

Goldsmiths Research Online

*Goldsmiths Research Online (GRO)
is the institutional research repository for
Goldsmiths, University of London*

Citation

Volou, Aristi. 2013. The protection of human rights in ex-communist societies: the case of Armenia. [Digital]

Persistent URL

<https://research.gold.ac.uk/id/eprint/34726/>

Versions

The version presented here may differ from the published, performed or presented work. Please go to the persistent GRO record above for more information.

If you believe that any material held in the repository infringes copyright law, please contact the Repository Team at Goldsmiths, University of London via the following email address: gro@gold.ac.uk.

The item will be removed from the repository while any claim is being investigated. For more information, please contact the GRO team: gro@gold.ac.uk

The protection of human rights in ex-communist societies: the case of Armenia

Abstract

This paper aims to demonstrate the interrelatedness of human rights and democracy. Specifically, it aims to demonstrate, that the effective protection of human rights is impossible in the absence of an effective political democracy. By focusing on the human rights situation, in a society, where democracy was, for many years, ‘absent’, this paper illustrates that societies with no traditional commitment to democracy cannot protect effectively the human rights.

Introduction

It has been repeatedly argued that human rights and democracy go hand in hand; that they are ‘two sides of the same coin.’¹ This paper, basically, aims to illustrate the truthfulness of that proposition. The truthfulness of that proposition will be illustrated, by using as an example, a state, where human rights are not effectively protected due to the lack of traditional commitment to democracy, which is, Armenia.

The paper first attempts to make an initial illustration of the interrelatedness of human rights and democracy; by presenting some human rights, in which their effective protection in a state, can be seen as an indication of an effective democracy.

Secondly, the paper examines the implications of communism on the human rights protection in the former communist Armenia. Then, it examines the protection

¹ Thomas Carothers, ‘Democracy and Human Rights: Policy Allies or Rivals?’ (1994) 17 The Washington Quarterly.

afforded to the human rights which were violated during the communist period, in the newly 'democratic' Armenia. The paper concludes by declaring that despite the considerable efforts of Armenia to promote and to protect effectively the human rights, the lack of traditional commitment to democracy, makes it almost impossible.

The interrelatedness of human rights and democracy: the effective protection of some human rights as an indication of an effective democracy

As it has been rightly pointed out by Norman, 'Human rights and democracy have historically been viewed as separate, albeit parallel, concepts.'² Even though this was the case, 'recent re-conceptualizations of both ideas have led to the emergence of a discourse that recognizes their interdependence.'³ In other words, human rights and democracy can be now considered as 'two sides of the same coin.'⁴

A striking acknowledgement of their interdependence and their interrelatedness has been made by the drafters of one of the most important human rights documents; the Convention for the Protection of Human Rights and Fundamental Freedoms. The drafters of the Convention, in the Preamble, clearly express the view that rights and freedoms 'are best maintained...by an effective political democracy'.⁵

² J Norman, 'Human Rights and Democracy: Conceptualization and Application in Palestine' [2005] <http://www.phrmg.org/human_rights_and_democracy.htm> accessed 8 February 2013.

³ *ibid.*

⁴ Carothers (n 1).

⁵ Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (ECHR).

Further acknowledgements of their interdependence and their interrelatedness have been made by several commentators, such as Robert Dahl.⁶ One of Robert Dahl's criteria for determining the quality of a democratic political system is the 'guarantee of basic civil liberties such as freedom of expression, information, [and] organization'.⁷ As it has been acknowledged by Dirk Berg-Schlosser, the guarantee of civil liberties, among the other two criteria identified by Robert Dahl, 'assure the overall "representativeness" of the democratic system'.⁸

Therefore, as Dahl has rightly pointed out, one of the most important indicators of an effective democracy is the effective promotion and protection of the citizens' right to freedom of expression and information.⁹ This implies, that, an indication of an effective democracy is the effective protection of the citizens' right to have a say in all decision making processes and the effective protection of their right to participate effectively in public affairs.

A further indicator of an effective democracy, identified by Dahl, is the effective protection of the citizens' freedom of organization.¹⁰ This suggests that, an indication of an effective democracy is the effective protection of the citizens' right to form associations, and more crucially in the particular context, political associations.

Even though the guarantee of basic civil liberties, such as freedom of expression and organization, is an indication of an effective democracy, Dirk Berg-Schlosser, has

⁶ Dirk Berg-Schlosser, 'The Quality of Democracies in Europe as Measured by Current Indicators of Democratization and Good Governance' (2004) 20 *Journal of Communist Studies and Transition Politics* 28, 30, 32.

⁷ *ibid.*

⁸ Berg-Schlosser (n 6) 32.

⁹ Berg-Schlosser (n 6) 30, 32.

¹⁰ *ibid.*

gone even further, and has contended that there are further indications of an effective democracy.¹¹ As he has acknowledged, these concern,

a broader range of participatory activities on the part of the citizens in a ‘strong democracy’: the fuller inclusion of women...greater equality, not only of political rights, but also of actual social and economic opportunities and living conditions.¹²

In other words, Berg-Schlosser has argued that an effective democracy also requires equality between men and women; the inclusion of women in the society; and their full participation in it.¹³ He has also argued that equality, not only in respect of civil and political rights, but also in respect of social and economic rights, is an indication of an effective democracy.¹⁴

To sum up, in that section, there has been an identification of some indications of an effective democracy. These include; the effective protection of freedom of expression; the effective protection of freedom of association; the guarantee of equality of men and women as regards civil and political rights; and the guarantee of equality as regards economic and social rights. Therefore, as it has been demonstrated, the effective protection of some human rights is an indication of an effective democracy. This illustrates the proposition that the one does not exist without the other.

The implications of communism on the human rights protection in the former communist Armenia

¹¹ Berg-Schlosser (n 6) 32.

¹² *ibid.*

¹³ Berg-Schlosser (n 6) 32.

¹⁴ *ibid.*

Armenia became a constituent republic of the Soviet Union from 1922 to 1991. As a result, the Armenian nation was ‘swallowed by communism for seven decades’.¹⁵ The transition to communism and authoritarianism had implications on the human rights situation of the then-communist society of Armenia.¹⁶

A good illustration of the implications of communism on the human rights situation of Armenia has been made by the University of Michigan-Dearborn.¹⁷ It has been contended, that the Soviet rule, restricted and repressed, almost all of the civil and political rights of the Armenian citizens, ‘In many ways, Soviet rule was like a deep-freeze. All intellectual and political currents that ran counter to Communism were persecuted and repressed’.¹⁸

It has been similarly acknowledged, that during the communist period, Armenian citizens’ civil and political rights were unduly restricted.¹⁹ Specifically, communism ‘eliminated rival political parties and restricted the range of public expression’.²⁰ This, has undoubtedly, restricted some of the most fundamental civil and political rights of Armenian citizens.

By restricting the ‘range of public expression’, the communist regime restricted the right of Armenian citizens to freedom of expression.²¹ In other words, Armenian citizens were prohibited from expressing freely their own views, opinions, or ideas.

¹⁵ Aris Ghazinyan and Suren Musayelyan, ‘Realizing a Dream: Then and Now’ *AGBU News Magazine* (Armenia, 1 November 2010) <http://www.agbu.org/publications/article.asp?A_ID=643> accessed 8 February 2013.

¹⁶ The University of Michigan-Dearborn, ‘Fact Sheet: Armenia’ (1996) <<http://www.umd.umich.edu/dept/armenian/facts/armenia.html>> accessed 10 February 2013.

¹⁷ *ibid.*

¹⁸ Michigan-Dearborn (n 16).

¹⁹ ‘Armenia – Into the Soviet Union’ <http://www.mongabay.com/history/armenia/armenia-into_the_soviet_union.html> accessed 10 February 2013.

²⁰ *ibid.*

²¹ ‘Armenia – Into the Soviet Union’ (n 19).

However, this restriction of the ‘range of public expression’, which violated the individual’s right to freedom of expression, had a wider dimension. This restriction, did not only violate the individual right to freedom of expression; it also violated the right of the public to participate in public affairs.

This violation by the communist regime, of the right of the public to participate in public affairs, has been also reinforced by Renata Marie Ellingsen.²² As Ellingsen has argued, ‘the years of communism have left the participation of the citizens in governance and decision making on a quite low level in Armenia’.²³

A further implication of the communist regime on the human rights situation of Armenia is related, again, with the right to freedom of expression.²⁴ As it has been correctly observed by Marius Dragomir, the communist regime unduly restricted the freedom of the press.²⁵

As Dragomir has correctly observed, the means of communication worked as ‘mouthpieces of the regime and a huge censorship apparatus was established to stifle critics and ensure that no contradictory, inflammatory or subversive opinion interfered with the official flow of information.’²⁶ In other words, the means of communication were used as means for disseminating one-sided information and ideas, whereas ideas and information which ran counter to the ‘established’ ones were subject to censorship.²⁷

²² Renata Marie Ellingsen, ‘Concept Note 2011-2015: Armenia’ (2010) 4.

²³ *ibid.*

²⁴ Marius Dragomir, *Fighting Legacy: Media Reform in Post-Communist Europe* (Senior Fellows Publication 2003) 2.

²⁵ *ibid.*

²⁶ Dragomir (n 24) 2.

²⁷ *ibid.*

A further fundamental civil and political right which was restricted during that period, due to the Soviet rule, was the right to form associations, and in particular, political associations.²⁸ The communist regime, by eliminating ‘rival political parties’, was essentially impeding Armenian citizens from forming political associations, and, in this way, the right of Armenian citizens to form associations, was violated.²⁹

The communist regime was also responsible for violations of women’s rights, during that period. These violations were related with the status of women and with their rights in participating to public affairs. During the Soviet period, ‘in spite of the legislation that stressed women's equality at all levels, women found it difficult to get into the higher decision-making processes.’³⁰ In other words, during communism, women were not effective participants to public affairs.³¹ This, implies, that, as regards their status during that period, women were at the bottom of the societal hierarchy.

As regards economic and social rights, the implications of the Soviet rule were obvious. During that period, equality, as regards social and economic opportunities, as well as living conditions, was ‘absent’.³² This can be proved by the fact that, during that period, there was a noticeable ‘gap between rich and poor’.³³

To sum up, in that section, there has been an identification of some of the human rights of Armenian citizens which were violated, during the Soviet rule. These include; the right to freedom of expression; the right to freedom of association;

²⁸ ‘Armenia – Into the Soviet Union’ (n 19).

²⁹ *ibid.*

³⁰ Sima A Prahmian, ‘Armenia’ < <http://www.everyculture.com/A-Bo/Armenia.html>> accessed 11 February 2013.

³¹ *ibid.*

³² Ellingsen (n 22) 4.

³³ *ibid.*

equality of men and women as regards civil and political rights; equality as regards economic and social rights. As it has been demonstrated, these rights were not protected during the communist period, and, as it will be demonstrated below, are still not protected in the newly 'democratic' Armenia.

The protection afforded to the human rights which were violated during the communist period, in the newly 'democratic' Armenia

As it has been already discussed, some fundamental human rights were not protected during the communist period. However, as it will be demonstrated below, after twenty one years of independence and democracy, the protection of some fundamental human rights, which are inherently connected with democracy, and which were constantly violated during the communist period, are still violated in the 'democratic' Armenia.

Even if Armenia, just few years after its independence, ratified the most important international human rights treaties, in order to protect effectively the rights guaranteed under these instruments, much more work and effort are needed, in order to protect these rights effectively.³⁴ As it has been nicely put, 'the post-Soviet government has yet to demonstrate its ability to promote internationally acceptable standards for the protection of human rights.'³⁵

The fact that Armenia does not protect effectively the human rights of its citizens is also reflected in the majority of the Concluding Observations of the treaty monitoring

³⁴Simon Payaslian, *The Political Economy of Human Rights in Armenia: Authoritarianism and Democracy in a Former Soviet Republic* (IB Tauris 2011) vii.

³⁵ *ibid.*

bodies. The treaty monitoring bodies consistently stress the necessity that Armenia has to improve its human rights protection, as regards the rights that has been discussed above.

In that regard, it is noteworthy to mention the most important human rights instruments that have been ratified by Armenia. This demonstrates the fact that Armenia, after its independence from the Soviet rule, has done considerable efforts to protect and promote the human rights of its citizens, which had been constantly violated during the communist period.

Just two years after its independence from the Soviet rule, in 1993, Armenia, signed one of the most important human rights instruments; the International Covenant on Civil and Political Rights (ICCPR). In the same year, Armenia signed the International Covenant on Economic, Social and Cultural Rights (ICESCR). Again, in 1993, it signed the Convention of the Elimination of All Forms of Discrimination against Women (CEDAW). Finally, in 2001, Armenia, signed another important human rights treaty; the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

As regards the right to freedom of expression, and the freedom of the press, which are rights inherently connected with democracy, are, unfortunately, unprotected in the newly 'democratic' Armenia.³⁶ Despite the ratification of the ECHR, which guarantees the right to freedom of expression and the freedom of the press, under

³⁶ Anja Mihr, Artur Mkrtichyan, Claudia Mahler and Reetta Toivanen (eds), *Armenia: A Human Rights Perspective for Peace and Democracy: Human Rights, Human Rights Education and Minorities* (Universitat Potsdam 2005) 5.

Article 10, and the ratification of the ICCPR, which guarantees these freedoms under Article 19, these freedoms are still unprotected in Armenia.

According to a survey carried out by the ‘Reporters without Borders for Press Freedom’, Armenia has an unsatisfactory record in the protection of the freedom of the press, as it is very low in the ranking list.³⁷ As it has been correctly pointed out, this is due to the ‘increasing governmental pressure on supposedly independent media and reporting.’³⁸

As it has been also pointed out by the US Department of State in the Country Report on Human Rights Practices of 2010 on Armenia, Armenia has a bad record as regards press freedom.³⁹ In their words: ‘media outlets, particularly broadcasters, feared reprisal for reporting that was critical of the government. These reprisals included the threat of losing a broadcast license’.⁴⁰ Even worst than the losing of a license, the Report has noted that journalists who are critical of the government, are usually subject to physical attacks.⁴¹

A good illustration of the undue restrictions on freedom of the press has been made by the Human Rights Watch.⁴² In its World Report of 2011 on Armenia, the Human

³⁷ Reporters Without Borders for Press Freedom, ‘Europe Falls from its Pedestal, No Respite in the Dictatorships’ (2010) <<http://en.rsf.org/press-freedom-index-2010,1034.html>> accessed 10 February 2013.

³⁸ Maria Raquel Freire and Licia Simao, ‘The Armenian Road to Democracy: Dimensions of a Tortuous Process’ [2007] CEPS Working Document 267/May 2007, 6.

³⁹ US Department of State, ‘2010 Human Rights Report: Armenia’ (2011) <<http://www.state.gov/j/drl/rls/hrrpt/2010/eur/154411.htm>> accessed 10 February 2013.

⁴⁰ *ibid.*

⁴¹ US Department of State (n 39) 30.

⁴² Human Rights Watch, ‘World Report 2011: Armenia’ (2011) <<http://www.hrw.org/world-report-2011/armenia>> accessed 10 February 2013.

Rights Watch has noted the hostility of the Armenian Government towards independent media.⁴³

In order to support its argument, it has noted down the case of *Meltex Ltd and Mesrop Movsesyan v Armenia*, where the independent television station A1+ remained off the air for an eighth year, despite the judgment of the European Court of Human Rights, in June 2008, that Armenia had violated freedom of expression due to ‘repeatedly arbitrarily denying the station a broadcast license.’⁴⁴

Similar concerns have been also raised by the treaty monitoring bodies. Specifically, the Human Rights Committee has expressed its concerns, in its Concluding Observations.⁴⁵ The need for effective protection of the right to freedom of expression and the freedom of the press has been constantly stressed by the Human Rights Committee.⁴⁶

In the Concluding Observations of the Human Rights Committee, for the initial report of Armenia, the Committee has noted that the Press Law Act 1991 was incompatible with Article 19 of the ICCPR.⁴⁷ The Committee has observed that the domestic Act placed unreasonable restrictions on freedom of expression.⁴⁸

The Committee has also stressed its concern about the ‘extent of the Government’s monopoly in respect of the printing and distribution of newspapers’ as well as its

⁴³ *ibid.*

⁴⁴ Human Rights Watch (n 42) 3; *Meltex Ltd and Mesrop Movsesyan v Armenia* App No 32283/04 (ECtHR, 17 June 2008).

⁴⁵ Human Rights Committee, ‘Concluding Observations: CCPR – Armenia’ (1999) UN Doc A/54/40 [116].

⁴⁶ *ibid.*

⁴⁷ Human Rights Committee (n 45) [116].

⁴⁸ *ibid.*

concern about the ‘strict governmental control over the electronic media’.⁴⁹ The Committee has stressed that the Government’s interferences with freedom of expression and freedom of the press rose issues under Article 19, and that Armenia has failed to fulfil its obligations under the Covenant.⁵⁰

More recently, the Human Rights Committee, in its Concluding Observations of 2012, has argued that Armenia failed to protect journalists from threats and attacks, and this rose issues under Article 19.⁵¹ In other words, this observation of the Human Rights Committee demonstrates the fact that journalists, who express and disseminate ‘unorthodox’ views, are subject to threats and attacks in Armenia.

What it has been attempted to prove, by considering the views of these bodies, is that, the inherently-connected-right-to-democracy, freedom of expression, which was unduly restricted during the communist period, is still violated in the democratic Armenia, despite the ratification of the relevant human rights treaties. The fact that the right to freedom of expression is constantly violated by the Armenian Government, proves, that states, such as Armenia, with no traditional commitment to democracy, are unable to protect such rights effectively.

A further similar right, which was identified as being inherently connected with democracy, is the right to form associations.⁵² As it has been already mentioned, communism ‘eliminated rival political parties’ and this demonstrates the fact that,

⁴⁹ Human Rights Committee (n 45) [116]-[117].

⁵⁰ *ibid* [117].

⁵¹ Human Rights Committee, ‘Concluding Observations: CCPR – Armenia’ (31 August 2012) UN Doc CCPR/C/ARM/CO/2 [26].

⁵² Berg-Schlosser (n 6) 30.

during communism, the right to form associations, and in particular political associations, was unduly restricted and violated.⁵³

Despite the inclusion of the freedom of association, in the Armenian constitution, and the ratification of the ECHR, which guarantees the right to form associations under Article 11, as well as the ratification of the ICCPR, which guarantees this right under Article 22, this right is still restricted, to some extent, in Armenia.⁵⁴

As it has been observed by the US Department of State in the Country Report on Human Rights Practices of 2010, ‘registration requirements for all political parties [and] associations remained cumbersome.’⁵⁵ This restricts, to some extent, the right to form associations.

A further indication of the undue restrictions on the right to form associations, and in particular, political associations, has been provided, again, by the US Department of State in its Country Report on Human Rights Practices of 2010.⁵⁶ It has been observed that, members of political-opposition parties are usually convicted in Armenia.⁵⁷

Even if, such individuals are usually convicted for public order offences, the fact that they are almost always convicted under ‘broadly defined criminal charges’ demonstrates, as the Report has noted, that their convictions are ‘politically influenced’.⁵⁸ In other words, individuals who may wish to become members of

⁵³ ‘Armenia – Into the Soviet Union’ (n 19).

⁵⁴ US Department of State (n 39) 41.

⁵⁵ *ibid.*

⁵⁶ US Department of State (n 39) 25-26.

⁵⁷ US Department of State (n 39) 25.

⁵⁸ US Department of State (n 39) 25-26.

political-opposition parties and associations; or individuals who may wish to form such parties; may feel restrained from doing so, since the threat of conviction is overwhelming. This demonstrates, that the right to form associations, and in particular political associations, is, to some extent, restricted in Armenia.

The fact that the right to form associations, and in particular political associations, is still not guaranteed in the newly ‘democratic’ Armenia, proves that the principles of communism inherited from the Soviet regime make the full enjoyment of such rights an intangible concept. To put it in another way, states, such as Armenia, with no traditional commitment to democracy, cannot protect effectively such rights, which are inherently connected with democracy.

Equality between men and women, as regards civil and political rights, is a further indication of an effective democracy.⁵⁹ However, as it has been clarified above, during the communist period, ‘women found it difficult to get into the higher decision-making processes.’⁶⁰ In other words, there was no equality between men and women, as regards civil and political rights, in the communist society of Armenia.

Unfortunately, after twenty-one years of independence and democracy, equality between men and women in Armenia, as regards civil and political rights, remains an intangible concept. It remains an intangible concept, despite the ratification of some important human rights instruments which guarantee the equality of the two sexes, such as the CEDAW; the ICCPR and the ICESCR, which both guarantee this right under Article 3; and the ECHR which guarantees it under Article 14.

⁵⁹ Berg-Schlosser (n 6) 32.

⁶⁰ Prahmian (n 30).

Under domestic law, men and women enjoy equal status. Even though this is the case, in reality, as it has been observed by the US Department of State in the Country Report on Human Rights Practices of 2010 on Armenia, gender discrimination, as regards civil and political rights, is a continuing problem; ‘Women remain underrepresented in leadership positions in all branches of government’.⁶¹ For example, the female representation in Parliament is very low – 4.1 percent.⁶²

This has been also noticed by Renata Marie Ellingsen, who has expressed concerns that the involvement of women in the decision-making and governance is poor and that the ‘Participation of men and women in political life and managing positions is unequal.’⁶³ This, as she has argued, is due to the fact that the Armenian society remains patriarchal and therefore, it makes it ‘difficult for women to reach leadership position’.⁶⁴

These concerns about the poor involvement of women in the decision-making and governance are also reflected in the Concluding Observations of the treaty monitoring bodies. The Committee on the Elimination of Discrimination against Women, in its Concluding Observations, has expressed its concerns about the women’s low participation in political and public life, ‘especially with respect to their representation in decision making bodies’.⁶⁵

A similar concern has been raised by the Committee on Economic, Social and Cultural Rights, which, in its Concluding Observations, observed that ‘there is a

⁶¹ US Department (n 39) 54.

⁶² Mihr and others (n 36) 83-84.

⁶³ Ellingsen (n 22) 4.

⁶⁴ *ibid.*

⁶⁵ Committee for the Elimination of All Forms of Discrimination against Women, ‘Concluding Observations: CEDAW – Armenia’ (2 February 2009) UN Doc CEDAW/C/ARM/CO/4/Rev 1 [28].

relatively low percentage of women in high-level positions, particularly in Parliament.’⁶⁶ On the same vein, the Human Rights Committee has expressed concerns about the women’s ‘reduced participation in public and political life, and the low level of their representation in decision-making posts in the public...sector[s].’⁶⁷

In considering all these information about the inequality of men and women in Armenia, as regards civil and political rights, it can be concluded that equality, which is inherently connected with democracy, and which was an intangible concept during the Soviet rule, remains an intangible concept in the ‘democratic’ Armenia. This demonstrates the fact that such states, due to the lack of traditional commitment to democracy, cannot protect effectively such rights, which are inherently connected with democracy.

The final indication of an effective democracy is, as Dirk Berg-Schlosser has contended, equality of ‘actual social and economic opportunities and living conditions.’⁶⁸ However, during the Soviet rule, as it has been already mentioned, there was a ‘large gap between rich and poor’.⁶⁹ Regrettably, this gap, as Renata Marie Ellingsen has observed, remains in the democratic society of Armenia.⁷⁰

Especially in the rural areas, people are ‘suffering by lack of income opportunities, with majority of people living under the poverty line.’⁷¹ The poorest citizens and marginalised groups do not have equal access to education, health care and social

⁶⁶ Committee on Economic, Social and Cultural Rights, ‘Concluding Observations: CESCR – Armenia’ (1 December 1999) UN Doc CESCR/E/2000/22 [300].

⁶⁷ Human Rights Committee (n 51) [7].

⁶⁸ Schlosser (n 6) 32.

⁶⁹ Ellingsen (n 22) 4.

⁷⁰ *ibid.*

⁷¹ Ellingsen (n 22) 4.

services.⁷² This has led, as Renata Marie Ellingsen has nicely put it, to ‘even more deepening of poverty and low standard living’.⁷³

A similar observation has been made, and, it has been argued that there is an ‘enormous disparity between an elite group of persons...who, on the one hand, monopolised the majority of the resources, and the rest of the population on the other.’⁷⁴ It has been further observed, that although the country ‘witnesses the emergence of a middle-class, it is still at the very bottom of the social scale.’⁷⁵

To sum up, the inequality in social and economic opportunities, as well as living conditions, which existed during the communist period, remains in the ‘democratic’ Armenia; the gap between rich and poor remains. This indicates that, in a state, such as Armenia, where inequality in these spheres was the ‘rule’, the elimination of such inequality is very difficult. This is why, even in the new ‘democratic’ Armenia, inequality in these spheres still exists. This demonstrates the fact that such states, due to the lack of traditional commitment to equality and therefore, to democracy, cannot protect effectively such rights.

Conclusion

To sum up, in this paper, there has been an attempt to prove that human rights and democracy go hand in hand; that the one does not exist without the other. By considering some human rights, in which their effective protection can be seen as an

⁷² *ibid.*

⁷³ Ellingsen (n 22) 4.

⁷⁴ International Federation for Human Rights, ‘Overview of Major Human Rights Issues in the Republic of Armenia’ (2006) <<http://www.fidh.org/IMG/pdf/armenierapport1311a.pdf>> accessed 15 February 2013, 1.

⁷⁵ *ibid.*

indication of an effective democracy, this paper has attempted to illustrate the interrelatedness of these two concepts.

By using Armenia, as an example, this paper has attempted to illustrate that the interrelatedness of human rights and democracy is an undisputable fact. By considering the ineffective protection of some human rights in Armenia, which are inherently connected with democracy, during the Soviet rule; and by considering their ineffective protection in the newly 'democratic' Armenia; it has been attempted to prove that in states, with no traditional commitment to democracy, the effective protection of human rights, is an intangible concept.

Bibliography

Legislation:

Convention for the Protection of Human Rights and Fundamental Freedoms
(European Convention on Human Rights, as amended) (ECHR)

Case-law:

Meltex Ltd and Mesrop Movsesyan v Armenia App No 32283/04 (ECtHR, 17 June 2008)

Books:

Dragomir M, *Fighting Legacy: Media Reform in Post-Communist Europe* (Senior Fellows Publication 2003)

Mihr A, Mkrtichyan A, Mahler C and Toivanen R (eds), *Armenia: A Human Rights Perspective for Peace and Democracy: Human Rights, Human Rights Education and Minorities* (Universitat Potsdam 2005)

Payaslian S, *The Political Economy of Human Rights in Armenia: Authoritarianism and Democracy in a Former Soviet Republic* (IB Tauris 2011)

Articles:

Hard copy journals:

Carothers T, 'Democracy and Human Rights: Policy Allies or Rivals?' (1994) 17 The Washington Quarterly

Schlosser-B D, 'The Quality of Democracies in Europe as Measured by Current Indicators of Democratization and Good Governance' (2004) 20 Journal of Communist Studies and Transition Politics 28, 55

Online journals:

Norman J, 'Human Rights and Democracy: Conceptualization and Application in Palestine' [2005] <http://www.phrmg.org/human_rights_and_democracy.htm>

Prahamian A S, 'Armenia' < <http://www.everyculture.com/A-Bo/Armenia.html>>

Reporters Without Borders for Press Freedom, 'Europe Falls from its Pedestal, No Respite in the Dictatorships' (2010) < <http://en.rsf.org/press-freedom-index-2010,1034.html>>

Working papers:

Ellingsen M R, 'Concept Note 2011-2015: Armenia' (2010)

Freire R M and Simao L, 'The Armenian Road to Democracy: Dimensions of a Tortuous Process' [2007] CEPS Working Document 267/May 2007

The University of Michigan-Dearborn, 'Fact Sheet: Armenia' (1996)
<<http://www.umd.umich.edu/dept/armenian/facts/armenia.html>>

Other sources:

United Nations documents:

Committee for the Elimination of All Forms of Discrimination against Women,
'Concluding Observations: CEDAW – Armenia' (2 February 2009) UN Doc
CEDAW/C/ARM/CO/4/Rev 1

Committee on Economic, Social and Cultural Rights, 'Concluding Observations:
CESCR – Armenia' (1 December 1999) UN Doc CESCR/E/2000/22

Human Rights Committee, 'Concluding Observations: CCPR – Armenia' (31 August
2012) UN Doc CCPR/C/ARM/CO/2

Human Rights Committee, 'Concluding Observations: CCPR – Armenia' (1999) UN
Doc CCPR A/54/40

Reports:

Human Rights Watch, 'World Report 2011: Armenia' (2011)

<<http://www.hrw.org/world-report-2011/armenia>>

International Federation for Human Rights, 'Overview of Major Human Rights Issues in the Republic of Armenia' (2006)

<<http://www.fidh.org/IMG/pdf/armenierapport1311a.pdf>>

US Department of State, '2010 Human Rights Report: Armenia' (2011)

<<http://www.state.gov/j/drl/rls/hrrpt/2010/eur/154411.htm>>

Magazine articles:

Ghazinyan A and Musayelyan S, 'Realizing a Dream: Then and Now' *AGBU News Magazine* (Armenia, 1 November 2010) <

http://www.agbu.org/publications/article.asp?A_ID=643>

Websites:

'Armenia – Into the Soviet Union'

<http://www.mongabay.com/history/armenia/armenia-into_the_soviet_union.html>

Personal details

Name

Aristi Volou

Institution

University of Leicester

Title

‘The protection of human rights in ex-communist societies: the case of Armenia’

Total word count

4387