

**Interim report of the Republic of Armenia prepared in accordance with the
UN Universal Periodic Review
as of December 2012**

The interim report was prepared to present to the Working Group on Universal Periodic Review of UN Human Rights Council the process of implementing the recommendations made thereby in May, 2010

PART I
Ratification of international treaties

Recommendation

1.1 Sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death penalty (Spain, France, Argentina, Iraq, United Kingdom of Great Britain and Northern Ireland).
A/HRC/15/9 para(s) 93.1

Implementation process

- The implementation process is ongoing and is at the stage of interagency coordination.
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Recommendation

1.2 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Azerbaijan, Argentina, Uruguay) as soon as possible.
A/HRC/15/9 para(s) 93.2

Implementation process

- It is ratified on 5 October 2010 and entered into force on 23 February 2011.

Recommendation

1.3 Consider expediting (Brazil)/finalize the ratification of (Algeria)/ratify the Convention on the Rights of Persons with Disabilities (Brazil, Algeria) and the Optional Protocol thereto (Argentina, Iraq, Kyrgyzstan) as soon as possible (Greece)/ratify the Optional Protocol to the Convention (Azerbaijan).
A/HRC/15/9 (Report of the working group of the year 2010) para(s) 93.3

Implementation process

- The convention is ratified on 5 October 2010 and entered into force on 22 October 2010. A working group was established to bring the internal legislation in compliance with the mentioned convention. The state will deal with the ratification of the optional protocol, as soon as it finishes the approximation of the internal legislation to the provisions of the Convention on the Rights of Persons with Disabilities.
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Recommendation

1.4 Suggest that the Government proceed with ratifying (Cyprus)/accelerate the ratification of (Romania)/consider expediting the ratification of (Brazil)/ratify the Rome Statute of International Criminal Court (Austria, Greece, Uruguay), signed on 1 October 1999, to implement it in national law (United Kingdom of Great Britain and Northern Ireland).

A/HRC/15/9 para(s) 94.1

Implementation process

- The process of ratification of Rome Statute of the International Criminal Court may be possible only when the existing discrepancies with the Constitution of the Republic of Armenia are eliminated.
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Recommendation

1.5 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria).

A/HRC/15/9 para(s) 95.1

Implementation process

- The ratification of the convention is in the centre of attention of the Government of the Republic of Armenia, particularly, this issue is included in point 5.4.4 of the "Action plan for the years 2012-2016 of implementing policy concept of the Republic of Armenia on state regulation of migration" approved by the Decision of the Government of the Republic of Armenia 1593-N of 10 November 2011.
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PART II

Constitutional and legislative work

Recommendation

1.6 Work effectively in order to bring all laws into line with the revised Constitution (Finland).

A/HRC/15/9 para(s) 93.4

Implementation process

- After the constitutional reforms of the Republic of Armenia of 2005, several dozen acting laws were brought into line with the Main Law.

Currently, together with EU, the mechanism of legal guillotine is established, which will contribute to the repeal of unduly aggravating laws; an appropriate structure has already been established and is in force.

Recommendation

- 1.7 Review the definition of torture in its national legislation so that it fully complies with that set out in article 1 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Czech Republic); adopt a definition of torture fully in line with article 1 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Ireland); adopt a definition of torture in line with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Uruguay).
A/HRC/15/9 para(s) 93.5

Implementation process

- Appropriate amendments were made to the Criminal Code of the Republic of Armenia with the view to bring the definition of torture in line with the definition given in the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. All articles pertaining to the concept of “torture” in the Criminal Code were supplemented. The mentioned amendments are under consideration at the National Assembly.
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Recommendation

- 1.8 Provide a legislative basis for the OPCAT National Preventive Mechanism, and ensure the institutionalized participation of civil society (Slovenia).
A/HRC/15/9 para(s) 93.6

Implementation process

- The law “On Human Rights Defender”, particularly Article 6.1 was supplemented with Article “Defender in the field of international law” on 8 April 2008 according to which the Defender is the independent preventive national mechanism stipulated by Optional Protocol of Convention on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. By the order of Human Rights Defender of 11 July 2011, an Expert Council was established as a preventive national mechanism with the view to prevent torture. The Council is composed of the staff of Human Rights Defender’s office and representatives of various NGOs.
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Recommendation

- 1.9 Ensure the effective implementation of the minimum employment age set out in the Labour Code and of provisions prohibiting heavy and hazardous work for children (Holy See);
A/HRC/15/9 para(s) 93.39

Implementation process

- In accordance with the Law of the Republic of Armenia on State Labour Inspectorate and the statute of State Labour Inspectorate of the Republic of Armenia, the State Labour Inspectorate implements control and oversight to ensure the safeguards defined by the labour legislation of the Republic of Armenia for persons up to the age of 18. Thus, the mentioned issue is constantly monitored.
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Recommendation

- 2.1 Complete the reforms of the justice system and ensure the compliance of domestic legislation with the revised Constitution and the new legislation on the judiciary (Poland).
A/HRC/15/9 para(s) 93.29

Implementation process

- The legislative and judicial reforms are of continuous nature. Thus, the second stage of legislative and judicial reforms is ongoing. On 2 July 2012, the President of the Republic of Armenia signed the Strategy of Legislative and Judicial Reforms for 2012-2016 that foresees the implementation of all those legal acts and measures that target at ensuring further completion of legislative and judicial reforms in Armenia.
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Recommendation

- 2.2 Include in Armenia's legislation an explicit and comprehensive definition of discrimination against women, and improve legal provisions prohibiting discrimination against women (Austria); elaborate a specific definition of discrimination against women in Armenia's legislation (Ireland); define and prohibit in Armenian legislation, in an explicit and comprehensive manner, discrimination against women and gender-based violence, and adopt social awareness measures (Argentina);

A/HRC/15/9 para(s) 95.2

Implementation process

- The National Assembly adopted in first reading draft Law "On ensuring equal rights and equal opportunities for women and men". The aforementioned law stipulates provisions of non-discrimination against women. Public hearings of the draft law were organised before the aforementioned draft law was submitted to the National Assembly.

The National Program against Gender-based Violence, Strategic Programme for 2011-2015 were approved at the sitting of the Government of the Republic of Armenia held on 17 June 2011. The draft Law of the Republic of Armenia on Family Violence was elaborated, which was submitted to the Government of the Republic of Armenia. Workshops, discussions, round tables are regularly organised with the view to raise the awareness on issues relating to gender and gender violence.

Recommendation

- 2.3 Introduce changes to laws on drugs, given the increase in drug use in the country (Kyrgyzstan).

A/HRC/15/9 para(s) 94.2

Implementation process

- Emphasizing the coordination of combat against drug addiction and illegal circulation of drugs in the Republic of Armenia and with the view to protect the population of the Republic from negative effects of drugs and the harmful consequences thereof, “National programme for combat against drug addiction and illegal circulation of drugs in the Republic of Armenia during 2009 to 2012” was approved by the Executive Order of the President of the Republic of Armenia NK-162-N of 25 September 2009. In addition to that, “Timeline of activities foreseen by national programme for combat against drug addiction and illegal circulation of drugs in the Republic of Armenia during 2010 to 2012” was approved by the Decision of the Government of the Republic of Armenia 892-N of 15 July 2010. Programme for 2013 to 2015 is also planned to be elaborated.

Recommendation

- 2.4 Intensify efforts aimed at the adoption of the draft law “on ensuring equal rights and equal opportunities for men and women” (Brazil); ensure that the draft law “on ensuring equal rights and equal opportunities for men and women” is finalized in accordance with international protection standards and that it is adopted as soon as possible (Greece); continue its efforts to enact laws in the area of equality of opportunity and rights for men and women (Kuwait);
A/HRC/15/9 para(s) 94.3

Implementation process

- See the response to recommendation A/HRC/15/9 para(s) 95.2.
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Recommendation

- 2.5 In line with the Government’s commitment to protect fundamental freedoms of its citizens, review its legislation and practices in order to guarantee the free exercise of the right to assembly and freedom of expression, without any limitations other than those permitted by international law (Mexico); fully respect and promote freedom of expression (Azerbaijan); guarantee freedom of expression and assembly for all political parties, media and human rights defenders (Switzerland);
A/HRC/15/9 para(s) 94.24

Implementation process

The new law of the Republic of Armenia “On freedom of assembly” was adopted on 14 April 2011. The law provides for all those legal mechanisms that are required to exercise rights and freedoms foreseen by the Constitution and by international legal instruments. In accordance with the Law of the Republic of Armenia “On dissemination of mass information” the journalists act freely based on the principles of legal equality, legality, freedom of speech and pluralism. In the course of his or her lawful professional activity, a journalist is protected by the legislation of the Republic of Armenia as a person executing public duties. In accordance with the Law of the Republic of Armenia “On freedom of information”, the main principles of ensuring provision of information are important safeguards for the exercise of the right to receive information. Such principles are: determination of a common procedure for registering, classifying and storing information; protecting the freedom to search and receive information; ensuring access to information and its publicity. In May 2010 the Republic of Armenia decriminalised libel. The new Electoral Code of the Republic of Armenia prescribes rules for the coverage of official campaign with regards to free air time, news coverage and paid advertisements. The public and private broadcasters are obliged to ensure non-discriminatory conditions and provide non-biased news programs. In 2012 OSCE/ODIHR office monitored the work of news media during the elections of National Assembly in the Republic of Armenia. A mention has been made in the final report of the observation mission thereon, particularly the following was noted: “The findings of monitoring of news media indicate that the news media have widely covered the elections. In general, the broadcasters were accessible for all major political parties. This enabled the voters to be informed of different political standings”.

Recommendation

2.6 Guarantee freedom of peaceful assembly, and amend Article 9.4.3 of the Law on Meetings, Assemblies, Rallies and Demonstrations (Spain).

Implementation process

See the response to recommendation A/HRC/15/9 para(s) 94.24.

PART III

General policy in the field of human rights

Recommendation

2.7 Strengthen the work of the institute of public defence by providing free legal aid to the population (Kyrgyzstan); A/HRC/15/9 para(s) 93.7

Implementation process

- On 8 December 2011 the Law “On advocacy” was supplemented and amended according to which the concept of public defence was determined and provisions were introduced pertaining to free legal aid.

Last year considerable work was done to strengthen the capacities of Public Defender’s Office, particularly, the number of public defenders has doubled, as well as regional structures have been established. 2012-2016 Strategic Programme for Legislative and Judicial Reforms in the Republic of Armenia foresees elaboration of alternative mechanisms for ensuring the effectiveness of free legal aid.

Recommendation

2.8 In line with Human Rights Council resolution 9/12, consider elaborating a national human rights programme and plan of action to strengthen the capacity of the State to promote and protect human rights (Brazil); complete within the envisaged time the comprehensive national programme on human rights protection (Egypt); implement the comprehensive national programme on human rights protection efficiently and within the envisaged time (Bosnia and Herzegovina); continue to promote human rights cooperation based on its actual conditions (China); continue to improve the human rights situation in the country, in the light of the improvements made so far (Italy);

A/HRC/15/9 para(s) 93.9

Implementation process

- National Strategy on Human Rights Protection was approved in the year 2012 that refers to all fields of human rights, including political and civil, economic, social and cultural rights.
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Recommendation

2.9 Continue to carry out reforms in the country in order to fully ensure the protection of human rights and the rule of law in accordance with all relevant laws and codes, as stated in its national report (Lao People's Democratic Republic);

A/HRC/15/9 para(s) 93.10

Implementation process

- The legislative and judicial reforms are ongoing. 2012-2016 Strategy Programme for Legislative and Judicial Reforms was adopted, which foresees large-scale activities both with regard to judicial legislation, and penitentiary and criminal legislations and with regard to all those laws that are connected with human rights.
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Recommendation

3.1 Further its activities aimed at gender mainstreaming in Government policies (Egypt); adopt a gender-specific approach in Armenia's policies and programmes (Greece).

A/HRC/15/9 para(s) 93.11

Implementation process

- The Decision "On approving Gender Policy Concept" was approved at the sitting of the Government of the Republic of Armenia of 11 February 2010 which underlines the importance of elaborating normative legal acts as a means to ensure gender policy which are aimed at implementing gender equality policy, as well as at the importance of carrying out gender expertise taking into account the effect it may have on men and women.

The decision "On approving 2011-2015 Strategic Programme for Gender Policy and 2011 Action Plan for Gender Policy" was approved at the sitting of the Government of the Republic of Armenia of 20 May 2011 within the framework whereof annual programmes together with their monitoring instruments are approved by the Government of the Republic of Armenia. The envisaged activities aim at promoting participation of women in all spheres of public life.

The new Electoral Code was adopted in 2011 according to which more gender sensitive mechanism for attracting women in the electoral process is stipulated. Standing committees on gender issues were established in governors' offices (Yerevan municipality) of the Republic of Armenia in 2011.

Concurrently, taking into consideration the recommendations arising from Beijing Declaration and Platform for Action, as well as from the Convention on Elimination of all Forms of Discrimination against Women, the Women's Council of the Republic of Armenia, by the Decision of the Prime Minister of the Republic of Armenia of 1 March 2012, became a national mechanism for improving the situation of women and implementing gender policy in the Republic of Armenia. The national mechanism was established at such high level with the aim to coordinate the implementation of gender strategy in all fields of state policy and at all levels of public administration in the Republic of Armenia.

Recommendation

- 3.2 Carry on its work to implement a national programme for sustainable development that would contribute to the further improvement of the human rights situation in the country (Russian Federation).
A/HRC/15/9 para(s) 93.12

Implementation process

- Armenia plays an active role in the international process of sustainable development in the face of the international treaties ratified and the commitments assumed. The Republic of Armenia elaborated and adopted Rio +20 National Assessment Report which was presented at 2012 World Summit on Sustainable Development held in Rio de Janeiro. Urgent national issues of vital importance were reflected in the national assessment report.
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Recommendation

- 3.3 Expand the programme to prevent the spread of HIV/AIDS, in particular in remote areas (Kyrgyzstan); continue its efforts to promote public knowledge about HIV/AIDS, particularly among young people (Islamic Republic of Iran).
A/HRC/15/9 para(s) 93.13

Implementation process

The Republic of Armenia has been implementing ongoing national programmes on the response to HIV/AIDS since 2002, within the framework of which complex measures are implemented aimed at the prevention (including among adolescents and young people), treatment, care and support of HIV/AIDS. As a result of the projects implemented:

- Among children born to HIV-infected mothers who received prevention of mother-to-child transmission (PMTCT), no case of HIV infection has been administered since 2007.
- Antiretroviral therapy (ART) has been carried out since 2005. Currently, ART is accessible for all HIV/AIDS patients who have a prescription for treatment and have given their consent.
- No case of HIV infection through donated blood has been administered in the Republic since 2001.
- In general, the diagnosis and detection of HIV have improved, and the efficiency of epidemiological surveillance system has increased in recent years.
- HIV/AIDS-infected injection drug users (IDUs) have been provided with methadone substitute treatment since December 2009.
- Within the framework of the second National Programme on Response to HIV/AIDS Epidemic in the Republic of Armenia, numerous prevention and harm reduction programmes were implemented in 2007-2011 among population groups vulnerable to HIV, including those in penitentiary institutions and among young people.

2012-2016 National Programme on Response to HIV/AIDS Epidemic is currently under consideration. The programme envisages a large set of measures aimed at organising advocacy campaigns on HIV/AIDS issues, disseminating HIV/AIDS-related issues in printed press, conducting trainings for the representatives of mass media on the peculiarities of dissemination of HIV/AIDS-related issues, developing and broadcasting television and radio programmes, social advertisements on HIV/AIDS issues, etc. The programme envisages as well to continue and expand the implementation of activities carried out within previous years.

The educational course "Healthy Lifestyle" has been introduced and is being instructed in the eighth to eleventh grades of general education schools based on the curriculum and educational materials recommended by the RA Ministry of Education and Science. Annually, 14 class hours are allocated for the course in each class. Such topics as Sexual Maturity, Reproductive Health, HIV/AIDS Prevention, Sexual Roles, as well as information on the fight against illicit drug trafficking and drug use among young people are included in the course. A teacher's manual has been developed for the educational course Healthy Lifestyle, and training materials package (module, distribution materials) for the teachers of the mentioned course for the eighth and ninth grades has also been developed. The teachers instructing the subject are accordingly trained.

Information on the fight against illicit drug trafficking and HIV/AIDS is included in the topics of Globalisation and Armenia: Positive Changes and Negative Trends of the Philosophy component of the twelfth grade subject of Social Sciences.

Recommendation

3.4 Continue to work to protect the rights of the child (Kyrgyzstan).
A/HRC/15/9 para(s) 93.14

Implementation process

The 2004 - 2015 National Plan of Action on the Protection of the Rights of the Child in the Republic of Armenia was approved by the Decision of the Government of the Republic of Armenia No 1745-N of 18 December 2003. In accordance with the UN Convention on the Rights of the Child, in 2010 the Republic of Armenia submitted the third and fourth periodic reports on the protection of the rights of the child in the Republic of Armenia. In June 2010, the Ministry of Foreign Affairs of the Republic of Armenia and UNICEF signed the Action Plan of the Programmes Implemented in the Country between the Government of the Republic of Armenia and UNICEF for 2010-2015 which identifies the main directions of cooperation for the next years, aimed, in particular, at such issues as the protection of the rights of the child, his or her health, appropriate care, education, justice, and others. Currently, actions are being taken for the development of a new draft of the National Programme. The draft National Plan for the Protection of the Rights of the Child in the Republic of Armenia for 2012-2016 will include most actual problems and measures.

Recommendation

3.5 Continue its efforts to address discrepancies in the enjoyment of rights by vulnerable groups, including children with disabilities, refugee children and children living in rural areas (Islamic Republic of Iran).
A/HRC/15/9 para(s) 93.15

Implementation process

- According to the RA law "On education", "The education of children with special educational needs may be provided by the choice of parents both at general education institutions and special institutions through special programmes". According to this provision of the law, actions have been taken aimed at organising the instruction of children with special educational needs at general education schools and fully integrating them into the society. Currently, inclusive education is being practiced in 81 general education schools where around 2136 children with special educational needs study. According to the procedure approved by the RA government, the mentioned schools receive an additional allotment from the State Budget for organising the education of children with special educational needs. Parents' and resource rooms are available in schools where individual classes are organised for children with special educational needs based on an Individual Education Plan. Yerevan Medico-psychological Pedagogical (MPP) Assessment Centre was founded for the assessment of the educational needs of children. Eleven types of educational and methodical manuals and other educational materials were developed, printed and acquired within 2011 for organising the education of children with special educational needs. Special general education institutions and schools practicing inclusive education have been provided with auxiliary materials.

The issues related to the enjoyment of equal rights by vulnerable groups in the Republic, including refugee children and children living in rural areas, are settled through ongoing programmes implemented in the fields of the protection of children's rights, education, regional development and others.

Recommendation

3.6 Take measures to combat corruption (Azerbaijan).
A/HRC/15/9 para(s) 93.31

Implementation process

The Republic of Armenia implements its anti-corruption policy in accordance with own national legislation and international commitments. According to GRECO proposals the Criminal Code was supplemented and elaborated, new corpora delicti of corruption were added, the framework of current corpora delicti was expanded and Anti-

corruption guidelines and a package of legislative amendments were developed, a Commission for Ethics was formed by the Prosecutor General's Office.

Recommendation

- 3.7 Carry out further activities aimed at supporting the rehabilitation and reintegration of remand prisoners and convicts by organising professional training for them (Bosnia and Herzegovina).
A/HRC/15/9 para(s) 93.34

Implementation process

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- The 2012-2016 Legislative and Judicial Reforms Programme addresses as well the formation of a probation service and will contribute to increasing the effectiveness of actions towards the correction of offenders and their reintegration into society. The RA cooperates with OSCE and other international organisations towards the development of this service and a probation institute in Armenia.
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Recommendation

- 3.8 Pursue the policy aimed at improving the position and participation of women in public life, and promote programmes for the protection of the rights of children (Algeria); consider further measures to improve and encourage women's participation in society, and ensure that such measures include benchmarks with timetables or increased quotas and that their implementation is closely monitored (Norway).
A/HRC/15/9 para(s) 93.38

Implementation process

See the response to recommendations A/HRC/15/9 para(s) 93.11 and 93.14.

Recommendation

- 3.9 Continue to support children's homes (Kyrgyzstan).
A/HRC/15/9 para(s) 93.45

Implementation process

Care protection centres have been established which contribute to the deinstitutionalisation of children's homes. Since 2008, the institute of foster families has as well been functioning within the framework of state funding. Boarding schools were transformed into boarding institutions and were transferred from the competence of the Ministry of Education into the competence of the Ministry of Labour and Social Issues. In 2010, new buildings of two children's homes were commissioned, the construction works of which were carried out by means of the State Budget. The buildings are fitted with modern rehabilitation equipments. There is an annual increase in the amounts of money provided for children's nutrition and care in the childcare and protection institutions. Meanwhile, the programme of deinstitutionalisation of children's homes is in progress, referring children to boarding institutions of care and protection. Eight similar institutions functioning in the Republic support families facing hardships in life, ensuring all the necessary conditions for children's nutrition, education, upbringing, and, in general, full development, without isolating them from the family environment.

Recommendation

- 4.1 Continue to promote human rights education in school curricula at all levels (Djibouti).
A/HRC/15/9 para(s) 93.48

Implementation process

The subjects of Life Skills and Human Rights have been introduced in elementary and middle schools since 2001. The policy of development of the field of education in Armenia is, in its current phase, closely connected with the development trends of the international educational community. The reforms in the field are aimed at liberalisation and humanisation of education and the establishment of such values in the society as tolerance, freedom, justice and respect for others. To that end, education standards and programmes have been reviewed and new subjects and professions have been introduced at all levels of education. In particular, such subjects as Life Skills, Ecological Education, Social Sciences, Healthy Lifestyle, Me and the Environment have been introduced in the field of general education. Thematic units on fundamental human rights, gender equality, the rights of national minorities, tolerance, and civil society have been included in the curriculum of the subject of Social Sciences. The teacher's manual on Tolerance has been developed.

Recommendation

- a. Ensure the integration of human rights into all school curricula, and train law enforcement officers in human rights (Libyan Arab Jamahiriya).

A/HRC/15/9 para(s) 93.49

Implementation process

Training courses are as well organised at the Law Institute of the Ministry of Justice of the Republic of Armenia for the servicemen of penitentiary institutions and compulsory enforcement officers, at the Judicial School of the Republic of Armenia - for judges and judicial servants, and at the Police Academy of the Republic of Armenia - for the police officers. See as well the response to recommendation A/HRC/15/9 para(s) 93.48.

Recommendation

- b. Intensify measures to address factors driving women and girls into prostitution (Poland).

A/HRC/15/9 para(s) 94.13

Implementation process

Prostitution is an act prohibited by the RA law, for which administrative liability is provided for by the elements under Article 179 of the Administrative Offences Code of the Republic of Armenia, *i.e.* "being engaged in prostitution". The proceedings conducted under Article 179 of the Administrative Offences Code of the Republic of Armenia were transferred, based on the amendments made to the mentioned Code on 7 February 2012, into the competence of the Police. The amounts of the fine prescribing liability for the offence provided for by the mentioned Article have as well been increased. If the amount of the fine provided for previously was defined in part 1 of the Article as "from fifty percent up to the full amount of the minimum salary", and in part 2 of the same Article - as "from the full amount of the minimum salary up to its two-fold", currently, part 1 of the same Article provides for a fine in the amount of "the twenty-fold of the minimum salary", and part 2 - in the amount of "the forty-fold of the minimum salary". Taking into account the fact that prostitutes are considered as the most vulnerable group subject to human trafficking, the Police carry out regular registration to keep them in view. A unified database for coordinating the activities against prostitution and trafficking was created according to the Action Plan for Early Prevention of Prostitution and Trafficking in the Republic of Armenia, approved by the Head of the Police of the Republic of Armenia on 30 December 2006. In the first quarter of 2012, the Police organised around 850 meetings in communities for the purpose of improving the relations between the society and the police, during which the population was as well informed on the risk of human exploitation and its consequences.

Part IV

Strengthening of Human Rights Infrastructure

Recommendation

- 4.4 Accelerate the process aimed at creating a national human rights institution in accordance with the Paris Principles. (Libyan Arab Jamahiriya).

A/HRC/15/9 para(s) 93.8

Implementation process

In 2003, the Law “On Human Rights Defender” was adopted which de facto confirms the establishment of the national institute for human rights.

According to Article 2 of the Law, the Human Rights Defender is an autonomous and independent official, who, according to the RA Constitution and laws, as well as to the well-established principles and norms of international law, carries out the protection of human rights and fundamental freedoms violated by state authorities, local self-government bodies and their officials. The RA Human Rights Defender was awarded status A in 2006, which means that his or her status complies with the Paris Principles.

Recommendation

4.5 Submit its periodic reports to the relevant treaty bodies and make responses to the letters of allegations and urgent appeals as well as to questionnaires on thematic issues in due course (Ukraine).
A/HRC/15/9 94.6

Implementation process

Armenia has submitted to the UN treaty bodies all its periodic reports, the process of the revision of which is currently in progress. The RA communicates timely and detailed responses to all the rapporteurs supervising the course of the reports.

Recommendation

4.6 Establish effective mechanisms to address the problems faced by street children (Kazakhstan).
A/HRC/15/9 93.46

Implementation process

While performing their official duties, the officers of Juvenile Issues Service of RA Police pay particular attention to the early prevention of the crimes committed by juveniles, as well as to the issues of vagabond and beggar juveniles, those deprived of parental care and others belonging to other risk groups by, among other activities, regular meetings and talks at general education schools and education institutions. The identified vagabond and beggar juveniles, those deprived of parental care, as well as those belonging to other risk groups are placed, where necessary, in the Children’s Support Centre of the Fund for Armenian Relief where the juveniles receive medical, as well as moral and psychological support by the multi-professional board (psychologist, pedagogue, social worker). They are provided with temporary accommodation, food and clothing, and, where necessary – with appropriate documents. Many of them are placed in relevant education institutions with the support of the officers of juvenile issues and interested bodies. Support is often provided to the parents of the juveniles as well, ensuring jobs and temporary accommodation for their families. Part of the identified juveniles is sent back to their parents, establishing control and providing support for organising the care and upbringing of the children.

The process of introduction of the system of alternative care at community level is currently being implemented in the Republic, including as well the activities envisaged by the 2004-2015 National Plan of Action for the Protection of the Rights of the Child, *i.e.* establishment of community centres. There are 18 day care centres under state or non-state control in different communities of the Republic, one of the objectives of which is to carry out preventive activities among juveniles having committed a crime or other offences. The abovementioned centres are unprecedented with regard to the fact that here, the policeman, the social worker, the psychologist and the volunteers involved in the activities of the centre carry out joint and extensive activities with the offender juveniles. The main task of the centres is to move the offender juveniles to an environment where morality, human appreciation and self-consciousness is a priority.

Recommendation

4.7 Invite the Special Rapporteur on the independence of judges and lawyers (Hungary, Germany); consider extending an invitation to the Special Rapporteur on the independence of judges and lawyers (Uruguay).
A/HRC/15/9 94.7

Implementation process

The Republic of Armenia extended an open invitation to all special UN procedures, as well as to the Special Rapporteur on the Independence of Judges and Lawyers in April 2006.

Recommendation

4.8 Push forward further reforms that will guarantee in practice the separation of powers and, in particular, the independence of the judiciary, including through the training of judges (Greece); make additional efforts to strengthen the judicial system, carrying out its reform and the training of judges (Bosnia and Herzegovina).

A/HRC/15/9 94.17

Implementation process

Measures aimed at raising the efficiency of the system of criminal justice and criminal punishments, ensuring an independent judiciary accountable to public, as well as those aimed at implementing reforms in the system of the practice of the profession of advocate are envisaged according to 2012-2016 Strategic Programme for Legislative and Judicial Reforms. Extensive legislative amendments are as well envisaged with a precise agenda and a list of responsible bodies, inter alia, part of these amendments has already been launched. The training of judges is permanently being ensured by the Judicial School (the Judicial School is a legal entity having the status of a non-profit state non-commercial organisation), in accordance with the developed training programme. The Judicial School regularly organises and conducts training courses which are compulsory for judges. The training programmes consist of a total of at least 80 academic hours and not more than 120 academic hours annually. The training programmes are designed so that they result in guaranteeing and strengthening the impartiality and skilfulness of judges. The training includes lectures, seminars, moot courts, disputes, discussions of adopted judicial acts, as well as didactic materials encouraging self-education, videotapes, audio lectures and other modern educational methods. In addition to the abovementioned, it is worth mentioning that the Code of Conduct of Judges has been established by Decision No 01-N adopted on 23 April 2010 by the RA General Council of Judges, according to Rule 6 of which "The judge is obliged to take measures aimed at enriching his or her knowledge and ensuring ongoing improvement of his or her skills and personal qualities, using for that purpose all the training opportunities under the supervision of judges". Based on the quoted rule, judges improve their knowledge on an ongoing basis during the whole term of their office, participate in the educational events organised for judges, including the training courses of the Judicial School.

Recommendation

4.9 Ensure that the visit by the Working Group on Arbitrary Detention, which has been agreed upon in principle, is also given priority and that it takes place in the near future (Norway).

A/HRC/15/9 94.8

Implementation process

The members of the Working Group on Arbitrary Detention visited Armenia within the period of from 6 to 15 September 2010.

Recommendation

5.1 Further strengthen the capacities of the Office of the Human Rights Defender and enhance its cooperation with civil society (Greece), in order to enable better protection of human rights in Armenia (Egypt); strengthen the role of the Human Rights Defender institution to allow the Defender to increase his monitoring and expand his work to the regions (Finland); establish a special section with sufficient powers and resources within the Ombudsperson's office, or task a deputy with addressing child issues exclusively (Hungary); provide the Office of the Human Rights Defender with the human and financial resources necessary to complete its tasks as a national preventive mechanism, and

strengthen the guarantees against the ill treatment of imprisoned persons so that all those in the police force will receive a strong message emphasizing that ill treatment is illegal (Switzerland).
A/HRC/15/9 para(s) 94.4

Implementation process

According to the amendments made to the Law of the Republic of Armenia "On Human Rights Defender" in 2010, the monthly payroll fund of the Defender's staff is determined by the product of the 3.6-fold of the basic rate of remuneration of judicial servants and the number of public servants and persons ensuring technical maintenance in the Defender's staff. Memoranda of Understanding have been signed between the Defender's Office and NGOs for implementing joint activities in the field of human rights. The Human Rights Defender opened 6 regional offices in different marzes of Armenia within the last years, namely, in the marzes of Shirak, Gegharkunik, Tavush, Lori, Vayots Dzor and Syunik.

The staff of the Human Rights Defender includes the Department of Protection of Vulnerable Groups and Cooperation with Non-Governmental Organisations, which is as well specialised in the issues of protection of the rights of juveniles, including, in particular, a lawyer on children's issues.

Recommendation

5.2 Urgently submit the overdue reports to treaty bodies (Hungary). Carry out the submission of its pending report to the Human Rights Committee as soon as possible (Spain); submit its overdue report under ICCPR (Austria).
A/HRC/15/9 para(s) 93.16

Implementation process

See the response to recommendation A/HRC/15/9 para(s) 94.6.

The RA second periodic report was submitted to the Human Rights Committee in 2010 and reviewed by the latter at the 105th session of the Committee on 16-17 July 2012, resulting in adoption of relevant recommendations for Armenia.

Recommendation

5.3 Create an inter-ministerial mechanism to accord due attention to the recommendations of international mechanisms, including those emanating from the universal periodic review, with the participation of civil society (Mexico); establish an effective and inclusive process with independent non-governmental organizations to follow up on the universal periodic review recommendations (Norway).
A/HRC/15/9 para(s) 94.5

Implementation process

An Interagency Commission was established on 28 June 2011 according to Decision No 598-A of the Prime Minister of the Republic of Armenia, aimed at ensuring the fulfilment of obligations undertaken by the Republic of Armenia in the field of Human Rights, including within the framework of General Periodic Review Mechanism.

PART V

Equality and non-discrimination

Recommendation

5.4 Continue to hold awareness-raising campaigns within Armenian society about the rights of national minorities, with the aim of further enhancing tolerance and non-discrimination in all spheres of public life (Cyprus);
A/HRC/15/9 para(s) 93.50

Implementation process

The issues on raising awareness of rights of national minorities remain under continued focus of the Government of the Republic of Armenia. The project "Tolerance" being implemented particularly in the general education sector is one of the latest developments regarding this issue. This programme is designed to teach learners to be tolerant, collaborative, have respect towards one another. At the same time, information related to history, culture and religion of other people and nations was included in the courses World History, Armenian History and History of Armenian Church.

Recommendation

5.5 Increase efforts to end discrimination towards women and provide adequate access to healthcare services for all women (Austria);
A/HRC/15/9 para(s) 93.17

Process of implementation

There is no restriction in the Republic of Armenia, whether legislative or in practice, with regard to the accessibility to healthcare services for women on grounds of sex. Women benefit from the medical services on an equal footing with men.

Equality between men and women is a fundamental principle enshrined in the Constitution of the Republic of Armenia under Article 14.1, according to which any discrimination on grounds of sex is prohibited in the Republic of Armenia. Article 4 of the Law of the Republic of Armenia "On medical care and service provision to the population" enshrines the right of each person to receive medical care and service, irrespective of sex. In 1993 Armenia acceded to the Convention on the Elimination of All Forms of Discrimination against Women, and in 2006 ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The Gender Policy Strategic Action Plan for 2011-2015 was approved by Protocol Decision No 19 of 20 May 2011 of the Government of the Republic of Armenia, the Healthcare Section of which prescribes implementation of measures aimed at accessibility of medical services provided to women during 2011-2015. In particular, the Action Plan envisages implementation of preventive programmes for early detection and prevention of breast cancer and cancer of genitals, an increase in the number of Rapid Response Services provided to mothers and newborns and implementation of a number of other measures. In addition, the National Strategy on Maternal and Child Healthcare for 2003-2015 has been implemented since 2003, which was approved by the Decision No 1000-N of 8 August 2003 of the Government of the Republic of Armenia, as well as a number of healthcare programmes approved by the RA Government (reproductive health, combating tuberculosis, palliative care, combating malignant neoplasms, etc.) aimed at accessibility, efficiency and quality improvement of healthcare services provided to women (on the equal footing with men). Currently, there exists a wide spectrum of healthcare organisations in the Republic of Armenia. Armenia is one of the countries, where medical institutions providing medical care are generally operating even in the smallest rural settlements. -In Armenia there are 614 therapeutic obstetric facilities providing medical care and services to women, 255 ambulatory/outpatient medical organisations, 85 outpatient clinics (of which - 32 in Yerevan, 53 in marzes), 101 female consultative rooms and units, 50 medical centres, among which there are also obstetric-gynaecological inpatient divisions, 11 independently operating birth centres, 4 of which in Yerevan and 7 in marzes.

In accordance with currently available data, women attendance to ambulatory/outpatient and inpatient medical institutions is higher compared to that of men.

Recommendation

5.6 Initiate awareness-raising campaigns in schools to further promote the rights of women (Romania);
A/HRC/15/9 para(s) 93.22

Process of implementation

- Within the scope of the Gender Policy Strategic Action Plan for 2011-2015 in the Republic of Armenia, steps are taken towards laying the educational and methodological groundwork for teaching the basic knowledge of gender, as well as introducing criteria for gender expertise of academic literature. Thematic topics on gender issues were included in the module of training courses for teachers engaged in teaching at elementary schools. The Action Plan envisages incorporation of topics of basic knowledge of

gender into the module of training courses for directors and deputy directors of general education schools, as well as for teachers engaged in teaching Social Studies.

Topics on gender issues were included in the 4th grade textbook "Me and the Environment".

Teacher's manual "Teaching Tolerance" was elaborated, in which topics on gender issues were also introduced. Thematic units on fundamental rights, gender equality, tolerance and civil society were incorporated in the syllabus of Social Studies.

Particular importance is attached to the elements of teaching gender issues in the system of higher education. Specific courses designed to cover gender policy, equality of rights between men and women are organised at a number of higher education institutions of the Republic.

Recommendation

5.7 Establish measures in order to provide for equality of rights and opportunities between women and men and the elimination of discrimination against women, including through legal reforms; and devote priority attention to effectively eliminating all forms of violence against women, especially domestic violence, inter alia, by establishing a national mechanism for the advancement of women, and to addressing the issue of violence against women (Uruguay); take measures to eliminate discrimination against women, especially domestic violence (Azerbaijan); A/HRC/15/9 para(s) 94.9

Process of implementation

See response as regards A/HRC/15/9 para(s)95.2 and A/HRC/15/9 para(s) 93.11 recommendations.

Recommendation

5.8 Ensure the right to work of persons with disabilities, and establish effective mechanisms and strong legislative regulations to protect their economic, social and cultural rights (Kazakhstan).

A/HRC/15/9 para(s) 94.27

Process of implementation

For the purposes of promoting employment opportunities for people with disabilities, the "State Employment Service" Agency, in accordance with the Law of the Republic of Armenia "On employment of population and social protection in case of unemployment", implements a number of programmes, going in particular, as follows: "Vocational training, rehabilitation of working abilities of non-employed job seekers with disabilities", "Compensation paid to the unemployed persons for the expenses incurred at relocation to another work place and those of non-employed job seekers with disabilities", "Financial support to the unemployed persons and non-employed job seekers with disabilities for state registration of entrepreneurial activities", "Partial compensation of salary to the employer in case of employing persons uncompetitive in the labour market", "Organising occupational training at the employer's office for the unemployed and non-employed job seekers with disabilities having a profession, yet lacking professional experience", "Adjusting job places to the needs of non-employed job seekers with disabilities at the employer's office." The draft Law of the Republic of Armenia "On protection of rights of persons with disabilities and ensuring their social inclusion" is currently being elaborated aimed at protecting the rights of persons with disabilities.

Recommendation

5.9 Continue to ensure equal rights for women in society (Belarus);

A/HRC/15/9 para(s) 94.10

Process of implementation

See response as regards A/HRC/15/9 para(s)95.2 and A/HRC/15/9 para(s) 93.11 recommendations.

PART VI

Right to life, liberty and personal security

Recommendation

6.1 Take additional measures for the elimination of cruel and inhuman treatment through the training of law-enforcement officers (Bosnia and Herzegovina);
A/HRC/15/9 para(s) 93.19

Process of implementation

- Officers of various subdivisions of law-enforcement bodies undergo training on human rights. In particular, classes are designed for this discipline at the Prosecutor's School; specific courses are organised for judges, pamphlets are published. Police Ethics academic discipline was included in the list of disciplines taught at the Police Academy of the Republic of Armenia. In addition, police officers are regularly enrolled in courses held on similar topics in a number of foreign countries. These topics are also included in the syllabi of practical classes held at subdivisions.
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Recommendation

6.2 Ensure the proper and thorough investigation of torture cases in prison facilities and at police stations (Slovenia); ensure that all allegations of torture and inhuman or degrading treatment are investigated promptly and that perpetrators are brought to justice.
A/HRC/15/9 para(s) 93.20

Process of implementation

- Thorough information on the process of implementing mentioned activities is provided in report on Prevention of Torture and Inhuman or Degrading Treatment or Punishment compiled by the Delegation of the European Committee for the Prevention of Torture (CPT) within the scope of periodic visit in May 2010, which was disclosed upon the request of the Armenian authorities. The report is available at <http://www.cpt.coe.int/documents/arm/2011-24-inf-eng.pdf>
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Recommendation

6.3 Ensure that allegations of the ill treatment of persons detained by the security/police forces are investigated and that perpetrators are held accountable (Canada); investigate cases of police abuse to prevent impunity and put an end to ill treatment by police (Azerbaijan); ensure a system for registering the complaints of victims of torture or ill treatment, in particular persons in detention or military conscripts (Czech Republic);
A/HRC/15/9 para(s) 93.26

Process of implementation

Within the meaning of Article 92 of the RA Constitution and Article 15(4) of the RA Judicial Code, legal standings expressed in the decisions of the RA Cassation Court shall be binding upon other judicial instances of Armenia. In the decision on the case of A. Gzoyan, the Court of Cassation of Armenia documented, that the courts should apply to the Prosecutor with a motion on instigating criminal proceedings pursuant to Article 184(1) of the RA Criminal Procedure Code when revealing evident elements of crime during an examination of a case within their proceedings. In other words, if judges reveal evident elements of ill-treatment during the examination of a criminal case within their proceedings, they shall be obliged to apply to the Prosecutor with a motion on instigating criminal proceedings pursuant to Article 184(4) of the RA Criminal Procedure Code. It is clearly stipulated in Article 17 of the Constitution of the Republic of Armenia that no one shall be subjected to torture or to inhuman or degrading treatment or punishment. Arrested, detained persons and those deprived of liberty shall have the right to humane treatment and respect for dignity. Violence is also prohibited by the Law of the Republic of Armenia "On Police", as well as the by the Law "On confining arrested and detained persons". The latter also stipulates the procedure for submission of complaints by arrested and detained persons. In accordance with Chapter 7 of the Decision of the Government of the Republic of Armenia "On adopting internal

regulations for the places of confinement functioning in the system of the Police of the Republic of Armenia” No 574-N of 5 June 2008, the administrative servicemen of the places of detention, in the course of their daily rounds, should collect proposals, applications and complaints in written and verbal form submitted by arrested persons. At the same time, the questions addressed by citizens during “Direct interaction” established by the RA Police, are deliberated and examined in a prescribed manner, and, if necessary, official investigations are conducted. About 33 official investigations were conducted by the RA Police within the course of six months in 2012 into cases involving abuse by police officers, violence and ill-treatment in respect of citizens and arrested persons.

Moreover, inadmissibility of any evidence obtained through ill-treatment is enshrined in law.

For the purposes of increasing the efficiency of examination of statements on tortures of arrested and detained persons, as well as for improving the prosecutorial control in this field, the RA Prosecutor General’s Office has undertaken the procedure for adoption of draft law on making amendments and supplements to the Law of the Republic of Armenia “On confining arrested and detained persons”. The draft law prescribes that, when being admitted to confinement institutions, arrested and detained persons should undergo mandatory medical examination organised by the administration of the institution, the findings of which serve as a basis for compiling a protocol recording a bodily injury, location and nature thereof, statements of the arrested or detained persons on the consequences under which they got the injuries. The protocol is signed by the medical worker having conducted the medical examination and also by the arrested or detained person. Results of the medical examination are recorded in personal file in a prescribed manner. A copy of protocol is provided to the arrested or detained person, the body conducting criminal proceedings, as well as prosecutors conducting preliminary investigation and inquest, exercising control over the lawfulness of applying punishments and other coercive measures.

Recommendation

6.4 Strengthen fair-trial safeguards, including the non-admissibility before the court of any evidence obtained through torture or ill treatment (Czech Republic);
A/HRC/15/9 para(s) 93.32

Implementation process

Within the meaning of Article 92 of the RA Constitution and Article 15(4) of the RA Judicial Code, legal standings expressed in the decisions of the Court of Cassation of Armenia shall be binding upon other judicial instances of Armenia.

In the case of S. Grigoryan, the Court of Cassation of Armenia presented a legal standing that the admissibility of the evidence obtained through torture and other ill-treatment forms is seriously questioned. The Court of Cassation of Armenia reflected on this issue in the decision of the case of A. Sargsyan and presented a legal standing going as follows: ‘facts, obtained through essential violation of the procedure for conducting investigative or procedural actions, cannot be used as evidence, especially if these resulted in the essential violation of rights of participants of legal proceedings, influenced or may influence the authenticity of the obtained facts. Thus, the rights and legal interests of persons should be ensured when conducting procedural actions aimed at collection and examination of evidence. Otherwise, the fact, obtained in the result of procedural actions conducted, loses its legal force, persuasive effect and cannot be incorporated into all pieces of evidence of a certain criminal case and may not serve as a ground for accusation irrespective of the importance of this evidence to the case.’

Recommendation

6.5. Make every possible effort, both at home and at the international level, to raise awareness about the issue of genocide and to combat impunity, with the aim of preventing the recurrence of any acts of genocide (Cyprus);
A/HRC/15/9 para(s) 93.18

Process of implementation

The Republic of Armenia is actively engaged in raising awareness on genocide among international organisations and combating impunity. In 1998, on the initiative of Armenia, the UN Commission on Human Rights adopted the

Resolution Dedicated to the 50th Anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, and in 1999 and 2001 the Resolution on the Prevention and Punishment of the Crime of Genocide.

On 28 March 2008, in the 7th session, the UN Human Rights Council adopted by consensus a resolution on Prevention of Genocide initiated by the Republic of Armenia. The Republic of Armenia is expected to propose this Resolution also during March session of the Human Rights Council to be held in 2013.

Recommendation

6.6 Continue efforts to prevent and combat the sexual exploitation of children (Brazil);
A/HRC/15/9 para(s) 94.14

Process of implementation

See also response as regards para(s) 93.24 recommendation.

Recommendation

6.7 Follow up the implementation of national mechanism for the advancement of women and addressing violence against women (Islamic Republic of Iran); continue efforts aimed at combating domestic violence (Kyrgyzstan); consider devoting priority attention to the elimination of all forms of violence against women, in particular domestic violence, by establishing comprehensive measures, including specific legislation (Brazil); take additional measures to eliminate the phenomenon of domestic violence against women (Ukraine); ensure that the authorities and police services put in place appropriate measures to eradicate domestic violence, beginning with the adoption and implementation of the draft law on domestic violence to which the Armenian delegation referred (Switzerland);
A/HRC/15/9 para(s) 93.21

Process of implementation

See also response as regards A/HRC/15/9 para(s)95.2 and A/HRC/15/9 para(s) 93.11 recommendations.

Recommendation

- 6.8. Take immediate steps to make domestic violence – including psychological abuse; beatings; rape, including marital rape; and sexual assault – a criminal offence (United Kingdom of Great Britain and Northern Ireland);
A/HRC/15/9 para(s) 93.23

Process of implementation

- 2011-2015 Strategic Action Plan to Combat Gender-Based Violence was approved during the sitting of the Government of the Republic of Armenia convened on 17 June 2011. Protocol Decision No 23 on approving the Strategic Action Plan and 2011 Action Plan was elaborated and the draft Law of the Republic of Armenia “On domestic violence” was submitted to the Government.
Stated corpus delicti are prescribed in the Criminal Code of the Republic of Armenia. **See also response as regards A/HRC/15/9 para(s)95.2, A/HRC/15/9 para(s) 93.11 recommendations.**
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Recommendation

- 6.9 Continue its efforts with regard to the trafficking in human beings, through the elaboration of the third national action plan for 2010-2012, and take further steps to improve assistance to the victims of trafficking (Bosnia and Herzegovina); reinforce measures aimed at punishing and preventing the trafficking in persons and supporting victims (Argentina); fulfil its intention to develop and adopt a national programme for 2010-2013 to counter the trafficking in persons, and actively cooperate in the international arena on that issue (Belarus); actively pursue efforts to prevent trafficking, including through information campaigns for the general public, including children, aimed at promoting awareness of the dangers associated with all forms of trafficking and to ensure protection and assistance for the victims of trafficking, with full respect for their human rights (Germany); strengthen research on the occurrence of child trafficking and regional cooperation with countries to which Armenian children are trafficked (Poland); build on its existing legal framework by devoting additional resources to providing assistance to victims of trafficking (Canada); establish special services and reintegration programmes for victims of trafficking (Poland);
A/HRC/15/9 para(s) 93.24

Implementation process

The Third National Action Plan for Combating Trafficking in Human Beings in the Republic of Armenia for 2010 – 2012 was adopted back in September 2010. An independent monitoring on the implementation of the Plan is currently being conducted, the outcomes of which will serve as a basis for developing the next tri-annual Plan for 2013-2015. In November 2008 the Government of the Republic of Armenia approved the National Referral Mechanism for Victims of Trafficking. The main aim of the Mechanism is to provide an effective way to refer victims of trafficking to services in terms of professional support, medical and psychological care, counselling, facilitate access to education or training. Support to victims of trafficking is offered both by specialised NGOs and by respective authorised public administration body. This support entails in-kind contribution, medical care, psychological and legal counselling, inclusion in various social projects, provision of shelter. Allocations from the State Budget of the Republic of Armenia have been made since 2009 for implementing measures aimed at combating trafficking, inter alia for the psycho-social rehabilitation of the victims. Medical care to the victim is provided free-of-charge under state funding. In December 2010 an amendment was made to the Law of the Republic of Armenia “On employment of population and social protection in case of unemployment” providing for the inclusion of the ‘victims of human trafficking’ group in the list of groups uncompetitive in labour market as defined by law. This provides additional guarantees to victims in order to be involved in specific employment programmes. Latest amendments and supplements to the Criminal Code of the Republic of Armenia were made in 2011 resulting in the aggravation of punishment, which makes the act committed grave or particularly grave crime; property confiscation and deprivation of right to occupy certain positions or carry out certain activities were also envisaged. Making use of services of a person being exploited was also criminalised. A separate article envisages trafficking and exploitation of a child or a person being deprived of the possibility of

realising the nature and significance of his or her act or to control it as a result of mental disorder. Armenia acceded to all international and regional legal instruments regarding the combat against trafficking. Armenia achieves active cooperation within the scope of international organisations.

As to the targeted awareness raising in vulnerable groups, in particular among children, this issue remains under continued focus of Armenian authorities and is prescribed in the National Plan, within the scope of which numerous relevant projects are carried out in general education schools, higher education institutions, as well as in special institutions for childcare. This process is an ongoing effort.

No cases of exploitation of children from Armenia outside the country have been registered.

Recommendation

7.1 Adopt legislation and measures to prevent violence against women and children, including through the strengthening of its monitoring mechanism (Indonesia);
A/HRC/15/9 para(s) 94.11

Process of implementation

See also response as regards A/HRC/15/9 para(s) 93.23 recommendation.

Recommendation

- 7.2 Strengthen measures to ensure an effective fight against domestic violence; in particular, introduce the crime of domestic violence into its criminal code as a matter of priority and ensure that effective support and protection is available for victims of domestic violence (Czech Republic);
A/HRC/15/9 para(s) 94.12

Process of implementation

The Criminal Code of the Republic of Armenia interprets violence as a type of crime irrespective of the person towards whom it is applied.

The Draft Law "On combat against domestic violence" is currently being elaborated.

See also response as regards A/HRC/15/9 para(s) 93.23 recommendation.

Recommendation

- 7.3 Intensify efforts to prevent and combat violence against children, including corporal punishment (Brazil); adopt specific legislation punishing violence against children, including the prohibition of corporal punishment; move forward in taking the measures necessary for the registration of the highest possible number of births; support educational policies aimed at enabling girls to continue their education and eliminating stereotypes regarding gender roles; initiate awareness-raising programmes, particularly in rural areas, in order to change the tendency to value child labour more than education, and encourage access for minority children to education in their mother tongue (Uruguay); adopt legislation and measures to prevent violence against women and children, including through the strengthening of its monitoring mechanism (Indonesia).
A/HRC/15/9 para(s) 93.25

Implementation process

- Violence against minors is considered as an aggravating circumstance according to the Criminal Code. Large part of the measures foreseen by the timetable for the development of legal acts, approved by the Government of the Republic of Armenia, aimed at registering births and deaths in the Republic of Armenia as well as registering the children having been omitted from registration, has been implemented and the Draft Law of the Republic of Armenia “On family violence” has been elaborated. See also the response to Recommendation A/HRC/15/9 para(s) 93.23. The parental education programme implemented in model centres operating in the territory of the Republic of Armenia has been continued, aimed at the enrichment of pedagogical and healthcare knowledge of the parents of children attending or not attending kindergartens. Manuals for the development of children aged 4-6 have been published, which are addressed also to the parents. The programme also helps women and men to have correct understanding of their role in the upbringing of children, to recognise common responsibility, rights and obligations, to realise the importance of education, as well as – to create safe environment for the development of a child.

Recommendation

- 7.4 Continue its efforts to bring its penitentiaries and detention centres into compliance with international human rights standards (Canada); ensure in practice regular access to all places of detention, including police stations (Czech Republic).
A/HRC/15/9 para(s) 93.33

Implementation process

The general conditions for holding arrestees under custody have been considerably improved with the adoption of the Law of the Republic of Armenia of 6 February 2002 “On holding arrested and detained persons”. Particularly, the arrestees have been granted rights that were previously non-available, for example, that to receive information on their rights and obligations in a language they were supposed to understand, to apply to mass media and international organisations in case of violation of the rights thereof, to have visits with the advocate and close relatives, to be examined by the doctor selected thereby, to receive legal assistance, to communicate with external world, to participate in civil-law transactions.

Moreover, the rights and obligations of the arrestees have been posted in every cell and front office. According to the measures deriving from the Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of the Council of Europe respective amendments and supplements have been made to the Law of the Republic of Armenia of 8 July 2005 “On holding arrested and detained persons”, as of which wider rights have been granted to the Human Rights Defender, the 2.5 sq m of living space designed for each arrestee has been increased to 4 sq m. According to the Law of the Republic of Armenia “On holding the arrested and detained persons”, prosecutorial oversight has been established over the activities of police holding facilities, as well as the procedure for the judicial, departmental and public supervision has been established. To this end, “The rules of procedure of the Group of Public Observers in police holding facilities of the Police System of the Republic of Armenia” has been approved upon the Order of the Head of the Police of the Republic of Armenia No 1-N of 14 January 2005. The composition of the Group of Public Observers has been approved upon the Order No 368-A of 10 March 2006, which has been regularly changed. The Group is considered as a supervisory body dealing with issues on maintenance of the rights and freedoms of persons held in police holding facilities within the Police. The Group exercises oversight through submitting reports to the Head of the Police of the Republic of Armenia or the deputy thereof and the general public on the basis of carrying out visits to police holding facilities. The reports or the sections thereof are published and presented to the general public together with the commentaries of the Police. The observation missions of the Human Rights Defender of the Republic of Armenia, the International Committee of Red Cross, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and other organisations regularly carry out visits to police holding facilities.

‘See also the responses delivered by the Republic of Armenia to the report drawn up as a result of regular visit carried out by the delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) to the Republic of Armenia in May 2010. <http://www.cpt.coe.int/documents/arm/2011-25-inf-eng.pdf>

PART VII

Administration of justice and rule of law

Recommendation

- 7.5 Implement the recommendations of the OSCE/ODIHR trial monitoring report, and provide for an independent and credible investigation into the 10 deaths following the events of 1 March 2008 (United Kingdom of Great Britain and Northern Ireland); intensify efforts to present the cases in court in order to clarify, provide for reparations and punish those responsible (Spain); follow up on the recommendations set out in the March 2010 report of the OSCE Office for Democratic Institutions and Human Rights regarding shortcomings in Armenia's justice system (Netherlands).
A/HRC/15/9 para(s) 93.27

Implementation process

Several criminal cases have been instituted with regard to the events of March 1-2, which have been transferred to the court. Upon the delivered criminal judgements, 10 persons out of 27 have been subjected to imprisonment for 1 to 5 years; the punishment imposed on 17 therefrom has not been applied conditionally in accordance with Article 70 of the Criminal Code of the Republic of Armenia, they have been placed on probation.

An extraordinary session of the National Assembly was convened on 19 June 2009 at the initiative of the President of the Republic of Armenia, during which the proposal thereof regarding the announcement of amnesty was considered. Guided by the point 1 of part 1 of Article 81 of the Constitution of the Republic of Armenia, an amnesty was announced. Under the amnesty, 307 persons were released.

The implementation of recommendations of the report of the ad hoc committee mandated by the National Assembly of the Republic of Armenia has been in the centre of attention of the authorities of the Republic of Armenia, particularly, a body supervising the implementation of recommendations of the report was established which appeared to be the Committee on State and Legal Affairs of the National Assembly.

A separate section is allocated for the measures, aimed at ensuring an independent judicial system accountable to the public, under 2012-2016 Strategic Programme for Legal and Judicial Reforms in the Republic of Armenia wherein it is foreseen to introduce objective criteria and procedures for the assessment and promotion of judges, to reform the procedures and grounds for subjecting the judges to disciplinary liability by guaranteeing the objective, fair, effective and accountable nature of judicial proceedings, to bring the number of judges into balance according to the number of population and the workload of judges, to improve the system of objective (random) distribution of cases among the judges, to improve the use of information and communication technologies in courts by ensuring swift circulation of cases from the court of one instance to the court of another instance and many other measures.

Recommendation

- 7.6 Implement the recommendations of the ad hoc committee mandated by the National Assembly, and conduct an independent and transparent investigation into the excessive use of force leading to the punishment of those responsible (Poland);
A/HRC/15/9 para(s) 93.28

Implementation process

See the response to the Recommendation A/HRC/15/9 para(s) 93.27.

Recommendation

- 7.7 Take the measures necessary for the in-service training of the judges regarding judicial improvements on issues of human rights (Turkey); set up training programmes on human rights for police officers (Italy); strengthen human rights education provided to the police, prison staff and the military (Czech Republic).
A/HRC/15/9 para(s) 93.30

Implementation process

During upcoming two years it is foreseen to establish a Justice Academy instead of the Judicial School for the preparation and training of staff for the judiciary and to regulate the activities thereof by relevant laws; the law-drafting activities have been already launched. As regards the prison staff, all the penitentiary officers undergo mandatory trainings in “Legal Institute of the Ministry of Justice of the Republic of Armenia” SNCO, including in relation to human rights. The Judicial School of the Republic of Armenia has implemented training programs relating to human rights both within the framework of the training conducted at School (twice a year) and jointly with a number of international organisations. The judgements of the European Court of Human Rights based on individual Articles of the European Convention for the Protection of Human Rights and Fundamental Freedoms as well as the judgements rendered against the Republic of Armenia have been taught within the framework of trainings implemented in the Judicial School.

Courses on the introduction to human rights and legal mechanisms for the protection thereof have been held within the Bachelor’s and Master’s Degree programmes of the Legal Department of the Police Educational Complex of the Republic of Armenia within the framework of the subjects on “Human rights and the police”, “Issues of human rights theory”. During the educational process particular attention has been paid to certain judgments rendered by the European Court of Human Rights which are related with the legal solutions to the relations between a human being-citizen and a police officer.

Recommendation

7.8 Ensure the swift, transparent and effective prosecution of violence against journalists (United States of America); effectively investigate the cases concerning attacks against journalists, opposition members and human rights defenders (Azerbaijan); ensure that crimes and violations against human rights defenders, journalists and members of the opposition are effectively investigated and prosecuted, and that those responsible are brought to justice (Norway).

A/HRC/15/9 para(s) 94.15

Implementation process

The cases of attacks against journalists have been condemned by high-ranking political actors, including the President of the Republic of Armenia and the Prime Minister, and criminal proceedings have been instigated in respect of any such case. No cases of attacks against opposition members and human rights defenders have been registered.

Recommendation

7.9 Undertake effective measures to ensure the independence of the judiciary (Italy); ensure the full independence of the judiciary (Azerbaijan); strengthen measures to ensure the full independence of the judiciary (Uruguay); Make efforts to ensure the implementation of legislative provisions on the impartiality and transparency of the judicial system, including by allocating sufficient funding (Sweden);

A/HRC/15/9 para(s) 94.16, 94.18

Implementation process

In accordance with Article 94 of the Constitution of the Republic of Armenia, the independence of courts is guaranteed by the Constitution and laws. The powers of courts, the organisation and rules of procedure thereof is defined by the Constitution and laws. When administering justice, a judge is independent, obeys only the Constitution and laws, the guarantees for the activities thereof as well as the grounds and procedure for subjecting him or her to liability are defined by the Constitution and laws. A judge may not be detained, involved as an accused, as well as no claim on subjecting to administrative liability through judicial procedure may be instituted thereagainst without the consent of the Council of Justice. A judge may not be arrested except for the cases where the arrest is carried out at the time of committing a crime or shortly thereafter. In such cases the President of the Republic and the

Chairperson of the Court of Cassation are immediately informed of the arrest (Article 97 of the Constitution of the Republic of Armenia).

In accordance with Article 11 of the Judicial Code of the Republic of Armenia, a judge is independent in course of administering justice and exercising other powers provided for by law. When administering justice and exercising other powers provided for by law, a judge is not accountable to anyone, including is not obliged to give any explanations except for the cases provided for by law. Interference, not provided for by law, with the activities of a judge is prohibited. Such act is criminally prosecuted. It also results in disciplinary liability for state servants up to dismissal from the position or service occupied as prescribed by respective laws regulating state service. A judge is obliged to immediately inform the Ethics Commission of the Council of Court Chairpersons of the Republic of Armenia of the interference, not provided for by law, with his or her activities in respect of administration of justice and exercise of other powers provided for by law. If the Ethics Commission finds that an interference, not provided for by law, with the activities of a judge has taken place, it is obliged to apply to relevant bodies with a motion of subjecting guilty persons to liability. During the term of office and after the termination of the powers thereof, a judge may not be interrogated as a witness with regard to the case examined thereby.

Recommendation

8.1 End politically motivated prosecutions of individuals it deems opposition, and take steps to strengthen the rule of law, including respecting minimum guarantees as laid out in the International Covenant on Civil and Political Rights, equal protection of the law, and judicial independence (Spain).

A/HRC/15/9 para(s) 95.3

Implementation process

There are no politically motivated prosecutions in the Republic of Armenia. In order to ensure rule of law and independence of the judiciary, the Republic of Armenia continuously undertakes steps by implementing legislative reforms and establishing additional guarantees. See also the response to Recommendation A/HRC/15/9 para(s) 94.16, 94.18.

Recommendation

- 8.2 Strengthen efforts to establish a system of juvenile justice in compliance with international standards, and take specific measures to protect the rights of children and persons in detention or in prison (Czech Republic); A/HRC/15/9 para(s) 94.19

Implementation process

- One specialised judge examining juvenile cases is available in each court. Peculiarities for the liability of juveniles are defined in the Criminal Code of the Republic of Armenia, peculiarities for the cases with the participation thereof are defined in the Criminal Procedure Code of the Republic of Armenia, peculiarities for serving punishment thereby are defined in the penitentiary legislation of the Republic of Armenia.
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PART VIII

Freedom of belief or religion, expression, participation in public and political life

Recommendation

- 8.3 Take the legislative and administrative measures necessary to fully guarantee freedom of religion in the country, in particular to prevent any form of discrimination or undue obstacles in the registration of associations of religious minorities (Mexico); fully ensure freedom of religion for all, without discrimination (Azerbaijan). A/HRC/15/9 para(s) 93.35

Implementation process

The state body for religious affairs authorised by the Government of the Republic of Armenia, *i.e.* the Department for National Minorities and Religious Affairs of the Government of the Republic of Armenia, that delivers, in accordance with law, expert opinion to religious communities expressing the willingness of being registered, has never hindered the process of submission of documents by the religious groups that apply for being granted state registration. Moreover, the process of state registration of religious organisations is rather transparent, without undue documentation troubles and is carried out within reasonable time period. At present about 70 religious organisations are registered at the State Registry of the Republic of Armenia where the most various religious movements and directions are represented therein.

At the request of religious organisations, the state authorised body also supports to reach an agreement with state bodies in respect of certain matters as well as acts as a mediator for settlement of issues and disputes arising among religious organisations of Armenia.

At the end of 2010 and in the beginning of 2011, the Ministry of Justice of the Republic of Armenia developed and put into circulation drafts providing for amendments to the new law in the field of religion as well as to other several laws which were communicated to the Venice Commission. It should be emphasised that in all these cases the process has been organised on the basis of publicly open and transparent principles, wherein all the interested parties were involved. Currently public discussions are ongoing and the Ministry of Justice of the Republic of Armenia coordinates not only the recommendations, viewpoints submitted by the Armenian organisations and citizens but also the comments and recommendations of prominent international bodies.

Recommendation

- 8.4 Put in place measures to ensure full respect for the right to freedom of opinion and expression, and create a more amenable climate for investigative journalism (Canada); take all measures necessary to ensure full respect for freedom of expression, including freedom of the press, ensuring that no persons are deprived of their liberty solely for having exercised their freedom of expression, their right to peaceful assembly or their right to take part in the Government of their country (Sweden); ensure that civil society activists and journalists are able to carry out their work free from harassment or violence (United States of America); A/HRC/15/9 para(s) 94.20

Implementation process

Since the independence, the Republic of Armenia has taken respective steps to ensure freedom of speech. One of the laws adopted on 8 October 1991 by the Republic of Armenia was the Law “On press and other mass media”. In 2003, the Law “On mass media” was adopted. The Law of the Republic of Armenia “On television and radio” adopted on 9 October 2000 closely relates with freedom of information the Article 4 whereof stipulates that the right to free choice, production and dissemination of television and radio programmes is guaranteed in the Republic of Armenia and the censorship of television programmes is prohibited.

As regards the preparation of investigative journalists, it is a purely financial issue and will be implemented in case of availability of appropriate funds.

See also the response to Recommendation A/HRC/15/9 para(s) 94.24.

Recommendation

8.5 Ensure the implementation of the judgment of the European Court on Human Rights that found the Government’s denial of a license to A1+ broadcasting company to be in violation of Armenia’s human rights obligations (Netherlands);
A/HRC/15/9 para(s) 93.36

Implementation process

- The Republic of Armenia has fully upheld the judgement of the European Court of Human Rights (reference to CMCE CM/ResDH(2011)39 Resolution of 10 June 2011)
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Recommendation

8.6 Ensure a fair and transparent process for issuing broadcasting licences and guaranteeing the independence of broadcasting regulatory bodies (Norway); take the measures necessary to bolster the independence of the National Audiovisual Commission as a regulatory body for the media (France); amend its broadcasting laws so as to ensure the real independence of the regulatory body for television and radio (Netherlands).

A/HRC/15/9 para(s) 94.21

Implementation process

- The law on television and radio is undergoing amendments for the purpose of ensuring the independence of the conduct of competitions. The non-governmental organisations play a big role in this process. The National Commission on Television and Radio has conducted 25 competitions in result of which 25 licences were granted. The competitions were held in accordance with the Law of the Republic of Armenia “On television and radio” by fully ensuring the transparency of the process. NCTR independence is ensured by the Constitution of the Republic of Armenia and laws. The non-governmental organisations play their role in the process of appointing NCTR members, which provide recommendation letters thereto for the participation in the competition.
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Recommendation

8.7 Establish a transparent process for the digitalization process to ensure space on the airwaves for independent and small regional media outlets (United States of America).

A/HRC/15/9 para(s) 94.22

Implementation process

In accordance with the Law of the Republic of Armenia “On television and radio” the validity period of the licences of all regional, community TV companies has been extended till 1 January 2015, *i.e.* during the process of digitalisation such companies freely carry out broadcasting.

Recommendation

8.8 Ensure that, if the amended law decriminalizing libel is adopted, it is implemented in a way that protects freedom of expression (United States of America).
A/HRC/15/9 para(s) 94.23

Implementation process

Based on the application of the Human Rights Defender of the Republic of Armenia the Constitutional Court of the Republic of Armenia adopted Decision No 997 of 15 November 2011 whereby the framework and nature of legal liability in case of insult and slander have been clearly defined.

Recommendation

8.9 Waive the moratorium on granting licenses to radio and television broadcasters and the 2008 amendments to the Law on Television and Radio of 2000, and carry out legislative measures safeguarding the independence of the National Commission on Television and Radio and the Council on Radio and Public Television (Spain);
A/HRC/15/9 para(s) 95.4

Implementation process

- Following the adoption of the Law of the Republic of Armenia “On television and radio” on 10 June 2010 (entered into force on 28 June 2010) 25 competitions for licensing of television broadcasters with the aim of carrying out on-air broadcasting through digital broadcasting network were announced and conducted in July 2010. On 29 April 2009 the Law of the Republic of Armenia “On making amendments and supplements to the Law ‘On television and radio’” was adopted which establishes a new procedure for the formation of the National Commission on Television and Radio. According to the new procedure members of the National Commission of Television and Radio may be deemed to be persons having professional experience in the fields of journalism, economics, religion, law, television and art. The appointment of members is carried out on a competitive basis.
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Recommendation

9.1 Take measures to ensure free and fair elections in the future (Sweden); implement recommendations issued by the Office for Democratic Institutions and Human Rights of OSCE to improve the holding of the next general elections, in 2011, and the presidential elections in 2013 (France);
A/HRC/15/9 para(s) 93.37

Implementation process

The recent elections conducted in the Republic of Armenia were the elections of the National Assembly held in May 2012, which were assessed by the international observation mission as “elections that were held under reformed legal framework and were considered in the light of competitive, active and mainly peaceful electoral campaign”. The process of implementing the recommendations and assignments of OSCE/ODIHR are constantly monitored by the Government of the Republic of Armenia. As regards the presidential elections 2013, a working group has been established upon the order of the President of the Republic of Armenia for the implementation of the recommendation of OSCE/ODIHR observation mission, which comprises the Minister of Justice, the Deputy Minister of Foreign Affairs of the Republic of Armenia, the Chairperson of Standing Committee on State and Legal Affairs of the National Assembly, the Chairperson of the Central Electoral Commission, the Deputy Prosecutor General, the Chairperson of the Administrative Court, the Deputy Head of Police and other high-ranking officials. The administration of activities of the Group has been assigned to the Head of Staff to the President of the Republic of Armenia. The mentioned Group has prepared a comprehensive action plan underlining the points of recommendations the implementation whereof is feasible prior to the conduct of presidential elections 2013. The information on the mentioned activities has been widely disseminated among different international organisations.

Recommendation

9.2 Take concrete steps to meet obligations with regard to creating an environment that fosters freedom of expression, including respect for the independence of civil society organizations and the right to assemble (Norway).

A/HRC/15/9 para(s) 94.25

Implementation process

The guidelines “On conducting negotiations while maintaining public order and ensuring public security”, “On the actions of the officers of police subdivisions engaged in maintaining public order, on the use of physical force, special measures and firearms thereby during mass disorders”, “Actions of the Police during assemblies” have been developed which establish the principles and practical rules on the exercise of the powers of the Police.

Recommendation

9.3 Ensure, in its laws and regulations as well as in practice, that no arbitrary impediments are imposed with respect to exercising the right to freedom of assembly (Netherlands); ensure respect for the right to freedom of assembly, in line with its international obligations (Azerbaijan); respect – in law and in practice – the right of individuals to assemble peacefully (United States of America); implement the Law on Meetings, Rallies and Demonstrations in a transparent and proportional manner (Ireland).

A/HRC/15/9 para(s) 94.26

Implementation process

See the response to Recommendation A/HRC/15/9 para(s) 94.24.

PART IX

Right to social security and appropriate lifestyle

Recommendation

- 9.4 Continue its efforts in these fields to improve access to education and health and to promote the rights of women and children (Lebanon); continue to implement programmes aimed at guaranteeing quality education and health services to its population, at all levels (Cuba);

A/HRC/15/9 para(s) 93.41, 93.42,

Implementation process

Giving importance to the role of pre-school education aimed at creating equal starting conditions for the comprehensive development and school education of children, in 2008 the Government of the Republic of Armenia approved the "2008-2015 Strategic Programme for Pre-School Education Reforms" which is intended to extend the inclusion of senior pre-school age group (those aged 5 years) up to 90% by 2015 through the introduction of cost effective educational services. Within the framework of the Programme the priority is given to poor families and to the communities where no pre-school establishments (PSE) are operating. Having regard to the main provisions of the strategic programme about 3600 children have been additionally involved in pre-school programs only during the last three years. For the purpose of ensuring the continuity of the implementation of pre-school programmes, since 2011 funds have been provided in the State Budget of the Republic of Armenia in respect of current expenditures for the organisation of one-year education of children of senior pre-school age as of the amount of annual sum allocated for each learner according to the weighted student-funding formula. For this purpose appropriate funds will be hereinafter allocated from the State Budget of the Republic of Armenia as of years.

In 2008 a separately operating system of high schools was introduced. High school is the main circle ensuring pre-vocational education where the correct professional orientation and further learning success of learners greatly depend on the activities thereof. Three-year school programme will enable to ensure the readiness of school graduates to enter the job market and possibility of receiving appropriate professional education in compliance with the inclinations and abilities thereof.

The uniform examination system of school graduation and university admission has been introduced, which has facilitated the transition of learners from school to university. In the field of general education shift has been made to the twelve-year education system, new subject criteria and programmes have been approved. An extensive training programme for teachers has been implemented aimed at the application of new programmes, criteria, assessment system, modern teaching methods and information technologies. The application of modern information and communication technologies in the field of general education has commenced as a new means of teaching and studying. Therefore, internet access of schools and equipment thereof with computers has been improved.

See also response to Recommendations A/HRC/15/9 para(s) 93.4 and 93.43.

Recommendation

- 9.5 Continue to enhance and expand access to and the affordability of health-care services, with a specific emphasis on rural and remote areas, as well as most vulnerable groups (Egypt); guarantee access to health care for vulnerable social groups and populations in rural and remote zones (Algeria); improve the quality of primary health care, especially in rural areas (Kuwait); continue efforts to improve access to health care for all, particularly those in the most vulnerable categories, persons with disabilities and rural populations (Libyan Arab Jamahiriya);

A/HRC/15/9 93.43

Implementation process

The development of the field of primary health care is one of the priorities of health care system of the Republic of Armenia, it should be mentioned to this regard that primary health care services are free for all groups of population of the Republic of Armenia. With the aim of developing the field of primary health care about 147 primary health care rural establishments have been repaired/constructed during 2000-2011. Repaired/constructed dispensaries have

been fitted with standard collections of medical devices, accessories, furniture and computer equipment. Until present 1655 family doctors and 1770 family nurses have undergone professional training. With the aim of continuous development of the health care system of rural settlements of the Republic of Armenia construction/repair of a number of medical dispensaries, fitting with equipment and furniture are expected during 2012-2014.

Moreover, within the framework of Modernization Programme for Hospital System of Marzes, from December 2009 up to now modernization works have been carried out for 8 medical centres of marzes,, including capital repair of buildings, fitting them with modern medical devices, accessories and furniture, as well as staff training and various consulting works aimed at introduction of modern principles and systems of management of medical organisations. As regards the increase of access to hospital and other services, the disabled, socially unprotected and other vulnerable groups in the Republic of Armenia enjoy the right to receive medical aid guaranteed by the State and the State takes steps aimed at enhancing the categories enjoying this right.

With the aim of guaranteeing and improving the quality of health care services the Government of the Republic of Armenia adopted a comprehensive programme of measures (Protocol Decision No 40 of 14 October 2010 of the Government of the Republic of Armenia) within the framework whereof quality assessment boards have been established aimed at improving the quality of primary health care medical organisations.

Recommendation

9.6 Continue its efforts to reduce maternal and infant mortality, saving mother and child (Holy See);
A/HRC/15/9 para(s) 93.44

Implementation process

- Measures aimed at health care of mother and child constitute one of the priority issues of the Government. Reduction of maternal and infant mortality constitutes one of the priorities of healthcare system of the Republic of Armenia, therefore, a number of measures are being carried out aimed at health care of mother and child, that is to say – at the reduction of maternal and infant mortality.

In 2008 the state certificate system of obstetrics was introduced and a rapid response service was established in the Republic of Armenia, in course of the activities whereof during 2010-2011 the maternal mortality was reduced significantly and birth traumatism of mother and child – by about 20%, as compared to 2009. In 2010 three cases of maternal mortality were registered, whereas in 2011 – four cases. In 2006-2008 three-year average rate of maternal mortality constituted 28,2/100 000 as regards live birth, whereas in 2009-2011 the same rate constituted 15,7, *i.e.* was reduced by 1,7 times. According to the data of preliminary report of the survey on demographic and health issues of 2010 the rate of pregnant women having visited a doctor at least once has increased by 6% and has reached 99%, whereas stationary child delivery rate has reached 99,4%.

In 2011 the state certificate system of child health was introduced as a result whereof the attendance rate for hospital medical aid has increased by 18%. The financing of hospital medical aid for children from the budget has been doubled, *i.e.* in 2011 it constituted 6,38 billion drams as compared with 3,16 billion drams in 2011.

The 2013-2015 Strategy on Improvement of Hospital Medical Aid for Children was approved upon the Decision of the Government of the Republic of Armenia No 27 of 4 July 2012, as a result of implementation whereof a reduction in a number of child mortality rates is expected.

Recommendation

9.7 Take measures to eradicate poverty (Azerbaijan).
A/HRC/15/9 para(s) 93.40

Implementation process

Article 34 of the Constitution of the Republic of Armenia provides that everyone shall have the right to adequate standard of living for himself or herself and for the family thereof, including the right to housing as well as the right to improvement of living conditions.

With the aim of improving the standard of living and living conditions of the population and of ensuring the right to food within the Republic the Government of the Republic of Armenia has taken a number of measures, has adopted decisions, has developed relevant programmes.

Thus, “Food Safety Policy of the Republic of Armenia” was adopted in 2005, “Strategy for Sustainable Development of Agriculture of the Republic of Armenia” – in 2006.

With the aim of efficient organisation of elaboration works on “Strategic Programme for Poverty Reduction” (SPRP) a coordination board of elaboration works on strategic programme was established upon the Decision of the Government of the Republic of Armenia No 267 of 15 May 2000.

In 2001 and 2003 the abovementioned board elaborated and the Government of the Republic of Armenia approved the “Interim Strategic Programme for Poverty Reduction” and “Strategic Programme for Overcoming Poverty”, which was revised in 2008 and renamed as “Sustainable Development Programme”. The “Sustainable Development Programme”, in addition to other actions, provides for the formation of assessment and monitoring system, ensuring accountability, transparency and public awareness.

The National Statistical Service of the Republic of Armenia (NSS) carries out integrated surveys of household living standards or, that is to say, poverty analysis.

PART X

Minorities, migrants, refugees and asylum seekers

Recommendation

9.8 Ensure that children belonging to all minority groups have equal access to education (Austria); adopt measures to ensure access for minority groups, especially children, to education in their mother tongue (Azerbaijan); A/HRC/15/9 para(s) 93.47

Implementation process

- The Constitution of the Republic of Armenia was amended in 2005 wherein the fundamental rights and freedoms of a human and citizen are enshrined. In Article 14.1 the following provision on discrimination has been enshrined: “Discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, ideology, political or other opinion, affiliation to a national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited”. In Article 39 the right to education has been enshrined: everyone shall have the right to education. Basic general education shall be mandatory. Secondary education in state educational institutions shall be free of charge. Every citizen shall have the right to free education on a competitive basis in state higher and other vocational education institutions, as prescribed by law. The State shall – in the cases and under the procedure provided for by law – provide financial and other assistance to educational institutions implementing higher and other vocational education programmes and to learners therein.

In 1999 the National Assembly of the Republic of Armenia adopted the Law of the Republic of Armenia “On education” which, based on the constitutional provisions, certainly directs the development of education system. State guarantees for the right to education have been enshrined in this Law according to which “The Republic of Armenia shall ensure the right to education, irrespective of national origin, race, gender, language, religion, political or other opinion, social origin, property status or other circumstances.”.

Within the communities of national minorities of the Republic of Armenia general education instruction and upbringing may be organised in their native language under the state programme and support, with mandatory teaching of Armenian.

The admission of a learner to a school of general education shall be carried out according to the “Procedure for admission, transfer of a learner to another educational institution and removal thereof” which is approved upon the Order of the Ministry of Education and Science of the Republic of Armenia. According to the existing procedure the admission to school of a child of a citizen belonging to a national minority shall be carried out at school (class) ensuring the instruction in the national (native) language of the child or providing a course in this language, whereas in case of non-availability thereof the choice of the language of instruction shall be made by the parents of children (learners).

According to the Constitution of the Republic of Armenia all citizens, irrespective of ethnic origin, may receive higher education free of charge on a competitive basis. That is to say, there is no any restriction envisaged by legislation in the field of higher education for the citizens representing national minorities.

At the same time upon the relevant decision of the Government of the Republic of Armenia of 2002 in individual cases (at schools in mountainous, highland, borderline rural settlements, in urban and rural schools providing classes in the languages of national minorities and in other cases) a class with less number of learners may be opened upon the authorisation of the Ministry of Education and Science of the Republic of Armenia. This decision provides an opportunity to open classes, comprised only Yezidi children, in the communities with Yezidi population.

For the population of Russian and Slavic national origin at 44 schools of general education classes are available with the teaching of Russian language, wherein the teaching of general education subjects is carried out in the Russian language, except for the subjects of the Armenian language and literature, as well as the History of Armenia.

Yezidis and Assyrians residing in Armenia, have established a methodological base in the system of general education with the support of state authorities. In the National Institute of Education of the Ministry of Science and Education of the Republic of Armenia operate subject committees for "Iranian studies" and "Semitology", which carry out an expert examination of education programmes, text-books, manuals drawn up in Yezidi, Kurdish and Assyrian languages.

A programme and a timetable for the development of education of national minorities has been developed, according to which each year text-books are published in order to study the language, literature and culture of the national minorities of the Republic of Armenia.

The "Model curriculum of a school (class) of general education of national minorities" has been approved according to which 41 academic hours have been allocated per week for teaching the native language and literature of national minorities in 1-12 grades. The criteria and programme for 1-12 grades have been approved for Kurdish and Assyrian.

On the basis of preliminary applications submitted by communities of national minorities residing in Armenia funds are allocated from the State Budget for the publication of text-books. Due to the allocated funds the Assyrian text-books for the 1st and 2nd grades, the Kurdish "ABC book" and the Kurdish text-books for 2nd to 4th grades have been published. The Yezidi text-books for the 1st to 8th grades have been developed and published, the text-book "Yezidi 9" has undergone expert examination. The Yezidi community has actively participated in the development works of these text-books, the specialists of Yezidi national origin of the National Institute for Education have been involved therein as well.

The cooperation in respect of the issues of teaching the Russian language is more comprehensive. The Ministry of Education and Science of the Republic of Armenia have translated the text-book "National Studies-5" and text-books of mathematics for senior grades into Russian and have provided them to the pupils of schools of national minorities.

The National Institute of Science of the Ministry of Science and Education of the Republic of Armenia conducts regular trainings of teachers of Yezidi national origin, as well as teaching courses on the Armenian language have been organised for the representatives of the national minorities.

The Ministry of Science and Education of the Republic of Armenia has endorsed for publication of the textbook "Introduction to Aramaic and Assyrian studies" with the aim of introducing it into the higher education system.

The process of developing and publishing the text-book is continuous and new text-books will also be published in the nearest future. The subject "History of the Armenian Church" is taught at schools of general education, wherein information on the history, cultures and religions of other nations and nationalities has been included.

"The Tolerance Programme" is being implemented in the field of general education by the support of the UNDP. A manual for the teacher teaching this subject has been developed for that purpose. The programme teaches tolerance, cooperation to learners, promotes conflict resolution etc..

Recommendation

- 9.9 Continue the consistent and successful policy aimed at ensuring the rights of all national minorities residing in the country, as well as support for their social, educational, informational and cultural needs (Belarus); A/HRC/15/9 para(s) 93.51

Implementation process

Detailed information on the issues regarding the rights of national minorities is included in the reports of the Republic of Armenia on the implementation of the "Framework Convention for the Protection of National Minorities" of the Council of Europe. See the website of the Council of Europe. http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_SR_Armenia_en.pdf

Recommendation

10.1 Take adequate measures to better protect the fundamental rights of migrant workers and refugees living in Armenia (Djibouti).
A/HRC/15/9 para(s) 93.52

Implementation process

Chapter 4 of the Law of the Republic of Armenia "On foreigners" totally covers the employment issues of foreigners in the Republic of Armenia. According to Article 22 of the Law foreigners may be engaged in labour activities within the Republic of Armenia on the basis of a work permit issued by the state authorised body. As the body concerned has not yet been determined by the Government of the Republic of Armenia, an employment contract concluded between foreigners and employers constitutes a sufficient ground for granting them a temporary residence status in Armenia and for enabling them to engage in labour activities in the Republic of Armenia.

The formation of the legislative framework regulating the field during 2010-2012 serves as an additional guarantee for the protection of the rights of refugees, 8 decisions and 3 departmental acts of the Republic of Armenia ensuring the implementation of the Law of the Republic of Armenia of 27 November 2008 "On refugees and asylum".