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PRIME MINISTER OF THE REPUBLIC OF ARMENIA

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*Yerevan, 6 April 2026*

Dear Commissioner O'Flaherty,

I wish to express my sincere appreciation for your letter following your recent mission to the Republic of Armenia on 3-5 February 2026. Armenia attaches great importance to your visit as a valuable step in further strengthening Armenia-Council of Europe cooperation, notably in the areas of democracy, human rights, and the rule of law. I am grateful for your continued attention to the Government's agenda of democratic reforms.

Armenia remains firmly committed to bringing its legal and institutional framework closer to Council of Europe standards, particularly in the field of anti-discrimination. To this end, I am pleased to note that the Draft Law "On the Prevention of and Protection against Discrimination" (Hereinafter "Draft Law") has already been prepared by the Ministry of Justice of Armenia, circulated among relevant stakeholders, and submitted to my Office for further internal procedural steps, reflecting the continued determination to advance this important initiative. The observations raised in your letter are being addressed, inter alia, in the National Strategy of Human Rights Protection of Armenia.

As far as the mandate of the Human Rights Defender is concerned, I would like to highlight that this institution plays a key role in the protection and promotion of equality and non-discrimination. In this regard, the Draft Law amending the Constitutional Law "On the Human Rights Defender", which forms part of the broad set of drafts aimed at creating a comprehensive anti-discrimination legal framework including the Draft Law "On the Prevention of and Protection against Discrimination", defines the functions of the Human Rights Defender as the authority for the prevention of and protection from discrimination, including with a view to further strengthening its capacity in line with relevant Council of Europe standards.

DR MICHAEL O'FLAHERTY  
COMMISSIONER FOR HUMAN RIGHTS  
COUNCIL OF EUROPE  
*Strasbourg*

The Human Rights Defender is authorized to, inter alia:

- 1) Monitor the implementation of the provisions of the anti-discrimination law,
- 2) Issue public reports concerning human rights in the area of prevention of and protection from discrimination,
- 3) Submit recommendations to competent authorities regarding the improvement of existing legal acts, draft legislation, or practices related to the prevention of or protection from discrimination,
- 4) Convene oral hearings during the examination of complaints for the purpose of clarifying the circumstances of the case or conducting mediation. For the purpose of exercising these powers, a competent department on discrimination issues will be established within the Office of the Defender.

In addition to strengthening the functions of the Human Rights Defender, Armenia attaches particular importance to ensuring that the institution is provided with adequately resourced premises necessary for the proper conduct of its activities. In this context, on 15 November 2024, the Government adopted a decision “On the Repossession and Allocation of Immovable Property”, which provides for allocating the immovable property (located at 5 Moskovyan Street, Yerevan) to the Office of the Human Rights Defender of the Republic of Armenia.

With regard to the practical implementation of the anti-discrimination measures, I would like to underline that the list of protected grounds in the Draft Law is non-exhaustive, which gives practitioners the opportunity for broad interpretation. Such an interpretation would apply to any protected ground.

The issue of “*actio popularis*” in the field of discrimination has been addressed within a separate draft law initiated by Members of the National Assembly of the Republic of Armenia. In this context, a dedicated draft concerning its implementation in the administrative procedure legislation was circulated in the course of the previous year, which may serve as a basis for further consideration, including in the context of broader efforts to strengthen access to justice in discrimination cases.

Given the Government of Armenia’s firm commitment to effectively addressing hate speech, I would like to inform you that the Ministry of Justice of the Republic of Armenia has drafted a legislative package proposing amendments to the Civil Code and the Code on Administrative Offenses. Its objective is to establish proportionate legal liability for manifestations of hate speech. By introducing civil and administrative measures alongside the existing criminal liability, the draft also provides a mechanism for non-material damage compensation.

Furthermore, the amendments introduce an obligation for mass media and audiovisual service providers to remove hate speech content from their respective platforms.

In conclusion, I wish to reiterate my sincere appreciation for your continued attention, valuable support and constructive engagement on the issues of preventing and combating discrimination and hate speech. Armenia highly values its cooperation with the Office of the Commissioner for Human Rights and remains keen to continue and deepen this partnership in support of the country's democratic reform agenda and ongoing efforts aimed at strengthening institutional resilience, advancing justice reforms and enhancing the protection of fundamental rights.

Please accept, dear Commissioner, the assurances of my highest consideration.

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

NIKOL PASHINYAN