

# NO PRIDE IN SILENCE

## DOMESTIC AND SEXUAL VIOLENCE AGAINST WOMEN IN ARMENIA

‘I put up with his beatings for 14 years because that’s what’s expected here in Armenia. In the Armenian family the woman has to put up with everything, she has to keep silent.’

D.M. – SURVIVOR OF DOMESTIC VIOLENCE, YEREVAN, 2008

Thousands of women in Armenia are regularly subjected to violence within their families. Research conducted by Amnesty International in 2007 and 2008 has established that domestic violence is a widespread problem in Armenia. Survey data has suggested that more than one in four women in Armenia may at some time experience physical violence at the hands of husbands or other family members, with much higher figures reported for psychological forms of violence.

Women who try to defend themselves from violence and seek justice face multiple barriers. It is difficult to report violence in the family as a crime because it is neither defined in law nor clearly condemned as a crime. Reporting domestic violence is regarded as “destroying the family” and is strongly stigmatized. There is little or no effective training among health workers, police, prosecutors and



others who encounter domestic violence during the course of their professional work. Women spoke to Amnesty International of their fears of increased violence, social isolation

and pressure to withdraw their complaints. They may be divorced against their will and left with nothing, just for reporting domestic violence to the police.



## CHANGING MINDS

The Armenian authorities have taken some initial steps towards addressing violence against women. In 2004 national action plans were adopted to eliminate trafficking in women and girls and to enhance the role of women in society. A draft law criminalizing domestic violence was under discussion during 2008. Police training programmes have been initiated to implement guidelines for police responsibilities in responding to domestic violence.

Yet this is not nearly enough. The Armenian authorities must fulfil their obligations under international human rights law: to respect, protect and fulfil the right of women and girls to lead lives free of violence. In particular, attitudes in the criminal justice system need to change in order for victims of domestic or sexual violence to be able to secure justice. Resources and action are needed to establish support services, including hotlines and shelters, and to ensure that law enforcement agencies intervene effectively to protect women and girls from violence. It is mainly NGOs, typically with meagre and fluctuating resources, which have so far provided rudimentary structures, such as hotlines, crisis centres and shelters, supporting victims of gender-based violence.

Strong family bonds are an integral and cherished aspect of Armenian culture. In the words of Zhanna Harutyunyan of Armenian Caritas in Gyumri “people want and love the culture of family in Armenia”. However, this support for the family hides an institutionalized culture of silence on the violence within the

family and injustice for its victims. Women are pressured not to seek justice. They are pressured into keeping the family intact by dealing with domestic violence as a private “family matter”. There is a wider pressure not to inform outside parties such as the police, and as a result they remain exposed to continued violence. States do have an obligation to protect family life, but this should not come at the expense of shielding or excusing violence in the family. They should not ignore the consequences for women who suffer violence, children who are also exposed to violence or become witnesses to it, and society at large. Amnesty International’s global campaign *Stop violence Against Women* is intended to assist efforts by local NGOs and committed government officials to secure homes and families free of violence. It is precisely because family relationships are valued that acts of violence against family members and intimate partners must be legislated against, punished and prevented.

A survey in 2007 for the Women’s Rights Centre in Armenia revealed a resistance to public discussion of domestic violence, with 88 per cent of respondents believing that domestic violence is best handled as a private matter rather than through the authorities. Only 29 per cent of abused respondents sought help, in most cases from family members.

This survey and others provide more solid evidence of the prevalence of domestic violence in Armenia, if not a complete picture of the real scale of the problem. Both the Women’s Rights Centre survey and interviews with women’s NGO activists reveal

that women do not widely recognize domestic violence not only as a crime of violence but also as a violation of their human rights. In the words of Susanna Vardanyan, president of the Women’s Rights Centre, “we must confront both ignorance and denial”.

*The government says domestic violence is not an issue for this country. I want both state and society to just acknowledge that this problem exists in Armenia. They don’t want to, because of this Armenian mentality that you can’t talk about it. There are even women who condemn other women who go to a shelter. I’m certain some of those women are victims of violence themselves, but there’s this Armenian pride that says you can’t talk about it openly. You’re a woman, you’ve got to put up with it.*

P.N. – Survivor of domestic violence, Yerevan, 2008

In Armenia social attitudes largely accept and even vindicate violence against women. These attitudes, far from being restricted to men, are widespread among women themselves. These views represent a critical obstacle to the protection and fulfilment of women’s rights, and need to be challenged. Article 5 of the UN Convention on the Elimination of All Forms of Discrimination against Women (Women’s Convention) requires states to take measures “[t]o modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of inferiority or the superiority of either of the sexes or on stereotyped roles for men and women”. The Armenian authorities have so far only spoken of change; much more needs to be done to challenge the social and institutional foundations of such attitudes and the violence they justify.

## KEEPING QUIET

Survivors of domestic violence face powerful disincentives to making domestic violence “public”. Women in Armenia feel strong pressures to “keep it in the family”, as the social disgrace associated with separation or divorce is worse than that associated with domestic violence.

*My daughter sometimes asks me why I resigned myself to this fate. I don't know how to explain to her that there has never been a divorce in my family, my grandmother and grandfather lived together for 60 years and my parents won't understand it if I leave my husband. And where would I go? The flat is registered in his name although it's me who has paid for it for the last 10 years. But it goes beyond that – I just cannot allow myself to be a “divorcee”. A husband, whatever he's like, is still a man in the home and his presence gives you some status in the eyes of the people you know, neighbours, relatives... These stereotypes are still strong in our society and I haven't outgrown them myself.*

Quotation from *Zhenshchina i Politika*, published November 2007

Several NGOs reported to Amnesty International that the perception that women's rights are necessarily subordinate to family values has strongly influenced their strategies, especially outside the capital. In the words of Anahit Gevorgian, of the Martuni Women's Community Council, “children are the key entry point for a public discourse on domestic violence”. It is only by raising awareness of the impact of domestic violence on children's lives that NGOs in this field have been



able to avoid the stigma of “attacking” the Armenian family. For most Armenian women subjected to domestic violence, however, the injunction to remain silent for the sake of the family remains extremely strong:

*I put up with his beatings for 14 years because that's what's expected here in Armenia. In the Armenian family the woman has to put up with everything, she has to keep silent. The fact that I did something about it, that I went to the police and divorced my husband – people in my village point at me and say she's crazy, look at what she did to her husband, she should have kept quiet. It's a stereotype, a national stereotype maybe, I don't know, that if a woman goes to the police or the courts, she's destroying the family.*

D.M. – Survivor of domestic violence, Yerevan, 2008

The five drawings in this summary are all taken from the exhibition “When peace reigns in the family”, organized by the Martuni Women's Community Council, Martuni, Gegharkunik region, Armenia.

**“An Armenian man always has the last word”.**

Police officer, Gegharkunik region



## LIVING WITH VIOLENCE

Violence against women by intimate partners or family members can come in many forms. It can range from verbal abuse and psychological violence, to isolation and withholding of economic necessities, physical and sexual violence, and murder.

The pressures not to report domestic violence are powerful, but even more so for women reporting sexual violence on the part of their husbands or intimate partners. One Armenian NGO activist told Amnesty International in July 2008: "No self-respecting Armenian woman would ever complain to the police of sexual assault by her husband." Rape is under-reported mainly because of the stigmatization of rape victims. Lara Aharonian of the Women's Resource Centre, an Armenian women's NGO, showed how the victim of sexual assault is blamed for the crime: "the first question that police, prosecutors and judges ask is 'what did you do to encourage this?'" In a recent case of a sexual assault on a volunteer worker with the Women's Resource Centre, the girl reporting an attempted rape (in this case by a stranger) was asked "maybe you forgot to close the door?"

These attitudes show that a wide-ranging public awareness campaign is needed immediately. It should establish the criminal nature of non-consensual sex between intimate partners, including marital rape. Professionals within the criminal justice system need to be specifically trained to appropriately address the needs of women seeking justice for sexual violence.

## POLICE ATTITUDES

While general social attitudes stigmatize a woman who seeks redress against an abusive husband, responses by the police can further deter a woman from seeking justice – sometimes simply just by showing a reluctance to get involved. In some cases police endorse the view that domestic violence is an internal 'family matter' that should not be publicly pursued. Some women told Amnesty International they were actively pressured to withdraw complaints.

Amnesty International interviewed representatives of international organizations engaged in police training in Armenia, such as the Organization for Security and Cooperation in Europe. They reported that senior police officers with 20 years' experience said they had never dealt with a single case of domestic violence in the course of their careers.

*When I went to the police it was the middle of the night and the police didn't take it well, us turning up like that. They thought I was to blame, because it is not accepted here that a woman should make a statement to the police about her father-in-law. That's not accepted here, that the police, the state should protect us. The police... tried to persuade me not to take it further, that my father-in-law was an old man, and so on and so on... But it didn't work. Then the prosecutor told me that this was a family household dispute which we should resolve ourselves. Then he tried to blackmail me. He said that if I took this further it would have an impact on my children. The implication was that if one of my children wanted to become a lawyer or something, they wouldn't get very far with this baggage. And I retracted my statement for that reason.*

A.D. – Survivor of domestic violence, Yerevan, 2008



## SEEKING HELP

Women interviewed by Amnesty International said they had asked for help from relatives or neighbours but were often rejected; some were dissuaded by relatives or friends from calling the police in order to keep violence in the family a private matter. Women seeking help by calling a hotline or contacting a women's organization sometimes face severe social penalties for doing so and usually do so as the last resort. Several of the women spoken to by Amnesty International had come across hotline numbers by chance or by word of mouth. Many women return home following time spent in a shelter. However, even the fact that the woman has paid a single visit to a shelter can have an important deterrent effect on an abusive partner.

*An Armenian woman tries to withstand everything. When a woman calls a hotline that's really the last resort, it means she's already at the end of the line... The shelter is a challenge to male authority. Even if a woman goes back home after a stay in the shelter, this is a challenge to her husband because she's got the power to leave now. She can say, "if you treat me badly, I'll go back. You're not all-powerful, I'm stronger than you, there's an alternative to you and I know my rights..." Going to the shelter was the first step. The shelter allowed me to make that first step, to say enough, I can't live like this anymore.*

P.N. – Survivor of domestic violence, Yerevan, 2008

A number of NGO-run shelters have operated intermittently since 2002,

when four shelters opened with the support of funding from US Agency for International Development. These first shelters were heavily criticized for making domestic violence a public issue instead of leaving it inside the family. Two shelters were opened in Yerevan by the Maternity Fund of Armenia and the Women's Rights Centre (WRC). A third shelter was opened by Ajakits in Gyumri, while a fourth was opened by the Martuni Women's Community Council in Martuni. These shelters relied on intermittent funding and none were functioning in February 2008. Only the shelter operated by the WRC was able to fully reopen in September after securing more funding.

There are currently a number of programmes being implemented under the auspices of the government, international organizations and NGOs. Two shelters for victims of trafficking operate under the management of two NGOs, providing psychological assistance, medical treatment and legal aid. In addition, two hotlines ran successfully until June 2006, when they had to close due to lack of funding.

Without the services offered by NGOs the situation for victims of violence in the family would be much worse. But it is the state's obligation to provide the support infrastructure to prevent and respond to the consequences of violence against women. The establishment of a network of shelters must be a key element in government strategies to protect women from violence. Shelters need to provide an adequate referral service for women requiring medical, psychological and legal assistance to secure a home – and family life – without violence.



**Greta Baghdasaryan, survivor of domestic violence, calls for better laws protecting women's and children's rights, as well as shelters, 2008.**

Shelter provision is not a catch-all solution, however. Relying on shelters in rural areas is problematic, as it is difficult to keep a visit to a shelter secret. A sociologist in Yerevan told Amnesty International: "[i]n traditional areas no one goes [to a shelter] because it's even worse for you when you go back. In Yerevan you can hide but in the regions everyone knows each other, so the methodology of shelters is wrong. There we need to work with different institutions, like the police, formal institutions which can intervene."

Measures of protection should include: access to a confidential advice service, by telephone or in person, on issues including legal rights, social and health services. Counsellors offering this service should be trained and have links with the relevant agencies, including the police, social services, legal expertise, health and housing services, so as to be able to provide a swift referral service.

## DIVORCE

According to one NGO activist, there is a widespread attitude in Armenia that a divorced family is worse than a violent family. This allows the state to evade its duty to protect individuals from violence and transfers the cost to women, and in many cases children, through the physical, psychological and economic impacts of violence.

The International Covenant on Economic, Social and Cultural Rights requires that “the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society”. Amnesty International believes that the protection of the family cannot be prioritized above the right of women and girls to lead lives free of violence.

*My only wish over the last five-six years has been to divorce this man and never see him again. But I still can't manage it, I can't get away from him. When I said I wanted a divorce he beat me up and told me “you don't have the right to divorce me!”... Five years I wanted a divorce, and there was nowhere to go. When I filed for divorce a hearing was fixed and I went along, but my husband didn't come. The judge set a second hearing, but again he didn't come, and a third time, and so on. The courts don't want you to divorce. That's their position, they don't want the family to split up. So they always give time for reflection, they don't want to see you divorcing.*

P.N. – Survivor of domestic violence, Yerevan, 2008

There is little or no support provided for women and children seeking to escape violent families. Several NGO activists emphasized the difficulties experienced by divorced women and single mothers. They could not earn a living, find housing or access other kinds of social support. But reconciliation – even through the courts – cannot be seen as an acceptable alternative to accessible justice for victims of domestic violence. The state should provide a holistic approach to the issue: a range of support mechanisms and resources for women seeking to escape violence, and assistance with finding employment and long-term housing.

## IMPUNITY

Few cases of domestic violence come to court compared to other violent crimes. Women and NGO activists report that many cases do not reach the stage of prosecution. Proceedings against perpetrators of domestic violence may only be initiated following a complaint by the victim. Police are not empowered to intervene without a written application from the victim. If neighbours or relatives approach the police, they are not allowed to initiate proceedings. Therefore the victim has to lodge the complaint, which can be very unlikely. Furthermore, proceedings are terminated if the complainant is considered to have been “reconciled” with the accused, which she is pressured to do.



Criminal cases which reach court tend to involve serious physical injury or death. The Armenian Prosecutor General's Office reported that in 2006 and 2007 a total of 63 men were convicted of a range of crimes under the articles of the Armenian Criminal Code used to prosecute domestic and sexual violence. These included eight cases where women were murdered by their husbands or intimate partners, and 47 cases of prosecutions under different articles, such as “causing serious injuries”, “causing minor injuries”, “battery” and “torture”. These convictions represent 1.3 per cent of the total number of convictions handed down in Armenia in 2006-2007.





## LEGAL SITUATION

There is as yet no specific law addressing violence against women. Draft laws on domestic violence and trafficking are, however, under discussion in government.

At the moment, crimes of domestic violence are prosecuted under more general provisions of the Criminal Code dealing with assault, battery and bodily harm and murder, and there is no distinction between strangers or family members perpetrating violent crimes. A gender-neutral approach to the criminal law may only work if the law is administered on a strictly equal

basis, irrespective of the gender of the complainant and alleged assailant. In reality, it is assumed that men have the right to use violence against their partners, therefore an assault by a man against a woman is not really an assault. This approach also ignores the key distinction in the relationship between the complainant and alleged assailant. There is a difference between violent crimes perpetrated by a stranger, and those perpetrated by a husband and breadwinner, father of children or other relative with whom a woman is in a relationship of economic or other dependency.

## THE DRAFT LAW ON DOMESTIC VIOLENCE

*A law on domestic violence must be a functional law. It needs extensive back-up and support to ensure that the law is rooted in social recognition of domestic violence as a crime, as well as on paper.* (NGO activist, Gyumri, July 2008)

In 2007 the Women's Rights Centre established a working group of officials invited from the Ministry of Labour and Social Affairs, the Republic of Armenia Police, legal experts and women's NGOs, to draft a law explicitly criminalizing domestic violence and providing for effective protection and support to its

victims. A first draft was made available for public discussion following its presentation at a roundtable in Yerevan in July 2008. The law will provide an integrated response and support system with new powers for the police to issue protection orders, and a system of support including counselling centres for victims of domestic violence and shelters. There is a new provision for an authorized governmental body to implement and co-ordinate measures countering domestic violence, although the draft law does not elaborate on who would decide the structure and accountability of this body.

The draft law excludes any definitions of the behaviour of victims of domestic violence as mitigating factors in the

prosecution of domestic violence. There is a mandatory requirement for police to act upon receipt of allegations of domestic violence, a requirement for the police to record the allegation and, where domestic violence occurs or is at risk of occurring, for the police to inform family members of their rights and the measures and services available to them.

The current draft defines "family" to include both formally registered and unregistered marriages, as well as intimate partners "who reside together on [a] permanent or predominant basis". It does not include intimate partners who do not reside together, and therefore does not extend the protection of the law to women not in co-habiting relationships.

## CONCLUSION

Some state officials now acknowledge that violence against women exists in Armenia. This signifies an important shift from the denial reported in earlier reports. However, the state must take urgent steps to change wider attitudes towards domestic and sexual violence prevalent in Armenian society.

The state should now clearly and forcefully condemn violence against women. The state can publicize the condemnation through public education, and informing women of their rights, in order to embed the understanding that domestic and sexual violence are both crimes and human rights violations.



This summary is based on Amnesty International's report *No pride in silence: Countering violence in the family in Armenia*. (Index: EUR/54/004/2008)

### RECOMMENDATIONS TO THE GOVERNMENT OF ARMENIA:

- Prioritize the elimination of domestic violence and compliance with Armenia's obligations under International human rights law through the following actions.
- Criminalize domestic violence, facilitate its prevention and the provision of support to victims. It is necessary to criminalize violence against women in the family, including psychological abuse, beating, rape, including marital rape, sexual assault and other gender-based violence.
- Ensure that victims of domestic and sexual violence have access to the criminal justice system, without facing pressure to withdraw complaints or 'reconcile' with their abuser, and ensure that crimes of domestic or sexual violence are treated with the same seriousness as violence in other contexts.
- Establish a governmental body to combat domestic violence, sexual assault and sexual harassment and to co-ordinate the efforts of different government agencies in this field. This body must have sufficient authority and resources in order to discharge its duties effectively.
- Ensure access for victims of domestic and sexual violence to support services through a nationwide network of crisis centres and shelters offering advice and protection.
- Establish an effective cross-referral system engaging different agencies encountering domestic and sexual violence, including police, health workers, legal aid centres, shelters and crisis centres.
- Introduce a range of measures raising awareness of family violence as a crime and human rights violation. We must challenge those who defend the continued practice of violence against women.

STOP VIOLENCE  
AGAINST WOMEN  
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