**Lydian International's response regarding surveillance & smear campaign against activists**

*Business & Human Rights Resource Centre invited Lydian International to respond to the following item:*

# *- «Criminal case reveals that Lydian Armenia mining company employees were spying and running fake profiles in social media», Armenian Environmental Front (AEF) civil initiative, 26 March 2019*

<http://www.armecofront.net/en/news/criminal-case-reveals-that-lydian-armenia-mining-company-employees-were-spying-and-running-fake-profiles-in-social-media/>

*In response, Lydian International sent the following statement:*

Dear Ms Skybenko,

We are writing in response to the article you published on behalf of the “Armenian Environmental Front” Civil Initiative entitled: “Criminal case reveals that Lydian Armenia mining company employees were spying and running fake profiles in social media”, authored by activist Tehmine Yenokyan.

This article is yet another example of clear misinformation and false claims against Lydian and the Amulsar project. The Criminal case mentioned in the headline has never “revealed that Lydian Armenia mining company employees were spying and running fake profiles in social media”. This is simply not true.

The Gndevaz born activist Tehmine Yenokyan filed a criminal complaint in September 2018 and claimed that the employees of the company have secretly photographed her and “collected private information about her”.

The Article is false and misleading on a number of fronts.  Also, the investigation into the Complaint conducted by the Vayots Dzor Region branch of the Investigative Committee revealed a number of important facts, that the Article does not disclose.

The residents of Gndevaz community who, according to the case, did confess to have taken photos of their neighbor Tehmine Yenokyan, are not and have never been Lydian Armenia employees.

The investigation revealed that these residents of Gndevaz took pictures of the Head of the Environmental Inspection Committee Artur Grigoryan, who was tasked with the environmental inspection of the Amulsar project, coming out of activist Yenokyan’s house, as evidence of their belief that Artur Grigoryan supports the activists and cannot be an impartial state official.

The investigation revealed that the residents of the community accused of taking the pictures did not breach the law, because their actions were not aimed at revealing personal information about Tehmine Yenokyan. Instead the residents aimed to reveal to the public a possible bias and lack of impartiality on behalf of the Head of the State Inspection Committee due to his personal ties with the activists blocking the Amulsar roads.

The investigation never proved that any Lydian employee had taken or distributed the pictures in question.

Ultimately the investigation concluded that there was no criminal act in neither taking the pictures, nor distributing those, since the pictures aimed at informing the public about the possible bias of a high-ranking state official.

The Criminal case was dropped by the investigators in February 2019, and the charges against all involved parties were withdrawn.

What the Article also fails to outline, is that contrary to the activists’ claims, the community supports the Amulsar project and that is probably why the community members, who were not Lydian employees, took the pictures to reveal to the public what they believed was an evidence of the connections between activists that are illegally blocking Amulsar roads and a high-ranking state official.

The roads to Amulsar have been illegally blocked by a group of activists, including the author of the article you have published, since June 22, 2018. This has resulted in the loss of thousands of direct and indirect jobs, a new wave of poverty and out-migration in these communities. The Government of Armenia has so far failed to enforce the rule of law and to remove the blockades despite several protest actions by the residents of the communities and employees demanding protection of their rights to work.

On April 10, 2019 the Administrative Court of the Republic of Armenia ruled in favor of Lydian supporting Lydian’s appeal against the Police filed in September 2018. The Court ruled that the trespassing on Lydian’s property by a group of people is illegal. The court ruled in favor of instructing the Armenian Police to remove trespassers and their property from the Company’s Amulsar Project site. Lydian looks forward to the Armenian Government’s prompt actions to enforce the law.

Best Regards,

Armen Stepanyan,

VP Sustainability, Lydian International