



# Armenia

## Ratified the European Convention on Human Rights in 2002

### National Judge: Armen Harutyunyan

Previous judge: Alvina Gyulumyan (2003-2014)

[Judges' CVs](#) are available on the ECHR Internet site

[List of judges of the Court since 1959](#)

The Court dealt with 121 applications concerning Armenia in 2017, of which 109 were declared inadmissible or struck out. It delivered 12 judgments (concerning 12 applications), 11 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2016	2017	2018**
Applications allocated to a judicial formation	753	356	103
Communicated to the Government	41	44	21
Applications decided:	149	121	43
- Declared inadmissible or struck out (Single Judge)	127	102	34
- Declared inadmissible or struck out (Committee)	6	7	3
- Declared inadmissible or struck out (Chamber)	0	0	0
- Decided by judgment	16	12	6

\*\* January to July 2018

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#)

Les statistiques concernant les mesures provisoires sont disponibles [ici](#).

Applications pending before the Court on 01/07/2018	
Total pending applications*	1897
Applications pending before a judicial formation:	1877
Single Judge	66
Committee (3 Judges)	109
Chamber (7 Judges)	1702
Grand Chamber (17 Judges)	0

\*including applications for which completed application forms have not yet been received

## Armenia and ...

### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently 668 Registry staff members.

## Noteworthy cases, judgments delivered

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### Grand Chamber

#### [Chiragov and Others v. Armenia](#)

16.06.2015 (on the merits) 12.12.2017 (on the just satisfaction)<sup>1</sup>

The case concerned the complaints by six Azerbaijani refugees that they were unable to return to their homes and property in the district of Lachin, in Azerbaijan, from where they had been forced to flee in 1992 during the Armenian-Azerbaijani conflict over Nagorno-Karabakh.

[Continuing violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

[Continuing violation of Article 8 \(right to respect for private and family life\)](#)

[Continuing violation of Article 13 \(right to an effective remedy\)](#)

In the applicants' case, the Court confirmed that Armenia exercised effective control over Nagorno-Karabakh and the surrounding territories and thus had jurisdiction over the district of Lachin.

[There are currently more than one thousand individual applications pending before the Court which were lodged by persons displaced during the Nagorno-Karabakh conflict.](#)

#### [Bayatyan v. Armenia](#)

07.07 2011

The case concerned the conviction of the applicant, a Jehovah's Witness, for his refusal to serve in the army on conscientious grounds.

[Violation of Article 9 \(freedom of thought, conscience and religion\)](#)

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<sup>1</sup> The Court held that the Armenian Government had to pay 5,000 euros in respect of pecuniary and non-pecuniary damage to each of the applicants and a total amount of 28,642.87 pounds sterling for costs and expenses (see [press release](#)).

### Chamber

#### **Right to life cases (Article 2)**

##### [Muradyan v. Armenia](#)

24.11.2016

Death of a military conscript, Suren Muradyan, based in the (unrecognised) Nagorno Karabakh Republic. His father, the applicant in the case, alleged that he had died following ill-treatment by his superiors.

[Violation of Article 2 \(right to life\) as concerned both the death of Suren Muradyan as well as the related investigation](#)

#### **Case dealing with prohibition of torture (Article 3)**

##### [Mushegh Saghatelyan v. Armenia](#)

20.09.2018

The case concerned an opposition activist's allegation of a politically motivated crackdown on 1 March 2008 following a wide-scale protest against the presidential elections. He complained in particular that he had been ill-treated by the police, that his arrest had been unlawful and that the entire criminal case then brought against him had been fabricated. He had eventually been convicted for assaulting two police officers and illegally carrying a knife.

[Two violations of Article 3 and others violations of the Convention](#)

##### [Zalyan and Others v. Armenia](#)

17.03.2016

The case concerned the complaint by three former servicemen that they had been subjected to torture while performing their military service, being suspected of having murdered two other servicemen. One of the applicants also complained that he had been unlawfully deprived of his liberty.

[No violation of Article 3 \(prohibition of torture and of inhuman or degrading treatment\) as regards the applicants' alleged torture](#)

[Violation of Article 3 on account of the lack of an effective investigation into their complaints of having been subjected to torture](#)

[Violation of Article 5 §§ 1, 2 and 3 \(right to liberty and security\) in respect of one of the applicants, Mr Zalyan](#)

**[Virabyan v. Armenia \(no. 40094/05\)](#)**

02.10.2012

The case concerned the torture of an opposition activist in police custody in April 2004. He had in particular been repeatedly kicked and punched in the groin during his custody and, as a result, his left testicle had to be removed.

Two violations of Article 3 (prohibition of torture and lack of an effective investigation)  
Violation of Article 6 § 2 (presumption of innocence)

No violation of Article 14 (prohibition of discrimination) in conjunction with Article 3

Violation of Article 14 in conjunction with Article 3

This is the first case in which the Court found a violation by Armenia of Article 3 on account of an applicant having been tortured. The Court also criticised the Armenian authorities for failing to conduct an effective investigation into Mr Virabyan's allegations that his ill-treatment had been politically motivated.

**Cases dealing with Article 6**

Right to a fair hearing

**[Galstyan v. Armenia](#)**

15.11.2007

The case concerned the conduct of administrative proceedings and the imposition of administrative penalties (usually detention) for participation in demonstrations or other minor offences.

Violation of Article 6 § 3 (b)

Violation of Article 11 (freedom of assembly and association)

Violation of Article 2 of Protocol No. 7 (right of appeal in criminal matters)

**[Harutyunyan v. Armenia](#)**

28.06.2007

The domestic courts convicted the applicant relying on his and other witnesses' testimony obtained under torture.

Violation of Article 6 § 1

Right to obtain attendance and examination of witnesses

**[Dadayan v. Armenia](#)**

06.09.2018

The case concerned criminal proceedings brought against an Armenian national, Garik Dadayan, for aiding and abetting the

smuggling of enriched uranium into Georgia. The two smugglers were prosecuted and convicted in Georgia, while Mr Dadayan was prosecuted and convicted in Armenia, essentially on the basis of the smugglers' witness statements to the Georgian authorities.

Violation of Article 6 §§ 1 and 3 (d)

**[Chap Ltd v. Armenia](#)**

04.05.2017

The case concerned tax evasion proceedings brought against a regional television broadcasting company. The company notably alleged that they had not been able to examine witnesses whose evidence had been used against it in the proceedings. The witnesses were the head of the National Television and Radio Commission and a number of businessmen.

Violation of Article 6 § 1 read in conjunction with Article 6 § 3 (d)

Presumption of innocence

**[Virabyan v. Armenia \(no. 40094/05\)](#)**

02.10.2012

See case dealing with Article 3

**Case regarding Article 9  
(freedom of thought, conscience and religion)**

**[Adyan and Others v. Armenia](#)**

12.10.2017

The case concerned four Jehovah's Witnesses who were convicted in 2011 for refusing to perform either military or alternative civilian service because of their religious beliefs. Before both the local authorities and the courts, they argued that, even though domestic law did provide for an alternative to military service, it was not of a genuinely civilian nature, as it was supervised by the military authorities. They were released from prison in 2013 following a general amnesty. They served more than two years of their prison sentence.

Violation of Article 9

**Freedom of expression case (Article 10)**

**[Karapetyan and Others v. Armenia](#)**

17.11.2016

The case concerned the dismissal of four high-ranking civil servants in the Armenian Ministry of Foreign Affairs, after they had

issued a public statement criticising the Government in the aftermath of the Armenian presidential election of February 2008.

**[Meltex Ltd and Mesrop Movsesyan v. Armenia](#)**

17.06.2008

The independent broadcasting company Meltex Ltd was repeatedly refused broadcasting licences by the National Television and Radio Commission, without reasons.

[Violation of Article 10](#)

**Freedom of assembly and association  
(Article 11)**

**[Mushegh Saghatelyan v. Armenia](#)**

20.09.2018

The case concerned an opposition activist's allegation of a politically motivated crackdown on 1 March 2008 following a

wide-scale protest against the presidential elections. He complained in particular that he had been ill-treated by the police, that his arrest had been unlawful and that the entire criminal case then brought against him had been fabricated. He had eventually been convicted for assaulting two police officers and illegally carrying a knife.

[Violation of Article 11 and others violations of the Convention](#)

**Cases on the protection of property  
(Article 1 of Protocol No. 1)**

**[Osmanyanyan and Amiraghyan v. Armenia](#)**

11.10.2018

The case concerned the expropriation of the applicants' land for mining.

[Violation of Article 1 of Protocol No. 1](#)

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