 2007, available at: <http://www.arlis.am/DocumentView.aspx?DocID=37131>.

- *It must reasonably reduce the public danger of the person or of his actions:*

- *In order to recognize the circumstance established, the court must adhere to the general criminal procedural rules. The evidence supporting the existence of the circumstance must be relevant and admissible; it must undergo examination during the trial; and legal requirements for fact-checking and evaluating the evidence must be complied with.”*

Applying the evidence brought to trial and the legal position of the RA Court of Cassation over the facts recorded in the verdict, the court, in considering circumstances mitigating the liability and punishment of defendant Arman S., considered the fact that he had never been convicted or otherwise had a criminal record and was young. The court also took note that there were no aggravating circumstances for the liability and punishment of defendant Arman S.

As a result, the court concluded that Arman S. is guilty and must be punished with 10 years of imprisonment as per the sanction set out for the crime under RA Criminal Code, Article 104, Section 1.

Narine D.⁴⁵

Narine D. was killed by her husband.

Case Overview

Narine D. and Artur M. were married and had 3 children during their marriage. Artur M. often argued with his wife over his suspicions that she was cheating on him. Their children were often witnesses to these quarrels. One of these quarrels took place on September 16, 2016, and that quarrel extended to the next day on September 17, during which time Narine D. declared that she wanted to divorce. Artur M. responded by threatening to kill her.

On September 19, Artur M. and Narine D. drove their car to the Arevik and Zartonk villages of Armavir Marz to shop for vegetables. They returned to Zartonk village, and after meeting with their relatives, drove back to Yerevan.

45. Court Case N ARD/0022/01/17

On the road, a fight broke out between them again due to Artur M.'s jealousy towards his wife, during which time Artur M. beat his wife first in the car, then pulled to the right and continued beating her on the side of the highway. He punched various parts of her body, held his hands over her neck, and strangled her to death.

Evidence Examined by the Court

During the court proceedings over the crime that was committed, the accused Artur M. pleaded partial guilt in the charges brought against him and said that he "simply" beat up his wife but had no intention to kill her. Due to the quarrel that broke out between them, they came out of the car, and Narine D. said that she wanted to separate and leave him and then walked away. In order to prevent this, Artur M. dragged her by her clothes and hit her with his hands several times in an attempt to stop her from leaving. The shoving resulted in both of them falling into the water canal. Artur M. insisted that in the canal, he saw that his wife's hair had gotten twisted around tree branches and that she was moving around erratically. He walked closer to her and tried to untangle her hair from the branches to save her, but after taking her out of the water, he felt that she was no longer moving.

The court trial and evidence brought to the court established that Narine D.'s death had come from strangulation resulting from blunt pressure that compressed the organs of her neck. The forensic examination established that deceased Narine D.'s hyoid bone was fractured and that a new fracture developed as a result of external pressure, with 3 fractures on the left half and 1 fracture on the right half, all of which is typical of manual strangulation. Narine D.'s death was not from drowning but rather manual strangulation, as there otherwise would have been water in her throat and lungs, which was not the case.

It became clear from the witness testimonies involved in the case that Narine D. was regularly subjected to domestic violence during the course of her marriage. According to the testimony of one witness, from the very outset of their marriage Artur M. imposed numerous prohibitions over her. More specifically, he told her not to go to nearby shops, not to greet certain people, etc. The first time Artur M. beat Narine D. was when she was looking out of the window at children playing in the playground. He reasoned that she was looking at a lover. During their married life, these incidents repeatedly took place.

Narine D. and Artur M.'s underage children who participated in the court case as witnesses testified that during a similar episode "... around three years ago, when mother was working at grandfather's shop, she went out to throw out the trash, and the other shop worker said hello to her and she responded back. Father saw this and got angry at her, and he took her to the Sovetashen graveyard. On the way there, mother managed to telephone grandfather for help. Grandfather went there and brought mother home. The next day father took mother to some fields in Hoktemberyan and threatened to strangle her. Recently, father was not beating mother, as she said that she would call the police."

Witnesses that came to the scene of the crime mentioned that when they approached the car and tried to inquire what was going on, they saw Artur M. seated at the right seat of the car, looking unfocused and indifferent. When asked what had happened, he answered that he had choked his wife and thrown her into the water. When one of the witnesses asked why, he replied: "Because that's what you do to people like her."

It is worth noting that Artur M. was sane while committing the crime. A forensic test of his hair sample did not indicate any traces of psychotropic elements, which demonstrates that he committed the act while conscious of its danger and was in control of his behaviour.

Court Verdict

During the trial, the court considered the custody of two children under the age of 14 as a mitigating circumstance for the liability and punishment of Artur M. At the same time, the court did not discover any aggravating circumstance for his liability and punishment.

The court came to the conclusion that Artur M. was guilty for the crime described in RA Criminal Code Article 104, Section 1 and should be sentenced to imprisonment for 9 years.

Later, the judgement was appealed by the Court of Appeals and the punishment was changed to 11 years of imprisonment.

Susanna G.⁴⁶

Susanna G. was killed by a relative. The murder was accompanied by Susanna G.'s rape.

Case Overview

On May 10, 2016, between 1-2am, Arsen M., in a state of alcoholic intoxication, decided to go to the private house where his cousin (aunt's daughter) Susanna G. lived, with the intention of having sexual intercourse with her. Susanna G. was diagnosed with paranoid schizophrenia and mental retardation.

He entered the house and saw her lying in her bed. He sat on the bed and "behaved obscenely", which Susanna G. resisted. Arsen M. later punched Susanna G. and tried to silence her voice by grabbing a tape from a nearby shelf, holding her hands down and taping her mouth. He later taped her hands and put a towel in her mouth and pressed hard for about 5 minutes. He saw that she was not moving and was dead, after which he raped Susanna G. and tried to destroy traces of the crime by burning the bed and bedding of the adjacent room, in order to burn down the whole house and the corpse.

Evidence Examined by the Court

Defendant Arsen M. pleaded fully guilty to the charges brought against him both during the pretrial investigation and the court trial. He said that due to being under the influence of alcohol, he had not understood and realized his acts. However, according to the findings of the forensic psychiatrist, when committing the crime Arsen M. was sane, was conscious of the danger posed by his actions and was in control of them. While committing the crime, he was not in a state of temporary insanity that could have deprived him of the ability to realize the danger of his actions and to control them.

Aside from his confession, Arsen M.'s crime was also confirmed by evidence obtained during the pretrial investigation and examined by the court.

46. Court case N LD2/0076/01/16

The forensic investigation of the corpse of Susanna G. established that her death was a result of manual strangulation with soft materials closing her respiratory tract. Scratches and traces of hemorrhage on the mucous membrane of the nose and lower jaw indicate that blunt force was applied to the areas adjacent to her respiratory tract.

Court Verdict

The court evaluated each piece of evidence in terms of their relevance and admissibility, and the evidence as a whole, examined all aspects comprehensively, fully and objectively and found them sufficient to solve the case. It was established that Arsen M. committed a crime under RA Criminal Code Article 104, Section 2, Clause 12, that is, murder accompanied by rape or violent acts of a sexual nature, which is punishable by imprisonment for 12-20 years or for life.

At the same time, the court found that there were no mitigating circumstances for Arsen M.'s liability and punishment, but considered his state of alcohol intoxication while committing the crime as an aggravating circumstance.

As a result, Arsen M. was found guilty under RA Criminal Code Article 104, Section 2, Clause 12 and was sentenced to 14 years of imprisonment.

Alina M.⁴⁷

Alina M. was killed by her husband.

Case Overview

On November 25, 2016, between 2:30-3am, Aram M., during a fight that broke out over his jealousy, punched Alina M. in the face and different parts of her body, causing hemorrhage of her nose, back, joint of her right hand, right side of her waist, left lower jaw, right arm and right and left temples. With an intention to severely harm Alina M., he pulled the knife over the surface of her right upper thigh; pierced the area around the 4th finger of her right hand; partly injured her quadriceps, fascia, femoral artery and other veins; and caused external bleeding that was life threatening. These injuries negligently led to Alina M.'s death.

47. Court case N ESHD/0024/01/17

Court Verdict

Before the court trial, Aram M. motioned to carry out a rushed trial and pleaded full guilty to the charges brought against him.

The court accepted the motion and, in accordance with the procedure set out by Article 375, Section 5 of the RA Criminal Court Procedural Code, did not carry out due examination of the evidence brought by the investigation during the rushed trial. However, they did examine the defendant's personal profile and mitigating and aggravating circumstances regarding his liability and punishment.

As a result, the court established mitigating circumstances for Aram M.'s liability and punishment, namely that he had pleaded guilty, supported the detection of crime, participated in the mock-crime scene and gave a detailed account of the event. Another mitigating circumstance is that he has a father with disabilities (3rd category) who is dependent on him.

As an aggravating circumstance for the liability and punishment, the court established that Aram M. committed the crime under the influence of alcohol.

As a result, the court found Aram M. guilty of the crime committed under RA Criminal Code Article 112, Section 2, Clause 14, that is, maliciously inflicting severe harm to a person's health, negligently leading to the victim's death. The court sentenced Aram M. to 6 years and 8 months of imprisonment.

Haykush S.⁴⁸

Haykush S. was killed by her stepson.

Case Overview

Hovhannes Ch.'s mother died in the earthquake on December 7, 1988. After then, Hovhannes Ch. was under his father's care. In 1991, his father married Hakush S. After his father's death, Hovhannes Ch. continued to live with Hakush S. During the time they lived together, Hovhannes Ch. often had arguments with Hakush S. and their relationship was tense. Haykush S. was killed between September 2 and September 3, 2016 as a result of injuries inflicted to various parts of her body.

48. See court case N SHD2/0040/01/16

Evidence Examined by the Court

Defendant Hovhannes Ch. testified that on the day in question he saw his stepmother, who has a second category disability, in the courtyard next to their house. She was in an unbalanced mental state and was speaking to herself, saying that she wanted to leave home and go somewhere else. Hovhannes Ch. wanted to bring Haykush S. home, but she opposed, which Hovhannes said “got on his nerves” and led him to drag Haykush S. toward the home by her hair. On the way, he hit her on the top of her head with his hands and hit her on various other parts of her body with his hands and feet, inflicting various injuries. While forcing her into the house, he pushed her from the back, which resulted in her losing her balance and falling in the courtyard. Approaching her, Hovhannes Ch. noticed that she had a bodily injury and was bleeding at the top of her head from the fall, after which he lifted her by the armpits, dragged her to the living room, washed her head, laid her down to bed and went ahead with household work. He drank around 250 grams of vodka during this time. After about 10 minutes, Haykush S. rose from the bed and wished to leave the home, but Hovhannes Ch. hit her on various parts of her body with his hands and legs in order to prevent her from leaving. He picked up a wooden floor cleaner near the door of the living room and hit her back and legs with the handle. After that, he continued applying force over her, dragged her to the living room sofa and laid her down. He locked the door and left Haykush S. alone at home. When he returned home at dawn, he found Haykush S. on the ground face down and not showing signs of life.

Forensic examination established a direct causal relationship between the injuries Haykush S. incurred and her death. Haykush S.’s death was caused by acute pulmonary insufficiency from wounds on her head, buttocks and lower left limbs; scratches and hemorrhage of the subcutaneous fat on her face, neck, chest, waist and upper and lower limbs; fracture of her 11th rib on the right and right elbow bone; and hemorrhage of surrounding areas. These led to the development of fatty embolism in the small and medium blood vessels of her lungs, slight hemorrhage in the lungs and lung absorption centers, expressed by swelling and emphysema, dystelectasis, bronchospasm and pulmonary hemosiderosis.

Inpatient forensic psychiatric and psychological examination established that Hovhannes Ch. does not have a mental illness and was not in a temporary state of mental disorder while committing the crime that could have deprived him of the ability to realise the danger of his actions and to

control them. While committing the crime, Hovhannes Ch. could realise the danger of his actions and could manage them. Therefore, it was determined that he was sane while committing the crime for which he was charged.

Court Verdict

Using other evidence presented during the case, the court recognised mitigating circumstances for Hovhannes Ch.'s criminal liability and punishment, namely that he sincerely regretted the murder, pleaded guilty and supported disclosure in the murder case. The court also recognised circumstances aggravating criminal liability and punishment, namely his consumption of alcohol as well as acting against a person who was helpless and dependent on him.

Having examined each piece of the evidence brought to trial in terms of their relevance and admissibility, and the evidence as a whole, finding them sufficient to solve the case, Hovhannes Ch.'s act was qualified as a crime under RA Criminal Code Article 104, Section 1, and the punishment given was 10 years of imprisonment.

CRIMINAL CASES OF FEMICIDE WITH ONGOING TRIAL

Karine M.⁴⁹

Karine M. was killed by her daughter's ex-husband.

Case Overview

On July 8, 2016, Taguhi M.'s ex-husband Vladik M. took an axe with him to the entrance of Taguhi M.'s and her mother Karine M.'s residential building with the premeditated intention to take Taguhi's life. When they entered, he unexpectedly assaulted them from behind, hitting Taguhi with the axe several times and inflicting her with severe, life-threatening injuries. Then, with the same axe, he hit Karine M. on her head and other parts of her body, inflicting injuries incompatible with life and thus taking Karine's life.

49. Court case N ESHD/0192/01/16

Despite the fact that Taguhi M. had been subjected to physical and psychological violence by Vladik M. for years, the police and judicial bodies did not protect Taguhi M. and her parents from Vladik M.'s harassment and violence. On various occasions, Taguhi M. and her parents reported the beatings and other episodes of violence by Vladik M. to the police. After one of these episodes, in January 2016 a criminal file was opened and Vladik M. was prosecuted under Article 119 of the RA Criminal Code, "Inflicting severe physical pain or bodily or psychological suffering", for which he was sanctioned a punishment of 6 months of imprisonment. Nevertheless, despite the history of sustained violence and inevitable danger posed to the life and health of Taguhi M., the Court of General Jurisdiction of First Instance of Shengavit in Yerevan ruled to remit the sentence and to assign a conditional punishment without imprisonment in accordance with Article 70 of the RA Criminal Code. As a result, Vladik M. remained free and continued harassing Taguhi M. and her parents.

No further information is accessible on the committed crime, as the case is still under trial.

Anonymous victim⁵⁰

This woman was killed by her husband.

Case Overview

On September 5, 2016 at around 12:30pm, Hakob K. started hitting his wife on various parts of her body over an argument about his abuse of alcohol. This violence resulted in mild injuries not threatening the life of his wife. Three days later, starting on September 8 until 3am the next day, he beat his wife and hit her on different parts of her body with his hands and legs, inflicting severe injuries not directly related to the cause of her death. With an intention to take her life, Hakob K. closed off her external breathing apparatus with a foreign body and killed her. He later called an ambulance.

No further information is available, and the case is still under court trial.

50. Court case N LD1/0028/01/17

Suzanna G.⁵¹

Suzanna G. was killed by her husband.

Case Overview

On April 12, 2017, at around 6pm, with an intention to take Suzanna G.'s life over a suspicion that she was engaged in adultery, Bakhshi M. waited in ambush for his wife, secretly followed her (N KH 32904) and shot her at the nape of her head with his gun. As a consequence, Suzanna G. died on the spot due to the severe injury to the vital functioning of her brain.

No further information is available, and the case is still under court trial.

FEMICIDE CASES PREDICATED ON TEMPORARY INSANITY

Ninel S.⁵²

Ninel S. was killed by her husband.

Case Overview

On May 7, 2017 at around 3am, Kamo S. hit his wife Ninel S. numerous times with a car repair spanner, with the intention to take her life. Ninel S. died on the spot of the bodily injuries.

Kamo S. was charged in accordance with RA Criminal Code Article 104, Section 1 for the crime he committed. Kamo S. pleaded guilty during the pretrial investigation.

Besides self-confession, the charges brought against Kamo S. were also established by the evidence obtained during pretrial investigation and examined by the court.

51. Court case N ARD1/0049/01/17

52. Court case N GD1/0023/01/17

Evidence Examined by the Court

Ninel S.'s and Kamo S.'s son gave a testimony that since 2014 Kamo S. has had a mental illness "... *and was constantly fighting with Ninel S. over jealousy and was often beating her for no reason.*" On the day of the crime, Kamo S. used his cell phone to call his son and told him, "*I did my thing,*" but did not clarify what he had done. At the same time, Kamo S. informed him that he wanted to burn down the house, but "*felt pity for the daughter-in-law*", who was at that time living in the same apartment.

The forensic examination established that Ninel S.'s death followed bodily injuries incompatible with life as a result of open, blunt cerebral injury, which is directly related to the cause of death.

The forensic psychiatric examination established that Kamo D. was in a disturbed mental state when he committed the crime and that he committed it while having hallucinatory and delusional thoughts, which deprived him of the ability to realize the danger of his actions and to control them. Kamo S. was found to be temporarily insane.

Court Verdict

Based on the above, the court concluded that Kamo S. should be exempted from criminal liability and punishment and that he should be assigned compulsory treatment in a special unit at a psychiatric hospital.

Ophik Kh.⁵³

Ophik Kh. was killed by her son.

Case Overview

On September 8, 2016, at around 3:30pm, Ophik Kh. was killed by her son Tigran G. He had an argument with his mother at home. Then, with the intention to take her life, he stabbed Ophik Kh. with a knife, hitting her vital organs, namely the lower half of her chest, her neck and left region of her back. Ophik Kh. died on the spot from the bodily injuries she incurred. Tigran G. was charged under RA Criminal Code Article 104, Section 1 for the committed crime.

53. Court case N GD1/0058/01/16

Evidence Examined by the Court

Tigran G. pleaded guilty to the charges brought against him. He testified that he took the wooden knife that was on the kitchen table and, accusing his mother of immoral behavior, stabbed her with the knife once on her right side but was not able to injure her because the knife was blunt. At that moment, his mother, Ophik Kh., ran to the street to ask for help, but he ran after her and caught her. Ophik Kh. succeeded in pulling the knife out of his hand and throwing it in an unknown direction. However, he then grabbed her and brought to the living room of the house and laid her down on the ground. He took the knife displayed on the wall, and at first stabbed her in her abdominal region, then once on her right side, after which he turned her around face down and stabbed her with the same knife twice on her left shoulder. Then he slashed the nape of her neck, left the knife pierced in her neck and went out to the street. He saw his neighbor on the street and told him that he had killed his mother. The neighbor called for an ambulance and informed them of the incident.

According to one of the witnesses, *“Tigran G. was behaving very strangely for the past 3 years. He was particularly hostile towards his mother and was constantly saying that his mother is his enemy and should be out of his sight.”* Other witnesses gave similar accounts.

The inpatient forensic psychiatric examination established that, at the time of committing the crime, Tigran G. was in a disturbed mental state and committed the acts while experiencing hallucinations. Due to this, he was unable to realise the danger of his actions and to control them. Therefore, he was recognised as temporarily insane in the charges brought against him.

Court Verdict

Based on the above, the court concluded that Tigran G. should be exempted from criminal liability and punishment. He was assigned compulsory treatment in a special unit of a psychiatric hospital.

Amalya T.⁵⁴

Amalya T. was killed by her husband.

Case Overview

On July 12, 2017, at around 5pm, Khachik T., while under the influence of alcohol and in an argument over his suspicions of adultery and domestic issues, started punching his wife Amalya T. in the head. He inflicted an open blunt craniocerebral fracture and brain injuries. Amalya T. was hospitalized and died the next day after not coming to consciousness.

Evidence Examined by the Court

The forensic examination of the body established that Amalya T.'s death followed hemorrhage of the brain and strangulation resulting from craniocerebral trauma and the closure of respiratory airways, due to finger-pressed strangulation.

The forensic psychiatric examination established that Khachik T. had a mental disorder characterized as “Cerebral arteriosclerosis accompanied by psychotic disorders (jealousy hallucination)” that developed gradually, with the external manifestations of the disease expressing themselves in the last 5 years. While committing the crime, Khachik T. was found to be in the above-mentioned state, committing the act while having hallucinatory and delusional thoughts, which deprived him of the ability to realise the danger of his actions and to control them. Khachik T. was therefore recognised as temporarily insane while committing the offence.

Court Verdict

Having examined all the presented evidence and having evaluated them in their relevance, admissibility and in their totality from the standpoint of being sufficient for solving the case, the court came to the conclusion that the crime corresponded to the features of RA Criminal Code Article 112, Section 2, Clause 14. Considering that the defendant committed the dangerous act publicly in a state of temporary insanity and that he presents a danger to himself and others in the public, he is exempted from criminal liability and punishment but is in need of compulsory treatment.

54. Court case N ARAD/0033/01/17

Greta S.⁵⁵

Greta S. was killed by her son.

Case Overview

Greta S. and Hovhannes S. lived together. Greta S. had visual impairment and other health issues and received care from acquaintances, while her son Hovhannes S. never took care of her, often argued with her over household issues, and beat and threatened to kill her.

Hovhannes S. did not have a permanent job and often demanded money from Greta S. for his needs. Intimidated by her son's behavior, Greta S. kept her golden jewelry, savings and legal documents with an acquaintance, while another acquaintance helped her with household issues and often protected her from her son.

On June 18, 2017, at around 7pm, during one of the regular arguments between them, Hovhannes S. had a clear intention to take Greta S.' life. He wrapped a copper insulating cable around her neck, made a knot and choked her to death.

Hovhannes S. was charged under RA Criminal Code Article 104, Section 1 for the crime committed.

Evidence Examined by the Court

Hovhannes S. did not plead guilty to the charges brought against him and testified that the woman strangled in his flat was not his mother and that he did not kill his mother.

According to the testimony of one of the witnesses, Hovhannes S. was always pressuring his mother and wanted Greta S. to die soon so that he could sell the home. He always demanded money from her and often threatened to strangle and kill her.

Greta S. turned to the police numerous times but withdrew her complaints later. The other witnesses engaged in the case gave similar testimonies.

The inpatient forensic psychiatric examination established that Hovhannes S. was in a state of mental disorder while committing the crime and that he

55. Court case N GD1/0042/01/17

was having hallucinations and delusional thoughts that deprived him of the ability to realise the danger of his actions and to control them. He, therefore, was recognised as temporarily insane while committing the offence.

Court Verdict

Given the above-stated, the court concluded that Hovhannes S. should be exempted from criminal liability and punishment and should be assigned compulsory treatment in a special psychiatric unit of a psychiatric facility.

CONCLUSION

The conclusion of this research is presented in 2 subsections:

- 1) Findings from the quantitative research
- 2) Findings from the qualitative research

QUANTITATIVE RESEARCH FINDINGS

CAUSES OF DEATH IN FEMICIDE CASES



RELATIONSHIP WITH THE ABUSER

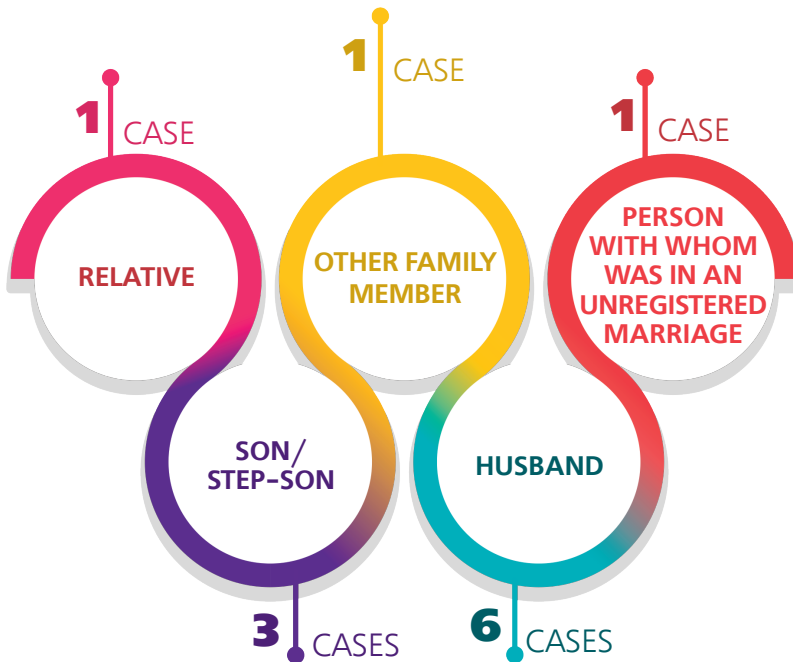


LIVED IN THE SAME HOUSE WITH THE ABUSER



LIVED SEPARATELY

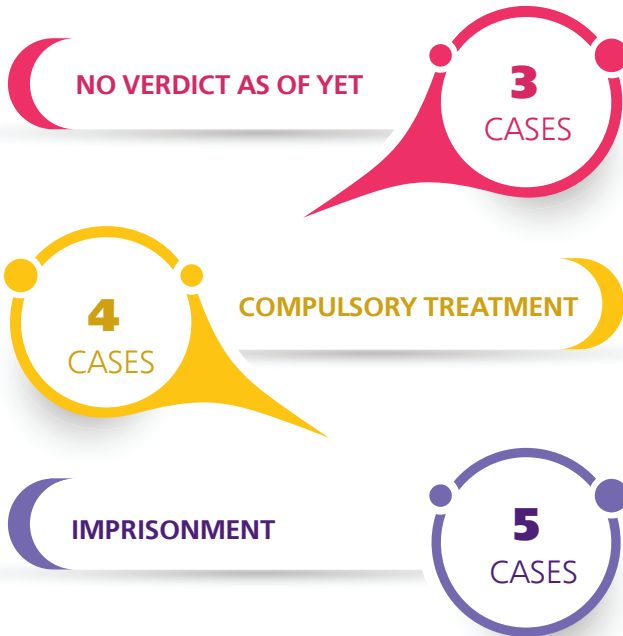
RELATIONSHIP OF THE ABUSER WITH THE VICTIM



PLACE OF HOMICIDE



CRIMINAL LIABILITY



AGGRAVATING AND MITIGATING CIRCUMSTANCES IN THE CASES⁵⁶



56. Data according to completed trials.

QUALITATIVE RESEARCH FINDINGS

The most effective measure to stop domestic violence is its criminalization, which can be carried out both by making it a separate offence and by considering the relationship between the victim and abuser as an aggravating factor for liability and punishment for offences under the general legislation.

Articles 104, 105, 109-113, 117-119, 123-124, 131-134, and 137-142⁵⁷ touch upon crimes that in practice are related to domestic violence. However, they do not distinguish domestic violence cases from other criminal cases and, therefore, do not outline any specificity for qualifying the cases or their punishment as crimes with elements of domestic violence.

Trial practice shows that courts, in their examination of domestic violence cases, very often do not consider:

- the situation preceding the crime,
- the motive of the crime committed by the defendant,
- the level of danger for society.

On the contrary, research on court cases shows that courts do not find aggravating circumstances for an abuser's liability and punishment in cases of domestic violence and femicide, as shown by Ruzan J.'s and Narine D.'s cases. An investigation of judicial acts indicates that even when there is a clear description of violence, it is not viewed as violence against a woman. Instead, the judicial decisions describe the situation with euphemisms, such as "quarrel" and "obscene acts", as illustrated in the descriptions of the violence against Narine D. or the sexual harassment and rape of Susanna G.

57. See RA Criminal Code Articles 102 (Homicide), 105 (Homicide in a strongly emotional condition), 109 (Negligently causing death), 110 (Driving to suicide), 111 (Inclining to suicide), 111 (Inflicting severe harm to the life and health of a person), 112 (Maliciously inflicting medium-level harm to a person's health), 117 (Maliciously inflicting mild harm to a person's health), 118 (Beating), 119 (Inflicting severe physical pain or psychological suffering), 123 (Infecting with HIV), 124 (Infecting with STDs), 131 (Kidnapping), 132 (Human trafficking or exploitation), 133 (Illegal deprivation of freedom), 134 (Illegally institutionalizing a person in a psychiatric facility), 137 (Threat of murdering or inflicting severe harm to the health or property of the person), 138 (Rape), 139 (Violent acts of a sexual nature), 140 (Forcing a sexual relationship or acts of sexual nature), 141 (Sexual intercourse or acts of a sexual nature with a person under 16), 142 (Obscene acts).

In other cases, we see milder and sometimes even “justifying” clarifications. For instance, the violence against Haykush S. was “motivated”, as Hovhannes Ch. put it, by his “temper boiling over.”

The flaws in giving adequate descriptions of the committed crimes speaks to the flaws in giving proper qualification to these crimes. While examining cases of evident crimes, including sexual violence, the courts did not address the fact that suffering had been inflicted on the victims and did not qualify the suffering as an aggravating factor for liability and punishment. Instead, the cases of violence and femicide were limited to mild characterizations and, in certain cases, mitigating circumstances for liability and punishment were “found”.

The judicial decisions researched for the report also indicate that, during trials of domestic violence and femicide cases, the courts do not at all pay attention to the fact that violence against victims was perpetual, even though witnesses engaged in the investigation (see, for example, the cases of Narine D., Haykush S., Karine M., Ninel S., Greta S.) testified about the repeated cycle of violence committed by the defendants.

In the court case of Susanna G., there were numerous accounts that Arsen M. regularly visited her. However, neither the pretrial investigation nor the trial took measures to clarify the fact that there was repeated violence perpetuated against Susanna G. This could have been considered an aggravating factor for the liability and punishment of Arsen M. However, the court, in this case, only considered the crime being committed under the influence of alcohol as an aggravating factor. In the cases presented in the report, generally speaking, the court only considered this circumstance as an aggravating factor for the liability and punishment of defendants (see the cases of Alina M. and Haykush S.). Only in one of the cases (Haykush S.) was another aggravating circumstance for criminal liability and punishment considered, namely committing the act against a helpless person dependent on the abuser, in addition to the crime being committed under the influence of alcohol.

A stark example of the state’s perpetual neglect of domestic violence and failure to protect women from domestic violence and abuse is the case of Karine M., where the inaction of the police and the outright disproportionate criminal liability assigned to Vladik M. by the court created an environment of impunity and thus contributed to the deadly crime being committed.

In cases involving elements of explicit domestic violence, the court considers mitigating circumstances for their criminal liability and punishment, such as the confession of defendants who committed the crime (see Alina M.’s

court verdict), their young age (see Ruzanna J.'s court decision), sincere repentance or when they assist investigators in uncovering the crime (see Haykush S. court verdict). In certain cases, the court also considers the defendant having custody of minors as a mitigating factor for his criminal liability and punishment (see Narine D.'s court decision), even when the trial uncovers that the victim was subjected to domestic violence in the presence of the same underage children.

The rationale behind trial practice in Armenia runs blatantly contrary to the position expressed by the RA Court of Cassation, that is, “...*factors under consideration to mitigate criminal liability should reasonably reduce the public danger of a person or his actions.*” Cases of domestic violence in no way can be considered in the realm of reducing public danger, and therefore investigation of such cases in courts cannot possibly consider the above-described factors as circumstances mitigating criminal liability and punishment.

The above-mentioned regulations and practices directly contradict the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)⁵⁸ to which Armenia has been a signatory since January 18, 2018.⁵⁹

Article 46 of the Convention calls on member states to ensure that the following circumstances be taken into consideration as aggravating circumstances in the determination of rulings of crimes established in accordance with the Convention:

- a) “the offence was committed against a former or current spouse or partner as recognized by internal law, by a member of the family, a person cohabiting with the victim or a person having abused her or his authority;
- b) the offence, or related offences, were committed repeatedly;
- c) the offence was committed against a person made vulnerable by particular circumstances;
- d) the offence was committed against or in the presence of a child;

58. See: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680462533>.

59. See: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>.

- e) the offence was committed by two or more people acting together;
- f) the offence was preceded or accompanied by extreme levels of violence;
- g) the offence was committed with the use or threat of a weapon;
- h) the offence resulted in severe physical or psychological harm for the victim;
- i) the perpetrator had previously been convicted of offences of a similar nature.”

Placing the RA Criminal Code’s regulations regarding aggravating and mitigating criminal liability and punishment in the context of the Istanbul Convention regulations, we see that Article 63 of the RA Criminal Code, which sets out the circumstances aggravating criminal liability and punishment, does not cover the following:

- crimes committed against a former or current spouse or partner by a member of the family, a person cohabiting with the victim or a person (Article 46 (a) of the Istanbul Convention),
- crimes committed in the presence of a child (Article 46 (d) of the Istanbul Convention),
- crimes committed with the use or threat of a weapon (Article 46 (g) of the Istanbul Convention).

The other aggravating circumstances set out by the RA Criminal Code meet the requirements of the Istanbul Convention.

In legal literature, it is often noted that the need to establish aggravating circumstances in domestic violence cases is justified by the fact that “committing the same crime by a person other than the victim’s partner inflicts less suffering on the victim.”⁶⁰

Other arguments also speak in favor of the need to criminalize domestic violence as a separate offence. Defining it as a separate offence clarifies

60. Hagemann-White C., “Analytical Study of the Results of the 4th Round of Monitoring the Implementation of Recommendation Rec(2002)5 on the Protection of Women against Violence in Council of Europe Member States”, Council of Europe, 2014.

the fact that domestic violence is a crime and will not be tolerated by society. Legal inscription of this issue is yet another important means of denying the idea that violence is a private or family issue.

It is important to note that 10 member states of the European Union have defined domestic violence as a separate and criminally punishable crime in their national legislations.⁶¹ For example, Spain's Criminal Code⁶² sets out criminal liability for the person "who regularly applies physical or psychological violence against the person who is their marital partner or was once a marital partner or who is or has been emotionally connected with them, even if they do not or have not lived together..." The scope of regulation for this offence is quite wide and encompasses acts committed against relatives.

It is important to also note that criminalization of domestic violence by law not only guarantees protection of individual rights, but is also a safeguard in terms of the state's liability as set out in the context of European Human Rights Court's case law. In the case "Eremia and others v. Moldova",⁶³ the European Human Rights Court ruled that "Moldova's legislation defined a special criminal punishment for cases of violence against family members" and came to the conclusion that "in this way... the state bodies ensured legal provisions that allow taking measures against persons charged with domestic violence."

At the same time, it is important to highlight that the circumstance laid out in RA Criminal Code Article 62, Section 1, Clause 7 is problematic in effectively responding to domestic violence cases, as it allows for a victim's "immoral behavior" to be a mitigating factor for criminal liability and punishment.

It should be noted that most of the cases of femicide discussed in this report involved perpetrators who suspected their wives of adultery or immorality (see the court cases for Ruzanna J., Narine D., Suzanna G., Ophik Kh., Amalya T., Ninel S. and Alina M.).

61. "Feasibility Study to Assess the Possibilities, Opportunities and Needs to Standardise National Legislation on Violence against Women, Violence against Children and Sexual Orientation Violence", European Commission, 2010, available at: http://www.europarl.europa.eu/eplive/expert/multimedia/20110405MLT17038/media_20110405MLT17038.pdf.

62. See Article 173, https://www.legislationline.org/download/action/download/id/6443/file/Spain_CC_am2013_en.pdf.

63. Eremia and others v. Moldova, ECHR Judgement for Complaint N 3564/11 of Mar 28, 2013, available at: <https://rm.coe.int/16805a32af>.

Laying out such a circumstance as a factor mitigating criminal liability and punishment contradicts the regulations in Article 42 of the Istanbul convention, which clearly sets a ban on historical justifications of domestic violence.

The Convention stipulates that member states must take measures to ensure that culture, custom, religion, tradition or so-called “honour” shall not be regarded as justification for any crime. Following this, it states that member states must ensure that the defendant’s claims that the crime was committed to prevent or punish the victim who carried out perceived or factual transgressions dealing with cultural, religious, social or traditional norms or customs of appropriate behavior is by no means viewed as a justification for the criminally punishable act.

It should be noted that the existence of such a norm in the legislation is that much more problematic, since a woman is viewed as property in Armenia’s patriarchal system, where male dominance and exercise of power manifests. The belief that women are inferior makes commission of such acts permissible and gives justifications that they were driven by the woman’s immoral behavior.

The RA Criminal Code does not lay out special provisions for violence against women. Moreover, there are no mechanisms set for considering gender-based norms or the unique dynamics of this human rights violation. Violence against women and domestic violence are not defined in any way, and no provisions are set that would take into consideration the sex of the victim and the relationship between the victim and the perpetrator.

In order to ensure effective legislative mechanisms that prevent violence against women, protect victims of such violence and lay out criminal prosecution for abusers, comprehensive regulations must be adopted in the criminal justice legislation by calling for special attention to all forms of gender-based violence and, specifically, to cases of domestic violence.

RECOMMENDATIONS

In order to prevent violence against women, domestic violence and crimes of femicide, as well as to eradicate the environment of impunity for such violence, the Republic of Armenia needs to adopt necessary and effective legislative mechanisms and must ensure their adequate enforcement.

1) The Republic of Armenia needs to ratify the Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention).

2) Ratification of the Istanbul Convention must be followed by relevant changes in the RA Criminal Code that are in line with international standards on violence against women and domestic violence.

3) Before ratifying the Istanbul Convention, amendments need to be made to the RA Criminal Code, namely:

- domestic violence must be criminalized as a separate offence,
- In the list of circumstances aggravating criminal liability and punishment set out in RA Criminal Code Article 63, Section 1, the following changes need to be made:
 - add the commission of domestic violence as a circumstance aggravating liability and punishment,
 - incorporate the commission of all forms of violence based on the sex of the person as a circumstance aggravating liability and punishment,
 - incorporate the commission of crimes against wife/husband, partners, other family members or cohabitating persons as circumstances aggravating liability and punishment,
 - incorporate the commission of crimes in the presence of a child as a circumstance aggravating liability and punishment,
 - incorporate the commission of crimes involving weapons or the threat of using weapons as a circumstance aggravating liability and punishment.
- RA Criminal Code Article 62, Section 1, Clause 7, which states that criminal liability and punishment of an offender is mitigated on the basis of the victim's immoral behaviour, needs to be revoked.

In addition to amendments in the criminal legislation, the following measures are also necessary:

- 4)** Organise regular and mandatory trainings for relevant specialists (judges, prosecutors, investigators, etc.) on the international norms and criteria regarding femicide and domestic violence, with a special focus on eradicating stereotypes dealing with violence against women.
- 5)** Develop and carry out regular programs aimed at preventing domestic violence and raising public awareness.

GLOSSARY OF TERMS

Gender

The socially-constructed behavior of the different sexes, a social perception of relationships between women and men expressed in all spheres of life, including politics, economy, health, science, law, culture and education.

Gender Discrimination

Any distinction, exclusion or preference that restricts rights and interests based on gender prejudice, stereotypes and sex that is aimed at, or leads to, the restriction or elimination of the recognition, enjoyment and exercise of equity between women and men in political, economic, social, cultural and other spheres of public life.

Direct Gender Discrimination

Discrimination directly pointing to sexual belonging.

Indirect Gender Discrimination

Discrimination that does not directly point to sexual belonging.

Gender Equality

Equal treatment and availability of conditions and opportunities in society that are free from sex-based discrimination.

Gender-based violence

Violence that occurs as a result of normative role expectations and unequal power relationships associated with each gender.

Domestic Violence

All acts of physical, psychological, sexual and economic violence within the family or between former or current spouses or partners regardless of whether the abuser cohabitates or has cohabitated with the victim or not.

Misogyny

Systemic hatred, contempt and prejudice against women and girls as a group.

Femicide

The killing of women and girls based on their gender, resulting from gender inequality and establishment of power over their lives and bodies by the patriarchal system.

Patriarchy

Form of social life wherein the man is the major carrier of political power and moral authority. Patriarchy is characterized by the existence of male power and male privileges, while women are subordinated and considered a subject. Men exercise control over property, and fathers have power over their wives and children in the family.

Homophobia

Phobia, fear, hatred and aversion towards homosexuals or individuals perceived as homosexual. The basis for homophobia is negative stereotypes and prejudices.

Sexism

Discrimination based on sex or gender. Prejudiced thinking and attitudes, mainly towards women, that, without grounds, attribute or deny certain traits to a person. It has a systemic nature and serves to maintain the patriarchal system.

Feminism

Political movement, ideology and social movement, with the key goal of reaching equal rights between women and men and eradicating all forms of discrimination against women in society.

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