



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIFTH SECTION

CASE OF WORD OF LIFE CHURCH OF CHRISTIANS OF EVANGELICAL FAITH IN ARMENIA AND SIMONYAN v. ARMENIA

(Application no. 30817/13)

JUDGMENT

Art 9 • No issue with regard to the State's duty of neutrality and impartiality in religious matters on account of domestic court decisions performing a balancing exercise in the context of defamation and insult claims relating to newspaper articles on a religious organisation and its pastor • No interference with the applicants' rights • Manifestly ill-founded

Art 6 § 1 (civil) • Refusal of the Court of Cassation to admit the applicants' appeal on points of law disproportionately and unjustifiably restricted their right of access to court • Applicants' failure to comply with procedural rules clearly due to a typographical error or a similar oversight which they were not given an opportunity to correct • Application of procedural rules in a particularly strict manner amounting to "excessive formalism"

Prepared by the Registry. Does not bind the Court.

STRASBOURG

2 April 2026

This judgment will become final in the circumstances set out in Article 44 § 2 of the Convention. It may be subject to editorial revision.

**In the case of Word of Life Church of Christians of Evangelical Faith
in Armenia and Simonyan v. Armenia,**

The European Court of Human Rights (Fifth Section), sitting as a Chamber
composed of:

Kateřina Šimáčková, *President*,

María Elósegui,

Georgios A. Serghides,

Gilberto Felici,

Mykola Gnatovskyy,

Vahe Grigoryan,

Sébastien Biancheri, *judges*,

and Victor Soloveytschik, *Section Registrar*,

Having regard to:

the application (no. 30817/13) against the Republic of Armenia lodged
with the Court under Article 34 of the Convention for the Protection of
Human Rights and Fundamental Freedoms (“the Convention”) by a religious
organisation, the Word of Life Church of Christians of Evangelical Faith in
Armenia (“the applicant organisation”), and an Armenian national, Mr Artur
Simonyan (“the applicant”), on 8 May 2013;

the decision to give notice to the Armenian Government (“the
Government”) of the complaints concerning lack of access to a court and the
alleged breach of the applicants’ right to freedom of religion, and to declare
the remainder of the application inadmissible;

the parties’ observations;

Having deliberated in private on 10 March 2026,

Delivers the following judgment, which was adopted on that date:

INTRODUCTION

1. The case concerns the refusal of the Court of Cassation to admit the
applicants’ appeal on points of law, as well as an alleged breach of the State
duty of neutrality in view of the reasoning used by the District Court when
deciding on a dispute between the applicants and a newspaper regarding
articles in which the applicant organisation was called a “sect” and its
followers “sectarians” (*սημλη* and *սημληται* respectively). It raises issues
under Article 6 § 1 and Article 9 of the Convention.

THE FACTS

2. The applicant organisation, the Word of Life Church of Christians of
Evangelical Faith in Armenia, is a religious organisation which has been
registered in Armenia since 1993. The second applicant, Mr Artur Simonyan,
is the senior pastor and the leader of the applicant organisation. He is an
Armenian national, was born in 1966 and lives in Verin Ptghni. The

applicants were represented by Mr A. Ghazaryan, a lawyer practising in Yerevan.

3. The Government were represented by their former Agent, Mr G. Kostanyan.

4. The facts of the case may be summarised as follows.

5. In 2011 the authorities launched an investigation against one K.A. on suspicion of disseminating pornographic material and breaching privacy rules. According to the charges, K.A. had published material of a private nature on the internet, namely photographs of him having sexual intercourse with a famous actress, A.S. The incident caused a public outcry and led to a debate about, on the one hand, respect for an individual's private life, and, on the other, liability for the dissemination of pornographic material. The events resulted in numerous online-media publications, some of which included speculation that A.S. was a follower of the faith preached by the applicants.

6. On 19 October 2011 a weekly newspaper, *Iravunk Hetaqnnutyun* ("Law Investigation"), published an article entitled "The Story of the Sect Involving Pornographic Photographs Has 'Blossomed' into Charges of Paedophilia". The article began by mentioning the scandal involving A.S., adding that the story would not have merited the newspaper's attention had it not been for two factors. Firstly, it was alleged that A.S. was a member of Armenia's biggest sect, Word of Life, which counted among its members many showbusiness personalities. Secondly, allegations had been made against A.S. to the effect that she had engaged in lewd acts with her own child. The article described the story as an explosive combination of "a sect and accusations of incest and paedophilia" and referred to A.S. as a sectarian. It also stated that Word of Life was a "sectarian union" and was known in Armenian society to exert influence on certain circles involving television companies and public officials. The article was accompanied by two digitally altered images. The first image showed the second applicant dressed as a priest with "Word of Life" written on his chest, leaning towards a scantily clad A.S. wearing a nun's headdress and holding her hands pressed against each other as if in prayer. The second image showed A.S. in a nun's habit posing for a mugshot with a sign reading "Word of Life" in her hands.

7. The article and the same digitally altered images were reprinted with some minor differences in the 25-31 October 2011 issue of a Russian-language weekly newspaper, *Argumenti Nedeli v Armenii* (Arguments of the Week in Armenia), under the title "A Story of Sectarianism and Pornography". The article stated that one could only imagine the kind of values propagated by "that sect" if A.S. continued to remain a member of Word of Life.

8. On an unspecified date, A.S. appeared on a television talk show and stated that she had never been a member of the applicant organisation or any other religious organisation or church.

9. *Iravunk Hetaqnnutyun* and its editor-in-chief later published a number of other images, articles and materials about the applicants. Some of those publications called on readers to join a campaign against the applicants and had the following headlines: “Join the War”; “The War Against Blasphemy”; “The Sects”; “The Ringleader of the Secretive Word of Life Sect” and others.

10. On 18 November 2011 the applicants sued Iravunk Media Ltd, the publisher of the *Iravunk Hetaqnnutyun* and *Argumenti Nedeli v Armenii* newspapers, for defamation and insult in the Kentron and Nork-Marash District Court of Yerevan. The applicants sought to have the respondent publish an apology and retract the statements suggesting the existence of a link between them and A.S. They argued that the aim of the articles had been to create – without first checking the veracity of the information in question – an association between the applicants and the events described in the articles, and, under the guise of “criticism”, to depict the applicants as an extremely dangerous phenomenon. They submitted that the articles contained disinformation insulting to the second applicant and tarnishing his honour, dignity and reputation in the eyes of society and the members of the church. They had been defamatory towards the applicants and aimed at misleading the readers. The applicants relied on, *inter alia*, Article 9 of the Convention.

11. On 9 January and 13 April 2012 the applicants supplemented their initial claims, arguing, *inter alia*, that the reference to the church as a “sect” had been both defamatory and insulting. It was unacceptable to call the church a “sect” or “sectarian union”, given that under the law their denomination was a “religious organisation”, and that the words used in the articles were perceived in society as insults and debasing expressions. They made submissions regarding the negative connotations of those words, arguing that they were capable of inciting ridicule, harassment, religious hatred and hostility towards them. Furthermore, they averred that referring to a religious organisation as a sect discouraged people from becoming followers of the faith promoted by that organisation. The use of the word had damaged their values and created mistrust towards them among the population. The applicants presented research to the District Court on the meaning of “sect” with references to various sources, including a dictionary, national and international legal documents, articles and research publications.

12. On 22 March 2012 the respondent sent a letter to the head of the Armenian Apostolic Church, asking whether the Apostolic Church had any links with the applicant organisation, whether the applicant organisation was a sect and, if it was, on what grounds.

13. On 23 March 2012 the head of the Armenian Apostolic Church responded to the letter, stating that his church had no ties with the applicant organisation and that the latter was a sect because its belief system had deviated from the true faith, canons and traditional principles of the Armenian Apostolic Church.

14. On the same day the District Court held its first hearing in the case. A number of activists organised a protest outside, holding banners with the following slogans: “Say no to sects”; “No to Word of Life”; “Word of Life is a sect”; “Stop the proselytising”; and “In the name of the Armenian Apostolic Church”. A priest from the Armenian Apostolic Church was present at the protest.

15. On 19 June 2012, at the request of the applicants, an independent expert association on religious and legal matters issued an opinion on the contested publications, including the use of the word “sect” when referring to a religious organisation. It concluded that the use of the words “sect”, “sectarian” and “sectary” in respect of the applicants had been debasing, insulting and humiliating. It also observed that the contested media publications had aimed to give the applicant organisation a clandestine and antisocial image.

16. On 31 July 2012 the District Court dismissed the applicants’ claims. It held that the contested publications had not contained defamatory or insulting statements and that they were protected by the respondent organisation’s freedom of expression which allowed journalists to use exaggerated and provocative language. It also stressed that the applicants had failed to prove defamatory intent on the part of the respondent. The District Court held, in particular:

“... that the articles and images were published only after the scandalous events involving the actress [A.S.], in which her name was linked to the [applicant] organisation, which was regarded as a sectarian organisation and was subjected to criticism. From the moment [the applicants] entered the arena of open public debate they needed to show a certain amount of tolerance towards criticism, which, taken as a whole, has [had] the nature of an open debate pursuing the aim of instilling society with certain religious ideas or of [preventing it from] deviating from the religious beliefs of the Armenian Apostolic Church, rather than the aim of insulting or defaming someone.

...

... the court notes that the words used by the respondent company and the author of the material were clearly aimed at reporting and criticising the activities of the religious organisation and its leader and thereby provoking a response. Therefore, the expressions used in the material cannot be regarded as insulting and defamatory.

...

In this case the court considers [that the author used] the word ‘sect’ as a value judgment ... [and that the author] used expressions that could shock society, including the use of the word sect in relation to a religious organisation.

The court notes that in the course of the trial the plaintiffs’ representative admitted that the plaintiffs had no ties to the Armenian Apostolic Church. According to ... the Explanatory Dictionary of Modern Armenian, the word ‘sect’ means: 1. A religious belief deviating from the belief of a given church; 2. A religion that is alien to the main religion accepted in a given country; 3. The followers of a given sect; 4. A discipline deviating from any doctrine or the act of deviating from the foundations of any doctrine. [According to the same source t]he word ‘sectarian’ means: 1. A follower of a sect, a

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heretic; 2. A figure who is guided by dogmatic convictions and the narrow interests of a group; 3. Constituting a sect or representing sectarianism.

Article 8.1 of the Constitution guarantees freedom of activity in the Republic of Armenia to all religious organisations functioning in accordance with the law.

The Republic of Armenia recognises the exclusive mission of the Armenian Apostolic Holy Church, as a national church, in the life of the Armenian nation and in the development of its national culture and the preservation of its national identity.

On the basis of the evidence in the case file[, and in particular on the materials related to the plaintiffs' activity obtained from the internet and the videos submitted to the court by the respondent,] the court notes ... that the plaintiffs' activity deviates from the beliefs of the Armenian Apostolic Church and that the [applicant organisation's] rituals and sacraments do not adhere to the Church's religious and traditional principles. The reply of the Supreme Patriarch and Catholicos of All Armenians to the enquiry made by the respondent's representative also demonstrates that. The court therefore finds that by referring to the plaintiff organisation as a sect the [author of the articles] did not intend to insult or defame it, but rather expressed [his or her] opinion and value judgment regarding the [applicant] organisation and its leader."

17. On 29 August 2012 the applicants lodged an appeal against that judgment, in which they argued, *inter alia*, that the District Court had ignored all the evidence submitted by them concerning the defamatory and offensive nature of the word "sect". The District Court had clearly, if indirectly, labelled them with the offensive words "sect" and "sectarian" and had found it proved that they were sectarians, thereby breaching their right to freedom of thought, conscience and religion. In doing so, it had relied on a letter provided by the Supreme Patriarch and Catholicos of All Armenians, disregarding the fact that the opinions the Patriarch had expressed in the letter carried no weight under law. By acting in such a way and rendering such a judgment the District Court had itself failed to guarantee their right to freedom of religion and in using the above-mentioned definitions it had given preference to the Armenian Apostolic Church, which had tried to influence and to restrict their right to freedom of conscience and religion guaranteed by the Constitution.

18. On 8 November 2012 the Civil Court of Appeal dismissed their appeal and upheld the judgment of the District Court. As regards the applicants' complaints about the use of the word "sect", the Court of Appeal stated, in particular:

"... having examined the arguments raised in the appeal regarding the word 'sect' and its interpretations, [it must be] noted that even in their appeal the [plaintiffs] did not deny the fact that their activity deviated from the beliefs of the Armenian Apostolic Church (which [consideration] must not be viewed as a restriction of a person's right to freedom of religion guaranteed by the Constitution or as an act of discrimination); ... in such circumstances, it was the plaintiffs' obligation to prove their allegation that the information disseminated by the respondent did not correspond to reality."

19. On 3 December 2012 the applicants lodged an appeal on points of law with the Court of Cassation. On the front page of the appeal they indicated "the Civil Court of Appeal" as the court which had handed down the judicial

decision against which they were appealing and “8 November 2012” as the date of that decision. It was also indicated that copies of the appeal had been sent to the Civil Court of Appeal and the respondent party. The appeal contained extensive arguments against the decision of the Civil Court of Appeal. Enclosed with the appeal were a copy of that decision, as well as postal receipts showing that a copy of the appeal on points of law had been sent to the Civil Court of Appeal and the respondent party. The last paragraph of the appeal indicated that the applicants were asking the Court of Cassation to reverse the judgment of the Kentron and Nork-Marash District Court of Yerevan of 31 July 2012.

20. On 16 January 2013 the Court of Cassation declared the appeal on points of law inadmissible, with reference to Article 222 § 1 of the Code of Civil Procedure (“CCP”), on the ground that the appeal had been lodged against the judgment of the District Court of 31 July 2012, which was not amenable to appeal in cassation proceedings.

21. On 15 February 2013 the applicants resubmitted their appeal of 3 December 2012, having amended the last paragraph so that it referred to the decision of 8 November 2012. They attached to their appeal a request that the time-limit for lodging an appeal on points of law be reset. They explained that the reference to the judgment of 31 July 2012 in the last paragraph of their first appeal on points of law had been a typographical error. In support of their explanation the applicants noted that the first page of their initial appeal on points of law and the arguments within it had referred to the decision of 8 November 2012.

22. On 6 March 2013 the Court of Cassation declared the amended appeal on points of law inadmissible as being lodged out of time and dismissed the applicants’ request to reset the time-limit for such an appeal as being unfounded.

RELEVANT LEGAL FRAMEWORK

The Code of Civil Procedure (1999-2018)

23. Article 222 § 1 of the CCP, as in force at the material time, provided that the Court of Cassation reviewed judicial decisions adopted by the Court of Appeal, on the basis of an appeal and in cases provided by the Code.

24. Article 230 § 1 provided that, if there were grounds to lodge an appeal on points of law, persons entitled to do so could lodge such an appeal and send it to the Court of Cassation in a proper manner, and that they should send copies of it to the court which had adopted the judgment and to the parties.

25. Article 231 § 1 provided that an appeal on points of law should contain, *inter alia*, the name of the court which had adopted the judgment concerned and the date of the judgment.

26. Article 233 § 1 provided that an appeal on points of law should be declared inadmissible if, *inter alia*, it had been lodged against a judicial decision which was not amenable to appeal in cassation proceedings.

27. Article 233 § 3 provided that, when declaring an appeal on points of law inadmissible, the Court of Cassation might set a time-limit for correcting any errors and resubmitting the appeal.

THE LAW

I. ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION

28. The applicants complained that the Court of Cassation's decision to declare their appeal on points of law inadmissible had breached their right of access to a court as provided in Article 6 § 1 of the Convention, which, in so far as relevant, reads as follows:

“In the determination of his civil rights and obligations ... everyone is entitled to a fair ... hearing ... by [a] ... tribunal ...”

A. Admissibility

29. The Court notes that this complaint is neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. It must therefore be declared admissible.

B. Merits

1. *The parties' submissions*

30. The applicants submitted that the Court of Cassation had demonstrated an overly formalistic and strict approach in declaring their appeal on points of law inadmissible. Numerous facts and the entirety of the text of their appeal had clearly demonstrated that it was being lodged against the decision of the Court of Appeal and that they had simply made a technical mistake by indicating the District Court at the end of their appeal. Under Article 233 § 3 of the CCP the Court of Cassation had the option of allowing them to correct that mistake and to resubmit the appeal, but it had chosen not to. While its decision could be said to have pursued a legitimate aim, it had disproportionately and unnecessarily restricted their access to a court and impaired the very essence of that right.

31. The Government argued that the limitations concerning appeals on points of law contained in the CCP were not restrictive to an extent that would impair the very essence of the right of access to court, and that they were meant to ensure the proper administration of justice. Furthermore, the Court of Cassation had not acted disproportionately by applying the limitation in question. It was evident from the applicants' appeal that they had asked the

Court of Cassation to quash the judgment of the District Court. It was not indicated on the front page that the appeal was being lodged “against” the decision of the Court of Appeal and the indication of that court’s name and decision could easily have been a reference to the last judicial decision in the case. Moreover, in the body of the appeal the applicants had referred to both the District Court’s judgment and the Court of Appeal’s decision. It would have been illogical to expect the Court of Cassation to guess which judicial decision the applicants had intended to contest. The error in question could not be considered a typographical error as it was not a simple mistake of one letter. Thus, the nature of the applicants’ appeal was such that was out of the scope of the Court of Cassation’s jurisdiction, and that court could not have exceeded its jurisdiction and set a time-limit for the applicants to change the essence of their appeal. Had the Court of Cassation done so, it would have breached the principle of equality of arms between the parties.

2. The Court’s assessment

(a) General principles

32. The right of access to a court was established as an aspect of the right to a fair hearing guaranteed by Article 6 § 1 of the Convention in *Golder v. the United Kingdom* (21 February 1975, §§ 28-36, Series A no. 18). In that case, the Court found the right of access to a court to be an inherent aspect of the safeguards enshrined in Article 6, referring to the principles of the rule of law and the avoidance of arbitrary power which underlie much of the Convention. Thus, Article 6 § 1 secures to everyone the right to have a claim relating to his or her civil rights and obligations brought before a court (see *Grzęda v. Poland* [GC], no. 43572/18, § 342, 15 March 2022; see also *Zubac v. Croatia* [GC], no. 40160/12, § 76, 5 April 2018).

33. The right of access to the courts is not absolute and may be subject to limitations; these are permitted by implication since the right of access by its very nature calls for regulation by the State, which regulation may vary in time and in place according to the needs and resources of the community and of persons. In laying down such regulation, the Contracting States enjoy a certain margin of appreciation. Whilst the final decision as to the observance of the Convention’s requirements rests with the Court, it is no part of the Court’s function to substitute for the assessment of the national authorities any other assessment of what might be the best policy in this field. Nonetheless, the limitations applied must not restrict the access left to the person concerned in such a way or to such an extent that the very essence of the right is impaired. Furthermore, a limitation will not be compatible with Article 6 § 1 if it does not pursue a legitimate aim and if there is not a reasonable relationship of proportionality between the means employed and the aim sought to be achieved (see *Zubac*, cited above, § 78, with further

references; see also *Nicolae Virgiliu Tănase v. Romania* [GC], no. 41720/13, § 195, 25 June 2019, with further references, and *Grzęda*, cited above, § 343).

34. Article 6 of the Convention does not compel the Contracting States to set up courts of appeal or of cassation. However, where such courts do exist, the guarantees of Article 6 must be complied with, in particular by ensuring that litigants are guaranteed an effective right of access to the courts for the determination of their civil rights and obligations (see *Zubac*, cited above, § 80, with further references).

(b) Application of the above principles in the present case

35. The Court observes that the applicants' appeal on points of law was not examined on the merits by the Court of Cassation on the ground that they had failed to comply with a procedural rule (see paragraph 20 above). The rule in question, enshrined in Article 222 § 1 of the CCP, stipulated that the Court of Cassation was competent to review judgments and decisions adopted by the Court of Appeal (see paragraph 23 above). Finding that the applicants' appeal on points of law had been lodged against the judgment of the District Court and not the Court of Appeal, the Court of Cassation declared the appeal inadmissible without examining its merits, pursuant to Article 233 § 1 of the CCP (see paragraph 26 above).

36. The Court reiterates that the rules governing the formal steps to be taken in lodging an appeal are aimed at ensuring the proper administration of justice. Litigants should expect that the existing rules will be applied. However, the rules in question, or the application thereof, should not prevent persons amenable to the law from availing themselves of an available remedy (see *Sotiris and Nikos Koutras ATTEE v. Greece*, no. 39442/98, § 20, ECHR 2000-XII, and *Běleš and Others v. the Czech Republic*, no. 47273/99, § 49, ECHR 2002-IX). In this context, the Court has pointed to the dangers of "excessive formalism", which can run counter to the requirement of securing a practical and effective right of access to a court under Article 6 § 1 of the Convention. This usually occurs in cases of a particularly strict construction of a procedural rule, preventing an applicant's action being examined on the merits, with the attendant risk that his or her right to the effective protection of the courts would be infringed (see *Zubac*, cited above, § 97, with further references).

37. The Court notes that the applicants did not contest the judgment of the District Court directly before the Court of Cassation but first appealed to the Court of Appeal, and that it was only after that that they lodged an appeal on points of law with the Court of Cassation, as was required under domestic law. While the Court of Cassation did not provide reasons for its finding that the applicants' appeal was directed against the judgment of the District Court, it appears that that finding was primarily based on the wording of the concluding part of the appeal where the applicants requested the Court of Cassation to overturn "the judgment of [the District Court] of 31 July 2012".

However, it was obvious from the entirety of the applicants' appeal that it was in fact being lodged against the decision of the Court of Appeal. In particular, on the front page the applicants indicated the Court of Appeal as the name of the court which had adopted the relevant decision and gave the date of that decision, as required under Article 231 § 1 of the CCP (see paragraph 25 above). They attached a copy of the Court of Appeal's decision to the appeal, as well as proof that a copy of the appeal had been sent to the Court of Appeal, as required under Article 230 § 1 of the CCP (see paragraph 24 above). While some of the arguments contained in the applicants' appeal did indeed concern the judgment of the District Court, that is not surprising considering that the Court of Appeal's decision, which the applicants were contesting, had upheld that judgment (see paragraph 18 above), and that should not have been interpreted as conclusively indicating that the appeal was being lodged against that judgment. Thus, it must have been clear to the Court of Cassation that the wording of the concluding part of the applicants' appeal was the result of a typographical error or some similar oversight. However, despite having the possibility under Article 233 § 3 of the CCP (see paragraph 27 above) to give the applicants an opportunity to correct that mistake, the Court of Cassation chose not to do so – without giving any reasoning for its choice – and declared the appeal inadmissible without giving the applicants any further chance to remedy the situation. As a result of such a strict application of procedural rules, the applicants' appeal on points of law was not examined by the Court of Cassation on the merits.

38. The Court accepts that the limitation applied by the Court of Cassation pursued a legitimate aim, namely ensuring the proper administration of justice. However, in doing so the Court of Cassation can be said to have demonstrated “excessive formalism” by applying the requirements of Articles 222 § 1 and 233 § 1 of the CCP in a particularly strict manner and thereby disproportionately and unjustifiably restricting the applicants' right of access to court.

39. There has accordingly been a violation of Article 6 § 1 of the Convention.

II. ALLEGED VIOLATION OF ARTICLE 9 OF THE CONVENTION

40. The applicants complained that the District Court had violated the State's duty of neutrality and impartiality in religious matters because of certain findings that it had reached when assessing the use of the words “sect” and “sectarian” in the newspaper articles, thereby breaching the guarantees of Article 9 of the Convention, which reads as follows:

“1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others."

Admissibility

1. Parties' submissions

(a) The Government

41. The Government raised at the outset several preliminary objections, namely that the applicants had not exhausted the domestic remedies because of their failure to lodge an appeal on points of law in compliance with the relevant procedural rules, and that the second applicant lacked victim status because the word "sect" had not been used in relation to him but only in relation to the organisation as a whole.

42. The Government further submitted that the dispute between the parties had not been of such a nature or importance as to raise issues of the assessment of the legitimacy of religious beliefs. Therefore, there had been no interference by the State with the applicants' rights under Article 9 of the Convention. The domestic courts had not touched upon the religious beliefs of the applicants, but had only decided, on the basis of the claim lodged by the applicants, on the alleged defamatory nature of the word "sect" with regard to the applicant organisation, at the same time ensuring that a fair balance was struck between the vital but conflicting rights of the applicants under Article 9 and the right to freedom of expression of the respondent organisation. They pointed out that there had been a number of cases in which the Court had found a violation of Article 10 where sanctions had been applied to applicants for making provocative remarks to do with religion, including using the word "sect". Similarly, the domestic courts in the present case had assessed the facts correctly and had concluded that the contested publications had not contained defamatory or insulting material and were protected by the respondent's freedom of expression.

43. The Government pointed out that different religious groups were required to show tolerance towards one another, including to critical public statements, provided that those did not amount to intentional and gratuitous insults or hate speech. According to the Court's case-law, those who chose to exercise the freedom to manifest their religion could not reasonably expect to be exempt from all criticism. The District Court had taken the same approach, finding that every person or group was required to tolerate some criticism as soon as it entered the field of public debate. It had not justified the use of the word "sect" in respect of the applicants, but had rather found that the words and expressions used should not be deemed insulting and defamatory. Nor had the District Court concluded that the respondent had used the word "sect" correctly. It had merely found that the respondent organisation had made a

value judgment and used expressions that could shock society. The District Court had thoroughly analysed the disputed word “sect” to determine if it was of a defamatory nature by consulting reliable sources, and had concluded that by referring to the applicant organisation as a “sect” the author of the articles had not intended to insult or defame the organisation, but had rather intended to express an opinion and value judgment about the organisation or its leader. The domestic courts were best placed to make such an assessment by taking into account the circumstances of the case from a domestic standpoint; the Court should not act as a fourth instance body and should refrain from deciding on such details.

(b) The applicants

44. The applicants argued at the outset that they had exhausted the domestic remedies by lodging an appeal on points of law raising their Convention complaints, but that it had not been examined by the Court of Cassation, in breach of their rights under Article 6 § 1 of the Convention.

45. The applicants further submitted, with regards to the merits of their complaint, that the manner in which the District Court had assessed the hostile use of word “sect” by the newspapers, including the assessment that the applicant organisation deviated from the belief system of the Armenian Apostolic Church, raised concerns of a lack of tolerance and of discrimination by the authorities. In its judgment the District Court had in fact legitimised the pejorative and indiscriminate use of the word “sect” in Armenian society as a label for any non-mainstream religion, including that propagated by the applicant organisation. The District Court had explicitly stated, and the Court of Appeal had confirmed, that the newspapers’ naming of the applicant organisation a “sect” was justified because the applicant organisation had deviated from the belief system of the dominant Armenian Apostolic Church. In terms of evidence for that finding, the District Court had relied on a letter from the Patriarch of the Armenian Apostolic Church – which is considered as a State or even a national religion in Armenia – in which he had given his own assessment of the ideas and beliefs of the applicant organisation as “sectarian”. In sum, the court’s assessment was incompatible with the guarantees of Article 9 and represented a departure from the principle of pluralism towards indoctrination in favour of the mainstream dominant religion. Thus, by expressing an opinion that the faith of the applicant organisation deviated from the beliefs of the mainstream religion and that its religious ceremonies and sacraments did not adhere to religious and traditional principles of that mainstream religion, and by concluding on that basis that the use of the word “sect” was justified, the District Court, as a public authority, had violated the State’s duty of neutrality and impartiality in religious matters. By doing so, the domestic court had in fact assessed the legitimacy of the religious belief system preached and professed by the applicants.

46. The applicants argued that the District Court should have refrained from determining questions relating to whether Word of Life conformed to the belief system of the dominant church or whether it deviated from it. Any finding that the use of the word “sect” in relation to Word of Life religious community was justified would have been in breach of Article 9 if it was based on an assessment of the belief system of the community. The assessment of whether the use of the word “sect” was insulting could have been done without determining whether the group’s beliefs deviated from the main, traditional belief system by analysing the public’s understanding and perception of the word “sect” and whether it had negative connotations or not. The submissions of the Government attempting to justify the findings of the District Court by the need to protect the respondent’s freedom of expression were out of the scope of the question the Court had asked the parties.

47. The applicants lastly submitted that the District Court’s lack of neutrality and impartiality had to be seen in the wider context of the State’s discriminatory policy towards religious minorities in general and the applicants in particular. In sum, the District Court had failed to observe neutrality and impartiality in assessing the use of the word “sect” in the relevant media publications, as a result of which it had violated the applicants’ rights guaranteed under Article 9 of the Convention.

2. The Court’s assessment

48. The Court does not consider it necessary to address the Government’s preliminary objections because the applicants’ complaint under Article 9 is, in any event, inadmissible for the following reasons.

49. The applicants in the present case are a religious organisation and its pastor who unsuccessfully sought redress before the domestic courts for newspaper articles which, according to the applicants, contained defamatory and insulting statements because, among other things, they called the applicant organisation a “sect” and its followers “sectarian”. The domestic courts, having weighed the competing interests, concluded that the newspaper articles were protected by their author’s freedom of expression and rejected the applicants’ claims.

50. The Court reiterates that, although the essential object of many provisions of the Convention is to protect the individual against arbitrary interference by public authorities, there may in addition be positive obligations inherent in an effective respect of the rights concerned. Such obligations may require the adoption of measures to ensure respect for freedom of religion even in the relations between individuals (see *Rabczewska v. Poland*, no. 8257/13, § 49, 15 September 2022). When two Convention rights come into conflict with each other, including, like in the present case, the rights guaranteed by Articles 9 and 10 of the Convention, it is incumbent on the authorities to strike a fair balance between those two

values (see *Karaahmed v. Bulgaria*, no. 30587/13, §§ 91-95, 24 February 2015, and *Tagiyev and Huseynov v. Azerbaijan*, no. 13274/08, § 44, 5 December 2019).

51. The Court notes, however, that the applicants' complaint under Article 9 concerning the alleged failure of the domestic courts to comply with their positive obligation to provide effective judicial protection from allegedly defamatory and insulting media publications was declared inadmissible at the time when notice of the present application was given to the respondent Government. Thus, the present judgment is concerned solely with the remaining part of the applicants' complaint under Article 9, namely their allegation that, when performing the balancing exercise between the competing rights, the District Court itself committed certain acts which breached the guarantees of Article 9. The applicants referred, in particular, to the District Court's finding that their religious activity deviated from the belief system of the Armenian Apostolic Church, the dominant church in Armenia, and that consequently it was acceptable to call the applicant organisation a "sect". The applicants argued that, by doing so, the District Court had in essence assessed the legitimacy of their faith and thereby breached the State's duty of neutrality and impartiality in religious matters.

52. The Court reiterates that, as guaranteed by Article 9 of the Convention, the right to freedom of thought, conscience and religion denotes only those views that attain a certain level of cogency, seriousness, cohesion and importance. However, provided this condition is satisfied, the State's duty of neutrality and impartiality is incompatible with any power on the State's part to assess the legitimacy of religious beliefs or the ways in which those beliefs are expressed (see *Eweida and Others v. the United Kingdom*, nos. 48420/10 and 3 others, § 81, ECHR 2013 (extracts), with further references).

53. In the present case, the Court has no reason to doubt that the applicants' beliefs attained the requisite level of cogency, seriousness, cohesion and importance (see also *Savez crkava "Riječ života" and Others v. Croatia*, no. 7798/08, 9 December 2010). However, it does not discern anything in the conduct of the domestic courts, and specifically that of the District Court, which could result in them being in breach of their negative obligations under Article 9, in particular, the State's duty of neutrality and impartiality with regard to religious beliefs. The Court notes that the domestic courts simply performed a balancing exercise between the competing interests, as required in such cases, and concluded that the use of the word "sect" in the newspaper articles was a value judgment. The Court will not enter into an examination of whether, in doing so, the domestic courts struck a fair balance between the competing rights under Articles 9 and 10 with due regard to the principles established in its case-law (see, for example, *Rabczewska*, cited above, § 51) since, as already noted above, that question is beyond the scope of the present judgment. As far as the applicants' specific

allegation under Article 9 is concerned, it cannot be said that the domestic courts interfered with the applicants' Article 9 rights. It is notable that the domestic courts did not themselves use the word "sect" in respect of the applicant organisation, or characterise it as such. Nor did the scope of their examination ever embrace any issue concerning the legitimacy of the applicants' faith. In this respect, the Court cannot agree with the applicants' argument that, by stating that their religious beliefs differed from those of the Armenian Apostolic Church, the domestic courts delved into an assessment of the legitimacy of the applicants' faith. In sum, no issue arises under Article 9 with respect to the complaint concerning the alleged breach of the State's duty of neutrality and impartiality, as argued by the applicants.

54. It follows that this part of the application is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 (a) and 4 of the Convention.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

55. Article 41 of the Convention provides:

"If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party."

A. Damage

56. The applicants claimed 5,000 euros (EUR) in respect of non-pecuniary damage.

57. The Government submitted that there was no causal link between the alleged violation and the alleged harm suffered by the applicants.

58. The Court notes that its finding of a violation serves as grounds for the review of a final decision or judgment under Article 419 § 1(2) of the Armenian Code of Civil Procedure, which, if granted, would constitute an appropriate means of addressing the violation found.

59. That said, the Court considers that the applicants must have sustained non-pecuniary damage which is not sufficiently compensated by the finding of a violation. Accordingly, it finds it appropriate to award the applicants EUR 3,600 in respect of non-pecuniary damage, plus any tax that may be chargeable.

B. Costs and expenses

60. The applicants claimed EUR 1,962 for the costs and expenses incurred before the Court. They also claimed EUR 2,494 for the fees of their domestic lawyer, EUR 726 for the expert opinion which they had commissioned in order to submit it to the domestic courts (see paragraph 15 above), and

EUR 367 for the costs and expenses that they had been ordered to reimburse to the respondent in the civil proceedings.

61. The Government submitted that the applicants' claims for legal costs were exaggerated and not sufficiently detailed. As regards the cost of the expert opinion, the applicants had failed to demonstrate that that expense had been necessary. As for the civil award made against them in the domestic proceedings, the violation alleged by the applicants specifically concerned the use of the word "sect" and not the domestic proceedings as a whole, whereas the civil award that the applicants had been ordered to pay had been the result of rejection of the applicants' claims in the domestic proceedings in their entirety, which had not only concerned the use of the word "sect".

62. According to the Court's case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these were actually and necessarily incurred and are reasonable as to quantum. In the present case, regard being had to the documents in its possession and the above criteria, the Court considers it reasonable to award the sum of EUR 1,000 covering costs under all heads.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the complaint concerning the denial of access to court admissible and the remainder of the application inadmissible;
2. *Holds* that there has been a violation of Article 6 § 1 of the Convention;
3. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement:
 - (i) EUR 3,600 (three thousand six hundred euros), plus any tax that may be chargeable, in respect of non-pecuniary damage;
 - (ii) EUR 1,000 (one thousand euros), plus any tax that may be chargeable to the applicants, in respect of costs and expenses;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;
4. *Dismisses* the remainder of the applicants' claim for just satisfaction.

WORD OF LIFE CHURCH OF CHRISTIANS OF EVANGELICAL FAITH IN ARMENIA AND
SIMONYAN v. ARMENIA JUDGMENT

Done in English, and notified in writing on 2 April 2026, pursuant to
Rule 77 §§ 2 and 3 of the Rules of Court.

Victor Soloveyitchik
Registrar

Kateřina řimáčková
President