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Armenia

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. Background and framework

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	23 June 1993	None	Individual complaints (art. 14): No
ICESCR	13 Sept. 1993	None	-
ICCPR	23 June 1993	None	Inter-State complaints (art. 41): No
ICCPR-OP 1	23 June 1993	None	-
CEDAW	13 Sept. 1993	None	-
OP-CEDAW	14 Sept. 2006	None	Inquiry procedure (art. 8 and 9): Yes
CAT	13 Sept. 1993	None	Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): Yes
OP-CAT	14 Sept. 2006	None	-
CRC	23 June 1993	None	-
OP-CRC-AC	30 Sept. 2005	Binding declaration under art 3: 18 years	-
OP-CRC-SC	30 June 2005	None	-
<i>Core treaties to which Armenia is not a party: OP-ICESCR³ (signature only, 2009), ICCPR-OP2, ICRMW, CRPD (signature only, 2007), CRPD-OP (signature only, 2007) and CED (signature only, 2007).</i>			

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	Signature only (1999)
Palermo Protocol ⁴	Yes
Refugees and stateless persons ⁵	Yes
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁶	Yes, except Additional Protocol III
ILO fundamental conventions ⁷	Yes
UNESCO Convention against Discrimination in Education	Yes

1. The United Nations Country Team (UNCT) noted that since Armenia re-established its independence in 1991, it has ratified more than 60 main international human rights treaties and protocols.⁸ In 2009, the Committee on Elimination of Discrimination against Women (CEDAW) commended Armenia for acceding to the OP-CEDAW,⁹ and encouraged it to ratify the ICRMW, CRPD and CED.¹⁰
2. In 2002, the Committee on Elimination of Racial Discrimination (CERD) invited Armenia to consider making the declaration provided for in article 14 of the Convention.¹¹

B. Constitutional and legislative framework

3. CEDAW commended Armenia on revisions made to the Constitution in 2005, particularly the adoption of article 14.1 guaranteeing equality before the law.¹² The UNCT in 2009 noted that the 2005 Constitution contains a chapter on Fundamental Human and Civil Rights and Freedoms.¹³
4. CEDAW, however, regretted the absence of an explicit and comprehensive definition of discrimination against women in Armenia's legislation, and expressed concern at the lack of express and comprehensive legal provisions prohibiting discrimination against women.¹⁴
5. The UNCT stated that the law on gender equality was tabled for discussion in 2009-2010.¹⁵ In this regard, CEDAW called upon Armenia to accelerate its adoption, and recommended adopting a gender-specific approach in Armenia's policies and programmes.¹⁶ CEDAW also called for the establishment of national machinery for the advancement of women, with necessary resources to coordinate implementation of the Convention, relevant national programmes, and the gender-mainstreaming strategy, including during the review of all new legislation by the Constitutional Court and within the budgeting process.¹⁷

C. Institutional and human rights infrastructure

6. CEDAW welcomed the establishment of the Human Rights Defender's Office (Ombudsman) in 2004.¹⁸ The Office was accredited with "A" status by the International Coordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights (ICC) in 2006.¹⁹
7. The UNCT added that the above-mentioned Office has been recognized as an Independent National Preventive Mechanism under OP-CAT, and is growing in influence, with a 52.2 per cent rise in complaints/applications between 2006 and 2008.²⁰ However, the UNCT highlighted numerous challenges for the Office, particularly in reaching out to communities. Limited and reducing resources have hindered the establishment of regional branches. Partnership with civil society institutions should be further fostered and institutionalized.²¹
8. CEDAW called for the establishment within the Office of a specific position concerning gender equality.²² CRC underlined that the Ombudsperson should receive sufficient powers and resources to deal with children's rights.²³ CRC recommended establishing a Procurator or a specific section within the Office in this regard.²⁴

D. Policy measures

9. The UNCT suggested that Armenia adopt a National Action Plan on Human Rights²⁵ while CEDAW welcomed the adoption of a series of national plans and programmes, particularly the Plan on Combating Human Exploitation (Trafficking) 2007-2009.²⁶

10. CRC welcomed the adoption of the National Plan of Action for the Protection of Children's Rights 2004-2015; the Strategic Programme to Overcome Poverty 2004-2015; and the approval of the National Strategy to Combat HIV/AIDS in 2002.²⁷ According to a 2008 World Bank report, Armenia approved the second Poverty Reduction Strategy Paper in 2008.²⁸

11. While welcoming the establishment of a quota for women in the Election Code, CEDAW was concerned that there were no other temporary special measures to accelerate achievement of de facto equality, and at the apparent lack of understanding of the concept of temporary special measures.²⁹

12. In 2005, Armenia adopted the Plan of Action (2005-2009) for the World Programme for Human Rights Education focusing on the national school system,³⁰ which led to the establishment of a National Human Rights Resource and Training Centre and a National Committee on Human Rights Education.³¹

II. Promotion and protection of human rights on the ground

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body³²</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2001	Aug. 2002	–	Combined fifth and sixth reports overdue since July 2004
CESCR	1997	Dec. 1999	–	Second report overdue since 2000
HR Committee	1997	Nov. 1998	–	Second report overdue since 2001
CEDAW	2007	Feb. 2009	Due on February 2011	Combined fifth and sixth reports due 2013
CAT	1999	Nov. 2000	–	Combined third and fourth reports received Dec. 2009
CRC	2002	Jan. 2004	–	Combined third and fourth reports overdue since Jan. 2009

OP-CRC- AC	–	–	–	Initial report overdue since 2007
OP-CRC- SC	–	–	–	Initial report overdue since 2007

2. Cooperation with special procedures

<i>Standing invitation issued</i>	Yes.
<i>Latest visits or mission reports</i>	–
<i>Visits agreed upon in principle</i>	Special Rapporteur on the situation of human rights defenders (requested in 2008), Working Group on arbitrary detention (requested in 2008)
<i>Visits requested and not yet agreed upon</i>	Working Group on the use of mercenaries (requested in 2008)
<i>Facilitation/cooperation during missions</i>	The Representative of the Secretary-General on the human rights of internally displaced persons thanked particularly the Ministry of Foreign Affairs, the Permanent Representative of Armenia to the United Nations Office at Geneva, and the Department of Refugees and Migration for assistance in organizing the mission.
<i>Follow-up to visits</i>	Representative of the Secretary-General on the human rights of internally displaced persons, 12-15 April 2007, ³³ follow-up to the visit of 18 to 19 May 2000. ³⁴
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, four communications were sent. The Government did not reply to any of these communications.
<i>Responses to questionnaires on thematic issues</i>	Armenia responded to three of the 21 questionnaires sent by special procedures mandate holders. ³⁵

3. Cooperation with the Office of the High Commissioner for Human Rights

13. The OHCHR Human Rights Adviser based in Tbilisi provides advice and technical assistance to the UNCT and the Ombudsman in Armenia. In 2009, OHCHR and national experts supported by UNDP prepared a study on the application in Armenian courts of international standards on the right to work and to just and favourable conditions of work.³⁶

B. Implementation of international human rights obligations

1. Equality and non-discrimination

14. In 2009, CEDAW reiterated its concern about the deeply rooted patriarchal attitudes and strong stereotypes regarding women's roles and responsibilities in the family and society.³⁷

15. In 1999, the Committee on Economic, Social and Cultural Rights (CESCR) was concerned that despite equality between men and women before the law, there remained discrepancies in practice in the equal enjoyment of economic, social and cultural rights.³⁸ In

1998, the HR Committee observed that de facto discrimination against women persists as a matter of custom.³⁹ CEDAW called for urgent measures, particularly in rural areas, to initiate change in the widely accepted subordination of women and to stereotypical roles, recommending also that Armenia elaborate the role of the media in eradicating such stereotypes.⁴⁰

16. CEDAW reiterated its concern, also expressed by CRC, that the different minimum legal age for marriage set at 18 for men and 17 for women constitutes discrimination against women.⁴¹

17. In 2004, CRC remained concerned at persistent de facto gender discrimination and discrepancies in the enjoyment of rights by vulnerable groups, including children with disabilities, refugee children, children living in rural areas, children from poor families, street children, and children living in institutions.⁴² It was concerned that children with disabilities are often institutionalized. It regretted that access to mainstream and special education remained limited.⁴³

18. The UNCT noted that although Armenian legislation prohibits discrimination by age/sex and against persons with disabilities, only a few buildings were accessible, an overwhelming majority of disabled persons were unemployed, and health-care services for them were below average. It also noted numerous cases of age discrimination against potential employees.⁴⁴

19. In 2002, CERD expressed concern about allegations of discrimination against Yezidis by police and local authorities and lack of response by police to crimes committed against this minority by other citizens.⁴⁵

2 Right to life, liberty and security of the person

20. The UNCT noted that in the aftermath of the 2008 presidential elections, the opposition challenged the official outcome of the ballot and the post-election instability was characterized by dispersal of peaceful protests, clashes between security forces and demonstrators, ten deaths, including eight civilians and two policemen, and hundreds of injured. The President introduced a 20-day state of emergency, with a temporary ban on rallies, gatherings, and serious restrictions on press freedom and numerous arrests. The majority of detainees were released after adoption by the National Assembly in June 2009 of the presidential proposal for a general amnesty.⁴⁶

21. On 2 March 2008, the High Commissioner for Human Rights noted the reports of death and injuries on the previous day during the demonstrations in the Armenian capital Yerevan. She expressed concern over reports that force had been used against peaceful demonstrators and that opposition protestors had been detained, calling upon the authorities to exercise the utmost restraint and to ensure that due process is followed in case of any detentions.⁴⁷

22. Similarly, a joint communication was sent by the Working Group on arbitrary detention and the Special Rapporteurs on the right to freedom of opinion and expression and on the situation of human rights defenders concerning information that 102 persons had been subjected to two months of pretrial detention and charged with crimes related to the incidents of 1 March 2008. In some cases, detainees were held incommunicado for days. Numerous obstacles were put up to prevent them from exercising their right to access to counsel. Furthermore, on 25 and 26 March, at least 60 opposition supporters in Yerevan were reportedly arrested and detained by police. The protesters were reportedly demonstrating against restrictions imposed on public assemblies and gatherings through new legislation and the imposition of the aforementioned state of emergency. The protesters were all reportedly released after several hours in detention, but on 27 March, another 21

opposition supporters were arrested and detained. It was not known whether any charges had been brought against them.⁴⁸

23. In 2007, a joint communication was sent by the Special Rapporteurs on extrajudicial, summary or arbitrary executions and on the question of torture regarding the death in detention of an Armenian man who was reportedly called to a police station in Yerevan repeatedly between 10 and 12 May 2007 as a witness in connection with a murder. On 12 May, he was transferred to police headquarters, and hours later, was found dead. Police claimed that he had either committed suicide or died trying to escape. It was alleged, however, that marks of ill-treatment and bruises unlikely to stem from falling out of a window were discovered on his body.⁴⁹

24. The UNCT indicated that Armenian legislation prohibits torture, inhuman or degrading treatment. However, it noted numerous reports of cases where police have applied physical and psychological pressure on citizens during arrest and interrogation to extract confession.⁵⁰ CAT recommended that Armenia adopt a definition of torture fully in compliance with article 1 and provide for appropriate penalties.⁵¹ The UNCT further noted that courts accept confessions obtained under questionable circumstances. In 2008, a UNDP analysis, reviewed by OHCHR experts, was conducted into the level of application of the CAT in Armenian Courts. It identified numerous cases when, with objective indications that a party to the trial had been subjected to torture, for instance, injuries on the defendant's face, the courts failed to initiate due investigation.⁵²

25. In 2000, the Committee against Torture (CAT) expressed concern about the lack of effective compensation for torture victims; poor prison conditions; the ongoing practice of hazing ("dedovshchina") in the military, which has led to abuses and violations of the Convention and has a devastating effect on victims, sometimes leading to their suicide.⁵³ The HR Committee was also concerned about poor prison conditions.⁵⁴

26. CAT encouraged continued training on the prevention of torture for police and prison staff, including in the facilities of the Ministry of the Interior and in military prisons.⁵⁵ The HR Committee recommended the establishment of a special independent body to investigate complaints of torture and ill-treatment.⁵⁶

27. CEDAW reiterated its concern about the lack of understanding and acknowledgment of gender-based violence against women, particularly domestic violence, as a significant problem in Armenia. It was concerned that there was no specific legislation addressing violence against women and that the Criminal Code does not criminalize domestic violence as such.⁵⁷ A 2009 United Nations Population Fund (UNFPA) report noted that Armenia lacks services and national machinery to address violence against women, but that the Government had expressed support for establishment of a shelter for victims of domestic violence in Yerevan in 2009.⁵⁸ It added that the legal system does not fully support prevention of gender-based violence.⁵⁹

28. CEDAW urged priority attention for the elimination of all forms of violence against women, in particular domestic violence, as well as comprehensive measures, including legislation.⁶⁰ The UNCT stated that the law on domestic violence was tabled for discussion in 2009-2010.⁶¹

29. CRC encouraged Armenia to adopt legislation and measures to prevent violence against children, including corporal punishment. It recommended strengthening programmes for recovery and reintegration of abused children and establishing procedures and mechanisms to receive complaints, monitor, investigate and prosecute cases of ill-treatment.⁶²

30. The UNCT stated that Armenia is a country of origin for women and girls trafficked for sexual exploitation and for men trafficked for forced labour. It is also, to a lesser extent,

a transit and a destination country.⁶³ CEDAW was concerned about the growth in human trafficking and insufficient measures to address its main causes, such as economic hardship and gender inequality. It was further concerned about the lack of protection for women at risk of trafficking, limited support and lack of shelters for the victims, and stigma against them.⁶⁴ CRC was concerned that refugee children and children living in orphanages may be particularly at risk.⁶⁵ CRC recommended, inter alia, establishing services and programmes for victims; further research on the occurrence of child trafficking and strengthening regional cooperation with countries to which Armenian children are trafficked.⁶⁶

31. CEDAW requested Armenia to strengthen measures to address factors driving women and girls into prostitution, to create services for rehabilitation and reintegration, to support women who wish to leave prostitution, abolish the administrative liability imposed on them, and to address the demand for prostitution.⁶⁷ CRC reiterated its concern at the absence of a comprehensive approach to prevent and combat sexual exploitation of children. It was deeply concerned that persons under 18 engaged in prostitution are prosecuted under the Criminal Code.⁶⁸

32. CRC reiterated that Armenia should establish mechanisms to ensure that street children are provided with identity documents, nutrition, clothing and housing; access to health care; reintegration services for physical, sexual, and substance abuse; services for reconciliation with families; comprehensive education; and access to legal aid.⁶⁹

3. Administration of justice and the rule of law

33. The HR Committee noted that the independence of the judiciary is not fully guaranteed.⁷⁰

34. CRC reiterated its concern about the absence of a system of juvenile justice. It was also concerned about the length of pretrial detention and the limited access to visitors during this period; the use of detention not as a measure of last resort, and the often disproportionate length of sentences; conditions of detention; and the absence of facilities for the recovery and social reintegration of juvenile offenders.⁷¹

35. In 2009, the ILO Committee of Experts noted that the Criminal Code provides for sanctions involving compulsory labour for non-performance or improper performance of duties by a public servant, and for up to two years for inciting national, racial or religious hatred. It requested information on the application of these provisions so as to ascertain whether they are applied in a manner compatible with the Convention.⁷²

4. Right to marriage and family life

36. CRC was concerned at the serious lack of community-based services to assist families in difficult circumstances and to prevent the separation of children from their parents.⁷³ It also restated its concern about the lack of adequate and systematic review of the conditions of children living in institutions.⁷⁴

37. CRC further recommended that Armenia ensure effective mechanisms to review, monitor and follow up adoption of children, and that the Adoption Act is in full conformity with the Convention.⁷⁵

38. CRC was concerned at the extent of non-registration of births in Armenia, seemingly connected with the increasing number of births at home and the difficulty of travelling to regional centres from remote areas.⁷⁶

5. Freedom of religion or belief, expression, association and peaceful assembly and right to participate in public and political life

39. CERD was concerned about reports of obstacles imposed on religious organizations other than the Armenian Apostolic Church, such as those carrying out charity work and building places of worship.⁷⁷ The HR Committee noted that non-recognized religions are discriminated against in their entitlement to own private property and to receive foreign funds.⁷⁸ CERD urged the Government to take measures ensuring freedom of religion for all, without discrimination.⁷⁹

40. In 2006, the Special Rapporteur on freedom of religion or belief reported on a communication sent in 2005 concerning information about a Jehovah's Witness and conscientious objector who had refused military service, was subsequently beaten and subjected to degrading treatment. Further information was provided about a number of Jehovah's Witnesses imprisoned for refusing military service on grounds of conscience. In addition, many who had opted for the alternative labour service in 2004, expressed concern about the terms of the service.⁸⁰ The Government responded with information on the terms of the alternative service in Armenia as regulated by law.⁸¹ The Special Rapporteur drew attention to the HR Committee's call for States to ensure that the length of alternative service does not have a punitive character, and encouraged the Government to review the law.⁸²

41. In 2006 and 2008, two communications were sent by special procedure mandate-holders, the first jointly and the second individually, relating to two persons: a journalist and a human rights defender. The 2006 communication concerned the editor-in-chief of a newspaper who had been summoned to the Prosecutor-General's office as a witness in a criminal case, but was jailed instead on forgery charges. He faced up to five years' imprisonment. A few days prior to the arrest, his newspaper had published an article questioning the independence of the Prosecutor-General's Office.⁸³ The second communication, sent in 2008, was related to an attack against the chair of a well-known human rights organization. Though the alleged attacker was taken to a police station, it was not known whether he had been charged. Concern was expressed that the attack could have been directly related to the work carried out by the human rights defender.⁸⁴

42. In 2006, the Special Representative of the Secretary-General on the situation of human rights defenders expressed concern regarding reports that demonstrations in many parts of Armenia were frequently dispersed with excessive use of force. Opposition leaders and supporters had reportedly been arrested, political party offices raided, critical journalists attacked and citizens prevented from participating in demonstrations.⁸⁵

43. The UNCT noted that broadcast media lacked pluralism and remained largely pro-government.⁸⁶ It also noted that the 2008 presidential elections generated a major political crisis and demonstrated a deep polarization of society, which led to actions that seriously affected protection and respect for human rights.⁸⁷

44. CEDAW remained concerned at women's very low participation in political and public life, especially in decision-making bodies, including the National Assembly, the Government, the diplomatic services, regional and local municipalities and the higher level of the judiciary. It also noted with concern violence against women journalists and particularly women who are active during electoral campaigns, especially as such violence discourages women from participating actively in public life.⁸⁸

45. CERD expressed concern at the lack of representation of ethnic and national minorities in the National Assembly, recommending steps to secure their due representation.⁸⁹

6. Right to work and to just and favourable conditions of work

46. While welcoming the amendments to the Labour Code that establish, inter alia, equal rights regardless of sex, prohibit forced labour and employment of children under 14, CEDAW expressed serious concern about, inter alia, the persistence of gender segregation, high unemployment of women and their concentration in part-time work and lower-paying sectors, the persistence of the wage gap, and the low representation in top management.⁹⁰ It highlighted the lack of systematic effective measures to prevent sexual harassment in the workplace,⁹¹ and in 2009, the ILO Committee of Experts added that there is no legal prohibition against sexual harassment.⁹² In 2008, the ILO Committee recommended that the Government ensure that the amended version of the Labour Code would explicitly provide for equal remuneration for work of equal value.⁹³ The UNCT noted that a law on amendments to the Labour Code has been tabled for discussion, adding that amendments were needed specifically on occupational safety and health.⁹⁴

47. CRC recommended that Armenia ensure effective implementation of the minimum employment age in the Labour Code, and of provisions prohibiting heavy and hazardous work for children. A national mechanism to monitor implementation at State and local levels should be established.⁹⁵

7. Right to social security and to an adequate standard of living

48. A 2009 United Nations Economic Commission for Europe report noted that 12 per cent of people live on less than US\$ 1 per day in Armenia.⁹⁶

49. CEDAW remained concerned about insufficient access to adequate general and reproductive health-care services for women, especially in rural and remote areas, and the high rates of abortion. It was also concerned about the high rate of teenage pregnancies and regretted the lack of data on deaths due to illegal abortions.⁹⁷ CESCR⁹⁸ and CRC⁹⁹ expressed similar concerns. A 2009 UNFPA report noted that many women felt they could not refuse sex with their husbands, even if they suspected they had contracted sexually transmitted infections, and did not have the authority to access antenatal care and family planning services without their husband's permission.¹⁰⁰

50. CRC reiterated its concern regarding the deterioration in the health system in Armenia following cuts in public expenditure, that infant and maternal mortality rates remained high and an increasing number of children and mothers suffered from malnutrition due to rising food prices and poverty. It was also concerned about growth in tuberculosis morbidity among children.¹⁰¹

51. CRC was concerned about the lack of knowledge about HIV/AIDS among young people, welcoming in this regard legislative measures taken in the area of reproductive health and HIV/AIDS prevention.¹⁰² The UNCT indicated a need for strong Government commitment with regards to budget allocations for HIV response.¹⁰³

52. CRC noted with concern that old water pipes and failures in the water supply system had led to contamination of drinking water and serious outbreaks of infectious diseases.¹⁰⁴

53. CRC recommended that Armenia develop a national drug control plan, or a Master Plan, with guidance from the United Nations Drug Control Programme and urged it to ensure that child drug abusers are not criminalized, but treated as victims needing assistance towards recovery and reintegration, and to develop preventive and reintegration programmes for child victims of substance abuse.¹⁰⁵

54. In 1999, CESCR was deeply concerned about inadequate efforts with regard to the housing crisis in Armenia, owing to, inter alia, the damage caused by the 1988 earthquake and the influx of refugees.¹⁰⁶ A 2009 United Nations Economic Commission for Europe

(UNECE) report indicated that about 40,000 families were without permanent shelter, mostly refugees or victims of the earthquake.¹⁰⁷

55. The UNCT stated that despite UNHCR shelter projects and the Government's Housing Purchase Certificate programme, living conditions for many refugees remained substandard. Around 3,000 refugees mostly resided in hazardous buildings with almost no infrastructure. Around 1,600 refugee families were in acute need of shelter. According to Government estimates, with the current State budget it would take over 20 years to cover all the shelter needs of refugees.¹⁰⁸

56. The UNCT also noted that despite refugee access to the national welfare system, their needs were not adequately met due to limited State financial capacities. Unemployment and disability benefits and pensions were minimal.¹⁰⁹

8. Right to education

57. CEDAW urged Armenia to address the obstacles hampering girls in continuing their education, to continue reviewing school textbooks to eliminate gender stereotypes, and to implement programmes encouraging girls to enter non-traditional study courses.¹¹⁰

58. CRC was concerned that the education budget remained low, and that low wages have forced teachers to offer private tuition, creating a two-tier system of education.¹¹¹ A 2008 UNICEF report indicated that rapidly increasing student absenteeism and dropout rates, also of concern to CRC,¹¹² were closely linked to child labour and the quality of education in Armenia.¹¹³

59. CERD reiterated its recommendation that Armenia take measures to ensure, wherever possible, access by minority children to education in their mother tongue.¹¹⁴

60. The UNCT noted that refugees and asylum-seekers have equal rights to obligatory free primary education, but often cannot afford materials and indirect fees, or face economic difficulties, language problems, slight cultural barriers, long distance to schools, especially for those living in remote areas, and the need to do seasonal farming work. State-provided vocational training is limited, largely due to lack of funding.¹¹⁵

9. Refugees and asylum-seekers

61. The UNCT highlighted that Armenia hosts around 90,000 prima facie refugees from a neighbouring country, including naturalized former refugees (ethnic Armenians), individually recognized refugees from other countries (around 1,000) and asylum-seekers. The legal asylum framework and Government policies create a positive environment for the local integration of refugees, it added.¹¹⁶ In 2004, CRC was concerned that the situation of a large number of refugees who arrived in Armenia between 1988 and 1992 as a result of the Nagorny Karabakh conflict had still not been settled. This group remained among the most vulnerable in Armenia.¹¹⁷

62. The UNCT highlighted the 2009 Law on Refugees and Asylum, which regularizes most aspects of admission and treatment of asylum-seekers and refugees in line with international standards, explicitly referring to UNHCR's supervisory role. However, certain provisions were still not fully in line with international standards.¹¹⁸ Despite positive Government policies and measures, limited resources and the difficult economic situation meant that refugees still face gaps in their full local integration.¹¹⁹

63. The UNCT highlighted that there were no administrative contingency mechanisms should the country experience higher numbers of asylum-seekers, which was possible given the political instability of the region.¹²⁰

10. Internally displaced persons

64. In 2009, the Special Representative of the Secretary-General on the human rights of internally displaced persons reported on a letter sent to the Governments of Armenia and a neighbouring country, welcoming renewed efforts to reach a peace agreement. He reiterated that internally displaced persons are entitled to make a free, informed and individual choice on whether to return home in safety and dignity, to integrate locally, or to settle elsewhere within the home country. Mechanisms must be put in place to create conditions allowing for a return in dignity and safety. He called for these concerns to be reflected in an eventual peace agreement and for internally displaced persons to be involved in the peace process.¹²¹

65. Earlier, in 2008, after a follow-up visit to his 1999 mission, the Special Representative had observed that local reintegration was the preferred approach in Armenia. He called for adoption of a programme of support for displaced persons wishing to return, appealing to the international community to support its implementation.¹²²

III. Achievements, best practices, challenges and constraints

66. CERD welcomed the special programmes on tolerance and various activities for the promotion of human rights broadcast on television and distributed to NGOs. It also welcomed the holding of a seminar on religious and ethnic tolerance.¹²³

67. An achievement noted by the UNCT was the incorporation of sexual and reproductive health in the school curricula and training of teachers; the establishment of a parliamentary support group on reproductive health; and countrywide awareness-raising on sexual and reproductive health and rights. The 2009 law on “Prevention of disease caused by HIV” was adopted to meet international human rights standards.

68. The UNCT noted that in 2009, the Prime Minister, the President of the Republican Union of Employers of Armenia and the Chairman of the Confederation of Trade Unions of Armenia signed an agreement, valid until 30 July 2012, covering: occupational safety and health; jobs, salaries and living standards among the population; the labour market and employment; social insurance and social protection. A committee was formed to conduct collective negotiations.¹²⁴

69. The UNCT highlighted that the impact of the economic crisis on Armenia, including education and health, food security and gender-based violence, should be closely examined.¹²⁵ CESCR noted the obstacles arising from the trade blockade imposed by a number of its neighbouring countries.¹²⁶

IV. Key national priorities, initiatives and commitments

A. Pledges by the State

70. In 2006, Armenia pledged its intention to become party to OP-CEDAW and OP-CAT, and to continue improving human rights promotion and protection at the national level by further developing legal and operational human rights machinery, inter alia, by broadening the reform of the administrative and judicial systems and by strengthening the Human Rights Defender’s Office.¹²⁷

B. Specific recommendations for follow-up

71. CEDAW requested Armenia to provide, within two years, written information on steps undertaken to implement its recommendations regarding the national machinery for the advancement of women, and on violence against women.¹²⁸

V. Capacity-building and technical assistance

72. The UNCT suggested that the Human Rights Defender's Office needed comprehensive assistance from international organizations, particularly in efforts to harmonize local legislation with international standards.¹²⁹

73. CRC recommended that Armenia seek cooperation with relevant United Nations agencies and NGOs with regard to child labour,¹³⁰ drug use,¹³¹ and migration.¹³²

74. According to a 2009 UNHCR report, UNHCR would continue its efforts to build the Government's capacity to implement fair and effective asylum procedures, especially in the context of the new law. UNHCR would also address gaps and obstacles to local integration and facilitate the legal and socio-economic integration of refugees.¹³³

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CPD	Convention on the Rights of Persons with Disabilities;
OP-CPD	Optional Protocol to Convention on the Rights of Persons with Disabilities;
CED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ Adopted by the General Assembly in its resolution 63/117 of 10 December 2008, Article 17, paragraph 1 of OP-ICESCR states that "The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant".

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating

- to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁸ UNCT submission to the UPR on Armenia, p. 1.
- ⁹ Concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/ARM/CO/4/Rev.1), para. 5.
- ¹⁰ *Ibid.*, para. 41.
- ¹¹ CERD, *Official Records of the General Assembly, Fifty-seventh session, Supplement No. 18* (A/57/18), para. 287.
- ¹² CEDAW/C/ARM/CO/4/Rev.1, para. 6.
- ¹³ UNCT submission to the UPR on Armenia, p. 1.
- ¹⁴ CEDAW/C/ARM/CO/4/Rev.1, para. 12.
- ¹⁵ UNCT submission to the UPR on Armenia, p. 1.
- ¹⁶ CEDAW/C/ARM/CO/4/Rev.1, para. 13.
- ¹⁷ *Ibid.*, para. 19.
- ¹⁸ *Ibid.*, para. 7.
- ¹⁹ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex I.
- ²⁰ UNCT submission to the UPR on Armenia, pp. 1–2.
- ²¹ UNCT submission to the UPR on Armenia, p. 2.
- ²² CEDAW/C/ARM/CO/4/Rev.1, para. 19. See also UNCT submission to the UPR on Armenia, pp. 12.
- ²³ Concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.225), para. 13.
- ²⁴ *Ibid.*, para. 14.
- ²⁵ UNCT submission to the UPR on Armenia, p. 1.
- ²⁶ CEDAW/C/ARM/CO/4/Rev.1, para. 7.
- ²⁷ CRC/C/15/Add.225, para. 3.
- ²⁸ World Bank, Joint Staff Advisory Note on the Second Poverty Reduction Strategy Paper (Sustainable Development Program), Washington, 2008, p.1, available at http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2008/11/10/000333037_20081110231023/Rendered/PDF/463000PRSP0P101Y10IDA1SecM200810653.pdf
- ²⁹ CEDAW/C/ARM/CO/4/Rev.1, para. 16.
- ³⁰ See General Assembly resolution 59/113 B of 14 July 2005 and Human Rights Council resolution 6/24 of 28 September 2007.
- ³¹ Letter from Ministry of Education and Science of the Republic of Armenia dated 21 March 2008, and the response of the Permanent Mission of the Republic of Armenia to the questionnaire of the Human Rights Council Advisory Committee on the issue of the draft United Nations declaration on human

rights education and training dated 2 March 2009, and letters from the United Nations High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007, see <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm>. See also General Assembly resolution 59/113 B of 14 July 2005 and Human Rights Council resolution 6/24. See also CRC/C/15/Add.225, para. 53.

³² The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination;
CESCR	Committee on Economic, Social and Cultural Rights,
HR Committee	Human Rights Committee;
CEDAW	Committee on the Elimination of Discrimination against Women;
CAT	Committee against Torture;
CRC	Committee on the Rights of the Child.

³³ A/HRC/8/6.

³⁴ E/CN.4/2001/5/Add.3.

³⁵ The questionnaires referred to are those reflected in an official report by a special procedure mandate holder issued between 1 January 2006 and 31 January 2010. Responses counted for the purposes of this section are those received within the relevant deadlines, relating to the following questionnaires: (a) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation, 2005; (b) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs, 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons, 2006; (d) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants, 2006; (e) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities, 2006; (f) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (g) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people, 2007; (h) report of the Working Group on the use of mercenaries (A/62/301), questionnaire on measures adopted and envisaged, including legislation, regarding mercenaries, 2007; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation, 2007; (j) report of the Special Rapporteur on violence against women (A/HRC/7/6), questionnaire on indicators on violence against women, 2007; (k) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations, 2007; (l) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/10/16 and Corr.1), questionnaire on trafficking in persons, 2008; (m) report of the independent expert on the question of human rights and extreme poverty to the eleventh session of the Council (A/HRC/11/9), questionnaire on Cash Transfer Programmes, 2008; (n) report of the Special Rapporteur on the right to education, (A/HRC/11/8), questionnaire on the right to education for persons in detention, 2009; (o) report of the Special Rapporteur on violence against women (A/HRC/11/6), questionnaire on violence against women and political economy, 2008; (p) report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences (A/HRC/12/21), questionnaire on national legislation and initiatives addressing the issue of bonded labour, 2009; (q) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/12/23), questionnaire on measures to prevent and combat online child pornography, 2009; (r) report of the Special Rapporteur on the right to food (A/HRC/12/31), questionnaire on world food and nutrition security, 2009; (s) report of the Working Group on Arbitrary Detention (A/HRC/13/30), questionnaire on the detention of drug users, 2009; (t) joint study on global practices in relation to secret detention in the context of countering terrorism (A/HRC/13/42), questionnaire on secret detention, 2009; (u) report of the Special Rapporteur on the

- situation of human rights defenders (A/HRC/13/22), questionnaire on the security and protection of human rights defenders, 2009.
- ³⁶ Research on the implementation by Armenian courts of the "Right to work and of the right to the enjoyment of just and favourable conditions of work" secured by the UN International Covenant on Economic, Social and Cultural Rights, UNDP, Yerevan, 2009.
- ³⁷ CEDAW/C/ARM/CO/4/Rev.1, para. 20.
- ³⁸ Concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.39), para. 10.
- ³⁹ Concluding observations of the Human Rights Committee (CCPR/C/79/Add.100), para. 14.
- ⁴⁰ CEDAW/C/ARM/CO/4/Rev.1, para. 21.
- ⁴¹ *Ibid.*, para. 14; see also CRC/C/15/Add.225, para. 21.
- ⁴² CRC/C/15/Add.225, para. 23.
- ⁴³ *Ibid.*, para. 43. See also UNCT submission to the UPR on Armenia, pp. 97–104.
- ⁴⁴ UNCT submission to the UPR on Armenia, p. 16.
- ⁴⁵ A/57/18, para. 277.
- ⁴⁶ UNCT submission to the UPR on Armenia, p.13.
- ⁴⁷ Public statement of 2 March 2008 by the High Commissioner for Human Rights.
- ⁴⁸ A/HRC/11/4/Add.1, paras. 110–117.
- ⁴⁹ A/HRC/7/3/Add.1, para. 10.
- ⁵⁰ UNCT submission to the UPR on Armenia, pp. 12–16.
- ⁵¹ A/56/44, para. 39.
- ⁵² UNCT submission to the UPR on Armenia, pp. 12–16.
- ⁵³ CAT, *Official Records of the General Assembly, Fifty-sixth session, Supplement No. 44 (A/56/44)*, para. 37 (d) and (f).
- ⁵⁴ CCPR/C/79/Add.100, para. 13.
- ⁵⁵ A/56/44, para. 39.
- ⁵⁶ CCPR/C/79/Add.100, para. 12.
- ⁵⁷ CEDAW/C/ARM/CO/4/Rev.1, para. 22.
- ⁵⁸ UNFPA, *Partnering with men to end gender-based violence*, New York, 2009, p.51, available at http://www.unfpa.org/webdav/site/global/shared/documents/publications/2009/partnering_with_men.pdf.
- ⁵⁹ Executive Board of the United Nations Development Programme and of the United Nations Population Fund, Final country programme document for Armenia (DP/FPA/CPD/ARM/2), para. 7.
- ⁶⁰ CEDAW/C/ARM/CO/4/Rev.1, para. 23.
- ⁶¹ UNCT submission to the UPR on Armenia, p. 1.
- ⁶² CRC/C/15/Add.225, para. 40.
- ⁶³ UNCT submission to the UPR on Armenia, p. 9.
- ⁶⁴ CEDAW/C/ARM/CO/4/Rev.1, para. 24.
- ⁶⁵ CRC/C/15/Add.225, para. 66.
- ⁶⁶ *Ibid.*, para. 67.
- ⁶⁷ CEDAW/C/ARM/CO/4/Rev.1, para. 27.
- ⁶⁸ CRC/C/15/Add.225, para. 64.
- ⁶⁹ *Ibid.*, para. 69.
- ⁷⁰ CCPR/C/79/Add.100, para. 8.
- ⁷¹ CRC/C/15/Add.225, para. 70.
- ⁷² ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Abolition of Forced Labour Convention, 1957 (No. 105), 2009, Geneva, doc. No. (ILOLEX) 092009ARM105.
- ⁷³ CRC/C/15/Add.225, para. 33.
- ⁷⁴ *Ibid.*, para. 35.
- ⁷⁵ *Ibid.*, para. 38.
- ⁷⁶ *Ibid.*, para. 27.
- ⁷⁷ A/57/18, para. 282.
- ⁷⁸ CCPR/C/79/Add.100, para. 19.
- ⁷⁹ A/57/18, para. 282.
- ⁸⁰ E/CN.4/2006/5/Add.1, paras. 3–5.

- ⁸¹ Ibid., paras. 6-9.
- ⁸² Ibid., paras. 10–11.
- ⁸³ A/HRC/4/27/Add.1, paras. 30–31.
- ⁸⁴ A/HRC/10/12/Add.1, paras. 115–118.
- ⁸⁵ E/CN.4/2006/95/Add.5, paras. 109–110.
- ⁸⁶ UNCT submission to the UPR on Armenia, p.13.
- ⁸⁷ Ibid.
- ⁸⁸ CEDAW/C/ARM/CO/4/Rev.1, para. 28.
- ⁸⁹ A/57/18, para. 278.
- ⁹⁰ CEDAW/C/ARM/CO/4/Rev.1, para. 32.
- ⁹¹ Ibid.
- ⁹² ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 092009ARM111, second paragraph.
- ⁹³ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Equal Remuneration Convention, 1951 (No. 100), 2008 No. (ILOLEX) 092008ARM100, para. 2.
- ⁹⁴ UNCT submission to the UPR on Armenia, para. 2.
- ⁹⁵ CRC/C/15/Add.225, para. 61.
- ⁹⁶ UNECE, *Self-Made Cities: In search for sustainable solutions for informal settlements in the UNECE region*, New York and Geneva, 2009, p.28, available at <http://www.uncece.org/hlm/documents/Publications/SelfMadeCities.pdf>.
- ⁹⁷ CEDAW/C/ARM/CO/4/Rev.1, para. 34.
- ⁹⁸ E/C.12/1/Add.39, para. 15.
- ⁹⁹ CRC/C/15/Add.225, para. 47.
- ¹⁰⁰ UNFPA, *Partnering with men to end gender-based violence*, New York, 2009, p.52, available at http://www.unfpa.org/webdav/site/global/shared/documents/publications/2009/partnering_with_men.pdf.
- ¹⁰¹ CRC/C/15/Add.225, para. 45.
- ¹⁰² Ibid., para. 47.
- ¹⁰³ UNCT submission to the UPR on Armenia, pp. 105-113. See also UNGASS, *UNGASS Country Report: Armenia, reporting period January 2006-December 2007*, 2008, p.6, available at http://data.unaids.org/pub/Report/2008/armenia_2008_country_progress_report_en.pdf.
- ¹⁰⁴ CRC/C/15/Add.225, para. 49.
- ¹⁰⁵ Ibid., para. 63.
- ¹⁰⁶ E/C.12/1/Add.39, para. 12.
- ¹⁰⁷ UNECE, *Self-Made Cities: In search for sustainable solutions for informal settlements in the UNECE region*, New York and Geneva, 2009, p.16, available at <http://www.uncece.org/hlm/documents/Publications/SelfMadeCities.pdf>.
- ¹⁰⁸ UNCT submission to the UPR on Armenia, p. 39.
- ¹⁰⁹ Ibid., p. 37.
- ¹¹⁰ CEDAW/C/ARM/CO/4/Rev.1, para. 31.
- ¹¹¹ CRC/C/15/Add.225, para. 54.
- ¹¹² Ibid. para. 54.
- ¹¹³ UNICEF, *Press centre, Link between student absenteeism, dropout rates and child labour in Armenia*, Yerevan, 2008, available at http://www.unicef.org/infobycountry/media_46200.html. See also E/C.12/1/Add.39, para. 20.
- ¹¹⁴ A/57/18, para. 280.
- ¹¹⁵ UNCT submission to the UPR on Armenia, p. 38.
- ¹¹⁶ Ibid., pp. 31-36.
- ¹¹⁷ CRC/C/15/Add.225, para. 58.
- ¹¹⁸ UNCT submission to the UPR on Armenia, pp. 31-36.
- ¹¹⁹ Ibid.
- ¹²⁰ Ibid.
- ¹²¹ A/HRC/10/13, para. 72.
- ¹²² A/HRC/8/6, para. 40.

¹²³ A/57/18, para. 274.

¹²⁴ UNCT submission to the UPR on Armenia, pp. 97–104.

¹²⁵ *Ibid.*, pp. 105–113. See also CRC/C/15/Add.225, para. 4.

¹²⁶ E/C.12/1/Add.39, para. 7.

¹²⁷ Pledges and commitments undertaken by Kenya before the Human Rights Council, as contained in the note verbale dated 1 May 2006 sent by the Permanent Mission of Kenya to the United Nations addressed to the President of the General Assembly available at <http://www.un.org/ga/60/elect/hrc/armenia.pdf>.

¹²⁸ CEDAW/C/ARM/CO/4/Rev.1, para. 43.

¹²⁹ UNCT submission to the UPR on Armenia, pp. 1-2.

¹³⁰ CRC/C/15/Add.225, para. 61.

¹³¹ *Ibid.*, para. 63.

¹³² *Ibid.*, para. 67 (c).

¹³³ UNHCR, UNHCR Global Appeal 2010–2011, Geneva, 2009, p.4, available at <http://www.unhcr.org/4b02cb1414.pdf>.
