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## **Freedom of Religion or Belief in Armenia**

*By Willy Fautré, Human Rights Without Frontiers*

According to the 2011 population census, approximately 92% of the population identify themselves as affiliated with the Armenian Apostolic Church<sup>1</sup>. Other religious groups, constituting less than five percent each of the total population, include Roman Catholics, Armenian Uniate (Mekhitarist) Catholics, Orthodox Christians, Evangelical Christians, Molokans, Pentecostals, Seventh-day Adventists, Baptists, Charismatic Christians, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Yezidis, Jews, Sunni Muslims, Shia Muslims, pagans, and others.

Yezidis are concentrated primarily in agricultural areas northwest of Yerevan around Mount Aragats. Adherents of the Armenian Catholic Church mainly dwell in the northern regions of the country (the overwhelming majority of them are traditionally members of the Catholic Church). Most Jews, Mormons, and Orthodox Christians reside in Yerevan, along with a small community of Muslims, most of whom are Shia, including Iranians and temporary residents from the Middle East.

Statistics about religious affiliation are always open to controversies and Armenia is not an exception. In its report 'Community and the Country' published in 2014, the Helsinki Committee of Armenia devotes a chapter to the religious census under the title "Is the number of believers falsified? Religious organisations don't acknowledge the census data." All minority religions agree to say that the calculation of their own membership does not match the official statistics and they provide convincing figures. And the Helsinki Committee writes:

Members of legally acting religious organisations and human rights activists are ascertained that the data on religious population published in the end of 2013 does not coincide with their numbers. Also categories are not properly classified (...).

Moreover, according to "Freedom of Conscience" media information, the data regarding religious population in at least two cities has been altered.

"The believers of the Armenian Apostolic Church made around 60% but when summing up, we wrote 90%," said one of the regional authorities responsible for the

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<sup>1</sup> The question about the religious affiliation was first introduced in the census in 2011.

2011 Census, preferring to stay anonymous. Another authority mentioned that people were not asked about their confession in regional villages and towns, but the desired numbers were added up.”

A study entitled ‘Freedom of Religion in Armenia,’ authored by Meri Yeranosyan, Vahan Ishkhanyan and Avetik Ishkhanyan was published in 2010 by the Helsinki Committee of Armenia with the financial support of the Norwegian Helsinki Committee. This study presented a sociological survey based on a sample of 805 people:

- 73.8% of the respondents considered themselves followers of the Armenian Apostolic Church;
- 10% stated that they did not belong to any religious denomination;
- 7% adhered to the community of Armenian Evangelical Churches;
- 1.4% considered themselves ‘Christian’ without specifying which Christian church they belonged to;
- 0.5% had difficulty answering this question;
- Other responses (less than 0.5%) included the atheists, Buddhists, Mormons, pagans...

Noteworthy is that among the respondents that adhered to the Armenian Apostolic Church

- 39% did not consider themselves ‘believers’ but reportedly went to church from time to time and honored some traditions;
- 29.9% declared they believed in God but did not go to Church and did not honor any religious tradition;
- 26.2% said they were “believers” and routinely followed the traditions of the Church.

### ***Constitutional and legislative framework***

The constitution protects religious freedom; however, some laws and policies restrict religious freedom by providing special privileges only to the Armenian Apostolic Church (AAC) and limiting certain rights of minority religious groups<sup>2</sup>, including their ability to obtain building permits for the construction of churches and other religious centers.

The law prohibits but does not define ‘soul hunting,’ a term describing proselytism.

The law governing religious groups does not explicitly mandate registration of religious groups, but only registered groups have legal status. Unregistered groups may not publish more than 1000 copies of newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor visitors’ visas, although individual members may do so.

To qualify for registration, religious groups must “be free from materialism and of a purely spiritual nature,” have at least 200 adult members, and subscribe to a doctrine based on ‘historically recognised holy scriptures.’ The registration requirements do not apply to the religious groups associated with national ethnic minorities, although most have chosen to register. The Office of the State Registrar registers religious groups, and the Department of Religious Affairs and National Minorities oversees religious affairs and consults in the registration process.

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<sup>2</sup> See the Opinions of the Venice Commission (Council of Europe) about draft amendments to the 17<sup>th</sup> June 1991 Law on Freedom of Conscience and on Religious Organizations:

<http://www.venice.coe.int/webforms/documents/?opinion=643&year=all>

<http://www.venice.coe.int/webforms/documents/?opinion=603&year=all>

[http://www.venice.coe.int/webforms/documents/?pdf=CDL\(2009\)066-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL(2009)066-e)

The law prohibits foreign funding of foreign-based denominations but so far the government has not enforced this prohibition.

The criminal code prohibits incitement of religious hatred.

### ***Monopoly of the Armenian Apostolic Church and religious discrimination***<sup>3</sup>

The constitution and the law establish separation of church and state but recognise “the exclusive mission of the Armenian Apostolic Church as a national church in the spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia.”

#### *Intrusion of the Armenian Apostolic Church in public schools*

The law mandates that public education be secular. Courses in the history of the Armenian Apostolic Church, however, are part of the public school curriculum and are taught by public school teachers<sup>4</sup>. The church has the right to participate in the development of the syllabus and textbooks for this course<sup>5</sup> and to define the qualifications of its teachers<sup>6</sup>. The church may also nominate candidates to teach the course. The class is mandatory; students are not permitted to opt out of the course, and no alternatives are available to students of other religious groups. In addition, the law grants the Armenian Apostolic Church the right to organise voluntary extracurricular religious classes in state educational institutions. Other religious groups do not have this right.

Since the introduction of the subject into schools, incidents of religious intolerance stemming from the conduct of these lessons have allegedly occurred. Sometimes AAC priests will participate directly in these classes, and sometimes classes will take place in churches, which violates the principles of the ‘Law on Education’, which states that education in the RA must

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<sup>3</sup> This section mainly reflects the contents of a research work by Stepan Danielyan, Vladimir Vardanyan and Artur Avtandilyan published by the “Collaboration for Democracy Centre” (CFDC) with the assistance of the OSCE Office in Yerevan.

<sup>4</sup> According to Article 4 of Section 3 of the RA Law on Education, “*The RA educational system is aimed at strengthening the spiritual and intellectual potential of the Armenian nation as well as maintaining and promoting universal human values. The Armenian Church contributes greatly to this work*”.

According to this same law – Point 6 of Article 5 of “Principles of State Policy in the Sphere of Education” – education in all educational establishments must be of a secular nature.

<sup>5</sup> The Church’s Christian Education Center of the Mother See had a primary role in developing and approving the textbooks and vetting the teachers of a course on the history of the Armenian Apostolic Church offered in the public schools.

<sup>6</sup> Since 2003, a new subject called “Armenian Church History” has been taught in schools. On February 22, 2007, the NA adopted the “Law Regarding the Relationship between the Republic of Armenia and the Holy Armenian Apostolic Church”, which permits the Church to initiate activities in public schools. An excerpt follows:

*“Article 8: The Role of the Holy Armenian Apostolic Church in the Sphere of Education.*

*The Holy Armenian Apostolic Church has the right to:*

- 1. Establish or sponsor kindergartens, primary and secondary schools as well as vocational colleges or institutions of higher educational within the framework of RA legislation.*
- 2. Take part in curriculum and textbook development for the subject “Armenian Church History”, define standards and qualifications for the teachers of the subject, and introduce schools to potential candidates who could teach the subject.*
- 3. Conduct optional educational courses in the state educational system, utilizing their buildings and resources and coordinating any organizational issues with the relevant educational establishment.*
- 4. Contribute to the spiritual education of society in educational establishments as prescribed by law”.*

be of a secular nature<sup>7</sup>. In reality, the subject ‘Armenian Church History’ has turned into a study of the religion itself.

In July 2012, the Center of Collaboration for Democracy (CCD), a non-governmental organization (NGO), published a report on religious education in public schools, concluding that the curriculum and textbook for the course on the history of the Armenian Apostolic Church focused on the belief system of the church rather than on its history. According to the report, the classes included some elements of religious rites of the church, as well as hate speech against other religious groups, and were designed to indoctrinate students. The report quoted interviews with public school principals and teachers of the class, some of whom stated the purpose of the class was to mold students into ‘correct’ Christians, keep them away from ‘sects,’ bring them closer to the Armenian Apostolic Church, and teach them that other religions divide the nation. There were reports during the year of mandatory visits to churches during class hours and reports of religious rites performed in public kindergartens.

The interference of the Armenian Apostolic Church in public schools creates conscientious problems to parents who profess other religious or non-religious beliefs and the above statistics show that the number of such families is not insignificant.

In 2014, the Council of Europe published a 50-page study entitled “Rights of Children from Religious and Ethnic Minorities in Armenia”<sup>8</sup> with the support of the Embassy of The Netherlands to Armenia. It identified public schools as the place where discriminatory attitudes and stereotypes of children of religious minorities were formed. The study cited numerous reports that teachers and principals discriminated against children belonging to religious minorities. According to the study, teachers of the course on the history of the Armenian Apostolic Church customarily inquired about the religious affiliation of students at the beginning of the year, thus singling out the children of religious minorities and creating potential problems with their peers. The study also found that some teachers of this course started their classes with prayers.

One of the recommendations of the study is to make the ‘History of Armenian Church’ subject optional and deliver in parallel to it an optional class ‘World religions’ and/ or ‘History of Culture’. Another proposal is to create a working group which will remove from textbooks provisions identifying religious and ethnic belonging.

### *Construction of places of worship*

According to Article 17 of the law ‘On the Freedom of Conscience and on Religious Organizations’, the AAC has certain ‘privileges’ such as “*Building new churches, and turning historical monuments belonging to it into churches – both at the request of the believers and at its own initiative*”. The law’s other articles contain no indication of whether other religious organizations other than AAC have the right to construct new church buildings. However, a survey of the Eurasia Partnership Foundation indicates that obtaining planning permission for building new churches is fraught with various hurdles. There are regular reports of obstacles faced by religious organisations in building places of worship.

### *Exemption from military service*

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<sup>7</sup> This is in clear contradiction of Article 5, Point 6, of the Law on Education.

<sup>8</sup> See the study conducted by Eurasia Partnership Foundation and authored by Hovhannes Hovhannisyan, Isabella, Sargsyan and Gayane Mkrtchyan at

[https://www.coe.int/t/dg4/youth/Source/Resources/Publications/2014\\_Field\\_Study\\_Rights\\_of\\_Children\\_en.pdf](https://www.coe.int/t/dg4/youth/Source/Resources/Publications/2014_Field_Study_Rights_of_Children_en.pdf)

In 2013 the government approved changes to the alternative service law that instituted civilian control instead of military supervision over the alternative labor service. The amendments also reduced the duration of alternative (non-combat) military service from 36 to 30 months, and the alternative civilian service from 42 to 36 months. Evasion of alternative service remained a criminal offense.

In accordance with Article 12, Paragraph 1, Sub-paragraph ‘c’ of the Law on RA Military Service, the RA Government has the authority to adopt decisions regarding the exemption of Armenian citizens from compulsory military service. Acting on this legal mandate, the Government periodically issues decisions regarding the exemption of particular clerics and seminarians of the AAC from compulsory military service<sup>9</sup>. This exemption is not granted to clerics of other religions.

#### *Societal discrimination based on religion or beliefs*

There are regular reports of societal discrimination based on religious affiliation, belief, or practice. Members of minority religious groups reported experiencing societal discrimination and intolerance, including in the workplace, although few filed reports with the authorities.

Armine Davtyan, a professor at the Armenian State Pedagogical University, claimed that she had been dismissed on religious grounds following the rejection of her doctoral thesis on peculiarities of spiritual education in high schools. According to the media report, the university claimed she had been removed as a result of general layoff. Davtyan noted that, while not a member of any religious group, her views differed from those of the Armenian Apostolic Church, and this had become evident during her doctoral thesis defense. Davtyan claimed she had been dismissed for these views. (See details in the Annex: “A scientific research failed for religious motives: The Church intervenes into science”)

#### *Social hostility*

Members of minority religious groups reported experiencing societal discrimination and intolerance, including in the workplace, although few filed reports with the authorities. Many media outlets demonstrated bias against minority religious groups.

Many media outlets continued to label minority religious groups as ‘sects’ and propagated fear of religious minorities<sup>10</sup>. Various television stations broadcast one-sided discussions and news coverage in which participants characterized minority religious groups as enemies of the state. According to minority religious groups, those stations did not provide them with an opportunity to respond to the criticism nor to participate in television debates to present their side of the story. Most broadcast media outlets were owned by politicians in the ruling party or politically connected businessmen. Media outlets published inaccurate articles portraying religious minorities as criminals and spies. Many inflammatory statements did not specify a particular religious group, but instead aimed to create general intolerance toward all religious minorities. Religious groups also reported increased intolerance and threats in social networks.

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<sup>9</sup> See, in particular, the RA Government Decisions N 492-A, 27.09.2007, N 1128-A, 15.05.2008, N 443-A, 23.10.2008, N 1201-A, 30.04.2009, N 473-A, 29.10.2009, N 1233-A 26.04.2007 “On the Exemption and the Occupational Deferment of Clerics of Holy See of St. Etchmiadzin, Monks and Students of St. Jerusalem “Saint Hakobyants” monastery and students of Calcutta Benevolent Seminary from Compulsory Military Service”.

<sup>10</sup> For more details, see the study of the Helsinki Committee of Armenia “Freedom of Religion in Armenia”.

'United Youth League' slandered religious minorities and claimed there were more than 215 'sects' functioning in the country, which received millions of dollars from abroad and aimed to destroy Armenia.

Another organization, 'Menk' (We), was also known to campaign against the allegedly destructive influence on Armenian society of groups such as 'Word of Life,' the Evangelical Baptist Church 'Great Grace,' 'Jehovah's Witnesses,' 'Reima,' and 'Altar'.

Other organizations such as 'One Nation,' 'April 24,' or 'Armenian Nationalists' disseminate hate speech material against new religious movements in the public space. A few examples:

One Nation:

*"Beware of the sects. Jehovah's Witnesses, Satanists, Mormons, Armenian Evangelicals, followers of Krishna, Pentecostals, Word of Life, Moonies, Protestants and others are just sects, which are sponsored by the West. They have no connection with OUR ARMENIAN APOSTOLIC CHURCH. We appeal to you: the emergence of these organizations in our country has a political basis – it has been ordered by the USA. It has one goal: to turn the Armenian nation into an ignorant, enslaved, materialistic mob of zombies that has renounced its spiritual roots and civil duties. It is now our moral obligation to protect our national and spiritual identity, our land, and our national Armenian Apostolic Church. Each and every Armenian must combat the sects' corruptive anti-national impact everywhere – in his yard, in his apartment block. – Co-chairman of "One Nation" Alliance, Gor Tamazyan<sup>11</sup>.*

Armenian Nationalists: "DEATH TO SECTS AND THEIR MEMBERS!"

Law enforcement bodies never take action against them.

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<sup>11</sup> Website of US Embassy of Armenia [http://armenia.usembassy.gov/irf2009\\_arm.html](http://armenia.usembassy.gov/irf2009_arm.html)).