



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 413 applications concerning Armenia in 2019, of which 372 were declared inadmissible or struck out. It delivered 20 judgments (concerning 41 applications), 18 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2018	2019	2020*
Applications allocated to a judicial formation	167	148	54
Communicated to the Government	49	63	14
Applications decided:	88	413	95
- Declared inadmissible or struck out (Single Judge)	65	355	85
- Declared inadmissible or struck out (Committee)	7	16	3
- Declared inadmissible or struck out (Chamber)	0	1	2
- Decided by judgment	16	41	5

* January to July 2020

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#). Statistics on interim measures can be found [here](#).

Applications pending before the Court on 03/07/2020	
Total pending applications*	1608
Applications pending before a judicial formation:	1590
Single Judge	49
Committee (3 Judges)	268
Chamber (7 Judges)	1273
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 **626** Registry staff members.

Noteworthy cases, judgments delivered

Grand Chamber

[Advisory opinion requested by Armenia](#)

29.05.2020

The case concerned the interpretation of an article of the Armenian Penal Code making it a criminal offence to overthrow the constitutional order and its application under Article 7 (no punishment without law) of the Convention, in the context of proceedings against the former President Robert Kocharyan.

[Link to advisory opinion](#)

[Chiragov and Others v. Armenia](#)

16.06.2015 (on the merits) 12.12.2017 (on the just satisfaction)¹

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 \(freedom of thought, conscience and religion\)](#)

Chamber

Right to life case (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](#)

Cases 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](#)

¹ 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](#)).

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 trial

Makeyan and Others v. Armenia

05.12.2019

The case concerned the applicants' conviction for obstructing the work of an electoral commission at a polling station during the 2008 presidential elections.

No violation of Article 6 § 1

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)

Right of access to court

Nikolyan v. Armenia

03.10.2019

The case concerned an applicant who was declared legally incapable in 2013, following proceedings brought by his wife and son.

Violation of Article 6 § 1

Presumption of innocence

Virabyan v. Armenia (no. 40094/05)

02.10.2012

See case dealing with Article 3

Right to respect for private and family life (Article 8)

[Hambardzumyan v. Armenia](#)

05.12.2019

The case concerned the applicant's complaint that the police had not had a valid court warrant to place her under secret surveillance during a criminal investigation.

[Violation of Article 8](#)

[No violation of Article 6 \(right to a fair trial\)](#)

[Nikolyan v. Armenia](#)

03.10.2019

The case concerned an applicant who was declared legally incapable in 2013, following proceedings brought by his wife and son.

[Violation of Article 8](#)

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 cases (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)

[Ter-Petrosyan v. Armenia](#)

25.04.2019

The case concerned the applicant's complaint about the dispersal of a protest rally on 1 March 2008, the lack of an effective remedy and his alleged placement under house arrest.

[Violation of Article 11](#)

[Violation of Article 13 \(right to an effective remedy\) in conjunction with Article 11](#)

The Court rejected the complaints under Article 5 § 1 (right to liberty and security) and Article 2 of Protocol No. 4 (freedom of movement) as manifestly ill-founded.

[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](#)

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

[Osmanyanyan and Amiraghyanyan v. Armenia](#)

11.10.2018

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

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

Noteworthy pending cases

Interstate cases

Armenia v. Azerbaijan (no. 42521/20)

The case concerns the conflict in Nagorno-Karabakh. See press releases of [28.09.2020](#) and [30.09.2020](#).

Armenia v. Turkey (no. 43517/20)

The case concerns the conflict in Nagorno-Karabakh. See press release of [06.10.2020](#).

Shirkhanyan v. Armenia (no. 54547/16)

Case [communicated](#) to the Government in June 2017

The applicant is a former deputy Minister of Defence who was placed in pre-trial detention at the end of 2016. The applicant was released on bail in June 2018 following the change of power which took place in Armenia in the months of April-May 2018. It appears that his trial is still pending.

Relying on Article 3 (prohibition of inhuman or degrading treatment), the applicant complains about his conditions of detention and the lack of requisite medical and other care in detention.

Relying on Article 5 § 3 (right to liberty and security), the applicant complains that the courts failed to provide relevant and sufficient reasons for his detention.

Relying on Article 34 (individual application) of the Convention, the applicant complains that he was denied the possibility to have

confidential meetings with his representative in the proceedings before the Court.

Botoyan v. Armenia (no. 5766/17)

Case [communicated](#) to the Government in June 2017

The case concerns the applicant's allegation of medical malpractice.

Ms Botoyan complains in particular under Article 8 of the Convention that she was not provided with sufficient information concerning the intended medical intervention and adequate medical assistance in the hospital after she had fractured a bone in her left leg in a fall. As a result, her health was seriously damaged and she became disabled.

Baghdasaryan and Antonyan v. Armenia (no. 15964/11), Farmanyan v. Armenia (no. 15998/11), Hovhannisyan v. Armenia (no. 16015/11), Harutyunyan v. Armenia (no. 16024/11), Vardumyan v. Armenia (no. 16030/11), Khachatryan and Hovhannisyan v. Armenia (no. 16035/11), Minasyan v. Armenia (no. 16046/11), Harutyunyan v. Armenia (no. 16055/11), and Kloyan and Others v. Armenia (no. 16060/11)

Cases [communicated](#) to the Government in September 2015

These cases concern the deaths of demonstrators which occurred during the 1-2 March 2008 rallies in Armenia.

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