

ARMENIA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution states that everyone has freedom of thought, conscience, and religion. It recognizes the Armenian Apostolic Church (AAC) as the national church and preserver of national identity but also establishes separation of “religious organizations” and the state. The law prohibits, but does not define, proselytism, which may be interpreted as forced conversion. The trial continued of a prominent Baha’i lawyer, charged in 2017 with organizing illegal migration to the country. Baha’i community members said they believed the charges were brought because of his religion. On February 18, the Constitutional Court ruled as unconstitutional the blanket restriction on religious membership among law enforcement in the Law on Police Service. Following the ruling, a police officer dismissed in 2018 for his religious affiliation was reinstated in his position. Societal debate continued concerning government plans to review the public school curriculum on the history of the Armenian Church, which was in progress at the end of the year. During 44 days of intensive fighting from September 27 to November 10 in and around Nagorno-Karabakh involving Armenia, Armenia-supported separatists, and Azerbaijan, significant casualties and atrocities were reported by all sides. After Azerbaijan, with Turkish support, reestablished control over four surrounding territories controlled by separatists since 1994, a Russian-brokered ceasefire arrangement announced by Azerbaijan and Armenia on November 9 resulted in the peaceful transfer of control over three additional territories to Azerbaijan as well as the introduction of Russian peacekeepers to the region. During the hostilities, the government declared martial law, under which restrictions were imposed on freedoms of expression, assembly, and movement. Most of the restrictions were lifted December 2. In the territories previously controlled by Armenia-supported separatists, numerous incidents of neglect, destruction, and desecration of religious sites were reported. The Azerbaijani government stated 63 of the 67 mosques in these territories had been destroyed. It was unknown how many were damaged during earlier hostilities in the Nagorno-Karabakh conflict as a result of neglect, or due to intentional damage. Some mosques were reportedly used to house livestock, including pigs. International journalists visiting these territories following the fall fighting confirmed the destruction of Muslim graves and graveyards while under Armenia-supported separatist control.

Religious minorities said they continued to face hate speech and negative portrayals of their communities, especially in social media, although many

reported a decrease in negative commentaries in mid-November after the end of intensive fighting between Armenia and Azerbaijan. According to observers, anti-Semitism increased in the country after Israeli-supplied weapons were used by Azerbaijan during the conflict. The Holocaust and Genocide Memorial – a memorial in downtown Yerevan marking the Holocaust and mass killing of more than one million Armenians by Ottoman Turkey – was vandalized on two occasions under unknown circumstances. According to Jehovah’s Witnesses, there were no instances of verbal harassment towards the group’s members during the year. One other minority religious group that preferred not to be identified reported a single incident of harassment during the year. Sources stated that societal and family pressure remained a major deterrent for ethnic Armenians to practice a religion other than the Armenian Apostolic faith.

The U.S. Ambassador and other embassy officials continued to promote religious tolerance, respect for religious minorities, and interfaith dialogue during meetings with government officials. The Ambassador and other embassy officials regularly consulted with minority religious groups, including evangelical Christians and other Protestants, Jehovah’s Witnesses, The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), Yezidis, the Jewish community, Apostolic Assyrians, Pentecostals, and Baha’is, as well as with individual members of the Muslim community, to discuss the state of religious freedom in the country. Embassy officials engaged government officials and civil society representatives to discuss the impact of the Nagorno-Karabakh conflict on religious groups and religious sites of significance to Armenian communities.

Section I. Religious Demography

The U.S. government estimates the total population at 3.0 million (midyear 2020 estimate). According to the 2011 census, approximately 92 percent of the population identifies as Armenian Apostolic. Other religious groups include Roman Catholics; Armenian Uniate (Mekhitarist) Catholics; Orthodox Christians; and evangelical Christians, including Armenian Evangelical Church adherents, Pentecostals, Seventh-day Adventists, Baptists, charismatic Christians, and Jehovah’s Witnesses. There are also followers of the Church of Jesus Christ and of the Holy Apostolic Catholic Assyrian Church of the East; Molokan Christians; Yezidis; Jews; Baha’is; Shia Muslims; Sunni Muslims; and pagans, who are adherents to a pre-Christian faith. According to an International Republican Institute (IRI) poll released in December 2019, 97 percent of the country’s population identifies as Armenian Apostolic, 2 percent other, and 1 percent none.

According to members of the Jewish community, there are approximately 800 to 1,000 Jews in the country.

According to the country's 2011 census, there are more than 35,000 Yezidis, with some more recent estimates suggesting approximately 50,000. Yezidis are concentrated primarily in agricultural areas northwest of Yerevan around Mount Aragats. Armenian Uniate Catholics live primarily in the north. Most Muslims are Shia, including Iranians and temporary residents from the Middle East.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states everyone shall have the right to freedom of thought, conscience, and religion. This right includes the freedom to change one's religion or beliefs and the freedom to manifest religion or belief in rituals of worship, such as preaching or church ceremonies, either alone or in community with others, in public or in private. The constitution allows restrictions on this right to protect state security, public order, health and morals, or the fundamental rights and freedoms of others. The constitution establishes separation of "religious organizations" and the state. It recognizes the "exclusive mission of the Armenian Apostolic Church" as the national church in the "spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia." The constitution prohibits the exercise of fundamental rights and freedoms to incite religious hatred.

The law prohibits, but does not define, "soul hunting," a term describing both proselytism and forced conversion. The law prohibits religious organizations with spiritual centers located outside the country from receiving funding from those foreign centers, but there is no mechanism to enforce the law. The law also prohibits religious organizations from funding or being funded by political parties.

The law does not categorize or regulate the residence status of foreign religious volunteers.

By law, a registered religious group may minister to the religious and spiritual needs of its faithful; perform religious liturgies, rites, and ceremonies; establish groups for religious instruction; engage in theological, religious, historical, and cultural studies; train members for the clergy or for scientific and pedagogical purposes; obtain and utilize objects and materials of religious significance; use

media; establish ties with religious organizations in other countries; and engage in charity. The law does not require religious groups to register, but they must do so to conduct business in their own name (e.g., to own property, rent property, and establish bank accounts). The law does not stipulate rights accorded to unregistered groups.

To register as a legal entity, a religious community must present to the Office of the State Registrar an assessment from the Division of Religious Affairs and National Minorities stating its expert opinion whether the community complies with the requirements of the law that it be based on “historically recognized holy scripture.” It also must be “free from materialism and [be] of a spiritual nature,” have at least 200 adult members, and follow a doctrine espoused by a member of the “international modern system” of religious communities. The law does not define “free from materialism” or state which religious communities are part of the “international modern system.” The law specifies that this list of registration requirements, to which the Division of Religious Affairs and National Minorities must attest, does not apply to a religious organization based on the faith of one of the groups recognized as national minorities, including Assyrians, Kurds, Russians, and Yezidis, among others. A religious community may appeal a decision by the Office of the State Registrar through the courts.

The criminal code prohibits “obstruction of the right to exercise freedom of religion” and prescribes punishment ranging from fines of up to 200,000 drams (\$390) to detention for up to two months.

The Office of the Human Rights Defender (ombudsman) has a mandate to address violations of human rights and fundamental freedoms, including the freedom of religion, committed by officials of state and local governments.

The law prohibits employees of the following organizations from being a member of a religious organization: the National Security Service (NSS), the service for mandatory enforcement of court rulings, the penitentiary service, and the rescue service, but does not define the meaning of “membership” in a religious organization. The law prohibits members of the police, military, and the NSS as well as prosecutors, customs officials, diplomats, and other national, community, and civil servants from using their official positions for the benefit of “religious associations” or from preaching in support of them. The law also prohibits police, prosecutors, and other state and civil servants from conducting religious activities while performing official duties. While the law defines a “religious organization” as an association of citizens established for professing a common faith as well as

for fulfilling other religious needs, it provides no definition for “religious associations.” A military service member may not establish a religious association. If a member of the military is a member of a religious association, the member does not have the right to preach to other service personnel during military service.

The penitentiary code allows penal institutions to invite clergy members to conduct religious ceremonies and use religious objects and literature. Prisoners may request spiritual assistance from the religious group of their choice. A joint Ministry of Defense-AAC agreement allows only AAC clergy to serve as military chaplains.

The law allows the AAC free access and the right to station representatives in hospitals, orphanages, boarding schools, military units, and places of detention, while other religious groups may have representatives in these locations only with permission from the head of the institution. The law also stipulates the state will not interfere with the AAC’s exclusive right to preach freely and spread its beliefs throughout the entire territory of the country.

The law mandates public education be secular and states, “Religious activity and preaching in public educational institutions is prohibited,” with the exception of cases provided for by law. While adding a course in the history of the Armenian Church (HAC) in a public or private school is optional, once a school chooses to do so, the course becomes mandatory for all students in grades five to 11; there is no opt-out provision for students or their parents.

The AAC has the right to participate in the development of the syllabi and textbooks for the HAC course and to define the qualifications of the teachers. While the Church may nominate candidates to teach the course, HAC teachers are state employees. The law grants the AAC the right to organize voluntary extracurricular religious instruction classes in state educational institutions. Other religious groups may provide religious instruction to their members in their own facilities but not within the premises of state educational institutions.

The labor code prohibits employers from collecting and analyzing data on the religious views of employees. Changes to the labor code, adopted by the National Assembly on June 2, authorize up to four days of unpaid leave for observing national and religious holidays or remembrance days, regardless of religious affiliation.

The law provides for two types of service for conscientious objectors as an alternative to compulsory, two-year military service: alternative (noncombat) military service for 30 months or alternative labor service for 36 months. Evasion of alternative service is a criminal offense. Penalties range from two months detention to eight years imprisonment, depending on the circumstances of the case.

The criminal code prohibits incitement of religious hatred calling for violence through public statements, mass media, or using one's public position and prescribes punishments ranging from fines of 200,000 to 500,000 drams (\$390 to \$970) to prison terms of between three and six years.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

During the year, Edward Manasyan, a prominent member of the Baha'i community, continued to face 2017 charges of facilitating illegal migration to the country by advising Iranians wishing to settle in the country. He was held in pretrial detention for eight months before the trial court judge released him on bail in 2018. On July 17, the Court of Appeals rejected two of the 2019 appeals filed by the Baha'i community against the NSS in connection with concerns over surveillance of Baha'i community members preceding Manasyan's arrest. The Baha'i appeal stated the NSS illegally used wiretaps to surveil the community's office as well as the community secretary and used the information gathered as the basis to charge Manasyan. The community's appeal of these decisions with the Court of Cassation remained pending by year's end. At year's end, Manasyan's trial was also ongoing.

According to sources, throughout the year, Narek Malyan, the founder of the initiative Veto, and his supporters continued to harass the Yezidi Center for Human Rights and its founder, Sashik Sultanyan, as part of their broader online campaign of harassment of Open Society Foundations-Armenia, a donor organization of the Yezidi Center for Human Rights. On September 8, Malyan stated he applied to the NSS to launch a criminal case against Sultanyan, accusing him of inciting national religious enmity, based on an interview Sultanyan gave to an Iraqi-based media outlet in which he discussed the issues faced by the Yezidi community in the country. The NSS launched a criminal case based on what civil society organizations called a fake and baseless accusation. While authorities did not charge Sultanyan as a defendant in the case, according to civil society, at year's end, the NSS continued to investigate him and the Yezidi Center for Human

Rights, hindering the organization's activities and harassing those affiliated with the NGO.

Most public and private schools continued to teach HAC courses throughout the country in grades five through 11.

Yezidi community representatives again reported dissatisfaction with the mandatory HAC course, terming it "religious indoctrination." While schools with an all-Yezidi student body were able to remove the course from their curriculum, Yezidi children who attended schools with a mixed student body were obliged to take the course, regardless of parental objections. There were anecdotal reports again stating that at least one public school in Yerevan and two public schools in Yezidi villages did not teach the course.

Several non-AAC religious groups again said they did not object to the inclusion of the HAC course in public schools, although some objected to the prayers and making the signs of the cross that reportedly occurred during the classes, and they said they would like to see a more accurate portrayal of religious groups other than the AAC. One Christian group stated that while religious education was important, it should include "all religions that are traditional to Armenia."

NGOs, other religious organizations, atheists, and nonpracticing members of the AAC continued to publicly voice concerns about what they stated were elements of religious indoctrination contained in the HAC course as well as material equating AAC affiliation with national identity.

In June, the government's announced plans to remove HAC courses from the mandatory school curriculum, generating public debate. While many individuals, including parents, teachers, and AAC clergy, said the course helped to develop a value system based on Armenian identity, others said schools should remain secular and moral values could be developed outside the HAC course. At year's end, sources stated that a major rethinking of the entire school curriculum by the government remained in process.

The NGO Eurasia Partnership Foundation again stated its concerns about the existing HAC course and how its content affected the rights of religious minority groups. The foundation also welcomed the efforts of the Ministry of Education to develop new criteria for public school curriculums, stating that many of the foundation's suggestions to address existing concerns were taken into consideration in the drafting process.

Although official figures for the 2020-2021 school year were not available, during the 2019-2020 school year, 74 schools included an optional course, entitled “History of the AAC/Christian Education,” in their curriculum for grades two through four.

The chaplaincy program, a joint Ministry of Defense-AAC initiative, continued to allow only AAC clergy to serve in the program.

According to official information from the Ministry of Justice, to satisfy the spiritual needs of detainees and convicts, AAC clergymen regularly visited penitentiaries, organized baptisms, offered liturgies, and celebrated holidays. The state of emergency announced on March 16 due to COVID-19 prohibited the “organization of religious rites and participating therein,” ending clergy visits to penitentiaries until the quarantine was lifted in September and penitentiaries started providing limited religious services that adhered to strict protection measures.

On February 11, a trial court ruled in favor of an appeal filed in 2019 by the Center for Religion and Law on behalf of a teacher in Yelpin Village in Vayots Dzor Region against her school administration. According to the Center for Religion and Law, the teacher became a subject of discrimination based on her religion when her instruction hours were reduced after parents of students accused the teacher of belonging to a “sect” because she was a member of an evangelical Christian church. The center requested rescission of the 2017 decision reducing her classes, restoration of the number of classes she taught, payment of back wages, and acknowledgement of the fact she was subjected to discrimination on religious grounds. According to the court ruling, the teacher was reinstated to her former position and paid back wages, but the court denied that discrimination had taken place.

On February 18, the Constitutional Court ruled that the article of the Law on Police Service that contained a blanket restriction on membership in a religious organization was unconstitutional. In the ruling, the Constitutional Court also stated that membership in religious organizations – as a form of freedom of expression and a way to exercise the right of freedom of association – is a right that may not be denied regardless of service in any militarized body, including police.

On June 4, a trial court ruled in favor of an appeal filed in 2018 by the Center for Religion and Law on behalf of police officer Edgar Karapetyan, who was

dismissed from his position on the grounds he was attending an evangelical Christian church and, according to police, was a member of a religious organization, although it was not customary for religious groups to maintain membership records. Karapetyan was reinstated in his position and paid back wages.

Although there was no mechanism for enforcing the legal provision prohibiting funding of religious organizations by spiritual centers located outside the country, several religious organizations said they adhered to the ban and restricted their operations because they did not want to violate the law.

Beginning in August, some foreign citizen volunteers at local churches were denied requests to renew their residence permits as authorities applied a new interpretation of related laws and procedures. Government officials said churches could start paying their volunteers and apply for work papers or the volunteers could leave the country and return, allowing them to remain in the country for an additional 180 days. The provision affected some churches that decided to limit their volunteers' service to 180 days.

Jehovah's Witnesses said that the group halted construction of churches due to COVID-19 and therefore did not face difficulties building places of worship, unlike previous years. They largely suspended construction during the COVID-19 pandemic, although some minor renovations were completed. At year's end, one case dating from 2016 was pending before the European Court of Human Rights regarding the prohibition by the Yerevan City Municipality on building places of worship on land owned by the Jehovah's Witnesses. The Armenian Missionary Association of America continued its construction projects without interference and was planning additional construction the following spring.

At year's end, 127 Jehovah's Witnesses were working in the alternative civilian service program, compared with 129 in 2019. The alternative service appointments included positions in various hospitals, local utility companies, park maintenance services, boarding schools, eldercare facilities, and orphanages. During the fall conflict, the government allowed men in the alternative civilian service program to continue in that program. Additionally, in nearly all cases, Jehovah's Witnesses who had served in the military prior to their conversion and were called up for service during the conflict were released from service after stating that they were Jehovah's Witnesses or providing relevant documentation. According to government sources, Jehovah's Witnesses were the only individuals participating in these programs, and none chose to serve in the alternative military

service (military service that does not involve combat duty or the carrying, keeping, maintaining, or using of arms). Jehovah's Witnesses reported the Armenia-supported de facto Nagorno-Karabakh authorities allowed them to worship in the region without hindrance but denied them registration as a religious group, as well as the right to conscientious objection to military service. They also reported all Jehovah's Witnesses living in Nagorno-Karabakh evacuated to Armenia, and none were forced to serve in the military.

According to AAC spokesperson Vahram Melikyan, following its formation, the working group on government-AAC relations held ongoing meetings to discuss issues of mutual concern, including the spiritual health of the country's citizens.

The government's *National Security Strategy*, adopted in July, recognized the importance of the Armenian Catholic Church, Armenian Evangelical Church, Armenian Apostolic Church, and Christianity in the formation of national values. The strategy recognized respect and tolerance toward other peoples, nations, and religions as a national value. It emphasized the important role played by the three churches within the context of Armenia-diaspora relations and the government's commitment to fully protecting the rights and freedoms of every person residing in the country. The strategy also stressed the importance of fully integrating ethnic minorities and vulnerable groups into every area of public life and the system of state governance. The strategy also stated the country's commitment to protecting the right to life of ethnic, religious, and racial groups and their members as well as the prevention of genocide.

During 44 days of intensive fighting in and around Nagorno-Karabakh involving Armenia, Armenia-supported separatists, and Azerbaijan, significant casualties and atrocities were reported by all sides. After Azerbaijan, with Turkish support, reestablished control over four surrounding territories controlled by separatists since 1994, a Russian-brokered ceasefire arrangement announced by Azerbaijan and Armenia on November 9 resulted in the peaceful transfer of control over three additional territories to Azerbaijan, as well as the introduction of Russian peacekeepers to the region.

The Azerbaijani government reported 63 of the 67 mosques in the territories previously controlled by Armenia-supported separatists were completely destroyed. It was unknown how many were damaged during earlier hostilities in the Nagorno-Karabakh conflict as a result of neglect, or due to intentional damage. There were also reports of desecration of Muslim religious sites. Videos circulated on social media showed pigs in a mosque in Zangilan with defaced interior

religious calligraphy; livestock in the Juma Mosque in Aghdam; and pigs in a mosque in Mamar, in the region of Qubadli. Armenian observers said the videos were staged or stated livestock entered the mosques of their own accord. International journalists visiting the territories following the intensive fighting confirmed the destruction of Muslim graves and graveyards while under Armenia-supported separatist control.

After Azerbaijan reestablished control over parts of Nagorno-Karabakh, the Azerbaijani government accused the Armenia-supported de facto authorities who previously controlled the territory of seeking to sever some religious sites' connections with their Azerbaijani heritage. For example, de facto Nagorno-Karabakh authorities in Shusha renovated the Yukhari Govhar Aga Mosque with Iranian funding and labeled it a "Persian mosque."

Section III. Status of Societal Respect for Religious Freedom

According to several minority religious groups, negative private media portrayals and hate speech continued to be some of the most difficult problems their communities faced. Another minority religious group reported societal and family pressure as the most significant deterrent to their members freely practicing their belief. Minority religious groups reported an increase in harassment that observers attributed to mistaken perceptions that members of these minority groups were foreigners.

The conflict with Azerbaijan over Nagorno-Karabakh contributed to a rise in anti-Semitism, according to members of the Jewish community and other observers who largely attributed this to the Azerbaijani use of Israeli-produced weapons. According to observers, anti-Semitic slurs were again posted on social media platforms, in some cases together with cartoons depicting Jews in an offensive manner. The use of offensive slurs was particularly prevalent in posts on Facebook by anonymous antigovernment individuals targeting the Jewish leader of an international foundation. During the intensive fall fighting, the number of anti-Semitic posts increased, according to members of the Jewish community and other observers. Members of the Jewish community also reported anti-Semitic comments directed at them on public transport. The Hebrew and Armenian sides of Yerevan's Holocaust and Genocide Memorial were defaced on two occasions, first on October 14 with paint, and again on October 22, when a fire was lit with wood around the bronze monument, resulting in discoloration and damage. Members of the Jewish community repaired the damage.

Other religious groups reported incidents of harassment during the year. A religious volunteer reported a car with a passenger drove up next to him when he was returning to his residence in Artashat, showing him what appeared to be a weapon through the window. On several occasions, persons walking past religious volunteers in Gyumri reportedly slapped them. The volunteers did not report the incidents to police.

The NSS continued its 2018 criminal case, on charges of incitement of religious hatred, against the creators of a 2018 Facebook page that falsely presented itself as associated both with the Word of Life Church and Prime Minister Nikol Pashinyan's Civil Contract party. The case remained pending at year's end.

According to Jehovah's Witnesses, unlike previous years, there were no incidents of verbal harassment toward the group's members publicly manifesting their religious beliefs during the year. One other minority religious group that preferred not to be identified reported a single incident of harassment during the year.

One Shia mosque, located in Yerevan, served all Islamic groups.

Section IV. U.S. Government Policy and Engagement

The Ambassador and other embassy officials continued to promote religious tolerance and interfaith dialogue during meetings with government officials, including from the Ministry of Foreign Affairs and political party representatives. Embassy officials engaged government officials from the Ministry of Education, Science, Culture and Sport and the Office of the Human Rights Defender to discuss the impact of the conflict over Nagorno-Karabakh on religious groups and religious sites of significance to Armenian communities.

The Ambassador and other embassy officials regularly consulted minority religious groups, including evangelical Christians and other Protestants; Jehovah's Witnesses; the Church of Jesus Christ; Yezidis; the Jewish community; Apostolic Assyrians; Pentecostals; and Baha'is, as well as individual Muslims, to discuss the state of religious freedom in the country. On several occasions, the Ambassador publicly underscored the importance of fostering an inclusive society in which a diversity of viewpoints and beliefs is welcomed and encouraged. Embassy officials also discussed religious freedom with civil society, including addressing religious discrimination faced by minority religious groups and the impact of the Nagorno-Karabakh conflict on religious groups and religious sites that were significant to Armenian communities.