



Report

on the human-rights related needs and activities in the towns of Vanadzor, Stepanavan, Tashir, Alaverdi and Spitak, in Lori region.

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Within the framework of the project “Human Rights Capacity Building of HCA Vanadzor and Increasing the Effectiveness of Human Rights Activities” implemented by HCA Vanadzor and supported by the Embassy of the Kingdom of the Netherlands, a needs assessment of human rights related activities was carried out in the towns of Vanadzor, Stepanavan, Tashir, Alaverdi and Spitak, in Lori region.

1. Methodology

The research was conducted between December 2006 and January 2007. The employees of HCA Vanadzor were primarily involved in collecting information.

The following was chosen as research subjects for the assessment of the needs for the protection of human rights.

- To reveal the problems of organizations and institutions working in the sphere of human rights in 5 towns of Lori region
- To paint a picture of how administrative responsibility has been used against citizens by local authorities and state bodies in the abovementioned towns
- To reveal those factors that negatively impact the development of human rights activities

In researching the abovementioned problems a survey was conducted among NGO heads, lawyers, and representatives of local authorities (secretary of municipality, mayor, deputy mayor, and municipality lawyer).

The tools used for the needs assessment were:

- A questionnaire for getting information from lawyers, NGOs and representatives of local authorities



- Interviews with lawyers, NGOs and representatives of local authorities
- Inquiries for getting information from state governance bodies working in communities (police, Tax Department, State Labor Department, RA State Duty Committee, State Hygienic Anti-epidemic Department, Highway Police, Forestry, Administration, RA Judicial Department) on the number of resolutions made for administrative responsibility of citizens during 2004-2006.

A combination of the above methods was used to obtain full and reliable information on the topic of research.

2. Analysis of Results

Human rights organizations and lawyers are significant in the field of human rights protection. The level to which these organizations are established in a community generally correlates to the size of the community. Most lawyers and human rights organizations are based in the capital; their numbers are lower outside of the capital, i.e. in regional centers and smaller towns. Correspondingly, the level of human rights protection decreases from the capital to smaller communities. Multiple factors play a role in this. When surveyed which factors hinder the protection of human rights, respondents generally noted the following:

- Lack of awareness of the legal system on the part of society
- Lack of initiatives by citizens
- Fear of law enforcement bodies
- Lack of resources (in NGOs human resources are not organized; lack of legal literature, including codes; lack of an information database of legal acts; lack of technical tools, such as computers, copying machines, etc.)
- Low level of citizens' awareness on their own rights
- Lack of specialists on law - lawyers, advocates
- Small number of NGOs and that existing ones are not well established
- Low level of legal culture

Some inhibiting factors were mostly noted only by NGO-s located in the regional center, Vanadzor:

- Financial stability of human rights organizations
- Lack of judicial power
- Inconsistent work of NGOs

In other communities other, more technical issues were predominant: bad telephone and internet connections, difficulties in getting necessary information, and the low level of professionalism of NGO staff.

There are fewer than twenty accredited lawyers in the five towns of Lori region. According to the census of 2001, 250,000 people live in Lori region, most of whom live in the



abovementioned 5 towns. It is clear that the number of lawyers is not enough to provide people with free access to justice.

There are about 150 registered NGO-s, but less than ten of them offer legal consultations to the public free of charge. In Tashir and Spitak there are no such NGOs. The survey showed that the internet connection is very bad between the regional center and other towns. This deprives NGOs and lawyers of the chance to get up-to-date information on the legal field and its changes.

Another very serious and inhibiting factor is the lack of mass media. There are local media outlets but they show very few programs on legal issues. The participants of interviews both in the regional center and in other towns consider lack of citizens' initiatives and their feeling of being unprotected by the law enforcement bodies an inhibiting factor in the protection of human rights.

2.1 Oppression of citizens by local authorities and state bodies

In creating right protective activities (and in increasing the effectiveness of existing activities), cases where citizens were called to administrative and criminal responsibility by authorities must be taken into account.

Community members directly deal with local authorities (structures of a direct democracy) on many vital issues. The level of legal awareness of the citizen and the legal side of the cooperation of local authorities with its citizens is revealed in this relationship.

The information provided by the secretaries of the municipalities shows that the number of people called to administrative responsibility in Vanadzor has increased: 318 resolutions of administrative responsibility in 2004, 561 in 2005, and 673 in 2006. Only in one case did the accused appeal in court.

In the municipalities of Spitak (56 people in 2004, 166 in 2005, and 161 in 2006) and Alaverdi (137 in 2005 and 110 in 2006), none of the accused appealed the resolution against them in court.

In 2006, only one of the 295 resolutions on administrative responsibility made against the citizens of Vanadzor, Alaverdi, Stepanavan and Tashir by Lori regional administration was appealed in the court.

According to data from the Vanadzor Highway Police, only two resolutions out of 2737 on calling to administrative responsibility were appealed in court. According to the data given by Lori Regional Department of RA Police in 2006, 13 resolutions were made calling to administrative responsibility and none of them were appealed in court or through overseeing authorities.

In the economic field, the picture of the situation of calling economic entities to administrative responsibility is the same. In 2005 and 2006 the economic entities did not appeal the resolution on calling to administrative responsibility by regional tax inspectorates



of Tashir (135 resolutions in 2005, 81 resolutions in 2006), Tumanyan (279 resolutions in 2005, 214 in 2006), and Stepanavan (117 resolutions in 2005, 163 in 2006). Lori regional Center of State Labor Department, new structure supplying the whole territory of the region, adopted 254 resolutions on administrative responsibility in 2006 and none of them were appealed in the court or through overseeing authorities. According to the information released by RA State Customs Committee 54 resolutions on administrative responsibility were adopted in 2004-2006 against the inhabitants and economic entities of Lori region. 12 of them were appealed – 5 by court order and 7 by the order of overseeing authorities.

The practice of calling to administrative responsibility is high by Lori Regional Center of State Hygienic and Anti-epidemic Department at RA Ministry of Healthcare. This structure adopted resolutions on calling to administrative responsibility: 131 resolutions in 2004, 161 resolutions in 2005, and 241 in 2006. None of them were appealed.

In spite of illegal mass deforestation the number of resolutions on administrative responsibility adopted by Gugark Forestry Branch of “Hayantar” State Non Commercial Organization is very “modest.” In 2004, administrative responsibility was used on 114 cases of illegal deforestation, 128 in 2005, and 32 in 2006. None of them were appealed.

Cases of administrative responsibility by state governmental and local authorities and the statistics of their appeal show that the level of human rights protection is in a very sad state. This is partly due to an absence of specialized administrative courts that could enable citizens to fully protect their rights in through court. The existing First Instance Courts and Economic Courts not having enough specialization and experience cannot fill the void of not having a special administrative court. This is the reason why participants in the survey mention, as inhibiting factors, both fear on the part of citizens, and the use of illegal methods (in the form of striking a bargain) used by them in cases of violation.

2.2 Description of human rights protection resources

Lawyers have an important role in using legal methods protecting citizens' rights and interests; licensed advocates have in important role in criminal cases.

The research revealed that there are several reasons why citizens often didn't have an opportunity to use advocates. First of all, there are very few licensed advocates living and working full time in those towns. Particularly, there is only one licensed advocate working full time in Tashir and one in Spitak. In Alaverdi there are four licensed advocates, in Stepanavan they are two and in Vanadzor there are twelve advocates, two of whom have given up their license and two of whom are public defenders.

According to advocates, in the towns of Spitak and Tashir per year they submitted about 60 applications on criminal and civil cases to the court of first instance of Lori region (according to First Instance court of Lori region in Spitak the court received over 300 applications in



2006.) In Stepanavan one of the advocates even mentioned more than 200 applications during 2006.

The main issues for which the citizens turn to advocates are issues concerning quarrels over land, marriage and inheritance. There are very few applications on the actions or inactions of officials.

The advocates pointed out that illegal actions of officials, oppressions by local authorities, and lack of opportunities for developing professional capacities are among the factors that inhibit their activities. One of the representatives of NGOs participating in the interviews mentioned that lack of guarantees protecting the advocate negatively impacts their performance, though advocates do not admit it themselves. From this viewpoint professional solidarity as a guarantee for being protected is realized in very few cases. Particularly, only in Stepanavan is an attempt being made to create a group for advocates' service where the advocates and lawyers functioning in the city would be included. Actually, that citizens cannot afford to pay the advocates is also a negative factor for turning to the help of an advocate. Moreover, the citizens of the villages surrounding the regional center apply to the only advocate in that center. Therefore, overload of the advocate's work decreases the possibility of protecting citizens' rights in court. In such circumstances delivery of free legal service is very important, which can be done by a non-governmental or human rights organization.

According to data of RA State Judicial Department in 2004 the first instance court of Lori region received 5463 civil and 391 criminal cases, in 2005 6911 civil and 320 criminal cases, in 2006 3316 civil and 351 criminal cases. In 2004 and 2005 no justification verdict was made on criminal cases and no criminal case was sent for further preliminary examination. In 2006 a justification verdict was made on only one case and one case was sent for further preliminary examination. More interesting is the statistics of the upheld petitions on arrests, searches and undercover surveillance: 665 in 2004 (432 petitions on arrests, 178 on searching, 55 on undercover surveillance), 895 in 2005 (600 on arrests, 253 on searching and 42 on undercover surveillance), 999 in 2006 (676 on arrests, 248 on searching and 75 on undercover surveillance.)

Taking into account the general number of civil and criminal cases received at the court of first instance of Lori region, (5,830 in 2004, 7,231 in 2005 and 3,667 in 2006) we can estimate the level of yearly overload of one advocate to be 183-293 cases. This shows that there are a number of cases without participation of an advocate, as far as it is impossible physically to make so many applications and representation of interests in a year.

Interviews with NGO representatives revealed that providing free legal consultation is not established as a possibility for human rights protection. No NGO in Tashir and Spitak provides such an opportunity. Moreover, in Tashir there is only one working NGO. 11 NGOs are working in Alaverdi, one of them deals with legal and social support for youth, and one on protecting the rights of socially insecure families. There are about 16 NGOs working in Stepanavan. Only one of them provides free legal consultation. In Vanadzor only three NGOs provide free legal consultation out of more than 100 NGOs.



NGOs have not worked out strategies and programs for forming civil initiative and legal culture. Moreover, most of the NGOs participating in the interviews, when asked about the obstacles in the way of right protective activities, do not mention problems concerning the organization – like absence of a strategy, lack of human and technical resources – but external factors, like low level of legal knowledge, nationalist thinking, indifference, lack of specialists on law, etc.

Thus, in the sphere of human rights protection, the level of NGOs' establishment is very insufficient. On the other hand, there is need for lawyers and specialists. If we look at the statistics of the cases heard at the first instance court of Lori region, we can notice that in the abovementioned communities of Lori region, in the sphere of human rights protection, existing resources are insufficient both in terms of quantity and quality.

3. Activities needed for the protection of human rights

During this evaluation all the participants of the interviews attach importance to human rights activities.

Even the representatives of local self-governmental organizations, with some care, do not deny the importance of increasing legal awareness of citizens and formation of legal culture in their communities. The representatives of NGOs and advocates single out several problems that hinder the effectiveness of their activities in the sphere of human rights protection. They are as follows:

- Providing citizens and NGOs with information on legislation and its changes
- Capacity Building of NGOs in the field of protecting citizens' rights and interests
- Formation and development of cooperation between advocates and NGOs
- Increasing citizens' initiative and legal knowledge
- Increasing the volume of TV programs, articles and other materials on legal issues by local mass media
- Development of technical resources of the NGOs
- Coverage of concrete cases of human rights violations by mass media
- Formation and development of cooperation between human rights organizations on regional and national level
- Formation and development of a free legal consultation service
- Mastering methods for protecting citizens and different social groups

4. **Conclusion**

So, the participants of the evaluation on needs for developing rights protection in Vanadzor, Alaverdi, Stepanavan, Tashir and Spitak towns of Lori region found that activities directed towards human rights protection are urgently needed in their communities.

The level of NGOs' establishment is very unequal in the regional center and other towns of the region. At the same time, the representatives of the NGOs of both the regional center and



other towns have some mistrust towards human rights activities. Their isolations from the other partners of the third sector (excluding meetings during seminars and discussions), systematized and permanent oppression against the citizens by state and local governmental bodies formed mistrust towards their own power and an inability to change the situation.

The development of right protective activities is proportional to how well civil society is established in communities. The situation can be changed through involving NGOs and active individuals in right protective activities on regional and national levels. This inclusion must be directed towards capacity building of right protective groups in their locations and increasing their role in solving problems of local importance. So far, NGOs and human rights organizations have primarily used local resources for achieving their project goal when working on either national or regional issues. This approach must be radically changed and a strategy for sustainable support directed towards developing local capacities must be worked out.

5. Annexes



Annex 1

January 9-17 2007

Sources of and methods for gathering information in Stepanavan, Tashir, Spitak, and Vanadzor towns of Lori region

Interviews

Representatives of the Municipality

Town	People Interviewed
Vanadzor	Gagik Simonyan: secretary of the municipality
Stepanavan	Gayane Ghalachyan: deputy secretary of the municipality
Alaverdi	Arthur Nalbandyan: mayor Anush Evoyan: secretary of the municipality
Spitak	Vahan Ghochikyan: secretary of the municipality Azganush Frankyan: lawyer of the municipality Viktorya Mkrtychyan: specialist of the municipality secretariat
Tashir	Petik Petrosyan: deputy mayor

Advocates

Town	People Interviewed
Stepanavan	Arthur Sargsyan, Gagik Nalbandyan
Alaverdi	Greta Ramazyan, Artsrun Maghakyan
Spitak	Hasmik Aslanyan
Tashir	Svetlana Zuloyan



Representatives of NGOs

Town	People Interviewed
Vanadzor	Edmon Marukyan: Youth Center for Democratic Initiatives Aram Melkonyan: Armenian Association of Young Lawyers Hayarpi Edilyan: "Hope and Help"/Huys and Ognutyun Nune Pepanyan: Lusastgh
Stepanavan	Narine Sukiasyan: Information Center of Stepanavan Gerasim Asryan: Legal-Psychological Training Information Center
Alaverdi	Gor Hovvyan: Vahagni 21 E
Spitak	Hayk Khachatryan: YMCA of Spitak Anahit Gyulazyan: "Spitak Farmer" Karen Matosyan: Armenian Center for Human Rights Protection Shoghik Amirkhanyan: "Shogher" children's center
Tashir	Marine Vardanyan: Tashir Community Center

Sources of Information

02.20.2007, #05-4/87 response letter of Tumanyan regional Tax Department of State Tax Department adjacent to RA Government

12.01.2007 # 4 response letter Lori Regional Center of RA State Labour Department



- 13.02.2007 # 05-136 response letter of Stepanavan regional Tax Department of State Tax Department adjacent to RA Government
- 15.01.2007 # 8 response letter of “Hayantar” Non-commercial organization “Gugark Forestry” branch of RA Ministry of Agriculture
- 15.01.2007 # 6 response letter of the municipality of Tashir of Lori region
- 16.01.2007 # 71/1-1 response letter of Vanadzor department of RA Highway Police
- 18.01.2007 #034/27-23 response letter of the municipality of Spitak of Lori region
- 18.01.2007 #21 response letter of Lori Regional Center of State Hygienic and Anti-epidemic Department at RA Ministry of Healthcare.
- 22.02.2007 #1608/71 response letter of RA State Duty Committee
- 22.01.2007 # 074/144-01 response letter of Lori regional administration
- 25.01.2007 # 76/8-202 response letter of Spitak Department of Lori Regional Administration of RA Police
- 25.01.2007 #079 N 347 response letter of the municipality of Vanadzor of Lori region
- 26.01.2007 #70/2-160 response letter of Lori regional Department of RA Police
- 27.01.2007 #74/7-300 response letter of Tashir Department of Lori regional Department of RA Police
- 27.01.2007 # 01-10/51 response letter of Tashir Regional Tax Department of the staff of State Tax Service adjacent to RA Government

Annex 2

Assessment of needs and human rights activities in Vanadzor, Stepanavan, Tashir, Alaverdi and Spitak towns of Lori region (questionnaire for NGOs and individuals dealing with human rights related activities)

Questionnaire # _____

Place of Survey _____

Carried out by _____



Use of legal mechanisms for restoring violated human rights in the towns Vanadzor, Stepanavan, Tashir, Alaverdi and Spitak, in Lori region

1. Name of NGO or institution; name of individual

2. Date Established

3. What is the NGO's or individual's

a) current direction of activities ("Which problems of human rights are you working on now?")

b) direction for the future ("What direction do you intend to work on in the future?")

4. What human rights have been violated most often? (According to the following specific categories)

Political rights	Civil rights	Social-economic rights
Electoral rights	Right to education	Right to property
Freedom of information	Right to marry and to found a family	Right to inheritance
Right to free movement	Freedom of belief, coincidence and religion	Right to housing
Freedom of assemblies, meetings	Right to correspondence	Right to work
Freedom of association	Right to personal immunity	Right to social support
other	Right to free trial	Right to healthcare
	Ecological right	other
	other	

5. Number of volunteers and staff for the last 3 years of the surveyed organization (2004, 2005, 2006)



2004 2005 2006

6. Have you participated in any trainings (what types?)

7. What technical/information resources do you have?

Phone _____

Computer equipment _____

Internet _____

Human rights related literature/newspapers _____

8. Who are your main beneficiaries? Who is your main audience (target group)?

9. What projects have you implemented during the last 3 years? What kind of projects have citizens taken part in?

10. Have you had any publications during the last 3 years?

2004 2005 2006

Articles in local or national press made by the organization or individual dealing with human rights

2004	2005	2006
Local	Local	Local
National	National	National

11. What local, regional or national NGOs do you cooperate with? (Are you a member of a network?)

12. What relations have been formed with local authorities and state governmental bodies?



13. What are the obstacles to dealing with human rights

Annex 2.1

Needs and human rights activities assessment in Vanadzor, Stepanavan, Tashir, Alaverdi and Spitak towns of Lori region (Questionnaire for Advocates)

Questionnaire # _____

Place of Survey _____

Carried out by _____

Use of legal mechanisms for restoring violated human rights in the towns Vanadzor, Stepanavan, Tashir, Alaverdi and Spitak, in Lori region

1. Name of advocate

2. How long have you been working as an advocate?

3. What is the main direction of your activities?

4. How many applications did you submit to the court during your activities, and on what issues?

2004	2005	2006
Land	Land	Land
Economy	Economy	Economy
Marriage	Marriage	Marriage



Inheritance	Inheritance	Inheritance
Disputing the actions or inaction of an official	Disputing the actions or inaction of an official	Disputing the actions or inaction of an official
Work	Work	Work
Other	Other	Other

5. What are the obstacles to dealing with human rights?

Annex 2.2

Questionnaire # _____

Place of Survey _____

Carried out by _____

Assessment of needs and human rights activities in Vanadzor, Stepanavan, Tashir, Alaverdi and Spitak towns of Lori region (questionnaire for representatives of local authorities)

1. Name of representatives of local authorities

2. Position of the official

3. How many applications did you receive from citizens

2004 2005 2006

On what issues? _____

4. How many applications received positive response



2004 2005 2006

What kind of applications got positive answers? _____

5. The number and type of administrative penalties in the community?

2004 2005 2006

6. Do you cooperate with citizens or NGOs in your community that deal with human rights?

Yes No

If yes, in what do you cooperate?