

Ref: CommHR/DM/sf 043-2021

**Mr Artur DAVTYAN**  
Prosecutor General of the Republic of Armenia

Strasbourg, 18 November 2021

Dear Prosecutor General,

As Council of Europe Commissioner for Human Rights, my mandate is to foster the effective observance of human rights in all 47 member states of the Council of Europe. In particular, the support and protection of human rights defenders and the development of an enabling environment for their activities lie at the core of my mandate. To this end, I engage in dialogue with the authorities of member states to raise issues related to the working environment of human rights defenders and to provide advice and recommendations to assist them in fulfilling their obligations.

In this respect, I am writing to you concerning the situation of human rights defender Sashik Sultanyan, Head of the Yezidi Center for Human Rights. I was informed that a criminal case has been initiated against him. It is reported that Mr Sultanyan is charged with incitement to hatred for having shared concerns in 2020 about the human rights situation of the Yezidi minority in Armenia.

I have noted that several international and national human rights actors, including the [UN Special Rapporteurs](#) on human rights defenders, minority issues and freedom of expression, have denounced the criminal prosecution against Mr Sultanyan. They expressed serious concerns about, among other things, the mischaracterisation of legitimate speech as incitement to hatred and the chilling effect that criminal cases initiated on this ground have on human rights defenders and others who stand up for minority rights, undermining the vital work they carry out. They have all asked for the criminal charges against Mr Sultanyan to be dropped. In addition, the Human Rights Defender of Armenia has also shared his concern in various public communications concerning this case.

I wish to reiterate the Armenian authorities' obligations to ensure a safe environment conducive to the work of human rights defenders, enabling individuals, groups and associations to freely carry out their activities, and to promote and strive for the protection of human rights and fundamental freedoms, without any restrictions. Importantly, this includes guaranteeing human rights defenders' freedom of expression, as protected under Article 10 of the European Convention on Human Rights, when raising human rights concerns. This is all the more important when such legitimate speech addresses the treatment of minorities and is aimed at protecting and promoting their rights.

Against this background, I would be most grateful if you could provide further information on the ongoing criminal proceedings against Mr Sultanyan and clarify the links between the charges brought against him and his human rights work, in light of the allegations expressed by international and national human rights actors as mentioned above.

I stand ready to provide my support, in accordance with my mandate, in order to promote the effective implementation of Council of Europe standards related to human rights protection, and I look forward to continuing a constructive dialogue with you.

Sincerely,



Dunja Mijatović