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COUNTRY SHEET

ARMENIA

February
2009

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Our local partners in **Armenia** are: **Mission Armenia** and **Armenian Caritas**

- Mission Armenia NGO is a network organisation present in almost all Armenia, with its main office in Yerevan. They offer humanitarian aid to refugees, elderly, children, vulnerable communities and other groups in need.
- Armenian Caritas: Armenian Caritas operates in four regions of Armenia and has its main office in Gyumri. Accordingly Armenian Caritas seeks to organize and implement humanitarian and charitable actions in favour of individuals and social groups living under difficult conditions without religious, national or racial discriminations.

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1 Access to Territory (from country of asylum to return area)

1.1 Documentation

1.1.1 Travel documents needed for returnees

The documents required for arriving to the Republic of Armenia (RA) include:

- **For RA citizens-** A valid passport of RA citizen or a certificate of return (laissez-passer) if the first one is not available

Military Book is required for RA male citizens over 18 when passing the border

- **For refugees** having acquired refugee status in RA - Valid refugee certificate of RA and travel document or a certificate of return if the first one is not available
- **For foreigners-** Armenian entry visa and passport or internationally adopted other travel document.
- Airplane (in most cases), train or bus ticket to come to RA.

Citizens, who are under 18 and those who are specified as incapable by RA legislation, if they are not accompanied by their parents or by lawful representatives defined by RA legislation, they should also present notarially certified agreements of parents or lawful representatives about the citizens' entry/exit.¹

(For more details about the ways and conditions to enter RA see 1.2 and 1.3)

Out of Armenia, in case RA citizens lose their passport or the validity date of passports expires, RA citizens and RA refugees can acquire new passport or certificate of return as well as extend passport validity through RA Embassies and consulates and diplomatic representatives in respective countries and in case of their absence through the diplomatic representatives located in a neighbouring country and authorized by Ministry of Foreign Affairs of the Republic of Armenia.²

1.1.2 Documents needed in the country of return

❖ Principal ID documents

- A valid passport of a RA citizen (for RA citizens 16 years old and over),
- A RA refugee passport (for people 16 years old and over having a refugee status in RA),
- Residence card^a for foreign citizens (as well as their passports) and stateless persons,

¹ This regulation is based on Sections 29, 30, 32, 33 of RA Civil Code (Act No. 239, entered into force on 01 January 1999), according to what children under 18, persons specified as incapable or limited capable can make deals after written agreement of their parents or lawful representatives National Assembly of the Republic of Armenia, Legislation, Civil Legislation, Civil Code <http://www.parliament.am/legislation.php?sel=subject&lang=eng>, last accessed in February 2009

² RA Ministry of Foreign Affairs, Embassies/ Armenian Embassies, Consulates And Representations, <http://www.armeniaforeignministry.am/ministry/embassiesList.html>, last accessed in February 2009

- **Asylum seeker certificate** (for people 14 years old and over having an Asylum seeker status in RA).

Above documents are required in the following situations:

- for RA entry/ exit (except such documents as residence card and asylum seeker certificate),
- to enter educational institutions,
- for job admission,
- to receive pensions and benefits,
- to conclude bargains, appealing to court,
- to make use of services provided by polyclinics and hospitals,
- etc.

- ❖ **Birth Certificate** (for children under 16 (refugee children included), for asylum seeker children under 14)

It is required in the following situations:

- for receiving pension, benefits;
- for entering to kindergartens and schools;
- for receiving services provided by polyclinics and hospitals, etc.;
- for getting a passport;
- in other cases upon request.

- ❖ **Military book** (for 18 and up Armenian male citizens)

It is required in the following situations:

- for job admission,
- for entering educational institutions,
- for receiving a driving license,
- for RA entry/exit,
- in other cases upon request.

- ❖ **Social (security) card**

In accordance with established procedure, it is issued to RA citizens, people having a refugee or asylum seeker status, and to foreigners and stateless persons.

It is required in the following situations:

- for job admission,
- for receiving benefits,
- for payment of taxes and duties,
- for opening bank accounts,
- in other cases upon request.

- ❖ **Property Certificate**

In accordance with established procedure, it is issued to RA citizens, people having a refugee or asylum seeker status, and to foreigners and stateless persons.

It is required in the following situations:

- for ratifying one's right for land, real estate and movable property;
- for selling, donating or bequeathing property or land;
- in other cases upon request.

Comment: " Foreign citizens and persons without citizenship shall not have the right to own land, except in cases prescribed by law".³

❖ Family Social Passport

In accordance with established procedure, it is issued to RA citizens, people having a refugee or asylum seeker status, and to foreigners and stateless persons.

It is required in the following situations:

- for making use of poverty family benefit projects (more detailed see 3.3.7.3),
- for maintaining certain advantages when receiving social and medical services (more detailed see 3.3.7),
- in other cases upon request

❖ Disability Grade Reference

In accordance with established procedure, it is issued to RA citizens, people having a refugee or asylum seeker status, and to foreigners and stateless persons.

It is required in the following situations:

- for receiving invalidity pension,
- for maintaining certain advantages when receiving social and medical services (more detailed see 3.3.7),
- for receiving free prosthetic-orthopaedic appurtenances,
- for receiving medicaments requiring special permission,
- in other cases upon request.

❖ Pension Card

In accordance with established procedure, it is issued to RA citizens, people having a refugee or asylum seeker status, and to foreigners and stateless persons.

It is required in the following situations:

- for receiving age, invalidity, loss of breadwinner and other types of pensions foreseen by the law;

³ National Assembly of the Republic of Armenia, Legislation, Basis of Structures of State and Local Authorities, Constitution of the Republic of Armenia (with amendments), Section 31(4), <http://www.parliament.am/legislation.php?sel=subject&lang=eng>, last accessed in February 2009

- in other cases upon request.

❖ Work Record Book

In accordance with established procedure, it is issued to RA citizens, people having a refugee or asylum seeker status, and to foreigners and stateless persons.

It is required in the following situations:

- for job admission,
- for pension appointment,
- in other cases upon request.

Comment: Documents such as a diploma, school-leaving certificate, marriage certificate, birth certificate, death certificate, driving license, medical card if issued in other countries outside RA through respective bodies are valid in RA as well. These may required in translated (Armenian) versions certified by notary offices.

1.1.3 How to obtain necessary documents (conditions, processing time)

❖ RA citizen passport⁴

The passport of the RA citizen is the principal identity document for RA citizen in RA and abroad.

- Those **16 and over with the citizenship of RA must have RA passports** regardless place of residence.
- **RA citizens under 16 can have RA passports according to their wish** (it is required in case of exit/entry RA).

Issuing RA passport: In Armenia, RA citizens should receive, replace their passports or extend passports' validity time, or in case of passport lost apply to the **RA police regional departments' passport offices** according to his/her permanent, temporary or factual residence.

- **RA citizens reached 16 years old should present following documents in case of receiving RA passport:**
 - Passport application,
 - Birth certificate or RA citizen passport received until reaching 16years old,
 - Two 35x45 mm colour photos,
 - Other identity cards if incapable to present required documents mentioned in point "b",
 - Military attached paper (for conscription),
 - receipt of state duty (it makes 1,000 AMD⁵ or 2.14 EUR).⁶

⁴ The Decree No. 821 on approving passport system charter in RA and description of RA citizen's passport adopted on 25 December 1998 by RA Government, and RA Police Head Order No. 12 of 15 August 2008 on confirming clarifications of the passport actions' order regulate the procedure of giving and replacing of RA passport as well as other issues relating to RA passport.

⁵ RA Act on state duty No. 186, adopted on 27 December 1997, Section 14 (1)

Terms: The passport is issued during 5 working days after presenting all necessary documents.

➤ **RA citizens in case of replacing should present following documents:**

- The passport subject to replacement,
- Two 35x45 mm colour photos,
- Military book (for male citizens over 18 years old),
- receipt of state duty (it makes 1,000 AMD or 2.14 EUR).

Terms: The passport is issued during 5 working days after presenting all necessary documents.

➤ **RA citizens in case of lost should present following documents:**

- an application,
- Three 35x45 mm colour photos,
- Military book (for male citizens over 18 years old),
- receipt of state duty (it makes 1,000 AMD or 2.14 EUR).

Terms: The passport is issued during 15-30 days after presenting all necessary documents.

Getting passport in a short period⁷: In a short period, up to 5 days, the passport is issued or replaced from the RA Police passport and visa department (also called as "OVIR⁸"), located in Yerevan, Mashtots St. 13a (the entrance is from Amiryan street). The payment of getting RA passport in one day makes 20,000 AMD or 42.85 EUR, in 2-4 days 10,000 AMD or 21.42 EUR. The required documents are the same and are listed above.

RA Passport validity: There are two type of validity (appropriate stamps should be in the passport).

- **Date of expiry.** The RA passport is issued for 10 years validity⁹. After 10 years, the passport validity date is prolonged for 5 years. To extend the validity of RA passport is implemented in 1 day without any payment.
- **Valid in foreign countries.** This notice is needed in case of exit/entry Armenia. RA passport is **valid abroad for 5 years**. In the passport they put the date until when the passport is valid abroad (1-5 years). To give notice concerning the validity of RA passports in foreign countries is implemented in 1 day in case of presenting the appropriate payment receipt. Every year of validity is 1,000 AMD¹⁰ or 2.14 EUR.

RA citizens' registration: All RA citizens should have registration. Returnees should take into account that the **issuing or replacing passport can be denied, if the applicant has no registration.**

⁶National currency of RA is Armenian dram or shortly AMD, for the AMD exchange rates see the official website of RA central bank www.cba.am,

On 04 March 2009, the exchange rate was 466.77 AMD for 1 EUR,

All prices in this report are given according to these rates

⁷RA Police, New regulation on Passport issuing, <http://www.police.am/page.php?section=news&id=6883&language=am> (in Armenian), last accessed in February 2009

⁸ Russian abbreviation for "Office of Visas and Registrations"

⁹Those under 16 years old the passport is given for 3 years validity. Male citizens over and up 15 years old receive passport with validity date until reaching 18 (related with military service).

¹⁰ RA Act on state duty, Section 14 (7)

To register RA citizens or to notice in RA passports concerning the residence is 1,000 AMD¹¹ or 2.14 EUR (payment receipt).

Detailed information on RA passport issuing, RA dual citizenship can be obtained at the website of RA Police <http://www.police.am/page.php?section=news&id=6851&language=am>, accessed in February 2009 (in Armenian).

Citizens of Nagorno-Karabakh: Nagorno-Karabakh (the native Armenian name for Nagorno-Karabakh is Artsakh) is not an administrative part of RA and is not recognized by any nation. It does not have formal diplomatic relations in the traditional sense. Until the Nagorno-Karabakh conflict is solved, local people also benefit from Armenian passport sample which is internationally recognized. So in abroad all citizens of Nagorno- Karabakh can apply to RA consulates related with their passport.

Dual citizenship: The RA Parliament has already adopted the changes on RA Citizenship Act, which gives opportunity for “dual citizenship”.¹² It gives millions of ethnic Armenians around the world the chance to obtain Armenian citizenship without abandoning their current nationality. RA dual citizen is given RA citizen passport.

On the other hand, citizens who emigrated from Armenia to the foreign countries and subsequently acquired foreign citizenship without explicitly giving up their Armenian citizenship may be able to (re)acquire Armenian citizenship along with all the associated rights and duties. The new law also means that dual citizens need to enter and leave Armenia on their Armenian passport, i.e. they would no longer need an Armenian visa.

New, implementing regulations for this change in Armenian law require all dual citizens to register their dual citizenship in Passport and Visa Department of the Police of the Republic of Armenia (know as “OVIR”) by presenting all required documents. For more information, please consult with Passport and Visa Department of the Police (tel.: +(374-10)-50-14-39) in Yerevan, Armenia, and/or the RA diplomatic representatives in abroad.

❖ Social (Security) Cards

The implementation of social card system should help receive and use the required information in a short period without exchanging any personal data (first and last name, passport number etc.), make automatic data exchange, which will release the person from applying various state bodies for several references and their further submission eliminating the volume of possible violations and mistakes. Although most of the people already have social cards these problems still exist.¹³

Procedure of getting social cards: The procedure of getting this document practically is very simple and without any official circumlocutions in comparison with other documents. To get it one should fill in the special form and personally or through other person submit it to the respective Social Service Regional Centre (called “Paros” in local language), presenting the passport or another ID.

It is issued up to one month and without any payments.

¹¹ Ibid., Section 14 (4)

¹² National Assembly of the Republic of Armenia, Act No. 16 on citizenship of the Republic of Armenia of 6 November 1995 (amended on 26 February 2007, by Act No. 75-N) Section 13¹ (2) <http://www.armeniaforeignministry.com/perspectives/dualcitizenship-final-eng.pdf>, last accessed in February 2009

¹³ More detailed information on social cards can be found at the website of RA Ministry of Labour and Social Issues, Question and Answer, Explanations on the social security cards, http://www.mss.am/home/index.php?code_id=323&menu_id=317 (in Armenian), last accessed in February 2009

Comments:

- **Social cards should be changed when the ID card changes also** (the citizen is already 16 years old and gets a passport or changes it out of its date inspiration etc.), in new social card will be shown new data of the ID.
- Lots of people refuse to have social cards due to different reasons. **In case the social card is required they should present the reference on not having social card.** To get such reference they should apply to the RA Ministry of Labour and Social Issues.
- Although person's names and the ID details (passport, birth certificate etc.) are shown on social cards; **they can not be presented as Identity card.**

For further details on it the applicant should apply for the RA Ministry of Labour and Social Issues or phone (374-10) 56-42-10 or to the Social Service Regional Centres according to their residence place.

❖ **Military Book**

The military Book is given to RA male citizens over 18 who have served in the military as well as those who are not fit for military service¹⁴. It is given by military regional commissariats where the military servant is attached. More detailed information about military service is presented in section 3.3.4.

❖ **Certificate on Property**

During Soviet period land was considered as State property. Many years people lived in their apartments/ houses which where nowhere registered and recognized as their property. Instead of property certificate there was in use so called "house books"(in Armenian "tnajin girq"). After the collapse of Soviet Union in Armenia the procedure of privatisation had begun. People go on to register the right of property to their real estate till now.

Then those returnees that have not registered their apartments/houses/land yet, after return should apply to the respective **Real Estate State Register Agency** (mostly common as **Cadastre**) in order to privatize their real estate and get the property certificate.

Comments:

- Only after **state registration** of the right on property in Real Estate Register Agencies the **right** to a given property is bestowed by the state.
- Moreover, **"no particular right to the property shall be registered, if the right of ownership (use) to such property is not registered"**.¹⁵ It means that someone can sell, give as a mortgage or do other deals related with property only after having registered ownership right.

In case of need for more information on property privatization the returnees should apply to the respective Real Estate State Register Agency.

❖ **Birth certificate**

The state registration of birth as well as the issuing birth certificate in a defined order is implemented by **Civil Act Registration Offices** (called as "**ZAGS**¹⁶").

¹⁴ In their books there is written a special notice "not fit for military service"

¹⁵ National Assembly of the Republic of Armenia, Legislation, Housing Legislation, the Act No. 295 on state registration of rights to the property, adopted on 14 April 1999, Section 23 (5), <http://www.parliament.am/legislation.php?sel=subject&lang=eng>, , last accessed in February 2009

¹⁶ Russian abbreviation for "Civil Act Registration Office"

In case of lost of birth certificate the returnee should apply to the **Civil Act Registration Office** from where the birth certificate was issued in order to get the duplicate, the payment receipt of state duty is 3,000 AMD or 6.43 EUR.¹⁷

To register birth, including issuing the certificate is free.

Detailed information can be obtained at Civil Act Registration Offices.

❖ **Family Social Passport**

The **family poverty benefit system** is the biggest project of social support field, which is based on family vulnerability level assessment; not the person, but the family is concerned as a subject for social support.

Due to the RA Government Decree No. 110, declared on 1 December 2006 on approving family benefit and lump sum assistance appointment and payment order the benefit is specified to those families, who are registered in the family poverty system and have higher scores than the maximum poverty magnitude score¹⁸.

The order of getting enlisted in a family benefit system and acquiring family social passport:

For family benefit appointment one of the adult members of the family presents an application and other necessary documents to **Social Service Regional Centres**¹⁹ of their temporary, permanent and factual residence place.

Necessary documents needed:

- reference about family composition;
- application (apartment conditions, family incomes, etc.);
- reference about employment of family members from their office, (in case of unemployment the reference is given from **Employment Service Regional Centre**)
- passport of adult members of the family and birth certificates of members under 16;
- other documents if required (disability card, pension card and so on).

Terms: For reviewing vulnerability it's required to present the required documents to **Social Service Regional Centre** once a year. Within 25 days, the centre issues the family social passport with the family vulnerability score indicating whether benefit is appointed or not.

It is issued for free.

"To be included in Family Benefit system and get family social passport itself is not difficult. The problem is that very few families get higher family vulnerability score and then are nominated to Family Benefit. In practice it results many wrong appointments".²⁰

More details about the Family Benefit rates see point 3.3.7.3

❖ **Certificate about disability group (disability grade or invalidity group)**

A person is considered to be disabled, if he/she possesses health failures limiting his/her activities, and has a need for social protection. RA Government Decree No. 254, issued on

¹⁷ RA Act on state duty, Section 12 (5)

¹⁸ For the year 2009 this poverty magnitude score is 30.00.

¹⁹ Social Service Regional Centres are called also "paros" in local language

²⁰ Interview with Mrs. Alla Harutyunyan, lawyer, Mission Armenia NGO, conducted on 10 February 2009, Yerevan

13 March 2003 on approving the order of implementation of social-medical expertise and making amendment in Government Decree No. 684 of 03 November 1998 defines the procedure of recognizing disability.

Procedure of disability definition

Disability is defined by **medico-social examination committees** (hereinafter referred to MSEC) which are considered to be medico-social examination agency's regional offices.²¹ The examination can be carried out in the hospitals, at home or a distant place (in a defined order).

MSEC examines the person and a decision is made on his disability. They give a disability grade to a person defined as **disabled I, II and III**; if the child is under 18 he is given a status of a **disabled child**. They also give a **reference which certifies the disability grade**. Those disabled and disabled children receive **disability pension** in a defined order.

The following documents should be presented to the territorial offices of medico-social examination committees:

- written application;
- "form 88" given from healthcare body (special reference form about person's health situation);
- passports for adults, or birth certificates for children under 16;
- social security card;
- work-book (if required);
- other medical documents about person's health situation.

Those who don't have permanent residence and aren't RA citizens can pass the medico-social examination with a permit of Ministry of Labour and Social Issues of RA.

Terms: MSEC is obliged to make a decision on a person's disability within a month.

According to RA Government Decree No. 780 of 13 June 2003, on approving the classifiers used during the medico-social examination and standards for disability grade definition, disability grade is appointed:

- **With terms:** 1 year for disabled persons in groups II and III; 2 years for disabled persons in group I or disabled children.
When the appointed terms expire the disabled person applies to MSEC for double examination with all medical and other necessary documents of the first year. After the double examination he/she is either defined as a disabled or not.
- **Termless:** Termless disability group is appointed to those who are over the specified pension age as well as to those who have unrecoverable activity limitations.

It is issued for free.

"To get this document is important to returnees with disabilities. Without presenting disability group certificate one can not makes use of rights and privileges assigned for disabled people. Although it is issued for free, people are forced to do various payments for medical examination in reality."²²

For further information the returnees should apply to the respective **medico-social examination committees**.

More detailed on disability pension rates, disabled people's rights in point 3.3.7.

²¹ The agency and the comities are functioning under the RA Ministry of Labour and Social Issues

²² Interview with Mrs. Alla Harutyunyan, lawyer, Mission Armenia NGO, conducted on 10 February 2009, Yerevan

❖ Work Book

According to the RA Labour Code (Act No. 124, entered into force on 21 June 2005) for signing work contract the employer should require from the employee the Work Book, except in cases of the employee's first job or multiple places of work²³ (the Work Book is kept in the main work place of employee).

The Work Book is the main document containing relevant information about the employee. The employer fills in the Work Book in a defined order and keeps it.

Terms: When the employee resigns, it is given back to him.

In future after the final implementation of social card system work books will be out of usage. But currently it is still required, so it is advisable to all returnees be attentive and register all their employments in Work Book.

❖ Pension Card

If the person reached the pension age the following documents should be presented to the Regional Social Insurance Agency according to his/her residence place:

- passport, and the copy,
- Social card and the copy,
- Work Book and the copy, in case of need other document certifying working records,
- Reference on compulsory pension insurance payments given by the regional social insurance agencies.
- Photo (4 x 6 cm).

It is issued without any payments.

More detailed on pension system, on pension sizes and etc. in the point 3.3.7.4.

1.1.4 Price of necessary documents

The RA State Duties Act No. 186, adopted on 27 December 1997 defines compulsory fees for services or actions defined by this law determined by the implementation of state bodies' activities.

The rates of state duties are defined towards the value of property eligible to assessment or the base duty defined by this Act. The base duty is 1,000 AMD²⁴ or 2.14 EUR.

Here are some defined state duties for some actions or services

Please, note that here the prices are presented without service payments.²⁵

In RA the state duty is paid:

For notarial acts done by a notary officer²⁶:

- for those contracts that according to law need to be certified by notary officers 500-5,000 AMD (1.07 to 10.71 EUR),
- To certify the authenticity of every page of translated documents/papers- 500 AMD (1.07 EUR).

²³ RA Labour Code, Section 89 (1) (2)

²⁴ RA State Duties Act, Section 8

²⁵ For now there are no clearly defined rates on service payments for notaries services, the people just pay how the notary officers require

²⁶ RA State Duties Act, Section 11 (1-10,18)

To register for the right of property in Real Estate Register Offices²⁷:

- For physical persons depending on the kind of real estate right the fee is 1,000-20,000 AMD²⁸ (2.14 to 42.85 EUR).

To register the state residence acts²⁹, to give double certificates and other things related with state residence acts³⁰:

- To register marriage, including issuing the certificate-1, 000 AMD (2.14 EUR),
- to register divorce, including issuing the certificate 10,000 AMD (21.42 EUR),
- to give references concerning the presence or absence of civil residence act registration 2,000 AMD (4.28 EUR)
- To give duplicates of civil residence act documents- 3, 000 AMD (6.43 EUR).

To acquire RA citizenship and to change RA citizenship³¹:

- To acquire RA citizenship 1,000 AMD (2.14 EUR),
- To change RA citizenship 25,000 AMD (53.56 EUR).

For services or actions implemented by RA consulates³²:

- To give RA certificate of return, if the passport is lost through passport holder's fault it will cost 32,000 AMD (68.56 EUR) (this is the rate for Western Europe countries). In other cases (the passport is lost not through passport holder's fault) this certificate is issued for free,
- To notify exit permission (from Armenia) in the passport- 38,000 AMD or 81.41 EUR (the rate for Western Europe countries),

For many other services and acts defined by law.

The contacts lists of all state bodies, private organizations, NGOs, and representatives of foreign companies functioning in Armenia are outlined on <http://www.spyur.am/htmfix/yp.htm>. It may help returnees to plan ahead with essential addresses and telephone numbers. "Spyur" is a service that gives information for free by phone: (374-10) 51-99-99.

1.2 Travel to country of origin (means, approximate prices, duration, luggage limits, contacts, etc.)

There are two possible ways to travel to Armenia: **by air and by land.**

1.2.1 By air

There are several airports in Armenia. But **Yerevan Zvartnots International Airport is the main gateway to Armenia.** Hereinafter all information about air travel conditions is focused on "Zvartnots" airport (it is located 10 km from Yerevan, the capital of RA). Recently over 20 airlines have received licenses for flight operations and currently have both scheduled as well as non-scheduled flights.

Direct flights from some European countries_³³

²⁷ Ibid., Section 16 (36)

²⁸ For the service of land measuring of real estate there are other payments

²⁹ These acts are divorce, marriage, birth, death, adoption, paternity definition, change of name.

³⁰ RA State Duties Act, Section 12 (2,3,5, 9)

³¹ Ibid., Section 13,

³² Ibid., Section 15 (1) (g, h)

³³ information is up to February 2009, see www.zvartnots.am concerning flights' timetable, duration implemented through Zvartnots airport

Airlines		Flights	Frequency of flights
Austrian Airlines		Vienna International Airport (VIE), Austria- Zvartnots	3 times a week
British Airways		London Heathrow International Airport (LHR), Great Britain - Zvartnots	4 times a week
Lufthansa Airlines	German	Munich International Airport (MUC), Germany- Zvartnots	3 times a week
Czech Airlines		Prague- Ruzyne Airport (PRG), Czech Republic- Zvartnots	3 times a week
"Air France"		Paris (France) Charles de Gaulle (CDG) airport- Zvartnots	Twice a week
"Armavia" Airlines	Armenian	Paris (France) Charles de Gaulle (CDG) airport - Zvartnots	Twice a week
"Armavia"		Amsterdam-Schiphol Airport (AMS), Holland- Zvartnots	Once a week
"Armavia"		Athens Eleftherios Venizelos International Airport (ATH), Greece- Zvartnots	Once a week
"Armavia" ³⁴		Moscow (Russia), from DME (Domodedovo), VKO (Vnukovo), SVO (Sheremetyevo) airports- Zvartnots	several times a day
"Aeroflot" Airlines	Russian	Moscow (Russia) from SVO (Sheremetyevo) airport- Zvartnots	Twice a day

Direct flights from other countries (through "Armavia" Airline or the airlines from these mentioned countries): Russia (over 20 cities), Ukraine, Belarus, Georgia, Turkmenistan, Kazakhstan, Turkey, Iran, United Arab Emirates, Syria and several other countries.

Transit or stop over flights: From other countries or cities that have no direct flights it is possible to reach Armenia with transit or stop over flights through mentioned direct flights.

For ticket prices, flight frequencies, and luggage limits contact Airlines' representative offices located in respective countries; because depending on the airline, passengers' age, and season the ticket prices, flight frequency, luggage limits and other flight conditions may vary.

Airlines websites:

Armavia	www.armavia.am/index.php?page=arr_dep_winter
Austrian Airlines	www.aa.com/am/eng
British Airways	www.ba.com
Czech Airlines	www.czechairlines.am
Lufthansa German Airlines	www.lufthansa.com
Air France	www.airfrance.am

1.2.2 By land (if relevant)

³⁴ twice a week, "Armavia" organizes also flights from Moscow (VKO)- to Gyumri (Armenia)

Currently, "(...) both neighbour countries **Turkey** and **Azerbaijan** have imposed a blockade against Armenia and have closed their borders with Armenia. Two highway routes and one rail-link are available through **Georgia**³⁵, which provide access to the Black Sea ports of Batumi and Poti. Additionally, there is one route south through **Iran** to the Persian Gulf.(...)"³⁶

As the borders with Turkey are closed car routes through Georgia have crucial importance for Armenia. They link Armenia with the Russian Federation. But political tension between Russia and Georgia, the problems around Abkhazia and South-Ossetia has negatively affected on Armenia. The existing only railway reaches to Batumi, Georgia.

It is also recommended to **RA citizens avoid to return to Armenia through South-Ossetia and Abkhazia**. Georgian Police and border Guardians consider the stamps mentioned in Armenian citizens' passports done on Ossetian and Abkhazian border illegal, and these citizens can be arrested by Georgian Police already being in the territory of Georgia.

"(...) Moreover, those citizens in whose passports there is the stamp "**Àäëäð Ēİİ**"³⁷ it is advisable to change their passports before going to Georgia, as such stamps are considered illegal when passing border by Georgian Police."³⁸

Air travel remains the only safe, suitable and accessible way for people coming to Armenia from European countries.³⁹

1.3 Entry procedure (proceeding authority, interrogation, control, detention, bribes, etc.)

The entry procedure of RA citizens to Armenia is very simple and without any special procedure. If the returnee has valid ID documents he will not any problem when passing the border.

Detention: While crossing the state border and checking a person's identification, the person is immediately arrested if the latter is found to be under criminal investigation or does any action defined as crime while passing the border.

Bribes: There are reports indicating the fact of bribes on the border. For example, "Trafficking victims reported that traffickers easily bribed Russian and Armenian border guards.(...)"⁴⁰

1.3.1 By air

³⁵Armenian Tourism Development Agency, Travel and Transportation, Arriving by train <http://www.armeniainfo.am/travel/?section=land&page=2>, last accessed in February 2009

³⁶Armenian Tourism Development Agency, Travel and Transportation, Arriving by land <http://www.armeniainfo.am/travel/?section=land>, last accessed in February 2009

³⁷ Russian abbreviation for "Adler border check point"

³⁸ Interview held on 30 January 2009, with I secretary Mr. A. Sargsyan, Migration Division, Consular Department, RA Ministry of Foreign Affairs

³⁹ Concerning Nagorno-Karabakh (NK): Currently to reach NK is possible only through Armenia (NK has two car roads linking with Armenia). With NK the roads are open and without any border checking.

⁴⁰ US Department of State (USDOS); Armenia Country Reports on Human Rights Practices 2007, done by Bureau of Democracy, Human Rights and Labor in March 11 2008, Section 5: Discrimination, Societal Abuses, and Trafficking in Persons; Trafficking in Persons; paragraph 14 <http://www.state.gov/q/drl/rls/hrrpt/2007/100546.htm>, last accessed in February 2009

RA Government Decree No. 200 adopted on 24 March 1998 on approving the order of state authorized bodies' function implementation on cross points of state border defines the functions of state authorized bodies in case of RA entry/exit of citizens by means of air or land transportation.

According to the mentioned Decree, in case of entry via air **border service** checks the passports of citizens arriving to RA; in case of foreign citizens it also checks the entry visa.

After the passport control check-up:

- RA citizens, as well as citizens of those countries which are in visa-free regime according to international treaties signed on behalf of RA, pass to customs control zone;
- Foreign citizens with entry visa not mentioned in "a" sub-point of this point pass to customs control zone;
- In case entry visa is absent, foreign citizens not mentioned in "a" sub-point of this point apply to Passport and Visa Department of Police in state border cross points for entry visa and pass into customs control zone.

Citizens entering **Customs control zone** fill out declaration forms designed by Customs Committee under RA Government and submit them to Customs personnel. During the Custom service check-up Custom officers can implement customs check of citizens, their luggage, personal belongings and other goods in a manner defined by RA legislation.

1.3.2 By land (if relevant)

In case of citizen entry by land transportation, state authorized bodies have the same functions as entry by air.

1.4 *Impacts of former acts and statuses upon entry*

1.4.1 Impacts of former refugee or subsidiary protection status

Changing RA citizenship: RA Constitution states the right of person to change citizenship (Section 30.1): Consequently, the changing of RA citizenship in a manner prescribed by RA legislation is not considered as punished act.

Cessation of RA citizenship only by the decree of RA President: "The President of the Republic of Armenia takes decisions by his decrees on the issues of the acquisition of RA citizenship, restoration of RA citizenship of the Republic of Armenia, the granting of RA citizenship by the group, and cessation of RA citizenship, determines the procedure for consideration of applications relating citizenship"⁴¹. So, **if the person renounces RA Citizenship or acquires the citizenship of another state it can not automatically stop RA citizenship, as well as it does not deliver this person from the unsettled obligations related to interests of State and etc.**

It is important especially for Armenian male citizens. Acquiring the citizenship of another country doesn't deliver them from their mandatory military service in Armenia. US State Department in the Consular Information Sheet on Armenia indicates that (...) "In addition to being subject to all Armenian laws affecting U.S. citizens, dual nationals are also subject to other laws that impose special obligations on Armenian citizens. Male U.S. citizens over the age of 18 who are also considered to be Armenian citizens may be subject to conscription and compulsory military service upon arrival, and to other aspects of Armenian law while in Armenia. Armenian authorities have regularly detained U.S. citizens on these grounds upon their arrival in or departure from Armenia. In most cases, ethnic Armenian travelers who are accused of evading Armenian military service obligations are

⁴¹ Act on citizenship of RA, Section 26

immediately detained and later found guilty of draft evasion. Penalties for those convicted are stiff and include jail time or a substantial fine. Those who may be affected are strongly advised to consult with Armenian officials and inquire at an Armenian embassy or consulate to their status before traveling. (...)”⁴²

The same advice can be given to all Armenian males coming from other countries.

Calling to account only for those acts that are considered crimes/misdemeanours by RA Legislation: According to principle of legitimacy (RA Criminal Code, Section 5), it is only the criminal law that decides whether the act is criminal and punishable. And as “**RA citizen’s request to acquire refugee status**”, or “**the acquisition of refugee status in another country**” does not mention any normative act as a criminal and punishable act, the person can’t be punished for such act in RA.

There are no reported cases that someone after the return was arrested, punished or followed in RA only for being refugee in another country.

1.4.2 Impacts of former unsuccessful asylum claim

Applying for refugee status as well as **the act of asylum claiming or acquiring the status of asylum seeker** (regardless the fact of upholding or dismissing the claim, legal or illegal staying in abroad, and the fact of person’s forced or voluntary return) are **not regarded as punishable action in Armenia** as such actions are not defined as a crime or misdemeanour by RA Legislation.

There are no reported cases that someone after the return was arrested, punished or followed in RA only for being asylum seeker abroad.

1.4.3 Impacts of former illegal exit from country of origin

Person’s right to leave/ return to RA: Section 25 of RA Constitution outlines the **RA citizen’s right to leave and return to Republic of Armenia**. These rights can be restricted only by laws. But in real life (...)“Permission to depart the country permanently may be denied to persons who possess state secrets, are subject to military service, are involved in pending court cases, or who have outstanding financial obligations. Men of military age who have not completed service requirements must overcome substantial bureaucratic obstacles to travel abroad, including excessive delays in processing and officials soliciting bribes for exit stamps.”⁴³

On the contrary, return of Armenian citizens to their homes is welcomed by the RA Government, because of the present demographic situation of Armenia.

Illegal crossing state border of RA: Crossing the guarded state border of the Republic of Armenia without relevant documents or permits is punished (Section 329 Criminal Code).

1.4.4 Impacts of crime committed outside the country of origin (risk of double jeopardy)

Exclusion of double punishment in RA for the same crime committed and punished outside RA: RA Constitution, Section 22(7), states that **no one shall be tried twice for the**

⁴² US Department of State (USDOS), Bureau of Consular Affairs, Armenia Country Specific Information, 05 January 2009, Special Circumstances, Compulsory Military Service, http://travel.state.gov/travel/cis_pa_tw/cis/cis_1141.html#special_circumstance, last accessed in February 2009

⁴³ Armenia Country Reports on Human Rights Practices 2007; Section 2 Respect for Civil Liberties, d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons, III paragraph <http://www.state.gov/q/drl/rls/hrrpt/2007/100546.htm>, accessed in February 2009

same act. Therefore, after being punished outside Armenia the person shall not be punished again for the same act in Armenia.

Legal significance of a person's conviction outside the RA: According to RA Criminal Code, Section 17, the court ruling in a foreign country can be taken into account; provided the RA citizen was convicted for a crime committed outside the RA, and committed a repeated crime in the RA.

1.5 Customs regulation (how the relevant regulation can be obtained)

Import Procedures: According to Section 128 of the RA Customs Code, all goods imported through the Republic of Armenia customs borders are subject to declaration. Declaration is presented either in written or in oral form by mentioning precise information about goods, the purpose of their conveyance, as well as other information required for customs control and processing.

Goods, which are free of customs duties⁴⁴

- **goods that are accompanying luggage**, the customs duty tariff for import of which is 0 percents, and the total weight of which does not exceed 50 kg, and the total customs value is not over than 150,000 AMD.⁴⁵
- **goods conveyed through international transfers (parcels)** the total weight of which does not exceed 20 kg, and the total customs value is not above 50,000 AMD.⁴⁶

Goods conveyed through the RA customs borders via air transportation means

Commodity name	In-kind size
Coffee, tea, mate and spices	1kg
Preparations of meats, of fish or of crustaceans, mollusc or other aquatic invertebrates, including Caviar and caviar substitutes	5kg
Miscellaneous edible preparations, except of ^a - yeasts	0,5kg
Beverages, spirits and vinegar	1kg
	2 litres, or 1 bottle, if 1 bottle contains more than 2 litres
Cigars, cigarillos, cigarettes, etc, of tobacco or tobacco substitutes	
Including:	
Cigars,	10pieces
Cigarillos,	400pieces
cigarettes	400 pieces

- goods and items that are worn on or **goods of personal use** in luggage, such goods are considered the items which:
 - a) do not bear factory packaging, stamps and are in the accompanying luggage,
 - b) that are worn by the RA physical persons at the moment of crossing the RA customs borders, except of goods received in parcels.
- **Medicaments and medicine designed for treatment and personal use** that are not exceeding the quantity of "10 names, three consumption packs of each" (if there is no document or prescription proving the need for more quantity),
- In addition to the above listed the physical persons of the Republic of Armenia are permitted to import **any foreign currency** into the Republic of Armenia customs

⁴⁴ State Customs Committee under the RA Government, Returning RA Citizens, <http://www.customs.am/index.php?menuID=42&tid=2&pid=&lng=9&url=> (in Armenian), last accessed in February 2009

⁴⁵ 321.36 EUR

⁴⁶ 107.12 EUR

territory equal up to 15,000 EUR. Currency exceeding the mentioned amount can be transferred exceptionally through bank transfers.

Penalties⁴⁷

- A warning or penalty in the amount of 10,000 AMD⁴⁸ is applied in cases when customs officers' legitimate request is ignored.
-
- A penalty of 50,000 AMD⁴⁹ is applied in case impediments are created for customs officers authorized to inspect goods under customs control.
- A penalty in the amount of the customs value of goods transported through the customs border of the RA is applied in case they are hidden from customs control in secret places for impeding goods identification or by changing their outer look unless crime is identified.
- A penalty in the amount of the customs value of goods and vehicles is applied in case for goods and vehicles transported through the customs border of the RA no declarations are submitted, or there is a lack of precise information, as well as declaring items with other names unless it is a criminal case
- Etc.

Fines⁵⁰

- For late payments of customs duty and customs fees fine is applied for each day of delay to the amount of 0.2 percent of unpaid customs duty,
- For late payments for VAT⁵¹ and Excise Tax as well as for Presumptive Tax fine is applied for each day of delay to the amount of 0.15 percent of unpaid customs duty but for no more than 365 days,
- Etc.

For more detailed information on customs regulation can be obtained at RA diplomatic missions and consulates in abroad or at the official website of State Customs Committee under the RA Government <http://www.customs.am/index.php?lng=9> (in Armenian).

1.6 Access to return area

1.6.1 Limitations on internal travel

1.6.1.1 Administrative restrictions

Armenia is a Unitary Republic. Consequently there are no administrative restrictions between its administrative subdivisions (Marzes)⁵².

⁴⁷ according to State Customs Committee under the RA Government, Penalties and Fines, <http://www.customs.am/index.php?menuID=51&tid=2&pid=&lng=9&url=> (in Armenian), last accessed in February 2009

⁴⁸ 21.42 EUR

⁴⁹ 107.12 EUR

⁵⁰ according to State Customs Committee under the RA Government, Penalties and Fines, <http://www.customs.am/index.php?menuID=51&tid=2&pid=&lng=9&url=> (in Armenian), last accessed in February 2009

⁵¹ Value Added Tax

1.6.1.2 Practical obstacles

Inconvenient movement for disabled people: There are very few streets and social facilities modified for the disabled, regardless of the volume of activities conducted in that direction in recent years. Modified means of transportation are not available at all.

The alienation of rural communities located near borders and in high mountain regions: The absence of adequately renovated rural community roads and low quality of relevant healthcare facilities, pre-schools, and special schools as well as some other important infrastructures in rural areas make health, education and other services physically inaccessible for this rural population.

1.6.2 Territories impossible or dangerous to approach (landmines, natural degradation, etc.)

Landmines: The Landmine Impact Survey in Armenia was conducted in Armenia by the UNDP Armenia De-Mining Project with technical assistance provided by the Vietnam Veterans of America Foundation (VVAFA) during February - August 2005.

According to that survey⁵³, landmines contamination occurs only in the regions where Armenia borders Azerbaijan, particularly in areas where military actions were conducted or in the areas which are located in close proximity to battle fields.

Although every year Demining works are conducted, these UXOs still are a source of threat, during 2007 "*(...) Landmines placed along the 540-mile border with Azerbaijan and along the line of contact in the Nagorno-Karabakh conflict continued to cause bodily harm. During the year there were no deaths caused by landmine explosions; however, nine military servicemen were injured. There were no reports of civilian deaths caused by landmines, although a civilian reportedly lost a leg in a landmine explosion that occurred on May 13 in Ijevan.*"⁵⁴

Besides the above mentioned areas with landmines there are no territories dangerous or impossible to approach.

1.6.3 Means of internal travel (contact and practical information, price list, etc.)⁵⁵

⁵²Wikipedia encyclopedia, Administrative divisions of Armenia,

http://en.wikipedia.org/wiki/Administrative_divisions_of_Armenia, last accessed in February 2009

⁵³ United Nations Development Programme (UNDP), Armenia, 2005 Publications, Landmine Impact Survey, 2005, <http://www.undp.am/docs/publications/2005publications/liseng.pdf>, last accessed in February 2009

⁵⁴ US Department of State (USDOS); Armenia Country Reports on Human Rights Practices 2007; done by Bureau of Democracy, Human Rights, and Labor in 2008; Respect for Human Rights, Section 1 Respect for the Integrity of the Person, Including Freedom From: a. Arbitrary or Unlawful Deprivation of Life, paragraph 4, <http://www.state.gov/g/drl/rls/hrrpt/2007/100546.htm>, last accessed in February 2009

⁵⁵ Armenian Tourism Development Agency, Travel and Transportation, Getting around in Yerevan, (information about means of transport in Yerevan, price list and so on) <http://www.armeniainfo.am/travel/?section=yerevan&page=1> and Getting around in regions (information about means of transport in regions (Marzes), price list and so on) <http://www.armeniainfo.am/travel/?section=region&page=1>. last accessed in February 2009

Please, note that such kind of information is changeable and all these details change from time to time.

The traffic: In Armenia, especially in the capital Yerevan traffic signals and rules of the road are often ignored and roadside manners are poor. Motorists often drive in a recklessly and at high speeds with little regards to traffic flow and signs. Pedestrians enjoy no right of way and need to be very cautious when crossing the street. The number of vehicles registered annually increases each year, and the road system is unable to meet the demands placed upon it by the steady increase in drivers.

So it is advisable to all returnees be very attentive on the roads of big cities, particularly in Yerevan.

There are following means of travel:

Minibuses: Minibuses are the most usable means of transport in Armenia. Within Yerevan⁵⁶ and other cities it costs 100 AMD or 0.21 EUR.

For travel to the regions, minibuses are again a popular and convenient mode of transportation. Prices vary 150 - 6,000 AMD (0.32-12.85 EUR) according to distance from Yerevan.⁵⁷

Buses: Are not so widespread like minibuses. Again within Yerevan the price is 100 AMD (0.21 EUR). For travel to the regions prices vary according to distance from Yerevan.⁵⁸

Taxi service: Per kilometre, prices vary from 100 to 200 AMD (0.21-0.43 EUR). As a rule, taxis are quite prompt, adding to their growing popularity. It is advisable to call registered taxi services.

Electro transport (metro, trolleybuses) only in Yerevan city.

The metro consists of a single line, starting from Berekamutiun Square (a bustling neighborhood at the end of Bagramian Street) to Charbakh at the outskirts of Yerevan. The Metro operates from 6:30 am to 11:00 pm, and costs 50 AMD (0.11 EUR) for a one-way fare. The trolleybuses have become very rare means of transport, currently there are only several routes working in Yerevan, the cost is 50 AMD (0.11 EUR).

Existing tramway lines has been out of usage now.

Train: The main railway station in Armenia, the Sasuntsi Davit Station (located on Tigran Mets Avenue in Yerevan), near the metro station of the same name.⁵⁹ It is not so much in usage for internal traffic. The trains are in poor conditions, are not prompt, and there is no developed internal railway system. The people usually take minibuses for travelling.

2 Physical Security

2.1 On going armed conflict

There is no on going armed conflict in Armenia.

⁵⁶ Armenian Tourism Development Agency, Travel and Transportation, Getting around in Yerevan, Minibus Schedule, <http://www.armeniainfo.am/travel/?section=yerevan&page=3>, last accessed in February 2009

⁵⁷ Armenian Tourism Development Agency, Travel and Transportation, Getting around in regions, Minibus schedule, <http://www.armeniainfo.am/travel/?section=region&page=3>, last accessed in February 2009

⁵⁸ Armenian Tourism Development Agency, Travel and Transportation, Getting around in regions, Bus Schedule, <http://www.armeniainfo.am/travel/?section=region&page=4>, last accessed in February 2009

⁵⁹ Armenian Tourism Development Agency, Travel and Transportation, Getting around in regions, Train, <http://www.armeniainfo.am/travel/?section=region&page=2>, last accessed in February 2009

2.2 Regions with high-security risk

Security issues of Armenia are connected with the conflict over Nagorno-Karabakh region. Although armed conflict with Azerbaijan ended in 1994, many occasional clashes occur over the whole border with Azeri forces till now.

Nagorno-Karabakh: The Nagorno-Karabakh region does not have particular security problems, the whole territory of Nagorno-Karabakh is under Armenian and Karabakhi joint military forces, although the border areas remain dangerous because of landmines. The volatility of the cease-fire and sporadic fights can be a source of danger in border areas with Azeri military forces.

For Armenians forcibly moved from Azerbaijan during 1988-1992 it is still dangerous to return to their homes in Azerbaijan.⁶⁰

2.3 Crime

2.3.1 Regions with an extremely high level of crime (threatening physical security)

There are no specific regions in Armenia where the crime rate can be a concern for physical security.

According to the data⁶¹, during 2008 the total rate of crime has been increases in 10,0%.

Articles on the crime issues in Armenia:

ArmeniaNow.com news website, Arpi Harutyunyan, 30 January, 2009, "Bad Odds: Crimes in Yerevan up 10 percent in 2008; police success rate up 4 percent", <http://armenianow.com/?action=viewArticle&AID=3520&CID=3391&IID=1220&Ing=eng>, last accessed in February 2009

Oversieas Security Advisory Council (OSAC), US Government inter-agency website, "Armenia 2008 Crime & Safety Report", Crime & Safety, done on 15 September 2008, <https://www.osac.gov/Reports/report.cfm?contentID=90463&print>, last accessed in February 2009

2.3.2 Risk of becoming a victim of human trafficking

In 2008 US State Department placed Armenia on Tier 2⁶² Watch List for a fourth consecutive year.

According to the US State Department's "Trafficking in Persons" report of 2008, "Armenia is a primarily a source country for women and girls trafficked to the United Arab Emirates (U.A.E.) and Turkey for the purpose of commercial sexual exploitation. Armenian men and women are trafficked to Turkey and Russia for the purpose of forced labor. According to the OSCE, there has been one documented case of Ukrainian and Russian women trafficked to Armenia for the purposes of sexual exploitation. Victims trafficked to the U.A.E. usually

⁶⁰ Shahumyan and Getashen regions, resided by Armenians, located in Azerbaijan near Nagorno-Karabakh also are not accessible by Armenian returnees

⁶¹ RA Police, RA Police reference on works implemented by the RA Police during 2008, <http://www.police.am/vichakagrutyun/2008-12.pdf>, (in Armenian), last accessed in February 2009

⁶² US State Department places each of the countries into one of the three lists, described as tiers, mandated by the Trafficking Victims Protection Reauthorization Act (TVPRA). This placement is based on the extent of a government's actions to combat trafficking.

More detailed about Tiers assessments: US State Department, Office to Monitor and Combat Trafficking in Persons, Trafficking in Persons Interim Assessment, Tier Process, The Tiers, 28 February 2008, <http://www.state.gov/q/tip/rls/rpt/101438.htm>, last accessed in February 2009

fly to Dubai from Yerevan or via Moscow; the trafficking route to Turkey is generally via bus through Georgia. (...)”⁶³

Manager of “Assisting Victims of Trafficking” Mrs. Hasmik Edilyan from the “Democracy Today” NGO considers that *“Among the most vulnerable groups for trafficking are the children from orphanages. Coming out of orphanages they can become a burden for the families or simply appear in the streets. Another vulnerable group is the people from villages or small towns. Statistics shows that the majority of trafficking is from rural areas or small towns. The reason is that there are no work opportunities there and the only way to earn money is to leave the country. The small towns like Gyumri and Vanadzor were big industrial centres before. Now because of lack of factories or plants, many people are unemployed. There are cases of men labour trafficking to Russia”*.⁶⁴

2.3.3 Risk of becoming a victim of forced prostitution

Forced prostitution is connected with the issue of trafficking.

“Traffickers, using developed networks in source and destination countries, typically recruited victims who were already engaged in local prostitution. The majority, but not all, of the identified victims were aware that they were being recruited to work in the sex industry in other countries; however, they were unaware of the traffickers' intent or the true exploitative circumstances of the conditions in the destination countries. Once in the country of destination, victims were deprived of their travel documents, locked in hotel rooms, and told that they must “repay” their expenses. The initial consent by the victims unfortunately contributed to authorities' overall lack of identification of trafficking. In most cases, victims left the country with valid documents after which the traffickers provided them with forged documents in the transit states. There were reports that traffickers encouraged women to become recruiters, promising them that they could keep a percentage of their recruits' earnings. Those at particular risk for being trafficked were women engaged in prostitution, orphans who had outgrown their institutions, the homeless, and those in difficult financial situations. Trafficking victims who came largely from impoverished communities were at greatly increased risk of contracting sexually transmitted diseases, and there were some reported incidents of physical violence against persons who were trafficked.”⁶⁵

2.3.4 Effectiveness of protection (capacities, proficiency, corruption, etc)

2.3.4.1 Police forces

On 1 January 2003 RA Ministry of Inferior Affaires restructured into the RA Police.

Comments:

- All phone calls to Police are already recorded and registered beginning 2006.

⁶³ ARMENIA (TIER 2 - WATCH LIST) [Extracted from U.S. State Dept Trafficking in Persons Report, June 2008], first paragraph, <http://www.gvnet.com/humantrafficking/Armenia-2.htm>, last accessed in February 2009

⁶⁴ Interview with Mrs. Hasmik Edilyan, Project Manager, “Democracy Today” NGO, held on 04 December 2008 in Yerevan

⁶⁵ US Department of State (USDOS); Armenia Country Reports on Human Rights Practices 2007; done by Bureau of Democracy, Human Rights, and Labor in 2008; Section 5 Discrimination, Societal Abuses, and Trafficking in Persons, Trafficking in Persons, second paragraph, <http://www.state.gov/q/drl/rls/hrrpt/2007/100546.htm>, last accessed in February 2009

- The phone number of Police in the territory of Armenia is 1-02. The calls are free.

The RA Government makes efforts to modernize and reform police and security forces, although the changes had mostly to do with infrastructure. And anyway, despite the whole implemented reforms the work of RA Police is still criticized.

“Corruption remained a significant problem in the police force and security services, but reform efforts continued, mainly in the area of traffic control and criminal investigations. The police continued to implement procedures established in November 2006 to curb corruption at roadside checkpoints. The government also established a new system of paying traffic fines to reduce opportunities for bribes, and the frequency of bribe-taking appeared to decrease during the year.”⁶⁶

Reports on the work of Police in Armenia:

US Department of State (USDOS); Armenia Country Reports on Human Rights Practices 2007, <http://www.state.gov/g/drl/rls/hrrpt/2007/100546.htm>, accessed in February 2009

Freedom House, Nations in Transit 2008, Armenia, http://www.freedomhouse.hu/images/fdh_galleries/NIT2008/NT-Armenia-final.pdf, accessed in February 2009

Human Rights Watch, Report 2009-Armenia, 14 January 2009, <http://www.hrw.org/en/node/79227>, accessed in February 2009

2.3.4.2 Judiciary

❖ Courts

In the Republic of Armenia justice shall be administered solely by the courts in accordance with the Constitution and the laws.

- first instance courts of general jurisdiction,
- Specialised courts (administrative court, 3 civil courts, 3 criminal courts),
- courts of appeal (civil court of appeal and criminal court of appeal),
- Court of Cassation.

Note, that the official language of the Republic of Armenia is Armenian. Section 7 of RA Code of Civil Procedures also states that the investigations of civil procedure cases are implemented in Armenian.

Detailed information on Armenian court system and the order of making claims, applications or complaints can be found at The Judiciary of Armenia, <http://www.court.am/?l=en&id=16>, accessed in February 2009.

Some of the key constitutional amendments enacted by the Armenian authorities in 2005 are meant to strengthen the judiciary. But in practice little progress has been done.

Many reports state that judiciary remains weak and lacks independence in Armenia. Although Armenia's Constitution provides for fundamental political, civil, and human rights, but there are substantial barriers to protecting them effectively. The confidence of the population toward courts' capacity to protect their rights is very low.

⁶⁶ Ibid., Section 1 Respect for the Integrity of the Person, Including Freedom From: d. Arbitrary Arrest or Detention, Role of the Police and Security Apparatus, second paragraph

Reports on Judiciary system in Armenia:

American Bar Association's Central and East European Law Initiative (ABA/CEELI), http://www.abanet.org/rol/publications/regional_publications.shtml#armenia, accessed in February 2009

Freedom House, Nation in Transit 2008, Judicial Framework and Independence (Score: 5.25), first paragraph,

http://www.freedomhouse.org/inc/content/pubs/nit/inc_country_detail.cfm?page=47&nit=444&year=2008&pf, last accessed in February 2009

Freedom House, Freedom in the World - Armenia (2008), http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2008&country=7343&pf, last accessed in February 2009

❖ The rates of State duty for claims appeals and complaints submitted to the court⁶⁷

For statements of claims and for a third party to participate in the case making separate claims towards the matter of the case submitted to the court.

- for a property claim- by 2% of the claim price
- for a non-property claim - 4,000 AMD (8.57 EUR),
- for statements of special investigation cases-3,000 AMD (6.43 EUR),
- for statements to confirm facts of legal significance as much as double-fold of the basic payment-2,000 AMD (4.28 EUR).

For appeals against the verdicts and decisions of the court of First Instance:

- for a property claim- by the amount of 3% of the claim cost,
- for a non-property claim- 10,000 (21.42 EUR),
- for statements of special investigation cases - 8,000 (17.14 EUR)

For cassation appeals against the verdicts and decisions of the court:

- for cases of property claims- by the amount of 3% of the claim cost. But not less than 10,000 AMD (21.42 EUR) and not more than 1,000,000 AMD (2,142.38 EUR),
- for cases of non- property claims- 20,000 AMD (42.85 EUR),
- for cases of special nature-10,000AMD (21.42 EUR).

❖ RA ombudsman office

In 2007⁶⁸, the largest number of complaints submitted to the ombudsman office was lodged against courts (149 written complaints), the Police (147 written complaints), and the Prosecution Office (111 written complaints). Further analysis of all complaints shows that violations of almost all the rights have been alleged.

In 2007 and previous years of the activities of the Defender's Office, the scarcity of complaints from the regions, relative to those received from the City of Yerevan, is not an indication of better protection of human rights in the regions; rather, it is due to the regional population's denial of the law, caused by the indifference of public agencies towards respect and protection of human rights, as well as the fact that the Defender's Office is not as accessible for the regional population.

Here can be found useful information concerning how to apply to the Human Rights Defender, how to file a complaint, how the Human Right Defender can restore violated

⁶⁷ RA State Duty, Section 9

⁶⁸ Human Right Defender of the RA, 2007 Annual Report of the Human Rights Defender of the Republic of Armenia, done in 2008, <http://ombuds.am/main/en/10/31/>, accessed in February 2009

rights and so on <http://www.ombuds.am/main/en/8/14/> and <http://www.ombuds.am/main/en/8/15/>.

❖ NGOs

Advocate Ms. Meri Kachatryan told during the interview, that “A.D.Sakharov Armenian Human Rights Protection Center provides free legal consulting services to all citizens so all returnees in case need can apply to them.”⁶⁹

- **A.D.Sakharov Armenian Human Rights Protection Central Office:** Address: 1 Sarmen st., Yerevan 0009, Armenia
Tel: (+374 10) 542936, 587864, 561505, 561560
E-mail: info@sakharovcenter.org
Web site: <http://www.sakharovcenter.org/html/welcome.html>.
- **Shirak Regional Branch:** Address: Ap.1, M. Mkrtchyan st., Gyumri, Armenia
Tel: (+0312) 36918, 33450
E-mail: shirak@sakharovcenter.org
- **Gegharkunik Regional Branch :** Address: 14/27 G. Lusavorich st., Gavarh, Armenia
Tel: (+0264) 26880
E-mail: gegharkunik@sakharovcenter.org
- **Syunik Regional Branch** Address: 4 Avangard st., Goris, Armenia
Tel: (+0284) 25077
E-mail: syunik@sakharovcenter.org.

3 Social Security and Reintegration

3.1 Regions with no reintegration and return opportunities (e.g. natural disasters, famine, etc.)

Natural disasters: From the point of natural disasters in Armenia there are no special regions without any return possibility. The whole territory of Armenia is under the risk of a lot of disasters due to the great variety of geographic terrain: earthquake, landslides, flood, drought, winter and spring frosts, hail, strong winds and so on. Every year they make considerable damage to agriculture and households.

But in general, Armenia is considered an earthquake and landslide-prone country. And especially after the massive deforestation in Armenia during 1990s as a result landslides have become more and more threatening. Currently the 12% of settlements of Armenia are under the influence of landslides.

Regions/communities with less reintegration opportunities: There are some regions/communities that in comparison with others have less reintegration possibilities due to many factors (geographic location, lack of community infrastructures and so on):

- Marzes (administrative regions) in comparison with Yerevan;
- Small towns in comparison with Rural areas and Yerevan;
- The disaster (earthquake in 1988) zone, near-border and high mountain communities.

⁶⁹ interview held on 06 February 2009, in Sakharov Armenian Human Rights Protection Central Office, Yerevan

Vulnerable social groups: Integration or reintegration possibilities depend more on the vulnerability of some social groups in need. They have less possibility to reintegrate due to their vulnerability.

3.2 *Housing, accommodation*

3.2.1 Property restitution and or/compensation (in former zones of conflict or disaster)

In the earthquake disaster zone: In December 1988 northern regions of Armenia suffered a devastating earthquake. 25,000 people died and about 100,000 households remained without shelter. Many countries lent a helping hand to rebuild the ruined towns and villages. Armenia was one of the Republics of USSR and was governed from Moscow. Soviet Government promised to build houses and recover the zone in three years and compensate the losses. All the former Soviet Republics were mobilized to recover the disaster zone. But after the collapse of the Soviet Union the constructors from different Soviet Republics left, and as a result there are many incomplete buildings in the disaster zone and the temporary houses are still standing.

As most of the population in the regions of Shirak and Lori had lost their houses, the Soviet Government provided them with temporary shelters (domics)⁷⁰, which were brought from different Soviet Republics and abroad.

Special commissions measured the losses and registered the remaining property of the population. People who had lost their houses or any other property received financial contribution depending on the number of household members.

The houses of the population were repaired in accordance with their losses.

Until 1991-1992 new apartments were built and distributed in the disaster zone. The population who had lost their houses was categorized according to certain criteria.

The construction of the houses continued during 1992-1999, but the process was protracted.

In 1998 World Bank's Armenia Municipal Development Project included funding for the Government of Armenia to commission a study to develop a "New Housing Strategy for the Earthquake Zone."

The Urban Institute conducted an in-depth analysis and developed a fundamentally new approach to address the remaining government obligation to compensate families. The goal was to provide permanent housing to the remaining displaced population while recovering the original city centres. The essence of the Strategy dealt principally with alternatives to new housing construction.

The new idea introduced in the Strategy was redistribution through the market of the existing surplus housing stock (vacant and/or underutilized). This was to be achieved through a housing voucher program known as *House Purchase Certificates (HPC)*.

3.2.2 Housing programmes by return areas

Housing needs of the population are regulated according to the Constitution of Armenia (Section 31). Government of Armenia undertakes all the measures to provide the housing rights of the citizens of Armenia.

⁷⁰ Russian word for temporary shelter

The general housing situation is not regulated by laws in Armenia, and at the moment there are only projects for disaster zones (mainly Gyumri) and refugees.⁷¹

For solving housing problems in Armenia there are two state projects for

- Families who became homeless because of Earthquake,
- Refugee families.

On 27 July 2001 by the RA Act No. 203 the National Assembly approved the integrated project for solving the housing problems in the earthquake zone. According to this Act the state took the responsibility to provide houses for 14,920 families having housing problems from Shirak, Lori, Aragatsotn and Tavush marzes.

During 2001 -2008 13,347 families have received houses funded by different sources:

- State funds,
- US Government /USAID,
- Lincy Foundation,
- Hayastan Fund,
- Huntsman Foundation,
- Community resources.

On 12 June 2008, according to the Government Decree No. 23 the Concept was adopted to solve the housing problems of those who have not received houses yet. According to this concept till 2013 in the disaster zone 6,930 families will receive houses, according to the registration lists. The houses are for city and village communities.

❖ Housing projects for the families in Earthquake Zone for 2009

There are two types of projects for the Earthquake Zone

- House Purchase Certificates(HPC),
- House Building Projects.

HPC are awarded to citizens in Shirak, Lori marzez, in the citis of Gyumri, Vanadzor, Maralik, Stepanavan, Gugark, Dilijan and to some villages in Shirak, Lori and Aragatsotn marzes

House Building Projects:

- Stepanavan -completion of half-built houses,
- Tsaghkavovit village-reconstruction of apartment houses,
- Maralik-completion of the buildings.

❖ Housing projects for refugees in 2009

Housing for refugees is financed from the state budget. In 2009 64 refugee families will receive houses.

Two types of projects exist:

- House Purchase Certificate(HPC) in Tavush and Vayots Dzor marzes, for 14 families,
- House Building Project for 50 families in Yerevan Moldovakan 70 and Teryan 107.

⁷¹ The laws and decisions regulating housing projects are in Armenian language in the website of www.arlis.am (in Armenian).

Information is taken from the reference on the house provision to homeless because of earthquake and reference on house provision of refugee families of 18 February 2009, official site of the Ministry of Urban Development www.mud.am (in Armenian).

Practical steps for refugees applying for housing: If the refugee is not provided with a shelter, hostel or a house, the first step is to apply to Migration Agency of the Ministry of Territorial Administration. He has to prove his status of refugee. His documents will be checked according to the data base⁷² existing in the Migration Agency and after that he can be registered as a beneficiary and included in the registration list.⁷³

Address of Migration Agency:

www.dmr.am

375033, Yerevan, H. Kochar 4

tel: (374-10) 22-58-65; (374-10) 22-56-64

fax: (371-10) 22-58-24

E-mail migration@dolphin.am

3.2.3 Opportunities of building a house

3.2.3.1 Conditions of obtaining land property⁷⁴

The people's right to the land derives from such deals as privatization of state or community lands, inheritance, sale/purchase, donations and so on. But currently the most widespread way to obtain real estate is sale/purchase transaction in Armenia.

Necessary documents for buying land property (or another real estate⁷⁵):

- Valid identity card such as passport,
- Certificate of property ownership
- Reference of Real Estate Registrar, confirming debts absent,
- Notarially certified contract of purchase,
- Municipal reference about persons registered in the apartment.
- Notarized agreement of persons having some rights to the apartment (wife, husband, children, tenant)
- Agreement of bodies of guardianship if any persons under age are registered in the apartment.

After the transaction necessary documents submitted to the Real Estate State Register Local Offices (Cadastres) are accepted with the application of the new holder to register his/her right of ownership. Local offices verify the conformity of submitted documents to the legislature of RA. If they correspond to the Legislature, the ownership right is

⁷² UNHCR has financed the Migration Agency for making data base, which includes the list of beneficiaries, their place of residence, type of residence etc.

⁷³ Information is provided by officials from Division for Asylum Seekers and Division for dealing with refugee issues of the Migration Agency

⁷⁴ There are several types of lands specified by RA Land Code, so all information in point 3.2.3 concerns to lands having dwelling significance

⁷⁵ "Akcern" real estate Corporation, based on the article "Armenian Legislation. Comments to some real estate problems", The necessary documents for conclusion a buying /selling transaction", <http://realakcern.am/eng/templ/legal.html>, last accessed in February 2009

registered, if not, documents must be returned to the applicant with corresponding remarks.

Restrictions: *According to RA Civil Code persons specified as incapable by RA legislation as well as children under 18 can not do transactions (in this case, obtain land property) requiring state registration or notary's certification⁷⁶.*

According to Section 31(4), of RA Constitution, only RA citizens can be land holders.

3.2.3.2 Relevant approximate prices (land, building materials, etc.)

Land prices: In the capital Yerevan and its surrounding settlements land prices are higher than in Marzes (provinces).

Here are the market prices for 1,000.0 sq.m land in 2008 according to the State Register Agency under RA Government:⁷⁷

Aragatsotn Marz- 45,300- 22,200,000 AMD (97.05-47,560.90 EUR)

Ararat Marz- 113,200 -25,000,000 AMD (242.52- 53,559.57 EUR)

Armavir Marz- 81,500- 26,528,400 AMD (174.60- 56,833.99 EUR)

Gegharqunik Marz- 45,300- 5,000,000 AMD(97.05- 10,711.91 EUR)

Lori Marz- 45,300- 14,083,300 AMD (97.05- 30,171.82 EUR)

Kotayk Marz- 135,800- 35,353,500 AMD (290.94- 75,740.73 EUR)

Shirak Marz- 40,800- 18,750,000 AMD (87.41- 40,169.68 EUR)

Syunik Marz 67,900 - 2,638,900 AMD (145.47-5,653.53 EUR)

Vayots Dzor Marz- 67,900- 7,659,600 AMD (145.47- 16409.79 EUR)

Tavush Marz- 45,300- 14,423,100 AMD (97.05- 30,899.80 EUR)

Several costs when registering the land property in Real Estate Registers:⁷⁸

- For reference given from Real Estate Register Office: 7,000 AMD or 15 EUR,
- To certify notarially the contract of land sale/purchase transaction: 5,000 AMD or 10.71 EUR State Duty (excluding the service payment),
- To register the right ownership to the land: 10,000 AMD or 21.42 EUR State Register Payment (excluding State duty)

If there is a need to land measuring or appraisal the prices are:

- For land measuring: 100 sq.m. land- 300 AMD or 0.64 EUR
- Appraisal of land: for every unit of land 350 AMD or 0.75 EUR
- Cameral works: plan designing of real estate according to the defined scale (A3, A4 format) 1 page- 1,000 AMD or 2.14 EUR

3.2.3.3 Available credits, subsidies and other forms of help

Credits: In Armenia it is possible to get credits in order to obtain land or other real estate through banks or credit organizations.⁷⁹ Depending on the bank loans can be given for purchasing as well as repairing apartments/houses.

⁷⁶ RA Civil Code, Sections 29-32

⁷⁷State Register Agency under RA Government, The Real estate market in Armenia in 2008, done in 2009, <http://www.cadastre.am/2009/shuka/hunvar/Hodvac%20-Tarekan-2008.pdf> (in Armenian), last accessed in February 2009

⁷⁸ according to RA Act on state duty No. 186 and the Order No. 89 adopted by Real Estate Register Agency under RA Government on certifying the price list of the provision of information concerning state registration, property and the rights and restrictions on property, 12 February 2002

⁷⁹more detailed: Mediamax news agency, Banks of Armenia, Mortgage (in Armenian), http://banks.am/en-loans_hypotheke.html, last accessed in February 2009

Anyway not every one can receive mortgage credits from banks. Mortgages are affordable to a very tiny sliver of Armenia's population because few people in Armenia can boast of long-term, stable employment prospects. The banks require that the borrower should be a resident over 18, with a steady income acceptable by the Bank, (permanent work, business, etc.).

Connected with the global economical crisis the banks are cautious to provide mortgage credits.

Housing programs of Habitat for Humanity Armenia: "Habitat for Humanity Armenia is committed to providing housing solutions for families in need of a simple, decent place to live and thrive. Typically, we work with low-income families to build or renovate homes that are paid for over time by affordable, no-profit mortgages or home-improvement loans. Because families also contribute hundreds of hours of "sweat equity" as their home is being readied, Habitat for Humanity's model is one of self-help - or a hand up, not a handout."⁸⁰

For more questions apply to Habitat for Humanity Armenia office, Yerevan, Hanrapetutyan 62, room 47, tel. (374-10) 54-30-01.

3.2.4 Opportunities of buying real estate

3.2.4.1 Legal conditions

Conditions to buy real estate are the same as in case of buying land property (see point 3.2.3.1).

3.2.4.2 Eventual obstacles for certain groups (e.g. single women, minorities, etc.)

The only restrictions are for children under 18, and the persons specified as limited capable or incapable according to RA Legislature. Even if a child under 18 inherits a real estate he/she can use the right of ownership only after being 18. Till this, the real estate is disposed by the parents or lawful representatives.

3.2.4.3 Relevant approximate prices

As in case of obtaining land, the prices of apartments or houses in the capital Yerevan are higher than in Marzes.

The average market prices in Yerevan for 1 sq.m space of the area in dwellings in multi-apartment houses in 2008 according to the State Register Agency under RA Government.⁸¹

Kentron community- 483,300 AMD or 1,035.41 EUR

Arabkir community- 403,400 AMD or 864.24 EUR

Qanaqer-Zejtun community-305,700 AMD or 654.93 EUR

Nor- Norq community- 270,700 AMD or 579.94 EUR

Avan community- 268,900 AMD or 576.09 EUR

Erebuni community- 269,800 AMD or 578.01 EUR

Shengavit community- 277,900 AMD or 595.37 EUR

Davtashen community- 292,200 AMD or 626 EUR

⁸⁰More detailed on the website of Habitat for Humanity Armenia, "About Habitat for Humanity Armenia",

<http://www.habitat.org/cd/frame/frameset.aspx?r=3&url=www.habitat.am>, last accessed in February 2009

⁸¹ State Register Agency under RA Government, The Real estate market in Armenia in 2008, done in 2009, <http://www.cadastre.am/2009/shuka/hunvar/Hodvac%20-Tarekan-2008.pdf> (in Armenian), last accessed in February 2009

Achapnyak community- 271,800 AMD or 582.30 EUR
Malatia-Sebastia community- 260,500 AMD or 558.09 EUR
Nubarashen community- 154,500 AMD or 331 EUR

The average market prices in some cities in Marzes for 1 sq.m space of the area in dwellings in multi-apartment houses:

Ashtarak- 131,100 AMD or 280.87 EUR
Aparan- 34,100 AMD or 73.06 EUR
Artashat- 100,100 AMD or 214.45 EUR
Masis-130,600 AMD or 279.80 EUR
Vaxarshapat (Echmiatsin)-167,100 AMD or 357.99 EUR
Sevan- 93,500 AMD or 200.31 EUR
Vanadzor-94,200 AMD or 201.81 EUR
Abovyan-171,300 AMD or 366.99 EUR
Hrazdan-68,900 AMD or 147.61 EUR
Gyumri-103,700 AMD or 222.17 EUR
Kapan-92,700 AMD or 198.60 EUR
Goris-106,100 AMD or 227.31 EUR
Ijevan-127,000 AMD or 272.08 EUR

Several costs when registering the house/apartment in Real Estate Registers:⁸²

- For reference of Real Estate Register: 7,000 AMD or 15 EUR,
- To certify notarially the contract of sale/purchase: 5,000 AMD or 10.71 EUR State Duty (excluding the service payment),
- To register the right ownership to the real estate: 10,000 AMD or 21.42 EUR State Register Payment (excluding State Duty).

If there is a need to do measuring or appraisal works the prices are:

- For building measurement- for 1 sq.m. of building: 20 AMD or 0.04 EUR,
- building site examination: depending on space 2,500- 60,000 AMD or 5.36 EUR- 128.54 EUR,
- Cameral works: plan designing of real estate according to the defined scale (A3, A4 format) 1 page- 1,000 AMD or 2.14 EUR,
- Appraisal of building: for every building unit- 350 AMD or 0.75 EUR.

Nowadays due to global financial crisis it is not possible to predict the prices for the year 2009. "(...) prices are not down in central Yerevan, while prices in the outskirts of the city have gone down by 10-20%. The agency representatives also said that there are not many transactions due to the impact of the global financial crisis, but desperate people sell their apartments at any price."⁸³

ArmeniaNow.com online news agency, The Politics of Property: Prices remain high, but sells down in real estate market, By Sara Khojoyan, Published on 23 May 2008, <http://armenianow.com/?action=viewArticle&AID=3063&lng=eng&IID=1188&CID=2972>, accessed in February 2009

⁸² according to Act on state duty No. 186 and the Order No. 89 of Real Estate Register Agency under RA Government

⁸³ A1plus new agency, Economy/News, "Real Estate Prices are down in the suburbs", 05 February 2009, <http://www.a1plus.am/en/?page=issue&iid=68887>, accessed in February 2009

3.2.4.4 Available credits and subsidies

Credits: In Armenia it is possible to get credits to obtain a house/ apartments given by banks or credit organizations. (More detailed in point 3.2.3.3)

3.2.5 Opportunities of renting a house or apartment

3.2.5.1 Eventual obstacles for certain groups (e.g. single women, minorities, etc.)

According to RA Legislature the only restrictions are for children under 18, and the persons specified as limited capable or incapable according to RA Legislature. But most of people in Armenia usually do not make written contracts on apartment rent, so even a 17 year old child (for example a student) practically can rent a house.

3.2.5.2 Relevant approximate prices

In Yerevan for renting an apartment the monthly price starts from 45,000-50,000 AMD or 96.41- 107.12 EUR, in other cities the prices start from 20,000 AMD (42.85 EUR).

3.2.5.3 Available subsidies

There are not any special subsidies for renting a house or apartment in Armenia.

3.2.6 Other middle- term accommodation possibilities (shelters, NGOs, church, etc.)

For homeless people: There is a temporary shelter⁸⁴ attached to the Elderly House No. 1. It is operational since 2006 and is under the Ministry of Labour and Social Issues control. The shelter is for people who are over 18, without shelter and are in difficult life situations. In this shelter people receive social, psychological, medical and legal assistance. They are provided with three meals a day and also receive personal hygiene supplies as well as clothing. People can stay there no more than 2 months and this shelter can house up to 30 persons.

For trafficking victims: "There is a safe, confidential shelter. It is a small, two-floor, furnished facility providing medical, psychological, employment and legal counselling, as well as reintegration services for victims of trafficking. The Rehabilitation and Assistance Centre offers victims a safe place in which to recover. It can house 8 to 10 victims and it organizes various social activities".⁸⁵ Local NGO "Democracy Today" works in close partnership with the Armenian UMCOR staff on this shelter.

For homeless children: Homeless Children's Centre is functioning under "Fund for Armenian Relief" (FAR) NGO and is located in Yerevan at this address: Karapet Ulnetsu Street 64, Tel: (374-10) 24-01-50. Homeless Children's Centre is the only shelter for homeless children in Armenia. Every child welcomed into the Centre, ranging from age 3 to 18 and hailing from across Armenia and Nagorno-Karabakh. All the children receive psychological and medical attention, day care and schooling. The Centre's professional

⁸⁴ This shelter is functioning under the RA Ministry of Labour and Social Issues. Address: Yerevan, Haghtanak district, street 2, house 45, tel: (374-10) 72-10-70

⁸⁵ United Methodist Committee on Relief in Armenia (UMCOR), project "Capacity Building Support and Victims Assistance", activity 3: Victims assistance <http://www.umcor.am/traffick.htm>, last accessed in February 2009

Address: 14, Karapet Ulnetsu Street, Yerevan, Armenia, Tel: +(374-10) 24-81-41, (374-10) 28-29-77

staff identifies a suitable, final placement for each child. After an average 32 days, many children return to their families and others enter boarding schools or orphanages.⁸⁶

Hostels: Hostels also can be a temporary solution. Many refugee families forcibly moved during 1988-1992 from Azerbaijan have sheltered in different hostels until their housing problem is solved. Nowadays hostels are occupied by homeless families, earthquake-prone area residents as well.

3.2.7 Availability of accommodation and care for elderly persons (state, NGOs)

❖ State institutions

There are three state rest homes (elderly houses) in Armenia for the elderly who are lonely, don't have mental disorders, do not have permanent residence place, and need 24-hour care and one special rest home for persons with mental disorders. All these four rest homes are functioning under RA Ministry of Labour and Social Issues. There, the people are provided with three meals per day, clothing and hygiene supplies. They also can receive medical aid, socio-psychological consulting, and life support means.

For people with chronic mental disabilities there is one **special rest home in Vardenis**, Gegharqunik Marz. It is the single establishment in Armenia where live chronic persons with mental disabilities, who need care. Those elderly with mental disorders who do not have someone to take care of them can be placed in Vardenis rest home (More detailed in part 3.4.5)

Rest home N 1 is located in Haxtanak district of Yerevan at the address of Haxtanak district, II st. 45, tel. (374-10) 72-10-70, 72-39-10
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Nork rest home is located in Yerevan, in Norq-Marash community at the address of Norq-Marash, Armenakyan 197 ^a , tel. (374-10) 65-28-27, 65-27-71

Gyumri rest home is for lonely elderly 65 years old and over and for disabled over 18. The address is Shirak Marz, Gyumri, Erevanyan 18, tel. (374-312) 4-08-21
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How to apply to be placed in the State rest homes:

The following documents⁸⁷ should be presented to the Social Service Regional Centres:

- application,
- social card and its copy
- Passport and the copy or other ID card
- Reference about the pension rate and type given from the Social Insurance Regional Agency
- Medical reference about the health situation given from the policlinics

Based on these documents and the need assessment of the applicant's living conditions the chief of the Social Service Regional Centre refuses or approves the application. In case of approval during three days this decision should be sent to the RA Ministry of Labour and Social Affairs, Elderly division for registration. Usually there are not free places in rest homes, so after registration elderly may wait for lots of time.

⁸⁶ More detailed: "Fund for Armenian Relief" (FAR) NGO, Homeless Children's Centre, http://www.farusa.org/whatwedo_projectlocator.asp?t=&a=&s=&b=&p=63&m=, last accessed in February 2009

"Fund for Armenian Relief" NGO's address of Yerevan Office is: Khorenatsi Street 22, Yerevan, Tel: +374 (10) 52-66-60,

Gyumri Office: 236 Abovian Street, Gyumri, Tel: +374 (312) 2-40-61,

Stepanakert Office in Nagorno-Karabakh: Mirzoyan Street 1, Stepanakert, Tel: +374 (71) 4-68-26

⁸⁷ The same listed documents are required for non State elderly houses also, but in this case there is no need to present documents to the social service regional agency or the Ministry of Labour and Social Issues

Republic centre of elderly and disabled social attendance under domestic conditions: This state centre of social attendance takes care for 1200 lonely elderly (older than 75 years old) and disabled of 1st and 2nd group needing attendance in Yerevan. The centre provides a set of services: domestic service and care, medical assistance, social-phonological assistance, juridical consultation. The centre is functioning under RA Ministry of Labour and Social Issues. For additional information contact to this address: Yerevan, Andraniki 74, tel. (374-10) 74-04-02

❖ Non State institutions

“Huys” private elderly house in Vanadzor is for the lonely, childless (or without tutor) and not disabled elderly who have reached to the aged pension age. It houses about 55 elderly. For applying the pensioner should present the required documents to the rest home. After need assessment of the pensioner’s living conditions and in case of approval registers and can be placed in rest house. There are no payments connected with the procedure of applying, on condition the pensioner should leave 40% of his/her pension to the rest home.

Address: Lori Marz, Vanadzor, Maymexi 1,
tel: (374-322) 2-37-45/ 4-32-11

“Narek” private rest home in Abovyan is for lonely elderly who are without tutor. To be placed there the pensioner should present the documents to the rest home, in addition there is also a payment of 50,000 AMD or 107.12 EUR. In case of approval the pensioners can be placed in rest home on condition the pensioner leaves the whole pension to the rest home.

Address: Kotayk Marz, Abovyan, Hatisi 6, tel. (374-222) 2-38-66

“Artsvabuyn” Nursing Home in Artsvanik Village of Syunik Marz is anticipated for single, not disabled and vulnerable elderly over 70 years old residing in Syunik Marz, who will live in the centre under 24-hour care and attention. Currently 10 single elderly are residing there. It is functioning under Mission Armenia NGO. For applying the older person should present the required documents to the Syunik Marzpetaran⁸⁸. From there all documents are sent to Mission Armenia NGO for reviewing. After need assessment in case of approval the older person is placed in rest home.

For more detailed information contact Syunik Marzpetaran located in Kapan city, Nzhdeh st. 1, tel. (374-10)28-78-22/28-78-30 or Mission Armenia NGO central office: Yerevan 0026, Nzhdeh St. 42, tel.: (374-10) 44-47-92/ 44-47-93

Services provided by NGOs: There are several NGOs that are active in this field and provide various services to elderly: Mission Armenia NGO⁸⁹, Armenian Caritas⁹⁰, and Armenian Red Cross⁹¹.

3.2.8 Charity and care organisations for disabled persons

“Havat” Public Organization of Hard-of-Hearing Children’s Mothers, Target Group is deaf and hard-of-hearing children under 14. The activities are the integration of deaf and

⁸⁸ Governor office of Syunik Marz

⁸⁹ Mission Armenia NGO, programs, type of activities, <http://www.mission.am/programs/>, last accessed in February 2009

⁹⁰ Armenian Caritas, Current projects,

http://www.caritasarm.am/activities_currentprojects.asp?lang=eng, last accessed in February 2009

⁹¹ Central office is located in this address: Yerevan, Paronyan 21, tel. (374-10) 53-80-72,53-84-31

hard-of-hearing children, provision of hearing aids, oral speech development, and preparation to the general school education. The organization has a Day-Care Development Center for Children with Hearing Impairments" on the bases of the integration center of the "Integration Center of Deaf Children" operating in ARABKIR joint medical complex. The center will become an establishment ensuring conditions of harmonious life for the children and their parents. Children with serious hearing impairments receive trainings on oral speech development, musical and rhythmic trainings, provision of psychological assistance as well as useful information to parents related to the child's hearing problem. Address: Yerevan Shirvanzade 17, Tel.:(+374-10)23-19-53 E-mail:surdoam@yahoo.com, website: <http://www.havat.am/English/en.htm>.

Bridge of Hope NGO, Target Group(s): children with physical and mental disabilities. The focus of this organization is on inclusive education. Currently the Ministry of Education and Science considers Bridge of Hope as its long-term partner in expansion and further development of inclusive education in Armenia. The organization has also centres in Yerevan and in Tavush Marz. "Today Child development and family support community centers founded by Bridge of Hope function in Dilijan, Ijevan, Berd and Noyemberyan towns of Tavush province. (...)The centers provide services to children with mental and physical disabilities and non-disabled children to develop their social skills to participate in school and community life. The large part of the learning experience is socialization through Art Therapy, Speech Development, Life Skills and Physical Therapy. Children learn to cooperate and share with peers, to take part in group activities and talks, and to take responsibility for their own actions and for their own learning. Through individualized programs children develop skills they need for social interaction and participation."⁹² The main office is located at the address: Koriuni 19-a, 207 room, Tel.: (+374-10) 58-91-86, E-mail:bridge@arminco.com, website: <http://www.bridgeofhope.am/system/index.htm>.

"Kamk ev Korov" NGO of Young Disabled People, the mission is Integration of Deaf and Hard of Hearing youth into society. The organization has established "Ovavis" deaf mime theatre-studio and modern dance group. In 2000 this NGO was the first in Armenia that established ceramic studio for hard of hearing young people. The organizations organises also capacity building trainings such as Armenian and English languages, language of sign, computer skills and so on. The address is Yerevan, Kurghinyan site-street 2, 37 apt, Tel.: (374-10) 77-04-24, website: <http://ngokamk-korov.am.iatp.net/engl.%20home.htm>, Email: kamkorov@netsys.am

"Pyunic" Association for Disabled, target group is young people with any kind of disability under 30. Pyunic was founded in 1989 to help children disabled by the 1988 earthquake. Currently "Pyunic" centre for the disabled is operating in Yerevan⁹³ providing various rehabilitation services to disabled people. The centre has sports facilities, organizes vocational trainings of languages and computer skills. For children under 12 with disabilities there are a range of specialist working there- speech specialist, psychologist, social worker, there are also painting, embroidery, wood working vocational groups operating in the centre. This organization provides free of charge prosthetic services (only those who have not received these items from the Ministry of Labour and Social Issues). "Pyunik" has a branch centre operational in Gyumri city, Shirak Marz. The address of the centre in Yerevan is

⁹² More detailed in this website Bridge of Hope NGO, Branches, Community based centers, <http://www.bridgeofhope.am/system/index.htm>, last accessed in February 2009

⁹³ The building is located in the central part of Yerevan, next door to both the Hrazdan Stadium (where the national soccer team plays) and the National Tennis Stadium

Tsitsernakaberd Road 16, Tel.:(374-10)56-07-07, Email: pyunic@arminco.com, website: <http://www.pyunic.org/about.html>.

Unison NGO for Support of People with Special Needs: The target Groups are: people with disabilities, elderly people, orphans. Among other activities these NGO provides legal and psychological counselling to persons with disabilities. The organization organizes also vocational computer and painting courses for disabled. Address is Demirchyan St. 36, Tel.:(374-10)52-21-70, E-mail:unison@unison.am, website: <http://www.unison.am>.

“Prkutyun” NGO for Disabled Children, Target Group is children and young people with mental disabilities. “(...)“Prkutyun” Center of Disabled Children NGO established the Diurnal Center of Life Organization (DCLO) for mentally retarded children and young people for organization of daylight life. (...)It is attended annually by 24-26 children and young people who graduated from the auxiliary school and have not found yet their daily occupation. (...)Mentally retarded children are taught drawing, macrame, knitting, embroidery, rice-making, pottery in the Center’s classes of different crafts. Non-disabled children also attend these classes, and this contributes to a harmonic integration of mentally retarded children with their coevals.(...)”⁹⁴ More on this organization activities contact this address: Yerevan, Chekhov st. 33, (entrance from Manandyan Str.), Tel.: (374-10)42-78-50, E-mail:prkutyun@netsys.am, website: <http://www.prkutyun.am>.

“Faith and Light” Community: Target group is children with mental and multiple disabilities of Shirak Marz. There are 25 volunteers working in this community-doctor, psychologist, rehabilitation therapist, pedagogue and etc. The main mission is the integration issues of disabled children and their state improvement. Located in Gyumri, Haxtanaki 45, Tel. (374-91) 21-92-23, E-mail: fv1999@yahoo.com.

Association of of the people with removed vocal chords, this association can help to acquire freely voice/speech synthesizer “Electrolarynx” from abroad, the Chairman is Mr. Kh. Badalyan, Address: Yerevan, A.Aharonyan 5/2, Tel/Fax: (374-10)24-53-83, Mobile:(374-93)24-53-83, email: ogn1@yahoo.com.

“Skarp” Recreational Center, target group is young disabled people, first of all those using wheelchairs. Among other activities this organization has a sports gym for young disabled operating in Yerevan, Bashinjaghyan 10, II site-street. Tel.(374-10) 39-02-09, Email: skarp@freenet.am.

“Full Life Charity” NGO, it is social organization based in Stepanavan. Target Group is people with spinal cord injuries and other disabilities of Stepanavan and Tashir towns of Lori Marz. It provides social and legal counselling, operates “Child development day centre” for children with mental and physical disorders at the address Stepanavan, G. Nzhdeh 17. There the children are taught computer skills, Art Therapy and so on. Tel.:(374-256)2-30-23, Chairperson Mr. S. Maghakhyan, Email: fulllife@freenet.am, Website: <http://www.fulllife.am/ENGLISH/index.html>.

Paros Disabled Center for Development of Education and Culture: Target Group is disabled people, this NGO has organized vocational trainings, art therapy with disabled

⁹⁴ More detailed information about this centre can be found in this website “Prkutyun” NGO, DIURNAL CENTER OF LIFE ORGANIZATION, <http://www.prkutyun.am/?go=3>, last accessed in February 2009

children and other activities. Address is Yerevan, Nor-Nork community, Baghyan 2, Tel.: (374-10) 66-41-01, Email: paros@web.am.

"Astghik" Union of Disabled Children's Parents, Target Group(s): children having mental problems and communication difficulties and their families. Address: Yerevan, Charents st. 1, IV floor, Tel.: (+374-10) 57-51-85, E-mail: levast@netsys.am.

3.2.9 Temporary shelters available until being able to ensure long-term accommodation

There are no temporary shelters where someone can stay for several days. It is possible only renting a house/ apartment or staying in hotels. Most of Armenian returnees stay in their relatives' homes until finding other accommodation.

3.3 *Livelihood - basic "survival"*

3.3.1 Employment

Employment and labour in Armenia is regulated by the Constitution of Armenia, Act on employment,⁹⁵ International treaties and different legal acts.

Despite of the growth of GDP⁹⁶ during the last few years, the labour situation in Armenia is still tense due to the large disparity between labour supply and demand.

During the last few years, Armenia's labour market has demonstrated an increase in hidden unemployment and hidden employment. This may be ascribed to employers engaged in unregistered operations (especially in the private sector), the unregistered employees, as well as the unregistered self-employed. The "hidden unemployment" includes the invisible underemployed, and a part of landowner farmers who lack the capacity to cultivate the land but are not registered as unemployed.

Regretfully, today employment does not guarantee a livelihood. Of the employed in Armenia, 17% are considered extremely poor. The wage in Armenia does not fulfil its reproductive and stimulating functions, and neither does it reflect the new working relations within organizations, thus contributing to the aggravation of social tension.

Employment has been reduced in state sector and increased in private ones. In industrial sector it has reduced and in services it has increased. It is impossible to exhibit the entire picture, since the growth of services took place in the shadow economy, i.e. owing to illegal employment.

3.3.1.1 Unemployment

According to the Employment Act of the Republic of Armenia, a person having no job, seeking it and being ready to work, with at least 1-year experience, and registered in the employment service, is deemed unemployed. In the transition period the living standard of population (over 30% of population is under the line of poverty), the population's purchasing power has sharply declined. Average real income per capita has reduced nearly 5 times.

⁹⁵All the laws and decisions are presented in www.arlis.am (the source is in Armenian)

⁹⁶ Gross Domestic Product

According to the 2008 annual report of State Employment Agency, as of 31 December 31 2008 in the regional employment centres 90,244 were registered as job-seekers, which has increased by 1,0 % compared with the previous year. 74,698 have received the status of unemployed. During 2008 8,657 got job, 7006 received temporary jobs. As of 31 December 31 2008 the official rate of unemployment was 6.3 %.

43.5 % of job-seekers were involved in the employment projects.

The percentage of those who have received jobs makes 9.6 %, which exceeds the previous year index by 4.3 %. Among them the youth forms 20.7 %.

In connection with the global economical crises, there were mass dismissals from jobs, mainly in Lori and Syunik regions, as the mining volumes were decreased. As of now, 380 people lost their jobs, 1390 received messages for firing, 678 were dismissed according to their application or because of the end of the contract.

The report can be obtained at: State Employment Agency, Annual report 2008, <http://www.employment.am/html/reports/reports.htm>, accessed in March 2009.

3.3.1.2 Labour market programmes

The main problems that we come across in the employment sphere in Armenia are

- Disparity between offer and demand in the labor market
- Incompatibility of work force professional qualification with the labor market demands
- Unequal regional development
- Insufficient work-load in the villages
- High rate of unemployment among youth, women and uncompetitive people in the labor market
- Obstacles in filling vacancies
- Improvement in the legal regulation of workforce movement, high level of labor migration
- Improvement in the legislative field by developing new employment projects and creating new flexible investment system corresponding to the developments in the economic field.

On 11 September 2008 the Government of Armenia accepted a decision approving the implementation of the state project "Regulation of employment in 2009".

The aim of this project is to implement measures in order to assure complete and effective employment of the population.

The employment regulation of the population is being implemented through the state programmes, measures and projects implemented in cooperation with international and other organizations.

The actors involved in these field are the Ministry of Labor and Social Affairs and its separated Subdivision "State Employment Agency" Financial means for the implementation of state projects come from the State Budget and also from some international Organizations and NGOs.

The above mentioned State Employment Agency is implementing the following STATE EMPLOYMENT PROGRAMMES :

❖ Unemployment benefit

- Unemployed benefits are assigned by the state employment agency to persons having unemployed status and at least one year security record,

- The minimum period of unemployed benefits' reception is 6 months. The unemployed benefits are assigned no more than 12 months,
- Size of the benefit is 60% of minimum monthly salary.
- ❖ **Trainings**
 - **Types of training.** Professional vocational education for those who have no specialty, retraining courses, raising of qualification,
 - **People who can participate:** unemployed, disabled, pensioners with long service,
 - **Duration:** trainings for 3 months, and vocational trainings for 6 months,
 - **Scholarship:** during the whole period of the training the unemployed, disabled who are engaged in these training and retraining courses are receiving scholarships: the unemployed who have the right to receive unemployment benefit 120% of the unemployment benefit and for those who do not receive benefit 50% of the minimal salary.
- ❖ **Partial reimbursement of the salaries to the employers for the acceptance of unemployed from uncompetitive groups**
 - The compensation to the employers is given with the aim to assist the uncompetitive groups to be accepted to work,
 - For each person who gained job the employer gets 50% of the salary appointed to the person but not more than the minimum salary. For the disabled persons of the 1st and 2nd grade the compensation is given for a period of 2 years, to other groups for a period of 1 year.
- ❖ **Reimbursement of material expenses of those who are sent to work in other places**
 - The transportation costs for the moving of the employee and family members,
 - Transportation casts of the goods transportation of the person who is sent to work in other place, 30-50km-10,000 AMD (21.42 EUR); more than 50 km for each 50 km 8,000 AMD (17.14 EUR);, but not more than 50,000 AMD(107.12 EUR);,
 - If the new workplace is located at a distance more than 30 km, the per diem for him and his family members is given,
 - The unemployed is paid one-off financial assistance 3 time of minimum monthly salary,
 - Transport expenses to visit the place of permanent residence four times annually with the compensation of the transportation costs for micro-buses or buses,
 - Monthly expenses for the house rent and utility expenses at a rate of minimum monthly salary.
- ❖ **Financial assistance in case of entrepreneurial activities.** Within this project the reimbursement of some costs are involved
 - state tax,
 - name registration,
 - stamp preparation.
- ❖ **Organization of paid work**

The public paid works are temporary jobs, which do not require professional qualification. The unemployed, other work seekers who are included in the family benefit system can benefit from this project. The duration of these works are 3 months. The minimum daily size of the remuneration is 8 % of the minimum salary.

Marz and regional employment centres provide consultations on social guarantees and professional orientation, as well as information about the job opportunities and employment programmes.

Detailed information about the projects of State Employment Service Agency can be found in the web-site: www.employment.am (in Armenian), accessed in March 2009.

Additional information about the job opportunities in the marzes and regions can be found from the regional employment centers. (<http://www.employment.am/html/employer/workers.htm>, accessed in March 2009).

3.3.1.3 Labour conditions (minimum/average salary, working hours, security, etc)

The labour legislative framework in the Republic of Armenia is contained in the RA Constitution, as well as the Labour Code and other legal acts in the social and economic field.

The basic tasks of the State in the economic, social and cultural spheres are, first and foremost, to enhance employment and the improvement of working conditions for the population.

The freedom to choose a profession is guaranteed, as well as the right to working conditions that are in compliance with safety and hygiene requirements (Section 32 of the RA Constitution). Forced labour is prohibited.

A worker retains the right to social security whether he/she is of old age, disabled, lost the main wage earner, unemployed or other cases prescribed by the law (Section 37 of the RA Constitution).

Pay issues:⁹⁷ Each individual has the right to fair remuneration and the amount should not be less than the minimum wage set by law (Section 32 (1) of the RA Constitution).

As mentioned above, wage issues are dealt with in separate enactments such as the Employment Wages Act No. 226, 2001, the Act No. 409 on remuneration of civil servants, 2002, and the Minimum Wage Act No. 66, 2004.

Chapter 19 of the RA Labour Code is devoted to wage issues, while Chapter 20 deals with financial guarantees and compensations.

Wages are paid in the currency of the Republic of Armenia (Dram). The rate of minimum, monthly and hourly pay is established by law of the Republic of Armenia (Section 179 of the RA Labour Code), and the wage indexation (Section 182 of the RA Labour Code).

Minimum salary in the Republic of Armenia is 30,000 AMD or 64.27 EUR since 01 January 2009.

Particular wage conditions are provided for overtime work or night work, work carried out in hazardous conditions, during public holidays and rest days, idle time and part-time work (Sections 183 to 189 of the RA Labour Code).

The employer is permitted to make deductions from the worker's salary in case of defective production or failure to meet required quotas (Sections 190 to 191 of the RA Labour Code). Additional grounds for wage deductions are also listed in Section 213 of the RA Labour Code. However, the total deductions cannot exceed 50 per cent of the monthly wage of the worker concerned (Section 214 of the RA Labour Code).

Section 192 of the RA Labour Code indicates that wages are to be paid at least once a month. The employer is obliged to provide the worker with a written statement detailing information on wages paid and deductions made (Section 193 of the RA Labour Code).

In addition, in the event of delaying payment of wages to the worker, the employer is to be held liable to penalties as established by law (Section 198 of the RA Labour Code).

⁹⁷ International Labour Organization (ILO), National Labour Law Profile: Republic of Armenia, Contributed by Angelika Muller, Social Dialogue, Labour Law and Labour Administration Branch, August 2006 <http://www.ilo.org/public/english/dialogue/ifpdial/info/national/armenia.htm>, last accessed in January 2009

Hours of work⁹⁸: Chapter 17 (Sections 137 to 149) of the RA Labour Code deals with working time. Section 139 of the RA Labour Code provides that the normal duration of the working time should not exceed 40 hours a week, or eight hours per day.

The maximum duration, including overtime work carried out at the request of the employer, should never exceed 48 hours per week and 12 hours per day.

A reduced duration of working time concerns, in particular, young workers (see below) and night workers (Section 140 of the RA Labour Code).

Overtime is strictly regulated, namely some limitations are introduced for young and disabled workers, workers with family responsibilities, or work in hazardous conditions (Section 144 of the RA Labour Code). Overtime should not exceed four hours during two consecutive working days and 120 hours per year (Section 146 of the RA Labour Code).

Section 148 of the RA Labour Code regulates night work. This is defined as work performed between 10 p.m. and 6 a.m.

The labour conditions in RA are supervised by the RA State Labour Inspection under the RA Ministry of Labour and Social Issues.

3.3.1.4 Accessibility of short term / occasional jobs

The Ministry of Labour and Social Affairs of Armenia organizes the program of “paid public works” which enables to lessen the tension in the labour market and provide temporary employment for unemployed people. These jobs are in the domain of social infrastructures, area improvement, tidying monuments and architectural structures, sanitary cleaning etc. The public paid works are temporary jobs, which do not require professional qualification. The unemployed, other work seekers who are included in the family benefit system can benefit from this project. The duration of these works are 3 months. The minimum daily size of the remuneration is 8 % of the minimum salary.

3.3.1.5 Lack (high demand) in specific professions

The generation educated during the Soviet system and transition period have difficulties in entering the labour market. Very often they have high and professional education but they cannot endure the competition of the labour market. There is no demand for their knowledge and practical skills.

The labour market in Armenia now demands skills of foreign language and computer which is not affordable for many of them. There are many organizations and companies that provide these trainings, but they are on the private base. Many people cannot afford these courses because of high prices.

Other organizations, like NGOs or foundations also organize computer, language courses, training or retraining projects, but these services are for special categories of people, according to projects.

The requirements for getting a good job are very strict. Most of the people, even graduates from high Institutions cannot fulfil the requirements.

If in the capital the big percentage makes the demand of specialties like drivers, milling-machine operators, welders, waiters, salesmen, cooks, etc (about 92%), then in the marzes there is high demand of doctors and teachers (about 35%).

In spite of the fact that the number of unemployed with secondary education is big, the demand for the labor work is still high. The vacancies for some specialties are repeated because of the low salaries, non-sufficient qualification, unfavorable work conditions, working hours, rest hours etc.

⁹⁸ Ibid.,

3.3.1.6 Practical and contact information (employment agencies, newspapers. etc)

With all the questions related to the work and employment sphere, citizens of Armenia can apply to RA Ministry of Labour and Social Issues, Department of Work and Employment (Tel: (374-10) 56-53-54) or State Employment Agency with its regional branches.

Information on non-state employment agencies can be found on "Spyur", which is an informative directory of Armenia (<http://www.spyur.am/htmfix/spyure.htm>).

The information about available job opportunities and vacancies are usually published in the republican and local newspapers, announced by TV, and on the Career Center website (www.careercenter.am).

3.3.1.7. Socio-economic hardships of Armenian Women (According to National Action Plan)

According to the Armenian Legislation women and men have equal rights in all spheres of economics but nowadays women activities are limited with the small trade and small entrepreneurship, especially in the service sphere.

As a result of transition to new market economy there have been many structural changes in the country, many institutions were closed or reorganized, job opportunities were decreased, many specialties have lost their demand, the unemployment increased, the migration processes activated. As a result of this the great majority of the population found themselves in the severe poverty.

The unemployment is a big problem for men and women, but the women make majority among unemployed.

According to the official data the number of registered unemployed is high in the urban areas. The household surveys show that the families with many children and women-headed families are in most hard and vulnerable situation.

Thus, the new relations and demands of the labour market make women less competitive. Besides these, the impossibility of combining family and professional responsibilities deprives women from getting necessary work experience, which affects their pension size later.

The small and medium entrepreneurship is in the development stage. There are no motivating conditions for the development of entrepreneurship and the efficient tax field. That is why women cannot be actively involved in the industrial and business sphere.

Whereas the economic advancement of women is necessary for enhancing their role not only in economic but also in the political life of the country

The decrease of the level of participation of women in the labour market was also because of the non sufficient activities of preschool and out-of school institutions. The numbers of preschool institutions were decreased during the recent years. The involvement and access to these institutions is also decreased. Many children from socially vulnerable families find themselves in the orphanages and special schools.

One of the main fields of economy in RA is agriculture. According to 2001 census date 45.1 % of the population is involved in the agricultural works. Among them almost half are women. The conditions of work are very hard, so this has an impact on the general and reproductive health of women.

The government tries to support women by suggesting micro-credit projects but the credit rates are very high and not enabling women to develop their households.

The hard socio-economic conditions are the reasons for migration. Among the migrants 1/3 are the labour migrants. Among them 42 % are women. Besides, very often women stay alone when their husbands leave country in search of work. They have to run the households on the one hand and on the other hand generate income for the family. As a result of scarcity of employment opportunities in some cases women are forced into begging or prostitution.

Among most vulnerable groups are refugee- women. They comprise 54 % of all refugees, and half of them are elderly. They have been mostly urban, but in Armenia they were involved in the agricultural work in which they were not used to.

3.3.2 Employment for disabled persons

The Section 19 of the Act on social protection of disabled defines work conditions of disabled that employers have to insure, such as for disabled of I and II disability group it is defined short working time-no more than 36 hours per week, and in general all employers should create necessary work conditions for disabled.

In practice the employees refrain from giving job to disabled persons. The number of employed disabled capable to work is very low. "The situation in this sphere after the collapse of the USSR worsened, because in the Soviet period enterprises for the blind, deaf and other people with disabilities had functioned. After the recognition of the country's independence, most of enterprises were closed in Armenia, including those for people with disabilities as well." (...) ⁹⁹ The work places and conditions do not fit to disabled persons' needs. On the other hand, the disabled themselves are not ready for work requirements existing in Armenian labour market. The process of professional education and job provision of disabled is insufficient.

3.3.3 Contact information relevant to the issue of recognition of degrees obtained elsewhere ¹⁰⁰

In 2004 Government of Armenia ratified the convention of Lisbon on recognition of qualification and in 2005 Armenia joined Bologna process.

Lisbon convention and Bologna process are aimed to create easily readable and comparable educational system, which will promote the fair and quick recognition of qualifications.

Who is awarding academic recognition?

In 2005 according to the decree of RA Government a National Information Center for Academic Recognition and Mobility (NICARM) was established. The aim of this center is to support integration of Armenia into European and worldwide educational services as well as qualified job market.

⁹⁹ Unison NGO, Armenian disability resource center, Employment, <http://www.disability.am/english/employment.htm>, last accessed in February 2009

¹⁰⁰ The information is taken and translated from the official site of NICARM <http://www.armenic.am/>; and from the interview with Mrs. Gayane Harutyunyan, Executive Director of NICARM, held on 21 November 2008, Yerevan.

NICARM is the member of international network ENIC/NARIC (European Network of Information Centers for Academic Recognition/Network of National Academic Recognition Information Centers).

What is an academic recognition?

Academic recognition is the recognition of foreign qualification for the purpose of continuation of education. The academic recognition is applied in cases:

- If a person has Armenian qualification/diploma and wants to continue education in other countries
- If a person has foreign qualification/diploma and wants to continue education in Armenia
- If a person moves from one foreign country to another in order to continue education in the next stage
- If a person returns back to his country Higher Education Institute/HEI/ after studying some period in abroad

Usually person applies for the diploma recognition for the continuation of education. But there are cases when recognition is needed before job search for professions not requiring official recognition (non-regulated professions). This type of recognition helps the employer to understand how comparable is the foreign recognition with alike local qualification.

In order to get academic qualification recognition in Armenia, one should apply to National Information Center for Academic Recognition and Mobility (NICARM), get an official reference and submit this document to the Higher Education Institute /HEI /for the continuation of the education. The final decision is made by the HEI taking into account the advice of the NICARM.

If a person is in foreign country, for the academic recognition of qualification he has to apply to the HEI, which has been selected for the continuation of education. For the information and advice they can apply to the ENIC/NARIC of the country they are in.

In Armenia, as well as in the majority of foreign countries the final decision of the academic recognition is usually made by the HEI. In some European countries before making the decision the HEI sends the diplomas/certificates to the Countries Recognition Information Centers for getting advice.

Information about existing Academic Recognition Centers of Europe, North America and Australia can be obtained from the web-sites of ENIC/NARIC Network, international organizations, European Union, UNESCO, European Commission, etc.

The persons who have foreign qualifications, regardless of their citizenship can apply for the academic and professional recognition.

Procedure of recognition:

The qualifications obtained in foreign countries are undergoing the process of assessment and recognition.

The person needs to submit required documents to NICARM. The organization then makes inquiries to the institutions that had awarded the credentials.

As a result of this procedure and based on the information obtained the assessment is carried out and the conclusion is made. The conclusion is issued in the form of reference. The period for these procedures according to Lisbon Convention can last 16 weeks.

After the assessment of foreign qualifications the **total recognition** is granted, if there are no essential differences between the foreign and national comparable qualifications.

In case the recognition is refused, the partial or alternative recognition can be considered.

The total or partial recognition or refusal is given in the form of reference in Armenian or English language according to international criteria.

Detailed information about the activities and services of NICARM can be found in the web-site of the center: <http://www.armenic.am/>.

Address: 73 Vratsyan St, Yerevan, tel: (374-10) 57-84 56

Information on officially recognized and accredited institutions can be obtained from http://www.armenic.am/download/state_engl.pdf, accessed in March 2009.

3.3.4 Military Service

3.3.4.1 Legal regulation and practice (especially for those having stayed abroad)

Compulsory military service in Armenia dates from the Soviet era and is mandated by the Constitution for all young men between the ages of 18 and 27. Procedures for the draft closely resemble those enacted under Soviet rule, and those completing their military service are issued with a certificate of military service. Possession of a certificate of military service is necessary in order to apply for a wide range of documents, including passports and visas, and is essential to enact a number of basic civil rights such as the rights to marry, to apply for higher education within the state education system and to apply for public sector employment.¹⁰¹

According to Section 46 of RA Constitution every citizen shall be obliged to take part in the defense of the Republic of Armenia in conformity with the procedure prescribed by the law.

Military Service Act has been adopted by the National Assembly of RA in 16 September 1998.

Conscripts are men in pre-draftee and draftee age, those registered in reserve and the female citizens having military specialization or having completed military service.

- **Pre-draftee** is male citizen from 16-18 according to Military Service Act.
- **Draftee** is the male citizen from 18-27 according to Military Service Act.

The length of military service is 24 months. All men between the ages of 18 and 27 are liable for military service. Men who have the officer level and possess specific skills may be called up for service up to the age of 35. Young men receive pre-draft instructions at the age of 16, according to which they are registered on the call-up list and must undergo medical examination. Call-up for military service takes place at the age of 18. There are two call-up periods per year, one during spring and one during autumn.¹⁰²

Section 3.1 of the Military Service Act regulates military responsibilities of the dual citizens. On particular, it says that the citizen of another country who has acquired RA citizenship is exempt from the military service if he has performed military service in another country's armed forces for no less than 12 months or alternative military service for no less than 18 months prior to acquiring his RA citizenship, except in countries

¹⁰¹Armenia: Fear of the freedom of conscience and religion: violations of the rights of Jehovah's Witnesses, 16 January 2008, <http://www.amnesty.org/en/library/info/EUR54/001/2008>, last accessed on January 2009

¹⁰² Country report: Armenia. Quaker Council for European Affairs, <http://www.quaker.org/qcea/coreport/armenia.pdf>, accessed on January 2009

specified by the RA Government. The Act also says that RA citizens who acquire citizenship of any other country are not exempt from military service, regardless of whether they have served in another country or not.

- Section 4(6) of the Military Act regulates the responsibilities of RA diplomatic and consular bodies regarding the registration of draftees. They are obliged to inform the draftees about their presentation to the military commissariat and to support the return of draftees to the republic and inform the relevant commissariat about their arrival.
- Section 5(2) of the Military Act says that the registration of citizens, living in foreign countries more than one month is done in the diplomatic and consular bodies.

Draft evasion is punishable under Section 327 of the Criminal Code. Changes were made in this section in 13 December 2005 according to RA Act No. 34, and in 01 June 2006 according to RA Act No. 59.

Desertion is punishable under the section 362 of RA Criminal Code.

- Desertion, i.e. willful abandonment of the military unit or place of service for the purpose of total evasion from military service, as well as, failure to report for service for the same reasons, is punished with imprisonment for the term of up to 5 years.
- Desertion committed with the granted service weapon, or by prior agreement of a group of persons, is punished with imprisonment for the term of 3 to 8 years.
- Desertion committed during martial law, during war or military actions, imprisonment for the term of 5 to 12 years.
- The servicemen who committed the actions envisaged in parts 1 or 2 of this Article for the first time can be exempted from criminal liability, if these actions were committed under dire circumstances, as well as, if within 3 days after absence from service they surrendered to the military unit, place of service or to the law enforcement bodies or other state body.

On 17 December 2003 RA National Assembly adopted the Act on RA citizens who failed to complete the compulsory military service through violation of the established procedure.¹⁰³ This Act came into force from 01 March 2004. The Act is spread over all citizens of RA who had not completed the compulsory military service from autumn 1992 call-up till the adoption of this Act.

According to this Act, the citizens who had not completed the compulsory military service, had not reported to the call-ups at the appointed time through violation of compulsory military service till becoming 27 years old or receiving basis for exemption or deferment, can make payments according to the rates. The rates of the fees should be paid for every call-up period from the moment of not reporting to the conscription. The Act defines the rates of the fees coming out of the minimum wage.

According to section 3 of this Act the citizens who failed to complete the compulsory military service, should present the application to the military territorial commissariat of the place where they are registered. Attached to the application the basis for the

¹⁰³ RA National Assembly, Citizens Who Failed to Complete Compulsory Military Service Through Violation of the Established Procedure, <http://www.parliament.am/legislation.php?sel=alpha&lang=eng>, last accessed January 2009

exemption or deferment should be presented. Those citizens who are in the foreign countries can apply to RA diplomatic or consular bodies in those countries. The applications of the citizens are delivered to the corresponding bodies after being registered with established order. The applicant covers all the postal delivery expenses in connection with the application presentation.

The application will be examined and the answer will be given to the applicant within one month. If the application requires further examination or checking, the answer should be provided not later than in 2 months.

On 04 March 2004, the Government of RA adopted the Decree No. 264. According to this Decree the structure of the bodies for the examination of applications and the schedule of work is defined. According to this decree the Republican Committee and Interdepartmental Committee for the examination of these issues are established.

3.3.4.2 Possibilities of conscientious objection under legal rules and practice

The right to conscientious objection is legally recognized with the Armenian Act on alternative service. The Act was adopted by the National Assembly in December 2003 and entered into force on July 2004. Changes have been made in this Act according to Act No.162 from 13 January 2004 and Act No.60 from 01 June 2006.

- According to Section 3 of this Act “the citizen who is subject to compulsory military service has the right to do alternative service, if the bearing, keeping maintain and using of arms contradicts his religious belief or conviction”
- According to section 5 of the Act the time-period for alternative military service is 36 months while for alternative labour service is 42 months.

Though the Armenian Act on alternative service is adopted but in practice there are still many drawbacks in the implementation of this Act.

3.3.5 Education and retraining programmes (access to them, costs)

3.3.5.1 Kindergarten and schooling opportunities

According to Section 11 of the RA Act No. 59 on the rights of child of 29 May 1996 every child has the right to education and choice of educational institution with the agreement of his parent or legal representative.

Section 35 of the RA Constitution enshrines the entitlement of each Armenian citizen to education: secondary education in public institutions is free of charge, and each citizen is entitled to free-of-charge higher and other vocational education in public educational institutions on a competitive basis.

According to the RA Act No. 297 on education of 14 April 1999, Republic of Armenia guarantees education for all children regardless of nationality, race, sex, language, faith, political or other views.

Children have the right to receive education in preschool, school and higher educational institutions.

The first step in the development and education of the child is the **preschool care and education**. The RA Act No. 236 on preschool education is adopted on 15 November 2005 which regulates the work of preschool institutions.

The kindergartens are providing day-care and educational services.

The main role in preschool care the government prescribes to the family, and takes up the obligation for ensuring adequate conditions in the family for providing child comprehensive development and care.

Preschool education aims at fostering conditions for the maintenance of children's health, unfolding children's intellectual, spiritual and physical abilities and providing a sound basis for educating a generation with national awareness and self-esteem.

After the collapse of Soviet Union and during the years of economic crises, the pre-school education system suffered considerable losses. The number of nursery schools, kindergartens, and children attending these institutions fell abruptly. The government was not able to finance these institutions.

In 1996, as a result of reforms, preschool institutions were transferred to local government-communities, and currently they get funding from the community budgets.

There are state and private preschool institutions. In both cases the parents have to pay for the attendance and also for many reasons during the year events. The number of preschool institutions in urban areas is greater than in villages. Most of the villages have no such institutions or they do not function.

With the aim of reforming pre-school education, a number of international organizations are supporting projects such as "Pre-School Education, Care, and Development", "Parent Education", "Step by Step," and "Development of Inclusive Education for Children."

These projects, supported by the country offices of UNICEF and World Vision International and the Charitable Foundation "Step by Step," have provided training for pre-school professionals, parents, and community members.

Methodological manuals have been produced.

The objective of the "Parent Education" project, in particular, is to provide children and guardians with state-of-the-art knowledge on early childhood development and to expand parent and child involvement in pre-school education by means of alternative services. The Project renders methodological assistance to parents of children who do not attend kindergarten in order to properly organize their family upbringing.

3.3.5.2 By Government

Schooling opportunities: The education sphere is mainly regulated by the RA Act on education.

Two main programs according to this Act are

- *General secondary education,*
- *Professional education.*

General secondary education: As soon as Armenia has joined Bologna process, according to which the educational system should correspond to international standards, the educational system is undergoing an educational reform. From 2006 the duration of secondary education in Armenia is 12-years.

Though secondary education is free the parents have to spend a lot on their school age children. These costs include expenses for clothing, shoes, text-books, tutoring fees, etc.

The children, whose families are registered in the system of Family Poverty Benefit, can receive 25,000 AMD (53.56 EUR) for each child entering the first grade.

The issue of concern for the parents is the prices for textbooks. There is an existing textbook leasing system since 1997. The fees that the parents pay for the textbooks go to the textbook revolving fund, which is used for future printing of books. Government allocates 10 % of the amount to the fund for children from vulnerable families.

General Secondary Education is comprised of 3 levels.

- Primary School (1-3 grades).
- Basic School (4-9 grades).
- High school (10-12 grades).

Secondary education is realized in the secondary schools. Secondary education is compulsory up to 16 years when they graduate from 9th grade. Children enter schools at 6.

Graduates of the high school obtain certificate of complete secondary education, which is called Attestat/Certificate of maturity and can continue their study in the Higher Educational Institutions.

This obligatory requirement for secondary education does not apply to children with special educational needs. The special general education is regulated by the Act on special education. Special schools implement general and special education programs to ensure the education of children with special needs and with anti-social behaviour.

According to the report on activities of 2008 of the RA Minister of Education, there are 26 special schools for children with special needs, 2 for children having anti-social behaviour and 9 schools for especially gifted children.

Out of school education: The aim of out of school education is to create conditions for developing the students' interest, ensure their psychological, aesthetic, physical development and provide environmental and practical knowledge by organizing their leisure time (Act on education Section 20). The out of school education system includes creative and aesthetic youth centres, music and art schools, clubs and tourist camps for young naturalists, technologists, environmentalists and sports schools and resort camps, etc.

Professional Education includes:

- preliminary professional/vocational,
- middle level professional/vocational,
- higher professional,
- post-graduate.

The aim of *preliminary professional education* (or vocational education) is to train the students for jobs demanding primary professional qualification, on the basis of general education.

The technical professional education is provided on the basis of basic or secondary general education in technical colleges. The education period is from 1 to 3 years accordingly.

The aim of *middle level professional education* is to train the students with middle professional qualification, on the basis of general secondary education, also to provide deeper and expanded professional knowledge.

Middle professional education is performed in middle professional education institutions: college and vocational schools.

The sphere of professional education is regulated by the Act No. 164 on preliminary professional/vocational / and middle level professional education, adopted by the National Assembly on 8 July 2005.

“Arats” Agency publishes a directory “The colleges of Armenia” which includes detailed information about the number of acting state and non-state colleges, gymnasiums, specialized and medical schools in Armenia.

The higher and post graduate education sphere is regulated by the Education Act, and the Act No. 62 on higher and postgraduate professional education, adopted by the National Assembly on 14 December 2004.

Higher and post-graduate education is performed in three levels in both state and non-state education institutions, stationary and distant education forms, for paid and non-paid students:

- **First level** (baccalaureate) includes 4-year study in institutions (Universities). Upon completion of the 4-year institution Bachelor's degree—is awarded. The "Diplom" is awarded if it is a 5-year institution.
- **Second level** (magistracy) includes 2 additional years of study. The student is awarded the Master's degree
- **Third level** ("aspirantura")- post-graduate studentship continues for 2 years. Students acquire necessary knowledge in order to conduct scientific research work. After completion of this level and defending the dissertation the students are awarded the "Candidate of Science" degree.

After “aspirantura” and getting the “Candidate of Science” degree the researchers can pursue their doctoral studies in one of the research institutions of the Academy of Science of Armenia. The dissertation is defended in front of the Highest Attestation Commission, an independent body comprised of Doctors, academicians and professors in the field.

For the **higher education** the following types of institutions are operational:

- University
- Institute
- Academy
- Conservatory

Higher Education is not compulsory, but is very desirable for Armenians who are traditionally giving very much attention to education. There are state and non-state institutions.

The educational fees in the institutions are very high and very often parents cannot afford to pay for it. Those who are not able to pay the fees cannot continue their studies. There are also very limited free of charge (state order) places in the institutions but those are very competitive.

Some categories have some privileges to study free-of-charge. In cases of positively passing of admission exams to institutions the priority should be given to persons with the status of 1st and 2nd disability groups and those with status of disabled child. The study costs of these mentioned disabled who study in state educational institutions are covered by State budget.

The upper grade students face the difficulty to enter the higher institutions as the knowledge gained at school is not sufficient for entering the universities or other higher educational institutions. This is an extra financial contribution for the family.

Secondary school graduates use the services of private tutors, often doing so for two or more subjects, spending an average of 30-35 hours per week and 200,000-500,000 AMD (428.48-1,071.19 EUR) per annum on such services.

Entrance to the higher institutions is on competition basis.

The entrants can get information about the acting State and Private higher educational institutions from the entrant’s directory. This directory is published by “Arats” agency.

The directory is updating and publishing annually. It includes information about Armenian as well as Russian Federation Institutions of higher education. The directory includes additional information about:

- Present auxiliary courses and colleges of the IHE,
- Payment allowances and privileges,
- Post graduate courses,
- Scientific and social student-organizations.

Information about higher institutions, terms and regulations for entrance of higher educational institutions can be obtained on the site of RA Ministry of Education and Science www.edu.am. (the source is in Armenian).

Detailed Information about different educational Institutions, training and re-training programs is available also on www.spyur.am.

3.3.5.3 By private firms

As it was mentioned above, all educational institutions of Armenia are under the responsibility of the Ministry of Education and Science.

Besides state educational institutions, there are private institutions in all levels:

- Schools;
- Colleges and gymnasiums , vocational schools;
- Higher educational institutions.

Their activities are regulated with the same legal acts and norms as the state institutions. All institutions offering education in Armenia would require a license. The system provides equal opportunities for state and public institutions.

According to the Act on education (Sections 41-44), "Issuing Licenses to the Educational Institution," "State Accreditation", a "State governing authorized body of Education" conducts Licensing and Accreditation.

The "Licensing and Accreditation Service" was established on 7 June 2000. The Licensing and Accreditation Service is a structural unit of the Ministry of Education and Science and all licensing and accreditation decisions are made by the Minister.

The licensing of educational institutions, as well as the organization of accreditation of professions and the provision of the conclusion/recommendations are carried out by the Licensing and Accreditation Service based on the Government Decree No. 344 issued on 23 June 2000.

Private educational institutions announce about the services they provide in the republican and local newspapers, and they are mostly registered in the site of "Spyur" directory.¹⁰⁴

3.3.5.4 By international organizations or NGOs

Many NGOs and International Organizations implement different projects in the sphere of education. They are implementing different kinds of training and retraining programmes.

¹⁰⁴ "Spyur" Company Register of Armenia, www.spyur.am, last accessed in March 2009.

“Spyur” Company Register of Armenia provides information on different educational institutions and programmes.

3.3.5.5 Children of returnees

Among the risks that the children can face upon return to their country of origin can be the reintegration into the educational system. Here the problem is connected with the language. There is a regulation for the admission to the general and special educational institutions. Order No. 619 has been adopted by the Ministry of Education and Science on 25 August 2003. Changes have been made in points 18, 19 of this regulation, regarding the children of returnees by the order of the Minister on 11 December 2007¹⁰⁵:

- **Point 18.** The children of Armenian citizens who have studied in the 1st and 2nd grades of foreign countries in Russian or foreign language teaching schools or classes, upon returning to their country should continue their studies in the corresponding classes with Armenian teaching.
- **Point 19.** The children of Armenian citizens who have studied 6 years without interruption in other countries in Russian or foreign language teaching schools or classes, upon return to their country of origin can continue their studies in corresponding grades of Russian or foreign language teaching classes. In other cases, the returnee children can continue their studies in the Russian and foreign language classes till the end of the school year and in case of returning back in the second semester till the end of the next school year on condition that they will ensure the knowledge of Armenian language during this period and move to the Armenian language teaching classes.

The children of Armenian citizens can enter the schools according to the general terms for the admission (Order No. 619 adopted by the Ministry of Education and Science from 25 August 2003). According to this Order the parents of the children should present:

- An application,
- Two photos,
- Copy of birth certificate,
- Reference about the health condition of the child from corresponding medical institution,
- From school to school transition paper,
- Personal file of the pupil,

These documents should be presented during June 1-August 31.

There are no other special risks for the children of returnees.

3.3.5.6 Separated Children

“...Children should not be separated from their parents except when the separation is judged by competent authorities to be in the best interests of the child” (Article 9 of the Convention on the Rights of Children).

Children who are separated from their parents can be:

- *Children in conflict with the law*
- *Children living and working in the streets*
- *Children in institutions (special schools and orphanages)*

¹⁰⁵ Information provided by Anahit Muradyan, chief specialist of the special education department of the Ministry of Education and Sciences, personal conversation on 18 April 2008

❖ *Children who are in conflict with the law*

Identification and prevention of juvenile offenses is very important in the Armenian society.

The state as well as the NGOs and international organizations are taking measures to protect the rights and interests of juveniles who are victims of offenses.

Armenian Caritas is implementing the project "Social rehabilitation of Youth and their families in Vanadzor". This project promotes the decrease of juvenile delinquency among the teenagers in Vanadzor by providing trainings in computer and language. The teenagers also learn basic skills of some crafts attending different courses. Trainings on shoe-making, hairdressing, cooking, drawing, embroidery/sewing, design are offered to 150 children, 10-22 years old, that are already registered at the juvenile department of the Internal Affairs (Police) in Vanadzor.¹⁰⁶

The education of children who are in conflict with the law is carried out in special educational institutions.

❖ *Street children and beggars*

Government of Armenia pays great attention to street children trying to decrease this phenomenon and prevent it. These children are under the supervision of special departments of RA Police.

Reception and Reorientation Center of Armenian Relief Fund, NGO "Orran" and World Vision Armenia are assisting these children in their day-care centres.

3.3.5.7 Orphans

❖ *State responsibility in orphan care, legal regulation*

General situation: Children, who have no parents or are deprived of parental care because of different reasons, need support of state and the society. They are listed among the most vulnerable groups.

In the Republic of Armenia, Ministry of Labour and Social Issues, Ministry of Education and Science and Ministry of Health takes responsibility for the care and education of these children.

There is a department of Children and Women in the Ministry of Labour and Social Issues that implement activities to improve conditions of women and children.

The children's department is involved in a number of projects aimed at the protection of vulnerable groups, including children living and working in the streets, children separated from their families (orphans and children in the institutions). The new system of foster care and adoption mechanism is established.

Special departments for "Protection of child's rights" are established in all administrative districts.

¹⁰⁶ Armenian Caritas NGO;

http://www.caritasarm.am/activities_currentprojects.asp?lang=eng&p=11, last accessed in March 2009

On 24 September 2002 the National Assembly of RA adopted the Act No. 411 on the social protection of children deprived of parental care. This Act regulates the education, residence and social protection rights of children **deprived of parental care**.

The Ministry of Labour and Social Issues register the children deprived of the parental care and in need of residence.

On December 2003 RA Government adopted Decree No. 1745 on the approval of the "National Plan of Action of the Republic of Armenia for the Protection of the Rights of the Child (2004-2015)". This plan includes the policy concerning the child in different spheres, according to which the problems of children will be solved in cooperation with state institutions, local authorities, NGOs.

On 09 November 2004 RA National Assembly adopted new Family Code, which regulates the main issues of children under difficult circumstances.

The main directions are:

- Creation of one system of child care and protection
- Decrease of a number of children in orphanages, state special educational institutions, child care and protection boarding schools and prevention of flow to these institutions
- Improvement of the conditions in child care and protection institutions.

On 12 March 2006 the Government of Armenia confirmed the "Social Protection Reform Strategy 2006-2010 for the children under difficult circumstances".

There is also an Annual programme-2007 for the protection of child's rights (adopted by the protocol decision No. 32 of Government session on 18 August 2006).

On February 2000 RA Government adopted decree No. 64 on approving of the order for the adoption of the child.

Children deprived of parental care: During recent years many children appeared in the orphanages and special educational institutions because of hard social conditions: unemployment, low living standards of the population, high costs of the medicine and medical service, lack of capacity among the parents about the care and up-bringing, lack of child care services. The institutions became home not only for orphans or disabled, but also for children from socially vulnerable families. These families are usually with many children very often women-headed.

❖ Orphanages

There are **8 State orphanages** under the supervision of the Ministry of Labor and Social Issues where the care and up-bringing of 940 children are implemented, from which 321 in specialised orphanages.

- Yerevan Child's Home(ages 0-6)Yerevan, Armenakyan 119 Tel. (374-10) 65-12-91/ 65-13-62, director Liana Karapetyan,
- Yerevan Zatik Orphanage(ages 3-18)Yerevan , Zakarya Sarkavag 145 tel: (374-10) 28-34-91/28-37-30, director Ashot Mnatsakanyan,
- Marie Izmirlyan Orphanage(ages 0-18) Yerevan, Yaghubyan 13, tel. (374-10)25-15-86; director Hasmik Mkrtchyan,
- Gyumri Children's House (ages 0-6) specialised ;Gyumri, Tamanyan 17, tel. (374-312)3-13-28, director Ruzanna Avagyan,
- Nansen orphanage (ages 3-18) Gyumri, Shirakatsi 10, tel. (374-312)3-27-83.
- Gavar Orphanage (ages 6-18), Gavar, 23 Ogostosi 106, tel. (374-10)28-39-19

- Vanadzor Orphanage (ages 0-18), Vanadzor, Taron 2 district, tel. (374-322)6-01-20/6-26-89, director Arshaluys Harutyunyan,
- Nor-Kharberd specialized Orphanage (ages 6-18), Nor-Kharberd, tel. (374-10) 28-01-25, director Harutyun Balasanyan

Charity (non-State) Orphanages

- Tiramayr Hayastani Center Gyumri Charents 6, tel (374-312) 3-43-38, Chief-Sister Arusyak,
- " SOS" Children's village, Kotayk marz, village Kotayk, tel: 28-71-21, director Hovhannes Kostanyan,
- Spitak Orphanage of the Armenian branch of Missionaries charity Lori Marz, Spitak, Italian district, tel: 28-66-13 Chief Rose de Marie,
- "Trchunyan Tun", Gyumri; (374-312) 3-24-57; director Sona Simonyan.

The pilot project of **Foster Family Institute** is also being practiced together with UNICEF and Armenian Relief Fund. As a result of this project 15 children from Gavar and Vanadzor orphanages were transferred to foster families.

In order to solve the problems of future life of orphanage graduates RA Government adopted the decree No. 1419 in 30 October 2003 approving the Program "Social assistance to graduates of children in child-care organizations". Within the framework of this project the graduates of orphanages, starting from 1991, should be provided with houses, professional orientation trainings, retraining, income for basic needs, material support-including inventory, medical, legal support.

Besides orphanages, there are state special educational institutions for the children with special needs (disabled, children with mental disorders, hearing, speaking, seeing difficulties, moving disorders, etc).

❖ NGOs

World Vision Armenia is implementing Child Protection Programs since 2000. Since 2004 World Vision has been implementing "Children in especially difficult circumstances program" which aims to promote the integration of children with special needs or in especially difficult circumstances into the mainstream of primary education and public life.

Currently children with special needs and in especially difficult circumstances receive services in 17 community-based centres and 24 inclusive kindergartens throughout Yerevan, Syunik, Tavush, Shirak, Aragatsothn, Gegharkounik and Lori Marzes of Armenia.

World Vision Armenia is cooperating with the Ministry of Education and Sciences and the Ministry of Labor and Social Issues, emphasizes the importance of deinstitutionalization of special schools and organization of inclusive education.¹⁰⁷

NGO "Armenian Caritas" has been supporting children in special schools and orphanages by implementing different projects since 1997.

Currently Armenian Caritas is implementing the project "Capacity Building of 7 Family Centers".

The aim of this project is to gradually work in the direction of de-institutionalization of the children and their re-integration into the family and community. The goal will be achieved through the improvement in the relationship between parents, children and institutions, by

¹⁰⁷ World Vision Armenia, Child Protection Programme, <http://www.wvarmenia.am/en/?nid=16&id=1>, last accessed January 2009

providing more appropriate services to children and parents by the institutions and the sensitization of the society.

“Armenian Caritas” offers the management and staff members of the institutions training opportunities in fields of relevant importance for the development of the children and the child-parent relationship, provides psychological support and training opportunities to parents with the aim of helping them to recognize and accept their children's special needs.

The institutions involved in the project of Armenian Caritas are 7 special schools and orphanages from Lori and Shirak Marzes.

- Gyumri Night Care Center No.1
- Gyumri Special School No.3
- Nansen Orphanage of Gyumri
- Artik Special School No.1
- Vanadzor Special School No. 1
- Vanadzor Night Care Center No.1
- Spitak "Missionaries of Charity House"¹⁰⁸

The project “Day-care centre for Disabled children” has been started by Armenian Caritas in Gyumri from 01 May 2008. It provides hygiene and medical care, food, organizes educational activities, psychological and art therapy, leisure activities and social events, etc.

NGOs, Foundations and International Organizations dealing with the problems of children under difficult situations:

Khachvogh Ughiner,
Armenian Caritas,
Prkutyun,
Save the Children, Armenian Democratic Forum,
NGO Zangagatun, NGO “Orran”
NGO “Bridge of Hope” etc.

Actual access to orphan care and orphanages for returnee children: There are no special terms for returnees to access orphanages. There are certain defined criteria for entering these institutions, which is regulated by RA Government decree No. 1324 of 05 August 2004 on approving of the state social minimal criteria necessary for education and trusteeship of children in orphanage and on recognition the state administrative body authorized by RA Government.

The admission to orphanages and boarding schools is regulated by RA Government Decree No. 1735 of 09 November 2006 on approving of the order for the adoption of children in child-care and protection institutions (orphanage, boarding school).

The admission to special educational schools is regulated by the Order No. 619 of 25 August 2003 adopted by the Ministry of Education and Science.

The provision of day care services to children is regulated by RA Government Decree No. 1877 of 07 December 2006 on approving the order for the provision of day care to children.

¹⁰⁸ Armenian Caritas, http://www.caritasarm.am/activities_currentprojects.asp?lang=eng&p=1, last accessed January 2009.

3.3.5.8 Disabled children

Education: The legislature states that respective state bodies insure for the disabled the creation of necessary conditions for the preschool, secondary, secondary-professional and higher education.¹⁰⁹

- **Preschool education:** In practice there is no special kindergarten for children with disabilities. The inclusive preschool education exists only in 26 kindergartens mostly in Yerevan¹¹⁰.
- **Secondary education:** According to the Act on education No. 297 of 14 April 1999, Section 19(3), at the option of parents, the education of children in need of special conditions of education may be carried out in both general and special schools, subject to special programs.

Under the Ministry of Education and Science there are 29 special educational institutions.¹¹¹

The strategy of the Ministry of the Education is on the one hand directed to the improvement of the quality of education and care in these institutions, on the other hand there is an intention to practice alternative services, by uploading these institutions (transferring children from these institutions to regular schools (**inclusive education**) or practicing the mechanism of **foster family**).

"(...)This process will continue every year, until inclusive education is implemented in all the schools of Armenia. In spite of these initiatives, a number of priority issues remain unresolved in the system of special education:

The buildings of special schools and schools carrying out inclusive education are in very poor condition in terms of sanitary facilities, and the special schools need capital repairs.

Centers for medical, psychological, and pedagogic assessment of children in need of special education have not been created.

The special education specialists need comprehensive training.(...)"¹¹²

As of April 2008, the inclusive education is practiced in 14 general schools yet, out of which 10 general schools of Yerevan and 4 schools per in each town (Ijevan, Dilijan, Berd, Noyemberyan of Tavush Marz) for over 300 children.

- **Higher education:** In case of other equal conditions disabled persons when positively passing entrance examinations take priority of entering state and non state educational establishments, as it stated in the Act on social protection of disabled, Section 14 (3). According to the same Act, Section 14 (9), the study costs of disabled children or those having I and II disability group entering State higher or secondary professional educational institutions are covered by State budget.

Actual access to specialised institutions and care for returnees: As a whole it can be stated that the access to all the fields in the public life is not provided for people with disabilities in Armenia.

¹⁰⁹ According to the Act No. 57 on social protection of disabled in the Republic of Armenia of 14 April 1993, Section 12 (2)

¹¹⁰ The information is obtained by the inquiry to the Chief Specialist Mrs. A. Muradyan, RA Ministry of Education and Science, Special Education Department, done in 18 April 2008, Yerevan

¹¹¹ The list of schools is provided by Anahit Muradyan, Chief specialist of Special Education Department of the Ministry of Education and Science, Personal Conversation, 18 April 2008

¹¹² United Nations Development Program (UNDP), Educational transformations in Armenia, national human development report, 2006, part 2 Organization of basic education, 6.1. Macro-management (Management of Education at National and Regional Levels), Implementing Inclusive Education in the Republic of Armenia, pages 66-67, <http://www.undp.am/docs/publications/2007publications/NHDR2006ENG.pdf>, last accessed in February 2009

Inconvenient movement for disabled people: There are very few streets and social facilities modified for the disabled, regardless of the volume of activities conducted in that direction in recent years. Modified means of transportation are not available at all.

Leisure: In Armenia, usually the NGO are the institutions that organize leisure time, sport and other events for disabled. "(...) the vast majority of cultural establishments (concert halls, museums, theaters, etc.) are inaccessible for persons with disabilities. Due to the numerous existing architectural barriers, most of such people cannot visit concerts, exhibitions and other cultural events."¹¹³

Among the NGOs of Armenia, mostly "Pyunik" and "Scarp" are engaged in disability sports. More detailed in http://www.disability.am/english/leisure_sport.htm, accessed in February 2009.

Access to educational institutions: According to the UNICEF in Armenia, as of 2007 "More than half of the 10,000 children enrolled in 52 special schools providing free education, food and boarding are from socially vulnerable families. After leaving these institutions many of these children are at risk of being trafficked.(...) Most kindergartens and schools are still unable to provide services to over 8,000 children registered as disabled in Armenia, and the majority of them remain excluded from special and mainstream education. Many children with disabilities are identified late and the early intervention services are not available at community level."¹¹⁴

Despite of free high education ensured by law "Yet, only a few disabled people can take advantage of this, because the universities are absolutely inaccessible for people with different physical malfunctions. Moreover, there are many disabled who have not got even secondary education as a result of the above-mentioned reasons. And naturally they cannot enter universities."¹¹⁵

Stigmatization: It is very painful issue for such traditional country as Armenia. The society considers the disability as "problem", and the persons having disability as helpless and dependent, who always need permanent care and medical assistance and are considered as a "burden" for the family.

Many families where a child with disabilities lives keep their child isolated. "First the centers had difficulty in finding disabled children, as many parents were ashamed even to walk in the yard with their disabled children. "Often the neighbors did not know that there is a disabled child living next door. It was difficult to persuade the parents to bring their children to school. (...)"¹¹⁶

3.3.6 Starting a new business

3.3.6.1 Legal conditions (registration, corporate forms, minimum capital, etc)

The Armenian government has recognized the need to create a more inviting business environment. The President announced important reforms of the tax and customs

¹¹³ Unison NGO, Armenian disability resource center, <http://www.disability.am/english/culture.htm>, last accessed in February 2009

¹¹⁴ United Nations International Children's Emergency Fund (UNICEF) Armenia, Child Protection, Issue, 2007, <http://www.unicef.org/armenia/protection.html>, last accessed in February 2009

¹¹⁵ Unison NGO, Armenian disability resource center, <http://www.disability.am/english/education.htm>, last accessed in February 2009

¹¹⁶ Multicultural Disability Advocacy Association (MDAA), Disability was a "shame" in the Armenians' regions, Chronicle - 23 November 2006, <http://www.mdaa.org.au/news/armenia.html>, last accessed in February 2009

administration for 2005. Realization of those reforms will be crucial to improving Armenia's business environment. The government also has ongoing programs to strengthen the financial intermediation role of the banking sector, improve governance in the administration of public services, and minimize corruption and interference by state authorities.

Small and Medium Entrepreneurship sphere is considered as one of the priority directions for development of Armenian economy. The Government of Armenia performs steps towards the development of SME sphere, particularly towards the direction for creating state support system for SME.

Armenia's parliament adopted the Act No. 121 on state support of small and medium entrepreneurship on 05 December 2000.

In compliance with this Act, Small and Medium Enterprises (SMEs) are classified according to the number of employees as follows:

- commercial organization and sole entrepreneurs with average number of employees not more than 5 persons are considered as a micro company
- commercial organization and individual entrepreneurs with an average number of employees are considered as a small company that meets the following criteria:
 - industry and other productive spheres-not more than 50 employees
 - construction and power engineering sphere not more than 25 employees
 - science and education sphere not more than 25 employees
 - transport, trade and services sphere not more than 15 employees
- commercial organization and individual entrepreneurs with average number of employees considered as medium company that meets the following criteria:
 - industry and other productive spheres-not more than 100 employees
 - construction and power engineering sphere not more than 50 employees
 - science and education sphere not more than 50 employees
 - transport, trade and services sphere not more than 30 employees.

❖ Registration of entrepreneurial activity

In order to start an entrepreneurial activity in the Republic of Armenia, an entrepreneur should register as a **commercial legal entity (LE)** or **sole proprietor (SP)** according to RA Act 169 from 03 April 2001 on legal registration of legal entities.

Steps for Registration:

To start the **process of SP registration**, there is a need to pay 3,000 AMD or 6.43 EUR as a state duty to the appropriate account in any bank. This should be followed by the steps of filling in and submitting the registration application; the application form can be received at the State Register Agency of Legal Entities (State Register), Ministry of Justice.

After considering the application, the state register can refuse or accept the registration. In the case of refusal, the State register should give a written explanation in the course of one working day after the application; in case of acceptance, ratification should be made in the course of two working days, after which the registration certificate is handed over.

In order to start the **process of LE registration**, there is a need to pay 5,000 AMD (10.71 EUR) to any bank as a state duty to register the name of the company, as well as to pay 12,000 AMD (25.71 EUR) to the appropriate account to register the company with the State Register. Decision on the acceptance or refusal of the company name is made in the course of two working days.

Thereafter, the application form, the charter sample, and the sample of the foundation protocol of the founders' meeting can be taken from the State register.

Using the exemplary forms of the documents mentioned above, there is a need to convene a founders' meeting, to adopt a decision about the establishment of a LE, to make the protocol of the meeting, as well as to prepare the foundation document - the charter.

Having obtained all necessary documents, a registration application must be submitted to the State register, after which, in the course of no more than five working days, either the company's registration certificate should be given or the written respond about the registration refusal and the reasons of it.

Independent of the fact whether a company or a sole proprietor was registered, their names should be officially recorded at the State Tax Service (Tax Service) under the RA Government in thirty days after registration. To be recorded at the Tax Service means obtaining a taxpayer's identification number (TIN); thereafter, to be recorded at the Social Security Fund requires submitting the registration copy obtained from the State Register, the charter copy and the TIN.

After accomplishing the steps mentioned above, the LE seal should be obtained which is not necessary for the SPs; however if they wish, they also can obtain it.

If the entrepreneurial activity requires licensing, which is regulated by the Section 43 of the RA Act No. 193 on licensing of 30 May 2001, it is necessary to apply to the appropriate licensing body to obtain the license.

❖ Licensing

There is a need to have a license for some economic activities. The list of activities requiring licensing can be found in the website of SME DNC(www.smednc.am).

If a license is needed then there is a need to find out which type of license you need. There are two types of licenses: simplified or compound. The next step is to find out who is issuing the license. The same organization is providing information about the licensing prices according to the law on state tax.

Simplified license:

This type of license is issued without the decision of the licensing commission.

In order to get a simplified license, you need to present a written application to the Ministry of Finance and Economics, (Address, Yerevan, M. Adamyan 1). The sole proprietors should present the name, address and the location of the activity performance, the copy of the state registration certificate and the type of activity subject to licensing. If the license is for the juridical body then there is a need to present also the copy of the statute.

The answer is given within 3 days.

Compound license:

Compound license is being issued based on the conclusion of licensing commission. This commission is composed of the representatives from different bodies and ministries. The compound license can be issued within 30 days. Application should contain the following information: the name of the company, address, the location of activities, the copy of the state registration certificate, the type of activity to be licensed, documents stating the professional qualification those people who will be engaged in the business. If the license is for the juridical bodies then there is a need to present also the copy of the statute.

Company registration pricelist (in AMD)

	Sole proprietor	Juridical person
State registration	3,000 AMD (6.43 EUR)	12,000AMD (25.71 EUR)
Name of the organization	-	5,000* AMD....EUR
Registration in tax bodies(samples)	500** AMD (1.07 EUR)	500** AMD (1.07 EUR)

Licensing	Is different depending on the type of economic activity	Is different depending on the type of economic activity
Permission for the stamp	***	6,000 AMD (12.85 EUR)
Stamp price	***	10,000-20,000 AMD (21.42-42.85 EUR)
Statutory fund to bank account	-	Is different depending on the type of juridical person

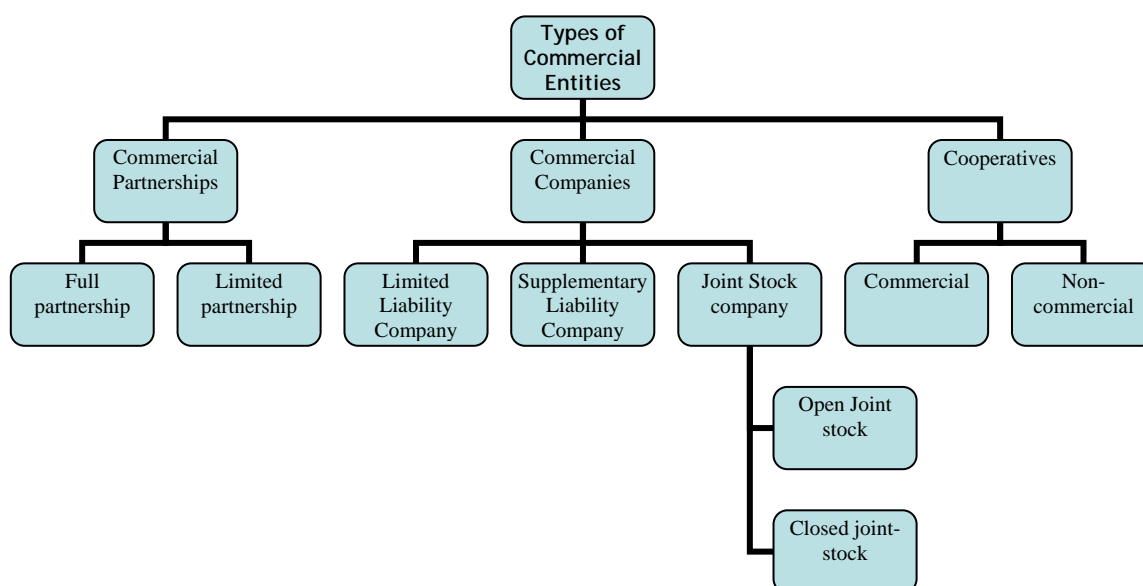
*Comment: *In case of mentioning the name of Armenia, Armenian in the name of the company, the company will pay AMD 600 000=EUR 1285.43 annually*

***There are no official payments for these samples, but the tax offices requests this as a price for sample copies. That is why the prices can differ.*

The law do not claim the stamp for sole proprietor but in case of wish they can obtain it.

Notwithstanding the chosen form of registration, in case of implementing export or import transactions it is necessary to be registered also at the State Customs Committee (Customs Committee) under the RA Government. The customs clearance procedures of exported or imported goods are carried out at the custom-house of the region where the company was registered.

❖ Legal forms of companies



Legal Entities as commercial organizations can be established in the form of **commercial partnerships** and **commercial companies**.

To be considered as a commercial partnership or company, a commercial organization should own its authorized share capital consisting of the shares of the founders (participants). The property created due to the deposits of the participants, as well as obtained or produced in the course of the activity of the commercial partnership or company belongs to the latter on principle of ownership.

- Commercial partnerships can be created in the form of limited or full partnerships.
- Commercial companies can be established in the form of limited companies or ones with supplementary liabilities, as well as joint stock companies.

Commercial partnerships:

- In the basis of establishment of an **full partnership (FP)** lies the wish of several persons and LE-s to unite and run their activities jointly; an important point is that it must be done by uniting the capital and establishing independent commercial companies, namely, the FP participants can be only the SP-s and/or commercial organizations. The latter can only be part of one FP.
- **Limited partnership (LP)** is also a type of unification of several persons and their capital. The participants of this type of partnership consist of two groups—full partners and contributors. The former engage in entrepreneurship on behalf of the partnership and are accountable for the partnership's liabilities with their whole property; it means that the legal regime of the participants of this group completely corresponds to that of the participants of the FP. The second group, the contributors, make their deposits and carry the risks connected with the partnership activities to the extent of their investment.

Commercial Companies:

- **Limited liability Company (LLC)** is the most widespread type of entrepreneurship at present. The LLC is a company founded by one or several persons the authorized share capital of which is divided into shares according to the rates established by the company statute. The founders of a LLC can be both persons and LEs. The LLC can be established either by one or by several persons. The number of the participants should not exceed 49 people. Otherwise, in the course of one year it should be restructured into a joint stock company; after that period it is subject to dissolution by a court decision. The LLC is characterised by a number of features. For example, the participants are not accountable for the company's responsibilities and carry the risks connected with the company's activities to the extent of their investments; hence the name "limited liability" derives from this nature. As a LE with limited liabilities the LLC becomes the owner of the assets contributed by the founders in the form of investments. As soon as the participants make their investments in the company's authorised share capital, they lose their ownership rights toward these assets.
- **Supplementary liabilities company (SLC)** is established by one or several persons, and its authorised share capital is divided into shares according to the proportions stipulated in the company statute. The SLC is different from the LLC due to the nature of liabilities of the participants; if the company assets are not enough to meet the demands of the debt owners, the participants of the SLC can be additionally held solitary. However this type of responsibility has its boundaries. It does not refer to the whole property of the participants but only to a part of it; as specified in the company statute (charter), the level of responsibility is equal for everyone and defined by the same multiplier applied to all investments. The SLC founders can be both persons and LEs.
In general, if we push aside the liability characteristics of the SLC, this form of companies can be viewed as a type of LLC, since, by definition, it is the LLC legislation that is applied to SLCs.
- **Joint stock Company (JSC)** is a commercial organization type of company the authorised share capital of which is divided into a certain number of shares assuring the liability commitment towards the company. The participants of the JSCs are not liable for the company's responsibilities and carry the risks connected with the activities of the company to the extent of the value of their shares. A JSC can be established by or consist of one person in case if all shares have been obtained by one of the shareholders. The JSCs can be classified in two types - **open joint stock**

companies (OJSC) and closed joint stock companies (CJSC). The OJSC launches the processes of open subscription for and free sale of their shares. The shares of CJSC are distributed among its shareholders only, the transfer of shares to other individuals being prohibited.

Cooperatives:

A cooperative is a voluntary union of citizens and legal persons on the basis of membership with the purpose of satisfying the financial and other needs of the participants. There are two types of cooperatives: commercial and non-commercial. The highest body of management of cooperative is the general meeting of its members. A supervisory board can be established in the cooperative.

For more information: contact the Small and Medium Entrepreneurship Development National Center (SME DNC).

5 Mher Mkrtchyan Street,
Yerevan 375010

Tel: (374-10) 54-16-48

Fax: (374-10) 54-16-42

E-mail: info@smednc.am

www.smednc.am

3.3.6.2 Credits and Subsidies and access to them (interest rates, creditors, etc)

In order to start a business in Armenia an entrepreneur usually needs to take credits from banks or credit organizations.

There are some sources (banks and credit organizations) financing SME business in Armenia.

Banks providing credits: http://www.cba.am/CBA_SITE/customer/index.html?__locale=hy.

Credit organizations as of 31 December 2008, there are 25 credit organizations (48 branches):

http://www.cba.am/CBA_SITE/financial_system_control/creditorg/credit.html?__locale=en.

Necessary Steps for getting loans or credits:

- Visit to Bank to obtain a loan
- Visit of the loan officer
- Analysis of gathered Information
- Credit committee review; loan approval

Documents Required for the Loan Application Review and Approval: The approaches of different banks and other credit institutions do not differ much: throughout the loan application review and disbursement process, certain documents will be required.

1. Legal Documents

Depending on the legal status and nature of activities of the business, different documents may be required. The following list applies to almost all the types of enterprises.

- A certificate of state registration;
- Charter and founder's agreement;
- Licenses, if any licenses are required for your business;
- Financial statements for the most recent reporting period (later supplemented with reports for each reporting period);

- Statements or reports on arrears to the state budget and the state fund for social insurance;
- An account statement from the relevant bank;
- An audit report for open joint-stock companies (for other enterprises, the audit report is necessary only if the project so requires);
- Contracts with suppliers and customers (if any);
- For joint-stock companies—a list of shareholders, specifying the shareholding of each shareholder, alongside with appropriate confirmation;
- A list of accounts payable and receivable, specifying the amounts;
- Other relevant documents, depending on the nature of the business.

2. Pledge (Collateral) Documents

Almost in any situation, there is a need to offer some collateral or repayment security to the lender in order to obtain the loan. The pledge(collateral) can be own or enterprise's fixed assets, including land, real estate, equipment, vehicles, as well as current assets (raw materials, finished products, and the like), personal property, valuables, and the like. Depending on the type of collateral, the relevant documents will be required.

If someone is pledging an apartment, then the following documents are needed:

- Property certificate and supporting documents;
- A statement on the owner's family composition, registered or living in the apartment (from the condominium or other respective office);
- A statement from the Real Estate Cadastre to confirm that the property is not subject to lien or encumbrance of any form;
- The notarized consent of the owner's spouse and adult family members (the consent should contain a waiver of the right to own or use the residential space in the event of non-repayment of the loan);
- If there are minors, then the authorization of their trustees and the notarized undertaking of their parents to provide living space to the minors in the event of non-repayment of the loan;
- If an adult member of the family is not married, then a notarized statement, and if he/she is married, then a copy of the marriage certificate;
- The collateral agreement;
- The collateral certificate;
- Other relevant documents and statements, depending on the property.

If an enterprise is pledging real estate of its own, then the following documents are needed:

- Property certificate and supporting documents;
- The privatization agreement and statements and receipts confirming payment;
- Notarized consent of owners and/or founding members;
- A letter from the Real Estate Cadastre to confirm that the property is not subject to lien or encumbrance of any form;
- The collateral agreement;
- The collateral certificate;
- Other relevant documents and statements, depending on the property.

If a vehicle is being pledged, then the following documents are needed:

- A vehicle appraisal deed;
- The technical passport of the vehicle, issued by the Road Police;
- Notarized consent of the pledger's spouse to pledge the vehicle;
- A letter from the Road Police certifying that the vehicle is not subject to lien or encumbrance of any form;
- The collateral agreement.

If equipment and other movable property are being pledged, then the following documents are needed:

- A movable property appraisal deed;
- The technical passport of the movable property, if any, and documents certifying the lawfulness of its acquisition;
- Documents confirming ownership of the movable property, and if there are no such documents, then a written statement declaring ownership of the movable property;
- A statement to confirm that the movable property is free from liens, third party claims, or encumbrances of any form;
- Other documents, depending on the nature of the collateral.

If goods and other inventory is being pledged, then the following documents are needed:

- Documents showing the acquisition of goods and other inventory, including invoices, cash orders, cash receipts, and if payment was by wire, then a bank payment order (if any);
- An appraisal deed;
- The collateral agreement;
- Other documents, depending on the nature of the collateral;
- Documents on any changes to the collateral while the loan is outstanding

Accessibility to Credits and Loans: For the development and support of micro, small and medium businesses there are state and semi-state, as well as international programmes. The so-called "cheap" credits can be obtained within the framework of international credit programmes. These programmes usually work with banks or credit and loan organizations. But each programme assists definite kind of activity. Some of them assist only production and service, some of them agricultural and food processing, some only trade.

These organizations assist banks in credit lending:

- EBRD (European Bank for Reconstruction and Development),
- SME DNC,
- German -Armenian Fund,
- Trpanjian Fund.

This latter programme is practiced in Shirak and Lori Marzez.

".... In the framework of the project business projects are credited. The credit is lended only in the existence of collateral, business plan and all necessary documentation. The interest rate is 6 %. In Shirak Marz it does not demand any collateral. But the project should be approved by the special committee and only after a positive conclusion the credit can be given..."¹¹⁷.

Each bank has its own terms of credit lending. For the most of banks as a minimal requirement can be the good credit history of the client, stable income and collateral. Most of the financial institutions are not accessible for potential start-ups. For most of the returnees receive credits from the banks is impossible as they do not meet the eligibility criteria. They do not possess the property needed as collateral.

3.3.7 Social Security

¹¹⁷ From the interview with Levon Gasparyan-Bank Manager, Gyumri branch manager ABB, held on 07 February 2009, Gyumri

All information mentioned below in point 3.3.7.1, 3.3.7.2, 3.3.7.3, 3.3.7.4 and 3.3.7.5 is up to February 2009.

3.3.7.1 Unemployment benefit and access to it

This benefit is assigned to those who have the status of unemployed. The unemployment status may be granted to those unemployed work-seekers, who have reached the working age and don't receive any benefits assigned by the RA legislation, have at least one year of working experience and apply for the State Employment agency for registration¹¹⁸. The unemployment benefit can be assigned from 6 to 12 months. The size of benefit is 60 % of defined minimum wage rate (30,000 AMD¹¹⁹ or 64.27 EUR), nowadays it makes up 18,000 AMD (38.56 EUR) per month.

For questions apply to the Respective Employment Regional Agencies.

3.3.7.2 Sickness benefits and access to them

Temporary incapacity benefit: Hired employees making mandatory social contributions are entitled to temporary incapacity benefit in cases of incapacity or disease infection and industrial injuries. The allowance depends on the period of employment and varies from 80% to 100% (in the latter case it is paid to those who already have more than 8-year working record) of the salary.

Disability pensions: As it was mentioned in point 1.1.3, the persons having the status of disabled person are granted disability pension.

Payment size: Disability pension is counted according to the same formula as in case of aged pension (more detailed in point 3.3.7.4), where the basic pension size is:

- For disabled children and people in I disability group 140 % of basic pension, which makes 11,200 AMD¹²⁰ (23.99 EUR).
- For II disability group 120 % of basic pension- 9,600 AMD (20.57 EUR).
- For III disability group 100 % of basic pension- 8,000 AMD (17.14 EUR).

In general the pensions are very low to ensure the minimum living standards of disabled, moreover a lot of disabled have not insurance record because of their disability and receive only the above mentioned basic pensions defined for the disability group they have. From this point the defined order of calculation of disability pension is unfair and needs to be improved. "For example, those of I disability group being disabled from childhood and having no capability of working, receive no more than defined pension for I disability group, which can be less than the pensions of those having III disability group, who are capable to work and can have work insurance records."¹²¹

¹¹⁸RA Ministry of Labour and Social Affairs, QUESTION AND ANSWER, Explanations on the employment legislation, http://www.mss.am/home/index.php?code_id=338&menu_id=317# (in Armenian), questions and answers on employment legislature, last accessed in February 2009

¹¹⁹ RA Parliament in 27 November 2008 adopted the Act No. 200 on making changes and supplements in the RA Act on minimum monthly wage, according to that Act in Armenia the minimum wage rate makes 30,000 AMD beginning 01 January 2009.

¹²⁰ The defined basic pension is 8,000 AMD, then $8,000 \times 140 = 11,200$ AMD

¹²¹ According to the interview with Mrs. A. Mkhoyan, national correspondent, "Faith and Light" Community, conducted on 06 May 2008, Yerevan

3.3.7.3 Family allowances and access to them

Family poverty benefits¹²² (how to apply see the point 1.1.3):

The families that are living in poor socio-economic conditions and registered in the Family Benefit System can receive **Family Poverty Benefit**.

The families having higher score than the defined vulnerability score (currently 30.00) are granted Family Benefit.

In the Family Poverty Benefit system the child plays a crucial role.

The basic family benefit is 10,000 AMD (21.42 EUR) from January 2009

If the vulnerability score is 30.01-35.00, the benefit sizes are as follows:

- For every child under 18, the family receives additional 5,500 AMD (11.78 EUR),
- For every child under 18, the family (having 4 and more children) receives additional 6,500 AMD (13.93 EUR),
- For near-border and high mountainous settlements for every child the family receives additional 6,000 AMD (12.85 EUR),
- For near-border and high mountainous settlements for every child the family (having 4 and more children) receives additional 7,000 AMD (15 EUR).

If the vulnerability score is 35.01-39.00, the benefit sizes are as follows:

- For every child under 18, the family receives additional 6,000 AMD (12.85 EUR),
- For every child under 18 the family (having 4 and more children) receives additional 7,000 AMD (15 EUR),
- For near-border and high mountainous settlements for every child the family receives additional 6,500AMD (13.93 EUR),
- For near-border and high mountainous settlements for every child the family (having 4 and more children) receives additional 7,500AMD (16.07 EUR).

If the vulnerability score is higher than 39.01, the benefit sizes are as follows:

- For every child under 18, the family receives additional 6,500 AMD (13.93 EUR),
- For every child under 18 the family (having 4 and more children) receives additional 7,500 AMD (16.07 EUR),
- For near-border and high mountainous settlements for every child the family receives additional 7,000AMD (15 EUR),
- For near-border and high mountainous settlements for every child the family (having 4 and more children) receives additional 8,000AMD (17.14 EUR).

Eligibility to Family Benefit: “In general, the nomination of this benefit depends on the living conditions of households, the size of their incomes, family composition, residence place and many other factors. But disabled children and persons having the status of “disabled”, lonely and childless pensioners of 75 year old and over, families having children under 18 have higher vulnerability score in the Family benefit system”¹²³.

¹²² Based on the RA Government Decree No. 39 of 15 January 2009 on making changes and supplements in several RA Government Decrees and defining the rates of State Benefits in 2009 more detailed in the website of RA Ministry of Labor and Social Issues, Questions and answers on Family Benefits, http://www.mss.am/home/index.php?code_id=320&menu_id=317 (in Armenian), accessed on 02 March 2009

¹²³ Interview with Mrs. Alla Harutyunyan, lawyer, Mission Armenia NGO, conducted on 10 February 2009, Yerevan

3.3.7.4 Pension for elderly

Pension system in general, can someone live with an average pension

❖ Pension system in Armenia

Currently RA pension system includes:

- **State (compulsory) pension insurance** for all working citizens, it is realized at the expense of compulsory social insurance payments¹²⁴.
- **State pension security** for those citizens who are not included in State social insurance system in order to guarantee the citizens' pension social security. It is realized at the expense of State budget.
- **Supplementary voluntary (non-state) pension insurance**, which will be realized at the expense of employers and workers' voluntary payments (it is not implemented yet).¹²⁵

In Armenia the rate of pensions depends neither on the rate of received salaries nor on the amount of the pension insurance payments. **The rate of pensions, the assigned type of pension as well as pension threshold depends on the number of years of insurance record and the type of job.**

❖ Insurance record

"Insurance record is the sum of the periods of labour or other type of activity not prohibited by RA Legislature, when the person was liable to the compulsory state pension insurance, and this person has done pension insurance payments according to the defined order".¹²⁶

Activities that are calculated in insurance record (in case the person has at least 5-year working insurance record), according to State Pensions Act, Section 45 (3,5):

- The study in educational institutions, the daytime courses, if during or after the education during 10 years the person has done pension insurance payments;
- The compulsory military service;
- The period of receiving temporary incapacity benefit,
- The period of receiving the unemployment benefit;
- The period that one of the parents takes care for the child (for each child until aged 2) but no more than 6 years (this period can be included only in one of the parents' record)
- The period of care of one of the parents for the disabled child until aged 18 (it is included only in one of the parents' record) or the period during which the person recognized as tutor takes care of disabled person of first group but no more than 10 years
- Other cases defined by law.

Documents certifying insurance record: According to the State Pensions Act (Section 47) the basic document certifying insurance record is **work record book** and beginning January 1992 the **reference certifying compulsory pension insurance payments** given by the regional social insurance agencies. In case of absence of work record book or other documents, insurance record is certified by the archive documents, if it is not possible-by the decision of court.

¹²⁴ According to the Act No 179 of 06 December 1997 on compulsory social insurance payments, Section 5 (2) the workers do compulsory payments by the amount of 3% of their salary. The employers also do social insurance payments by defined amount.

¹²⁵ More detailed on pension system in Armenia, existing pensions and etc. at RA Ministry of Labor and Social Issues' website http://www.mss.am/home/index.php?code_id=332&menu_id=317, last accessed in March 2009

¹²⁶ Act No 519 on state pensions of 19 November 2002, Section 45 (1) (a)

Comments:

- “For one calendar year it is not possible to calculate more than one year insurance record (...).”¹²⁷ Except the cases defined by law, for example periods of being prisoners of reprisals or participation in military operations (in this cases more than one year is calculated).
- When assigning the pension the record obtained anywhere in one of the USSR republics until 01 January 1992 as well as in CIS member countries is calculated in insurance record in Armenia according to the Agreement of 13 March 1992 on the citizens’ rights of CIS member countries in pension security sphere. As to other countries there are no adopted agreements on the mutual recognition of obtained records yet or on pension issues in general, so the work experience obtained in one of the European Union Countries can not be taken into account when assigning pension in Armenia.

❖ Pensions in Armenia¹²⁸

The State Pensions Act (Section 12-39) defines the pension types existing in Armenia, the basis of pension assignment and pension rates. Briefly the pensions are listed below:

- **Aged pension** is assigned to persons who are 63 years old and elder and have at least 5-years old working record;
- **Old age pension:** Elderly people who have not right to the aged pension (i.e. have not required working insurance record), at the age 65 are entitled to the old age pension;
- **privileged pension**
 - a. According to list 1¹²⁹, can be assigned to the persons who are 55 years old with at least 25 years of working record 15 out of them worked at specially hard labour conditions. Till the reaching to the pension threshold an aged table exists for women, according to which for them this age increases by 6 months every year till the reach of 55 year old, for example in 2008 women have this pension right in 51.5 years old, in 2009 -52 years old.
 - b. According to list 2¹³⁰, can be assigned to the persons who are 59 years old with at least 25 years of working record 20 out of them worked at specially hard labour conditions. For women an aged table exists, according to which for them this age increases by 6 months every year until the reach of 59 year old, so in 2008 women had this pension right in 56.5 years old, in 2009- 57 years old and so on.
- **Long service pension**, this pension is assigned to the persons working in civil aviation.
- **Disability (invalidity) pension** (more detailed in point 3.3.7.2)
- **Pension in case of breadwinner loss**, this pension can be assigned to the following relatives of the died breadwinner:
 - The child under the age of 18;
 - The brother, the sister and the grandchild under the age of 18 if they do not work and do not have parents capable to work
 - The spouse or other capable major member of the family, or the person recognized as tutor prescribed by law regardless the age and ability to work, if he/she takes care of the child under the age of 8, the brother, the sister or the grandchild of the died breadwinner and does not work;
 - Disabled children, parents, spouse who reached the age authorizing the right to the aged pension by the moment of breadwinner’s loss, and in case they do not work.

¹²⁷ Ibid., Section 45 (2)

¹²⁸ In this report the pensions for military personnel, the police, judges, public prosecutors, diplomats and their family members that are defined by other normative acts and with other rates are not included.

¹²⁹ RA Government defines the list of these positions and occupations

¹³⁰ RA Government defines the list of these positions and occupations

- **Partial pension**, The employees of spheres of education, culture have a right to the partial pension, if they are 55 years old and up to 23 June 2003 had 12-year insurance record. In case of partial pension only the vocational insurance record registers.

❖ Can someone live with an average pension

During recent years Armenia notably reduced poverty among the whole population. Besides the economical growth the poverty reduction of elderly can be explained also by increased pensions, elimination of pension arrears, and transfers and other assistance received from their children. Every year the Government increases the rates of pensions, but still it is not possible to tell that the pensions are enough to ensure minimum living standards. According to the sociological survey recently conducted by Armenian Caritas in 2007 "(...) elderly residing in Armenia are not able to completely satisfy any one of the basic needs in order to ensure normal life-style. Partly they can satisfy only needs in nutrition and public utilities."¹³¹

From this point the decisive factor is the assistance from pensioner's families/children; many pensioners would face severe poverty without this assistance.

Armenia currently can't pay higher pensions. The pensions are paid from the fund created from the compulsory social insurance payments which is not sufficient to pay higher pensions to about 12.5 % of population that are above the retirement age. In addition many Armenians work in "black market" where neither the employee nor the employer pays taxes on salaries.¹³²

Eligibility for pension or other benefits

❖ Eligibility for pensions

So, in Armenia elderly people are entitled to **aged or old age pension** (How to apply see in point 1.1.3).

Aged insurance pension is entitled to those who are 63 years old and elder and have at least 5-years old working record. In addition, an age table operates especially for women, according to which for them this age increases by 6 months every year until the reach of 63 year old. Therefore, women have a right for pension in 61.5 years old in 2008, in 62 years old in 2009. Persons with at least 35 years working record, have a right for an advanced aged pension, they can go to this pension one year earlier than the defined aged pension threshold.

The rate of aged pension: From the 01 January 2009 the defined basic pension is 8,000 AMD (17.14 EUR) and the amount for every insurance record year is 450 AMD (0.96 EUR), defined by RA Government Decree No 1122 of 02 October 2008.

This pension is calculated like this: **Pension = basic pension+ (N x 450) x C**, where

- N is the number of insurance record year,
- C is the personal coefficient of the pensioner.

¹³¹ Armenian Caritas, "Dignified and prosperous life for elderly" sociological survey, by the author Zara Aghanyan, Gyumri 2007, part V Conclusions and Suggestions, page 65, paragraph 5, http://www.caritasarm.am/downloads/sociological_research_2007.pdf (in Armenian), last accessed in February 2009

¹³² about the problems of elderly see the article in website of Catholic Near East Welfare Association (CNEWA), Pensioners in Crises (Armenia's elderly pay dearly for independence) by Gayane Abrahamyan, 2008, <http://www.cnewa.org/mag-article-bodypg-us.aspx?articleID=3304>, last accessed in February 2009

The personal coefficient of pensioners is calculated like this: the record that is less or equal 25 multiplies by 0.04 coefficient, and the part of record exceeding 25 multiplies by 0.02 coefficient, after the products sum up.

For example, if the pensioner has 30-year insurance record, the pension makes:

Pension=8,000+30x450x((25x0.04)+(30-25)x0.02)

Pension=8,000+30x450x1.1

Pension=22,850 AMD or 48.95 EUR.

Old age social pension: Those who have not right to the aged pension (that is have not required insurance record years), at the age 65 are assigned to the old age pension.

The rate of old age pension: This pension is equal to the rate of the defined basic pension, that is 8,000 AMD (17.14 EUR).

Pension in case of breadwinner loss: This pension is calculated according to certain formula: (Basic pension+insurance part of the pension of breadwinner).

- For one person -50%
- For 2 persons -90%
- 3 and more persons -120%
- 4 and more persons-150%
- The children who have lost both parents receive 5-time of the insurance part of the parents' calculated pension according to the above-mentioned formula.
- The parentless children who are under the full care of State, (special schools and orphanages) receive 50% of the pension. Special account is opened in the bank on the child's name and these amounts are accumulated there. The child has the right to receive it upon reaching adulthood within one month, as one-off payment.
- The pension is given to the parent (trustee or guardian) of the child in case of being under-age or disabled.

Comments:

- **The pensions are paid once per month.** The pensions for the given month are paid no later than in the first half of the same month. Usually the pensioners receive their pensions at home but they also can get them in regional social insurance agencies of their residence place presenting passports.
- **"Not received pensions are paid for no more than 3-year period preceding the date of the pensioner's written application."**¹³³
- **"The pensioners who are completely under the State care and live in State elderly houses (rest homes) receive only the insurance part of their pension"**¹³⁴ (excluding the basic pension). Those, who are assigned to the old age pension, the pension are not paid.
- **"In case of the pensioner's death, the pension due to him and not received is paid to one of the members of pensioner's family (...)." ¹³⁵** One of the family members should present a written application, his/her passport and social card, death certificate of pensioner to the regional social insurance agency within 6 month after the pensioner's death.
- **"In case of the pensioner's death (...) the funeral benefit by the amount of 25Xbasic pension is paid to the person who organized the funeral (...)." ¹³⁶** Currently the funeral benefit makes 200,000 AMD or 428.48 EUR. For receiving this benefit, the person should present to the regional social insurance agency such documents: written application, his/her passport, social card with copies, death certificate of pensioner with the copy.

¹³³ State Pensions Act, Section 57 (1)

¹³⁴ Ibid., Section 58

¹³⁵ Ibid., Section 64 (5)

¹³⁶ Ibid., Section 64 (1)

- “The pension of the pensioner who works is paid by the entire amount.”¹³⁷

❖ Other benefits eligible for pensioners

Besides pensions, in Armenia there are no benefits specially defined for elderly.

Eligibility for Family poverty benefit: The presence of elderly pensioner increases the family vulnerability score but on the other hand the pension of the aged person is considered as income and can decrease the level of vulnerability of the household: the lower the average monthly income, the higher the vulnerability score. The only categories of elderly who have the biggest chance to receive Family benefit are “lonely and childless pensioners of 75 year old and over”.

Free medical aid:

- **Free primary medical aid,** Beginning 2006 the primary medical aid is free for all RA citizens¹³⁸, then it is for free for elderly as well.
- **Free medical aid and service insured by State for vulnerable groups,** As a separate group the elderly are not included in the list of socially vulnerable groups adopted by RA Government. They can benefit from the free medical services belonging to one of these defined vulnerable groups: families that receive Family Benefit (i.e. to have 30.00 and higher score of vulnerability in Family Benefit System); persons having disability group; prisoners of reprisals; and veterans of Great Patriotic War 1941-1945.¹³⁹
- **Stomatology services,** Persons 65 years old and over have a right to the free stomatology services by the defined order.¹⁴⁰

Free receiving of hearing-aids¹⁴¹: For receiving free hearing aids aged pensioners have to apply to the Republic Surdology Centre and take a reference of a type of this apparatus and present it to the regional social service agency with an application.

Contact information to pension authorities

➤ On pension issues

For more detailed information on pension issues contact the regional social insurance agencies of residence place that are empowered to assign pensions or to RA Ministry of Labour and Social Affairs located in Republic Square of Yerevan, 0010, Government House 3, Contact person: Rosa Mkrtchyan, Pension security division, tel. (374-10) 54-27-96.

➤ On elderly issues

For the detailed information on elderly issues, the privileges available in Armenia for elderly, on elderly houses contact RA Ministry of Labour and Social Affairs, Contact person: Anahit Gevorgyan, Elderly issues division, tel. (374-10) 52-17-61.

¹³⁷ Ibid., Section 54

¹³⁸ According to the RA Government Decree No 291 on doing supplements and changes in the Decree No 318 of 04 March 2004, adopted in 09 February 2006

¹³⁹ According to the RA Government Decree No 318 on Free medical aid and service insured by State (appendix 1), came into force on 08 April 2004

¹⁴⁰ Ibid.,

¹⁴¹ According to the RA Government Decree No. 453 of 12 April 2007 on the adopting the order of the provision of prosthetic-orthopaedic appurtenances, technical and other supplementary means of repair

3.3.7.5 Other benefits in the social welfare system

Allowances connected with the birth of child:

- For the **childbirth** the family receives one-time benefit of 50,000 AMD (107.12 EUR) regardless of the vulnerability of the family,
- The families for the third and for every next born child, receive 430,000 AMD (921.22 EUR),
- Pregnancy and delivery allowance (maternity benefits) **payable to employed women** for a period of 70 days preceding the delivery and 70 days thereafter. This allowance is equal to the average salary received during the three months preceding the leave,
- Monthly benefit of 18,000 AMD (38.56 EUR) is paid to people who are in partly paid vocation and take care of the children (until aged 2). If they return to their job or resign, the benefit is not paid.

Funeral benefit: Is given in case of death of

- the unemployed person (3X unemployment benefit),
- the pensioner and disabled (25X basic pension, that is 200,000 AMD or 428.48 EUR),
- the person receiving Family poverty benefit (50,000 AMD or 107.12 EUR),

Participants and invalids of the Great Patriotic War (1941-1945):

- Participants of Great Patriotic War are granted monthly 4,500 AMD (9.64 EUR) to use the transport and energy services,
- the family of killed participant- monthly 6,800 AMD (14.57 EUR), to use all types of public utilities,
- The invalids of Patriotic War- monthly 6,800 AMD (14.57 EUR) to use all types of public utilities.¹⁴²
To receive the mentioned benefit one should apply for the place of residence respective pension body (those, who receive pensions from military commissariats should apply respectively there),
- Some benefits to use public utilities - discounts up to 50% for subscription fees - telephone, flat, radio as well as to be rendered free medical aid and service within state order,¹⁴³
- Once a year free travelling across the CIS countries territory is maintained as well,
- The veterans of the Great Patriotic War may be assigned an honorary payment of 20,000 AMD (42.85 EUR).¹⁴⁴

The military invalids and family members of died/killed military persons:

- Monthly 7,500 AMD (16.07 EUR) is anticipated to provide the invalid military person for utilization of gas, water and transportation,
- Monthly 7,500 AMD (16.07 EUR) is anticipated to provide families of military persons died/killed during fulfilment of official duties. If the number of members more than 5 then after every person an extra 3,000 AMD (6.43 EUR) is paid,
- Those persons are benefited from 50% discounts to pay the subscription fees for public utilities.

¹⁴² RA Government Decree No. 207 of 05 February 2004 on approving the order for nomination and payment of financial assistance to veterans of Great Patriotic War, persons equalized to them and families of victims, appendix 1

¹⁴³ RA Act No. 267 of 02 December 1998 on participants of Great Patriotic War, Section 4

¹⁴⁴ RA Government Decree No. 444 on defining the rate of monthly honorary payment of the participants of Great Patriotic War, adopted in 15 May 2008

3.3.7.6 Special benefits for returnees

There are no special benefits or privileges for returnees in Armenia.

There are some international and local organizations dealing with the issues of returnees providing different kind of services, such as IOM, Eurasia, France-Armenian Association, Armenian Caritas, Mission Armenia NGO and so on. But usually all these organisations support only their beneficiaries.

There is website www.backtoarmenia.am operating under the Migration Agency of the Ministry of Territorial Administration's supervision.

"There is a need to establish interdepartmental committee that will coordinate the work of all the state and non-state agencies and organizations dealing with returnees in order to better organize the return and reintegration of Armenian migrants." ¹⁴⁵

3.3.8 Charity organizations with a general scope (services, contact information)

On the website of "The Professionals for Civil Society" NGO there is a database of contact list of Armenian non-governmental organizations that provide various services to different social groups. These organizations are classified by location and filed of activity: <http://www.ngo.am/eng/index.asp?page=dir>.

3.3.9 Useful data to calculate the cost of living (price of petrol, basic food, etc.)

The National Statistical Service of RA has published "*Consumer Price Indexes (Prices) In the Republic of Armenia, January-December 2008*" (in Armenian), where the prices of 470 food and non-food products in 12 cities of Armenia as of December 2008 can be found. ¹⁴⁶

Food products (the average prices of Yerevan city as of December 2008):

Flour (high quality) 1 kg	357.8 AMD or 0.77 EUR	Beef 1 kg	1,547.2 AMD or 3.31 EUR
Bread (high quality) 1 kg	417.1 AMD or 0.89 EUR	Pork 1 kg	3,087.7 AMD or 6.62 EUR
Milk 1 litre	359.0 AMD or 0.77 EUR	Poultry 1 kg	1,346.2 AMD or 2.88 EUR
Eggs (ten)	557.8 AMD or 1.20 EUR	Butter 1 kg	2,748.4 AMD or 5.87 EUR
Vegetable oil (sunflower) 1 litre	904.5 AMD or 1.94 EUR	Cheese "Lori" 1 kg	1,656.3 AMD or 3.55 EUR
Bean 1 kg	934.4 AMD or 2 EUR	Macaroni 1 kg	481.7 AMD or 1.03 EUR
Potatoes 1 kg	130.6 AMD or 0.28 EUR	Cabbage 1 kg	179.7 AMD or 0.38 EUR
Rice 1 kg	598.8 AMD or 1.28 EUR	Bulb onion 1 kg	171.3 AMD or 0.37 EUR
Sugar 1 kg	248.4 AMD or 0.53 EUR	Apple 1 kg	377.4 AMD or 0.81 EUR

¹⁴⁵ Interview with Mr. S. Vardanyan, Head of department of combating illegal migration, RA Police, held on 17 February 2009, Yerevan

¹⁴⁶ National Statistical Service of RA (NSSRA), Consumer Price Indexes (Prices) In the Republic of Armenia, January-December 2008" (in Armenian), table 15, Pages 139-149, http://www.armstat.am/file/article/cpi_12_08.pdf, last accessed in February 2009

EUR

Services (the prices are fixed for the whole regions of Armenia):

- **Electricity** for residential consumers (day tariff): 1 KW-H costs 25 AMD or 0.05 EUR
(Night time rate): 1 KW-H costs 15 AMD¹⁴⁷ or 0.03 EUR
- **Tariff for Potable water** supply depending on different regions monthly fee: 1 m³ costs 76.98- 146.88 AMD¹⁴⁸ or 0.16-0.31 EUR
- **Natural gas** for customers consuming monthly up to 10 thousand m³: 1 m³ costs - 84,0 AMD¹⁴⁹ or 0.18 EUR,
- **Monthly telephone bill**: 1,100 AMD or 2.36 EUR.

There are three cell phone service providers operating in Armenia Beeline, Viva Cell MTS, Orange (the latter will start its operational activities at the end of 2009).

Beeline <http://mobile.beeline.am/index.wbp>, (in Armenian and Russian),
VivaCell MTS <http://www.vivacell.am/index.php?lng=2>.

Due to the global financial crisis there is a tendency of significant increase in prices during 2009.

3.4 Health

3.4.1 General health situation by regions (epidemics, etc.)

According to the National Statistical Service of RA, "Yearbook 2008"¹⁵⁰, in 2007 number of registered diseases with the diagnosis set for the first time were (out of 1000 cases) respiratory organs diseases- 300.8, infection and parasitic diseases- 67.1 cases, nervous system disorders and organs of senses diseases- 84.6, psychic dysfunctions- 6.9, neoplasms- 8.4, blood circulation diseases- 42.3, digestive organs disorders- 42.8, urogenital diseases- 37.9, complication of pregnancy, child birth and post-natal period-14.2, skin infection and underskin fat diseases- 33.8, injuries and poisonings- 51.9 and so on.

Among the diseases caused by selected infectious diseases in 2007 there were (out of the whole population)- Acute intestinal infections- 5,407 cases, Typhoid fever and paratyphoid fever A, B, C- 21, Salmonella infections- 292, Virus hepatitis-1,060, Scarlet fever- 1,106, whooping cough- 1, Measles- 7 cases.

3.4.2 Drinking water and sanitation by region; heating system (if relevant)

Drinking water access: "Although 90 percent of Armenians have access to water, the reliability and quality of water services have deteriorated alarmingly in the past decade. Coverage in urban areas is generally higher than in rural areas, but intermittent service is common. Moreover, inadequate functioning of water treatment plants and dilapidated distribution networks have made drinking water unsafe in many urban centres leading to a

¹⁴⁷ Public Services Regulatory Commission (PSRC) of RA, Electric power, tariffs, <http://www.psrc.am/en/?nid=213>, last accessed in February 2009

¹⁴⁸ Public Services Regulatory Commission (PSRC) of RA, Water, tariffs, <http://www.psrc.am/en/?nid=229>, last accessed in February 2009

¹⁴⁹ Public Services Regulatory Commission (PSRC) of RA, Natural Gas, tariffs, <http://www.psrc.am/en/?nid=218>, last accessed in February 2009

¹⁵⁰ National Statistical Service of RA (NSSRA), Statistical Yearbook of Armenia 2008, "Public health", points 100- 102, pages 139-143, <http://www.armstat.am/file/doc/99456308.pdf>, last accessed in February 2009

rise in water-borne diseases such as typhoid and diarrhea. Rural water supply services are largely in a state of total disrepair.”¹⁵¹

See also: Water efficiency (the journal for water conservation professionals), May-June 2008, Lessons learned, By Robert Kurkjian and Matthew Karanian, <http://www.waterefficiency.net/may-june-2008/armenia,-water,-international-1.aspx>, accessed in March 2009

Sanitation: “The proportion of the population with access to sanitation has not changed considerably since the 1990s and remains at around 70 percent. This issue is particularly relevant for rural areas which account for the majority of households without access to sanitation.”¹⁵²

3.4.3 Health care system (including psychological care)

3.4.3.1 Health care infrastructure by regions (hospitals, equipment, etc.)

“(…)The health care system is divided into three administrative layers: *national* (republican), *regional* (Marz) and *municipal or community* (...). Following the decentralization and reconfiguration of public services after independence, with the exception of the state hygiene and anti-epidemic (SHAE) services and several tertiary care hospitals, operation and ownership of health services have been devolved to local governments (for primary health care) and provincial governments (for hospitals).”¹⁵³

3.4.3.2 Eligibility criteria and access to health care services

Paid medical services, as a concept, were officially introduced in Armenia from 1997 to 2005. They were applied to medical care and services provided outside the framework of healthcare programs financed from the state budget. In 2006 the Government implemented very important changes in the healthcare system providing free ambulatory-polyclinics healthcare guaranteed by State.

Free medical assistance and service insured by the State

❖ Primary medical care for all residents of Armenia:

- emergency care,
- the whole volume of ambulatory/policlinics medical care,
- obstetric services,
- situations requiring reanimation medical intervention,
- diseases and situations requiring emergency medical intervention,
- psychiatric care,
- malignant Neoplasm,
- hemophilia,
- aplastic anemia,

¹⁵¹ WaterWiki, Water Profile: Armenia, Urban/Rural Coverage ,02 October 2008, <http://waterwiki.net/index.php/Armenia>, accessed in February 2009

¹⁵² United Nations (UN), National Report 2005, Armenia, Millennium Development goals: Nationalization and Progress. MDG 7 “Ensure environmental sustainability”, Target 11, Improvement of housing conditions, page 24, <http://www.undp.am/docs/publications/2005publications/mdgreporteng.pdf>, last accessed in March 2009

¹⁵³ World Health Organization (WHO), “Health Systems in Transition”, Armenia (Health system review), Vol. 8 No. 6, done by European Observatory on Health Systems and Politics 2006, Point 2.2 Organizational overview, pages 18 (with figures 2.1 and 2.2); about equipment and staff see also the same report point 5 Physical and human resources, pages 89-95, <http://www.euro.who.int/Document/E89732.pdf>, last accessed in February 2009

- infectious diseases (hepatitis, tuberculosis, HIV/AIDS etc.)
- ❖ **Defined socially vulnerable groups**, eligible to receive a comprehensive package of free outpatient and inpatient services (except those cases requiring hard and expensive technologies):
 - Beneficiaries of the poverty family benefits programme (having 36.00 and more score),
 - People with disabilities (according to three degrees of disability), disabled children,
 - Military servicemen and their family members; war veterans and persons equalized to them; families of military servicemen who died in service,
 - People undergoing additional medical examination by the Medico-Social Expertise Commission (upon referral by MSEC authority),
 - Children (under age 18) without parental care,
 - Children under the age of seven,
 - Etc.¹⁵⁴
- ❖ **Medical assistance on co-payment basis:** (...)“In 2004, the Government introduced co-payments for those populations not considered socially vulnerable, in the form of a one-off flat-rate fee for specifically defined medical care and services that are included in the BBP¹⁵⁵. However, this is restricted to Yerevan hospitals only and there are several exceptions for both; certain conditions (i.e. diseases and diagnoses that require hospital care and services as adopted by order of the Ministry of Health) and certain population groups, namely pensioners, vulnerable and special population groups as well as patients referred by the Ministry of Health, by the Ministry of Labour and Social Affairs or by the Marz governors. (...)”¹⁵⁶
- ❖ **All other residents in Armenia must pay in full**, at the point of use, for all care that are not included in free medical assistance and service insured by the State.

Comments:

- *Free medical assistance and services are insured only for those having RA citizenship,*
- *In Armenia there are no compulsory medical insurance system,*
- *Some kind of medical assistance that require hard and expensive technologies are paid services for all persons even for those included in “socially vulnerable groups”.*

The existing “state order” provision of free-of-charge health care thus remains more declarative than factual. The population, especially those in need and/or with the least means, meet with limited access to basic and specialized health care services.

Women: A hardship that women can face in the Armenian society is the accessibility to health facilities. The socio-economic changes of the last decade greatly impacted the health sector, giving rise to numerous problems. Health care became unaffordable for the majority of the population and the quality of the health care in hospitals and policlinics deteriorated.

Many social diseases like, tuberculoses, sexually transmitted diseases, oncological and cardio-vascular diseases became very popular among the population.

¹⁵⁴ *ibid.*, pages 33-34 (the full list of socially vulnerable groups)

¹⁵⁵ Basic Benefits Package

¹⁵⁶ World Health Organization (WHO), “Health Systems in Transition”, Armenia, (Health system review), Vol. 8 No. 6, done by European Observatory on Health Systems and Politics 2006, page 33, <http://www.euro.who.int/Document/E89732.pdf>, last accessed in February 2009

Another problem is connected with the reproductive health of the women. The cases of maternal deaths are mainly connected with the worsening of women health conditions.

See articles on health care in Armenia at: 168 hours weekly online, <http://www.168.am/en/health>, accessed in February 2009

3.4.3.3 Cost of health care (costs of treatment, medicaments, bribes for doctors)

❖ Cost of treatment

Every clinic has its defined price list.

Below is presented existing costs of some treatments and testing in "Armenia" republican medical centre, as of March 2009. But, note, that due to global financial crisis along with the increased prices in different spheres the health care services will become more expensive. So the prices mentioned below can be changed during 2009.

For all types of consultations- 5,000 AMD each (10.71 EUR)

For inpatient treatments in:

- **Gastro-intestinal Department** - 110,000 AMD or 235.66 EUR
- **Cardiological Department**- 110,000 AMD (235.66 EUR)
- **Nephrological Department**- 110,000 AMD (235.66 EUR)
- **Endocrine Department**- 110,000 AMD (235.66 EUR)
- **Pulmonic Department** - 110,000 AMD (235.66 EUR)
- **Neurological Department**- 110,000 AMD (235.66 EUR)
- **One course of Hemodialysis** - 35,000 AMD (74.98 EUR)

General surgery:

- all gynecological operations-90, 000-130,000 AMD (192.81-278.51 EUR)
- Hernia (bubonoccele, omphalocele) - 100,000 AMD (214.24 EUR)
- Chronic cholecystitis- 110,000 AMD (235.66 EUR)
- Chronic appendicitis - 100,000 AMD (214.24 EUR)
- Gastrectomy- 140,000 (299.93 EUR)

Laparoscopy:

- Laparoscopic cholecystectomy - 110,000 AMD (235.66 EUR)
- Herniotomy, appendectomy - 110,000 AMD (235.66 EUR)
- Diagnostic laparoscopy - 80,000 AMD (171.39 EUR)

Amputation- 110,000 AMD (235.66 EUR)

Aortocoronary bilateral shunting- 230,000 AMD (492.75 EUR)

Traumatology:

- Reconstructive operations, bone transplantation- 300,000 AMD (642.71 EUR)
- Total arthroplasty- 400,000 AMD (856.95 EUR)

Comments:

- In case of simultaneous operations the patient should do additional payment according to diagnosis,
- The prices mentioned above do not include the cost of implants.

❖ Medical examination

General clinical investigation

- General Blood test- 1,000 AMD (2.14 EUR)
- Urinal general testing-1,000 AMD (2.14 EUR)
- sugar in daily urine- 500 AMD (1.07 EUR)

Clinical Biochemistry

- For every component of blood- 500-3,000 AMD (1.07-6.43 EUR)

Clinical immunology

- Blood group-1,000 AMD (2.14 EUR)
- Rhesus factor-1,000 AMD (2.14 EUR)
- C-reactive protein-1,000 AMD (2.14 EUR)
- Rheumatoid factor- 1,700 AMD (3.64 EUR)

Hormonal diagnosis- 5,000 AMD (10.71 EUR)

Clinical bacteriology

- Bacteriological test of blood- 3,000 AMD (6.43 EUR)
- Dysbacteriosis- 4,500 AMD (9.64 EUR)
- Bacteriological test of bacilli-carrier - 1,000 AMD (2.14 EUR)

X-ray of different segments- 1,000-18,000 AMD (2.14-38.56 EUR)

Sonography of different segments- 5,000-7,000 AMD (10.71-15 EUR)

Endoscopy

- Gastroduodenoscopy- 8,000 AMD (17.14 EUR)
- Colonoscopy- 10,000 AMD (21.42 EUR)

Functional diagnosis

- ECG (electrocardiogram)- 2,000 AMD (4.28 EUR)
- Echocardiogram- 8,000(17.14 EUR)
- blood pressure monitoring- 4,000 AMD (8.57 EUR)

Neurophysiology

- electroencephalogram- 7,000 AMD (15 EUR)
- echoencephalogram—3,000(6.43 EUR)

Physiotherapy

- Ultrasound and phonophoresis- 500 AMD (1.07 EUR) (for 1 session)
- ultra-high frequency therapy- 500 (1.07 EUR) (for 1 session)

Computer tomography for one segment- 55,000 AMD (117.83 EUR)

❖ Cost of medicaments

On the website of "Natali Pharm" pharmaceutical supplier there is a price list of all medicaments that can be obtained at "Natali pharm" pharmacies: Natali Pharm/Price list, <http://www.natalipharm.am> (in Russian), accessed in February 2009

❖ Bribes for doctors

The health care system of Armenia still suffers of informal payments.

"(...) Out-of-pocket payments (...) can be divided into three categories: official (formal) co-payments charged for services that are only partly covered by the state budget; official (formal) direct user charges for the provision of services outside the state benefits package, and unofficial or informal payments, including gratuities provided on a voluntary basis or demanded by providers for services, over and above the official state payments and user fees. (...) *Informal payments* have now developed into an almost formalized system of fees, including barter goods and services in rural areas, for health care providers, auxiliary personnel and administrators. (...)"¹⁵⁷

According to the survey done by Transparency International Armenia conducted in 2006, healthcare sector was considered as "the first most corrupt sector/service" by the respondents.¹⁵⁸

3.4.3.4 Discrimination in health care system (ethnic, religious, social, etc.)

In Armenia there is not any kind of ethnic, religious discrimination. The discrimination rather is connected with the ability of the patients to pay for medical services.

According to surveys, "(...) Groups with privileges, which are often the same as vulnerable groups, are not able in practice, to use their privileges with regard to fees and drugs. As people with privileges have mentioned, they are subjected to indifference and poor treatment if they do not directly pay for fees, and consequently prefer to pay in order to properly use the services.

With regards to drugs, the problem is that often the most necessary and expensive drugs are not available at healthcare facilities, and these patients have to purchase them on their own. (...)"¹⁵⁹

3.4.3.5 Services of non-state agents in health care (international, NGO, church)

There are numerous, mainly international, NGOs that currently operate or support health-related programmes and activities in Armenia. Some are broad based while others target specific populations and/or health problems.

3.4.3.6 Diseases which cannot be effectively treated in the country

In response to the written inquiry to the Ministry of Health, the following answer was received: "As for the diseases not treated in Armenia, there are no diseases that our hospitals do not deal with. But it is not always that we get absolutely positive results. It depends on the level of the disease, and the peculiarities of the patients' organisms."¹⁶⁰

It is very difficult to get a proper answer to this question. The doctors usually avoid answering to it.

3.4.3.7 Supply with standard medicines

In Armenia the pharmacies have a right to purchase and sell only registered drugs.

¹⁵⁷Ibid., pages 44-47,

¹⁵⁸ Centre for Regional Development/Transparency International Armenia (CRD/TI Armenia), Corruption (perception in Armenia), done in 2006, Fig. 9.1., page 16, http://transparency.am/dbdata/UNDPbook_eng_web_2.pdf, last accessed in February 2009

¹⁵⁹ RA Government, "Armenian Social Trends 07", 2005, Point "Health care problems" page 29

¹⁶⁰ made by Mission Armenia NGO on 02 March 2007

The Government approves and publishes the list of drugs that are provided with or without prescription.

❖ **Free provision of drugs:**¹⁶¹

For the treatment of specific diseases:

- Tuberculosis,
- Mental diseases,
- malignant Neoplasm,
- diabetes mellitus and insipidus,
- epilepsy,
- myocardial infarction,
- periodic peritonitis,
- Heart valve defect,
- Malaria,
- Chronic kidney failure,
- Phenylketonuria.

For defined social groups entitled to free medicines in case of disease,

- People with I and II group of disability, disabled children,
- war veterans and persons equalized to them,
- Children under the age of seven,
- Children (under age 18) without parental care,
- Etc.

Defined social groups entitled to medicines on 50% discounts:

- People of III group of disability,
- People involved in the clean-up activities following the Chernobyl accident,
- Convicts,
- Lonely not working retired elderly,
- Etc.

Not working retired elderly entitled to medicines on 30% discounts.

3.4.4 Persons with physical disabilities

According to the Head of the Agency for Medical and Social Examination of Armenia's Ministry of Labour and Social Issues Mr. Vanian¹⁶², 155,000 disabled were registered in Armenia as of 1 January 2008. Among the recorded disabled women constitute 40%, 8,241 disabled children have been recorded.

The real number of disabled is higher because not all disabled apply to the medico-social examination in order to be recognized as "disabled".

¹⁶¹ According to the Government Decree No. 1717 on approving the list of social groups of population having right to the obtain drugs freely or with privileged conditions through policlinics, adopted on 23 November 2006

¹⁶² ARKA news agency, Medicine and Healthcare, "155,000 disabled registered in Armenia as of January 1 2008", 21.01.2008, <http://www.arka.am/eng/medicine/2008/01/21/7771.html>, last accessed in February 2009

3.4.4.1 Legal regulation and practice

From the legal point the disabled persons have privileges in all spheres; the problem is rather the lack of mechanism and possibilities to realize their rights and privileges for various reasons.

Comments:

- The fact of being disabled is not enough of making use of mentioned rights and privileges; the persons should present the document certifying the disability, that is have to be recognized as “disabled” (how to get this certificate see in point 1.1.3).
- The legislature on disabled refers equally to physically and mentally ill persons, as well as those having somatic diseases (cardio-vascular, osseous-muscular, respiratory diseases) that are recognized as disabled. Armenian legislature divides the disabled persons over 18 into following groups unlike the kind of disorder- *III group, II group, and I group of disability (having the most severe disability)*. The child with any kind of disability under 18 is granted the status of “*disabled child*” by the defined order.

3.4.4.2 Medical assistance

Disabled persons are included in the list of socially vulnerable groups defined by the RA Government that have a right to benefit from free medical aid and service insured by State.¹⁶³

Those having I and II disability group, disabled children have a right to receive medicaments for free and the disabled of III group pay only 50 percent of the cost for receiving medicaments.¹⁶⁴

In practice these privileges are almost never utilized.

- **Prosthesis-orthopaedic items:** One can get prosthetic-orthopedic devices by applying to MSEC, submitting an application form, social card, document identifying his/her personality, excerpt from the clinical history, document certifying the disability status; as for the eye and vocal chords prosthesis also conclusions from relevant professional medical organizations. MSEC gives a conclusion on the emergency of prosthesis and orthoses. Based on these documents local territorial agencies of social services give a referral based on which these devices are provided by Yerevan Prosthetic Orthopedic Enterprise (located in Yerevan, Tsarav Axbjur 55a).
- **Wheelchairs** are provided to disabled children and to persons of I disability group. The disabled or his/her representative should refer to the Rehabilitation Department of RA Medico- Social Examination Agency (at the address Yerevan, Nork-Marash community, Armenakyan 129) presenting the passport (the representative his/her passport as well) the copy of certificate certifying the fact of disability of disabled person, social card, and the conclusion on the emergency of wheelchairs given by the regional MSEC. There a contract is signed on the provision of wheelchair and based on this contract the wheelchair is provided by Yerevan Prosthetic Orthopedic Enterprise with four-year term.
- **Hearing-aids:** Devices for people with hearing impairments in Yerevan are provided by RA Medico-Social Examination Agency rehabilitation department at the address Armenakyan st. 129, and the disabled from Marzes can be provided with the devices in regional MSECs by submitting a passport, social card, copy of the certificate certifying the disability status of the person and the relevant reference from the republican

¹⁶³ According to the RA Government Decree No. 318 on Free medical aid and service insured by State (appendix 1), came into force on 08 April 2004

¹⁶⁴ According to the Government Decree No. 1717 on approving the list of social groups of population having right to the obtain drugs freely or with privileged conditions through policlinics, appendix 1, adopted on 23 November 2006

hearing (audiologies) centre. The person with disability receives the device with four-year term.

Detailed information can be given in regional MSEC or Social Service Regional Agencies related with the procedure of receiving prosthesis-orthopaedic items and life-facilitating means.

City electro-transport is free for the disabled of I and II groups and disabled children. As now electro-transport exists only in Yerevan city (metro and several lines of trolleybuses) the disabled can benefit from this right only in Yerevan. For this the disabled can get "free traffic certificate" from the respective department of Yerevan city hall.

For more detailed information on various issues related with disabled, the existing privileges, contact Social Service Regional centres or to the RA Ministry of Labour and Social Issues, Disabled Issues Division, Head Mrs. Karmen Petrosyan, tel (374-10) 52-17-61.

❖ Specialised institutions

Rehabilitation centres. The existing main rehabilitation centres of Armenia are presented below:

- **"Artmed" Medical rehabilitation centre**, located in Yerevan, at the address Tsarav Aghbyuri St. 55a, tel. (374-10)62-28-90, (374-10)62-44-50. It is functioning under RA Ministry of Labour and Social Issues, it is multifunctional medical institution, where the disabled in need of prosthesis of lower and upper limbs attend a course of rehabilitation therapy and in case of necessity they also undergo reconstructive operation. People with disabilities, most of them with movement and speech impairments also receive rehabilitation treatment. People having disability status can receive the aforementioned services free of charge by taking the referral from their local polyclinics.
- **International Post-Trauma Rehabilitation Center:** After the earthquake of 1988 with the cooperation of the International Federation of Red Cross and Red Crescent Societies in Yerevan it has been established the unique hospital of its kind for rehabilitation of the spinal cord injury patients as well as the disabled having motor impairments in Armenia. The centre is furnished with modern equipment and fully fits disabled persons' needs. To get free treatment there the disabled should present such documents: RA passport, the document certifying the disability, the referral given from the polyclinics the disabled is attached. The places of free treatment are limited so the disabled may wait for several months after registration. The price of paid treatment starts from 15,000 AMD (32.14 EUR) per day.¹⁶⁵ The address is Yerevan, G.Chaush ave. 50/1, tel: (374-10) 34-52-00/35-13-23.
- **Research Institute on Balneology and Physical Medicine:** Address: Yerevan, Orbeli st. 41. Tel.: (+374-10) 26-67-79, 26-59-54
- **Republican Paediatric Rehabilitation Centre¹⁶⁶:** It is functioning under RA Ministry of Health. It is anticipated for children under 18 with psycho-motor diseases and developmental delays. The treatment is free for all RA citizens. The needed documents are: Identification card, the document certifying the disability (if applicable), the referral given from the polyclinics the child is attached.
- **"ArBeS" Health Care Centre (department of outpatient's rehabilitations of Arabkir medical centre)** provides children with regular examine and treatment by specialists trained to care for most common psycho-motor diseases and developmental delays

¹⁶⁵ more detailed in the official website of International Post-Trauma Rehabilitation Center (IPTRC) <http://www.iptrc.am/index.html>, last accessed in February 2009

¹⁶⁶ The address is Yerevan, Echmiatsin highway 109, (near the US Embassy in Armenia) Tel. (374-10) 56-56-06

(autism, neurological and musculoskeletal problems etc.) as well as diabetes and dental problems. It also makes available a psychological and social help for chronically ill children and children with special needs, early intervention with children with developmental disorders, providing by whole team of essential specialists.(...)”¹⁶⁷ The children recognized as disabled take rehabilitation services free in case of presenting respective referral. For other children the services are paid. The address: Yerevan, Papazyan 32, (374-10) 26-21-00.

- Besides these abovementioned specialised institutions there are also several other rehabilitation centres in Marzes, for example "MASIS" orthopaedic hospital¹⁶⁸, Gyumri Rehabilitation centre¹⁶⁹.

“Disabled persons need a long-term and persistent treatment and rehabilitation. Although by law it is defined that the disabled have a right to free rehabilitation treatment but in practice designed places for free treatment are limited as well as referral of free treatment in rehabilitation centres is anticipated for a fixed period, which is insufficient.”¹⁷⁰

Care centre for bedridden disabled: There is a care centre “Gtutyun” attached to the Rest home N 1 located in Haxtanak district of Yerevan¹⁷¹. It is anticipated for near 50 bedridden disabled having I or II disability group, that have no one to take care after them. The procedure to be placed there is the same as in case of applying to the state rest homes. Usually there is no free place in this care centre, a lot of disabled are registered and are waiting for their turn to be placed there.

Rest home for adult physically disabled: There is one state rest home that houses disabled person over 18 who are lonely and need care. It is the “Gyumri rest home”. The address is Shirak Marz, Gyumri, Erevanyan 18, tel. (374-312) 4-08-21. How to be placed there see point 3.2.7.

Children homes for disabled children: There are following orphanages anticipated for disabled children:

- **Gyumri special children’s home:** “From newborn to 5 years old 98 children are taken care of in c. Gyumri “Children’s House”. They mainly suffer from organic and functional disinfections of central nervous system, innate and acquired physical defects.(...)”¹⁷² The children of this orphanage mainly have both parents and the reason of their appearing in orphanage rather are the incurable diseases than unfavourable social conditions of their families. Address: “Children’s House”, 17 Tamanyan str., c. Gyumri, Director Ms Rouzanna Avagyan Tel: (374-312) 3-13-28
- **Kharberd special children’s home:** “Currently Nor-Xarberd specialized orphanage takes care of elder than 5 years old children with organic and functional disinfections

¹⁶⁷ More detailed about the services provided by ArBeS centre in this website <http://www.arabkirjmc.am/arbcs.htm>, last accessed in February 2009

¹⁶⁸ It provides conservative, surgical and rehabilitation treatment of congenital and acquired spinal and limb deformities as well as conservative and surgical treatment of injuries. It is located in Ararat Marz, Masis, Gortsaranain St., House 2/1, tel. (374-236) 4-39-00/ 4-32-90

¹⁶⁹ It is located in Gyumri city, Shirakaci 31, tel. (374-312) 3-82-21

¹⁷⁰ According to the interview with Mrs. A. Mkhoyan, national correspondent, “Faith and Light” Community, conducted on 06 May 2008, Yerevan

¹⁷¹ at the address of Haxtanak district, II st. 45, tel. (374-10) 72-10-70, 72-39-10

¹⁷² RA Ministry of Labour and Social Issues, FAMILY, CHILDREN AND WOMEN ISSUES SECTOR, “Children’s House”, Gyumri, http://www.mss.am/home/links.php?menu_id=110&child_id=128&id_link=43 (in Armenian), last accessed in February 2009

of central nervous system, innate and acquired physical defects and disabled ones. They have been transferred here mainly from Gyumri orphanage after 5 years old.

223 children are taken care of in the orphanage (16 groups with 14 children respectively). The group division is made based on age and types of diseases. The main objectives of the orphanage are the children's care, treatment, education, development of self-service working skills and social integration."¹⁷³ Most of these children after 18 move to Vardenis neuro-psychiatric dispensary.

- **The orphanages supported by the "Missionaries of Charity"**, there are two such children homes one in Yerevan and another in Spitak city for disabled children. The address of the Spitak orphanage: Italian district 179, Spitak, Lori Marz, tel. (374-255)2-04-33.

Today the problem of integration of these children after 18 into the society (home, job, profession) is unsolved. The first step of deinstitutionalization was the creation of "Warm Hearth" group home. It is the first and unique long-term group home in Armenia for orphaned individuals with disabilities funded by "Friends of Warm hearth Inc". The aim is to prevent orphaned adults with mental illness or disabilities from being forced to spend their lives in the psychiatric institutions of Armenia, where their needs are unable to met, and where there is no hope for individualized care, rehabilitation and quality of life. Currently there are 8 persons living in "Warm Hearth" located in Yerevan, Silikyan district, 4th st., I site-street, 14/16 house, Tel: (374-10) 39-81-50. ¹⁷⁴

3.4.5 Persons with mental disabilities or disorders (including traumatised persons)

Free psychiatric care: In Armenia the psychiatric care to persons with mental disorders is implemented by the State funds, according to the Section 7 (1) of the Act on psychiatric care No. 80 adopted on 25 May 2004. The RA Government has adopted also the criteria for provision of free psychiatric care in medical facilities.

Free provision of psychotropic drugs: In case of mental disorders the psychotropic drugs are given freely to the patients through dispensaries and medical facilities the patients are attached¹⁷⁵. These drugs are given only according to the prescribed receipts of the respective psychiatrists.

Available psychotropic drugs that persons with mental disorders can get freely are¹⁷⁶: *Amitriptyline* (tab. 25 mg), *Diazepam* (tab. 2 mg and 5 mg), *Lithium Carbonate* (capsule or tab. 300 mg), *Carbamazepine* (tab. 100 mg and 200 mg), *Haloperidol* (injection liquid 5 mg/ml and tab. 2 mg, 5 mg), *Valproic acid* (tab. 300 mg and 500 mg), *Clomipramine* (capsule 10 mg and 25 mg), *Chlorpromazine* (tab. 50 mg and 100 mg), *Fluphenazine* (injection liquid 25 mg/ml).

In practice not all needed drugs are available freely, so the patients are enforced to buy themselves.

The procedure of receiving of free psychotropic drugs¹⁷⁷: In Yerevan the mentally ill patients should be registered in Avan neuro-psychological dispenser for getting freely

¹⁷³ RA Ministry of Labour and Social Issues, FAMILY, CHILDREN AND WOMEN ISSUES SECTOR, Nor-Xarberd specialized orphanage, http://www.mss.am/home/links.php?menu_id=110&child_id=128&id_link=47 (in Armenian), last accessed in February 2009

¹⁷⁴ Friends of Warm Hearth, <http://www.friendsofwarmhearth.org>, last accessed in February 2009

¹⁷⁵ According to the Government Decree No. 1717 on approving the list of diseases and social groups having the right to obtain drugs freely or with privileged conditions, appendix 2, adopted on 23 November 2006

¹⁷⁶ According to the Order No. 854 of RA Minister of Health of 16 May 2007 on approving the list of basic drugs of RA, a. primary list, point 20 Psychotropic drugs

¹⁷⁷ According to the Order No. 128 of RA Minister of Health of 7 March 2001, point 8.3

psychotropic drugs. In Marzes the patients receive psychotropic drugs from respective neuro-psychiatric dispensers or the psychiatric departments of ambulatory/policlinics where they are registered.

Most of people with mental health problems has certificate of disability group and **thus they benefit from the rights and privileges, receive the disability pensions assigned to the disabled persons** according to the Armenian legislation. The problem is that free psychiatric care ensured by RA Government for mentally ill persons doesn't allow them to benefit from other medical services. The people having mental problems as a separate group are not included in the list of socially vulnerable groups adopted by RA Government that could ensure them to get a range of free medical services. If they do not have certificate of disability group they are enforced to pay for other kind of medical assistance outside psychiatric care. So if the persons with mental disorders do not have still certificate of disability group it is advisable to get it (How to apply see point 1.1.3).

❖ Act on Psychiatric Care

Act on psychiatric care has been adopted only on 2004 in Armenia. It regulates the relationships related to mental health, issues related to protection of the rights of persons with mental health problems.

In 2006 Mental Health Foundation initiated a comprehensive analysis, which aimed to find out how RA Law on psychiatric care was implemented. According to this report, "Thus it can be stated that implementation of RA Law on Psychiatric Care is generally not adequate and the current practice of ensuring protection of the rights and freedoms of persons with mental problems is not in compliance with the provisions of the Law" . (...) ¹⁷⁸

Voluntary hospitalization: Section 15 (1) defines that the written consent of the person or his/her lawful representatives should be obtained before implementing the treatment. That means also that the patient has a right to choose the establishment to be treated.

(...) *"Still in some cases, in our country, a patient is considered in voluntary treatment when the consent is given by relatives or family members."* (...) ¹⁷⁹

Involuntary treatment and hospitalization is possible in cases defined by law. Section 23 of Act on psychiatric care stipulates that the person who has been placed in an in-patient psychiatric clinic has to undergo examination by a psychiatric committee within 72 hours after placement and a decision on professional justifications for hospitalization is made.

After the positive decision on justification the management of the psychiatric institution should apply to the court to obtain sanction to start involuntary treatment of the patient. It is assumed that this procedure should be applied in all cases where people are placed in a psychiatric institution without a written application. The above mentioned research revealed that in reality this procedure has not been always applied, but it should be mentioned that during recent years the situation is changing and the psychiatric institutions implement the lawful procedure of involuntary hospitalization. ¹⁸⁰

❖ Specialised institutions

General characteristics: The all existing psychiatric dispensers and hospitals in Armenia are State institutions and financed from State budget:

- **Medical institutions anticipated to provide psychiatric services to all RA citizens of Armenia-** Nubarashen hospital in Yerevan, Nork Health Centre in Yerevan, Yerevan Neuropsychiatric dispensary, Yerevan narcological Dispenser, Republican hospital of neurosis near Yerevan, Stress centre in Yerevan, Sevan hospital and Vardenis neuro-

¹⁷⁸ Mental Health Foundation, Implementation of the Law on Psychiatric Care, 2006, Conclusion, paragraph 9, page 42, http://www.mentalhealth.am/MHLaw_report_eng_PDF.pdf, accessed in February 2009

¹⁷⁹ Ibid., chapter D, Voluntary hospitalization, III paragraph, page 23

¹⁸⁰ Ibid., chapter E, In-voluntary hospitalization, pages 28-31

psychiatric internat in Gegharkunik Marz, and the hospital named after Hayriyan in Ararat Marz;

- **Regional neuro-psychiatric dispensers anticipated for the population of the given Marz-** Gyumri Mental Health Centre in Shirak Marz, Syunik marz Neuropsychiatric Dispenser in Kapan city and Lori Marz regional Neuropsychiatric Dispenser in Vanadzor city;
- Separate psychiatric service in the structure of the Ministry of Defense of RA.

In 2007 the Helsinki Association of Armenia and the Norwegian Helsinki Committee jointly did a monitoring of Armenian psychiatric institutions. According to this research "Psychiatric institutions in Armenia provide poor treatment of patients, serve inadequate food, and lack meaningful activities. Another major problem is that the heads of the institutions were educated during Soviet times. Both methods of treatment and values underlying the operation of the institutions need substantial reforms. There is also a serious lack of transparency in the functioning of the institutions, which seldom provide patients and close relatives sufficient information on diagnosis and treatment methods. The staff is casually acquainted with the law on psychiatric aid"¹⁸¹.

Yerevan city Neuropsychiatric Dispenser: The address is Yerevan, Avan community, Acharyan str. 21, tel. (374-10) 61-72-82, 61-65-33

Noubarashen Hospital: Address is Yerevan city, Noubarashen district, (374-10)47-53-22/47-55-71

Psychiatric clinics of Nork: Address is Yerevan, Nork-Marash community, Hovsepyan str. 2a, tel. (374-10) 65-20-02/65-08-32

Republican hospital of neurosis: Address is Kotayk Marz, in Kasax village, tel. (374-91) 32-18-70

Yerevan narcological dispenser: Yerevan, Avan community, Acharyan 2, II site-street, tel. (374-10) 61-70-90, 61-08-70

Sevan Psychiatric Hospital is located in Sevan city of Gegharkunik Marz, tel. (374-261) 2-34-00

Syunik marz Neuropsychiatric Dispenser in Kapan is anticipated for mentally ill people living in Syunik Marz. Tel. (374-285)-5-37-12

Lori Marz regional Neuropsychiatric Dispenser in Vanadzor is anticipated for mentally ill persons of Lori Marz. Tel. (374-322) 2-01-88/2-41-63

Mental Health Centre in Gyumri provides psychiatric services for people with mental disorders of Shirak Marz. Tel. (374-312) 3-01-28

Academician Hayriyan Armash Health Centre of Ararat Marz The hospital named after Hayriyan, located in the village Armash of Ararat Marz, has recently started to provide psychiatric care and services. It is under the Marz Governor's office supervision. This centre admits people with chronic mental disorders over 18 years old from all Marzes of

¹⁸¹The Helsinki Association of Armenia and The Norwegian Helsinki Committee, Mental Health Institutions in Armenia, Preliminary observation, Yerevan and Oslo 30 January 2007, I paragraph, <http://www.nhc.no/php/files/documents/land/Armenia/mentalhealthinstitutionsArmenia-report-Feb07.pdf>, accessed in February 2009

Armenia except elderly who suffer from aged psychosis. Centre director's tel. (374-91) 20-08-45

Vardenis Neuro-Psychiatric Internat (social care home): It is the single establishment in Armenia where persons with chronic mental disabilities who need care can live. It is anticipated for all RA citizens over 18 years old having chronic mental disorders or retardation and alone elderly suffering from aged psychosis or severe sclerosis. There the patients can be placed with the referral given by the RA Ministry of Labour and Social Affairs. It is located in Vardenis city of Gegharkunik Marz. For more detailed information about the procedure of placement in this Internat and the required documents contact RA Ministry of Labour and Social Affairs, Elderly Issues Division, tel. (374-10) 52-17-61.

Vardenis day centre: There is a day centre in Vardenis attached to the Vardenis Neuro-Psychiatric Internat. It provides social-psychological services to mentally ill persons and their families living in Vardenis and the surrounding villages.

Stress centre: It started the functioning after the earthquake of 1988 providing services to those who had post-traumatised mental disorders. It is functioning under RA Ministry of Labour and Social Affairs. The Stress centre admits all RA citizens in border conditions and having neurosis. For those who have the referral given from the RA Ministry of Labour and Social Affairs the services are free. The centre provides also paid services. Address: Yerevan, Tsarav-Aghbyur 55a, tel. (374-10) 62-89-97/62-74-81

Mental health centre in Sevan: This centre is under the RA Ministry of Health and is supported by the MSF Belgium. They provide psychiatric care and psychotropic drugs to the beneficiaries. There are social worker, psychologist, psychiatrist, children psychiatrist and other specialists working there. The address is Sevan city, Nayirjan st. 169, tel. (374-261) 2-13-59.

3.4.5.1 Actual access to specialised institutions and care for returnees

Armenia's mentally ill remain the most vulnerable members of society. According to official data, in 2007 in Armenia there were 42,357 registered mentally ill patients under surveillance of disease prevention institutions¹⁸². The exact number of people in need for treatment is unknown, the real number should be higher than official data, not all persons with mental disorders are registered in Armenia, but for sure it can be stated that the needs are high in psychiatric care. Psychiatric service in Armenia is currently in restructuring and transition. But it faces many problems. On one hand there are a lot of problems inherited from the Soviet system, on the other hand there is necessity to accept and implement values of modern psychiatry and human rights.

In-patient psychiatric care: According to the research conducted by Mental Health Foundation (...) "The main issue is the insufficient volume of services in the intermediary level - day care, employment, care centres, shelters and other community-based service units. The involvement of psychologists and other related specialists is also very low in psychiatric services (...)." ¹⁸³

¹⁸² National Statistical Service of RA (NSSRA), Statistical Yearbook of Armenia 2008, Public Health, point 109 MORBIDITY CAUSED BY PSYCHIC DISFUNCTIONS, page 152, <http://www.armstat.am/file/doc/99456308.pdf>, last accessed in February 2009

¹⁸³ Mental Health Foundation, Implementation of the Law on Psychiatric Care, 2006, Chapter B Structure, resources and general situation of psychiatric services in Armenia, In-patient psychiatric care, II paragraph, page 19, http://www.mentalhealth.am/MHLaw_report_eng_PDF.pdf, accessed in February 2009

Outpatient psychiatric care: "The main burden of psychiatric services is borne by the outpatient system - dispensers, psychiatric/counselling offices. However their uneven distribution on the territory of Armenia creates many difficulties. In Yerevan where 1/3 of the population of Armenia lives, there are two centres - PMC¹⁸⁴ and Stress centre, whereas in the areas where around 36% of population of the country lives, there is no psychiatric dispenser. Moreover, in 12 former administrative areas and large towns there is no psychiatric office and patients are seen by neurologists and general practitioners."¹⁸⁵

Low level of psychiatric care in community level: In Armenia psychiatric care is still exclusively provided in specialized mental health hospitals and social psycho neurological centres. There are some attempts to developing community mental health services usually supported by international organizations. As for home care and treatment "(...) But the majority of relatives of people with mental health problems have difficulty in organizing their care at home and the existing dispensaries do not have the resources of providing services in communities.(...)"¹⁸⁶

Lack of services for mildly affected or stable patients: Those who have less severe mental illness outside have no alternative treatment. (...) "For mildly affected or stable patients with mental health problems, the situation after hospitalisation is worse. These patients can often not be discharged from psychiatric hospitals since families do not accept them after hospitalisation and there are no other facilities where they can be referred to."¹⁸⁷

Stigmatization of patients with mental health problems remains a challenge for both families and society as a whole. "Those who suffer from mental illness in Armenia are all too often stigmatized. It is very common for families to hide relatives with mental health problems, scared that the relative will be excluded from the community if they ventured out in public. Those who are not able to care for their ill relatives at home resort to psychiatric hospitals."¹⁸⁸ In a context where most people live with their extended family, stay in hospital can become indefinite when families refuse to have the patient return home.

Lack of specialised institution for mentally ill children: In Armenia the children practically were deprived of special psychiatric care and services. For many years in case of need their care was organized in psychiatric institutions designed for adults. The specialised psychiatric care for children having mental disabilities has been developing only in recent years. Saint Gr. Lusavorich children neurological hospital in Yerevan admits children mentally ill children. There is also a children department attached to the "Nork" psychiatric clinics in Yerevan that provide psychiatric care to children from all Armenia. As to the education of the mentally ill children currently in Armenia there are 16 specialized boarding schools in Armenia for children and adolescent with mental retardation. Out of them 5 are in Yerevan, the others are functioning in Syunik, Armavir, Aragatsotn, Gegharkunik, Lori, Kotayk, and Shirak Marzes. For other categories of mental

¹⁸⁴ Psychiatric Medical Centre

¹⁸⁵ Mental Health Foundation, Implementation of the Law on Psychiatric Care, 2006, Out-patient psychiatric care, I paragraph, page 18, http://www.mentalhealth.am/MHLaw_report_eng_PDF.pdf, accessed in February 2009

¹⁸⁶ Ibid., page 24

¹⁸⁷ Médecins Sans Frontières (MSF) Australia, "Armenia: People with mental health problems lack medical care" (based on the survey conducted by MSF during 2004 in Armenia), IV paragraph,

¹⁸⁸ Médecins Sans Frontières (MSF), MSF Article, "After four years, MSF is about to hand over mental health projects in Armenia", paragraph 5, By Emma Bell, Regional Information Officer, dated 16.05.2006,

http://www.msf.org/msfinternational/invoke.cfm?component=article&objectid=3CB146E7-DF2C-D39A-3AFF31BDD2D3028D&method=full_html, last accessed in February 2009

illness there are no special educational establishment. Not all children in those boarding schools suffer from mental retardation. "(...) More and more poverty-stricken families are attempting to get their perfectly healthy children taken in at these homes so that they at least have something to eat and clothes to wear. And from the point of view of the people running these homes it is, of course, easier to look after these healthy children. Until recently it was even not uncommon for some particularly extreme cases of mentally ill or handicapped children to be put in psychiatric clinics for adults, which are totally unsuitable."¹⁸⁹

Recent years there are some attempts to organize the education of children with mental and physical disabilities in ordinary schools in order to integrate those children into the society. Nowadays such education is implemented in 10 ordinary schools of Yerevan and 4 schools in Tavush Marz for over 300 children, but it is too soon to speak about the success of this pilot project.

3.4.5.2 Charity and care organisations

The share of the non-State sector providing psychiatric services in the overall structure of psychiatric services is still low and is mainly represented by social rehabilitation programs and supported by international organizations. The provision of paid psychiatric services is quite uncommon and not regulated.

❖ NGOs

Mission Armenia NGO: By the end of 2006 the MSF Belgium in Armenia handed-over three of four day centres to Mission Armenian NGO. These are **Sevan, Gavar and Chambarak day centres**. Each of these day centres serves the persons with mental problems and their families who live in that city and the surrounding villages. For beneficiaries these day centres organize lessons of hand works, painting, music, table games, reading as well as Armenian and English languages.

For more detailed information about the day centres and the provided services contact to these addresses:

- **Sevan day centre**- Sevan city, Abovyan st. 140, tel. (374-261) 2-24-17

- **Gavar day centre**- Gavar city, Kahire st. 9, tel. (374-264) 2-74-48

- **Chambarak day centre**- Chambarak city, Nzhdeh st., kindergarten No. 2, tel. (374-265) 2-35-51

Mental Health Foundation: In Yerevan there is one day centre under Mental Health Foundation supervision. Social worker, psychologist, and art-therapist work there. The activities that beneficiaries are engaged in include painting, pottery. It serves persons over 18. Address Yerevan, Hr. Khochar 6/58. Tel. (374-10) 27-06-58

There are also some NGOs that deal with the problems of disabled in general including both physical and mental disabled persons. The activities of these NGOs have been presented before.

❖ International organizations

There are some international organizations active in this field- MSF, Peace Corp, World Vision, Counterpart International and etc. Currently no one of international organizations provides direct services to mentally ill persons. Those organizations do various projects through local NGOs; continue to assist improving the conditions in psychiatric institutions,

¹⁸⁹ Médecins Sans Frontières (MSF) Australia, "Armenia: new horizons for the mentally ill mentally handicapped", part "Are there any special schools for children with mental problems or handicaps?", interview with the doctor Tido von Schön-Angerer (working as country coordinator in Armenia with Médecins Sans Frontières), March 2004,

support psychiatric law implementation, do advocacy and awareness raising campaigns, and capacity building trainings.

MSF: Among those international organizations the most considerable were the activities of MSF Belgium in mental health field of Armenia. MSF first provided psychosocial care to the survivors of the Spitak earthquake in 1988. In the following years, programs were also developed for patients being cared for in in-patient psychiatric institutions, and traumatised refugees from the war with Azerbaijan over Nagorno-Karabakh that began in 1989. Since 2002 MSF's mental health activities have been focused on outpatient care. In 2002 they first started to focus on establishing a workable model for outpatient mental health care, in one of the poorest and most vulnerable regions in Armenia, Gegharkunik Marz. Beginning 2006 MSF Belgium handed over its day centres to Mission Armenia NGO and RA Ministry of Health.

Médecins Sans Frontières Belgium became aware of the problems in psychiatric institutions; abuse of patients, malnutrition, overcrowding, etc. and decided to address this issue. Initial intervention was carried out in psychiatric institutions; rehabilitation of buildings, staff training, improvement of treatment of patients, nutrition etc.

More detailed information on activities of MSF in Armenia and their reports on mental health situation of Armenia can be found in this website: <http://www.msf.org/msfinternational/countries/europe/armenia/index.cfm>, "MSF in Armenia".

4 Human Rights

4.1 Ethnic minorities

❖ General characteristics

Armenia's minorities are scattered across the country, and do not form local majorities in any region or administrative unit. According to the results of the Armenian Population Census conducted from October 10 to 19, 2001¹⁹⁰, almost 98 per cent of the total population of 3.2 million is ethnically Armenian. Minority groups in the republic include Yezidis (40,620 or 1.3% of the total population), Russians (14,660, 0.5%), Assyrians (3,409), Kurds (1,519), Ukrainians (1,633), Greeks (1,176) and others (4,640).

❖ General State policies towards national minorities

International obligations: Armenia has already joined the Framework Convention for the Protection of National Minorities of 1995 adopted in Strasburg and the European Charter on Regional or Minority Languages of 1992, Strasburg. They are implemented in Armenia both by national legislation and by including them in cultural, educational, informational and other programmes.

According to the Second Opinion Advisory Committee on the implementation of the Framework Convention in Armenia, adopted on 12 May 2006, "Armenia has continued to show commitment to the implementation of the Framework Convention. It has taken a number of legal and institutional steps to improve protection of persons belonging to national minorities and a general climate of tolerance continues to prevail in the country."

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¹⁹⁰ National Statistical Service of the Republic of Armenia (NSSRA), Armenia in Figures, 2008, Population, De jure population by ethnicity, page 22, http://www.armstat.am/file/article/armenia_08_4.pdf, last accessed in February 2009

¹⁹¹ Council of Europe, Human rights and Legal Affairs, Country Specific Information, Advisory Committee on the implementation of the Framework Convention in Armenia, Second Opinion on

All reports on the implementation of the mentioned treaties by Armenia can be found at the website of Council of Europe: http://www.coe.int/t/e/human_rights/minorities/Country_specific_eng.asp#P28_981 as well as at the website of the Department for National Minorities and Religious Affairs under RA Government <http://www.gov.am/am/staff-structure/info/74/> (in Armenian).

National legislature: In line with the RA Constitution, Section 41 "Everyone shall have the right to preserve his or her national and ethnic identity. Persons belonging to national minorities shall have the right to preservation and development of their traditions, religion, language and culture." These rights are reflected also in the other respective laws.

Each non-Armenian resident of Armenia freely enjoys the entire international and national rights provided for national minorities and naturally as RA citizens they have the same rights as the other population.

Armenia has not adopted a specific law on the protection of national minorities yet. There are some disagreement between a number of representatives of minorities and the authorities with respect to some provisions of the draft law, so the discussions are continuing still.

State support to national minorities: During recent years, Armenia has increased its support for projects aiming at the preservation of the identity, culture, traditions and language of national minorities despite the fact that it is still facing difficult economic conditions. Funds have been allocated every year since 2001 to national minorities through the Co-ordinating Council of National Minorities and shared equally between the 11 minority groups¹⁹², which according to some representatives, is unfair towards the largest groups of minorities. In 2008 it makes 10 million AMD¹⁹³ or nearly 21,424 EUR. Besides this support RA Government provides also various financial allocations on different occasions to the minority communities. Anyway, (...) "most of the representatives of national minorities remain dissatisfied with the level of State support for activities aiming at preserving their culture and language."¹⁹⁴ On this respect RA Government clarifies, that (...) "If the issue is only in financing then numerous NGOs in Armenia have indeed problem with the lack of sufficient State resources. But if it is related to the state support for educational-cultural initiatives of national minorities then the State practically provides support almost to all initiatives."¹⁹⁵

Armenia (CFC/OP/II(2006)005), adopted on 12 May 2006, Strasbourg, Executive Summary, I paragraph, page 1, [http://www.coe.int/t/e/human_rights/minorities/2._FRAMEWORK_CONVENTION_\(MONITORING\)/2._Monitoring_mechanism/4._Opinions_of_the_Advisory_Committee/1._Country_specific_opinions/2._Second_cycle/PDF_2nd_OP_Armenia_en.pdf](http://www.coe.int/t/e/human_rights/minorities/2._FRAMEWORK_CONVENTION_(MONITORING)/2._Monitoring_mechanism/4._Opinions_of_the_Advisory_Committee/1._Country_specific_opinions/2._Second_cycle/PDF_2nd_OP_Armenia_en.pdf), last accessed in February 2009

¹⁹² This 11 minority group are- Assyrian, Byelorussian, Georgian, German, Greek, Jewish, Kurdish, Polish, Russian, Ukrainian, Yezidi

¹⁹³ RA Decree No. 70 of 31 January 2008 based on the RA Act on state budget of 2008 on the provision of defined allocations aiming at the state support to national minorities, appendix 1

¹⁹⁴ Council of Europe, Advisory Committee on the implementation of the Framework Convention in Armenia, Second Opinion on Armenia, Policies in support of national minorities, page 4

¹⁹⁵ Council of Europe, Human Rights and Legal Affairs, Country Specific Information, Armenia, Comments of the Government of Armenia on the Second Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities in Armenia, GVT/COM/II(2006)005, published in Strasbourg, 24 October 2006, II. RESPONSE TO THE MAIN FINDINGS, General legislative and institutional framework, Paragraph 10, page 2, http://www.coe.int/t/e/human_rights/minorities/P28_981, last accessed in February 2009

A Department for Ethnic Minorities and Religious Affairs was also established under RA Government, with a view to strengthen policy-making in favour of national minorities.

The **cultural centre of national minorities** was founded in Yerevan on Saryan st.. It has concert hall, classrooms to learn minority languages, meeting rooms, exhibition of national minority art, libraries with literature in national minority languages, etc.

❖ Education issues

Compulsory education of Armenian language: The Act No. 52 of the Republic of Armenia on language was adopted on 3 March 1993, Section 1(1) under which **“The Armenian language (...) shall be the state language of the Republic of Armenia. The literary Armenian language shall be the official language of the Republic of Armenia.”**

With regard the complains of national minority representatives about the absence of special assistance given by the authorities to adults for teaching them Armenian, RA Government informs that (...)“State agency on language” which is department of the Ministry of science and education many times announced it’s readiness to organize free classes of Armenian for all age groups. This program hasn’t been implemented because of absence of applicants. But the program is in force and can start anytime if there will be applicants.”¹⁹⁶

Education in minority languages: As for education in their native languages, “In communities of national minorities in the Republic of Armenia the general education may be organized in their native language in accordance with the state program and with the state patronage and compulsory teaching of the Armenian language.”¹⁹⁷

“Education is the main issue of concern among the representatives of national minorities met by the Advisory Committee (...).”¹⁹⁸ They complain about difficulties in receiving education in their native languages. RA Government informs “(...) that in this respect there are no obstacles for teaching any language chosen by minorities in the Republic of Armenia. This is the right of any citizen of the Republic of Armenia. It is another question that since secondary schools, which are financed by state budget the education, is accomplished in the state language of the country i.e. in Armenian, and there are additional academic hours for teaching of mother tongue, culture and history to national minorities.(...)”¹⁹⁹

Widespread usage of Russian language: Although Russian is not a state language of Armenia, it can be considered to be the second language of Armenia. The use of Russian is widespread. It is taught in secondary and higher education institutions, the Russian press and literature is published, Russian radio programmes are broadcast, and some private TV channels broadcast Russian-speaking films without Armenian subtitles. Moreover, a large number of persons belonging to national minorities (practically except Kurds and Yezidis) identify Russian as their preferred minority language and prefer Russian to continue to be used as the language of education for their children.

¹⁹⁶ Ibid., page 8

¹⁹⁷ National Assembly of the Republic of Armenia, Basics of Structures of State and Local Authorities, Act on Language No.52 , Section 2(2),

<http://www.parliament.am/legislation.php?sel=subject&lang=eng>, last accessed in February 2009

¹⁹⁸ Advisory Committee on the implementation of the Framework Convention in Armenia, Second Opinion on Armenia, I. MAIN FINDINGS, Education, point 12, page 5

¹⁹⁹ Comments of the Government of Armenia on the Second Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities in Armenia, II. RESPONSE TO THE MAIN FINDINGS, General legislative and institutional framework, Education, Paragraph 12, page 3

❖ Participation of national minorities in public affairs

Participation of persons belonging to national minorities in public affairs continues to be limited, especially at national level. "Representatives of most national minorities met by the Advisory Committee continued to be dissatisfied with their level of participation in public affairs, and in particular with their limited presence in elected bodies, especially at national level.(...)"²⁰⁰

Representatives of national minorities are represented in local self government bodies, particularly in areas where they live in substantial numbers, but it is difficult for them to gain access to national parliament, there is no system of quotas or reserved seats to ensure the representation of national minorities in the National Assembly in Armenia.

❖ Ethnic discriminations

A general climate of tolerance continues to prevail in Armenia and there is no systematic discrimination based on ethnic origin. There was no report on the systematic cases of ethnic discrimination by the police and authorities. Anyway almost all reports on the situation of national minorities in Armenia report about occasional cases of "societal discrimination" against ethnic minorities.

Discrimination in army: In its Second opinion on Armenia done in 2006 the Advisory Committee noted sporadic discriminatory attitudes against persons belonging to the Yezidi national minority. The Advisory Committee reports that "(...)Yezidi are more likely to be affected by cases of mistreatment in the military service." (...) ²⁰¹

On the other hand, regarding the army, the RA Government confirms, that "(...) there are no abuses motivated by ethnic origin in the context of the military service, and in case of Yezidis there are no registered cases of abuse motivated by ethnic origin. Since November of 2003 about 60 NGOs, including NGOs of national minorities: "Union of Nationalities" and "National Union of Yezidi" are cooperating with Military Force of the Republic of Armenia. Periodically they visit the military units chosen by them and without any obstacle conduct investigations concerning social-legislative, everyday and sanitary-hygienic conditions, moral and psychological situation of staff and conditions of organization of military service." ²⁰²

For the year 2007 the International Religious Freedom Report on Armenia also reports that "Unlike during the previous reporting period, there were no reports that military hazing of new conscripts was more severe for minority group members. Yezidi representatives reported no harassment or discrimination." ²⁰³ There are no reports related with this issue in 2008 as well.

²⁰⁰ Advisory Committee on the implementation of the Framework Convention in Armenia, Second Opinion on Armenia, II. ARTICLE-BY-ARTICLE FINDINGS, Article 15 of the Framework Convention, Representation in elected bodies, b) Outstanding issues, point 131, page 21

²⁰¹ I Council of Europe, Advisory Committee on the implementation of the Framework Convention in Armenia, Second Opinion on Armenia, II. ARTICLE-BY-ARTICLE FINDINGS, Article 6 of the Framework Convention Fighting racism and intolerance, point 60, page 11

²⁰² Comments of the Government of Armenia on the Second Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities in Armenia, II. RESPONSE TO THE MAIN FINDINGS, Article 5 of the Framework Convention, II paragraph, page 7

²⁰³ US Department of State (USDOS); International Religious Freedom Report 2007 on Armenia, done by Bureau of Democracy, Human Rights and Labor, released on 14 September 2007, Section II. Status of Religious Freedom, Abuses of Religious Freedom, III paragraph, <http://www.state.gov/q/drl/rls/irf/2007/90162.htm>, last accessed in February 2009

Societal discrimination: US Department of State in the Country Reports on Human Rights Practices on Armenia of 2007 mentions "(...) in practice, however, there was societal discrimination against (...) ethnic and religious minorities (...)." ²⁰⁴

"The Advisory Committee was also informed of allegations of discrimination in access to social benefits and employment in the case of the Yezidi, although it noted that there seem to be no patterns of systematic exclusion of persons belonging to minorities from the labour market or from social benefits.(...)" ²⁰⁵

The Armenia report 2007 of Freedom House reports "Although members of the country's tiny ethnic minority population rarely report cases of overt discrimination, they have complained about difficulties in receiving education in their native languages. The Yezidi community has claimed that police and local authorities sometimes subject them to discrimination." ²⁰⁶

It should be noted that the registered cases of violation of rights of representatives of ethnic minorities in Armenia are not necessarily mean "discrimination on ethnic origin". The existing corruption in the provision of social benefits, discrimination in labour or real estate market, abuses and corruption in the army and other problems affect all Armenian and non-Armenian residents regardless the nationality. The social and economic problems addressed by national minorities are common for all citizens of Armenia.

❖ Communities of ethnic minorities in Armenia

Azeris in Armenia: Prior to the conflict with Azerbaijan, Armenia's largest minority had been Azeris that were displaced to Azerbaijan virtually in its entirety as a result of the conflict. There are no officially published data on their number in Armenia for present. As ethnologist Mrs. Kharatyan informed "In reality it had been conducted a special survey on the Azeri in Armenia. They just do not publish results and declare the data, because Azeri respondents asked not to spread the results in order not to be discriminated". ²⁰⁷

What can be said for sure that there are number of people having Azeri origin and continuing to live in Armenia, they are diffused in society, present themselves as "Armenians" usually with Armenian names and surnames, and refrain from mentioning their Azeri origin. As ethnologist Mrs. Kharatyan explained in the interview, "In fact, there are no reported and registered cases of ethnic discrimination against Azeris, but unlike other ethnic minorities, in regard with Azeris it does not mean that really there are no discrimination of Azeris in Armenia, because all ethnically Azeris conceal their ethnic origin and no one introduces oneself as Azeri, so it is not possible to tell for sure is there discrimination of Azeris in Armenia or not."

Roma in Armenia: "(...) there is no Roma ethnic community in its traditional meaning. Armenian -Boshas, who are periodically being presented as Roma, in reality are not ethnic

²⁰⁴ US Department of State (USDOS); Armenia Country Reports on Human Rights Practices 2007, done by Bureau of Democracy, Human Rights and Labor on 11 March 2008, Section 5 Discrimination, Societal Abuses, and Trafficking in Persons, I paragraph, <http://www.state.gov/g/drl/rls/hrrpt/2007/100546.htm>, last accessed in February 2009

²⁰⁵ Council of Europe, Advisory Committee on the implementation of the Framework Convention in Armenia, Second Opinion on Armenia, II. ARTICLE-BY-ARTICLE FINDINGS, Article 4 of the Framework Convention, Combating discrimination and promoting equal opportunities, b) Outstanding issues, point 43, page 9

²⁰⁶ Freedom House, freedom in the world, Country report Armenia (2007), Political Rights and Civil Liberties, paragraph 13, <http://www.freedomhouse.org/template.cfm?page=22&country=7126&year=2007>, last accessed in February 2009

²⁰⁷ The interview with ethnologist Mrs. H. Kharatyan, former Head of the Department for National Minorities and Religious Affairs under RA Government, was conducted in 13 June 2008, The institute of Archaeology and Ethnography, Yerevan

community, they are wholly integrated in Armenian community and prefer not to be presented as Roma." (...) ²⁰⁸

The other minorities- Assyrian, Byelorussian, Georgian, German, Greek, Jewish, Kurdish, Polish, Russian, Ukrainian, Yezidi are very active: a number of non-governmental organisations initiate to benefit national as well as religious communities.

4.2 Religious minorities

General characteristics: Approximately 98 percent of the population is ethnic Armenian. Although most of the Armenian population are not active religious practitioners, but the link between Armenian ethnicity and the Armenian Church is strong. An estimated 90 percent of citizens belong to the Armenian Apostolic Church.

Every year the US Department of State makes a report on International Religious Freedom in Armenia and gives detailed information on religious groups' situation in Armenia. According to the report for the year 2008 in Armenia (...) "There are small communities of other religious groups. There was no reliable census data on religious minorities, and estimates from congregants varied significantly. These groups constitute less than 5 percent of the population and include Roman Catholics, Armenian Uniate (Mekhitarist) Catholics, Orthodox Christians, Armenian Evangelical Christians, Molokans²⁰⁹, Pentecostals, Seventh-day Adventists, Baptists, various groups of charismatic Christians, Jehovah's Witnesses, members of the Church of Jesus Christ of Latter-day Saints (Mormons), Yezidis (non-Muslim Kurds who practice Yezidism), Jews, Sunni Muslim Kurds, Shi'ite Muslims, Baha'is, and others.

Yezidis are concentrated primarily in agricultural areas around Mount Aragats, northwest of Yerevan. Armenian Catholics live mainly in the north, while most Jews, Mormons, Baha'is, and Orthodox Christians reside in Yerevan, along with a small community of mostly Shi'ite Muslims, including Iranians, and temporary residents from the Middle." ²¹⁰

Legislature: The RA Constitution, Section 8.1 states the separation of church and state. It recognizes "the exclusive historical mission of the Armenian Apostolic Holy Church as a national church, in the spiritual life, development of the national culture and preservation of the national identity of the people of Armenia."

In 1991 Armenia adopted the Act No. 0333 on freedom of conscience and of religious organizations²¹¹ defining the registration process and the lawful framework of activities of religious organizations. The principle of equality before the law in all spheres of life regardless of religious beliefs or religious affiliation is reflected also in other number of normative acts.

❖ **Problems encountered**

Registration: Currently more than 60 religious organizations are registered. There are no cases indicating that the RA Government refuses registration to religious groups that

²⁰⁸ Comments of the Government of Armenia on the Second Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities in Armenia, II. RESPONSE TO THE MAIN FINDINGS, Article 3 of the Framework Convention, point 11,, page 4

²⁰⁹ In some reports "Malakans" term is also used as "Molokans"

²¹⁰ US Department of State (USDOS); International Religious Freedom Report 2008 on Armenia, Section I. Religious Demography, paragraphs III and IV, <http://2001-2009.state.gov/g/drl/rls/irf/2008/108433.htm>, accessed in February 2009

²¹¹ National Assembly of the Republic of Armenia, Basics of Structures of State and Local Authorities, Act No. 0333 on freedom of conscience and of religious organizations, <http://www.parliament.am/legislation.php?sel=subject&lang=eng>, last accessed in February 2009

qualified for registration under the law. Moreover, some religious communities that are not registered yet have no legal barrier to implement their religious activities. "(...) Some minority religious groups, including the Molokans and some Yezidi groups, have not sought registration. Although it was not registered as a religious facility, Yerevan's sole mosque was open for regular Friday prayers, and the Government did not restrict Muslims from praying there." ²¹²

Religious education in schools: "The Law on Education mandates that public schools offer a secular education. Only personnel authorized and trained by the Government may teach in public schools. Classes in religious history are part of the public school curriculum and are taught by public school teachers. The history of the Armenian Church is the basis of this curriculum; many schools teach about world religions in elementary school and the history of the Armenian Church in middle school. All religious organizations may establish groups for religious instruction to train their members, utilizing facilities belonging to or set aside for them. The law grants the Armenian Church the right to organize voluntary religious classes in state education institutions using the facilities and resources of those institutions." ²¹³

The question of compulsory religion lessons in the schools where only history of Armenian Apostolic Church is taught is ambivalent in the society and is an issue of different debates.

Impairments of religious activities by authorities: According to the International Religious Freedom Report 2007, most registered religious groups reported no serious legal impediments to their activities during the reporting period, there was no reported officially sponsored violence against minority religious groups. Anyway, in the mentioned report Jehovah's Witnesses indicate to some impairments of their activities such as refusing them the use of public space for religious gatherings, customs issue pertaining to the Jehovah's Witnesses ability to obtain shipments of religious literature at a significantly higher rate than the group expected and so on.

Religious prisoners: Other than Jehovah's Witnesses who were conscientious objectors, there were no reports of religious prisoners or detainees in the country. "According to Jehovah's Witnesses leaders in Yerevan, at the end of the reporting period, 78 of their members remained in prison for refusal to perform military service or alternative labor service on conscientious and religious grounds. Representatives of Jehovah's Witnesses stated that all of the prisoners had been given the opportunity to serve an alternative to military service rather than prison time but had refused because the military continued to retain administrative control over the alternative service." ²¹⁴

Military Service: The compulsory military service remains one of the main problematic issues for Jehovah's Witnesses.

The main reason of expressed negative attitudes towards Jehovah's Witnesses by Armenian population is that they refuse to serve in the military army, which is in its turn the reason of cases of detention and trials. Jehovah's Witnesses are dissatisfied by the alternative civilian service: young men (conscientious objectors) who chose the alternative civilian service are exposed to ill-treatments. (...) "In their defense, a young man stated that they had willingly accepted work in a psychiatric hospital after being assured that the work under the new Alternative Service Act was civilian. However, they were required to wear

²¹² International Religious Freedom Report 2007 on Armenia, Section II. Status of Religious Freedom, Legal/Policy Framework, paragraph 5

²¹³ International Religious Freedom Report 2008 on Armenia, Section II. Status of Religious Freedom, Legal/Policy Framework, paragraph 6

²¹⁴ *ibid.*,

military-style uniforms, subjected to regular checks by the military police, prohibited from practicing their religion, and forbidden to leave the premises". (...) ²¹⁵

Like Jehovah's Witnesses (...) "Some persons belonging to the Russian-speaking Molokans, who for religious reasons refuse military service, consider that the alternative service, as it is now, does not provide a suitable alternative to military service as it is not adequately separated from the military-control structure". ²¹⁶

On its turn RA Government mentions that "(...) in the Republic of Armenia according to the "Law on alternative service" there are two levels alternative service i.e. "alternative military" and "alternative labour". Malakans, as well as any citizen of the Republic of Armenia, can choose their desirable type of alternative service. In practice there is only one case when Malakan chose alternative labour service. The Ministry of Defence of the Republic of Armenia does not have any relation to organization, implementation and supervision of alternative labour service. In fact the organization and implementation of the service is supervised by the administration organization where the service takes place and the Ministry to which the given organization is related or subordinate. At the same time we should inform that the law of the Republic of Armenia "On Alternate Service" passed the expertise of Council of Europe." ²¹⁷

Although the debates on the alternative service have not finished but since 2005 there have been no received applications for alternative service.

With regard to Yezidi, as of 2007 and 2008 unlike during the previous reporting period, there were no reports that military hazing of new conscripts was more severe for minority group members. Yezidi representatives reported no harassment or discrimination.

Some articles on Jehovah's Witnesses problems in Armenia are presented below:

New Times Journalism Training Center NGO, ArmeniaNow.com weekly website, No Alternative?: Jehovah's Witness refuses optional military service, by Naira Bulghadaryan, 09 May 2008
<http://www.armenianow.com/?action=viewArticle&IID=1186&CID=2946&AID=3029&lng=eng>, accessed in February 2009

Amnesty International, Armenia: Fear of the freedom of conscience and religion: violations of the rights of Jehovah's Witnesses, January 2008,
<http://www.amnesty.org/en/library/asset/EUR54/001/2008/en/EUR540012008en.html>, accessed in February 2009

4.3 Sexual minorities

General overview: There are no estimated data on the number of sexual minorities in Armenia. Most homosexuals keep this fact in secret in fear to lose the family, friends, and job. The best way the gay people interact and contact is the Internet. Based on an article posted on the Internet as of 2007 (...) "There are 1,764 homosexuals registered on a social

²¹⁵ Jehova Witnesses, Office of Public Information, "Armenian conscientious objectors convicted under military law", II paragraph, 3 November 2005, http://www.jw-media.org/region/europe/armenia/english/releases/conscientious_obj/arm_e051103.htm, last accessed in February 2009

²¹⁶ Council of Europe, Advisory Committee on the implementation of the Framework Convention in Armenia, Second Opinion on Armenia, II. ARTICLE-BY-ARTICLE FINDINGS, Article 6 of the Framework Convention, Fighting racism and intolerance, b) Outstanding issues, point 61, page 12

²¹⁷ Comments of the Government of Armenia on the Second Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities in Armenia, done in 13 November 2006, II. RESPONSE TO THE MAIN FINDINGS, Article 5 of the Framework Convention, paragraph 4, page 9

network for Armenian gays-1,306 of them are homosexuals, 342 are bisexuals, 94 are lesbians and 22 are transvestites." (...) ²¹⁸ The real number probably is higher.

Existing gay clubs and NGOs: There are no officially registered gay clubs in Armenia. But there are some clubs in Yerevan for gays. "To this date, there is no gay rights movement in Armenia [well, not organised or obvious, more subtle gay rights movement exists in form of emerging gay institutions/venues, with the support of Diaspora organisations] and society remains extremely homophobic. The first gay bar Meline's opened on 12 November 2004. The first LGBT ²¹⁹ NGO called We For Civil Equality (WFCE), also known as 'Menk', was formally registered by the Ministry of Justice in July 2006. Second LGBT related NGO - PINK Armenia (Public Information and Need of Knowledge) was established in December 2007. (...) Even if some venues listed in this guide are frequented by gays and lesbians, that doesn't mean they can be compared to western gay bars and discos." ²²⁰

There are no reported impairments by authorities or police on the gay club activities or meetings of homosexuals. The main reason that gay movements are not active is the societal animosity towards them.

Legislature: In 2003 Armenia adopted a new Criminal Code and removed the anti-gay article 116 that dated back to 1936. Since then, homosexuality is no longer punishable. But the RA Criminal Code classifies a homosexual act as illegal if it is with a sexual minor (under 16) ²²¹ or by using a force or threat ²²².

❖ Problems faced by homosexuals in Armenia

Military Service: There are recorded cases indicating the fact of mistreatment of homosexuals in army. ²²³ So there is a special policy not to recruit homosexuals in the army. "Since 2001, basing on Order No. 378 by the minister of defense, homosexuality has been considered an illness and homosexuals unfit for military service despite the fact that homosexuality is not officially a reason for exemption from military service. Many homosexuals voluntarily identified themselves as gay and asked to be exempted from service, because they feared that, after "outing" themselves, they would become targets of violence in the army, and be isolated from others servicemen (for instance, others would not greet them, have meals together with them, etc.). Yet, there were also cases in which military draft offices sent individuals claiming to be homosexual to psychiatric institutions, which subsequently issued medical certificates stating that these individuals were "mentally disordered" and thereby exempted from military service." ²²⁴

Such solution can have negative influences on homosexuals in future: "Persons who were openly gay were exempted from military service, purportedly because of concerns that they would be abused by fellow servicemen. However, the legal pretext for this exemption

²¹⁸ Global Gayz. Com, "Armenia's Animosity Towards Gays" by Shushan Harutyunyan, paragraph 9, 7 August 2007, <http://www.globalgayz.com/armenia-news.html>, last accessed in February 2009

²¹⁹an initialism referring collectively to lesbian, gay, bisexual, and transgender / transsexual people

²²⁰ Unzipped: Gay Armenia, Armenia Gay Guide, Country overview, II paragraph, <http://gayarmenia.blogspot.com/2007/06/armenia-gay-guide.html>, last accessed in February 2009

²²¹ Pursuant to the Criminal Code, Section 141 Sexual acts with a person under 16, "Sexual intercourse or other sexual acts with a person obviously under 16, by a person who reached 18 years of age, (...) Is punished with correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 2 years."

²²² Based on RA Criminal Code, Sections 139,140

²²³ more detailed in the article "Armenia's Animosity Towards Gays" by Shushan Harutyunyan based on the interview with an Armenian Gay, 2007,

²²⁴ International Helsinki Federation (IHF), ANNUAL REPORT ON HUMAN RIGHTS VIOLATIONS, Armenia, 27 March 2007, Non-discrimination, page 16, http://www.ihf-hr.org/viewbinary/viewdocument.php?doc_id=7391, last accessed in February 2009

is predicated on a medical finding of gays possessing a mental disorder, which is stamped in their passports and can affect their future. (...)”²²⁵

Commitment of society to homosexuals: Armenia is considered a homophobic society. Although the homosexuality is not punishable by law any more and the police has stopped detentions and prosecution gays but the attitude of society is still negative. It should be noted that in comparison with 90s the negative attitude towards homosexuals is changing and now Armenian society is comparatively more tolerant. Anyway it is not advisable to express openly its homosexual orientation on public. “(...) Armenian society remains homophobic and therefore we strictly advise not to hold hands or kiss in public *[although you will see men (and women) holding each other's hands in public or kissing each other when they meet or part, this is not necessarily an indicator of sexual orientation but rather established tradition]*.(...)”²²⁶

Many homosexuals are forced to hide their homosexuality even from their family, friends, and colleagues.

As for church, the Armenian Apostolic Church has a categorical position on homosexuality. The societal harassment is the main reason for the homosexuals to flow from Armenia to the abroad.

Impairments by the authorities: (...)“Local observers noted that unlike in previous years, there were no reported cases of police harassment of homosexuals through blackmail, extortion, or violence. Nevertheless, societal attitudes and harassment towards homosexuality remained severe, and hampered homosexuals' access to medical care.”²²⁷

More detailed information on the issue of homosexuals in Armenia can be found in these websites:

GayRussia.Ru, First symbolical Gay wedding in Armenia, 2006,

<http://www.gayrussia.ru/en/ee/detail.php?ID=6278>, accessed in February 2009

GlobalGayz.com, Gay Armenia News & Reports, <http://www.globalgayz.com/armenia-news.html>, accessed in February 2009

Unzipped: Gay Armenia, Armenia Gay Guide, <http://gayarmenia.blogspot.com/2007/06/armenia-gay-guide.html>, accessed in February 2009

²²⁵ US Department of State (USDOS); Armenia Country Reports on Human Rights Practices 2007, done by Bureau of Democracy, Human Rights and Labor on 11 March 2008, Section 5 Discrimination, Societal Abuses, and Trafficking in Persons, Other Societal Abuses and Discrimination, paragraph 1, <http://www.state.gov/g/drl/rls/hrrpt/2007/100546.htm>, last accessed in February 2009

²²⁶ Unzipped: Gay Armenia, Armenia Gay Guide, Country overview, II paragraph, <http://gayarmenia.blogspot.com/2007/06/armenia-gay-guide.html>, last accessed in February 2009

²²⁷ Armenia Country Reports on Human Rights Practices 2007, Section 5 Discrimination, Societal Abuses, and Trafficking in Persons, Other Societal Abuses and Discrimination, paragraph 1,

5 LIST OF ABBREVIATIONS

ABA/CEELI American Bar Association's Central European and Eurasian Law Initiative
ABB Armenian Business Bank
AMD Armenian Dram
BBP Basic Benefits Package
CIS Commonwealth of Independent States
CJSC Closed Joint Stock Company
CNEWA Catholic Near East Welfare Association
CRD/TI Armenia Centre for Regional Development/ Transparency International Armenia
DCLO Diurnal Center of Life Organization
EBRD European Bank for Reconstruction and Development
ECG electrocardiogram
ENIC/NARIC European Network of Information Centers for Academic Recognition/Network of National Academic Recognition Information Centers
EUR Euro
FAR Fund for Armenian Relief
FP Full Partnership
GDP Gross Domestic Product
HEI High Educational Institution
HIV/AIDS Human Immune-deficiency Virus/Acquired Immune Deficiency Syndrome
HPC House Purchase Certificates
ID Identification (Identity) Card
IHF International Helsinki Federation
ILO International Labour Organization
IPTRC International Post-Trauma Rehabilitation Center
IOM International Organization of Migration
JSC Joint Stock Company
LGBT lesbian, gay, bisexual, and transgender / transsexual
LE Legal Entity
LLC Limited Liability Company
LP Limited Partnership
MDG Millennium Development Goals
MSEC Medico-Social Examination Committees
MSF Médecins Sans Frontières
NGO Non-Governmental Organization
NICARM National Information Center for Academic Recognition and Mobility
NK Nagorno- Karabakh
NSSRA National Statistical Service of the Republic of Armenia
OJSC Open Joint Stock Company
OSCE Organization for Security and Cooperation in Europe
PINK Public Information and Need of Knowledge
PMC Psychiatric Medical Centre
PSRC Public Services Regulatory Commission
RA Republic of Armenia
SHAE State Hygiene and Anti-Epidemic
SME Small and Medium Entrepreneurship
SME DNC Small & Medium Entrepreneurship Development National Centre
SLC Supplementary Liability Company
SP Sole Proprietors

TIN Taxpayer's Identification Number
TVPRA Trafficking Victims Protection Reauthorization Act
UAE United Arab Emirates
UMCOR United Methodist Committee on Relief
UN United Nations
UNESCO United Nations Educational, Scientific and Cultural Organization
UNICEF United Nations Children's Fund
UNHCR United Nations High Commissioner for Refugees
UNDP United Nations Development Programme
US United States
USAID United States Agency for International Development
USD United States Dollar
USDOS US Department of State
USSR Union of Soviet Socialist Republics
UXO Unexploded ordnance
VAT Value Added Tax
VVAF Vietnam Veterans of America Foundation
WFP World Food Programme
WFCE We For Civil Equality
WHO World Health Organization