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تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية والاجتماعية والثقافية، بما في ذلك الحق في التنمية

الزيارة إلى أرمينيا

تقرير المقرر الخاص المعني بالحق في حرية التجمع السلمي والحق في حرية تكوين الجمعيات* **

موجز

في الفترة من ٧ إلى ١٦ تشرين الثاني/نوفمبر ٢٠١٨، أجرى المقرر الخاص المعني بالحق في حرية التجمع السلمي وبالحق في حرية تكوين الجمعيات زيارة رسمية إلى أرمينيا بغرض تقييم حالة الحق في حرية التجمع السلمي والحق في حرية تكوين الجمعيات في البلد، عملاً بقراري مجلس حقوق الإنسان ٢١/١٥ و٣٢/٣٢.

وفي الفرعين الثالث والرابع من التقرير، بعد الفرعين التمهيديين، يشير المقرر الخاص إلى عدد من التحديات والممارسات الجيدة في القانون والممارسة تتعلق بممارسة الحقين المشمولين بولايته. بينما يتناول في الفرع الخامس من التقرير أهمية ضمان الحق في تكوين الجمعيات والتجمع السلمي في إطار تحول ديمقراطي.

وختم المقرر الخاص تقريره بإدراج استنتاجات وتوصيات في الفرع السادس منه.

* يعمَّم موجز التقرير بجميع اللغات الرسمية. أما التقرير نفسه، المرفق بهذا الموجز، فيُعمَّم باللغة التي قُدّم بها فقط.

** اتُّفق على نشر هذا التقرير بعد تاريخ النشر المعتاد لظروفٍ خارجة عن سيطرة مقدِّمه.

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الرجاء إعادة الاستعمال

Annex

Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association on his visit to Armenia

I. Introduction

1. The Special Rapporteur on the rights to freedom of peaceful assembly and of association visited Armenia from 7 to 16 November 2018 at the invitation of the Government. The purpose of the visit was to assess the exercise, promotion and protection of the rights under his mandate in a moment of democratic transition following the Velvet Revolution that took place between April and May 2018.

2. The Special Rapporteur views the invitation that was extended to him as testimony of the State's willingness to engage in a frank, constructive and open dialogue on the human rights situation in the country. He therefore presents his findings and recommendations in a spirit of shared endeavour and commitment, supporting the efforts Armenia is making towards the realization of the rights to freedom of peaceful assembly and of association.

3. The Special Rapporteur thanks the Government for its cooperation before and during the conduct of the mission and commends Armenia for agreeing to a country visit in a moment of democratic transition. He had constructive talks with high-ranking government officials and members of the parliament and of the judicial branches. He also held meetings with representatives of the Office of the Human Rights Defender, international organizations and the diplomatic corps.

4. In addition to holding meetings in Yerevan, the Special Rapporteur travelled to Vayk in the south of the country, where he met with the Governor of the Vayots Dzor province, and to Vanadzor and Gyumri and met the Governors of the Lori and Shirak provinces in the north of the country. He also had the opportunity to hold meetings with a wide range of civil society representatives, activists working on women's rights, minority and environmental issues, lawyers and researchers and representatives of trade unions.

5. The Special Rapporteur expresses his appreciation to the United Nations Resident Coordinator, the country team and to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Armenia for their excellent and invaluable support during the preparation and conduct of the visit. He is grateful for the engagement of all the interlocutors despite a very busy pre-electoral period.

6. The Special Rapporteur believes that the effective enjoyment of the rights to freedom of peaceful assembly and of association is of particular importance in Armenia, especially considering the recent political changes. He believes that his visit was also timely in view of a series of recent reforms and the parliamentary elections held in December 2018. In his view, the country is at a critical juncture where it can take further steps to improve on its human rights record and build a sustainable democracy and rule of law.

7. The Special Rapporteur took into consideration the views of the authorities and the recent history of the country when drafting the present report. He also conducted his work guided by several international legal provisions and standards, including the International Covenant on Civil and Political Rights, in particular articles 21 and 22; the International Covenant on Economic, Social and Cultural Rights; the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms and other related resolutions and guidelines.

II. Economic, political and social background and legal context

A. Background

8. Armenia is a landlocked country in the Caucasus region neighbouring Georgia, to the north and the Islamic Republic of Iran to the south. The borders are closed to the east with Azerbaijan and to the west with Turkey.

9. Following it gaining its independence in 1991 from the former Soviet Union, Armenia had to face numerous issues requiring prompt solutions, such as economic recovery, political stability and swift large-scale emigration from the country.

10. Those factors pushed the authorities to begin significant economic reforms, ranging from land privatization to an expansion of the private sector, which now accounts for more than 80 per cent of gross domestic product (GDP), rating Armenia as having one of the most open economies in the region.[1]

11. In 2000, economic growth slowed, partly due to the weaker performance of the country's main trading partners and because of the slowdown in countries that are sources of remittances.[2]

12. In addition, during the last decade the Armenian economy and society underwent two economic shocks: the global financial crisis in 2008–2009, and the financial crisis of 2014–2015 in Russia, a major trade and economic partner. The decline in GDP in 2009 was especially severe (14.1 per cent) and was one of the deepest declines in the region.[3]

13. The incipient recovery of global commodity prices since 2010 has lifted the extractive industries sector and raised private consumption, which could facilitate the renewed growth of other sectors. Prudent monetary and economic policies have allowed the country to recover in a relatively short period.

14. During the first half of 2017, the Armenian economy showed renewed strength, as real GDP grew by 6 per cent more than in the same period in 2016, driven by industry, services and the retail trade. Growth and poverty reduction prospects over the medium term are positive but are subject to significant uncertainties.[4]

15. Although poverty reduction has been notable over the past few decades, a large proportion of the population remains vulnerable. Persistent geographic disparities require deep understanding of the root causes of poverty and possible solutions, particularly bearing in mind that the economy is still heavily reliant on mineral resources and the agriculture sector.[5]

16. In Armenia, there is little or no record of ethnic divisions or discrimination facing non-Armenian minorities such as Yazidi, Russians, Assyrians, Kurds and Jews. However, it should be noted that ethnic minorities have limited representation in the Government. More recently, and following recent constitutional reforms, four representatives of the main ethnic minorities have been elected to the National Assembly under special legal quotas.

17. A semi-presidential system was formally established in 2005, based on an amendment made to the 1995 Constitution, which included the formal strengthening of the rule of law, human rights and institutional oversight.

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[1] See Bertelsmann Stiftung, "BTI 2018 country report: Armenia".

[2] See United Nations Development Programme, "Rapid integrated policy assessment in Armenia" (2017).

[3] See "SDG implementation voluntary national review (VNR) Armenia" (2018).

[4] See World Bank, Armenia country economic update "A window of opportunity to tackle challenging reforms" (Fall/Winter 2017–2018).

[5] Ibid.

18. In 2015, a new constitutional referendum was held, marking the country's transition from a semi-presidential to a parliamentary republic with legislative powers vested in a unicameral parliament.

19. The recent change to a new political system and major political reforms raised expectations of achieving higher levels of governance and transparency, opened more room for checks and balances and encouraged a more participatory and balanced policymaking process.[6]

20. However, over the years, the monopolization of power, the "oligarchization" of the economy, weak State regulatory institutions, distrust of the judiciary, growing poverty, socioeconomic discontent and, in some instances, the brutal repression of dissenting voices have limited the possibility of achieving sustainable political and socioeconomic development.

21. That in turn, has fuelled social discontent and left no meaningful space for dialogue, resulting in a series of anti-government protests motivated by different political, economic and social factors. In April and May 2018, massive protests throughout the country resulted in what became known as the Velvet Revolution and led to the election of Nikol Pashinyan as Prime Minister, marking an unprecedented change in the country's contemporary history.

B. Normative and institutional framework

22. Armenia joined the United Nations in 1992 and has become a party to all the international human rights treaties, with the exception of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (signed on 26 September 2013) and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. It has ratified Protocol No. 6 to the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms concerning the abolition of the death penalty. Armenia has accepted the complaints procedures under the Optional Protocol to the International Covenant on Civil and Political Rights, its first Optional Protocol and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Its accession to all complaints procedures under the international human rights treaties system would allow victims to access remedies and promote accountability for the respect, protection and fulfilment of the right to peaceful assembly and of association.

23. In May 2006, Armenia issued a standing invitation to the special procedures mandate holders. It has ratified the International Labour Organization (ILO) Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

24. Armenia was reviewed under the universal periodic review in 2010 and 2015 and will be reviewed again in May 2020. During the 2015 review, the efforts made to improve governance were acknowledged. The concerns raised included the need to maintain an environment that fosters freedom of expression, including respect for the independence of civil society organizations and the right to assemble. Other recommendations referred to the law on non-governmental organizations (NGOs), the media and amendments to the Civil and Penal Codes in order to ensure that legislation was in line with international standards, in particular with regard to the right to freedom of association (A/HRC/29/11, paras. 120.141–120.59).

25. Armenia has a civil law system based on the 2015 Constitution, the supreme law of the State. The Constitution contains legal safeguards for the protection of human rights and fundamental freedoms. Article 5 of the Constitution stipulates that the norms of international treaties will apply in cases where there are contradictions between them and the norms of national laws.

[6] Ibid.

26. Chapter 2 of the Constitution, dealing with fundamental rights and freedoms of human beings and citizens, covers the rights to freedom of peaceful assembly and of association.

27. Article 44 guarantees the rights to freedom of peaceful assembly, stating that everyone has the right to freely organize and participate in peaceful and unarmed assemblies. Following the constitutional reforms, article 44 also includes provisions on notification, which should be prior and given within a reasonable period, and on outdoor assemblies. No notification is required for spontaneous assemblies. The law may prescribe restrictions on the exercise of this right for judges, prosecutors, investigators, servicemen of the armed forces, national security authorities, the police and other militarized bodies. Those limitations may be applied by law with the aim of protecting State security, preventing crimes, protecting public order, health and morals, or the fundamental rights and freedoms of others. Finally, article 44 provides that the conditions and procedures for exercising and protecting the freedom of assembly shall be stipulated by law.

28. In terms of the right to association, article 45 of the Constitution explicitly recognizes the right of everyone to freedom of association with others, including the right to form and join trade unions for the protection of labour interests, but no one is to be compelled to join any private association. Paragraph 2 of article 45 states that the creation and operation of associations shall be stipulated by law and paragraph 3 refers to the restrictions to the right to association that should be made only by law with the aim of protecting State security, the public order, health and morals, or the fundamental rights and freedoms of others. It also stipulates that the activities of associations can only be suspended or prohibited by a court in the manner stipulated by the law.

29. At the time of the visit, the rights to peaceful assembly and of association were governed by the law on freedom of assembly, adopted in 2011; the Civil Code; the law on NGOs, adopted in 2016; the law on the State registration of legal entities; the State record-registration of separated subdivisions of legal entities, institutions and individual entrepreneurs; the law on foundations and the law on charity; the government resolution on humanitarian assistance and charity programmes; the law on trade unions; the Criminal Code; the Code on Administrative Offences; the Election Code and the Labour Code.

30. An important independent actor in the institutional framework is the Human Rights Defender, who has a mandate to protect human rights and fundamental freedoms if they are violated by central and local government agencies or their officials, pursuant to the principles and norms of international law.

31. The Office of the Human Rights Defender of Armenia was established in 2004 by the law on the human rights defender. It has A status, which indicates compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and is active on issues related to the right to freedom of peaceful assembly and of association.

III. The exercise of the right to freedom of peaceful assembly

A. Legal framework

32. The right to freedom of peaceful assembly is a constitutional right regulated by the law on freedom of assemblies adopted on 14 April 2011.

33. Peaceful assemblies can be held without requiring prior authorization and the law differentiates between assemblies that require notification from those that do not. The latter case would be when spontaneous and urgent assemblies are held or when participants do not exceed 100 persons.

34. The notification procedure is clearly determined in law. Article 11 of the law on freedom of assemblies provides that the head of the community (the “authorized body”) is the body which considers notifications and makes decisions. Upon the decision of the authorized body, a notification can be considered and a decision can be made by its

authorized person. Once a notification is registered, it is sent to the police and the Ministry of Culture is notified if the assembly is planned to be conducted at or in the immediate vicinity of immovable historical monuments. Article 13 of the law on freedom of assemblies, provides that the notification can be submitted in written form, in person or by post.

35. The law on freedom of assemblies provides that, regardless of the type of assembly, it is incumbent on the police to provide security and enable demonstrations to be held, as long as they are peaceful. However, article 32 of the law provides that if the assembly is held in violation of the notification requirements envisaged in chapter 2 of the law, then the police should use a loudspeaker to inform the persons present that the assembly is illegal and that participants are subject to liability as defined by the law.

36. Article 18 of the law sets out the grounds for applying restrictions to an assembly and stipulates that holding counter-assemblies is not a ground for imposing limitations on the first assembly, unless there is an imminent danger of a clash between participants.

37. Article 19 of the law prohibits an assembly if its purpose is to forcibly overthrow the constitutional order, incite ethnic, racial or religious hatred, or advocate violence or war; or if it is to be conducted at such a distance from a number of listed facilities, including the residence of the President of the Republic, the seats of the National Assembly and the Government or the courts or correctional facilities, as to threaten their activities. The Special Rapporteur is concerned that this provision could amount to a blanket application of legal restrictions by prohibiting demonstrations in certain locations. In that regard, he emphasizes that blanket bans are intrinsically disproportionate, because they preclude consideration of the specific circumstances of each proposed assembly (A/HRC/31/66, para. 30).

38. In the case of spontaneous or urgent assembly, article 27 of the law requires the organizer of the assembly to inform the police in charge of the area concerned. For urgent assemblies, the organizer should inform the authorizing entity and the police prior to taking steps to organize an assembly.

39. The law provides that decisions of the authorizing entity can be appealed to the administrative court within three days of a decision to apply restrictions or prohibit an assembly, or within 24 hours if the decision is made not later than seven days prior to the planned assembly. The appeals are accepted on the same day and are examined by the court within two calendar days.

40. The Special Rapporteur became aware that in 2017, the Ministry of Justice had presented a new draft law to amend the current law on freedom of assemblies, reportedly to bring it into compliance with the 2015 constitutional reforms. He also became aware that the draft presented numerous restrictive provisions that gave rise to concern. The Special Rapporteur took note that, in accordance with the regulations of the *e-draft.am* platform, the draft law was still accessible to the public on the platform and that all drafts uploaded onto the platform remained accessible regardless of whether they had been adopted or not.[7]

41. The Special Rapporteur is also aware that in addition to this initiative, in 2018 some members of the National Assembly presented to the parliament a new draft law on amendments to the law on freedom of assembly, which envisages restrictions on the conduct of assemblies at a certain distance from religious locations.

42. The Special Rapporteur considers that neither of the drafts contribute to strengthening the current legal framework and notes that, according to the information received from the Government, they have been removed from the government agenda.

43. Overall, the Special Rapporteur notes that the law on freedom of assemblies is in accordance with international human rights standards, however he notes that its application can present some challenges.

[7] See www.e-draft.am/projects/106/about.

B. Challenges and good practices

1. Management of assemblies

44. The proper management of assemblies requires the protection and enjoyment of a broad range of rights by all the parties involved. Those who take part in assemblies have a number of protected rights, including the rights to freedom of peaceful assembly, expression, association and belief; participation in the conduct of public affairs; bodily integrity, which includes the rights to security, to be free from cruel, inhuman or degrading treatment or punishment, and to life; dignity; privacy; and an effective remedy for all human rights violations (A/HRC/31/66, para. 8).

45. The powers of the police to impose restrictions on assemblies, including spontaneous and urgent assemblies, is governed by the law on assemblies and the law on the police of 2001. Government decree No. 151-N of 11.01.2007 "on approving the procedure for police patrol service" and other normative and departmental acts, provide legal grounds for law enforcement action.

46. The Special Rapporteur agrees that over time, the action of law enforcement officials has improved in the management of assemblies throughout the country and that during the massive demonstrations in April and May 2018, a good level of dialogue and negotiations between the police and the organizers or participants were observed.

47. In that regard, the Special Rapporteur notes that a course entitled "Clarifications on the law on freedom of assembly and the powers of the police during assemblies" is taught at the professional development department of the Police. He was also informed that the management of assemblies is a programme that is regularly offered by the legal department of the police academy to middle-level and senior groups of police officers, community police and other officials. In addition, lectures, seminars, group discussions and analyses of case scenarios related to the right to freedom of assembly are also offered, with the aim of developing negotiation and persuasion skills and thereby limiting the use of physical force, "special means" and firearms.

48. According to the law on the police, special means are part of the police gear used in case officials need to use coercive measures against those engaged in assemblies when a certain level of violence is perceived. They include rubber truncheons, cartridges with rubber bullets, diversionary flash and acoustic means, means to dismantle barriers and to forcibly stop people and vehicles, electroshock weapons, triggered spark dischargers, service dogs, water cannons and armoured vehicles, which are used under the criteria established by order No. 09-N of 20 April 2012 of the Minister of Health.

49. The Special Rapporteur was informed that in some instances, the police limited the exercise of this right, putting an end to peaceful demonstrations without reasonable cause by forcibly taking participants to police stations or by dispersing them or their leaders using disproportionate force. In addition, he received allegations of a disproportionate police presence at some assemblies and the presence of plain-clothes police officers during peaceful gatherings.

50. For instance, during the 2015 protests against higher electricity bills, known as the Electric Yerevan Movement, the Special Rapporteur learned that the police used water cannon and beat protesters with truncheons and shields or suffocated them by using their arms. He also learned that they forcibly arrested over 200 protesters and assaulted over a dozen journalists who were present at the site and destroyed their equipment, including cameras and mobile phones.

51. The Special Rapporteur also heard allegations of unprecedented and disproportionate use of force during the assemblies held in July 2016. The police reportedly used flash grenades and acoustic flash grenades against the protesters, reporters, and individuals who were not participants but passers-by and residents of nearby buildings. As a result of the violence and clashes and the application of special means during the assemblies, in particular in the Sari Tagh neighbourhood, 72 individuals, including police officers and children, sought medical assistance in health-care facilities.

52. According to the ad hoc public report of the Human Rights Defender on the events of July 2016, the existing legislation did not sufficiently regulate the procedures for using special means.

53. From the discussions he held, the Special Rapporteur was concerned to hear that the lack of adequate and legitimate use of special means presented serious concerns regarding the principles of lawfulness, necessity and proportionality.

54. Another issue of great concern is the use of detention during and after assemblies without adequate procedural safeguards and in certain occasions on a mass scale. The Special Rapporteur was alarmed to learn that in previous years, as a result of taking part in some demonstrations, a considerable number of peaceful protesters had been arbitrarily detained and transferred to different detention facilities without access to legal defence or medical assistance.

55. The Special Rapporteur is particularly concerned that in response to allegations of abuse or violations of the right to freedom of peaceful assembly that have been made over the past 10 years, very few cases have resulted in holding law enforcement officials accountable and punishable for criminal acts. Moreover, it has been stressed that investigations are usually slow and proceedings are often terminated without any results or sanctions.

56. For instance, the Special Rapporteur was appalled to learn that a criminal case from July 2016 relating to the obstruction of the professional activities of journalists during the protests was recently suspended. In addition, he was informed that the investigations of over 50 criminal cases of police violence and abuse of power during the protests of April 2018 have not progressed.

57. To ensure accountability, the Special Rapporteur is of the strong view that there is a need for profound judicial reform to strengthen the judicial authorities, including the ability and capacity of the Special Investigations Service to investigate, prosecute and sanction violations of human rights, including those restricting the exercise of the right to peaceful assembly.

58. Similarly, with regard to the alleged unlawful detentions which occurred during protests, the Special Rapporteur urges the authorities to investigate the alleged ill-treatment of those who were arrested and detained and to hold those responsible to account.

59. The Special Rapporteur considers it essential that the Government deepen the trust of the people in their law enforcement authorities, particularly considering the current juncture in the wake of the Velvet Revolution. He believes that providing training courses on the principles of necessity and proportionality in the managing of assemblies is a key step to building this trust.

60. The Special Rapporteur reiterates that States must establish effective reporting and review procedures to address any incident in relation to an assembly, during which a potentially unlawful use of force occurs. A clear and transparent command structure must be established to minimize the risk of violence or the use of force and to ensure responsibility for unlawful acts or omissions by officers. Proper record-keeping of decisions made by commanding officers at all levels is also required. In addition, there should be a clear system of record-keeping or register of the equipment provided to individual officers in an operation, including vehicles, firearms and ammunition.

61. It is also important that the organizers of peaceful assemblies make reasonable efforts to comply with the law and encourage the peaceful conduct of an assembly. However, the organizers should not be held responsible for the unlawful behaviour of others. That would violate the principle of individual liability, weaken trust and cooperation between assembly organizers, participants and the authorities, and discourage potential assembly organizers from exercising their rights. No person should be held criminally, civilly or administratively liable for the mere act of organizing or participating in a peaceful protest (A/HRC/31/66, para. 26).

2. The events of April and May 2018

62. In mid-April, massive protests started throughout the country in the context of the election by the parliament of former President Serzh Sargsyan as Prime Minister. Despite the resignation of President Sargsyan on 23 April, demonstrations, well-orchestrated through social media, continued, demanding the resignation of the entire Government and the appointment of the protest leader Nikol Pashinyan as Prime Minister.

63. In a context of stalled political negotiations with the ruling Republican Party holding the parliamentary majority, the parliament failed to elect Mr. Pashinyan as Prime Minister during its session on 1 May. That was followed by protests throughout the entire country. The political tensions were partially diffused on 3 May, when the ruling party promised to cast the necessary number of votes to enable the election of Mr. Pashinyan, which indeed materialized days later. With the aim of dissolving the parliament and calling for early elections that would reflect the country's political reality, the newly elected Prime Minister resigned in October 2018 and was re-elected in December 2018.

64. During that time, protests took place in a largely peaceful manner, especially after the resignation of Mr. Sargsyan leading to what came to be known as the Velvet Revolution.

65. The Special Rapporteur notes that the Armenian people, taking stock of previous experiences, managed to achieve a major political transition in a peaceful manner. He believes that the effective and unhindered use of new communication technologies, and in particular social media, played a fundamental role in the success of the peaceful protest movement.

66. The Special Rapporteur notes that the work carried out during preceding years by pro bono lawyers, civil society actors and independent institutions has contributed to the establishment of stronger networks and coalitions and strengthened the protesters' knowledge of their rights and duties, which led to the remarkable non-violent transition. It is worth noting that these results were perceptible not only during his meetings in Yerevan but also in the regions he visited, where the Special Rapporteur noted the strong sense of ownership of the recent political achievements.

67. The Special Rapporteur considers that the legitimate demands of Armenians, ranging from demands for legislative reform, to economic and social change, the fight against corruption and a greater sense of justice, also played a pivotal role during the demonstrations.

68. However, during his visit the Special Rapporteur received reports of human rights violations, particularly during the first week of the Velvet Revolution. Those reports related to allegations of an elevated number of short-term detentions and the violation of procedural safeguards, disproportionate use of force by the police against protesters during detention and in the policing of the demonstrations, attacks against media workers and criminalization of protesters under charges of mass public disorder and violence against the police.

69. During the meeting held with the Human Rights Defender, the Special Rapporteur appreciated the extraordinary deployment of support to safeguard the rights of detained protesters. During the peak of the crisis, the Defender demonstrated that the protection of the right to peaceful assembly was at the core of its mandate as it extensively monitored police stations and made proactive contacts with all sides to avoid violations.

3. Restrictions targeting particular groups

70. In light of the events of 2018, the Special Rapporteur wishes to acknowledge that the restrictions targeting particular groups are not new in the context of peaceful protests.

71. For example, the Special Rapporteur is aware that the participation of women and youth was key to the transition. However, he also became aware that while children were entitled to participate in peaceful assemblies, there was an improper enlistment of university students during the manifestations, on many occasions without parental consent. On the other hand, he also learned that children were prevented from participating in the

peaceful protests by their schools or their parents when they expressed their interest in joining them.

72. Despite the key role women played in the transition, the Special Rapporteur was particularly concerned at the low percentage of women appointed to ministerial positions and that no women had been appointed as provincial governors.

73. Independent and vibrant media plays an important role in the democratic life of a society. However, the Special Rapporteur learned that during the April events and during manifestations held in previous years, the safety of journalists and media workers covering demonstrations and protests was not properly safeguarded. It is important that during democratic transitions the independence of the media and the safety of journalists and media workers are guaranteed by the law and in practice, and that violations are duly investigated.

74. Finally, the Special Rapporteur is of the view that access to information for rural communities is important to ensure their full participation in the democratic governance of the country and essential to the success of the revolution. Armenia must support the strengthening of independent media outlets and, in particular, the promotion of community media outlets, including community radio.

4. Protests in relation to the exploitation of natural resources

75. An environment that allows for the robust exercise of the rights to freedom of peaceful assembly and of association is essential in ensuring that the exploitation of natural resources is fair, transparent and accountable and benefits communities.

76. From his meeting with the Head of the Inspectorate for Natural Protection and Mineral Resources, the Special Rapporteur discovered that a significant number of government permits granted for resource exploitation were not in compliance with the law and not a single mining project was in line with the legislation. Despite the existence of a considerable legal framework regulating this field, he is concerned at the lack of transparency in the processes carried out without adequate environmental impact assessments and the perceived corruption surrounding the granting of licences, which were highlighted as the main cause of the protests about the exploitation of natural resources.

77. The Special Rapporteur sees that there is a lot of frustration about the governance of natural resources, especially within the communities in the regions that feel directly affected by activities that are not in compliance with national legislation. In particular, after his visit to Vayk, the Special Rapporteur visited one of the sites related to the Amulsar mining project and heard the concerns of the protesters who have blocked the access to the mine. It is important that the Government ensure that communities are genuinely consulted on the social and environmental impact of the project, as well as on its benefits.

78. The Special Rapporteur notes that the activities of environmentalist human rights defenders and groups are increasing in the country, including through the use of social media and other online platforms, and that certain restrictions to their rights of freedom of assembly and association have been reported in the past years. He believes that those restrictions are counterproductive, divisive and undermine the confidence of communities in gaining access to information and their opportunities to do so, in participating in public discussions and in providing their free, prior and informed consent when the concessions for natural resource exploitation were tendered.

79. In order to reverse this situation, the Special Rapporteur believes that one of the first steps the Government should take is to carry out genuine consultations so that projects for the exploitation of natural resources align with the Guiding Principles on Business and Human Rights.

80. The Special Rapporteur strongly believes that protests related to the exploitation of natural resources should be seen as a call for the authorities to be more transparent and accountable and not as an attempt by communities to sabotage the economic growth of the country or to threaten its security.

5. The value of social movements

81. The Special Rapporteur wishes to refer to a number of emerging social movements that are, by law, free to operate without registration as long as they do not enter into financial transactions.

82. The most recent iconic example is the "#My Step #Reject Serzh" movement referring to the Velvet Revolution. However, other instances where social movements have been symbolically significant include: "Save Trchkan Waterfall" (2011) that helped to save the waterfall from plans to construct a hydropower plant; "Occupy Mashtots Park" (2012) that halted the demolition of a public park; the "100 dram civic initiative" (2013) that prevented an increase in transport fees; the "I am against" protest (2014) that stopped government plans for privatizing pensions; and the "No to plunder civic initiative" (2015) that opposed electricity price rises.

83. The Special Rapporteur agrees that Armenian civil society has developed a "literacy of protest", as mentioned during the meeting with the Minister of Foreign Affairs, and that State institutions have over time improved their capacity to absorb shocks and control crowds while respecting human rights.

84. The Special Rapporteur believes that social movements have done remarkable work in bringing together a broad base of support, composed of students, youth, civil society members, lesbian, gay, bisexual, and transgender groups, feminist movements, environmental activists, diaspora movements, academia, private sector actors, the media, politicians, musicians and celebrities.

85. The Special Rapporteur considers that the manner in which these groupings were brought together and made connections between themselves were instrumental for maintaining the peaceful nature of the revolution and ensuring a positive outcome. The impact of their peaceful action in creating awareness, giving a voice to the voiceless and achieving their aims is essential to delivering meaningful change and accountability.

86. The Special Rapporteur observes that social movements are also highly reliant on freedom of expression and opinion and access to the Internet, particularly to social media, and other information and communication technologies that facilitate platforms for public debate. He also observes that they play a legitimate and, on many occasions, decisive role in shaping governance and the rule of law and transforming societies for more inclusive economic and social development.

IV. The exercise of the right to freedom of association

A. Legal framework

87. The right to freedom of association is a constitutional right primarily governed by the Civil Code, which provides general regulations on the formation and operation of non-profit organizations, including public associations and foundations. It is also regulated by special laws, such as the law on NGOs of 2016, the law on foundations of 2002 and the law on trade unions of 2000.

88. As of 1 April 2018, a total of 3,814 public associations, 1,045 foundations, 640 trade unions and 248 legal entity unions were registered in Armenia.[8] In general terms, the existing legal framework and recent reforms to special legal instruments provide a positive regulatory environment for NGOs and other forms of non-profit associations.

89. In particular, positive changes were registered in the amended law on NGOs, such as greater flexibility allowed in the type of governance structure and management, simplified registration processes, the possibility of carrying out entrepreneurial activities, with the aim of facilitating financial sustainability, and provisions on volunteering.

[8] See report on legal entities registered with the State Register of the Ministry of Justice in 2018, available at http://moj.am/storage/files/legal_acts/legal_acts_2888356038691_stat_2018-03.pdf.

90. In addition, it is important to highlight that article 16.2 of the law on NGOs stipulates that it can "represent the lawful interests of its beneficiaries in the court in the area of environmental protection" provided that the organization has enough experience in this area and that such lawsuits are in conformity with its goals.

91. Section 2 of the law on NGOs clearly lays down the specific requirements for establishing organizations and the registration process. The entity responsible for registration is the State Register of the Legal Entities of the Ministry of Justice, which publishes the registration, once concluded, on their electronic portal.[9] The law on State registration of legal entities of 2001 is the main legal source of the acts of the State Registry.

92. In general terms, NGOs are not required by law to notify the Government of their meetings, but are required to notify the State Register if there has been a change of the executive head, address or other relevant information provided at initial registration.

93. Operating and reporting requirements are set out in the law on NGOs and vary depending on the type of association.

94. The Special Rapporteur learned that reports from public associations funded from public sources and reports from foundations on project implementation and funding, together with standard accounting information, are made public on a Government-administered website.[10]

95. Currently, the State Revenue Committee has replaced the Ministry of Justice as the oversight body for NGOs. The Committee can carry out inspections in relation to legal compliance, including governance, financial management and accounting. Within the Committee, a special department was established in 2017 to oversee the activities of NGOs. The Special Rapporteur was informed that the rules of procedure of the department were being developed at the time of his visit.

96. The Special Rapporteur takes this opportunity to emphasize that the clarity of the role and the rules of procedure of the oversight body are essential for creating a conducive environment for the work of NGOs. It will promote transparency, accountability and non-discrimination in the decisions and operation of the oversight body.

97. Article 45.4 of the Constitution provides that "the activities of associations may be suspended or prohibited only by a court decision in cases and in the manner stipulated by law". Articles 31 and 32 of the law on NGOs stipulate that the authorized body can apply to court to terminate or dissolve public associations if it identifies a significant or flagrant violation of the law. Furthermore, articles 67 to 69 of the Civil Code set out the regulations on the suspension of associations, as does section 11 of the law on the State registration of legal entities, State record-registration of separated subdivisions of legal entities, institutions and individual entrepreneurs.

98. The Special Rapporteur takes note of the law on dissolving legal entities and removing from the register private entrepreneurships not submitting tax reports, of 16 December 2016, which stated that entities that had not submitted tax reports in the previous four years, would be automatically dissolved, unless an objection was presented by 1 November 2017. He notes that this regulation is in conflict with the constitutional provisions of freedom of association that require a court decision.

99. The norms regulating the funding of associations are quite open, permitting them to be financed by different sources, such as public funds, earned income, grants, membership fees, donations, funds from foreign donors, etc. Grants, membership fees and donations are not taxed, while income from economic activities is taxed in the same way as companies, and value added tax must be paid when the overall income for the year exceeds 58.35 million drams.

[9] See www.e-register.am.

[10] See www.azdarar.am.

100. The Special Rapporteur notes that while the possibility of having income-generating activities is a positive reform to the law on associations, it can also create burdensome duties in relation to separate accounting and taxation. Furthermore, he notes that the income from economic activities is taxed in the same way as companies.

101. Finally, the Special Rapporteur is concerned about proposed amendments to the law on NGOs that, if accepted, could introduce retrogressive changes to the reporting requirements of NGOs by adding unreasonable and disproportionate requirements for associations.[11]

B. Challenges and good practices

1. Civil society actors

102. Civil society is active and largely able to operate freely. Overall, the legal framework regulating the activities of associations is in compliance with international human rights standards, however the Special Rapporteur notes that challenges still persist.

103. For example, while the Special Rapporteur recognizes that the registration of NGOs is a fairly quick and simple process, he learned of the difficulties that civil society outside the capital has encountered in trying to register: the lack of clarity in the procedure; the discretionary interpretation by the local administration on whether proposed charter provisions are lawful or not; and unjustified delays in the procedure.

104. The Special Rapporteur notes the improvements made to the registration process, in particular with the "one-window registration process". However he believes that an online service, or the possibility to register in the regional offices would provide not only a better service for those outside Yerevan but equal treatment in relation to private businesses which do have access to registration services throughout the country and enjoy an expedited registration process.

105. The Special Rapporteur notes that further training courses could be offered to the administration with a view to improving its expertise and client-orientation skills and avoiding discretionary interpretation by local authorities when approving the charters of civil society organizations.

106. The Special Rapporteur also believes that similar challenges exist in relation to the lack of knowledge and established procedures within the State Revenue Committee, but most importantly he questions whether tax inspection bodies are the most appropriate oversight authority for the non-profit sector owing to the lack of understanding of their goals and operations. He raised his concerns in meetings with representatives of the State Revenue Committee in relation to the public funding report forms approved in February 2018. He believes that such forms could be burdensome for NGOs who worry about the level of detail that needs to be provided and that is not strictly related to the source of funds, such as information on programmes, numbers of volunteers and number of board members.

107. The Special Rapporteur understands that the fight against money-laundering and corruption are legitimate interests in favour of transparency in the country and that reporting requirements facilitate accountability. However, he stresses that such a procedure should not be arbitrary and must respect the principle of non-discrimination and the right to privacy as it would otherwise put the independence of associations and the safety of their members at risk.

108. Other challenges remaining are the lack of guidelines on tax obligations related to earned income that can put NGOs at a disadvantage compared to business entities. Ambiguous provisions regarding procedures and obligations in relation to new concepts of social entrepreneurship and paid-for services were also raised as a problem during meetings with civil society representatives.

[11] See www.e-draft.am/projects/1283.

109. The Special Rapporteur is concerned about how little information is available on how to access public funding and at the low budgetary allocations for NGOs. He reiterates that access to public funding should not be perceived as undermining the independence of civil society organizations but should rather sustain the actions of such organizations, especially those working at the grass-roots level that can have an important impact on their communities.

110. The Special Rapporteur reiterates that access to both national and foreign funding is vital for the legitimate work of NGOs and their financial sustainability.

2. Limitations to groups most at risk

111. Armenia has a positive obligation to maintain an enabling environment for associations and protect them from abuse and interference. During his visit he became aware of attacks, smear campaigns and cases of harassment directed at NGOs working on sensitive issues, such as sexual orientation and gender identity, violence against women, religious and national minorities and combating corruption, fraud and money-laundering.

112. In particular, the Special Rapporteur was dismayed to learn that the Forum of LGBT Christians of Eastern Europe and Central Asia, due to take place in Yerevan from 15 to 18 November 2018, was cancelled because of concerns related to the safety of its participants, incitement to hatred and death threats against the organizers.

113. The Special Rapporteur raised this incident with the authorities during his visit. He urged the Government to take all necessary measures to avoid similar situations in the future. He stresses that the State has responsibility for implementing adequate measures that allow a normal functioning of all associations and their activities, especially when those activities are carried out by the groups most at risk.

114. While in Yerevan, the Special Rapporteur had the opportunity to meet with groups of women from other cities working on gender-related issues. He was positively impressed to learn how these issues are being discussed in smaller villages, but also learned that associations dealing with women's rights continuously face difficulties in raising gender-sensitive matters and their work can be perceived as having a detrimental effect on religious beliefs and public morals.

115. The Special Rapporteur considers that it is fundamental that the Government effectively combat hate speech and incitement to hatred towards those groups most at risk. Furthermore, he emphasizes that the failure of States to take appropriate measures and exercise due diligence to prevent, punish, investigate or redress the harm caused by non-State actors may constitute a violation of the right to freedom of association.

3. The situation of trade unions

116. The Special Rapporteur learned that labour unions operate in a very precarious labour environment, with a culture inherited from the post-Soviet era. Their ability to safeguard workers' rights is restricted by a number of circumstances that has significantly weakened their effective action over time and limited their ability to exert an influence on the formulation of public policies and legal reforms.

117. The Special Rapporteur observes that trade unions are extremely weak in Armenia and that there is a lack of meaningful discussion between the trade unions, civil society actors and political organizations.

118. Moreover, it became clear that there was an absence of understanding of the real role of trade unions, even among their own members, because they are perceived as entities expected to provide entertainment or material benefits, instead of openly engaging in advocacy for labour rights and solving labour disputes.

119. The Special Rapporteur is concerned by the allegations of harassment and intimidation against workers in the informal sector and encourages trade unions to establish programmes and activities for those employed in that sector. The Armenian labour market is insufficiently regulated, allowing for workers to be dismissed without sufficient safeguards. The legal framework can inhibit the freedom of trade unions to form, organize

and operate, as employers, both private and public, have almost unfettered discretion and can find easy excuses for firing workers who try to form and operate unwanted trade unions.

120. The Special Rapporteur believes that the current political environment in the country provides an excellent opportunity to engage in a genuine social dialogue on the structural reforms in law and in practice that would enable workers to fully exercise their freedom to organize.

4. Participation of civil society in the process of achieving the Sustainable Development Goals

121. The Special Rapporteur acknowledges the establishment of a National Council on Sustainable Development and the active participation of civil society organizations around the working groups on indicators, targets and other national strategies relating to the Sustainable Development Goals.

122. The Special Rapporteur notes that the voluntary national report on the Sustainable Development Goals was presented in July 2018 and that an extensive dialogue with stakeholders has been organized at different levels and in different formats, such as (a) individual talks with representatives from various circles of stakeholders (government agencies, community authorities, businesses, civil society organizations and households); (b) multi-stakeholder round-table discussions; (c) circulation and discussion of the draft report with interested stakeholders.[12]

123. The Special Rapporteur recognizes the importance of the strong engagement of civil society in the process and the multiplication of partnerships, including with private businesses. He strongly believes that facilitating an enabling legal, political, economic and social environment for civil society to operate freely, including by ensuring that the rights to freedom of peaceful assembly and of association, and other human rights, are enjoyed by everyone without discrimination, plays an essential role in ensuring that the country builds an inclusive and participatory democracy that addresses the most basic needs of the poorest and most marginalized groups.

V. Importance of ensuring the exercise of the rights to freedom of peaceful assembly and of association in peaceful democratic transitions

124. The rights to freedom of peaceful assembly and of association are closely interrelated and mutually reinforcing, given that in order to organize a peaceful assembly, some form of organization, either de facto or de jure, is often required. Both public freedoms are enabling rights essential in a democratic society.

125. In that regard, it is important to recall that "the rights to freedom of peaceful assembly and of association are essential components of democracy, providing individuals with invaluable opportunities to, inter alia, express their political opinions, engage in literary and artistic pursuits and other cultural, economic and social activities, engage in religious observances or other beliefs, form and join trade unions and cooperatives, and elect leaders to represent their interests and hold them accountable".[13]

126. The Special Rapporteur is of the strong view that peaceful democratic transitions can be achieved in places where there is a strong civil society that contributes to paving the way for a culture of human rights, acceptance of divergent opinions and the establishment of real democratic institutions that take into consideration the aspirations of all.

127. The Special Rapporteur believes that an independent and active civil society plays an enlightening role to prevent the transition to democracy being turned away from its

[12] See "SDG Implementation Voluntary National Review (VNR) Armenia" (2018).

[13] See Human Rights Council resolution 15/21, preamble.

objectives and in keeping the aspirations of the people at the centre of the action. Through the exercise of the rights to freedom of peaceful assembly and of association, individuals and societies as a whole can safeguard transitions even when their aspirations and beliefs are questioned.

128. The case of Armenia demonstrates that non-violent transitions are possible and that a wide range of civil society actors throughout the country can play a fundamental role in maintaining the peaceful character of demonstrations. However, the Special Rapporteur is fully aware that such transitions are not predictable and their peaceful character cannot be guaranteed at all times. He therefore believes that the Velvet Revolution and previous manifestations merit a thorough analysis to draw clear conclusions as to its success.

129. While new communications technologies and the use of the Internet played an important role in the planning, convening and following up on the developments of manifestations, the Special Rapporteur considers that the public spaces continue to be decisive places where change materializes. In that regard, he cannot stress enough the need to ensure the protection of the full range of human rights arising in the context of the exercise of the right to peaceful assembly through the adequate management of the situation.

130. Democratic transitions are a process that needs to be supported and accompanied not only at the peak of the transition but most importantly in its aftermath. The Special Rapporteur notes that weakening civil society by imposing illegitimate and unlawful restrictions would endanger the fruits of any democratic transition and therefore considers that its participation needs to be sustained in the long term.

VI. Conclusions and recommendations

A. Conclusions

131. **With the Velvet Revolution, Armenia has proved that democratic transitions are possible through peaceful means. The pathway to a stronger rule of law, independent institutions and development depends on the extent to which a culture of respect for human rights, fundamental freedoms and diversity is deeply anchored in society.**

132. **After concluding his visit, the Special Rapporteur noted that the early parliamentary elections scheduled for 9 December 2018 had proceeded calmly and peacefully and "enjoyed broad public trust".**[14] **In the aftermath of the elections, he considers it necessary that ambitious and action-oriented reform programmes and policies are put in place and implemented, with a view to delivering quickly on improvements in many aspects of public life, in particular by creating inclusive social and economic development and pursuing the rule of law and the protection of fundamental rights and freedoms.**

133. **In the longer term, the Special Rapporteur believes that the new Government, through a participatory approach, would need to plan profound reforms and changes, in particular those related to strengthening the judiciary, the independent investigative bodies and police bodies. He believes that part of the success of the transition will be to ensure that accountability for violations is delivered in a timely manner.**

134. **The Special Rapporteur wishes to encourage the new Government to keep a broad dialogue open, at the urban and rural levels, and to intensify its efforts to ensure the effective promotion and protection of the rights to freedom of peaceful assembly and of association and other fundamental freedoms.**

[14] See ODIHR final report "Republic of Armenia, early parliamentary elections" (7 March 2019).

B. Recommendations

135. **The Special Rapporteur would like to offer the following general recommendations to the Government of Armenia:**

(a) **Expedite ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty;**

(b) **Ensure in law and in practice that the rights to freedom of peaceful assembly and of association play a decisive role in the transition and maintenance of an effective democratic system as a channel for dialogue, pluralism, inclusiveness, tolerance and broad-mindedness, where minority or dissenting views or beliefs are respected and safeguarded;**

(c) **Ensure a conducive and safe environment for everyone exercising or seeking to exercise his or her rights to freedom of peaceful assembly and of association;**

(d) **Ensure that there is no discrimination in the application of the laws governing the rights to freedom of peaceful assembly and of association, in particular regarding the groups most at risk, such as national and religious minorities, lesbian, gay, bisexual and transgender groups, children and women;**

(e) **Implement the observations and recommendations made by the Office of the Human Rights Defender in relation to respect for human rights and particularly the rights to freedom of peaceful assembly and of association;**

(f) **Take concrete measures to increase participation and representation of women at the decision-making level in public and political life, with a view to reducing gender stereotypes relating to the role and responsibilities of women and men in the family and in society;**

(g) **Ensure that civil society actors, particularly human rights defenders, are systematically consulted before the adoption of any legislative initiative. Civil society participation could, for instance, be institutionalized rather than made available on an ad hoc basis by creating an appropriate framework of consultation at different State levels;**

(h) **Ensure that the National Council on Sustainable Development is functional and that the participation of civil society actors, particularly representatives of the groups most at risk, is consistently considered during its discussions and the monitoring of the implementation of the 2030 Agenda for Sustainable Development.**

136. **With regard to peaceful assembly, the Special Rapporteur recommends that the Government of Armenia:**

(a) **Consider revising the provisions of the law on freedom of assemblies and other related regulations that unduly violate the right to freedom of peaceful assembly and, in particular, consider revisions conducive to a better application of the provisions related to the use of special means;**

(b) **Develop and revise law enforcement protocols with a view to ensuring their compatibility with international human rights norms and standards, as proposed by the Special Rapporteur and the Special Rapporteur on extrajudicial, summary or arbitrary executions in their joint report on the proper management of assemblies (A/HRC/31/66);**

(c) **Provide clear practical guidance to law enforcement officers on how to implement and monitor such protocols, in accordance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the Code of Conduct for Law Enforcement Officials;**

(d) **Ensure that all law enforcement officers receive systematic training on the use of force, especially in the context of demonstrations, and the employment of non-violent means for crowd control;**

(e) **Increase efforts to ensure the implementation of the recommendations issued by the Human Rights Committee (CCPR/C/ARM/CO/2) and by the Commissioner for Human Rights of the Council of Europe related to the prompt, impartial and effective investigation of all pending cases of violations to the right to peaceful assembly, the prosecution of perpetrators and redress for victims and their families;**[15]

(f) **Further ensure that all allegations of excessive use of force against protesters by the security forces are promptly, thoroughly and independently investigated, and that the alleged perpetrators are prosecuted and sanctioned and adequate remedy is provided to the victims;**

(g) **Ensure that those monitoring assemblies, including journalists, media workers and human rights defenders, are protected at all times during assemblies and that violations are duly investigated;**

(h) **Ensure the safe exercise of the right to peaceful assembly by groups that are most at risk, such as national and religious minorities, lesbian, gay, bisexual and transgender groups, children and women.**

137. **With regard to the right to freedom of association, the Special Rapporteur recommends that the Government of Armenia:**

(a) **Ensure that existing legislation dealing with the right to freedom of association is coherent and in accordance with international law and standards, particularly in relation to reporting requirements, the right to privacy and suspension or dissolution of associations, and avoid enacting regressive regulations in the future;**

(b) **Consider whether the State Revenue Committee is the authority best placed to monitor NGOs;**

(c) **Ensure that all administrative authorities dealing with the right to association are duly trained on international human rights standards in order to create a favourable and enabling environment for civil society;**

(d) **Increase efforts to ensure that a meaningful proportion of public funds is allocated, in an accessible, transparent and inclusive way, to a wide range of civil society organizations representing diverse views of society;**

(e) **Continue enlarging the civic space for a wide range of civil society actors by combating hate speech and incitement to hatred towards minority groups and condemning the use of discriminatory statements in public discourse, including by public figures;**

(f) **Ensure that the security and safety of civil society actors, including human rights defenders, when reasonably required, is provided without unduly restricting their right of freedom of association;**

(g) **Increase efforts to promote the rights to form and join strong trade unions that could assist workers in claiming rights and better working conditions and ensure the full implementation of the recommendations laid out in the reports of the ILO Committee of Experts on the Application of Conventions and Recommendations.**

138. **The Special Rapporteur recommends that the representatives of the international presence in Armenia and donors continue to support the work of civil society organizations in a mutually understanding way.**

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[15] See reports by the Commissioner for Human Rights of the Council of Europe, 20 March 2008 (CommDH (2008)11); 29 September 2008 (CommDH (2008)29); 9 May 2011 (CommDH (2011)12) and 10 March 2015 (CommDH (2015)2).

139. **The Special Rapporteur recommends that the Human Rights Defender and his office continue their important and remarkable efforts in the promotion and protection of the rights to freedom of peaceful assembly and of association.**

140. **The Special Rapporteur also calls upon civil society organizations to:**

(a) **Use every opportunity to participate in decision-making processes and continuously engage in the monitoring of assemblies and of judicial processes when activists and protesters are brought before the courts;**

(b) **Seize all opportunities for training offered to members and strengthen networks with civil society groups not based in the capital;**

(c) **Engage with various stakeholders, including the international community, and intensify cooperation with trade unions;**

(d) **Enhance engagement with United Nations complaints mechanisms, including through the human rights treaty bodies and the special procedures;**

(e) **Follow up and monitor the implementation of the recommendations contained in the present report.**

141. **The Special Rapporteur calls on the United Nations, other intergovernmental organizations, and other stakeholders to:**

(a) **Advocate with the relevant authorities concerning respect for the rights to freedom of peaceful assembly and of association;**

(b) **Build the capacities of the relevant authorities, the national human rights institution and civil society organizations;**

(c) **Monitor the implementation of the recommendations contained in the present report.**

142. **The Special Rapporteur recommends that the resources available for the future work of OHCHR in Armenia be increased to allow it to conduct activities related to the promotion and protection of human rights.**