

Children and Youth belonging to minority groups and freedom of religion in Armenia



Desk research

Yerevan 2014



CHILDREN AND YOUTH BELONGING TO MINORITY GROUPS AND FREEDOM OF RELIGION

Desk research

By Isabella Sargsyan

Yerevan 2014

UDC 342.731:323.1(042.3)

Children and Youth belonging to minority groups and freedom of religion –
Desk Study

The views expressed in this report do not necessarily reflect the opinions of the Council of Europe. This report was made possible with the support of the Embassy of the Kingdom of the Netherlands to Armenia. The contents of the report belong solely to the Council of Europe and do not necessarily reflect the views of the Netherlands Embassy.

Copyright of this publication is held by the Council of Europe. No parts of this publication may be reproduced or transmitted for commercial purposes in any form or by any means, electronic (CDRom, Internet, etc.) or mechanical, including photocopying, recording or any information storage or retrieval system, without the permission in writing from the Youth Department, European Youth Centre Budapest, 1-3 Zivatar utca, H-1024 Budapest, Hungary; email: eycb.secretariat@coe.int.

Reproduction of material from this publication is authorised for non-commercial education purposes only and on condition that the source is properly quoted.

All other correspondence concerning this document should be addressed to the Youth Department of the Council of Europe:

European Youth Centre Strasbourg
30, rue Pierre de Coubertin
F- 67075 Strasbourg Cedex – France
email: youth@coe.int

Proof Reading: Rachel Appleby

Editing: Menno Ettema

The desk study was conducted within the framework of the Council of Europe project 'Protection of the Rights of Children from Religious and Ethnic Minority Groups in Armenia'.

ISBN 978-9939-896-06-9

© Eurasia Partnership Foundation, 2021



Kingdom of the Netherlands

The project is made possible by the Embassy
of the Kingdom of the Netherlands to Armenia.

TABLE OF CONTENTS

About the project “Protecting child rights of religious minority groups in Armenia” .	5
Introduction	8
General observations	11
Children and youth	14
Specific Issues addressed in this study	15
Documentation review	16
Legal issues and governmental practices.	18
Minority groups of Armenia and their organisations	21
Public perceptions	26
Mass Media.	29
I. Stigma and Social exclusion	30
II. Discrimination in the sphere of Education.	33
1. History of Armenian Apostolic Church as Compulsory school subject	33
2. School drop-outs.	35
III. Early marriages	36
Recommendations	39
Used materials	41

ABOUT THE PROJECT “PROTECTING CHILD RIGHTS OF RELIGIOUS MINORITY GROUPS IN ARMENIA”

The present study was carried within the framework of the project of the Youth Department of the Council of Europe, “Protecting child rights of religious minority groups in Armenia: combating intolerance online”, and was implemented with the financial support of the Embassy of the Netherlands to Armenia.

The project has focused on the rights of children and youth belonging to minority groups, specifically religious minorities, and aimed at combating intolerance towards minorities through education and awareness raising. A good understanding of the problems faced by children and youth from minority groups is an important step in that process and one that cannot be carried out without involving the children and young people themselves.

Minority groups, including religious minorities, are subject to pressure, sometimes unconscious, from mainstream society and from within the community; children and young people from minority groups can be doubly affected and experience double discrimination. On the one hand, they are vulnerable and easily discriminated against and stigmatised, and on the other hand, the isolation inherent in the minority groups they belong to reinforces these discriminations.

Education – and the development of educational approaches, formal and non-formal – is indispensable for developing an understanding of the values of human rights and dignity, and when addressing such consequential issues, listening to children is essential. In order to shape campaigns and provide adequate, targeted educational activities, our work needs to be based on empirical data and quality analyses; identifying the most relevant issues and getting to know the reality of children is a key for understanding. The studies and research carried out in the project support the activities by providing evidence-based information which then served as a basis for planning further measures to combat religious intolerance and to protect the rights of children belonging to minorities.

Since children and young people increasingly rely on social media to share their views, obtain information and socialise, and as the Internet is also an area where discrimination and hate speech are practised, particular attention has been paid to securing links with the Council of Europe’s No Hate Speech Movement in Armenia.

The project was structured around three objectives:

- To conduct a survey among the population (including children and youth) to provide empirical data to support further research and shape the online campaign against intolerance;
- To mobilise youth organisations and other stakeholders to build coalitions or partnerships that will support the youth campaign against intolerance, including online campaigns;
- To organise workshops aimed at preparing and developing the competences of educators, youth leaders and multipliers to raise awareness of and address intolerance.

In addition to this study, the project has thus included:

- Consultations with human rights, children and youth organisations and public institutions concerned with children and youth policies about the relevance and possible focus of the project, notably to secure complementarity with and the continuation of previous similar projects;
- A stakeholder meeting, public presentation and discussion on the findings of the studies and preparation of follow-up actions;
- A training course on human rights education linking formal and non-formal education: methods, approaches and best practices have been shared and a local network for various actors in education has been created. Teachers, youth workers, educators and NGOs have been working together with the common aim of protecting children and human rights, combating hate speech and discrimination. As a result, the long-term co-operation between the two sectors has been strengthened and the awareness of the necessity of human rights education has been raised.
- Workshops for journalists of online and printed media on how to report on religious minority issues in an appropriate manner, and on tools for identifying biased reporting and expressions of hate speech. A virtual “Pop-up newsroom” brought together 30 journalists and published a significant number of articles covering the topic of freedom of religion and conscience in Armenia.

- Mini-grants to youth organisations for the support of youth initiatives aiming at promoting tolerance for religious and cultural minorities and understanding of children’s rights. Five projects were implemented by and for young people around the country, such as a photo exhibition about religious diversity which took place in the only mosque of Armenia, a three-day training course for representatives of minority groups, and a one-day event reaching out to university students and encouraging them to become multipliers.
- Visibility of the results and awareness raising of the results and issues through an internet site: www.nohate.am/freedom-of-religion;
- The inclusion of discrimination on the basis of religion in the programme of the Armenian national campaign of the No Hate Speech Movement through the dissemination of educational resources and tools and support to the campaign in Armenia;
- Community meetings by local civil society organisations in the four cities of Armavir, Gyumri, Ijevan and Vanadzor; 114 direct beneficiaries of community workshops have been sensitised towards the topic, and have been able to develop their understanding of the risks of hate speech towards religious minority children and youth, and learnt ways to address those.

All project elements made use of the findings of the field study “Protection of the Rights of Children from Religious and Ethnic Minority Groups in Armenia” as a tool to state the need for preventive measures against discrimination of religious minority children.

INTRODUCTION

Armenia became a full member of the Council of Europe on 25 January 2001 and since then has signed and ratified 57 Conventions of the Council of Europe, including the most important in the field of human rights and minority rights; it has also joined 7 Partial Agreements.¹ On 16 May 2013, Armenia assumed, for the first time, the Chairmanship of the Committee of Ministers of the Council of Europe for a six-month period. In the speech delivered in front of Parliamentary Assembly of Council of Europe (PACE), Minister of Foreign Affairs, Edward Nalbandian highlighted priorities of the Armenian Chairmanship and, in particular, said, "The over-arching aims of our six months in the chair will be combating racism, racial discrimination, xenophobia and intolerance and promoting European values through intercultural dialogue."²

In March 2013 the Council of Europe launched its No Hate Speech Movement Campaign.³ The Campaign aims to tackle hate speech, to act together to uphold human rights online, to raise awareness, change attitudes and mobilise communities. In Armenia the national / local campaign should be implemented with the active involvement of non-governmental and governmental representatives in the field of youth, in the spirit of co-management.⁴

However, at the same time, there is evidence of growing cases of intolerance and discrimination within Armenian society, often tolerated by the government, a sad reality highlighted in reports of local and international organisations. For instance, Amnesty International, who are extremely concerned with the situation concerning freedom of expression in Armenia, recently released a special report, 'Armenia: No space for difference' (2013), which strongly condemns restrictions of freedom of expression in "a number of issues, particularly those running counter to the core tenets of a mainstream Armenian identity".⁵ Many of the hate speech and intolerance cases reported are taking place on the Internet.

¹ www.conventions.coe.int

² <http://armenpress.am/eng/news/723831>

³ Please check www.nohatespeechmovement.org

⁴ <http://nohate.ext.coe.int/>

⁵ <http://amnesty.org/en/library/asset/EUR54/002/2013/en/6d6a852f-6494-4ef5-bc13-1373f154e0de/eu-r540022013en.pdf>

Taking that into consideration, the European Union, the UN and other intergovernmental and international organisations urged Armenia to adopt an anti-discrimination law as soon as possible.⁶ In October 2012, the staff of Armenian Ombudsman initiated a process of developing an Anti-discrimination draft law, considering the vicious phenomenon of discrimination and the importance of activities aimed at its prevention. Preliminary agreements have been reached with the OSCE, the ODIHR and the European Commission to review the project in the completed form and to give their expert conclusion.⁷ Nevertheless, at the time of writing the process seems to be frozen and, in the light of Armenia's recent move towards Customs Union and suspension of negotiations over the EU-Armenia Association Agreement, there is a danger that it could be postponed indefinitely or even stopped altogether.

Other vivid examples of the obstructive attitude and strong resistance of conservative circles are very recent developments over the Law on Equal Rights and Equal Opportunities for Men and Women. The law was adopted in May 2013 as a result of quite significant pressure by the international community, including numerous recommendations and claims. Parliamentary hearings in the Standing Committee on Protection of Human Rights and Public Affairs and the Standing Committee on European Integration of the National Assembly were conducted in co-operation with the EU Advisory Group.⁸ However, as a result of public discontent on August 28th, 2013, the Government declared that certain changes should be done in the Law, and proposed to eliminate the definition of 'gender' (which was described as a social construct) and replace the clause with "equal rights of men and women".

According to representatives of the Women Resource Centre, well-respected Armenian human rights NGO, at the same time "extremist groups started disseminating misinformation on social networks sites, targeting women's non-governmental organisations and women's rights defenders in Armenia. In order to spread hate and fear in society, these groups are manipulating the wording of the law and associating 'gender equality' with homosexuality propaganda and paedophilia. Women's rights defenders are called 'traitors of the nation', 'destroyers of families' and a 'threat to Armenian values' and promoters of sexual

⁶ Adopt comprehensive anti-discrimination legislation, including further steps leading to the harmonisation of legislation with the EU required in the areas of gender equality and non-discrimination. http://ec.europa.eu/world/enp/docs/2012_enp_pack/armenia_memo_2011_en.pdf

⁷ http://www.ombuds.am/en/library/view_news/article/956

⁸ www.euadvisorygroup.eu/node/239

abuse towards children and minors”.⁹ This case, along with other alarming cases of hate speech online (e.g. related to LGBT people), was also reported through the No Hate Speech Movement's Armenian Facebook Page, referring to the article posted on the website of Association for Women Rights in Development.¹⁰

As it is commonly known, human rights are universal and inalienable, indivisible, **interdependent and interrelated**. Hence, it is impossible to assess the situation with children rights or religious freedoms outside the country's wider human rights context, its political, social and cultural environment.

To bear in mind the historical and cultural context of the country while dealing with such an ultrasensitive issue is another important key for conducting such research. I believe that a purely legalistic and rather formal approach to this anthropological issue could be a mistake. One should admit that, as many other Eastern and Orthodox churches, the Armenian Apostolic Church, indeed, played an important role in life of the Armenian people, especially in the Ottoman Empire. For many centuries, notions of being Armenian and being member of Armenian Apostolic Church were almost merged, first and foremost due to the religious-national structure of the Empire.¹¹ That legacy, as well as quite objective feelings of fear and insecurity inherent in Armenian society due to unresolved conflicts in the region, is among those that a considered researcher should take into account while delving into the complicated issues of religion, identity and fear.

⁹ www.womenofarmenia.org/en/news/402-persecution-and-threats-towards-women%E2%80%99s-rights-defenders-and-threat-to-freedom-of-association-and-expression-in-armenia

¹⁰ www.awid.org/Library/Persecution-and-threats-towards-women-s-rights-defenders-and-threat-to-freedom-of-association-and-expression-in-Armenia

¹¹ www.britannica.com/EBchecked/topic/382871/millet

GENERAL OBSERVATIONS

The issues of lack of reliable statistics, disaggregated data and anti-discrimination legislation are of very high concern of the international community. Regular and overwhelmingly unaddressed demands for statistical data and diversity-sensitive legislation are contained in reports and recommendations of both the Council of Europe and the UN. It is commonly noted that a lack of data and specific studies on children of minority groups often undermines efforts to address particular problems, and to a significant extent, this is a serious obstacle for the implementation of anti-discrimination policies.

For instance, in its Third Opinion on Armenia (2010) the Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities clearly states that, "No comprehensive anti-discrimination legislation has yet been adopted and there remains a lack of reliable statistics in this field".¹²

In 2000, in its Concluding Observations on Armenia, the UN Committee on the Rights of the Child noted, "The Committee is concerned at the absence of a mechanism to collect and analyse disaggregated data on persons under 18 years in all areas covered by the Convention, including the most vulnerable groups (i.e. children with disabilities, children born out of wedlock, children who are living and/or working in the streets, children affected by armed conflicts, children living in rural areas, refugee children and children belonging to minority groups." The concern of lacking a disaggregated data on the demographic composition of the population, as well as on the socio-economic situation of ethnic and national groups, including a gender perspective, is expressed in a number of other UN documents.¹³

The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, states in its recent, fourth report on Armenia (2011), "In its second report, ECRI recommended that the authorities carry out research on the situation of ethnic minorities in areas such as employment, housing and education in order to evaluate and address any discrimination they may face. The ECRI is not aware of any such research having been conducted".¹⁴

¹² http://gov.am/u_files/file/kron/PDF_3rd_OP_Armenia_en.pdf

¹³ For example see: Concluding observations of the Committee on the Elimination of Racial Discrimination, 2011 (CERD/C/ARM/CO/5-6) http://www.gov.am/u_files/file/kron/Armenia_AUV.pdf

¹⁴ http://gov.am/u_files/file/kron/ARM-CBC-IV-2011-001-ENG.pdf

Another concern continuously expressed by international bodies is the unwillingness of the Armenian authorities to implicitly and timely address issues of discrimination based on ethnic, national or religious grounds. An illustration for this observation could serve reports of the Government of Armenia and concerns expressed by the above-mentioned bodies. For example, below is an answer from the Armenian Government to the above-mentioned Third Opinion of the Council of Europe Advisory Committee:¹⁵

"On the absence of statistics of discrimination we would like to inform that it is not a matter of no statistics but rather absence of such crimes that would allow for any numbers to be registered. All criminal activity in the country is registered and categorised accordingly, including type of the offence and the ethnic origin [sic] of persons involved."

The argument of absence of criminal cases as evidence for absence of discrimination is continuously applied by the Armenian Government in a variety of documents, and coherently considered unqualified by international monitoring bodies. The main counterargument is that, if there are no complaints, then it might mean that there is low awareness and trust towards the courts and law enforcement bodies.

The most recent Concluding Observations on Armenia from the UN Human Rights Committee, adopted on 9-27 July 2012, state,¹⁶ "The Committee is concerned about the lack of comprehensive legislation on discrimination. It is also concerned about violence against racial and religious minorities, including by civil servants and high level representatives of the executive power, and about the failure on the part of the police and judicial authorities to investigate, prosecute and punish hate crimes (arts. 2, 18, 20, 26).

The State party should ensure that its definition of discrimination covers all forms of discrimination as set out in the Covenant (race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status). Further, the State party should combat violence and incitement to racial and religious hatred, provide proper protection to minorities, and ensure adequate investigation and prosecution of such cases. Moreover, the Committee encourages the State party to strengthen its efforts to ensure the effective implementation of the laws adopted to combat racial discrimination and to ensure the achievement of their objectives".

¹⁵ http://gov.am/u_files/file/kron/PDF_3rd_Com_Armenia_en.pdf

¹⁶ CCPR/C/ARM/CO/2 www2.ohchr.org/english/bodies/hrc/docs/co/CCPR.C.ARM.CO.2-3_AV.doc

Last although by no means least, it should be noted here that issues of national and religious minorities are not considered a priority by the Government or society. While studying the topic one could get the impression that the problem does not exist other than in the international discourse regarding the human rights conventions. Very often Armenians position their country as mono-ethnic and mono-religious, and this notion is picked up by many foreigners as well. According to the 2011 National Census results, about 98% of the population identifies itself as ethnic Armenian and about 92% affiliate themselves with the Armenian Apostolic Church.¹⁷ There are vibrant and diverse communities of ethnic-national and religious minority groups present in Armenia but due to their paucity and relative quietness their issues are not considered "pressing" or "urgent", especially in comparison with other difficult issues Armenia is facing today.

However, as this desk research aims to prove, the problems, although perfunctorily studied, do exist. They do exist both at government and society levels, transmitted and often multiplied by mass media, as well as showing a tendency to enlargement due to the growth of nationalistic and discriminatory tendencies, as described above.

¹⁷ http://armstat.am/file/article/sv_03_13a_520.pdf

CHILDREN AND YOUTH

It is widely accepted that children and youth are among the most vulnerable groups of society and need special protection; as the UN Convention on Rights of Child (CRC) states, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth". In 2012, the Council of Europe adopted a new Strategy of Child Rights protection and promotion¹⁸ with a special target of issues of elimination of all forms of violence against children and child participation.

The CRC Participating States, including Armenia, are taking a wide spectrum of legally binding obligations of both a preventive and affirmative nature. That is to say, that in comparison with so called "negative" rights that are usually related to civic and political rights, child rights are also "positive", namely obliging action of social and economic essence. For poor countries such as Armenia, this is, obviously, an ambitious goal.

A discourse of interrelations between child rights and freedom of religion itself is quite a complex one. There are two major issues. Firstly, notwithstanding the fact that the CRC (Article 14) respects the rights of the child to freedom of thought, conscience and religion, children are often objectively dependent on their parents and communities. Secondly, serious violations of child rights happen *within* the minority groups and communities. As the Council of Violence Against Children 2013 report, 'Violating Children's Rights: Harmful Practices Based On Tradition, Culture, Religion or Superstition', claims, "Each year, thousands of children die worldwide and the childhoods and development of millions more are scarred by harmful practices perpetrated by parents, relatives, religious and community leaders and other adults".¹⁹

This desk research indicates that both issues are very relevant for Armenia. Voices of children and youth, especially belonging to minority groups, have barely been heard. There are almost no answers from youngsters themselves to the majority of questions addressed in this study. Many of the problems identified within the scope of this study, such as early marriages and school drop-outs, are tightly linked to the issues of traditions and child rights limitations within the minority communities.

¹⁸ www.coe.int/t/dg3/children/StrategySept2012_en.pdf

¹⁹ www.crin.org/docs/InCo_Report_15Oct.pdf

SPECIFIC ISSUES ADDRESSED IN THIS STUDY

The goal of this desk research²⁰ commissioned by the Council of Europe is to conduct a review of existing studies in relation to problems and specific issues affecting children and youth belonging to minority groups (ethnic and religious), including intolerance and discrimination directed towards them, and its possible impact on their well-being and daily life.

The ECRI, for instance, acknowledges three major vulnerable / target groups as subject to racism and intolerance: ethnic minorities, religious minorities and non-citizens (refugees, asylum seekers and other non-citizens). Taking into consideration the war in Syria and the increasing flow of refugees / asylum seekers mainly of Armenian descent, it would have been useful to address issues of possible discrimination of non-citizens, especially children and youth. However, since the process of migration is in its active stage and there is almost no data available, it seems plausible to focus first, rather, on ethnic and religious minorities. Nonetheless, we would advise that discrimination and acts of intolerance against non-citizens, including refugees from Iraq and Syria, as well as non-Armenian families, for example Iranians and their children are also taken into consideration while conducting research or implementing projects in the future.

Within the scope of this study, throughout the process of desk research, three specific areas where violations of child rights of the youngsters from the minority families are the most visible were identified.

- a. Stigma and Social exclusion
- b. Discrimination in the sphere of Education
- c. Early marriages

²⁰ As a part of this study, apart from the review of the documentation, a number of meetings took place with representatives of the Department of Ethnic Minorities and Religious Affairs of the RA Government, the head of Department Vardan Astsatryan and expert Davit Mikayelyan, YSU lecturer and researcher Hovhannes Hovhannisyanyan, as well as email consultations conducted with the Senior Advisor for Human Rights of the UN High Commissioner in the South Caucasus, Vladimir Shkolnikov.

DOCUMENTATION REVIEW

There are many documents available on the issue; however, it seems that no specific study has been conducted on rights and/or discrimination of children from ethnic and religious minority groups.

Non-governmental organisations seem to be the most proactive in producing the most comprehensive studies on the issues of religious freedoms and human rights. In the studies ‘Religious Education Issues in the Schools of the Republic of Armenia’ and ‘Religious Intolerance in Armenia: Media Monitoring’, a large body of evidence has been collected about the current state of religious tolerance in Armenia²¹. In the Helsinki Committee of Armenia report, a lot of material was gathered about the religious organisations present in Armenia and the attitude towards them²². The Eurasia Partnership Foundation commissioned two studies. A media monitoring study was conducted by Yerevan Press Club and a Public Perceptions study to the researchers Hovahnnes Hovhannisyán and Lusine Karamyan from YSU.

There is also a collection of recently conducted studies examining the state of youth in Armenia. This includes the ‘National Youth Report on Armenia’ (2011)²³; ‘Youth Aspirations Survey’ (2012)²⁴; and the ‘2013-2017 National Youth Policy Strategy’ (2012)²⁵. Previously conducted studies of a similar nature, for instance the ‘Review of Youth Policies and Youth Work²⁶’, produced by Armenian experts as a part of joint initiative of the Council of Europe and the European Commission (updated in 2011), and ‘Youth Policy in Armenia’, developed as a part of the 13th Council of Europe international review of national youth policy in 2009²⁷, are available online.

However, unfortunately, all these studies and reports, including the ‘National Youth Policy Strategy and Annual Report’ (2012) of the Armenian Ombudsman²⁸, hardly reflect on any youth from national or religious minorities. Minorities are

²¹ For more information on this, see www.religions.am

²² http://armhels.com/wp-content/uploads/2012/06/344eng-Freedom_of_Religion_in_Armenia.pdf

²³ www.erit.am/pdf_fayler/book_zekujc.pdf

²⁴ www.erit.am/pdf_fayler/Bnakaranashinutyun/HH%20eritasardneri%20dzgumner.pdf

²⁵ www.e-gov.am/u_files/file/decrees/kar/2012/12/12_1693.pdf

²⁶ http://youth-partnership-eu.coe.int/youth-partnership/documents/EECA/Reviews_on_youth_policies_SEE_EECA_Armenia_2011.pdf

²⁷ www.coe.int/t/dg4/youth/Source/IG_Coop/YP_Armenia_en.pdf

²⁸ www.ombuds.am/en/pages/downloadPdf/file_id/1735

almost totally excluded from the 'Youth Aspirations Survey' and referred to in quite a controversial manner in the 'National Youth Report on Armenia'. Only in the study 'Youth Policy in Armenia', which was developed by foreign experts as a part of Council of Europe initiative, briefly addresses the problem, at the same time proving the observation described below:

"Civic and political participation is a substantial item in the National Report (Chapter VI) but, despite everything that it says, there are issues that are not covered. Though everyone who is born in the Republic of Armenia has formal citizenship, there are key questions about the capacity of certain sub-sections of the youth population to participate: young people in remote rural areas, refugees and internally displaced persons, as well as those who come from small minority ethnic groups."²⁹

The periodic reporting of the Republic of Armenia on the international conventions she is signatory to could be considered as a next and very important category of documentation. Armenia is a signatory to a significant body of international conventions on Human Rights that are binding for implementation; these include the European Convention on Human Rights (ECHR). As for children, youth and minority rights, the ECHR, the International Covenant on Civic and Political Rights (ICCPR), the UN Convention on Rights of Child (CRC), and the Council of Europe Framework Convention on Protection of National Minorities are among the most important. The Government of Armenia is obliged to provide a periodic report on the progress to the respective UN Treaty Bodies and Council of Europe Monitoring bodies, such as the Advisory Committee on Implementation of the Framework Convention. Hence, those conventions and reports of the Republic of Armenia, and concerns and opinions expressed in the observations of the above-mentioned commissions, including the Council of Europe European Commission against Racism and Intolerance (ECRI), are the most referred to in the desk study.

Case studies and media reports are a valuable addition to any research and these have been incorporated where possible. A full list of studies, surveys and other important documentation can be found in the Annex at the end of this piece.

²⁹ telwww.coe.int/t/dg4/youth/Source/IG_Coop/YP_Armenia_en.pdf

LEGAL ISSUES AND GOVERNMENTAL PRACTICES

There are serious pieces on the analyses of Armenian legislation on freedom of religion and international conventions which Armenia has ratified, issued by local NGOs, for instance the Armenian Helsinki Committee and Collaboration for Democracy NGO as well as recommendations from the Office of Armenian Ombudsman, various UN Committees, the Council of Europe, the European Commission and others.

For a comprehensive analysis please check the Armenian Helsinki Committee's study 'Freedom of religion in Armenia', 2010 Chapter 2³⁰ (pp.14-27) and Collaboration for Democracy's 'Religious Tolerance in Armenia', 2011 Chapter 3 (pp. 38-58)³¹.

The biggest portion of criticism goes to Armenian law on Religious Organisations adopted by the National Assembly in 1991, the Law on Alternative Military Service, the Law on Relations between the Republic of Armenia and Armenian Apostolic Church and the Law on Education. There are also certain discrepancies between the laws. For instance, there is an issue relevant to this study highlighted in the paper, 'Religious Tolerance in Armenia':

Article 5(e) of the Republic of Armenia (RA) Law on the Freedom of Conscience and on Religious Organizations states that "Children under the age of 18 are not permitted to become members of a religious organization, regardless of their participation in religious rites or other circumstances". However, this conflicts with other RA Laws, namely the Law on the Rights of the Child, in which Article 10 (Right to the Freedom of Thought, Conscience and Religion of a Child) prohibits the participation of children under the age of 16 in religious organizations without the prior consent of a parent or other legal representative. In addition, we believe that the clause "Children under the age of 18 are not permitted to become members of a religious organization, regardless of their participation in religious rites or other circumstances" conflicts with Article 15 of the UN Convention on the Rights of the Child (1989).

³⁰ http://armhels.com/wp-content/uploads/2012/06/344eng-Freedom_of_Religion_in_Armenia.pdf

³¹ www.relignons.am/files/1577/english/library/Religious-tolerance-in-Armenia.pdf

A short and concise overview is provided in the US Government's 2012 International Religious Freedom Report³²:

The constitution and the law establish separation of church and state, but recognise “the exclusive mission of the Armenian Apostolic Church as a national church in the spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia”. The law grants privileges to the Armenian Apostolic Church not available to other religious groups. For example, the church may have permanent representatives in hospitals, orphanages, boarding schools, military units, and places of detention, while other religious groups may have representatives in these places only upon request. The law prohibits but does not define ‘soul hunting’, a term describing both proselytism and forced conversion. The prohibition applies to all religious groups, including the Armenian Apostolic Church.

The law mandates that public education be secular. However, courses in the history of the Armenian Apostolic Church are part of the public school curriculum and are taught by public school teachers. The church has the right to participate in the development of the syllabus and textbooks for this course and to define the qualifications of its teachers. The church may also nominate candidates to teach the course. The class is mandatory; students are not permitted to opt out of the course, and no alternatives are available to students of other religious groups. In addition, the law grants the Armenian Apostolic Church the right to organise voluntary extracurricular religious classes in state educational institutions. Other religious groups may provide religious instruction to members in their own facilities.

Since the issue of the most up-to-date document that included legal analyses on the issue, very few pieces of legislation have been changed or amended. For instance, the Law on Alternative Military Service was eventually favourably changed in May 2013 as a result of pressure from the international community, as well as the famous *Bayatyan v. Armenia* European Court of Human Rights case³³.

³² <http://photos.state.gov/libraries/armenia/231771/PDFs/irfr2012.pdf>

³³ <http://www.strasbourgconsortium.org/common/document.view.php?docId=4467>

Hopefully, thanks to the changes in the law, young men practising conscientious objection will be able to perform labour service not connected with the armed forces. Detailed information on the issue can be found at news site Forum 18 that reports on violations of article 18 of the UDHR³⁴. Unfortunately, despite numerous claims and recommendations both from Armenian civil society and the international community, the proposed changes in Law on Religious Organisations and opt-out of the 'History of the Armenian Church' school subject have not yet been addressed.

³⁴ www.forum18.org/archive.php?article_id=1844

MINORITY GROUPS OF ARMENIA AND THEIR ORGANISATIONS

According to a list of religious organisations published by the Government of Armenia, there are 65 registered organisations. There are also a few which have not undergone the registration procedure but do, nevertheless, function in the country. National minority groups are registered separately as NGOs or public organisations. Both lists are available on the RA Government Department for Ethnic Minorities and Religious Affairs web page: <http://www.gov.am/en/religion/>.

In fact, the number of religious denominations registered in Armenia, other than national minority religions such as Yezidi or Molokan, is close to 15. Quite often, religious organisations registered as legal entities are confused with religious denominations. An examination of the list of registered religious organisations makes clear that religious organisations representing the same denomination have in many cases registered as separate legal entities.

Please see table I for data on religious minorities according to the National Census conducted in 2011³⁵. According very rough calculations, children from 0-18 years old who do not belong to the Armenian Apostolic Church number about 30,500 people.

³⁵ http://armstat.am/file/article/sv_03_13a_520.pdf

Table I

	total	Age						
		0-9	10-19	20-29	30-39	40-49	50-59	60+
TOTAL	3 018 854	387 501	411 712	564 163	410 426	388 024	412 290	444 738
Total of those who considered themselves as followers of any religion, church or denomination	2 897 267	375 265	398 012	540 832	392 414	371 348	394 252	425 144
Out of those:								
Armenian Apostolic	2 797 187	360 977	381 862	523 025	378 603	358 325	382 179	412 216
Catholic	13 996	1 767	2 104	2 629	1 741	1 893	1 772	2 090
Orthodox	7 587	607	642	1 087	1 067	945	1 119	2 120
Nestorian	1 733	208	237	367	202	244	252	223
Evangelical	29 280	4 599	5 217	4 833	3 982	3 615	3 620	3 414
Jehovah's Witness	8 695	720	1 179	1 336	1 326	1 341	1 278	1 515
Protestant	773	105	116	129	105	107	98	113
Mormon	241	29	35	43	24	29	40	41
Molokan	2 874	461	504	523	356	335	314	381
Shar-Fadin	23 374	3 949	4 197	4 591	3 404	3 139	2 242	1 852
Pagan	5 416	967	987	1 000	747	666	574	475
Muslim	812	78	87	250	153	103	81	60
Other	5 299	798	845	1 019	704	606	683	644
Did not consider themselves as followers of any religion, church or denomination	34 373	4 349	4 203	5 484	4 312	4 148	4 834	7 043
Refused to answer	10 941	1 304	1 544	2 011	1 518	1 376	1 540	1 648
Unmarked	76 273	6 583	7 953	15 836	12 182	11 152	11 664	10 903

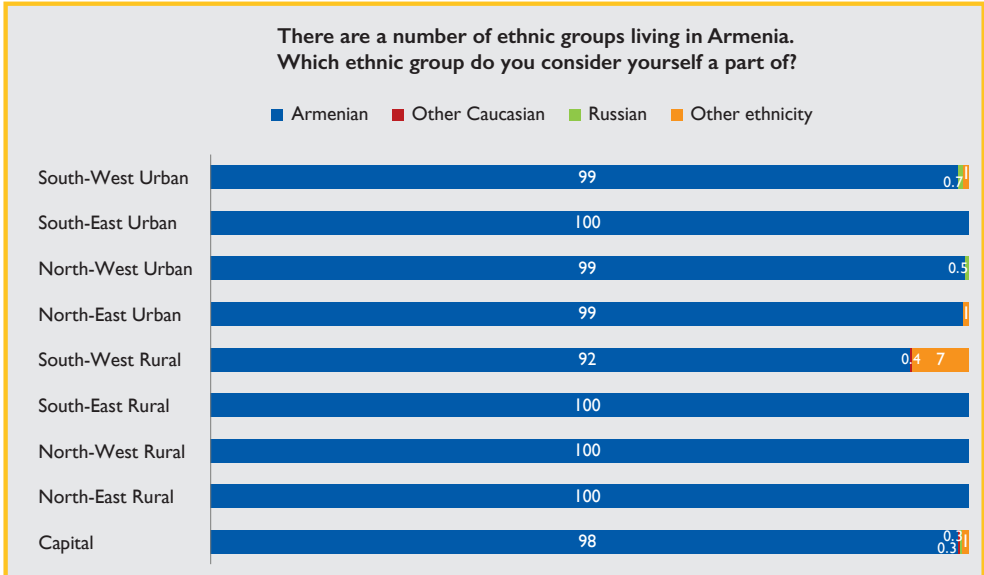
Table 2

Nationality	Total	Age						
		0-9	10-19	20-29	30-39	40-49	50-59	60+
TOTAL	3 018 854	387 501	411 712	564 163	410 426	388 024	412 290	444 738
Armenians	2 961 514	379 090	403 224	553 922	402 401	380 811	405 634	436 432
Yezidi	35 272	5 984	6 230	6 781	5 193	4 639	3 617	2 828
Russians	11 862	1 159	1 087	1 669	1 471	1 296	1 733	3 447
Assyrians	2 769	371	374	514	331	320	394	465
Greeks	900	79	71	112	121	100	121	296
Ukrainians	1 176	65	55	101	131	167	199	458
Kurds	2 131	430	370	389	293	253	196	200
Georgians	974	104	101	149	152	113	138	217
Other	2156	207	191	502	320	308	244	384
Refused to answer	100	12	9	24	13	17	14	11

Table 2 shows census results reflecting the national composition of the Armenian population.

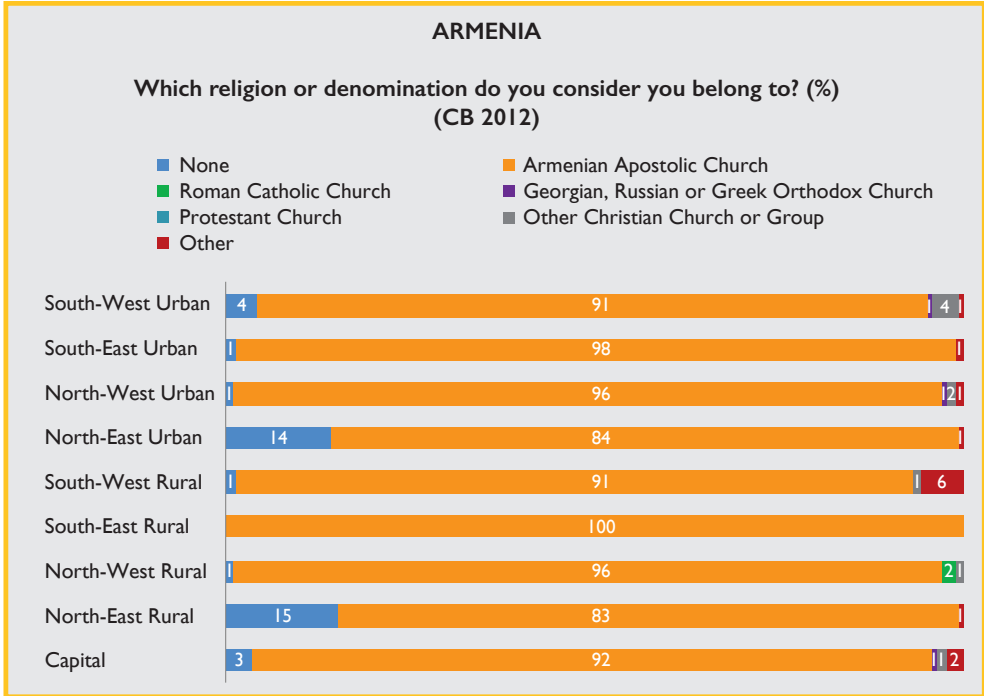
The Caucasus Resource Research Centres (CRRC) has, already for eight consecutive years, conducted the ‘Caucasus Barometer’ household survey in Armenia, Azerbaijan and Georgia. They use the same methodology for surveying and analyses. The Armenian sampling covers 2,000 households. Below is a cross-tabulation of data on ethnic belonging and geographic areas; however, there are no particular ethnicities and regions mentioned, most probably due to the barometer's regional nature.

Table 3



The second cross-tabulated chart indicates religious belonging of the respondents. The same problem with geography and naming religious groups appears here:

Table 4



The CRRC data sets are open and available online; hence further cross-tabulation by gender and education is also possible.

PUBLIC PERCEPTIONS

Quite a significant number of interviews and focus group discussions were conducted with representatives of different denominations, including the Armenian Apostolic Church (AAC) by research groups from the Armenian Helsinki Committee (AHC) and Eurasia Partnership Foundation (EPF). Two independently conducted studies come to indicate common tendencies. Both clergymen and people in general have more tolerance towards "traditional" religions such as Catholics and Orthodox and less towards "new religious groups" or, as they call them, "sectarians". The EPF study shows that the most intolerant attitude is against Jehovah's Witnesses.

According to the AHC study, "Pastors of the Armenian Apostolic Church believe that an Armenian must have one mother, the Armenian Apostolic Holy Church". As mentioned above, this attitude is typical of the old traditional Christian churches, which label as "a sect" any "religious group that deviates from the historical beliefs". However, even this negative attitude is differentiated in relation to the various religious organisations.

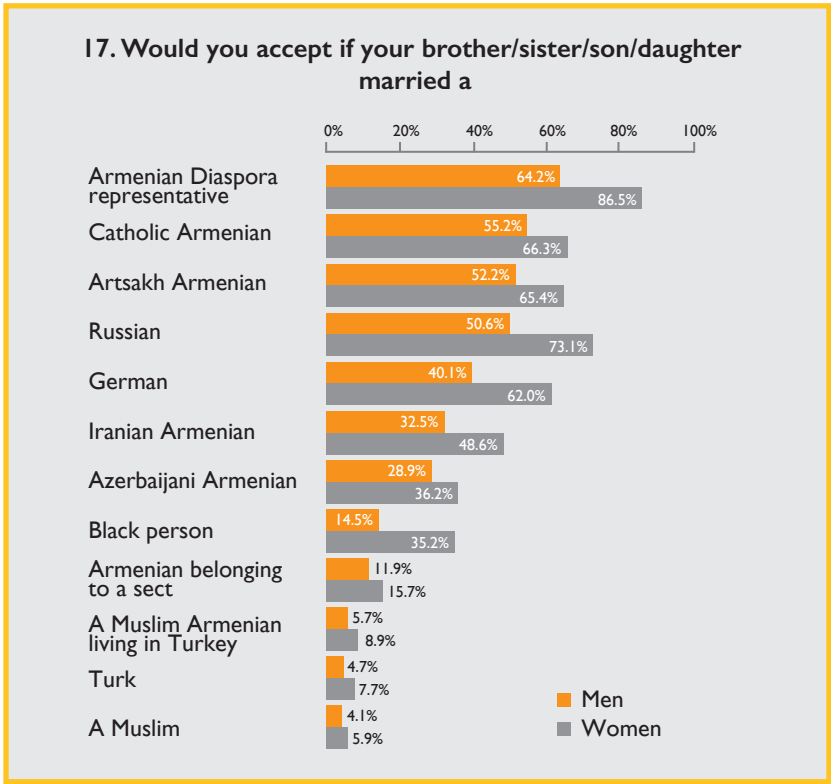
According to EPF research on public perceptions, "Many of the AAC clergymen have a differentiated approach towards other religious organisations. Some of the latter are considered completely unacceptable, which include Jehovah's Witnesses and sometimes the Mormons and Evangelical denominations, while the acceptable religious organisations are usually the traditional religions, mainly Catholicism, and those churches which do not actively preach. The attitude of many of the clergymen of the Armenian Church is based on the Church's perception of Armenian identity, according to which "an Armenian is the follower of only the Armenian Apostolic Church".

The National Youth Report³⁶ developed by the Ministry of Youth and Sport in 2011 is an example, in its content, vocabulary used and conclusions drawn. According to the Report, 88.6% of respondents consider belonging to the Armenian Apostolic Church a criterion for being an 'Armenian', i.e. belonging to Armenian ethnicity. This excludes hundreds of thousands ethnic Armenians living in Armenia which belong to other denominations, and probably more than a million living outside it. Answering to the question "Would you agree if your

³⁶ A report targeted 1,200 young people (18-30 years old) from rural and urban areas all over Armenia.

closest relatives marry people from other denominations?” the interviewed young people rated "sectarian Armenians" (as in the report) less preferable than black people and a bit more preferable than Turks and ‘the Muslims’.³⁷

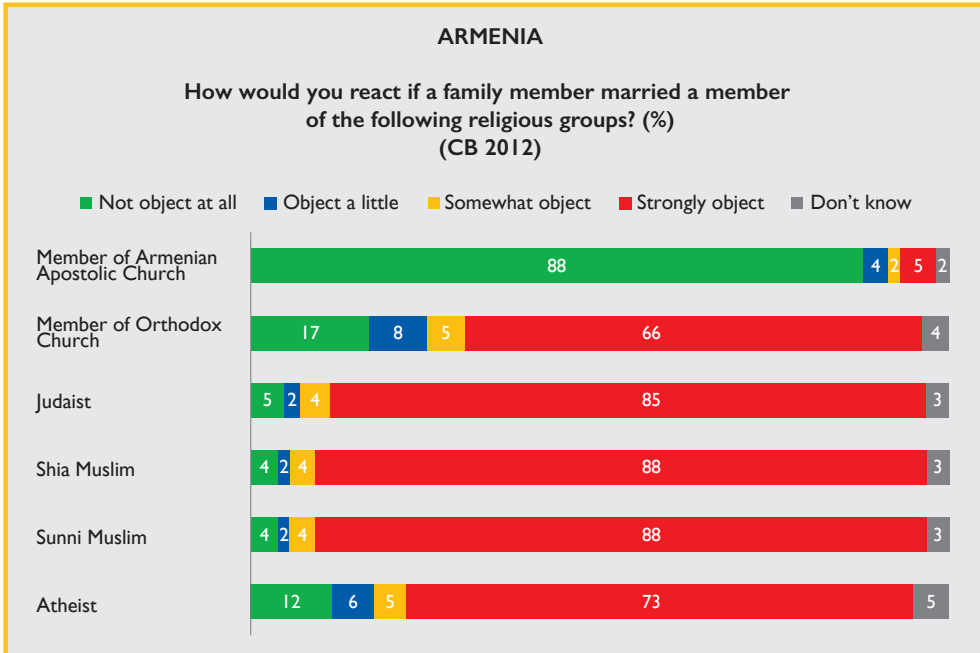
Table 5



³⁷ www.erit.am/pdf_fayler/book_zekujc.pdf

An interesting illustration on tolerance and acceptance is provided by the below mentioned CRRC Caucasus Barometer 2012.

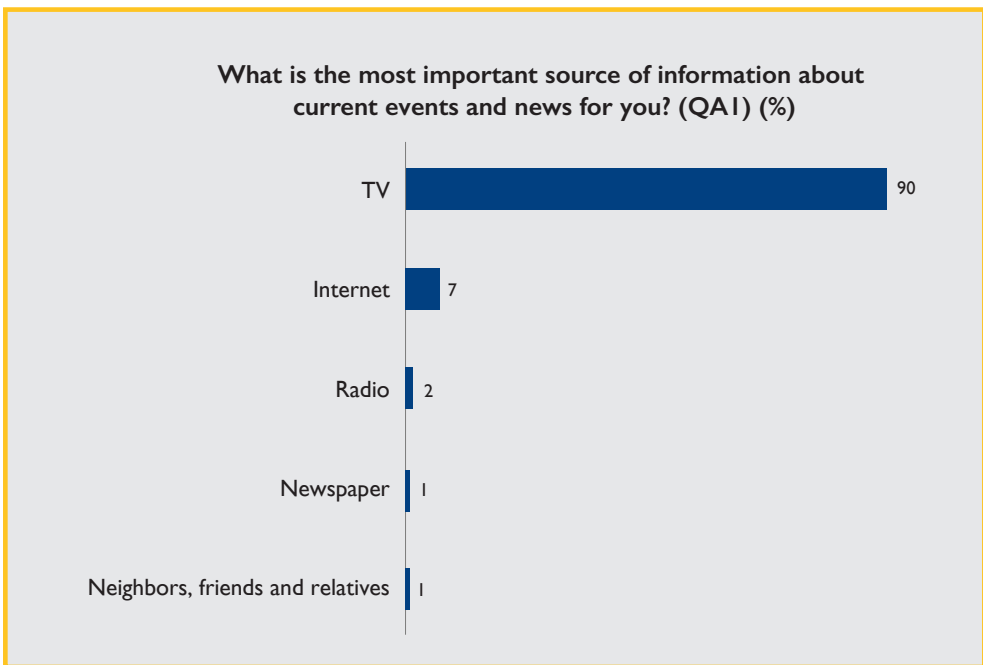
Table 6



MASS MEDIA

Media and especially TV plays an enormous role in generating public opinion and has quite a significant impact on the public consciousness. Media surveys conducted by the Caucasus Research Resource Centre (CRRC) in 2008-2010 and in 2011³⁸ show that although the Internet is becoming more and more popular, people still consider TV as a main source of information.

Table 7



Media content analysis conducted by the Armenian Helsinki Committee in 2010 for the years 2001-2009 shows that mass media overall reported rather positively on the Armenian Apostolic Church and rather neutrally and often negatively on other religious denominations (see chapter 3, pp 27-35).³⁹ The report includes concrete examples from various media outlets.

A study by the Collaboration for Democracy NGO, 'Religious Tolerance in Armenia' also addresses the issue of mass media and focuses on specific media

³⁸ www.crrc.am/research-and-surveys/completed-projects/alternative-resources-in-media?lang=en

³⁹ http://armhels.com/wp-content/uploads/2012/06/344eng-Freedom_of_Religion_in_Armenia.pdf

publications. The authors suggest that the media plays an extremely strong role in the formation of negative stereotypes of the religious minorities and Jehovah's Witnesses in particular.

The Yerevan Press Club⁴⁰ monitored the coverage of religious issues by the media for the period from 18 November 2011 to 25 July 2012. The volume of studied media material includes 1,020 pieces which touched on religious issues in one way or another, but only 96 of them (less than 10%) contained value-based convictions and stereotypes towards any religions, religious denominations and religious communities. On one hand, these numbers suggest a relatively neutral position by the Armenian mass media towards religious issues. On the other hand, there are very few if any reports and materials providing affirmative information or creating a positive image of religious minorities.

I. Stigma and Social exclusion

I would argue here that children belonging to minority groups (both ethnic and religious), often become the subject of double social exclusion, firstly due to poverty and secondly due to "sectarian" stigma.

The concept of 'social exclusion' which has been developed in Europe is tightly linked to the notions of equal opportunities for all social groups and of poverty. The concept of social exclusion in its modern sense started to develop in 1974 when René Lenoir, then Secretary of State for Social Action in a French Gaullist government, first popularised it. Following René Lenoir's policy initiative in France, the idea of social exclusion was rapidly and enthusiastically adopted across the European Union (EU), decentring discourses around poverty. European interest in social exclusion grew in large part from debates surrounding the EU's anti-poverty programmes. From the first programme (1975-80) to the third (1990-94), the naming of the social problem of interest shifted from 'poverty' to 'exclusion'⁴¹.

⁴⁰ www.ypc.am

⁴¹ World Health Organisation, 'Social Exclusion Meaning, measurement and experience and links to health inequalities: A review of literature' www.who.int/social_determinants/media/sekn_meaning_measurement_experience_2008.pdf

One of the contemporary, non-economic definitions of the poverty is exclusion from participation of the economic, political and cultural life of the community. Below is a quote from former UNESCO's Assistant Director-General for Social and Human Sciences, Pierre Sané⁴².

Today it is widely held that one cannot consider only the economic part of poverty. Poverty is also social, political and cultural. Moreover, it is considered to undermine human rights – economic (the right to work and have an adequate income), social (access to health care and education), political (freedom of thought, expression and association) and cultural (the right to maintain one's cultural identity and be involved in a community's cultural life).

There were a number of studies on poverty in Armenia, including the 2008-2009 UNICEF analyses on Child Poverty. The paper is based on the 2008 Household Integrated Living Conditions Survey (ILCS). Since no single measure captures child poverty sufficiently well, the paper analyses consumption-based poverty, material deprivation and housing deprivation, as well as the overlaps between these measures.⁴³

Despite the fact that due to the lack of disaggregated data it is impossible to see to what extent children from minority families are affected by the poverty in an explicit way, there are a few indicators that rather implicitly can serve as evidence of it. According to the study, among the most contributing factors of children to be poor are larger families (2 or more children) and families where parents have secondary education only, or lower. Both criteria are very relevant to the minorities, especially Yezidi and Molokan.

In 2011, the National Statistical Service released 'Social Snapshot and poverty in Armenia'⁴⁴ an extremely alarming study which indicated that over 300,000 children in Armenia or 41.4% live in poverty, against 35.8% of adults. Furthermore, over 27,000 children or 3.7% live in extreme poverty. Children living in families with four or more children are the poorest. The total poverty level among those families is almost 71%, while the extreme poverty level is 26.4%⁴⁵. Citing the words of UNICEF Representative to Armenia Henriette Ahrens, it is possible to conclude that in Armenia "children are poorest among poor".

⁴² Pierre Sané in MOST-Newsletter, n° 10, 2001

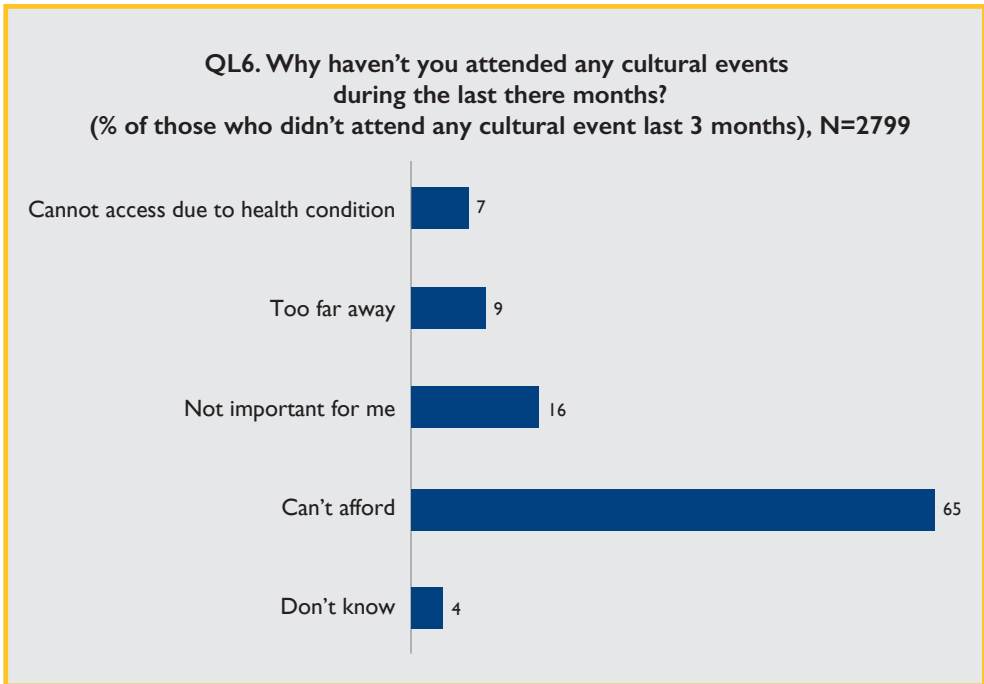
⁴³ UNICEF. Child Poverty in Armenia, 2009 www.un.am/res/Library/UNICEF%20Publications/UNICEF_19_eng_pdf.pdf

⁴⁴ www.armstat.am/en/?nid=82&id=1301

⁴⁵ www.a1plus.am/en/social/2011/12/07/children

As for civic and cultural participation, according to the CRRC Social Cohesion survey commissioned by the UNDP in 2011, the level of public participation in Armenia in general is quite low. The study also shows that Armenian people at large cannot afford to participate in cultural events either⁴⁶.

Table 8



In addition to the general level of poverty and social exclusion that children of minority families at least share with the other children (a special study is probably needed in order to understand to what extent children from minority groups are especially affected), there is a certain stigma attached to being different or being "sectarian". Existence of that stigma is clearly identified in studies conducted by Armenian NGOs.

For instance, according to the study of public perceptions towards religious minorities commissioned by the Eurasia Partnership Foundation, "In Armenia, pseudo-nationalism has reached a level of broad prevalence, through which religious and ethnic belonging are considered to be equivalent. People are

⁴⁶ www.crrc.am/research-and-surveys/ongoing-projects/social-cohesion-survey?lang=en

intolerant towards those who have different religious views not just for the reason that they consider those views to be wrong from a religious point of view, but also because – based on their perception – those views are a betrayal of the national religion and ethnicity, destabilizing the national unity. Thus, accepting these religious views and allowing the existence of other religious thinking in this case is interpreted as a threat to national security or as treason”.⁴⁷

The US Government's 2012 'International Religious Freedom Report' states that most registered religious groups reported no significant legal impediments to their activities, but yet there were reports of societal discrimination based on religious affiliation, belief, or practice. Members of minority religious groups experienced 'societal discrimination and intolerance', including in the workplace. Many media outlets demonstrated bias against minority religious groups.⁴⁸ Societal discrimination is an important notion in this discourse since many phenomena such as 'stigmatisation', 'alienation', and 'humiliation' happen rather at a societal level, often through mass media and at least formally outside of the scope of direct and immediate control of the state.

Since no specific studies have been conducted, it is very difficult to state how the intolerant behaviour and labelling or stigmatisation comes into being, to what extent the media is truly involved, if there is any difference between adults and children, and whether children are more vulnerable in those cases. To answer those questions, field studies and in-depth interviews with different layers of Armenian society are needed.

II. Discrimination in the sphere of Education

1. History of Armenian Apostolic Church as Compulsory school subject

Emil Sargsyan, a member of the Evangelical Church, says his 16-year-old son Edgar has regularly clashed with priests who come to the school to teach the history of the Apostolic Church. “Edgar refused to accept the ideas included in the subject. As a result, a priest came to the school to persuade my son that the church’s ideas were right,” he said. “But when my son continued to insist on his own point of view, the teacher said in front of the whole class that he was a member of a sect.

⁴⁷ www.epfound.am/files/tolerance_in_armenia_occasional_policy_brief.pdf

⁴⁸ <http://photos.state.gov/libraries/armenia/231771/PDFs/irfr2012.pdf>

She was imposing her own ideas even though people are supposed to be free to choose for themselves.”⁴⁹ This is a quotation from an IWPR article ‘Religious Teaching in Armenia Criticised’, which illustrates the state of affairs in some schools where children of parents belonging to religious minorities study.

Armenian NGOs, international organisations and intergovernmental bodies claim that the compulsory school subject violates the RA Law on Education, which states that education in Armenia is of a secular nature. The Ministry of Education assures that the subject ‘History of Armenian Church’ is of a secular nature and does not contain any elements of religious teaching or propaganda.

The ECRI above-cited report on Armenia points out that, "There are obvious dangers of intolerance in the field of religious freedom. Religious-minority pupils are allegedly discriminated against at school and there are on-going poster campaigns against ‘sects’. The National Security Service monitors ordinary religious activity”.⁵⁰

A study conducted by the Collaboration for Democracy NGO entitled, ‘Issues of religious education at public schools of the republic of Armenia’⁵¹ claims that despite the assurance of the Ministry and other governmental bodies, the syllabus is developed by the AAC, teachers were trained by the representatives of AAC and the course does contain elements of religious preaching. Recently, the Open Society Foundations Armenia commissioned a study of textbooks. The study has not yet been released.

In the summary record of the 1,790th meeting of UN Committee of Child Rights, available online, serious issues are brought to the attention of the Armenian delegation by the country rapporteurs. For instance Country Rapporteur, Mr. Gastaud, in particular said, "There was currently no single legislative act covering children’s rights in a comprehensive manner. Such provisions were scattered in a number of laws. Were there plans to draw up a single law on the topic? According to the information available to him, while some work had been done to make children’s rights better known, teachers, judges and other professionals working with children did not receive instruction on the Convention in particular or on children’s rights in general during their training, and the concluding observations

⁴⁹ IWPR: Religious Teaching in Armenia Criticised <http://iwpr.net/report-news/religious-teaching-armenia-criticised>

⁵⁰ www.gov.am/u_files/file/kron/ARM-CBC-IV-2011-001-ENG.pdf

⁵¹ www.religions.am/eng/articles/issues-of-religious-education-at-public-schools-of-the-republic-of-armenia/

issued by the Committee in 2004 had never been translated into Armenian. Had the Convention ever been invoked in court or cited as a basis for a court ruling? What steps had been taken to combat the illegal practice of early marriage? Lastly, noting that the subject of religion was compulsory in school and covered only the Armenian Apostolic Church, he asked what steps were taken to ensure the right to freedom of religion of children from religious minorities"⁵². His inquiries stayed unanswered.

The Committee also requested the State party to provide detailed information, including disaggregated statistics on enrolment in primary, secondary and higher education of members of national minorities and other vulnerable groups in its next periodic report⁵³.

2. School drop-outs

It seems that very scarce information is available on children that drop out of school. It is especially difficult to get statistical data disaggregated by age, sex, geographic location, ethnic origin, religious affiliation and socioeconomic background. In its "List of issues to be taken up in connection with the consideration of the combined third and fourth periodic reports of Armenia" (2012), the UN Commission on Child Rights request such disaggregated data from the Armenian government (page 3)⁵⁴. However, most probably such data simply does not exist or is not available online yet. At the same time both the ECRI and the UN Committee of Child Rights, in relatively up-to-date documents; do refer to high numbers of school drop-outs.

The ECRI 2011 report states, "ECRI has been informed that many Yezidi children, especially girls, drop out of school. This has to do with their parents' approach to education in general, rather than with treatment they receive in the school. ECRI recommends that authorities follow the question of Yezidi school attendance closely on community level and they raise awareness among Yezidi parents of the benefits of education"⁵⁵.

⁵² CRC/C/CR.1790

⁵³ Concluding observations of the Committee on the Elimination of Racial Discrimination, 2011. CERD/C/ARM/CO/5-6

⁵⁴ List of issues CRC/C/ARM/Q/3-4

⁵⁵ http://gov.am/u_files/file/kron/PDF_3rd_Com_Armenia_en.pdf

The UN Committee on the Rights of the Child in the most recent Concluding observations on the combined third and fourth periodic reports of Armenia⁵⁶ (June 2013) remained concerned that there is a high number of drop-outs from schools after primary education, and recommends undertaking a study on the root causes of drop-outs from schools, as well as providing incentives for children to continue their education in secondary school.

According to the article published on the UNICEF website, the Ministry of Education and Science and the National Statistical Service of the Republic of Armenia, through the financial and technical support of UNICEF, carried out a survey, and UNICEF discovered that school drop-out rates for national minority communities, in addition to those made up of refugees, were twice the national average⁵⁷. The article also suggests that one of the recommendations in the 2001 report was to conduct a new assessment, but focusing specifically on national minority communities; however, it remains unclear whether such an assessment was ever conducted.

III. Early marriages

The issue of early marriages is the most relevant to the Yezidi community. In 2012, the Armenian government tried to increase the legal age of marriage from 17 to 18, but faced serious opposition from the Yezidi community. The article published in Armenia Now magazine states “When girls turn 12, they are told that they are now old enough so shouldn’t go outside, should wear long skirts, not go anywhere, do this, do that. So their mentality is forced to change. Girls aren’t allowed to think about anything else other than marriage.”⁵⁸ Another article on the issue can be found in EurasiaNet magazine⁵⁹.

In its written reply to the UN Commission on Child Rights⁶⁰, the Government of the Republic of Armenia presents the following data of married girls under the age of 18 according to the registrations made by territorial divisions of the Civil Status Acts Registration Agency (CSAR) of the Ministry of Justice of the Republic of Armenia.

⁵⁶ Concluding observations CRC/C/ARM/CO/3-4

⁵⁷ www.unicef.org/armenia/reallives_2345.html

⁵⁸ Armenia Now. Married to Tradition: Armenia’s Yezidi at odds over government amendment on matrimony http://armenianow.com/society/features/39793/yezidi_armenia_marriage_law_aziz_tamoyan

⁵⁹ www.eurasianet.org/node/65942

⁶⁰ Implementation of the Convention on the Rights of the Child. Written replies of Armenia. CRC/C/ARM/Q/3-4/Add.1 (p.26)

Table 9

Marriages registered in the Republic of Armenia, according to gender and age (persons)

age	2008		2009		2010		2011	
	man	woman	man	woman	man	woman	man	woman
16	0	0	0	0	0	0	0	0
17	0	99	0	99	0	91	0	57
18	51	663	75	663	51	603	12	86

Nevertheless, it is commonly noted that in many cases the citizens of Armenia, regardless of their ethnic and religious origins, do not register a civilian marriage, but follow religious and/or civic partnerships.

The UN Committee notes with concern that girls in the Yezidi community are often married below the legal age of marriage in a traditional ceremony. The Committee recommends that the State party fully enforce the age of marriage set out in law for all forms of marriage, and that they develop and undertake comprehensive awareness-raising programmes on the negative implications of early marriage on the girl child’s rights to health, education and development, targeting in particular parents and community leaders⁶¹. The Committee also notes with concern that while the State party is aware of conservative customs determining relationships between men and women, and between adults and children, within the Yezidi and Kurdish communities, which impede the equal enjoyment and exercise of rights, its programmes and activities in favour of national minorities have failed to address these issues. Recalling the State party’s obligation to guarantee the right of everyone to equality in the enjoyment of human rights, the Committee calls on the State party to take account of the need to address discriminatory customs in its work with national minorities⁶².

⁶¹ UN CRC, Concluding observations on the combined third and fourth periodic reports of Armenia, adopted by the Committee at its sixty-third session (27 May – 14 June 2013). CRC/C/ARM/CO/3-4

⁶² UN CERD, Concluding observations of the Committee on the Elimination of Racial Discrimination, 2011. CERD/C/ARM/CO/5-6

In spite of concerns and recommendations of the UN Committee of Child Rights and recommendations of international NGOs, leaders of the Yezidi community insist that early marriages are part of their traditions and should be respected by the State and International community.

In April 2013, the National Assembly of the Republic of Armenia adopted a change in the Family Code. According to the new provision, a person can get married at the age of 17 if he/she has permission from parents, adoptive parents or trustees; a person can get married at the age of 16 if he/she has permission from parents, adoptive parents or trustees and the other marrying person is at least 18 years old (Article 10).

RECOMMENDATIONS

There are numerous serious claims and recommendations well-articulated in the ECRI and the UN CRC, CERD, and Human Rights Commission reports. Those include changes in legislation, allocation of resources and data collection. Without repeating these, the following focuses on specific recommendations which derive from this particular desk study.

1. To conduct field research or a series of research studies in order to learn what children and young people think and feel about issues highlighted in this report, representation in media, the school curricula covering religious issues, school drop-out and early marriage. It is also important to empirically prove, to the degree it is possible, whether children from minority groups are really a subject of double discrimination, poverty and social exclusion.
2. To elaborate specific case studies based on real stories in order to see a typology of existing violations of child rights that is encountered and most relevant to children belonging to minority groups in Armenia. What are the similarities and differences in attitudes between adults and children in their community and in Armenian society?
3. To study health issues related to children from minority groups, since this is one of the most understudied and unrevealed topics. In particular it makes sense to focus on issues of home births, immunisation and vaccination, infant medical care, blood transfusions and other such medical issues.
4. To conduct a special study on poverty and social exclusion of minority groups, with children and young people as the main focus. To consider also asylum seekers, refugees and non-citizens, namely Iranians living in Armenia.
5. To undertake a study on the root causes of drop-outs from schools and provide incentives for children to continue their education in secondary school.
6. Possibly to commission CRRC to add a special part in 2014 'Caucasus Barometer' survey and provide disaggregated data (location, gender, education, etc). The particular methodology, namely the naming of the religious groups, as well as questions, should be prepared with the participation of experts on religion / minorities.
7. To advise the Government of Armenia and other respective national and international bodies to take children / youth from religious and ethnic minorities into consideration when developing National Youth Strategy, the 'National Youth Report', the 'Youth Aspirations Report' or other youth and children orientated studies.

8. To advise the Government of Armenia to follow the recommendations of the international community and provide the opportunity to opt-out of 'History of Armenian Church' as a subject from the school curriculum.
9. To advise the Government of Armenia to educate parents of national minorities, especially Yezidi, in the benefits of education. To promote children from minority families to institutions of higher education by adoption of a respective law, not simply a bylaw of the Ministry of Education, as it currently is.
10. To advise the Government of Armenia to pay special attention to gender problems and especially to girls from minority families.
11. To advise the Government of Armenia, international organisations and local NGOs to conduct training courses, special learning classes and workshops for a) children and youth from minority groups on their rights, the CRC, the ECHR and other relevant topics, and b) school principals, journalists, local authorities, and parents on human rights, tolerance and diversity.
12. To advise the Government of Armenia, the mass media and NGOs to use the power of the media for promoting ideas of human rights, cohabitation, tolerance and diversity.

USED MATERIALS

National legislation and reports

All relevant domestic legislation, international agreements and reports are available in Armenian at RA Government Department for Ethnic Minorities and Religious Affairs web page: <http://gov.am/am/religion/>

1. National Strategy of Human Rights Protection (in Arm), 2012 http://gov.am/u_files/file/kron/MIP%20azgayin%20razmavarutyun25_11_2011.pdf
2. Armenia's Public Policy on Youth (2013-2017) adopted by Government in December, 2012 https://www.e-gov.am/u_files/file/decrees/kar/2012/12/12_1693.pdf
3. 2011-2012 Second Armenian National Youth Report (in Armenian, Executive summaries in Russian and English) http://www.erit.am/pdf_fayler/book_zekujc.pdf
4. 2011-2012 Youth Aspirations Survey http://www.erit.am/pdf_fayler/Bnakaranashinutyun/HH%20eritasardneri%20dzgtumner.pdf
5. Annual Report of Human Rights Defender on the Activities of the RA Human Rights Defender and on the Violations of Human Rights and Fundamental Freedoms in the Country during 2012. www.ombuds.am/en/pages/downloadPdf/file_id/1735

Statistics and data

1. National Statistical Service. Social Snapshot and poverty in Armenia, 2011 <http://www.armstat.am/en/?nid=82&id=1301>
2. CRRC Caucasus Barometer <http://www.crrc.am/research-and-surveys/caucasusbarometer/documentation?lang=en>
3. CRRC-UNDP Social Cohesion Survey <http://www.crrc.am/research-and-surveys/ongoing-projects/social-cohesion-survey?lang=en>
4. UNICEF. Child Poverty in Armenia, 2009 http://www.un.am/res/Library/UNICEF%20Publications/UNICEF_19_eng_pdf.pdf
5. 2011 Census Data (in Armenian) http://armstat.am/file/article/sv_03_13a_520.pdf (social-demographic part)
6. Armenia Demographic and Health Survey <http://www.measuredhs.com/pubs/pdf/FR252/FR252.pdf>
7. UNICEF TRANSMONEE database <http://www.transmonee.org/>

8. CRRC Caucasus Barometer <http://www.crrc.am/research-and-surveys/caucasus-barometer?lang=en>
9. CRRC Armenia 2011 Media Public Opinion and Preference Survey http://www.crrc.am/hosting/file/_static_content/projects/armedia%202011/CRRC_ArMedia_2011_Presentation_English.pdf

Reports of International Organisations

1. US Department of State. Armenia 2012 International Religious Freedom Report <http://photos.state.gov/libraries/armenia/231771/PDFs/irfr2012.pdf>
2. Amnesty International "Armenia: No space for difference" 2013 report <http://amnesty.org/en/library/asset/EUR54/002/2013/en/6d6a852f-6494-4ef5-bc13-1373f154e0de/eur540022013en.pdf>
3. Youth Policy in Armenia http://www.coe.int/t/dg4/youth/Source/IG_Coop/YP_Armenia_en.pdf
4. Review of Youth Policies and Youth Work http://youth-partnership-eu.coe.int/youth-partnership/documents/EECA/Reviews_on_youth_policies_SEE_EECA_Armenia_2011.pdf
5. Council of Violence Against Children "Violating Children's Rights: Harmful Practices Based On Tradition, Culture, Religion Or Superstition " http://www.crin.org/docs/InCo_Report_15Oct.pdf

Reports and studies of local NGOs

1. Collaboration for Democracy. Religious Tolerance in Armenia <http://www.religions.am/files/1577/english/library/Religious-tolerance-in-Armenia.pdf>
2. Armenian Helsinki Committee study "Freedom of Religion in Armenia", 2010 http://armhels.com/wp-content/uploads/2012/06/344eng-Freedom_of_Religion_in_Armenia.pdf
3. Collaboration for Democracy. Issues of religious education at public schools of the Republic of Armenia. <http://www.religions.am/eng/articles/issues-of-religious-education-at-public-schools-of-the-republic-of-armenia/>
4. Eurasia Partnership Foundation. Occasional Brief of Issues of Religious Tolerance. http://www.epfound.am/files/tolerance_in_armenia_occasional_policy_brief.pdf
5. Eurasia Partnership Foundation. Religious tolerance in Armenia, 2012 report (not published)
6. Yerevan Press Club media monitoring 2012 (not published)

Relevant Documentation on Implementation of International Conventions

1. Council of Europe Advisory Committee on the on the Framework Convention for the Protection of National Minorities Third Opinion on Armenia http://gov.am/u_files/file/kron/PDF_3rd_OP_Armenia_en.pdf
2. Council of Europe ECRI Report on Armenia (published 2011) http://gov.am/u_files/file/kron/ARM-CBC-IV-2011-001-ENG.pdf
3. UN Human Rights Committee. Concluding Observations on Armenia (2012) CCPR/C/ARM/CO/2 http://www2.ohchr.org/english/bodies/hrc/docs/co/CCPR.C.ARM.CO.2-3_AV.doc
4. UN Committee on the Elimination of Racial Discrimination. Concluding observations of the Committee on the Elimination of Racial Discrimination, 2011 CERD/ARM/CO/5-6
5. Committee on the Rights of the Child Sixty-third session Summary record of the 1790th meeting, May, 2013 CRC/C/CR.1790
6. UN Committee on the Rights of the Child. Concluding observations on the combined third and fourth periodic reports of Armenia, adopted by the Committee at its sixty-third session (27 May – 14 June 2013) <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/451/56/PDF/G1345156.pdf?OpenElement>
7. UN Committee on the Rights of the Child: Concluding Observations: Armenia, Feb 2000 <http://www.refworld.org/publisher,CRC,CONCOBSERVATIONS,ARM,3ae6afc510,0.html>
8. Government of Armenia "Third Report Submitted by Armenia Pursuant To Article 25, Paragraph 1 of The Framework Convention for the Protection of National Minorities", 2009 http://gov.am/u_files/file/kron/PDF_3rd_SR_Armenia_en.pdf
9. Implementation of the Convention on the Rights of the Child. Written replies of Armenia <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/437/36/PDF/G1343736.pdf?OpenElement>
10. Observations of the Human Rights Defender of the Republic of Armenia On Implementation by the Authorities of the Republic of Armenia of the Interim Follow-up Recommendations based on the ECRI Report on Armenia (4th monitoring cycle) http://www.ombuds.am/en/pages/downloadPdf/file_id/1818
11. Comments of the Government of Armenia on the Third Opinion of the advisory committee on the implementation of the Framework Convention for the Protection of National Minorities by Armenia, 2011 http://gov.am/u_files/file/kron/PDF_3rd_Com_Armenia_en.pdf

Relevant International Documents

1. The Universal Declaration of Human Rights (adopted by the UN General Assembly in 1948)
2. Convention for the Protection of Human Rights and Fundamental Freedoms (1950)
International Covenant on Civil and Political Rights (1966)
3. UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (adopted by the UN General Assembly in 1981)
4. Resolution 36/55 at the 1981
5. UN General Assembly Convention on the Rights of the Child (1989)
6. PACE Opinion No. 221(2000)
7. Recommendation 1518 (2001) on the exercise of the right of conscientious objection to military service in CoE member states (adopted by the Standing Committee on behalf of PACE)
8. Parliamentary Assembly of the Council of Europe, Honouring of obligations and commitments by Armenia, Resolution 1361 (2004), 27 January 2004
9. Parliamentary Assembly of the Council of Europe, Honouring of obligations and commitments by Armenia, Resolution 1532 (2007), 23 January 2007
10. OSCE Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools <http://www.osce.org/odihr/29154>

Media reports:

1. Institute for War and Peace Reporting (IWPR): Religious Teaching in Armenia Criticised <http://iwpr.net/report-news/religious-teaching-armenia-criticised>
2. Armenia Now. Married to Tradition: Armenia's Yezidi at odds over government amendment on matrimony http://armenianow.com/society/features/39793/yezidi_armenia_marriage_law_aziz_tamoyan
3. IWPR, Armenian Religious Minorities Complain of Discrimination, <http://www.unhcr.org/refworld/docid/499a6f200.html>
4. Institute for War and Peace Reporting, Armenia's Yezidis Bemoan Lowly Status <http://www.unhcr.org/refworld/docid/4a94e31fc.html>
5. Liana Sayadyan, The Overall State of Media Coverage of Discrimination Issues in Armenia, September 2009 www.aej.org/articlefiles/discrimination-eng.doc

The legislation on religious freedom, and the situation of religious minority groups in Armenia were the subject of attention and recommendations of the Council of Europe Venice Commission, and European Commission against Intolerance and Discrimination. At the same time, the protection of children's rights is one of the priority topics identified by the Council of Europe and the Armenian authorities in the Council of Europe Action Plan for Armenia.

Therefore, the Council of Europe, with the support of the Embassy of the Kingdom of the Netherlands to Georgia and Armenia, initiated a project focusing on the rights of children and youth belonging to religious minority groups. The project was set up to combat intolerance towards religious minorities, including its online dimension; a better understanding of the problems faced by children and youth from those groups was essential.

This report provides a review of existing studies in relation to problems and specific issues affecting children and youth belonging to minority groups (ethnic and religious), including intolerance and discrimination directed towards them, and its possible impact on their well-being and daily life. Within the scope of this study, throughout the process of desk research, three specific areas where violations of child rights of the youngsters from the minority families are the most visible were identified. The cover; stigma and social exclusion, discrimination in the sphere of education and early marriages. The report provides suggestions for further research and response by relevant government bodies.



Kingdom of the Netherlands

With the support of the Embassy of the Kingdom of the Netherlands to Armenia

ENG

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It includes 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

<http://book.coe.int>
www.coe.int/youth

