



ADVANCING THE DOMESTIC VIOLENCE AGENDA IN ARMENIA

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June 2026 by the Center for Global Rights for Women

Global Rights for Women (GRW) is an international non-governmental organization based in Minneapolis, Minnesota, United States that advances legal reform and systemic change to end violence against women and girls throughout the world. GRW partners with women's organizations and other leaders to strengthen their efforts to identify, intervene, and prevent gender-based violence by centering the voices and needs of survivors themselves, then working to amplify and integrate their voices and needs into legal and other systemic solutions.

Global Rights for Women, founded in 2014 has merged with the Battered Women's Justice Project (BWJP) to form a new BWJP Center, the Center on Global Rights for Women. BWJP is the national legal resource for gender-based violence in the United States and the nation's leading specialized policy and practice initiatives on improving survivor safety and promoting offender accountability. This report was researched and written by GRW staff before the merger.

For more information, please visit our website bwjp.org/global-rights-for-women.

The Women's Support Center (WSC) is a non-profit and non-governmental organization, established in 2010. It operates as a full-service domestic violence center, providing comprehensive support to survivors, including the only two domestic violence shelters and a transitional house in Armenia. In addition to safe housing, the WSC offers counseling, legal aid, therapy, and an economic empowerment program. As an expert consultant for the Ministry of Labor and Social Affairs and the Council of Europe in Armenia, the WSC also engages in advocacy to drive systemic change. Beyond direct services, the organization tackles broader societal challenges such as gender inequality, stereotypes, and patriarchal values, striving to create a world where women can live in safety, peace, and equality.

For more information, please visit WSC's website at www.womensupportcenter.org.

ACKNOWLEDGEMENTS

GRW extends its deepest gratitude to the 35 survivors who courageously shared their experiences with us. Their resilience and determination have deepened our understanding of the challenges faced by survivors of domestic violence and reinforced our commitment to driving meaningful change. We also express our heartfelt thanks to the Women's Support Center, Armenia, for their trust, partnership, and invaluable support and to the United States Embassy in Armenia for their financial support.

GRW is profoundly grateful to the dedicated advocates from Yerevan, Yeghegnadzor, and Gyumri regions of Armenia, who generously contributed their time, insights, and expertise. Their perspectives have greatly enriched our understanding and strengthened the foundation of this project.

Our appreciation also goes to the following professionals and institutions for their collaboration and invaluable input:

- Lawyers representing survivors in court
- Police officers
- Probation officers
- Forensic physicians
- Authorities from the Yerevan Municipality Department of Children
- Authorities from the Ministry of Labor and Social Affairs Department

These professionals inspire us with their steadfast commitment to addressing domestic violence.

This report was researched and written by Global Rights for Women staff Vayuna Gupta, Cheryl Thomas and Mingyu Ma and consultant, Denise Gamache. We thank former Minneapolis Deputy Chief of Police, Kristine Arneson for her guidance and assistance. Together, we hope our collective efforts will help pave the way toward a future free from domestic violence.

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EXECUTIVE SUMMARY

“When COVID hit, my husband wasn’t able to work as a seasonal migrant in Armenia anymore. My mother-in-law asked us to get a divorce within a week. I was pregnant with the second child. It was at that time that my husband was beating me, and my father-in-law was also beating me. I had a miscarriage when the fetus was 3 months old. I called the police, and they only gave me a warning.”

– Survivor Focus Group, Gyumri, October 25, 2024

At the invitation of the Women’s Support Center (WSC), in Yerevan, Global Rights for Women (GRW) assessed the police response to domestic violence in Armenia. This initiative took place over a 9 month period through in person interviews and focus groups, observations and review of Armenian laws and policies.

Armenia passed the Law on Prevention of Violence Within the Family, Protection of survivors of Violence within Family and Restoration of Peace in the Family in 2017 with amendments coming into force on July 1, 2024. It is now called the On Prevention of Family and Domestic Violence and Protection of survivors of Family and Domestic Violence (DV Law). Related amendments to The Criminal Code, 2022 were also passed in 2024. GRW has provided a commentary on the DV Law along with selected provisions of the Criminal Code, 2022 relevant to domestic violence, in Appendix I. As best practices guide us, monitoring the impact of the implementation of the DV Law is essential to ensure they are meeting their goals. GRW is grateful for Armenian authorities’ willingness to share their experience with implementation.

According to a 2021 survey, in Armenia, 14.8% of women have endured physical violence, 6.6% have endured sexual violence, and 31.8% have endured psychological violence.¹ Alarming, 43.3% of women who have been physically or sexually abused remain silent about the violence. The same survey noted that, among those who seek help, only 0.4% of women in Armenia report incidents to the police, which is strikingly low when compared to global averages. A 2022 World Bank Report analyzing data from Demographic and Health Surveys across 51 countries found that, on average, 9% of women turn to the police for assistance. This stark contrast underscores a deep lack of confidence in Armenia’s law enforcement and systemic support structures to effectively protect survivors.

¹ Survey on Domestic Violence Against Women, available at https://armstat.am/file/article/gbv_report_eng.pdf (2021).

These statistics indicate that either women are unaware of the help they may be able to receive from the police, or that law enforcement is unable or unwilling to respond to the needs of survivors in a way that creates trust and confidence that their safety will be protected and the violent abuser will be stopped and held accountable.

GRW acknowledges the numerous leaders in Armenia—in both civil society and government—who are dedicated to improving the police and community response to domestic violence. Important steps have been taken including the passage of the 2024 amendments and the efforts by many to better promote survivors' safety and offender accountability.

Overall, as outlined in the 'Concerns' below, we found that authorities in Armenia maintain a preference for perpetrators' legal rights and unity within the family over the safety and well-being of survivors of domestic violence and their children. With some exceptions, this preference is repeatedly reflected in police response. It is also reflected in the practice of other criminal justice authorities when police refer cases through the system. This is a common problem in communities globally.

The response of Armenian police also reveals a lack of knowledge on the unique dynamics of domestic violence, including the repeated nature of the offense, the fear survivors and their children have of the abuser, the control abusers exercise over survivors and the entire family in multiple ways including coercion, economic abuse, isolation, shaming and blaming. This gap in knowledge undermines police's ability to use their important authority under the law to disrupt this power imbalance and truly prioritize the safety of the survivor and the accountability of the offender. As our recommendations below articulate, promising practices around the world show that this can be addressed through targeted allocation of resources. For example, comprehensive databases that document abusers' previous violence and convey this to all stakeholders are essential. In addition, in-depth and regular training and better guidance for police through refined forms, policies and directives from police leadership play an important role.

Although the police have the authority under the DV Law to issue Emergency Intervention Orders (EIOs) in Armenia, implementation is not meeting the goal of survivor safety. In fact, the current practice is actually undermining survivors' security and well-being - and that of their children. This is due to delays, failure to identify extremely dangerous abusers, manipulation by abusers and biases against survivors. Enforcement of EIOs is rare and violations of orders are largely ignored in Armenia when they should be prosecuted as crimes according to the Criminal Code, 2022. Usage of police warnings for first time incidents, though reduced with the 2024 Amendments, continues to be a response that undermines perpetrator accountability and must be eliminated from the DV Law.

² Survey on Domestic Violence Against Women, available at https://armstat.am/file/article/gbv_report_eng.pdf (2021).

³ Survey on Domestic Violence Against Women, available at https://armstat.am/file/article/gbv_report_eng.pdf (2021).

⁴ Escaping Gender Based Violence, available at <https://genderdata.worldbank.org/en/data-stories/seeking-help-for-gender-based-violence> (2022).

⁵ Law on Prevention of Violence Within the Family, Protection of survivors of Violence within Family and Restoration of Peace in the Family in 2017 with amendments coming into force on July 1, 2024. The Criminal Code amendments coming into force on July 1, 2024.

⁶ Lori Mann and Lusine Sargsyan, Preventing and Combating Violence Against Women and Domestic Violence in Armenia, pp. 50, available at <https://rm.coe.int/eur-justice-eng/168093c14a> (2018).

In addition to the EIO remedy in the DV Law, criminal law in Armenia could also better protect survivors and hold offenders accountable for criminal violence. Police rarely, if ever, arrest or detain violent abusers. If cases are referred to investigators, forensic examiners and prosecutors, delays and biases among these professionals are jeopardizing the safety of survivors and their children. They are allowing criminally violent offenders to continue to assault and abuse survivors. Again, promising practices around the world show that these obstacles can be addressed through institutionalized training by experienced experts and collaborative work between agencies to identify and address failures.

Importantly, as noted throughout this report, coordination between and among agencies is a promising practice globally and has the potential to dramatically improve the police response and the overall community response to domestic violence.

GRW commends the Armenian police who are currently coordinating with service providers, such as the Women's Support Center. By referring cases to service providers, these providers can support survivors and their children as they seek safety. From service providers, police can also learn how their own actions are helpful or harmful to survivors, though there are severe limitations to the coordination due to law enforcement's lack of knowledge of services provided by support centers.

Coordination between agencies is hampered primarily by a lack of a common goal to prioritize the safety of survivors and their children and the accountability of offenders. Working together as allies - police, support centers, investigators, prosecutors and the judiciary - towards these goals is the only way to achieve the intended results of the DV Law.

This report is presented in two sections, 1) Assessing the Police Response and 2) Establishing a Coordinated Community Response (CCR) to Domestic Violence.

ASSESSMENT OF POLICE RESPONSE TO DOMESTIC VIOLENCE

GRW's Concerns about the current police response and recommendations for improvements are outlined below and included in the report with more detail and examples.

Concern: *Survivors encountered survivor-blaming attitudes from the responding police officers that discouraged them from seeking assistance.*

Recommendation: Address biases among police officers through institutionalized, regular training on women's human right to be free from violence, the critically important police role in enforcing this human right, the extraordinary challenges survivors face in staying safe and the devastating impact of domestic violence on individuals and the community.

Concern: *Responding officers often lack a clear understanding of the dynamics of power and control in domestic violence incidents.*

Recommendation: Internal protocols, orders and police forms should direct police to record evidence

of the dynamics of power and control. Training should be institutionalized for police to identify these dynamics and how they can undermine police efforts to hold offenders accountable and keep survivors safe.

Concern: *Responding officers often lack a clear understanding of the repeated nature of domestic violence and are unable to recognize patterns of abuse*

Recommendation: Police and other criminal justice system protocols, policies and forms should require documentation of a perpetrator's history of abuse, both reported and unreported. Consideration of this history should occur during all case evaluations. Police and investigators should be trained to recognize and respond to domestic violence as a pattern of behavior.

Concern: *There is a failure to identify the predominant aggressor.*

Recommendation: Police authorities and lawmakers should require police to identify the predominant aggressor. To prevent the re-victimization of survivors by police, training for police officers should build their capacity to identify predominant aggressors and to recognize injuries that are inflicted on the aggressor by survivors who are defending themselves. For instance, Armenia should equip officers with detailed protocols that allow documentation of power dynamics, history of abuse, and evidence such as the nature of injuries, patterns of control, and fear expressed by survivors amongst others to determine the predominant aggressor. A training memo for self-defense determinations and identifying a predominant aggressor developed by Praxis Blueprint for Safety Model is attached as Appendix IV to this report.

Concern: *There is inadequate investigation into domestic violence cases-including criminal cases-and a lack of refined police forms that guide responding officers in the collection of evidence. Police and investigators do not cooperate, the police reports are not passed on to investigators.*

Recommendation: Armenia should take steps to improve evidence gathering and comprehensive, consistent reporting by responding police officers including by adding inquiries to the police report forms and introducing a supplemental domestic violence report to the standard incident/arrest report form. Police incident report forms should guide police officers to refer survivors to support centers and include the centers' contact information. Thorough police reports should always be provided to investigators.

Concern: *The current risk assessment procedures are not adequate.*

Recommendation: Risk assessment procedures should be improved by the adoption of a new streamlined form that reflects research and best practices on risk assessment in general and tailors it to the unique issues faced by survivors in Armenia.

Concern: *Police warnings currently given to abusers seriously undermine accountability for perpetrators and are not likely to prevent future instances of violence.*

Recommendation: The domestic violence law should be amended to eliminate police authority to issue warnings in domestic violence cases. As this process proceeds, police should avoid issuance of warnings.

Concern: *EIOs prioritize future violence prevention over addressing past or current violence*

Recommendation: Standards for issuing EIOs should shift the focus from solely predicting the likelihood of future violence to thoroughly examining past behavior patterns and concrete indicators of danger.

Concern: *There are challenges in identifying prior violence without a centralized database*

Recommendation: Establish and operationalize a centralized digital database to document and track domestic violence incidents, warnings, and protective measures accessible to police and all criminal justice stakeholders.

Concern: *Police issuance of EIOs frequently does not protect survivors and their children*

Recommendation: Armenia should reform the DV Law to require courts to expedite protection order proceedings to alleviate the danger to survivors after an EIO expires. EIOs should be recognized as a temporary, emergency remedy. Survivors should be able to include children in their request for protection and courts should have the authority to grant that request irrespective of whether the children witnessed the violence. The criminal justice system authorities should arrest and detain violent offenders as discussed further in the ‘Lack of Arrests and Detention in Domestic Violence Cases’ section of this report. Armenia should ensure that domestic violence offenders are not exempt from accountability for their crimes. Such measures are critical to ensuring the safety and well-being of survivors during the vulnerable period when they report perpetrators.

Concern: *Delays and hesitancy by law enforcement in Issuing EIOs*

Recommendation: Law enforcement should prioritize the immediate issuance of EIOs at the time of intervention to ensure survivors receive timely protection and to mitigate the heightened risk of retaliation from perpetrators during this critical period.

Concern: *Failures in monitoring and enforcing EIOs*

Recommendation: Law enforcement, in coordination with investigators, must strengthen the enforcement of EIOs by ensuring that violations result in immediate arrest and detention, as required by Armenia law, police complaint forms note violations and violations are investigated and prosecuted, as mandated by Article 508 of The Criminal Code, 2022 read with Article 109 of the Criminal Procedure Code, 2022. In view of the serious safety issues presented, courts should expedite these cases rather than delay them. A clear law enforcement protocol must be developed to ensure that monitoring efforts are continued by the police.

Concern: *Upon appeal by perpetrators, Judges often overturn EIOs*

Recommendation: Perpetrators should not be allowed to appeal EIOs and courts should not have the authority to overturn them. Any challenges to protective orders should be considered by courts pursuant to the longer term Article 8 protective orders. Police must appear in court to substantiate their decisions to issue EIOs.

Concern: *Violent offenders are rarely, if ever, arrested or detained.*

Recommendation: Law enforcement and investigators should be specifically trained on categorizing acts of violence between partners as aggravated forms of assault or threats as per The Criminal Code, 2022. In addition, the DV Law should be amended to identify domestic violence as a specific crime in The Criminal Code, 2022. Armenia should enact legislative and policy reforms to permit arrests in domestic violence cases based on probable cause or its equivalent under Armenian law i.e. ‘Reasonable suspicion’ under Article 109 of the Criminal Procedure Code, 2022. Similarly, in cases of EIO violations, officers must follow procedures for arrest and detention under Article 508 of The Criminal Code, 2022 and refer to investigators for charging. These responses should be applied consistently, regardless of the severity of the violence

Concern: *Pervasive interference and manipulation of law enforcement*

Recommendation: Armenia must ensure consistent enforcement of strict accountability measures for law enforcement personnel. This could be achieved through independent monitoring bodies or routine audits and transparent reporting to detect and prevent undue influence extending beyond individual complaints.

Concern: *Absence of comprehensive and institutionalized training for police officers on domestic violence*

Recommendation: Armenia should immediately allocate resources for institutionalized and regular training for police officers to respond to domestic violence cases effectively. Areas of needed training are discussed throughout the report. Law enforcement should work with support centers to enhance their understanding of the services offered by support centers within their jurisdiction. Police incident report forms should guide police officers to refer survivors to support centers and include centers’ contact information.

Electronic monitoring

Best Practice: survivor-centered and trauma-informed practices should be adopted in implementing electronic monitoring of perpetrators.

Police Databases

Best Practice: Ensure the effective implementation of Decision 1381-N as a critical first step in data collection in Armenia. Ensure that data collected under Decision 933-N differentiates between general criminal acts like assault, damage to health, and specific domestic violence cases to accurately reflect the prevalence of domestic violence.

COORDINATED COMMUNITY RESPONSE AND THE POLICE ROLE

GRW's suggestions for a CCR are outlined below and included in the report with more detail and examples.

Concern: *The lack of a collective intervention goal within the DV law enforcement and justice system response undermines effective coordination between agencies and allows perpetrators to continue their violence and harassment with impunity.*

Recommendation: Leadership in law enforcement and the justice system in Armenia should affirmatively address the widespread failure in their agencies to create and prioritize a collective intervention goal of survivor safety and offender accountability. Professional institutionalized training on domestic violence that addresses biases and promotes a collective goal of survivor safety and offender accountability should be implemented.

Concern: *The lack of a coordinated response between agencies allows perpetrators to continue their harassment and violence with impunity.*

Recommendation: When police refer domestic violence cases to investigators, those cases should be prioritized and expedited to ensure the safety of the survivor and her children. In addition to police, allies should be identified and coordination initiated among investigators, forensic examiners, child guardian agencies, prosecutors and courts, and forensic examiners, given their key roles in the justice system and their direct contact or involvement in domestic violence cases. GRW recommends a pilot project to develop and implement a coordinated interagency response in one jurisdiction that may be used to guide further coordination efforts throughout Armenia.

Concern: *When perpetrators are members of the military, more effective coordination between local police and military police could initiate sanctions that better protect survivors.*

Recommendation: WSC should further explore the experiences of survivors who have experienced military justice responses to assess their usefulness in promoting survivor safety. If so, a coordinated effort could be initiated to develop and implement standardized protocols that clearly outline the roles and responsibilities of local police, military police, and other relevant agencies in handling cases of domestic violence involving military members.



INTRODUCTION

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As part of its survivor-centered approach, GRW traveled to Armenia to gather primary data on law enforcement responses to domestic violence and make recommendations that could lay the groundwork for a Coordinated Community Response. The team engaged with survivors and various stakeholders, including law enforcement officers, probation officers, forensic doctors, unified social services, and others from 3 regions of Armenia - Yerevan, Yeghegnadzor and Gyumri. GRW learned that survivors experienced lengthy delays in investigations, minimal enforcement of emergency intervention orders, and general inaction by law enforcement.

A survivor shared: “In 2018, roughly, was the first time I went to the police. He had come back from Russia and they gave him a warning at that time. So after this 2018 episode, when my husband was given a warning, he beat me on the street. There’s this whole criminal proceeding and all this evidence (from a previous Russian domestic violence case), and they didn’t do anything for me. And we’re talking about the police--five, six times I went to the police and they didn’t do anything for me. I have gone to the investigative department on a number of occasions because he’s never paid his alimony and I am trying to get my case to be taken seriously, but they haven’t taken it seriously.” ⁷

These delays and inactions contributed to a sense of helplessness and fear among survivors, undermining their trust in the system. Survivors also expressed a strong reluctance to engage with the police and judicial system due to previous negative experiences and the perceived futility of seeking help. When asked about expectations of future interaction with the police and justice system one survivor who had not heard from the police despite reaching out multiple times answered that she feels the system is useless: “GRW Interviewer: So at this point, you don’t want any further interaction with the police or the justice system at all? Is that fair to say? Survivor: I feel that it’s useless.” ⁸

Fear and intimidation from perpetrators have also made it difficult for survivors to pursue legal action or even contact the police again.

⁷ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

⁸ Survivor Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

The issues raised during GRW's interactions with law enforcement and other system actors, detailed further in this report, highlight a general lack of prioritization, insufficient resources, lack of understanding about the critical role of police in ensuring survivor safety and offender accountability with consequential limited authority to effectively intervene, and inadequate training within the police force to effectively address domestic violence cases. These consequently lead to difficulties in accessing the police system and ineffective police responses for survivors. A glaring limitation in Armenia's institutional responses to domestic violence is that current amendments and policy changes in Armenia, as well as procedural shifts across various stakeholder levels, overlook the critical need for perpetrator accountability in domestic violence cases.

This report includes anonymous quotes from domestic violence survivors throughout. These quotes have been translated from Armenian to English specifically for this report.

IN-PERSON INTERVIEWS AND FOCUS GROUPS NOVEMBER 2024



As part of its survivor-centered approach, GRW traveled to Armenia to gather primary data on law enforcement responses to domestic violence. The team engaged with survivors and various stakeholders, including law enforcement officers, probation officers, forensic doctors, unified social services, and others from 3 regions of Armenia — Yerevan, Yeghegnadzor and Gyumri.



PROJECT METHODOLOGY

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PROJECT DESIGN

Global Rights for Women divided this assessment into 3 phases: 1) desk research, 2) focus group interviews and discussions, and 3) review and report writing.

In Phase 1, in collaboration with the WSC, GRW conducted a comprehensive review and analysis of all available information regarding police responses to domestic violence. This included an examination of domestic violence laws, criminal statutes, police training protocols, procedures, Council of Europe reports, police complaint forms, and other relevant materials. The research culminated into a desk research report that assessed Armenia's current strengths and weaknesses, based on publicly available data, and offered preliminary best practice recommendations to address identified gaps and noted discrepancies between policy and practice. The report also highlighted areas requiring additional information that needed to be gathered in Phase 2 to formulate specific recommendations in Phase 3.

The goal of Phase 2 was to gather primary information on intervenors' responses to domestic violence in Armenia through interviews and group discussions with both survivors and key stakeholders.

Interviews and focus groups were conducted with:

- 35 survivors from Yerevan, Yeghegnadzor and Gyumri regions grouped by age and socio-economic status
- Survivor advocates from Yerevan, Yeghegnadzor and Gyumri regions
- Lawyers who represent survivors in court
- Police officers
- Probation officers
- Forensic physicians
- Authorities from Yerevan Municipality Department of Children
- Authorities from Ministry of Labor and Social Affairs Department

GRW engaged with survivors to better understand their experiences with the existing support systems in Armenia. The aim was to learn where the system succeeded in offering support and where it fell short. GRW has found that conducting focus groups with diverse survivors across different regions provides the most comprehensive insights. This primary information served as a foundational guide for all recommendations in the final report developed as part of Phase 3, ensuring that any legal and policy changes suggested were

survivor-centered. All identities of survivors are strictly confidential.

Similarly, GRW spoke with stakeholders - primarily government actors - in both homogeneous and mixed groups. These discussions provided primary information on how stakeholders perceived survivor needs, their adherence to protocols (or lack thereof), and how they provided support. This data helped GRW formulate recommendations in Phase 3 of this project to bridge the gap between stakeholder responses and survivor needs.

Once the information from survivors and stakeholders was collected and transcribed, GRW analyzed recurring themes to identify systemic gaps and strengths in Armenia's response to domestic violence, offering recommendations for systemic improvements in police responses. Additionally, the interaction between stakeholders informed GRW's analysis and recommendations for a Coordinated Community Response Model tailored to Armenia's needs.

Phase 3, the final phase, represented the culmination of GRW's work in assessing police responses to domestic violence in Armenia and recommending a Coordinated Community Response Model, drawing on the information gathered and analyses conducted in Phases 1 and 2, in the form of this report.

GUIDANCE MODELS

In assessing the police response to domestic violence in Armenia and laying the groundwork for a Coordinated Community Response, GRW, in collaboration with WSC, referred to model practices, guidelines and recommendations from multiple sources, including the following:

- Best Practice Assessment Guide (Praxis International)
- United Nations Model Legislation on Domestic Violence and Sexual Assault
- CEDAW Recommendations for Armenia and other countries in the region
- United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, Coordination and Governance Module 5
- Best practices identified by the Duluth Model of Coordinated Community Response
- Safe Consultations with Survivors of Domestic Violence

⁹ Planning and Conducting a Best Practice Assessment of Community Response to Domestic Violence, available at <https://praxisinternational.org/wp-content/uploads/2022/09/Praxis-911-Patrol-Best-Practice-Assessment-Guide-July-2016-REVISED-2018-2.pdf> (2016).

¹⁰ UN Handbook for Legislation on Violence Against Women, available at <https://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf> (2009).

¹¹ Convention for Elimination of Discrimination Against Women General Recommendations 19, 33 and 35.

¹² Essential Services Package for Women and Girls Subject to Violence, Module 5, available at <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2015/Essential-Services-Package-Module-5-en.pdf> (2015).

¹³ Chapter 1, Foundations of Effective Intervention, Duluth Blueprint for Safety, available at <https://www.theduluthmodel.org/wp-content/uploads/2017/03/2-Duluth-Foundations-Chapter-1.pdf>.

¹⁴ Safe Consultations with Survivors of Violence Against Women and Girls, available at <https://www.unwomen.org/en/digital-library/publications/2022/12/safe-consultations-with-survivors-of-violence-against-women-and-girls> (2022).

In addition, GRW staff and consultants relied on their expertise and experience globally in identifying law, policy and practice that best promote survivor safety, equality and offender accountability.

In laying the groundwork and making recommendations for the Coordinated Community Response model, in addition to the resources mentioned above GRW utilized the guidelines of the original Coordinated Community Response model, which was created and refined in Duluth, with the expertise of Praxis International. This model is widely recognized for its comprehensive approach to addressing domestic violence through cross-sector collaboration. In addition, GRW incorporated elements from the “Essential Services Package for Women and Girls Subject to Violence,” developed by UN Women, UNFPA, WHO, UNDP, and UNODC. This global framework offers a holistic approach to delivering essential services to women and girls experiencing violence, ensuring their needs are addressed comprehensively.

PROJECT GOALS

- Gather primary information on intervenors’ responses to domestic violence through interviews and group discussions with both survivors, advocates and key stakeholders.
- Conduct a comprehensive review and analysis of most available information regarding police responses to domestic violence.
- Identify Armenia’s current strengths and weaknesses, and offer recommendations to address gaps and discrepancies between policy and practice.
- Recommend initial steps for a CCR Model, drawing on the information gathered and analyses conducted.

A glaring limitation in Armenia’s institutional responses to domestic violence is that current amendments and policy changes in Armenia, as well as procedural shifts across various stakeholder levels, overlook the critical need for perpetrator accountability in domestic violence cases.

“The police tried reconciliation between me and my husband saying we have 5 children together and we should stay as a family.”

— Armenian survivor

BY THE NUMBERS

0.4%

of Armenian survivors report gender-based violence to police (the global average is 9%)

18

meetings in Yerevan, Yeghegnadzor and Gyumri regions

35

survivors interviewed

22

advocates interviewed

13

police officers interviewed

1

criminal court proceeding observed in Yerevan’s Ajapnyak region



ASSESSMENT OF POLICE RESPONSE TO DOMESTIC VIOLENCE

ASSESSMENT OF POLICE RESPONSE TO DOMESTIC VIOLENCE

POLICE RESPONSE AT THE SCENE

Police response at the scene of a domestic violence incident in Armenia frequently undermines the safety of survivors and their children and fails to hold violent abusers accountable.

a. Concern: survivors encountered survivor-blaming attitudes from the responding police officers that discouraged them from seeking further assistance.

Survivor blaming attitudes in Armenia manifest in two ways - survivors are held responsible for provoking violence against themselves and police officers view domestic violence as family conflicts blaming survivors for breaking families apart by seeking help.

“The police appeared in two hours. Even when they came, the first 15 mins they were very stereotypical. They were both men. Usually, they come in pairs. One was actively listening and the other was registering something. And the first 15 minutes were terrible because they were indirectly blaming me - what was the issue? What was the reason you’ve been hit, etc?”¹⁷

“I will never go to the (village) police because they never take me seriously. Treat me as if I am from the streets.”¹⁸

Advocates highlighted that police officers and investigators¹⁹ often treat survivors of domestic violence similar to criminal offenders, disregarding the likelihood that survivors have suffered ongoing abuse, are traumatized and threatened, and have specific needs in order. This approach results in re-traumatization of the survivors, as they are not provided with immediate support and are often required to interact with abusers during investigations.

¹⁷ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

¹⁸ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

¹⁹ In Armenia, investigators are responsible for charging the offenders.

One advocate noted, “The way they interview and investigate is similar to any criminal offender. They don’t factor in how traumatized survivors can be.”²⁰ This practice also further demonstrates that there’s little to no acknowledgment of the trauma the survivor and their children have endured.

Advocates also noted a tendency for police officers to view violent abuse as family conflict. This kept them from making serious efforts to identify the perpetrator’s pattern of abuse, the danger the perpetrator presented to the survivor and the survivor’s children, the primary aggressor in cases where both parties were injured, repeat assaults or coercion by the offender.

Most survivors explained that they had experienced multiple incidents of abuse before deciding to call the police. They often took this step when the violence was escalating and they began to fear for their lives, or when their children were being abused or clearly suffering emotionally from witnessing the ongoing violence. In response, they faced a lack of police action or were blamed for the violence/breaking the family apart or law enforcement merely issued warnings against the perpetrator. Each of these responses fails to constrain the perpetrator or protect the survivor and in many cases, escalates the danger to survivors.

Recommendation: Armenia should require that all police officers complete regular, specialized training that builds their knowledge of women’s human right to be free from violence, addresses biases and educates them on extraordinary challenges survivors face in staying safe.²¹ Training on the dynamics of domestic violence, the controlling behavior of perpetrators, and the effects on survivors and children would increase trauma-informed responses to survivors and improve case outcomes.

b. Concern: Responding officers often lack a clear understanding of the dynamics of power and control in domestic violence incidents.

Police in Armenia are also guilty of interviewing survivors in the presence of perpetrators perpetuating fear, trauma and intimidation. An advocate informed GRW that a survivor was “interviewed where it lasted for 5 hours and in the presence of the perpetrator.”²² Other advocates stated that “So in this state of mind, very frightened, she does not understand what’s going on and the interview (of the survivor) can last four or five hours in the presence of the perpetrator.”²³

²⁰ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

²¹ A detailed assessment of the training offered to police officers is discussed in the section ‘Insufficient Police Training and Understanding of Domestic Violence’ in this report.

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²² Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

²³ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

This approach fails to recognize the power dynamics at play in abusive relationships. survivors may feel coerced or intimidated into providing statements or answering questions in ways that do not fully represent their experiences due to the presence of their abuser. This coercion can lead to incomplete or inaccurate reports, hindering the investigation and potentially affecting the outcome of any proceedings.

Recommendation: Armenia should ensure police have regular training in the dynamics of power and control in domestic violence cases. Internal protocols and orders should alert and direct police to record evidence of the dynamics of power and control. This could involve incorporating established frameworks, such as the Power and Control Wheel²⁴ to explain controlling behaviors and providing examples that may not be immediately recognized e.g., isolation, economic abuse, or emotional manipulation. Officers should be guided to ask targeted questions to survivors and witnesses that help uncover controlling behaviors and document patterns of abuse over time, along with ensuring survivors and perpetrators are not interviewed together. The protocols should include guidance for identifying cultural and social factors (e.g. the influence of in-laws, immigration status, or community ostracization) that may affect the dynamics of abuse. Taking these considerations into account, GRW recommends a new Risk Assessment form for police officers discussed further in the section ‘Concern: The Current Risk Assessment Procedures are Not Adequate’ and attached as Appendix II to this report.

c. Concern: Responding officers often lack a clear understanding of the repeated nature of domestic violence and are unable to recognize patterns of abuse.

Police in Armenia often treat incidents of domestic violence as isolated, one-off events without considering the perpetrator’s history of abuse. One advocate shared with GRW that police lack knowledge of previous orders and they treat cases as a single incident and do not take into account history of the abuse. “They don’t look at the previous history and they don’t know that she’s had three protective orders issued. They don’t look at that when they go to the scene of the crime. They’re just looking at that one episode of violence.”²⁵ This lack of context prevents effective intervention and protection for survivors. Survivors reiterated the concern that police responses are often limited to the immediate incident, ignoring the ongoing pattern of abuse.

One survivor shared with GRW that “I said everything to them. They didn’t record it. So they asked questions and I told them that he threatened me in 2023, but they didn’t do anything and they didn’t even record. I asked the police if they had a reference of previous assaults? But they’re not looking back. They’re not checking on previous assaults.”²⁶

²⁴ The Power and Control Wheel, Domestic Abuse Intervention Project in Duluth, MN, available at <https://www.theduluthmodel.org/wheels/>.

²⁵ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

²⁶ Survivor Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

This approach also extends to the investigation process where investigators fail to recognize the increased risk posed by a perpetrator with a history of abusive behavior.²⁷

By failing to see the broader context, police and investigators miss critical warning signs that indicate a high risk of continued or escalated violence, or murder. The current approach also undermines the effectiveness of legal and protective measures. Without acknowledging the ongoing nature of abuse, restraining orders and other legal protections may not be adequately enforced, leaving survivors exposed to further harm.

Recommendation: Implement protocols, policies and forms that require documentation of a perpetrator’s history of abuse, both reported and unreported, and consideration of this history during all case evaluations. Train police and investigators to recognize and respond to domestic violence as a pattern of behavior rather than an isolated incident.

d. Concern: There is a failure to identify the predominant aggressor.

Domestic violence cases often occur in private with few witnesses to corroborate the survivor’s or perpetrator’s story. Responding police officers are typically instructed to file police reports based on the totality of the evidence gathered at the scene.

Advocates, in Armenia, described instances where perpetrators or their family members made complaints against the survivor and an Emergency Intervention Order (EIO)²⁸ was issued against the survivor:

“I wanted to raise an issue that hasn’t been raised yet. And that is the issue where after this episode of violence occurs, one or two days later, the police actually invite the survivor to their department and they basically tell her that an emergency protective order is being issued against her by her mother-in-law or so on, someone in the family because they complain about her. And I’m sure that the other regions have had similar cases where the EIO is being issued on behalf of the abuser against the survivor. So in this case, she’s shocked about the issue and she’s frightened that this has taken place. So basically, in this case, for a whole one year period, this woman was being constantly investigated, called into the department.”²⁹

One survivor noted that after an abusive incident, her partner asked her to hit him in the face so that the police determined her as an aggressor too.³⁰

²⁷ Investigators also often view domestic violence incidents as separate assaults rather than part of a recurring pattern. This perspective hinders comprehensive risk assessments and effective intervention strategies. One survivor highlighted, “Investigators look at domestic violence incidents as separate assaults and not as recurring domestic violence incidents.” This fragmented view leads to missed opportunities for early intervention and the implementation of protective measures that could prevent escalation. Courts, too, view domestic violence incidents as separate assaults rather than part of a recurring pattern.

²⁸ An EIO may be issued by a police officer in Armenia when there is a reasonable belief of imminent risk of continuing violence or when violent acts are committed within a year of receiving a warning.

²⁹ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

³⁰ Survivor Focus Group, Gyumri, conducted by Global Rights for Women, October 25, 2024.

In situations when both parties allege that they were abused by the other and there are no witnesses, officers must identify the predominant aggressor and be familiar with injuries commonly sustained when acting in self-defense. The International Association of Chiefs of Police (IACP) defines “predominant aggressor” as “the individual who poses the most serious, ongoing threat, which may not necessarily be the initial aggressor in a specific incident.” ³¹

Perpetrators may try to convince the police that the violence was mutual or that they are the survivors. One US study found that in the 3,078 incidents surveyed, there were 2,090 total arrests and 416 dual arrests. ³² The same study found that in states with primary aggressor laws, 8.6% of incidents ended with a dual arrest, compared to 19% in states without primary aggressor laws. ³³

The IACP provides the following guidance for law enforcement officers to determine which party is the predominant aggressor:

1. Who uses threats and intimidation in the relationship?
2. Does either individual in the relationship isolate their partner?
3. Who is emotionally abusive (uses degrading names, humiliating comments, etc.)?
4. How are minimization, blame, and denial being used by the survivor and/or the suspect?
5. Who utilizes the children to get their way in the relationship?
6. Who has forced sexual contact or used sexual acts as a way to control the other?
7. Who has control of money and finances or uses them as a way to control the other?
8. Who utilizes coercion and threats?
9. Have any threats been carried out or steps taken to carry them out?
10. Does either party have a history of committing violent crimes?
11. What does the premise history tell you about calls for service to the residence?
12. Is there a history of intimate partner violence between the parties?
13. Is there a physical size difference between the parties?
14. Does either party have a protection order against them or a history of protection orders against them?
15. Who appears to be more capable of assaulting the other?
16. What is the severity of the injuries to the parties?
17. Did either party utilize self-defense?
18. Is there potential for violence in the future? If so, by whom?
19. Which party has access to firearms or other weapons?
20. What types of injuries do the parties have? Are they offensive or defensive in nature?
21. Does either party express fear of the other?
22. Is there evidence from witnesses?

Similar guidance in Armenia would better prepare police officers to intervene more effectively in domestic violence incidents and better protect survivors from further abuse.

It is important that officers accurately identify the predominant aggressor because failure to do so can result in harmful consequences for the survivor, including the denial of a protection order, loss of custody of children, denial of access to shelter or issuance of EIO against the survivor. Thus, the perpetrator's power over the survivor will be reinforced rather than restrained.

Recommendation: Police authorities and lawmakers should require police to identify the predominant aggressor. To prevent the re-victimization of survivors by police, training for police officers should build their capacity to identify predominant aggressors and to recognize injuries that are inflicted on the aggressor by survivors who are defending themselves. For instance, Armenia should equip officers with detailed protocols that allow documentation of power dynamics, history of abuse, and evidence such as the nature of injuries, patterns of control, and fear expressed by survivors amongst others to determine the predominant aggressor. A training memo for self-defense determinations and identifying a predominant aggressor developed by Praxis Blueprint for Safety Model is attached as Appendix IV to this report.

POLICE FORMS AND REPORTS

Police report forms are vital in coordinating and structuring institutional responses. Practitioners depend on specific forms to guide their actions, making it essential that police report forms are designed considering the dynamics of domestic violence and prioritizing questions and information that focus on safety.

a. There is inadequate investigation into domestic violence cases-including criminal cases-and a lack of refined police forms that guide responding officers in the collection of evidence and information. Police and investigators do not cooperate, police reports are not passed on to investigators.

Police report forms, detailing the evidence gathered, responding officers' observations of the parties involved, and descriptions of the scene, are key documents in any legal case, influencing the decisions taken by all subsequent actors involved: investigators, charging authorities, forensic experts, judges, etc. The goal of improved police report forms is often to increase the success of civil or criminal cases against the domestic violence perpetrator to impose sanctions that address and end the perpetrator's violence.

Currently, Armenian police officers write a narrative report in a rudimentary format. Items that should be added to the current police form are: a description of the scene, time of incident and time of officer arrival, account of evidence collected, evidence of strangulation, presence or use of weapons, threats to the survivor for seeking help, evidence of stalking behaviors, details regarding presence, involvement, and welfare of children at the scene etc.

³⁵ Ellen Pence and Jane M. Sadusky, Text Analysis as a Tool for Coordinated Community, available at <https://praxisinternational.org/wp-content/uploads/2016/05/TextAnalysisGuideFINAL1.15.13.pdf>.

In domestic violence cases, best practices in police response often include providing police with supplemental forms that include outline drawings of a body which is used to indicate locations of injuries and try to minimize unnecessary text. Another option is to provide officers with a checklist of specific questions to ask or actions they should undertake in a domestic violence investigation so that they can write a comprehensive report. The checklist also ensures that police address critical issues that might otherwise be overlooked in narrative reports. When new forms or guidelines are introduced, training for officers should clearly explain how the additional information they gather can be used to successfully prosecute the case and achieve better outcomes for survivors. Examples of good forms and guidelines are attached to this report as Appendix III.

Improved reporting could have many positive impacts on domestic violence survivors and they should always be provided to investigators. For instance, more comprehensive reports will improve the likelihood that an emergency intervention order or a protection order be issued, and possibly extended; reports that document the presence of children and how they were affected by the violence can support a survivor's arguments that appropriate limits on the perpetrator's access to the children are justified; reports that more clearly describe injuries to the survivor may be important documentation if/when forensic exams are delayed for some time, or when forensic reports are incomplete.

Recommendation: Armenia should take steps to improve evidence gathering and comprehensive, consistent reporting by responding police officers including by adding inquiries to the police report forms and introducing a supplemental domestic violence report to the standard incident/arrest report form. Police incident report forms should guide police officers to refer survivors to support centers and include the centers' contact information. Thorough police reports should always be provided to investigators.

a. Concern: The current risk assessment procedures are not adequate.

In general, risk assessments³⁶ play a crucial role in determining the issuance of EIOs and the police's response to domestic violence incidents.³⁷ The police rely on survivor statements and risk assessment questionnaires to evaluate the situation.³⁸ Risk assessments include factors that researchers have identified as indicators of risk of lethality or repeat violence, such as history of violence, attempts to strangle the survivor, presence of weapons, and previous criminal charges.³⁹

³⁶ Risk assessment means making a professional judgement about the risk factors that are present combined with the survivor's own assessment of risk to determine the likelihood of future violence, and the potential for harm, including serious injury or death, from future violence. Risk Assessment and Safety Planning, available at <https://www.1800respect.org.au/resources-and-tools/risk-assessment-frameworks-and-tools/risk-assessment>.

³⁷ Module 5: Risk Assessment and Safety Planning, European Training Platform on Domestic Violence, available at <https://training.improдова.eu/en/training-modules-for-the-police/module-5-risk-assessment-and-safety-planning/>.

³⁸ Risk Assessment and Safety Planning, available at <https://www.1800respect.org.au/resources-and-tools/risk-assessment-frameworks-and-tools/risk-assessment>.

³⁹ Jacquelyn Campbell, Daniel Webster & Nancy Glass, The Danger Assessment, National Library of Medicine, available at [https://pmc.ncbi.nlm.nih.gov/articles/PMC7878014/ \(2011\)](https://pmc.ncbi.nlm.nih.gov/articles/PMC7878014/ (2011)).

The current risk assessment form in Armenia was reviewed by GRW in consultation with staff of the WSC and Lusine Sarkisian, Police Lieutenant Colonel⁴⁰ with Edgar Petrosyn, Police Colonel⁴¹. The following concerns were identified:

- All factors were inappropriately weighted equally in the current form. Risk assessment research identifies certain factors that indicate heightened lethality, such as the survivor's belief that the perpetrator could and will kill her along with his threat to do so, forced sex, choking/strangulation, prior violations of court orders, etc.
- The length of the current form may be a disincentive to its use, as well as the absence of use of the term "alleged perpetrator" in several statements.
- Some factors in the current form were not tied to heightened risk based on available research.
- In consultation with staff of WSC, GRW, and the police officials named above, changes were made to the risk assessment form.

Recommendation: Risk assessment procedures should be improved by the adoption of a new streamlined form that reflects the research and best practices on this issue. A draft of a proposed revised risk assessment that addresses the above mentioned concerns is attached as Appendix II.

POLICE WARNINGS

Armenian Domestic Violence Law⁴² (DV Law) provides for police officers to issue a 'warning' when an incident of violence has occurred for the first time and there is no risk of immediate recurrence. Under the DV Law on Prevention of Violence Within the Family, Protection of survivors of Violence within Family and Restoration of Peace in the Family, 2017, police could issue warnings upon identifying a case of violence within a family for the first time. However, the 2024 Amendment revised this, stipulating that warnings are issued only when an incident of violence has occurred for the first time ever. While this is a positive development, every instance of violence inherently contains elements that should constitute an actionable offense. Warnings are a lenient response to serious and often escalating violence. Issuing warnings is also contrary to international best practice.⁴³

⁴⁰ Lieutenant Colonel of Police, Senior Inspector of the Methodological Department of the Main Department of Community Police, Department of Professional Methodological Support, Department of Prevention of Domestic Violence, Ministry of Internal Affairs of the Republic of Armenia.

⁴¹ Police Colonel and Head of the Department of Professional Methodological Support, Department of the Main Department of Community Police, Ministry of Internal Affairs of the Republic of Armenia

⁴² Law on Prevention of Family and Domestic Violence and Protection of Survivors of Family and Domestic Violence, 2017.

⁴³ Both, the Istanbul Convention, and General Recommendation No. 35 to CEDAW provide that instances of domestic violence in all their forms should be criminalized. Additionally, A. 53 of the Istanbul Convention mentions that protection orders should be available for immediate protection of survivors and available irrespective of legal proceedings. Para 31 of the General Recommendation No. 35, states that protection orders must be provided by nation states to prevent further or potential instances of violence. This provision of a warning is in violation of both these international standards.

a. Concern: Police warnings currently given to abusers seriously undermine accountability for perpetrators and are not likely to prevent future instances of violence.

Data from 2022 revealed that warnings were used very frequently by the Armenian police instead of conducting risk assessments, conducting careful interviews, gathering evidence at the scene or inquiring about history of abuse needed to identify a pattern of abuse and issue an EIO.⁴⁴ However, interviews and focus groups revealed a shift in police responses, likely influenced by the 2024 amendments. More emergency intervention orders are being issued, and police are issuing relatively fewer warnings.

Edgar Petrosyn, Police Colonel remarked “*The predominance is for emergency protection orders. In our practice, we try to lower warnings. In the last nine months, roughly in 300 cases, a warning was not issued and there was an emergency protective order. There have been 300 more cases of emergency protective orders issued lately.*”⁴⁵

Despite the relative increase of EIOs, through 2023, issuing warnings continues to be a widespread practice, as revealed by the data below.⁴⁶

YEAR	NUMBER OF DOMESTIC VIOLENCE CASES REGISTERED BY POLICE	NUMBER OF WARNINGS ISSUED BY POLICE	NUMBER OF EIOS ISSUED BY POLICE
2018	990	431	131
2019	1886	796	260
2020	1888	831	337
2021	1644	831	337
2022	1547	556	619
2023	1819	551	832

Recommendation: The DV Law should be amended to eliminate police authority to issue warnings in domestic violence cases. As this process proceeds, police should avoid issuance of warnings.

⁴² Council of Europe, Baseline Study on Domestic Violence in Armenia, available at <https://rm.coe.int/baseline-survey-eng-native/1680aedc7c> (2022).

⁴³ Police Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁴⁴ This information was provided to WSC by the Armenian Police through internal communication.

⁴⁵ Police Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁴⁶ This information was provided to WSC by the Armenian Police through internal communication.

EMERGENCY INTERVENTION ORDER

According to the DV Law, an EIO may be issued by a police officer when there is a reasonable belief of imminent risk of continuing violence or when violent acts are committed within a year of receiving a warning. Through the EIOs, the police can remove the perpetrator from the residence of the survivor, prohibit the perpetrator from visiting places the survivor goes to (eg. workplace, school, home, leisure places), ask the perpetrator to stay away from the survivor to a certain distance, surrender firearms, prohibit any communication with the survivor and the family for the duration of the EIO. EIOs are an important mechanism for ensuring the safety of survivors at the moment and removing perpetrators from the home is an important part of it.

a. Concern: EIOs prioritize future violence prevention over addressing past or current violence.

EIO determinations should prioritize a comprehensive assessment of previous acts of violence, documented threats of violence, the survivor's credible fears for their safety, and additional evidence-based risk factors that indicate potential harm. The failure to consider these factors risks recurring violence for survivors — exactly what the EIO procedure is intended to prevent. Advocates in Armenia expressed concern that police officers look at instances of domestic violence as singular incidents without factoring in the history of abuse⁴⁷, as discussed earlier in the section 'Concern: Responding Officers Often Lack a Clear Understanding of the Repeated Nature of Domestic Violence and are Unable to Recognize Patterns of Abuse' of this report.

To add to this, there is the use of warnings for first-time physical violence offenses even when there is history of psychological abuse, as is typical with domestic violence. These approaches inevitably cause fewer EIOs to be issued.

Survivors rarely report the abuse after experiencing it for the first time; instead, they often endure multiple episodes of violence before deciding to seek help or make a formal complaint. When they finally do seek help, the situation may already be severe, and the risk of immediate harm is higher. None of these are factored in currently by the standards under the DV Law for issuing EIOs. Law and policy should require police officers to take into account the history of abuse when issuing EIOs.

Recommendation: Standards for issuing EIOs must shift the focus from solely predicting the likelihood of future violence to thoroughly examining past behavior patterns and concrete indicators of danger, thereby providing a more accurate and reliable foundation for assessing risk and protecting survivors through EIO's. This can be undertaken by reviewing prior recorded history, conducting separate interviews with survivors and witnesses to uncover unreported incidents, utilizing risk assessment tools and indicators, and identifying factors such as coercive control tactics, mental health issues, or substance abuse concerns.

⁴⁷ Advocates Focus Group, Women's Support Center, conducted by Global Rights for Women, October 17, 2024.

b. Concern: There are challenges in identifying prior violence without a centralized database

One of the two standards for issuing EIOs currently is when violent acts are committed within a year of receiving a warning. In cases where formal reports are filed by survivors, the lack of a centralized database presents a significant barrier in identifying prior history or prior warnings needed to issue EIOs.

When asked, a police officer exclaimed to GRW that they identify previous instances of violence solely based on the narrative of the survivor: “Currently we don’t have any sort of database available to us that would give us more information. At the moment, it’s just going off of what the woman has called us for.”

While it is critically important to listen and believe survivors, records of past reports of violence are crucial to understanding the risk to survivors and their children and to enable the justice system to hold offenders accountable. Survivors may be unable to recall specific details in highly stressful situations, may feel intimidated to share everything, or may lack information about the abuser’s full history if prior incidents involve other survivors.

The absence of a unified database means that patterns of repeated violence—often a key predictor of escalating risk—can go unrecognized, hindering the ability of law enforcement to make informed decisions about issuing EIOs and undermining efforts to hold offenders accountable. GRW was informed that Armenia is working on a unified database, but in the absence of such a database, it is close to impossible to monitor the abusive history of the perpetrator.

Recommendation: Establish and operationalize a centralized digital database to document and track domestic violence incidents, warnings, and protective measures. This database should be accessible to all stakeholders including law enforcement and include detailed records of prior reports, warnings, and EIOs issued. GRW recognizes that Armenia is in the process of developing a centralized database and emphasizes the need to expedite these efforts. While Armenia works towards creating such a database, interim measures, such as improved record-keeping systems at the local level, should be introduced to bridge the current gap and ensure that law enforcement has access to accurate and comprehensive information about perpetrators’ histories.

⁴⁸ Police Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁴⁹ WSC informed GRW that Armenian police developed a simplified internal database for police officers as part of a pilot program. This database is currently used to record information on registered perpetrators and various decisions related to domestic violence cases, such as EIOs. It is relatively basic and serves as an initial step towards a more comprehensive system. The plan is for this police database to be integrated into the broader database being developed by the Armenia Ministry of Labor and Social Affairs (MLSA). The MLSA’s database is designed to facilitate case management and coordination among various stakeholders. However, the MLSA’s database is still in development after a number of years, and it is unknown when it will be rolled out.

⁵⁰ More discussion on current developments on a database can be found in the section ‘Police Databases and Tracking Systems’ section of this report.

c. Concern: Police issuance of EIOs frequently does not protect survivors and their children.

In general, the goal of any emergency order for protection in domestic violence cases (like the EIO in Armenia) is to provide immediate security for survivors and their children until other court processes can deliver longer-term, more comprehensive remedies that promote sustained safety, offender accountability, while ensuring due process for respondents. EIOs in Armenia are not serving this critically important emergency safety function.

According to the DV Law, the duration of the EIO must be between 20-25 days or as an interim measure when a longer protective decision proceeding is ongoing. There is no provision for an extension of an EIO unless a protective order decision is being considered by the court.

Since the 2024 amendments to the DV Law, police are increasingly issuing EIO's, as discussed in the 'Police Warnings' section, but the protection they provide to survivors is negligible. Interviews and focus groups revealed that courts are not effectively using their authority under the DV Law to issue longer-term protective orders; the DV Law allows courts to issue protective orders for a duration of 4-12 months with a possible 6-month extension. This limits any sustained protection for survivors.

In addition, the criminal justice system fails to detain or arrest offenders who commit criminal assault in domestic violence cases and who present ongoing danger to survivors and their children.

GRW also learnt that most survivors who receive EIOs do not apply for longer protective decisions in court. Survivors expressed that this hesitance is due to lengthy court procedures and court attitudes wherein initiating domestic violence proceedings is equated to breaking families apart. Additionally, survivors who are not assisted by domestic violence support centers are often uninformed about protection orders and/or do not know how to file one.

GRW had the opportunity to observe an order of protection proceeding in a criminal court in Yerevan's Ajapnyak region. The survivor, who had endured five years of abuse from the perpetrator—some of it in France, where her weight dropped to just 30 kilograms—sought protection. Her attorney strongly advocated for a longer restraining order, requesting that the perpetrator be required to stay away from her and their child, along with preventive measures of house arrest and administrative control. However, the judge expressed reservations, uncertain about how to reconcile the restraining order and preventive measures

⁵¹ Article 7(2) of the On Prevention of Family and Domestic Violence and Protection of survivors of Family and Domestic Violence (DV Law).

⁵² Article 7(2) of the DV Law.

⁵³ Discussed in depth in the 'Lack of Arrests and Detention in Domestic Violence Cases' section of this report.

⁵⁴ "The police tried reconciliation between me and my husband saying we have 5 children together and we should stay as a family." Survivor Focus Group, Gyumri, conducted by Global Rights for Women, October 25, 2024.

⁵⁵ "So one survivor came to the center because she was referred by a friend. I asked her what was the reason she refused the police referral. She said the police did not say specifically what services we offer. If she knew the services she would have come earlier to us." Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

keeping the perpetrator away from the home where the survivor and his child reside with the perpetrator's parental rights, specifically the right to visit his child. The judge voiced concerns that if the family court were to establish a child visitation arrangement, a stay-away order could potentially interfere with the perpetrator's access to the child. The judge prioritized the future parental rights of the perpetrator.⁵⁶

In a story revealing the danger of current practice, a survivor described how police officers asked her to decide on where she would go after the EIO period ends since the property where she was residing was the perpetrator's.

*She said: "He was severely beating the children. So two years ago in an incident like this, I called the police. So my husband was present when the police arrived and they told him that he has to leave the house. He was beating my daughter, 13-year-old daughter. There were marks black and blue marks before that, before the police came. Two, three days before this I had run away from home with the kids. But when the police came, we were all home. So the police said that for 10 days he's not allowed to contact us. But he said that since this is his property- the house, I and my children have to leave the house (after the 10 days end)."*⁵⁷

The reluctance of courts to issue long-term protection orders creates a system that inadvertently re-victimizes survivors. Survivors are left in precarious situations where they must either make rushed, often unsafe decisions about their living arrangements or risk returning to an environment of violence and intimidation.

Recommendation: Armenia should reform the DV Law to require courts to expedite protection order proceedings to alleviate the danger to survivors after an EIO expires. EIO's should be recognized as a temporary, emergency remedy. Survivors should be able to include children in their request for protection and courts should have the authority to grant that request irrespective of whether the children witnessed the violence. The criminal justice system authorities should arrest and detain violent offenders as discussed further in the 'Lack of Arrests and Detention in Domestic Violence Cases' section of this report. Armenia should ensure that domestic violence offenders should not be exempt from accountability for their crimes. Such measures are critical to ensuring the safety and well-being of survivors during the vulnerable period when they report perpetrators.

d. Concern: Delays and hesitancy by law enforcement in issuing EIOs.

Survivors expressed concerns that often EIOs are not issued on the spot by police officers:

"So when they caught the abuser, they took him to the police station. And then a little bit later they called me to come to the police station. They asked him, why did you do all this? He said, well, I was

⁵⁶ WSC also informed GRW that often parental visitation orders are passed in contradiction to police emergency intervention orders or court protection orders. There is a pressing need for harmonization between these orders to ensure a cohesive and survivor-centered approach.

⁵⁷ Survivor Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

drunk. I didn't realize what I was doing. So they had a talk with him and gave him a warning not to do this again. And also the local police called the military police (abuser worked in the military) telling them, informing them about this incident and to take control over him to stop him from doing similar cases. So three days after this incident, the police gave us an emergency protective order. After which the center appealed at the court and they got a court order, protective order."

Delays by the police leave survivors vulnerable during the period between their reporting and police issuance of EIOs. Research shows that the most dangerous time for survivors is when they seek police intervention or separate from the perpetrator. Systems' responses should reflect this danger. Such delays compromise the effectiveness of EIOs as a protective measure, as they fail to provide the immediate security survivors need in high-risk situations.

In a discussion session with approximately seven police officers, each of them expressed that there is discomfort in issuing EIOs against perpetrators who are under the influence of substances/alcohol or facing mental health challenges due to their supposed lack of ability to make the right decisions at the moment: "We want to know how do you deal with the perpetrator that is under the influence? Because we consider that the person that is under the influence, is not fully in charge of what they perceive." Prioritizing the safety of survivors and their children should be Armenia's priority. Abusers with mental health or addiction issues should receive services from appropriate agencies in Armenia, but should not be free to commit violence with impunity.

Recommendation: Law enforcement should prioritize the immediate issuance of EIOs at the time of intervention to ensure survivors receive timely protection and to mitigate the heightened risk of retaliation from perpetrators during this critical period. Consideration of substance abuse or mental health should be addressed by appropriate social service agencies but should not undermine the safety of the survivor and her children.

e. Concern: Failures in monitoring and enforcing EIOs.

Multiple survivors explained that perpetrators' violations of EIOs resulted in no response from law enforcement.⁶¹ This is despite the fact that as per Article 508 of the Criminal Code, 2022 of Armenia⁶² read with Article 109 of the Criminal Procedure Code, 2022 violations of EIOs must be punished with a fine or restriction of freedom or short-term imprisonment. There is a heightened concern about law enforcement's systemic lack of response in holding perpetrators accountable to EIOs, even though they're issued for durations as short as 20-25 days. A police officer from Yeghegnadzor let GRW know that though they report EIO violations to investigators, most violations are not criminally charged.

⁵⁸ Survivor Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

⁵⁹ Barriers to Leaving an Abusive Relationship, The Center for Relationship Abuse Awareness, available at <https://stoprelationshipabuse.org/educated/barriers-to-leaving-an-abusive-relationship/>.

⁶⁰ Police Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁶¹ Survivor Focus Group, Gyumri, conducted by Global Rights for Women, October 25, 2024.

⁶² The Armenia Criminal Code came into force on July 1, 2022. An amendment to the Code entered into force on July 1, 2024.

“Again, if there is violation of the protective order, we send it to the investigator and then they process for punishment. If there is assault again, they have to appeal to the court. We ourselves cannot. If there is a serious violation, let’s say the survivor ends up at the hospital, then we very quickly organize detention. So those are the only situations where there will be an immediate detention of the abuser.”

Additionally, the police are expected to monitor survivor safety after an EIO is issued and check in on survivors every month. Advocates expressed concerns that police may check on the survivor initially but eventually stop.⁶⁴ In one instance, an advocate described a perpetrator who abused the survivor after the police officer left: *“We had a case where the police was monitoring every month. The perpetrator knew when the police officer, what time of day the police officer would come. Right after the police would leave, he would then beat her.”*⁶⁵

Consistent with this account, advocates noted that it is common for survivors to refrain from disclosing ongoing violence to police officers due to various emotional reasons. While the police are expected to monitor and act upon violations, they are often failing to do so: *“But we have two cases where they violated the EPO and they were also evaluated as high risk cases. They were arrested and detained for a few days. In practice what happens is that the woman then feels sorry for the abuser, saying he’s the father of my children and so the police are not imposing any detention or imprisonment.”*⁶⁶

Recommendation: Law enforcement, in coordination with investigators, must strengthen the enforcement of EIOs by ensuring that violations result in immediate arrest and detention, as required by Armenia law, police complaint forms note violations and violations are investigated and prosecuted, as mandated by Article 508 of The Criminal Code, 2022 read with Article 109 of the Criminal Procedure Code, 2022. In view of the serious safety issues presented, courts should expedite these cases rather than delay them. A clear law enforcement protocol must be developed to ensure that monitoring efforts are continued by the police.

f. Concern: Upon appeal by perpetrators, Judges often overturn EIOs.

Both police and advocates expressed concerns about the increased frequency of perpetrators’ challenges to EIOs in administrative courts. *“It’s not the issue so much with the police, but with the administrative court that’s overturning the emergency protective orders very quickly we say like 99 percent (times).”*⁶⁷

Currently, perpetrators may appeal EIOs and administrative courts have the authority to dismiss these orders. This undermines the core goal of EIOs – to provide immediate protection to victims. Her safety should be the top priority of law enforcement and the court.

⁶³ Advocate Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

⁶⁴ Survivor Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

⁶⁵ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁶⁶ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁶⁷ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

An advocate notes “So in these cases where the EIOs are being invalidated by the administrative court, unless only in those instances where the police actually acted appropriately to issue an EIO, they’re being fined when these are being overturned. When there’s a complaint brought against the police, it acts as a disincentive. Because essentially in the future, this is going to create a situation where police are disincentivized to issue EIOs.”

These challenges are often based on claims that the police orders were issued solely on the survivor’s account of events and with limited recorded evidence, resulting in Administrative Courts concluding insufficiency of confirmation that violent acts were committed by the perpetrator needed to issue EIOs. In such proceedings, police officers are expected to justify the basis of their decisions; however, they frequently do not attend these hearings. These administrative proceedings have the impact of discouraging survivors from seeking EIOs and disincentivizing police officers to issue EIOs.

Recommendation: Perpetrators should not be allowed to appeal EIOs and courts should not have the authority to overturn them. Any challenges to protective orders should be considered by courts pursuant to the longer term Article 8 protective orders. Police must appear in court to substantiate their decisions to issue EIOs.

LACK OF ARRESTS AND DETENTION IN DOMESTIC VIOLENCE CASES

Arrests play a critical role in holding perpetrators responsible for their actions, demonstrating to those involved in the particular case, and the broader community, that domestic violence is a serious crime with legal consequences.

a. *Concern: Violent offenders are rarely, if ever, arrested or detained.*

Nearly all the survivors GRW interviewed stated that their abuser was currently free. In most cases after initial police intervention, perpetrators continued to contact survivors, often aggressively and violently. In some cases, the abusers were not in contact with survivors, but they had not faced any detention or accountability measures for their violence or their violations of EIOs.

A senior police official overseeing multiple officers remarked that detentions in domestic violence cases are uncommon.

“GRW Interviewer: And how many of those cases would you say just on average, generally estimating, do you or your colleagues either arrest an offender or issue an emergency order for protection? Can you just estimate for me?

⁶⁸ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁶⁹ Examined cases in which RA police-issued warnings and emergency intervention orders were invalidated by the RA Administrative Court, Women’s Support Center, available at <https://www.womensupportcenter.org/Datalex%20research%20-%20ENG.pdf> (2023).

Police Officer: *The predominant response is an emergency protection order.”*⁷⁰

He further explained that perpetrators are handcuffed and taken to the police department only in cases involving serious injuries, after which investigators decide whether to press charges: *“Okay, in the serious event where the example that you gave like the woman’s arm is broken, this person (abuser) is handcuffed, brought to the police department. We have six hours to determine whether this person is actually guilty or not. Or if we can’t make that determination, that’s when we send the person away.”*⁷¹

It is unclear what constitutes a serious injury. When asked whether a broken bone was a serious injury, one interviewee responded “it depends on which bone”. One police officer went to the extent of stating that their region has never had cases serious enough to lead to detentions.

“GRW Interviewer: So those are the only situations where there will be an immediate detention of the abuser?

Police: We really didn’t have detentions. We never had these serious cases.

GRW Interviewer: You’ve never had a serious case where you’ve had to detain someone?

Police: We didn’t have a severe case. Severe case we never had.”⁷²

In a particularly alarming case, a dangerous perpetrator continued to violently harass and assault a survivor and her parents to the point where police assigned two officers to guard her. The police directed her to stay in her home with her children and not leave for several months - essentially detaining her. Nothing was done to stop the violent abuser.

“Survivor’s mother: The patrol officers were really uneducated. They were not taking it seriously. They were even making jokes like, oh, is this the stone that he’s going to use to break into the building? This is how they treat average citizens.

GRW Interviewer: Was he ever detained or arrested until the time?

Survivor’s mother: For the last 10 days there’s a bracelet on him. He can’t go to certain places. But he was never detained, arrested in person.”⁷⁴

A lack of consistent arrests in domestic violence cases diminishes the deterrent effect of criminal law enforcement, potentially emboldening perpetrators. If perpetrators believe that consequences, including arrest or detention, are unlikely unless their actions are “egregious” - however that may be defined, they may feel less inhibited, which could lead to repeated or escalating violence.

⁷⁰ Police Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁷¹ Police Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁷² Advocate Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

⁷³ The officers were assigned merely because the survivor’s mother was an attorney. This is not a norm in Armenia.

⁷⁴ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

Law enforcement explained that one reason to avoid arrest and detainment is families view law enforcement engagement as humiliation.

“GRW Interviewer: In the United States, for example, we put the handcuffs on and we take him out of the household. The neighbors can see and he can feel accountable. It is a message to society.

Police Officer: Here even if we enter a household in a police uniform, it’s frowned upon. In some cases they ask, let’s meet somewhere else so neighbors don’t see police enter our house. It’s a stigma.” ⁷⁵

GRW understands that the Armenian Criminal Code, 2022 does not explicitly classify domestic violence as a distinct offense, and the DV Law lacks provisions empowering law enforcement to arrest and detain domestic violence perpetrators. The absence of domestic violence as a criminal offense, combined with a failure by law enforcement and investigators to categorize acts of violence between partners as aggravated forms of assault or threats as per The Criminal Code, 2022, has led to a lack of arrests in these cases. Additionally, even though EIO violations are punishable under Article 508 of The Criminal Code, 2022 the article is not enforced.

Recommendation: Law enforcement and investigators should be specifically trained on categorizing acts of violence between partners as aggravated forms of assault or threats as per The Armenian Criminal Code, 2022. Law enforcement and investigators should share information and collaborate. In addition, the Armenian Criminal Code, 2022 should be amended to identify domestic violence as a specific crime. Armenia should enact legislative and policy reforms to permit arrests in domestic violence cases based on probable cause or its equivalent under Armenian law i.e. ‘Reasonable suspicion’ under Article 109 of the Criminal Procedure Code, 2022. Guideline document on probable cause determination for making an arrest developed by Praxis Blueprint for Safety Model is attached as Appendix IV. Similarly, in cases of EIO violations, officers must follow procedures for arrest and detention under Article 508 of The Criminal Code, 2022 read with Article 109 of the Criminal Procedure Code, 2022 and refer to investigators for charging. These responses should be applied consistently, regardless of the severity of the violence.

⁷⁵ Advocate Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

⁷⁶ For instance, under Minnesota Criminal Procedure Statute § 629.341 (United States), “(...) a peace officer may arrest a person anywhere without a warrant, including at the person’s residence, if the peace officer has probable cause to believe that within the preceding 72 hours, exclusive of the day probable cause was established, the person has committed non-felony domestic abuse (...)” The arrest may be made even though the assault did not take place in the presence of the peace officer. As per Minnesota State’s Domestic Abuse Arrest Model Policy, peace officers conduct an assessment of lethality of the situation based on totality of circumstances to make a determination for probable cause for arrest. “Some of the evidence and statements include:

1. photos of the scene,
2. condition of clothing,
3. property damage,
4. evidence of physical injury including strangulation,
5. excited utterances of the survivor and the suspect,
6. demeanor of the survivor and the suspect,
7. medical records including the survivor’s statements to paramedics, nurses and doctors,
8. recorded interviews of witnesses including children who may have been present,
9. evidence of any prior domestic abuse – related convictions including dates, and
10. any existing Orders for Protection, Harassment Restraining Orders or Domestic Abuse No Contact Order.

Note: When determining probable cause, the peace officers should consider their observations and any statements made by the parties involved and any witnesses. Prior convictions may provide the basis for enhancement to a gross misdemeanor or felony charges.” Minnesota State’s Domestic Abuse Arrest Model Policy, available at <https://mn.gov/portal/search/?query=domestic+abuse+arrest+model+policy>.

POLICE MISCONDUCT

Perpetrators' connections and influence over local authorities significantly hamper survivor's ability to receive help and protection in Armenia. This dynamic is common globally, particularly in smaller communities where authorities may be friends or family with the perpetrator. This undermines trust in the police and judicial system, creating an environment where survivors feel powerless and unsupported.

a. Concern: Pervasive interference and manipulation of law enforcement.

One survivor recounted, *"So my husband has connections here in this area and through his connections, they called the police and told them, you don't need to go to the (scene). They influenced the police not to go because I called the police."*⁷⁷ Another survivor described how her testimony was changed in the police records, likely due to the husband's bribery and manipulation of police records: *"All the records given by us were totally changed in the police testimony. They changed the investigator also. (...) Probably my husband bribed the police. He intentionally asked an employee not to show the government that he earns money to avoid paying alimony. After a year it (the violence) subsided."*⁷⁸ The survivor clarified that the police had no role in the reduction of violence.

Such actions create significant barriers for survivors seeking justice, as they face not only the trauma of their abuse but also the daunting task of navigating a compromised law enforcement system. This affects the broader community's trust in law enforcement and the judicial process. When survivors see their abusers leveraging connections to evade consequences, it discourages them from seeking help and reporting their experiences. It sends a message that the system is not there to protect survivors but to shield those with power and influence.

Additionally, one survivor explained that those who are aware of their legal rights or have connections with police often find themselves in a better position in demanding protection from police officers:

*"I contacted the police twice. The first time I went to the police was after physical violence, and the second time it was a threat of violence. When I went to the police, in both cases I had criminal charges and I pursued criminal charges. I'm saying that you have to really get them to work and get them to take your case seriously, or you need to have connections in order to get something to go through."*⁷⁹ This statement underscores a troubling reality: the effectiveness of law enforcement responses to survivors appears to be contingent on the survivor's level of legal knowledge or individual connections, rather than a uniform commitment to safeguarding all survivors.

⁷⁷ Survivor Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

⁷⁸ Survivor Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

⁷⁹ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

Through discussions with police officers, GRW learned that Armenia has established accountability measures for law enforcement personnel. These are invoked upon receiving individual complaints. The critical concern lies in the frequency and consistency with which these accountability measures are enforced. While having mechanisms in place is an essential step, their effectiveness ultimately depends on regular application, transparent monitoring, and holding officers accountable when procedures are not followed.

Recommendation: Armenia must ensure consistent enforcement of strict accountability measures for law enforcement personnel. This could be achieved through independent monitoring bodies or routine audits and transparent reporting to detect and prevent undue influence extending beyond individual complaints. Research in the US on civilian review boards identifies practices critical to their effectiveness.⁸⁰ US states have also passed laws requiring officers to intervene and report any behavior they know, or reasonably should know, to be misconduct to a superior or the state's Department of Public Safety Standards and Training.⁸¹ In addition, officers who have proven exemplary service must be promoted.

INSUFFICIENT POLICE TRAINING AND UNDERSTANDING OF DOMESTIC VIOLENCE

Police training is quintessential for improving responses to domestic violence to ensure survivor safety and perpetrator accountability.

A unified police task force was established in November 2023 in Armenia. With the unified task force came multiple changes in law enforcement: the specialized domestic violence unit within the police force was dismantled and absorbed into a unified police force. The specialized domestic violence unit across the country consisted of 300 policemen. The unified force that responds to all civilian concerns including domestic violence is now a total of 1800 policemen.

a. Concern: Absence of comprehensive and institutionalized training for police officers on domestic violence.

There has been no institutionalized training on best practices in police response to domestic violence for the new unified police task force since November 2023 in Armenia.⁸² The lack of training altogether with the current unified force has inevitably resulted in officers being ill-equipped to effectively address the needs of survivors when responding to domestic violence calls, as is discussed throughout this report.

Unfortunately, training on domestic violence is currently not a priority for Armenia. The government is now allocating resources for other training topics.

⁸² There have been one-off trainings organized by the Ministry of Labor and Social Affairs, Armenia and UNFPA, but nothing formal through the police academy.

A senior police officer stated *“All the resources went to training the patrol officers with this new unified police force. We (domestic violence officers) are third in the line is what it has been for the past two years. We don’t know what that training is going to be or when it starts. We don’t know who will develop the subject matter or the content of the training.”*⁸³

While some training sessions are conducted for the police, these are primarily funded by international NGOs and organizations, rather than being part of internally institutionalized training programs. The Council of Europe developed a detailed training curriculum for police officials in 2021 in partnership with WSC.⁸⁴ But unfortunately, the curriculum is still not used in Armenia.

Before November 2023, second-year trainee officers received 70 hours and fourth-year trainee officers received 90 hours of training on juvenile delinquency and domestic violence combined, by the police academy. Despite the prevalence of domestic violence in Armenia, only 24 hours were dedicated to the complex dynamics of police intervention in domestic violence.⁸⁵

An advocate shared with GRW *“I just want to add to one of the reasons I think this is the situation because the police do not have the proper training on the effects of domestic violence on women and children. And because the woman has been in this domestic violence lifestyle situation for years, have the effects of trauma and the police do not understand these. Generally the police do not understand the cycle of domestic violence. So when the couple is in their honeymoon period, the police start to convince the woman when the perpetrator says he is sorry it happened- the police is trying to convince the woman to sort of close her eyes, basically.”*⁸⁶

Law enforcement also lacks awareness about the role and services provided by support centers. Support centers play a vital role in helping survivors navigate this challenging and dangerous period in their lives.⁸⁷ Nearly all survivors GRW interviewed across the three regions of Armenia reported receiving substantial support from support centers. This assistance included help with filing for divorce, understanding their rights, navigating interactions with law enforcement to ensure their safety, filing complaints against law enforcement, accessing temporary housing, obtaining financial aid, and receiving guidance on child custody or protection order proceedings to name a few.

⁸³ Police Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁸⁴ Rosa Logar and Maro Matosian, *Police Procedures for Combating Domestic Violence in Armenia* (2021).

⁸⁵ Previously training topics were limited to societal conditions and the gendered nature of domestic violence; the impact of domestic violence on survivors and children; protective measures that may be used such as warnings and EIOs and working with perpetrators of domestic violence; recording domestic violence instances in their databases and their deletion; teaching students to fill out forms and prepare documents. GRW is not aware of the detailed content of these sub-modules; GRW and WSC were unable to obtain this information.

⁸⁶ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁸⁷ A Review of Which Advocacy Interventions Work to Help Abused Women, and Under What Circumstances, and Which Women are Likely to Benefit, available at https://www.cochrane.org/CD013135/BEHAV_review-which-advocacy-interventions-work-help-abused-women-and-under-what-circumstances-and-which.

One advocate noted, “I also want to add that other cases where the police are not informed what the domestic violence centers are doing, and they cannot present our services to the survivor. And this is especially with the new enlarged police unit which is improperly trained. When we ask the police, why don’t you refer cases to us? They’re saying that we give survivors your hotline number, but we cannot decide for them. So one survivor came to the center because she was referred by a friend. I asked her what was the reason she refused the police referral. She said the police did not say specifically what services we offer. If she knew the services she would have come earlier to us.”⁸⁸

A survivor noted that the police discouraged her from going to a support center, but only when the support center called did the police register the case: “The police asked me why I am going to the Center rather than coming to the police. But only when the Center calls the police takes the case.”⁸⁹ This disconnect results in survivors not receiving the necessary support services. In addition, the opportunity is lost for collaboration between service centers and police to ensure survivor safety and care.

WSC noted that police are required to provide survivors with hotline information for local support centers. However, survivors are not informed about the purpose of the hotline. Furthermore, a lack of trust in police officers contributes to limited follow-up on the hotline.

Recommendation: Armenia should immediately allocate resources for training police officers to respond to domestic violence cases effectively. Multiple areas of training, important to respond to domestic violence, have been discussed throughout this report.⁹⁰ Law enforcement should work with support centers to enhance their understanding of the services offered by support centers within their jurisdiction. As noted in the section ‘Concern: There is inadequate investigation into domestic violence cases -including criminal cases- and a lack of refined police forms that guide responding officers in the collection of evidence and information’, police incident report forms should guide police officers to refer survivors to support centers and include centers’ contact information. Accountability measures must be implemented when police responses are lacking.

ELECTRONIC MONITORING

A decree has been passed under the DV Law to implement electronic monitoring effective July 1, 2025. The decree does not provide specific guidance on implementation. Results of electronic monitoring are mixed.

⁸⁸ Advocates Focus Group, Yerevan, conducted by Global Rights for Women, October 17, 2024.

⁸⁹ Survivor Focus Group, Gyumri, conducted by Global Rights for Women, October 25, 2024.

⁹⁰ To reiterate, important areas of training discussed include coercive controlling behavior, primary aggressor/violence in self-defense or retaliation; risk assessments; identifying cycles of violence; trauma-informed responses; usage of warnings in accordance with The DV Law; enforcing and implementing EIOs; not engaging in informal reconciliations within families etc. GRW reiterates its previous recommendation to eliminate the use of warnings altogether from the DV Law, as they represent a lenient response to serious and often escalating violence.

The benefits to electronic monitoring of perpetrators are:

1. Perpetrators with orders of protection or no contact orders/EIOs are less likely to approach survivors when told that they cannot be in a certain geographical location.⁹¹
2. There is an added sense of security for the survivor.
3. US DOJ study reveals GPS monitoring increases perpetrator compliance with program rules.⁹²
4. Law enforcement may be able to gather tangible evidence of violations of court orders.

The limitations of electronic monitoring are:

1. Perpetrators are often able to circumvent the technology or use third parties to contact survivors.
2. The perpetrator could use electronic monitoring to terrorize survivors if survivors receive notifications of his proximity.
3. Some shelter home locations are unknown to the police as well and with electronic monitoring this may be compromised.

Some elements of a best practice survivor-centered electronic monitoring approach include:

1. Obtaining survivor consent for electronic monitoring after informing them of possible privacy breaches and limitations of technology.⁹³
2. Notifying survivors when the perpetrator is in a zone of violation (breaches of no-contact orders).
3. No reliance on electronic monitoring when the survivor is at the risk of serious bodily injury or death.
4. Training police, probation officers and other stakeholders in the use of technology and electronic monitoring from a survivor centered approach.

POLICE DATABASES AND TRACKING SYSTEMS

At the time of this report, there was limited publicly available information regarding how police maintain records of perpetrators and the accuracy of those records in Armenia. This section presents promising practices globally in the context of Armenian law and policy but in view of the little information available, GRW does not make concrete recommendations specific to Armenia.

The United Nations emphasizes that the collection of statistical data on causes, consequences and frequency of domestic violence perpetrated against women and recidivism is important. With this data one

⁹¹ GPS Monitoring Technologies and Domestic Violence, Page xvi, available at <https://www.ojp.gov/pdffiles1/nij/grants/238910.pdf> (2012). They evaluated programs in the mid-west, south and west in the US.

⁹² GPS Monitoring Technologies and Domestic Violence, available at <https://www.ojp.gov/pdffiles1/nij/grants/238910.pdf> (2012). They evaluated programs in the mid-west, south and west in the US.

⁹³ NJ Ocean county's "Lisa Law" on electronic monitoring: court can order EM only if the survivor gives her informed consent. Report on Availability of Appropriate Technology to Monitor Domestic Violence Offenders and their survivors, available at <https://nj.gov/lps/Final-DV-Monitoring-Report-2014.pdf>; In Portugal and Spain as well survivors have to provide their consent. Electronic Monitoring in Inter-Personal Violence Cases, available at <https://rm.coe.int/electronic-monitoring-arm-fra-publication-eng/1680ace74b> (2023).

⁹⁴ Domestic and Sexual Violence Data Collection: A Report to Congress Under the Violence Against Women Act, available at <https://bjs.ojp.gov/library/publications/domestic-and-sexual-violence-data-collection-report-congress-under-violence> (1996).

can monitor the effectiveness of law, policy and practice aimed at preventing violence against women.⁹⁴ Data is also critically important for institutions and communities to understand the dynamics of domestic violence — which are often unseen in Armenia — and the need for effective institutional interventions, especially in communities such as Armenia’s where this violence is still viewed as a private family matter.

It is important to distinguish between 1) data collected for the purpose of public awareness, law reform and policy making and 2) that collected by police for the purpose of appropriate protection measures, criminal charges, sanctions, history of violence⁹⁵ and other individual case responses.

The Baseline study by the Council of Europe, 2022 suggested that until 2019 most information was collected by the police through forms and stored in physical paper formats, though electronic databases had been created between 2019-2021 for the purposes of the study.⁹⁶

Article 14 of the DV Law mandates centralized registration of information on family violence cases by the Police, Investigative Committee, Special Investigation Service, prosecutor’s office as well as data obtained from support centers and shelters. Article 14 requires that the data be compiled, and annual statistics be published. It is unclear, currently, what stage a comprehensive database that consolidates all domestic violence incidents across the country is at.⁹⁷

While GRW commends the prioritization of data collection and accuracy, GRW notes the importance of confidentiality for survivors as reflected under Article 22 of the DV Law. Confidentiality breaches are common in domestic violence cases and can lead to injury or fatalities. In the development or refinement of data collection systems, we encourage Armenia to place high priority on ensuring the safety and autonomy of domestic violence survivors.

a. Decision 1381-N

Current Practice: In 2019, in response to Article 14, the RA Government adopted the decision 1381-N (“Decision”) on a system for centralized reporting of family violence incidents. The Decision directs the police to collect and record information on date of domestic violence; date of registration of domestic violence cases; identification information of the survivor and relationship with perpetrator; information on

⁹⁴ Domestic and Sexual Violence Data Collection: A Report to Congress Under the Violence Against Women Act, available at <https://bjs.ojp.gov/library/publications/domestic-and-sexual-violence-data-collection-report-congress-under-violence> (1996).

⁹⁵ Discussed in depth in the section ‘Concern: There are Challenges in Identifying Prior Violence Without a Centralized Database’ of this report.

⁹⁶ Council of Europe, Baseline Study on Domestic Violence in Armenia, available at <https://rm.coe.int/baseline-survey-eng/-/native/1680aedc7c> (2022).

⁹⁷ WSC informed GRW that Armenian police developed a simplified internal database for police officers as part of a pilot program. This database is currently used to record information on registered perpetrators and various decisions related to domestic violence cases, such as EIOs. It is relatively basic and serves as an initial step towards a more comprehensive system. The plan is for this police database to be integrated into the broader database being developed by the Armenia Ministry of Labor and Social Affairs (MLSA). The MLSA’s database is designed to facilitate case management and coordination among various stakeholders. However, the MLSA’s database is still in development after a number of years, and it is unknown when it will be rolled out.

children; identification information on the perpetrator including information on disabilities, mental health concerns, addictions and information on previous convictions; information on psychological, physical, sexual, economic nature of domestic violence perpetrated; frequency of domestic violence; if the survivor was placed in a shelter; warnings or emergency intervention orders or protection orders issued with details on duration and appeals; proceedings under section 508 of the Criminal Code, 2022 initiated for violations of emergency intervention orders or protection orders (if any), and publish semi-annual and annual statistics on their official website.

GRW is concerned about the requirement that such detailed information be collected about survivors and their children and the risk this presents to their safety and autonomy.

As per the Decision, in a repeated incident of domestic violence, the same information should be gathered again and interconnected with previously obtained information. Unfortunately, despite the Decision, it appears centralized registration has not yet been adopted by the policies and other bodies. There is no information or statistical data available on domestic violence offenders on the website of Armenian Police.

Best Practice: Police data collection should focus on 1) offenders' history and behavior at the scene of assault and 2) factors that have shown to indicate a high risk to survivors, as discussed in depth in the section 'Concern: The Current Risk Assessment Procedures are Not Adequate' of this report. Ensure the effective implementation of the Decision as a critical first step in data collection in Armenia.

b. Decision 933-N

Current Practice: Decision 933-N of 2004 provides for data storage for those accused or convicted of violations of the Armenian Criminal Code, 2022. This data envisioned for collection under this decision does not differentiate between domestic violence crimes and others and provides a uniform data storage mechanism. It is important to have specific information available on domestic violence crimes because they often involve repeated patterns of abuse, close relationships between the survivor and perpetrator, and long-term effects on survivors. A more tailored data collection mechanism would help law enforcement, policymakers, and social services better understand the prevalence, dynamics, and outcomes of domestic violence cases, which are often underreported or mishandled due to their private nature. Tracking domestic violence crimes separately can also assist in developing targeted interventions, improving survivor protection measures, and shaping policies that more effectively address this pervasive issue.

⁹⁸ Zaruhi Mejlumyan, Exploring Data Collection Challenges in Domestic Violence Cases: Insights from Armenia Research Study (2024)

⁹⁹ Website of the Police of the Republic of Armenia, available at <https://www.police.am/en/%D5%B6%D5%B8%D6%80%D5%B8%D6%82%D5%A9%D5%B5%D5%B8%D6%82%D5%B6%D5%B6%D5%A5%D6%80/crime-reports/%D5%BE%D5%AB%D5%B3%D5%A1%D5%AF%D5%A1%D5%A3%D6%80%D5%A1%D5%AF%D5%A1%D5%B6-%D5%BF%D5%BE%D5%B5%D5%A1%D5%AC%D5%B6%D5%A5%D6%80.html>.

Under Decision 933-N, determinations to initiate criminal prosecutions, arrests, acquittals are collected and stored within the law enforcement information center. This data is considered private but can be shared with the police, prosecutor's office, investigative committee and the judicial department.

Despite the two decisions there is no data available regarding abusers on the website of the Police of Armenia on domestic violence, as of the date of this report.

Best Practice: Ensure that data collected under Decision 933-N differentiates between general criminal acts like assault, damage to health, and specific domestic violence cases to accurately reflect the prevalence of domestic violence.

A separate thorough review should be conducted of best practices in institutional data collection for domestic violence cases. Armenia should reevaluate its law and policy based on the findings of this review.

¹⁰⁰ Website of the Police of the Republic of Armenia, available at <https://www.police.am/en/%D5%B6%D5%B8%D6%80%D5%B8%D6%82%D5%A9%D5%B5%D5%B8%D6%82%D5%B6%D5%B6%D5%A5%D6%80/crime-reports/%D5%BE%D5%AB%D5%B3%D5%A1%D5%AF%D5%A1%D5%A3%D6%80%D5%A1%D5%AF%D5%A1%D5%B6-%D5%BF%D5%BE%D5%B5%D5%A1%D5%AC%D5%B6%D5%A5%D6%80.html>.



COORDINATED COMMUNITY RESPONSE AND THE POLICE ROLE

COORDINATED COMMUNITY RESPONSE AND THE POLICE ROLE

Coordination among law enforcement, investigators, justice system, social services and other stakeholders to ensure effective responses to domestic violence is largely absent in Armenia. This coordination is essential to effectively address domestic violence and meet the goals of survivor safety and offender accountability in any community. Achieving these goals of safety and accountability is hampered by the complexity of the justice system in most countries, including Armenia, where several intervening agencies and practitioners may be involved in a domestic violence case: police officers, investigators, forensic examiners, judges, prosecutors, attorneys, probation officers, and sometimes child protection personnel.

GRW's review and recommendations in this report for Armenia are informed by the guidelines of the Coordinated Community Response (CCR) model, which was originally conceived and refined in Duluth, Minnesota, with the expertise of Praxis International.¹⁰¹ The CCR model is used throughout Eastern Europe, the Caucasus, Central Asia (EECCA) and throughout the world. It is renowned for its comprehensive approach to addressing domestic violence through collaboration across multiple sectors. CCR, currently, is recognized internationally as a best practice. In a CCR, coordination among practitioners should make the violence visible to everyone else who intervenes in the case. Effective CCRs must be continually informed by the needs and experiences of survivors and by the disproportionate impact that system actions have on them and offenders from marginalized communities.

Many, if not all of the concerns outlined above in this report, that are specific to the police response to domestic violence in Armenia, could be addressed and improvements made through a CCR.

¹⁰¹ Coordinated Community Response, available at <https://praxisinternational.org/library/coordinated-community-response-ccr/>.

COORDINATION AMONG STAKEHOLDERS

Armenia lacks a unified intervention goal that prioritizes the safety of survivors and their children while holding offenders accountable, as highlighted in depth throughout the ‘Assessment of Police Responses to Domestic Violence’ portion of this report. During GRW’s focus groups and interviews, advocates, survivors, and police officers shared examples illustrating the absence of a coordinated approach centered on survivor protection and offender accountability.

a. Concern: The lack of a collective intervention goal within the law enforcement and justice system response undermines effective coordination between agencies and allows perpetrators to continue their violence and harassment with Impunity.

Repeatedly, survivors encounter attitudes from every professional involved in their case that prioritize other issues over the survivor’s right to safety and accountability for the violent perpetrator.

For example, as described earlier, survivors of violence and advocates repeatedly described how police officers tried to persuade survivors to drop charges for the good of the family or to protect the abuser’s reputation. A survivor in Gyumri recounted that her husband would throw objects at her, including knives. She said, “*The police tried reconciliation between me and my husband saying we have 5 children together and we should stay as a family.*”¹⁰²

Judges also prioritize perpetrators’ visitation rights over the issuance of long term protective orders that could provide safety for the survivor and her children, as also noted in the section “*Concern: Police Issuance of EIOs frequently does not Protect survivors and their Children*”.¹⁰³ When women reported repeated violations of EIOs, nothing was done to hold the perpetrator accountable, forcing many women and children out of their homes.¹⁰⁴ Or when cases were referred to investigators for follow up, their delays and/or complete lack of response revealed a lack of prioritization of survivor safety and the need for urgent action.

*A police officer described “But there were violations of protective orders, for example in one case, the violation happened three times and each time we sent a report to the investigator, but we don’t know what happened. The system is not working well. The case was that in August this individual violated the protective order three times. We sent it to the investigator. The investigator reacted a day or two ago and finally created the case to send. (It took him) from August to October.”*¹⁰⁵

¹⁰² Survivor Focus Group, Gyumri, conducted by Global Rights for Women, October 25, 2024.

¹⁰³ They discounted the danger and trauma to the survivor and her children. In a criminal trial that GRW observed in Yerevan’s Ajapnyak region, a judge focused on the perpetrator’s parental rights and ignored the survivor and her child’s right to safety from his repeated violence.

¹⁰⁴ Discussed in detail in ‘Concern: Failures in Monitoring and Enforcing EIOs’ section of this report.

¹⁰⁵ Advocate Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.

This resulted in increased danger to survivors and their children and impunity for violent abusers. This failure not only endangers survivors, it also causes additional hardship- resurvivorizing them - as their lives are uprooted from their communities, work, and schools - while the abuser roams free to commit further violence.

It is important to note here that while shelters do exist in Armenia, women often have good reasons not to seek refuge there. Again, leaving home forces them to uproot their lives, to live apart from their communities, to live in isolation. Additionally, shelters only exist in the capital city of Yerevan.

In effective coordinated community response to domestic violence cases, intervening professionals share the understanding that violence against women and girls is a deeply entrenched and widespread social problem and that it is driven by unequal power dynamics between men and women. With this shared understanding underlying each intervention in a domestic violence case, a collective goal can be established and each professional can be more effective in their own role –and as they interact with other agencies – to promote survivor safety and hold offenders accountable.

For example, when police officers understand the economic dependency and social obstacles - such as shame - that survivors face in leaving a violent partner to stay safe, they are more sympathetic to her entrapment, less likely to blame her for staying with the abuser, and more likely to write detailed incident reports that promote successful prosecutions and accountability for the abuser. In another example, when law enforcement understand survivor's fear of offenders, who have often abused and threatened them for years, they are more likely to understand why she may retract her original accusation of violence. In understanding the basis for her fear police will respond to the case with the seriousness it deserves focusing on her safety and the accountability of the abuser.

Recommendation: Leadership in law enforcement, investigation and the justice system in Armenia should recognize and affirmatively address the widespread failure in their agencies to create and prioritize a collective intervention goal of survivor safety and offender accountability. Professional training on domestic violence that addresses biases and promotes a collective goal of survivor safety and offender accountability should be organized for all law enforcement, investigators and justice system personnel as discussed in detail in the section 'Insufficient Police Training and Understanding of Domestic Violence'. Funding for such efforts should be provided by the government and institutionalized to ensure regular delivery and updated best practices. Simultaneously, as leadership works to transform thinking and achieve this collective goal, and attitudes and biases change, the recommendations to reform law, policy and procedure articulated throughout this report should be implemented and require responses that better protect survivor safety and ensure accountability for offenders.

¹⁰⁶ GRW reiterates that police officers in Armenia lack an understanding of power dynamics in domestic violence relationships and need training to address this concern. The issue has been discussed in detail in the section 'Concern: Responding Officers Often Lack a Clear Understanding of the Dynamics of Power and Control in Domestic Violence Incidents' in this report.

b. Concern: The lack of a coordinated response between agencies allows perpetrators to continue their harassment and violence with impunity.

The lack of coordination and collaboration between agencies in Armenia results in ongoing harm to survivors of domestic violence and their children.

Article 7 of the Istanbul Convention requires member states to “take the necessary legislative and other measures to adopt and implement State-wide effective, comprehensive and coordinated policies encompassing all relevant measures to prevent and combat all forms of violence”.¹⁰⁷ This cooperation should occur between the judiciary, prosecutors, law enforcement, probation, child protection agencies and local and regional agencies as well as NGOs.¹⁰⁸ Module 5 of the United Nations Essential Services Package¹⁰⁹ for Women and Girls Subject to Violence provides useful guidance on creating governance structures for Coordinated Community Response.

Achievement of a robust interagency coordinated community response that includes every responding agency requires a long term effort. Collaboration between police and support centers is often a starting point in developing a more comprehensive coordinated community response; this is currently happening in Armenia. There are severe limitations to the coordination as noted in the ‘Insufficient Police Training and Understanding of Domestic Violence’ section of this report. WSC, police and attorneys are now working together to increase referrals of survivors to WSC for services. In addition, WSC also communicates with law enforcement to advocate for survivors who encounter problems with access to justice and find solutions.

WSC and police are also collaborating on systemic changes such as reviewing and revising forms for identifying high risk cases and promoting detailed police reports that can lead to accountability for abusers.¹¹⁰

Each agency has a unique and important role in the processing of a case. In an interagency approach, they are simultaneously accountable to the survivor, the offender, and to other agencies intervening in the case. It is important that support centers that serve survivors directly take a leadership role in this effort because they hear directly from survivors on a daily basis about the obstacles they face in finding safety and justice. In the United States, Praxis International Inc. pioneered this approach - named the Blueprint for Safety - and assisted over 200 communities in building an effective interagency response to domestic violence cases.¹¹¹

¹⁰⁹ Essential Services Package for Women and Girls Subject to Violence, Module 5, available at <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2015/Essential-Services-Package-Module-5-en.pdf> (2015).

¹¹⁰ GRW, WSC and the police department worked together on a risk assessment form attached as Appendix II to this report recognizing all the concerns mentioned in ‘Concern: The Current Risk Assessment Procedures are Not Adequate.’ section of this report.

¹¹¹ The Blueprint Guide, available at <https://praxisinternational.org/a-guide-to-becoming-a-blueprint-community-an-interagency-response-to-battering-and-domestic-violence-crimes/>. Numerous resources that explain the process of initiating and implementing this coordinated response are available on this website.

An interagency approach requires a system of communication in which each intervener receives and relays information that allows everyone to act with the most complete knowledge of the case. That knowledge can then be reflected in law and policy making. For example, coordination between law enforcement, forensic examiners and investigators about high risk cases could and should lead to quicker action by forensic examiners and investigators that could protect survivor safety before an EIO expires.

Lack of coordination between the criminal justice system and authorities who are responsible for children

The failure of coordination between law enforcement and child custody and protection authorities undermines both the survivor's safety and well-being and that of their children.

Abusers' lack of adherence to court orders to pay child support and alimony and police failure to enforce those orders jeopardizes survivor's ability to stay away from violent partners and affects children's well-being.

One survivor recounted: *"Basically me and my husband have a 15-year-old son together, and now he's turned the son against me and is psychologically abusing him against me (...) There's a court order against him and he has never paid his alimony and now the child's been turned against me."*¹¹²

Another survivor stated: *"Five, six times I went to the police and they didn't do anything for me. I went to the investigative department on a number of occasions because he's never paid his alimony and I am trying to get their case to be taken seriously, but they haven't taken it seriously."*¹¹³

With another issue related to children, as described in the section 'Concern: Police Issuance of EIOs Frequently does not Protect survivors and their Children', the current practice in Armenia that prioritizes fathers' rights to see their children also undermines not only survivor's safety but their children's safety. Coordination between authorities responsible for children can and should lead to increased understanding about how the child's safety and health is dependent on the mother's safety.

Lack of coordination between and among police, investigators and forensic examiners

In another example of lack of coordination, an advocate noted that investigators don't quickly request the forensic report that Armenia requires for access to criminal justice: *"We've noticed the investigative committee doesn't immediately request a forensic report. But there's a period that passes before women can see a forensics doctor, and they had these injuries but now they've faded."*¹¹⁴

¹¹² Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

¹¹³ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

¹¹⁴ Interview with Forensic Doctor, Yerevan, conducted by Global Rights for Women, October 21, 2024.

One woman was told her case should be handled by a certain police division, but was later informed that was incorrect because her husband lived in a different town from his registered address:

“So the issue is where basically his registered address, the perpetrator’s registered address is a district called Ajaknyak, but he lives in another district. So basically the Ajaknyak district is saying, you’re meant to handle it in Malatia. And the Malatia district is saying, we don’t have enough resources to handle it. So it’s kind of going back and forth between departments.” ¹¹⁵

One perpetrator was never registered with the police because the communication with him was sent through the mail which took 2-3 weeks; the EIO expired.

The survivor recounted “Basically what happened was the perpetrator had to be registered with the police, and there had to be interdepartmental communication. But rather than emailing or some other form of communication, the police sent it through the post. I was told it was supposed to take two days to get from one department to the other, but in fact it took two to three weeks. And by this point, the 25-day EIO was already over.” ¹¹⁶

Such logistical issues undermine survivor’s rights and should be addressed through interagency coordination.

Police officers said that most EIO violation complaints are not pursued in a timely way or some are not pursued at all by investigators or justice system authorities.¹¹⁷ GRW’s interviews and focus groups revealed that investigator reports or forensic examiner reports often weren’t completed before the EIO expired, leaving the survivor without protection. In one case, the forensic examiner failed repeatedly to submit his report to the court, delaying the criminal case for months and endangering the survivor.

The survivor noted “So as of April, the investigation was opened and it remains ongoing. I didn’t know what they’re doing. It’s still in the investigative stage (...) I asked why the investigative stage was taking so long. And they said they didn’t have the conclusion yet from the forensic doctor, and either she had to bribe him or do something else to get it.” ¹¹⁸

Another forensic examiner failed to use the required medical language in his report which caused the survivor problems in her criminal case:

¹¹⁵ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

¹¹⁶ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

¹¹⁷ Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024: “But there were violations of protective orders, for example in one case, the violation happened three times and each time we send a report to the investigator, but we don’t know what happened. The system is not working well. The case was that in August this individual violated the protective order three times. We sent it to the investigator. The investigator reacted a day or two ago and finally created the case to send. (It took him) from August to October.”

¹¹⁸ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

“The second time after I called the police, I went to the forensics to show the scars on my back that were related to how she was bit from a previous accident. So the forensic examiner, rather than writing in medical terminology, exactly what he should have written, he instead wrote that I had some wounds on her back in a very informal language. And that has posed a problem for me. I complained about the forensic exam because I myself had photo evidence of the injuries. So I was able to say that the written account of the forensic examiner was not written properly or incomplete. So I complained about that in court. I have a criminal trial now that’s on.”¹¹⁹

To ensure legal system authorities are not contributing to survivor’s lack of access to justice and further harm to them, prosecutors and investigators should communicate and coordinate with forensic examiners to guide them on the impact of the language used in their reports.

Developing interagency allies who are willing to work together to tackle gaps between agencies is essential. These allies can form a working group to review existing policy and practice and reform them if necessary. Agreements can be made to participate in this multi-agency working group to analyze existing procedures and policies, and obtain any required permissions from their agencies to support their participation. MOU’s can reflect an agreement between two agencies or multiple agencies. For example, in some jurisdictions, support centers and police agree that after responding to a call for assistance, police deliver survivor’s contact information to support centers. Then, with confidentiality measures in place, support centers can affirmatively reach out to survivors, rather than survivors reaching out to support centers.

Coordination efforts have proven more successful when there is a designated coordinator for the working group who is responsible for organizing the working group’s meetings and guiding their review of existing policies and procedures. Advocates who are in regular contact with survivors and most knowledgeable about the impact of the system’s failures on survivors and their children are the most effective coordinators of these group meetings.

A key role of the coordinator is to ensure that the focus of the working group’s analysis is the safety of the survivor with the goal of eliminating risks posed by the offender and risks posed by the system’s dangerous response or failure to act.

Practical steps that have been used to achieve this include:

1. **Training the working group:** The working group needs to come to a shared understanding of the dynamics of domestic violence and a collective goal that will guide their thinking about how the procedures and policies of each agency, and the coordinated intervention as a whole, could be improved to more effectively protect survivors and hold offenders accountable.

¹¹⁹ Survivor Focus Group, Yerevan, conducted by Global Rights for Women, October 29, 2024.

2. Mapping the current system: Rarely do personnel in each agency have a complete understanding of the practices in other agencies. These discussions alone sometimes provide solutions to inter-agency communication problems and ensure that stakeholders gain a detailed understanding of existing procedures. System mapping involves outlining the steps, sub-steps, and interventions within institutions that a survivor encounters when seeking help in response to domestic violence.
3. Identification of an issue for analysis: Commonly, communities don't have the resources to study the entire legal system response, so working groups often focus on one piece of the multi-agency response to start. Examples of questions to study might include: How do EIO procedures enhance or diminish survivor safety? How does the police response connect survivors to available services? How does the handling of protection order violations enhance or diminish survivor safety?
4. 4. Collection of data: The working group often uses a variety of methods to study the selected issue: interviews with relevant personnel, observations of personnel in action, e.g. viewing a court hearing, focus groups with survivors, focus groups of relevant professionals, and text analysis of relevant case documents.
5. Data analysis and recommendations: The working group discusses their findings and makes recommendations for improvements to be presented to the relevant agency leaders.¹²⁰

Recommendation: The current collaboration between survivor support centers and the police should continue and provide a model in developing a more comprehensive coordinated community response including more agency stakeholders. When police refer domestic violence cases to investigators, those cases should be prioritized and expedited to ensure the safety of the survivor and her children. Police and investigative authorities should begin this process by working together with civil society advocates to create an agreement or memorandum of understanding regarding the referral process and timelines. Directives for first responders that reflect this agreement should be created. In addition to police, allies should be identified and coordination initiated among investigators, forensic examiners, child guardian agencies, prosecutors and courts, and forensic examiners, given their key roles in the justice system and their direct contact or involvement in domestic violence cases. GRW recommends a pilot project to develop and implement a coordinated interagency response in one jurisdiction that may be used to guide further coordination efforts throughout Armenia drawing on successes and lessons learned from the pilot.

NEED FOR COORDINATION WITH THE MILITARY

There is an urgent need for improved coordination and communication among the responding justice system agencies, including the military, to improve survivor protection and offender accountability in Armenia.

- a. *Concern: When perpetrators are members of the military, more effective coordination between local police and military police could initiate sanctions that better protect survivors.*

¹²⁰ This summary of the audit process used to guide CCR efforts in the US is taken from the Praxis Safety and Accountability Audit Training, unpublished trainee manual, Battered Women's Justice Project and Praxis International, May, 2003.

While only a few of the survivors interviewed had husbands or partners in the military, it was significant that they felt they received more effective assistance from the military justice system, which appears to act more swiftly in investigating the case and can impose sanctions on the perpetrator. Survivors felt that these consequences had a stronger impact on containing the perpetrator's abusive behavior than the weak sanctions available through civilian courts - both civil and criminal.

A survivor noted that when the case went to the regular police she was called to the police station multiple times. But when the police referred the case to the military police, they initiated a criminal case against the perpetrator:

*“So first it was the regular police interviewing us. I first came to the police station several times not in the presence of the abuser. And they also called the abuser. They had interviews with him several times too. Separate interviews. It’s a lot of coming and going. Then the police sent the reports, and whatever they recorded to the military police to refer to, which is where he is employed, so the military police applied the criminal case against him.”*¹²¹

Recommendation: WSC should further explore the experiences of survivors who have experienced military justice responses to assess their usefulness in promoting survivor safety. If so, a coordinated effort could be initiated to develop and implement standardized protocols that clearly outline the roles and responsibilities of local police, military police, and other relevant agencies in handling cases of domestic violence involving military members.

¹²¹ Survivor Focus Group, Yeghegnadzor, conducted by Global Rights for Women, October 23, 2024.



CONCLUSION

CONCLUSION

The fight against domestic violence transcends borders, cultures, and legal systems, standing as a global imperative for justice and equality. This report offers an incisive analysis of the systemic challenges and transformative potential within Armenia's response to domestic violence.

As is evidenced by the information we gathered for this report, Armenian women continue to fight for safety and justice, despite systemic failings. Their voices demand urgent action and remind us that progress is possible. Drawing on the voices of survivors, frontline advocates, and key stakeholders, this report embodies the principle that meaningful change begins by centering those most affected. By integrating global best practices with a deep understanding of Armenia's unique sociocultural and legal context, it offers a roadmap for reform rooted in survivor-centered principles.

While the passage of the 2017 domestic violence law and its subsequent amendments in 2024 represent significant legislative progress, substantial gaps remain in implementation, enforcement, and institutional coordination. Bridging these gaps is not merely a matter of policy reform but also of cultural and systemic transformation - all of which is interrelated. GRW emphasizes the urgency of reforming institutions that protect and empower survivors while holding offenders accountable. The path forward requires commitment from all levels of government, civil society, and the international community. Policymakers must act decisively to eliminate systemic barriers, while law enforcement agencies must prioritize accountability and survivor safety. These actions can challenge entrenched societal attitudes that perpetuate domestic violence. By implementing the recommendations outlined here, Armenia has the opportunity to become a model for effective domestic violence prevention and response.

With this report, GRW encourages you to reflect on the collective responsibility we bear to challenge violence in all its forms. Let this document serve as a beacon for action, inspiring innovation, accountability, and unwavering dedication to a future free from domestic violence. The time to act is now.

APPENDIX I

REVIEW OF THE LAW ON PREVENTION OF FAMILY AND DOMESTIC VIOLENCE AND PROTECTION OF SURVIVORS OF FAMILY AND DOMESTIC VIOLENCE

Armenia passed the Law on Prevention of Violence Within the Family, Protection of survivors of Violence within Family and Restoration of Peace in the Family in 2017 with amendments coming into force on July 1, 2024. It is now called the On Prevention of Family and Domestic Violence and Protection of survivors of Family and Domestic Violence (DV Law), and includes stronger provisions that are more focused on survivor safety and offender accountability.

Armenia's regional and international human rights obligations require it to make robust efforts to prevent gender-based violence, including domestic violence, through the drafting and effective implementation of laws. It is a party to the Convention on the Elimination of All forms of Discrimination against Women (CEDAW). As clarified in General Recommendation 35, CEDAW requires States to prevent gender-based violence by state actors and non-State actors. The measures associated include establishing laws, institutions and a system in place to address such violence, ensuring that they function effectively in practice, and are supported and diligently enforced by State agents and bodies.¹²²

Armenia is also a member of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).¹²³ As a signatory to the Istanbul Convention, Armenia has expressed intent to comply with the Convention. Under the Istanbul Convention, a nation state must take necessary legislative and other measures to protect survivors, address perpetrators' abuse through non-violence behavior change programs, ensure effective co-operation between all relevant state agencies, ensure survivors have access to services, provide survivors with civil remedies against the perpetrator, criminalize psychological, physical, sexual violence, and stalking, punish offenses under the convention with effective sentencing and deprivation of liberty.¹²⁴

¹²² Para 24(b) to General Recommendation No. 35 to CEDAW.

¹²³ Charter of Signatures and Ratifications of Treaty, available at <https://www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treaty=210>

¹²⁴ Istanbul Convention, available at <https://rm.coe.int/168008482e> (2011).

Armenia has ratified the Convention on the Rights of the Child (CRC) requiring state parties to take all appropriate legislative, administrative, social, and educational measures to protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.¹²⁵

Furthermore, the prohibition of violence against women and girls has evolved into a principle of customary international law, binding all nation-states¹²⁶, irrespective of their allegiance to a legal text.

GRW commends Armenia for acknowledging regional and international obligations to protect women's rights to live free from violence, engaging in a review of the original text of the domestic violence law and incorporating legislative amendments that better protect the needs of survivors in Armenia.

Applying these international human rights standards, the GRW team has reviewed and analyzed the DV Law. In addition, GRW has consulted internationally recognized guidance on best practices in legislation on violence against women and girls, including the Handbook for Legislation on Violence Against Women¹²⁷ and the Essential Services Package for Women and Girls Subject to Violence.¹²⁸ Finally, GRW also offers analysis and recommendations drawing from national best practices developed around the world to respond to gender-based violence and to the vulnerability of women.

¹²⁵ Article 19 paragraph 1 of the Convention on Rights of Child, 1990.

¹²⁶ General Recommendation No. 35 to CEDAW, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-35-2017-gender-based> (2017).

¹²⁷ United Nations Handbook for Legislation on Violence Against Women, available at <https://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf> (2010).

¹²⁸ Essential Services Package for Women and Girls Subject to Violence, available at <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2015/Essential-Services-Package-Module-5-en.pdf>.

COMPREHENSIVE RECOMMENDATIONS FOR THE ARMENIAN LAW ON PREVENTION OF VIOLENCE WITHIN THE FAMILY AND PROTECTION OF SURVIVORS OF VIOLENCE WITHIN THE FAMILY

1. **Psychological assistance and rehabilitation programs:** The DV Law refers to psychological assistance to survivors and rehabilitation to perpetrators. These terms are vague and are open to interpretations which may be harmful for survivors. Guidelines based on survivor safety, equality and offender accountability are needed. Additionally, the provision for these services should not be dependent on the survivor's willingness to cooperate with prosecution.¹²⁹
2. **Coordination between agencies:** The need for a coordinated community response to domestic violence should be highlighted in the DV Law. Article 7 of the Istanbul Convention requires member states to “take the necessary legislative and other measures to adopt and implement State-wide effective, comprehensive and coordinated policies encompassing all relevant measures to prevent and combat all forms of violence”. These policies should be implemented with a survivor centered, trauma informed approach.¹³⁰ This cooperation should occur between the judiciary, prosecutors, law enforcement, probation, child protection agencies and local and regional agencies as well as NGOs.¹³¹ Module 5 of the Essential Services Package¹³² for Women and Girls Subject to Violence provides useful guidance on creating governance structures for Coordinated Community Response. Detailed discussion on initial steps towards establishing a coordinated community response is in the section ‘Coordinated Community Response and The Police Role’ of this report.
3. **Rights of survivors:** While Article 22 recognizes the critically important need for confidentiality, other survivor rights should be clearly articulated. This should include the right to privacy¹³³, right to interpretation of legal proceedings, right to shelter and services¹³⁴, right to self-determination and autonomy. Survivors should also have the right to compensation for damages including medical expenses, property damage and other financial losses resulting from the abuse.¹³⁵ The laws should also clarify that criminal courts’ allowance of compensation to victims should not be dependent on her instituting divorce proceedings or the issuance of protective orders. The DV Law should add specific rights for survivors in legal proceedings including separate waiting areas, separate entry and exit, police escorts, staggering times of arrival and departure.¹³⁶

¹²⁹ Article 18(4) of the Istanbul Convention.

¹³⁰ Article 7(2) of the Istanbul Convention.

¹³¹ Article 18 of the Istanbul Convention.

¹³² Module 5, Essential Services Package for Women and Girls Subject to Violence, available at <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2015/Essential-Services-Package-Module-5-en.pdf>.

¹³³ Para 30(e)(iii) to General Recommendation No. 35 to CEDAW

¹³⁴ Para 16(b) to General Recommendation No. 33 to CEDAW

¹³⁵ Article 30 of the Istanbul Convention.

¹³⁶ United Nations Handbook for Legislation on Violence Against Women, available at <https://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf> (2010).

4. **Integration of criminal remedies:** The DV Law should make clear that survivors can also seek remedies under Armenia's criminal laws. The domestic violence law and other Criminal Code, 2022 provisions should be cross referenced and treated as supplementary to each other.¹³⁷
5. **Requirement for authorities to identify the predominant aggressor:** To ensure justice is served, the DV Law should require that intervenors identify the predominant aggressor in any domestic violence assault.¹³⁸ This will avoid re-victimization of the person who is most in danger and most afraid but may have used violence. This requires training for intervenors on the dynamics of domestic violence, so they are able to identify the most dangerous person and intervene appropriately.¹³⁹ Detailed discussion on identifying a predominant aggressor is in the section 'Concern: There is a Failure to Identify the Predominant Aggressor' of this report.
6. **Training for all stakeholders:** The DV Law should require that all stakeholders such as police, prosecutors, judges, probation officers, healthcare professionals, child protective proceeding officers are regularly trained on protection of women's human rights, the unique dynamics of domestic violence and their specific duties when intervening in domestic violence incidents. Detailed discussion on training police officers is in the section 'Insufficient Police Training and Understanding of Domestic Violence' of this report.
7. **Miscellaneous:** Medical certifications or examinations of survivors should not be required as evidence in courts. Courts should not make inferences about survivor's safety or the need for intervention based on the delay between actual commission of domestic violence and survivor's reporting.¹⁴⁰ Delays in reporting are common in cases involving violence against women and girls, as these survivors are navigating many safety concerns for themselves and their children. The rights of alleged perpetrators with respect to property, privacy, child custody, contact, and visitation should never undermine the survivor's human rights to safety and freedom from violence.¹⁴¹

PROVISION-SPECIFIC RECOMMENDATIONS

Scope of the DV Law (Article 1)

Article 1 sets forth the scope of the DV Law as providing for preventative measures, definition of violence and protection measures. The DV Law does not identify domestic violence as a crime or explicitly refer to provisions of Armenia's Criminal Code, 2022. Criminalization of domestic violence increases the certainty and severity of legal responses, promotes offender accountability and counters the patriarchal normalization of domestic violence. Harmonizing and cross-referencing criminal provisions into the DV

¹³⁷ GRW analyzes the Armenian Criminal Code, 2022 in the next section of this report.

¹³⁸ Predominant Aggressor Arrest Statutes, available at <https://bwjp.org/assets/2020-predominant-aggressor.pdf>.

¹³⁹ Predominant Aggressor Arrest Statutes, available at <https://bwjp.org/assets/2020-predominant-aggressor.pdf>.

¹⁴⁰ United Nations Handbook for Legislation on Violence Against Women, available at <https://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf> (2010).

¹⁴¹ Para 30(e)(iii) to General Recommendation No. 35 to CEDAW

Law would lead to a more coordinated, holistic response to domestic violence. Without this, survivors suffering serious domestic violence assault whose cases are being processed in the criminal code may not benefit from the protections and remedies under the DV Law and vice versa. Both the Istanbul Convention and General Recommendation 35 to CEDAW promote criminalization of acts of domestic violence.¹⁴²

Article 1 refers to the “reconciliation of survivors of family and domestic violence and perpetrators”. Reconciliation and mediation have proven to be problematic and dangerous in domestic violence cases.¹⁴³

Recommendation: Article 1 should recognize domestic violence as a crime and provisions from the Criminal Code, 2022 of Armenia should be harmonized and cross referenced under the DV Law. Government actors should avoid efforts to reconcile or require mediation between the survivor and the perpetrator.

PRINCIPLES FOR PREVENTION AND PROTECTION OF SURVIVORS OF VIOLENCE WITHIN THE FAMILY (ARTICLE 2)

Article 2 sets forth the principles guiding domestic violence prevention and protection. GRW applauds the reference to survivor protection as a primary principle of the DV Law. This aligns with international human rights standards under CEDAW as it centers survivor safety and women’s human right to live life free from violence¹⁴⁴ incorporating the right to personal security and physical, sexual, and psychological integrity.¹⁴⁵ Unfortunately, as outlined in the section entitled ‘Police Response at the Scene’ of this report, implementation of the DV Law does not reflect this goal.

Article 2 articulates the principles of supporting family as a fundamental unit of society and strengthening traditional values and restoring peace. While the family has been recognized as a fundamental unit of the society under international law, entitled to protection by the state¹⁴⁶, it is important to recognize the role traditional families, values and culture may play in limiting a survivor’s access to justice and holding perpetrators accountable, as pointed out previously in this report as well. CEDAW General Recommendation 35 acknowledges that domestic violence is exacerbated by cultural, religious, social, and environmental factors.¹⁴⁷

The Istanbul Convention specifically notes that in criminal proceedings, arguments of culture, religion, and tradition will not be regarded as justification for violence.¹⁴⁸

¹⁴² Para 29 to General Recommendation No. 23 to CEDAW; A. 33 to 44 of the Istanbul Convention.

¹⁴³ Article 48 of the Istanbul Convention.

¹⁴⁴ Para 15 to General Recommendation No. 35 to CEDAW

¹⁴⁵ Para 15 to General Recommendation No. 35 to CEDAW

¹⁴⁶ A. 16 of the Universal Declaration of Human Rights.

¹⁴⁷ Para 14 to General Recommendation No. 35 to CEDAW

¹⁴⁸ A. 42 of the Istanbul Convention.

The Convention also affirms that the state shall take necessary measures to promote changes in social and cultural behavior patterns of women and men with a view to eradicating prejudices, customs, traditions, and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men including those within the family.¹⁴⁹ Acknowledging the unfair burden that women hold in society to protect traditional values is important. Thus, this language in Article 2, “Supporting the family as the natural and fundamental unit of society, strengthening traditional values and restoring peace in the family” should be deleted because it is inconsistent with the primary goals of laws prohibiting violence against women and girls and domestic violence - survivor safety and equality and offender accountability.

Again, as outlined in the section, ‘Police Response at the Scene’, authorities’ implementation of the DV Law repeatedly prioritizes family unity and fathers’ rights over the safety of the survivor and her children.

Often well intended practice has shown that the language “prioritizing a child’s best interests” may result in harm to both children and survivors. In many countries, children are removed from the care of guardians and placed in foster care after domestic violence incidents.¹⁵⁰ States should ensure that children are not removed from the care of non-violent parents. For survivors, navigating child welfare systems can seriously re-traumatize them, adding layers of complexity and stress to their lives. The fear of losing their children or having their parenting abilities questioned can intensify feelings of powerlessness and isolation already resulting from perpetrators’ abuse. Also, children can be deeply traumatized by removal from their non-violent mothers.

Recommendations: Delete the provisions in Article 2 that focus on traditional values in the family. Ensure that children are not taken away from non-violent partners when prioritizing their best interests. At the request of the survivor, courts should have the authority to include children in all emergency and longer term protective orders.

VIOLENCE WITHIN THE FAMILY AND ITS FORMS (ARTICLE 3)

Article 3 defines the conduct that is considered family violence and domestic violence under the DV Law. The article also includes threats of violence, including those to family members and partners who are not family. GRW applauds the inclusive approach to relationships that fall within the protections of the DV Law including common law partners, partners with whom women share a child etc. and those who would not strictly fall under the definition of family members. It is commendable that the definition of psychological violence under article 4 includes stalking, though GRW notes that this article does not protect survivors from stalkers who may not be family, partners and ex-partners. Stalking should be defined under the DV Law or the definition should be cross referenced with Article 196.1 of the Criminal Code, 2022 for harmonization.

¹⁴⁹ A. 12(1) of the Istanbul Convention.

¹⁵⁰ A. 20 of the Convention on Rights of Child, 1990 mentions a child deprived of family environment may be placed under foster care.

The wide breadth of the definition of physical violence and the careful inclusion in Article 3 is good practice. The definition of sexual violence is broad, in conformity with CEDAW General Recommendation 35. GRW applauds that touching of bodily organs and virginity tests have been included in the definition of sexual violence. It is important to emphasize that the survivor's consent or lack thereof, should be the central focus of the language of the DV Law in identifying sexual violence. The language "against a person's will" may result in survivors being required to show force to access justice.¹⁵¹

The definition of psychological violence within the article is broad. It is important to note that broad language presents a significant risk for manipulation of the DV Law by abusers. To counter this possibility, more effective language focuses on prohibiting coercive controlling behavior established over time in a relationship. For example, refined language identifies a "pattern of intimidation, degradation, isolation intended to control the survivor." For example, the United Kingdom defines coercive controlling behavior within relationships. It has the advantage of addressing a common dynamic where abusers avoid accountability and turn the focus on the survivor by a claim of psychological abuse. Throughout the world, GRW has repeatedly witnessed the vague language "mental suffering" being manipulated by abusers and resulting in sanctions against domestic violence survivors.

The article in its aim to be all inclusive of multiple forms of violence that may occur within families fails to strike at the root cause for intimate partner violence against women. The article fails to reflect that women are disproportionately survivors of domestic violence, the power dynamics within relationships, methods of imposing coercive control techniques and the historically gendered roles in the society leading to subordination of women and acts of violence committed against them.

Recommendations: The article should add protection for survivors from stalkers who aren't family, partners or ex-partners. Stalking should be defined in uniformity with the Criminal Code, 2022 or the definition must be cross referenced with the Criminal Code, 2022. Sexual violence should be defined based on the consent of the survivor. The language, "psychological violence" should be replaced with language that prohibits a pattern of coercive controlling behavior established over time in a relationship. Specific coercive control tactics should be added to the article to ensure it addresses and reflects the unique dynamics of abusive intimate partner relationships.¹⁵² Law enforcement, justice system and community intervenors should be trained in the prevalence and unique dynamics of intimate partner violence to ensure safety and justice for survivors and avoid retraumatization.

MAIN TERMS OF THE DV LAW (ARTICLE 4)

Article 4 defines the terms used within the DV Law. The terms defined are members of family, support center, shelter, perpetrator, survivor, partner, person under care, competent police officer and rehabilitation

¹⁵¹ Para 29(e) to General Recommendation No. 35 to CEDAW ; Karen Tayag Vertido v. The Philippines, CEDAW Committee decision.

¹⁵² United Kingdom Serious Crime Act 2015, c. 9, Part 5, Section 76, available at: <http://www.legislation.gov.uk/ukpga/2015/9/section/76/enacted>.

program. Since Article 3 protects survivors from domestic violence perpetrated by family members, ex-partners and partners, GRW applauds the addition of the definition of partner into Article 4.

The article envisions a perpetrator as a person against whom there is a police warning, emergency intervention order or a protective decision prescribed under law. Similarly, a victim is determined by the existence of a police warning, emergency intervention or a preventive court decision. The article fails to identify perpetrators and victims who have not been labeled so by a formal system. As stated in this report, only 0.4% Armenian women are likely to turn to the police for assistance.¹⁵³ Every woman who has experienced domestic violence should be considered a victim under the legal definition of law, irrespective of their decision to take steps towards institutional assistance. The Istanbul Convention also defines a victim to include all women who have experienced gender-based violence.¹⁵⁴ Recognizing their traumatic experiences should not be associated with their decision to approach the formal system for assistance. A more effective definition of survivor, that aligns with international human rights standards, is ‘a person who has been subject to the conduct specified under A. 3 of the DV Law’.

The article defines a person under care as a dependent living with the survivor. Perpetrators have been known, historically, to use dependents and people under care, especially children, against a female survivor. GRW appreciates the inclusion of this definition in the article.

Recommendations: Every woman who has experienced domestic violence should be considered a victim under the legal definition of law, irrespective of their decision to take steps towards institutional assistance.

Discussions on Articles 5 (types of protection measures for survivors of violence within Family), 6 (Warnings), 7 (Emergency Intervention Orders) & 9 (Termination of Emergency Intervention Orders) have been undertaken in the sections ‘Police Warnings’ and ‘Emergency Intervention Orders’ of this report.

PROTECTION ORDER (ARTICLE 8)

A protection order under this article can only be issued for 4 - 12 months with a possible extension of 6 months. This makes the maximum duration for a protection order 18 months. This period is too short to adequately protect survivor safety. In addition, requiring the survivor to apply for extensions in such short time frames is burdensome, further re-survivorizing the survivor. Protection measures should avoid imposing any personal, financial or bureaucratic burden on survivors.¹⁵⁵ The DV Law should allow for extension of protection orders at the discretion of court with the survivor’s safety in mind without specifying any maximum duration when court exercises this discretion.¹⁵⁶

¹⁵³ Survey on Domestic Violence Against Women, available at https://armstat.am/file/article/gbv_report_eng.pdf (2021).

¹⁵⁴ Article 3 of the Istanbul Convention.

¹⁵⁵ Para 31 to General Recommendation No. 35 to CEDAW.

¹⁵⁶ Example: Minnesota Domestic Abuse Act, §518B.01, subd. 6(b) “Any relief granted by the order for protection shall be for a period not to exceed two years, except when the court determines a longer period is appropriate.” The court may extend the order for up to 50 years, if certain requirements are met.

The Law should make clear that an EIO should never be a prerequisite to a protective order from the court nor should registration with police be a prerequisite for a protective order.

Para 5 of the article suggests that the deadline for the protection order must factor in the possibility of moving the survivor and those under her care to a shelter and the availability of other places of residence for the perpetrator. In determining the length of protection orders, survivor safety should be the primary focus, not the housing needs of the perpetrator. General Recommendation 35 makes clear that rights and claims of perpetrators are to be determined considering the women’s “right to life and physical, sexual and psychological integrity”¹⁵⁷.

Para 5 limits the surrendering of firearms to the duration mentioned in the protection order. CEDAW General Recommendation 35 states that protective measures for women should include consideration for heightened risk for women based on accessibility to firearms.¹⁵⁸ Perpetrators with a history of domestic violence should not be permitted to possess firearms.

The article fails to mention important factors that the court should consider when determining the duration of an order of protection. Some of these could potentially include the nature of violence, history, risk assessment, impact of the violence on the child, if any etc.

The DV Law should be strengthened by articulating a judicial procedure for modifying or withdrawing a protection order, including requesting a modification to attend a family or cultural event. Requests should be evaluated by the court to ensure that the survivor has not been and will not be subjected to threats and/or coercion by the abuser. The law should indicate that the survivor’s safety is paramount in the decision.

The article should clearly state that violation of the order of protection is a crime, referencing section 508 of the Criminal Code, 2022 of Armenia.

The article permits the perpetrator to take belongings from the survivor’s residence every two months when accompanied by a police officer, if the perpetrator is removed from the family. Revisiting the home of the survivor and coming in contact with the survivor as often as every 2 months can be traumatizing for the survivor. The DV Law should allow for the perpetrator to collect his belongings only once immediately after the protection order has been issued.

Recommendations: Article 8 should clarify that consent from other parties is not required for an application to support centers. It should allow for extension of protection orders at the discretion of court with the survivor’s safety in mind without specifying any maximum duration. It should also enumerate factors that courts need to evaluate when determining duration of protection orders. In determining the length of protection orders, survivor safety should be the primary focus, not the housing needs of the perpetrator. The article should

¹⁵⁷ Para. 31 to General Recommendation No. 35 to CEDAW.

¹⁵⁸ Para. 31 to General Recommendation No. 35 to CEDAW.

provide courts with authority to include children in the protective order, when the survivor requests this.

Perpetrators with a history of domestic violence should not be permitted to possess firearms. Violation of protection orders should be criminalized, with repeated violations resulting in elevated criminal sanctions.

PREVENTIVE REGISTRATION AND DEREGISTRATION OF THE PERPETRATOR OF FAMILY AND DOMESTIC VIOLENCE. MONITORING OF FAMILY AND DOMESTIC VIOLENCE CASES (ARTICLE 11)

The article provides for preventive monitoring and registration of the perpetrator who has a domestic violence criminal record, or a warning or an emergency intervention order or a protection order issued against them.

Paragraph 3 of the article states that the police and the social worker are to engage in monthly meetings with the survivor and perpetrator to raise awareness. The survivor should not be required to attend any meetings. Any procedure aimed at stopping the violence and ‘raising awareness’ should focus on the perpetrator. The DV Law should ensure that any social services program provided to the offender should focus on the needs and safety of the survivor and promote the accountability of the offender.

Recommendations: Preventive monitoring of the perpetrator should not mandate the presence of the survivor.

NONUSE OF PROTECTION MEASURES AGAINST MINORS OR INCAPABLE PERSONS (ARTICLE 12)

Recommendations: The DV Law should define “incapable person” or cross reference to a definition in other laws. Crimes committed by juveniles should be addressed specifically in juvenile courts.

BODIES AND SPECIAL INSTITUTIONS WITH MANDATE TO PREVENT VIOLENCE WITHIN THE FAMILY AND PROTECT SURVIVORS OF VIOLENCE WITHIN THE FAMILY AND SOURCES OF THEIR FUNDING (CHAPTER 3)

This chapter outlines mandates for police, national executive authorities, guardianship bodies, support centers and shelters in preventing instances of domestic violence. State and local authorities are to create public awareness and provide social assistance to survivors.

The police, under the DV Law, are to facilitate operation of a specialized unit, explain to individuals their rights and duties, train staff regularly, issue emergency intervention orders, evaluate imminent risk and submit statistics to the Competent Authority. The article does not specify the specific subject matter

for police training. A detailed discussion on police training and recommendations has been undertaken throughout this report and more specifically in the section ‘Insufficient Police Training and Understanding of Domestic Violence’ of this report.

Under Article 17, the National Executive Authority for Healthcare should provide free healthcare to survivors, train staff on their associated legal obligations and on available services for mental health care for survivors. It is important not to mandate reporting by healthcare staff to the police. This has shown to take away control from the survivor and deter them from approaching authorities.¹⁵⁹ The Guardianship and Trusteeship Body steps in when the children and incapable people are survivors of violence requesting for protection orders on their behalf and arranging for their care.

GRW applauds the addition of free legal services and healthcare for survivors to the DV Law.

Under the DV Law, Armenia shall take measures for the existence and operation of shelters. Article 20 states that survivors may be accommodated in the shelter if there is reasonable belief the violence will continue. This risks undermining survivor safety. Article 23 of the Istanbul Convention mandates states to reach out proactively and provide safe accommodation to survivors. Shelter accommodation should not be dependent on an unidentified person’s “reasonable belief” that violence will continue.

Further, Article 20 of the DV Law states that a decision to provide a person with shelter shall be made by the police if there is a threat to health or by the support center. Survivor’s admission into a shelter should not be dependent on a police assessment of a threat to life or health.

Article 20 provides that beneficiaries will not be accommodated in shelters for more than 12 months. The DV Law should not limit the length of stay. Survivors should have the option to stay at shelters for as long as they need for their safety and well-being.

Recommendations: Under the DV Law in itself or through external guidelines content for police training should be articulated and in conformance with best practices. Healthcare staff should not be mandated reporters for domestic violence: survivor’s decisions whether to report should be respected. Shelter accommodation should not be dependent on unidentified persons’ “reasonable belief” that violence will continue, it should be available at the request of the survivor and for a duration best suitable to the survivor’s needs. It should not be based on police assessment of a threat to life.

¹⁵⁹ The Impact of Mandatory Reporting Laws on Survivors of Intimate Partner Violence: Intersectionality, Help Seeking and the Need for Change, available at <https://link.springer.com/article/10.1007/s10896-019-00103-w> (2020).

REVIEW OF DOMESTIC VIOLENCE ADDRESSED IN THE CRIMINAL CODE, 2022: KEY OFFENSES, PENALTIES, AND AGGRAVATING CIRCUMSTANCES

The Armenia Criminal Code (“Code”) came into force on July 1, 2022. An amendment to the Code entered into force on July 1, 2024 (“Amendment”). GRW’s analysis here focuses on selected provisions; the analysis is not all inclusive of the entire Code. The goal of these recommendations is to enhance the safety and protection of survivors while also ensuring greater accountability for perpetrators. By addressing these legal gaps, the analysis aims to strengthen Armenia’s legal frameworks to provide more effective and a comprehensive response to domestic violence cases.

Comprehensive Recommendations:

1. **Domestic violence as an independent offense:** Domestic violence should be a stand-alone crime including physical, sexual, and coercive, controlling violence¹⁶⁰, especially since domestic violence is not charged under alternate provisions of the Code in Armenia, as discussed previously in this report. This would also ensure optimal response for situations when acts of violence do not reach other criminal thresholds for assault under Articles 166, 167 and 171.¹⁶¹ The definition of domestic violence should be consistent with that under the DV Law for uniformity in implementation. This section should also explicitly include severe forms of abuse that are common in domestic violence cases, such as strangulation¹⁶², traumatic head injuries, and other life-threatening acts of violence, as aggravating circumstances with more severe penalties and higher sentences. This approach will emphasize the serious and often fatal consequences of such actions, while reinforcing the legal system’s commitment to consequences that correspond with the severity of the crime.
2. **Ineffectiveness of fines in domestic violence cases:** Multiple provisions in the Code provide for fines as an alternative penalty. Fines often fail to serve as a deterrent for perpetrators¹⁶³, as they do not reflect the frequent severity of domestic violence abuse and can be perceived as a mere financial inconvenience rather than a meaningful consequence for a crime of violence. Additionally, imposing fines in domestic violence cases can place an undue financial burden on the survivor and their family, further discouraging survivors from reporting abuse or seeking justice, especially if they rely on the perpetrator for financial support.

¹⁶⁰ United Nations Handbook for Legislation on Violence Against Women, pp. 24, available at <https://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf> (2010).

¹⁶¹ Armenia: Submission to the UN Committee on the Elimination of Discrimination Against Women, available at <https://www.hrw.org/news/2022/09/21/armenia-submission-un-committee-elimination-discrimination-against-women> (2022).

¹⁶² §609.2247 of Minnesota Statutes, USA defines and criminalizes domestic assault by strangulation as a crime separate from that of domestic violence.

¹⁶³ *Contravention of Family Violence Intervention Orders and Safety Notices*, pp. xix, available at https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Contravention_of_FVIOs_and_FVSNs_Prior_Offences_and_Reoffending.pdf (2016); *Weak State Response to Domestic Violence in Russia*, <https://www.hrw.org/report/2018/10/25/i-could-kill-you-and-no-one-would-stop-me/weak-state-response-domestic-violence/> (2018).

Instead of fines, more substantial penalties, such as probationary supervision with mandatory behavior change programs or in serious and/or repeated assaults and high-risk cases, detainment or incarceration should be prioritized to ensure perpetrator accountability.

3. **Recurring violence, threats of physical harm and/or coercive controlling behavior as aggravating factors:** The Code should specifically enumerate repeated instances of the offense as an aggravating circumstance that results in more severe penalties under each article. Repeated incidents of violence are common in domestic violence cases. Though Article 76 of the Code provides sentencing guidelines for recidivism, they are unduly limited. Research shows that a pattern of repeated assault increases the psychological trauma for survivors and escalates the risk of serious harm or death. By classifying multiple incidents of violence as aggravating factors, laws can impose stricter punishments, thereby providing stronger deterrence against repeat offenses and offering greater protection for survivors. Language in the Code that reflects these patterns would also align with policies aimed at reducing recidivism and addressing the root causes of abusive behavior. By clearly outlining patterns of repeated abusive behavior, the DV Law would more effectively address the ongoing nature of domestic violence which often escalates over time. This inclusion would ensure that persistent conduct, even if not physically violent in each individual instance, is recognized for its cumulative harm and is met with appropriately heightened consequences. Strengthening the legal framework in this way would send a clear message that repeated offenses are taken seriously and will be punished accordingly.
4. **Incorporating provisions on female genital mutilation and sexual harassment into the Code:** Armenia lacks provisions criminalizing female genital mutilation¹⁶⁶ and sexual harassment¹⁶⁷. GRW recommends adding the provision in line with its international law obligations.
5. **Enhancing prosecutorial approaches to domestic violence cases:** Prosecutors and investigators should ensure that they utilize all sections of the Code that, while not specifically addressing domestic violence, can still apply in such contexts. For example, they should consider bringing charges for offenses like trespassing or theft or kidnapping, when these occur within the framework of a domestic violence situation. This approach can expand the legal tools available to address the full scope of domestic violence related crimes.
6. **Strengthening legal frameworks through cross-referencing the Code and the DV Law:** This is crucial for ensuring a comprehensive legal approach to addressing domestic violence. It allows for the integration of specific protections and remedies found in the DV Law with the broader criminal justice system. By aligning the DV Law with the Code, Armenia can provide consistent definitions, prosecution guidelines, and survivor protections. Cross-referencing also enables a more effective response from law enforcement, prosecutors, and the judiciary by ensuring that domestic violence cases are handled with appropriate seriousness, while providing survivors with access to both criminal justice and protective measures like restraining orders and support services.

¹⁶⁴ A. 46 of the Istanbul Convention.

¹⁶⁵ *United Nations Handbook for Legislation on Violence Against Women*, pp. 52, available at <https://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf> (2010); 2023 Minnesota Statute §609.2242 Subd.2, §609.2243.

¹⁶⁶ A. 38 of the Istanbul Convention.

¹⁶⁷ A. 40 of the Istanbul Convention.

PROVISION-SPECIFIC RECOMMENDATIONS

Article 92 of the Code permits absolving of liability or a reduction thereof through forgiveness.¹⁶⁸ CEDAW General Recommendations 35 and 33 state apologies and pardons should not reduce penalties for crimes of gender-based violence.¹⁶⁹ Such provisions undermine the seriousness of gender-based violence offenses, failing to account for the systemic and historical nature of violence against women. In societies where patriarchy is deeply entrenched, these legal allowances disproportionately harm women, allowing perpetrators to evade full accountability and perpetuating cycles of abuse and injustice. GRW expresses similar concerns for Article 81 that permits exoneration from a crime based on remorse.

Recommendation: Article 81 and 92 must be removed from the Code or an exception limiting application for domestic violence crimes (i.e. all articles referred to in this report) must be added to it.

Articles 155 to 161 of the Code outline punishments for murder but do not specifically address gender-related killings like femicide or honor killings¹⁷⁰, either as a distinct provision or as an aggravating factor that warrants harsher penalties. However, Article 155 does classify the murder of a pregnant woman or that by a close relative, partner or ex-partner as an aggravating circumstance leading to increased punishment. GRW applauds the addition of murder by a ‘partner or ex-partner’ as an aggravating circumstance. Article 156¹⁷¹, in contrast, provides for a reduced penalty when the accused kills a person while in a state of intense emotional agitation, provoked by the survivor’s illegal act or behavior. This provision presents a significant risk of being misused. Perpetrators, particularly in cases involving domestic violence or gender-based violence, could exploit this legal loophole to justify their actions and evade appropriate penalties. Such a provision may unintentionally allow perpetrators to shift blame onto the survivor, thereby minimizing the gravity of their crimes and undermining the pursuit of justice.

Recommendation: Gender-related killings like femicide or honor killings should have higher penalties under the Code recognizing the gendered nature of these crimes.

Articles 162 to 164 address penalties for inducing suicidal tendencies by threats, cruel treatment or inducement or providing the means to commit suicide. For many women societal pressures, fear of shame, lack of support, rejection by their own families, coercive control and psychological abuse may lead to suicidal thoughts or actions. The amendment to these articles rightly recognizes the need for harsher penalties when such actions are perpetrated by intimate partners or ex-partners. However, there remains an urgent need to hold accountable those directly responsible for the psychological torment and emotional abuse that drive survivors to take their own lives.

¹⁶⁸ There are certain exceptions wherein forgiveness may not be sought such as for crimes against peace under section 8 etc. But none associated with domestic violence crimes.

¹⁶⁹ Para 29(c)(ii) to General Recommendation No. 35 to CEDAW; Para 19(f) to General Recommendation No. 33 to CEDAW; UN Special Rapporteur on Violence Against Women and Girls, Model Rape Laws, para 21 Art 7, available at <https://digitallibrary.un.org/record/3929055?ln=en&v=pdf> (2021). The suggestions were made in context of rape laws but can be applied holistically to all sexual assault laws.

¹⁷⁰ Article 42 of the Istanbul Convention.

¹⁷¹ Similarly, Article 168 of the Code.

Recommendation: Articles 162-164 must incorporate language to include individuals who, through prolonged emotional abuse, manipulation, or coercion, contribute significantly to a survivor's decision to commit suicide.

Articles 166, 167, and 171 outline penalties for varying degrees of assault. The amendments to these provisions appropriately introduce harsher penalties when the offense is committed by intimate partners or ex-partners. However, Article 171, which deals with “Causing Slight Damage to Health,” merely imposes fine as punishment when the assault leads to short-term health deterioration or temporary loss of working ability. Fines, however, often fail to serve as an effective deterrent for perpetrators, as discussed previously.¹⁷² Article 195 establishes penalties for delivering blows or performing other violent actions. Article 196 also includes a penalty for causing severe pain and mental suffering to a person. GRW commends the fact that Article 195 penalizes the act of inflicting blows and committing violent actions without the need to prove physical harm (as does Article 196) unlike Articles 166, 167, and 171. GRW also appreciates the inclusion of violent acts committed by partners and ex-partners as aggravating circumstances under this provision.

Recommendation: The alternate penalty of fines should be removed from Article 171 and Article 195 or an exception must be added for non-application in domestic violence accusations.

Article 194 provides for penalty for threats of murder, harm to health, torture, committing a crime against sexual freedom or integrity, kidnapping with a real risk of carrying out this threat and causing social isolation or humiliation. The Istanbul Convention recommends that states enact laws that punish coercion and threats resulting in impairment of a person's psychological integrity. A pattern of coercive, controlling behavior towards survivors including threats, isolation and humiliation is common for domestic violence offenders and should result in criminal sanctions.¹⁷³ GRW commends Armenia for including threats, isolation or humiliation by close relatives, partners, and ex-partners as an aggravating factor, leading to harsher penalties under the Article. This would have the direct impact of punishing coercive control behaviors often defining domestic violence dynamics. However, fines, as stated above fail to act as a strong deterrent for perpetrators and must be removed as alternative penalties from the article.

The Amendment adds Article 196.1 punishing the crime of stalking, in line with the Istanbul Convention.¹⁷⁵ GRW applauds the addition into the Code. Additionally, intervention provisions as stated in the DV Law such as emergency intervention orders and protection orders should be provided for stalking as well. This can also be achieved by cross referencing the intervention provisions available under the DV Law under this article.¹⁷⁴

¹⁷² *Contravention of Family Violence Intervention Orders and Safety Notices*, pp. xix, available at https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Contravention_of_FVIOs_and_FVSNs_Prior_Offences_and_Reoffending.pdf (2016).

¹⁷³ A. 33 of the Istanbul Convention.

¹⁷⁴ *Contravention of Family Violence Intervention Orders and Safety Notices*, pp. xix, available at https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Contravention_of_FVIOs_and_FVSNs_Prior_Offences_and_Reoffending.pdf (2016); *Response to Weak State Response to Domestic Violence in Russia*, <https://www.hrw.org/report/2018/10/25/i-could-kill-you-and-no-one-would-stop-me/weak-state-response-domestic-violence/> (2018)..

¹⁷⁵ A. 34 of the Istanbul Convention.

Recommendations: Stalking must be defined based on the perpetrator's intent and the nature of their actions, rather than requiring specific emotional or lifestyle outcomes from the survivor. Intervention provisions such as emergency intervention orders and protection orders as mentioned under the DV Law must be provided for stalking.

Articles 198 to 200 articulate penalties for sexual assault. Consent should be the focus of sexual assault laws.¹⁷⁶ Additionally, the article should also recognize that true consent is impossible in situations of dependence, coercion¹⁷⁷, force¹⁷⁸ and vulnerability. There must be a presumption of lack of consent in such situations.¹⁷⁹ Additionally, consent should not be presumed from silence, non-resistance, past sexual history, survivor's status, occupation.¹⁸⁰ The article should also provide for consent being withdrawn at any moment.¹⁸¹ GRW appreciates that the amendment to these articles recognizes the need for harsher penalties when such actions are perpetrated by intimate partners or ex-partners. The article should specifically identify marital rape as a crime. Additionally, expiry of limitation period leading to acquittals, as mentioned under Article 90, 83 should not apply to sexual assault crimes¹⁸² or an exception must be laid out for circumstances hindering survivor's capacity to report sexual assault outcomes.¹⁸³ There are many reasons why survivors may not report sexual assault: fear of retribution, survivor blaming culture, internalized feelings of shame, accessibility to reporting resources, unawareness of legal rights.¹⁸⁴

Recommendations: Article 198 should be amended to be based on absence of willful and voluntary consent of survivors. Circumstances wherein voluntary consent is impossible must be laid out. Consent should not be presumed from silence, non-resistance, past sexual history, survivor's status, occupation. The article must permit withdrawal of consent at any moment. Limitation period must not apply to sexual assault crimes.

Article 207, which criminalizes trespass into an apartment, lacks a provision for aggravated circumstances, leaving significant gaps in its application, particularly in cases of domestic violence or stalking. Trespass by a partner, ex-partner, or someone with a history of gender-based violence should be recognized as a more severe offense, as it can be a precursor to further violence or harassment. Again, one of the penalties is merely a fine. GRW recommends removing fines as punishment from gender-based violence crimes.

¹⁷⁶ Para 29(e) General Recommendation No. 35 to CEDAW; Karen Tayag Vertido v. The Philippines, CEDAW Committee decision; Article 36 of the Istanbul Convention.

¹⁷⁷ Para 29(e) General Recommendation No. 35 to CEDAW.

¹⁷⁸ UN Special Rapporteur on Violence Against Women and Girls, Model Rape Laws, para 19, available at <https://digitallibrary.un.org/record/3929055?ln=en&v=pdf> (2021). The suggestion was made in context of rape laws but can be applied holistically to all SA laws.

¹⁷⁹ UN Special Rapporteur on Violence Against Women and Girls, Model Rape Laws, para 15D, available at <https://digitallibrary.un.org/record/3929055?ln=en&v=pdf> (2021). The suggestion was made in context of rape laws but can be applied holistically to all SA laws.

¹⁸⁰ UN Special Rapporteur on Violence Against Women and Girls, Model Rape Laws, para 16, available at <https://digitallibrary.un.org/record/3929055?ln=en&v=pdf> (2021). The suggestion was made in context of rape laws but can be applied holistically to all SA laws.

¹⁸¹ UN Special Rapporteur on Violence Against Women and Girls, Model Rape Laws, para 17, available at <https://digitallibrary.un.org/record/3929055?ln=en&v=pdf> (2021). The suggestion was made in context of rape laws but can be applied holistically to all SA laws.

¹⁸² Para 19(f) General Recommendation No. 33 to CEDAW.

¹⁸³ Para. 29(e) General Recommendation No. 35 to CEDAW.

¹⁸⁴ End Sexual Violence: Good Laws, available at <https://equalitynow.org/end-sexual-violence-good-laws/>.

Recommendation: Trespass by a partner, ex-partner, or someone with a history of gender-based violence should be recognized as an aggravating circumstance under Article 207.

Articles 247 and 248 of the Code discuss the penalty for failure to fulfill responsibility for bringing up a child. In many countries, children are removed from the care of survivors and placed in foster care after domestic violence incidents for failure to shield them from violence or to provide a safe environment.¹⁸⁵ Armenia should ensure that non-violent parents are not penalized when states prioritize children's best interests. This can seriously re-survivorize both children and survivors of domestic violence adding layers of complexity and stress to their lives. The fear of criminal penalties or having their parenting abilities questioned can intensify feelings of powerlessness and isolation. Perpetrators are also able to use such provisions against the survivor.

Recommendation: Articles 247 and 248 should clarify that they would not be invoked against the non-violent parent because of domestic violence instances.

Article 508 of the Code penalizes violations of emergency intervention orders and protection orders as per the DV Law. GRW commends the incorporation of this provision into the Code. However, one of the alternative punishments outlined in the article is community service, which, like fines, may lack the retributive impact necessary to effectively deter offenders.

Recommendation: Remove community service as an alternative penalty from Article 508.

¹⁸⁵ A. 20 of the Convention on Rights of the Child mentions a child deprived of family environment may be placed under foster care.

PROPOSED REVISED RISK ASSESSMENT FOR ARMENIA

1. Has the abuser threatened to harm or kill the survivor or does the survivor believe the abuser will?
2. Does the survivor believe the abuser could try to kill the survivor and/or the survivor's children/relatives?
3. Has the abuser threatened or used/ever used or has access to a weapon/knife against the survivor?
4. Has the abuser strangled or attempted to suffocate the survivor?
5. Is the abuser violently and constantly jealous?
6. Is the abuser controlling the survivor's daily activity?
7. Has the abuser isolated the survivor, deprived survivor of financial means eg. forcing survivor to take out loans in the survivor's name, followed the survivor, spied on the survivor, sent threatening messages to survivor, stalked the survivor?
8. Did the abuser receive any form of protective or restrictive order or has been convicted for domestic violence?
9. Has there been any violation of any of the orders mentioned in Question 7?
10. Has physical violence or threats of violence increased in severity and/or frequency?
11. Has the abuser used violence when the survivor has been/is pregnant?
12. Has the abuser threatened or attempts to commit suicide?
13. Does the abuser avoid being arrested for domestic violence or is gone when the police arrived?
14. Has the abuser harmed or threatened to kill a family pet?
15. Does the abuser have a police record or has the abuser been in trouble with police for crimes against another person?
16. Are there children in the home who are not the abuser's biological children?
17. Have the family members of the abuser ever threatened or harmed the survivor, physically or emotionally or restricted the survivor's freedom?
18. Has the survivor tried to separate recently from the abuser or is there a conflict over seeing children?

Armenian police internal order should state that a yes to any of the first 4 questions indicates high risk. This is when investigators should be acting quickly to get the perpetrator into court. GRW also recommends adding a primary aggressor definition to this internal order.¹⁸⁶

¹⁸⁶ Discussed in depth in the section 'Concern: There is a Failure to Identify the Predominant Aggressor' of this report.

This is a supplemental form for domestic violence utilized by the San Diego Police Department, United States.

PAGE ____ OF ____

RESTRAINING ORDERS: ☐ YES ☐ NO ☐ CURRENT ☐ EXPIRED TYPE: ☐ EMERGENCY ☐ TEMPORARY ☐ PERMANENT ISSUING COURT: _____ ORDER OR DOCKET NUMBER: _____	VICTIM GIVEN: ☐ DOMESTIC VIOLENCE INFORMATION SHEET ☐ ADVISED OF 836 P.C. ☐ VICTIM ADVISED OF RIGHT TO A SUPPORT PERSON ☐ INCIDENT/CRIME CASE NUMBER _____ ☐ ADVISED OF RIGHT OF EPO ☐ DOMESTIC VIOLENCE/FAMILY PROTECTION UNIT PHONE NUMBER _____														
DO VICTIM AND/OR SUSPECT HAVE CUSTODY OF CHILDREN? ☐ YES ☐ NO															
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This training memo was developed by Praxis Blueprint for Safety Model.

Self-Defense Determination

Self-defense means that the person reasonably believed that he or she was in imminent danger and force was necessary, and the person used only the level of force reasonably necessary to prevent the harm feared. There is no duty to retreat from one's own home when acting in self-defense, but the lack of duty to retreat does not cancel the obligation to act reasonably when acting in self-defense. The elements of self-defense are:

1. The person using force had a reasonable belief that she or he was at risk of bodily harm. This means the officer needs to ask questions such as:
 - ☐ What did you think was going to happen?
 - ☐ What were you thinking when you picked up the knife?
 - ☐ What made you think that?
 - ☐ Why weren't you going to let him come near you? What did you think would happen?"
2. The risk of harm is actual or imminent. The risk cannot be for some undetermined time in the future.
3. The use of force was reasonably necessary to prevent the infliction of bodily harm. The amount of force that is reasonable for one person is not necessarily what is reasonable for another. For example, a stronger person cannot use the same amount of force that a person with less physical strength can use.
4. The use of force is based on the person's beliefs at the time of the incident about the risk, immediacy of the risk, and force necessary to prevent harm, not on the intent of the person making the threat.

Predominant Aggressor

Remember: *always* make a self-defense determination before doing a predominant aggressor determination. Predominant aggressor only applies when the officer has determined that both parties acted illegally and neither acted in self-defense.

The predominant aggressor is not necessarily the person who hits first. The predominant aggressor is determined by considering a number of factors and balancing the weight of these factors to determine who is causing the greatest

This training memo was developed by Praxis Blueprint for Safety Model.

harm and using the most aggression. Consider the following when making a predominant aggressor determination:

- ☐ Who used the most force in this incident?
- ☐ Who appears to use the highest level of violence in the relationship?
- ☐ Who has a history of violence?
- ☐ Who has a history of past protection or harassment orders from this victim or other victims?
- ☐ Who poses the greatest ongoing threat to the other?
- ☐ Who appears to be the most afraid of the other or especially afraid of future injury?
- ☐ What are the actions of each party relative to the PD domestic violence policy and mission to protect victims of ongoing abuse and create a general deterrence to battering?
- ☐ What is the likelihood of each suspect to cause future injury?
- ☐ What is each person's fear of being injured by the other?
- ☐ What is the comparative strength of the parties?
- ☐ What is each party's purpose in using violence? For example, to control the other's aggression or future use of violence; or to place the victim in fear for their safety or their children's safety?
- ☐ Has either party used sexual aggression toward the other?

Excluded Factors

The elements of a crime supported by probable cause and determination of self-defense or predominant aggressor when warranted are the elements of an investigation and arrest decision. Arrests should be made without regard to:

- A person's marital status, sexual orientation, religion, age, race, culture, immigration status or socio-economic position (including public or professional status or occupation, such as police officer)
- Property ownership, tenancy rights of either party, or the fact the incident occurred in a private place

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- Belief that the victim may not cooperate with criminal prosecution or that the arrest may not lead to a conviction
- Belief that the arrest will not lead to prosecution
- Verbal assurances that the abuse will stop
- Disposition of previous police calls involving the same victim or suspect
- Denial by either party that the abuse occurred when there is evidence of domestic abuse
- Lack of a court order restraining or restricting the suspect
- Adverse financial consequences that might result from arrest
- Use of alcohol or drugs, or intoxication of the parties
- Victim's emotional state
- Whether physical injuries suffered by the victim can be personally observed by the officer at the time of the law enforcement response

PROGRAM PARTNERS & SUPPORTERS

Thank you to the following professionals and institutions for their collaboration and invaluable input:

- **Survivors**
- **Advocates**
- **Women's Support Center**
- **Lawyers representing survivors in court**
- **Police officers**
- **Probation officers**
- **Forensic physicians**
- **Authorities from the Yerevan Municipality Department of Children**
- **Authorities from the Ministry of Labor and Social Affairs Department**

These professionals inspire us with their steadfast commitment to addressing domestic violence in Armenia.

With gratitude to the US State Department in Armenia for their support.



To learn more about the Center for Global Rights for Women, visit:

bwjp.org/our-work/global-rights-for-women