

## Universal Periodic Review

### SECOND MID-TERM REPORT OF THE REPUBLIC OF ARMENIA

The Report was prepared in accordance with the UPR Working Group Report (A/HRC/29/11) of 13 April 2015 and with a view to presenting the implementation of the Recommendations fully accepted by the Republic of Armenia.

*The Report is covering the period from April 2015 to December 2017.* The main thematic directions raised during the discussion have been considered in the Report. On 19 April 2018, the public hearings for the Second Mid-Term Report of the Republic of Armenia were held. During the public hearings, representatives of different ministries and government agencies presented the current stage of implementation of the Recommendations of the UPR in their respective sectors and answered questions from civil society representatives and representatives of non-governmental organisations.

#### **Changes in the Governance system**

Amendments to the Constitution were made in the Republic of Armenia via a referendum held on 6 December 2015.

The main purpose of the constitutional reforms was to establish a sustainable democratic system in the country, guarantee rule of law, being the cornerstone of a law-governed state, and to improve the constitutional mechanisms for the guarantee of fundamental human rights and freedoms.

The constitutional amendments led to a transition to a parliamentary republic, with a parliament elected through a proportional electoral system.

The constitutional amendments pertaining to the form of governance are aimed at shaping a more democratic and balanced system of governance within which the powers and responsibilities of the branches of government are specifically separated and balanced. As a result, in April 2018, the transition to the parliamentary model of governance will end in the country with the indirect election of the President of the Republic, which will be a major progress and a major step for the ongoing development of democracy in Armenia and the strengthening of statehood hinged on European values.

When implementing the constitutional reforms, the authorities of the Republic of

Armenia co-operated with internationally recognised experts and specialised European institutions, including the European Commission for Democracy through Law (Venice Commission).

The constitutional reforms naturally led to the emergence of the need for large-scale changes in the legislative field. In relation to this, between 2016 and 2017, the Parliament adopted several Constitutional Laws, particularly the "Rules of Procedure of the National Assembly", the Laws of the Republic of Armenia "On political parties", "On the Human Rights Defender" and "On the Constitutional Court", as well as the new Electoral Code and the new Judicial Code.

### ***Elections: Legislation and Practice***

#### **New Electoral Code**

The need for adoption of the new Electoral Code of the Republic of Armenia directly arose from the requirements of Article 210 of the amended Constitution of the Republic of Armenia, pursuant to which, the Electoral Code had to be brought into compliance with the Constitution and enter into force starting from 1 June 2016.

The discussions on the Electoral Code were held in the 4+4+4 format of negotiations, such negotiations being held for the first time in the history of the country, with maximum inclusion; as a result, participation of the authorities, parliamentary and extra-parliamentary political forces and civil society representatives in the discussions on the Code was ensured.

The main purpose of the new Electoral Code of the Republic of Armenia was to provide solutions to the issues that will arise in the stages of preparation, organisation, holding and summarisation of national elections. The proposals and recommendations submitted through OSCE/ODIHR Election Observation Mission Final Reports for the national elections have been taken into consideration in the Code.

During the development of the new Electoral Code of the Republic of Armenia, out of the 75 Recommendations received from the OSCE/ODIHR and the Venice Commission of the Council of Europe, 54 have been fully accepted, while 7 have been partially accepted.

A number of proposals set forth by the local non-governmental organisations having conducted observation mission during the elections have also been incorporated in the Code.

For the first time in Armenia, the new Electoral Code of the Republic of Armenia

provides for a specific number of mandates for representatives of national minorities in parliament, sets the improved requirement of 25 percent of representation of women in electoral lists, lays down effective guarantees for observers to exercise their rights and new instrumentation for ensuring public confidence in the elections, which was the demand of the political opposition of the country for a long time — publication of signed lists, videotaping and on-line broadcast of polling stations and the count on the day of the voting, introduction of more improved mechanisms for voter identification and voting.

### **Elections of the National Assembly of the Republic of Armenia**

On 2 April 2017, the elections of the National Assembly were held in the Republic of Armenia. The elections of the National Assembly of the Republic of Armenia of 2 April 2017 were prepared and organised in accordance with the new Electoral Code of the Republic of Armenia.

In accordance with the rules and regulations of the Electoral Code, voters were registered through the application of technical equipment for the first time in the Republic of Armenia. There were 5 political parties and 4 blocks of political parties nominated in the elections of the National Assembly of 2 April 2017. With a view to holding the elections, 2,009 polling stations were set up in the territory of the Republic of Armenia, of which 12 were set up within penitentiary institutions. The political parties and blocs of political parties participating in the elections had 22,416 proxies that followed the electoral process, a total of 28,730 local and international observers and 1,244 mass media representatives visited polling stations.

The elections were well organised, fundamental freedoms were generally protected, the candidates were able to campaign without restrictions, and the voting was held in a calm and peaceful atmosphere.

### **National Action Plan for Human Rights Protection**

The amendments to the Constitution of the Republic of Armenia of 6 December 2015 enshrine that respect for and protection of the basic rights and freedoms of the human being and the citizen shall be the duties of the public power.

The National Strategy on Human Rights Protection — approved on 29 October 2012 by the President of the Republic of Armenia — enshrines that guaranteeing, ensuring and protecting human rights are the legal, political and moral priorities of a democratic and legal state and civil society — the axis of constitutional developments and the activities of state and public institutions.

Upon Decision No 483-N of 4 May 2017, the Government of the Republic of Armenia

approved the 2017-2019 Action Plan for Human Rights Protection.

The main purpose of the Action Plan is to design a single political document on human rights protection that will promote implementation of a more consistent and coordinated policy in the sphere of human rights protection.

It should also be mentioned that the Action Plan has been developed in a maximally inclusive manner—with the active involvement of civil society representatives, representatives of the responsible state bodies, the Human Rights Defender and international organisations for rights advocacy and accepting as a basis the recommendations thereof. When drawing up the National Plan for Human Rights Protection, the Government of the Republic of Armenia taken into consideration the recommendations raised by various international monitoring bodies.

## **Judicial reforms**

One of the main goals of the constitutional amendments was to establish guarantees for the necessary and sufficient functional, structural, material and social independence of the judiciary.

The new Judicial Code of the Republic of Armenia, which will provide the opportunity to consistently implement the constitutional guarantees of the independence of courts, was adopted in February 2018.

Naturally, effective implementation of the Judicial Code requires the existence of a legal-judicial strategy and action plan in line with the spirit of new regulations, and the Strategy and Action Plan have been developed by the Government and are in the stage of consideration by stakeholders. The Strategy comprises the years 2018-2023.

The draft Criminal Code and the draft Criminal Procedure Code, the adoption of which is envisaged in 2018, have been developed and are in the final stage of summarisation of the opinions received from interested bodies.

## **Strengthening activities of the Human Rights Defender**

By the amendments to the Constitution adopted on 6 December 2015, there is a separate chapter devoted to the Human Rights Defender. Chapter 10 of the amended Constitution enshrines provisions regarding the functions and powers of the Human Rights Defender, as well as the election and guarantees pertaining to activities of the Human Rights Defender. Pursuant to Article 210 of the Constitution, the Law "On the Human Rights

Defender" shall be brought into compliance with the Constitution. On 16 December 2016, the Constitutional Law "On the Human Rights Defender" was adopted in line with the Paris Principles, expanding the powers of the Human Rights Defender, specifically in relation to contributing to the improvement of legislation (submitting legal opinions about draft legislation, submitting applications and special opinions to the Constitutional Court of Armenia, etc.), conducting training courses in human rights, engaging independent experts for national preventive mechanism, etc.

There is a newly developed practice, namely the Defender's representative at National Assembly who works with the staff and the committee experts of the National Assembly. In the same manner, working with the Constitutional Court is essential. Activities in this respect are realised through submission of applications to the Constitutional Court, submission of special opinions (*amicus curiae*) in relation to other cases concerning human rights and freedoms.

As for financial guarantees, it has to be mentioned that according to Article 193, paragraph 4, of the Constitution, the State shall ensure due financing of the activities of the Human Rights Defender. On this basis, the Constitutional Law on the Human Rights Defender provides that the budget request (estimate) for the activities of the Defender and the Staff thereto for the upcoming year is included in the draft State Budget, and in if there is an objection, it shall be submitted to the National Assembly of the Republic of Armenia along with the draft State Budget. The Government shall present to the National Assembly and the Defender the justification for the objection on the budget funding.

Besides, the amount of allocation for funding provided from the state budget to the Defender and the Staff thereto as well as to the Defender as the National Preventative Mechanism cannot be less than the amount provided the year before.

The Law also provided the scope of organizations operating the field of public services complaints against which can be discussed by the Defender. For this reason, a separate unit, namely Protection of Rights in the Field of Business, was established within the Human Rights Defender's Office.

Guarantees for the status and activities of the staff of the Human Rights Defender's Office have been enhanced. Specifically, the Constitutional Law provides that persons holding office within the Staff of the Defender and experts of the National Preventive Mechanism may furnish explanation or be questioned as witnesses with regard to the essence of applications or complaints addressed to the Defender or the decisions rendered by the Defender based on the examination thereof, as well as provide them to other persons for familiarisation only upon the written consent of the Defender. In the meantime, this requirement also relates to representatives of non-governmental organizations and

independent experts working with the Human Rights Defender in the framework of national preventive mechanism.

Besides, Article 332.1 of RA Criminal Code prescribes criminal liability for hindering the realization of the Defender's activities, including interfering, in any manner, with his/her activities, and starting from the year 2017, the law prescribes criminal liability for preventing access of the Defender's and any person acting upon the Defender's instruction to any place when the Defender is performing his/her duties.

It is envisaged to create a new body within the Staff envisages, that is to say, experts' councils, the remuneration of which will be made from the State Budget.

According to Article 2, paragraph 3 of the Constitutional Law on the Human Rights Defender, the Defender shall conduct monitoring of the implementation of the provisions of the UN Convention on the Rights of the Child adopted on 20 November 1989, as well as carry out prevention of violations of the rights of the child and the protection thereof.

### **Equal opportunities and non-discrimination**

Article 29 of the amended Constitution of the Republic of Armenia concerns prohibition of discrimination. The Article particularly enshrines the following: "Discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, world view, political or other views, belonging to a national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited".

Based on the requirement of the Constitution, the Ministry of Justice of the Republic of Armenia has developed the draft Law "On ensuring legal equality". Currently, the draft Law is in the stage of consideration.

By the draft Law, the Human Rights Defender is among those ensuring equality. Accordingly, it is expected to create an Equality Council, an advisory body adjunct to the Defender, the purpose of which is to assist the Human Rights Defender in ensuring equality and protecting persons against any kind of discrimination.

This regulation arises from the 2017-2019 National Action Plan deriving from the Strategy for Human Rights Protection.

This Action Plan envisages the development of educational and informative materials related to enforcement of the national legislation on ensuring equality and the prohibition of discrimination by the end of 2018.

### **Gender equality**

The main guarantee of legal equality of women and men in the Republic of Armenia is the

Constitution of the Republic of Armenia (entered into force on 22 December 2015), which enshrines new provisions, particularly, pursuant to Article 30, women and men shall enjoy legal equality.

Pursuant to sub-point 4 of Article 86, one of the main objectives of state policy shall be "promoting actual equality between women and men". The main tool for ensuring the above-mentioned norms is the Law "On ensuring equal rights and equal opportunities for women and men" adopted by the National Assembly of the Republic of Armenia on 20 May 2013 and the Gender Policy Concept Paper approved by the Government of the Republic of Armenia on 11 February 2010. In previous years, the Gender Policy Strategic Programme for 2011-2015 has been implemented on the basis of the Concept Paper. Currently, the Strategy and Action Plan for 2018-2022 for implementation of the policy on ensuring equal rights and equal opportunities for women and men in the Republic of Armenia has been developed and submitted to the Government of the Republic of Armenia.

The new Electoral Code of the Republic of Armenia envisages a requirement of 25 percent of representation of women in electoral lists; at the same time, the Code envisages that this indicator must be 30 percent in the elections of the year 2021.

### **Combating domestic violence**

On 13 December 2017, the National Assembly of the Republic of Armenia adopted the Law "On prevention of domestic violence, protection of persons subjected to domestic violence and restoration of solidarity in family". The mentioned draft Law has been developed by the working group established upon Decision of the Prime Minister of the Republic of Armenia No 567-A of 28 June 2016. The draft Law has undergone around ten public considerations.

The Law regulates the organisational and legal grounds for prevention of domestic violence and protection of persons subjected to domestic violence, defines the concept of "domestic violence", the powers of competent bodies in the field of prevention of domestic violence and protection of persons subjected to domestic violence, types of protection means, grounds for their application, procedure for centralised recording of cases of domestic violence and legal protection of information about persons subjected to domestic violence. The Law also lays down rigid regulations, particularly criminal liability for violation of protection means by the person having used domestic violence.

The Law was drafted in compliance with the criteria set under the Council of Europe Convention on Prevention of Violence against Women and Domestic Violence.

## **Fight against exploitation (trafficking in) of human beings**

The fight against exploitation (trafficking in) of human beings has been carried out in accordance with the actions and timetable of the Fifth National Action Plan, as well as the requirements of the Law of the Republic of Armenia "On identification of and assistance to persons subjected to trafficking in and exploitation of human beings". The mentioned Law regulates the procedures for identification of and assistance to persons subjected to exploitation (trafficking), including foreigners and stateless persons, as well as the procedures for granting a relevant residency status to them and for their safe return. In accordance with the provisions of the Law, identification of and assistance to persons subjected to exploitation (trafficking) shall not be conditioned by the fact of co-operation of those persons with law-enforcement bodies.

Acceptance of the new procedures helped specify the procedures for referral and assistance (including ensuring confidentiality), define the scopes of co-operation and the responsible authorised bodies, and the opportunity to obtain the necessary quantitative and qualitative information from one source was ensured. The reforms are ongoing — amendments and supplements to a number of legal acts are envisaged in 2018.

Every year, the Government allocates funds from the budget for implementation of the Programme for Social-Psychological Rehabilitation of Victims of Trafficking. The funds are geared towards covering the expenses for the rental of shelter and partial remuneration for the personnel. Most of the financing for the Programme is ensured by non-governmental partner organisation AMCOR, which provides immediate first assistance and organises activities for future integration of the victims. Besides, other social programmes are financed by the State Budget, including programmes for healthcare, employment and assistance to the graduates of orphanages.

## **Implementation of the provisions of Resolution 1325 of the United Nations Security Council**

On 4 May 2017, the Government of the Republic of Armenia adopted the National Action Plan for Human Rights Protection; paragraph 76 of the 2017-2019 Action Plan concerns the development of a National Action Plan within the scope of implementation of the provisions of UN Security Council Resolution 1325.

On 13 September 2017, an inter-agency commission was set up under Decision of the Prime Minister of the Republic of Armenia No 1014-A with a view to developing a National Action Plan in relation to implementation of the provisions of the Resolution 1325. The commission comprises representatives of all interested government agencies and ministries. The sittings of the commission are open to all interested non-governmental organisations. Non-governmental organisations will also play an active role in ensuring implementation of the Plan along with the Government.

On 19 January 2017, Armenia put information regarding implementation of the provisions of Resolution 1325 into circulation as an official document (S/2017/54) of the United Nations.

### **Insurance of the rights of persons with disabilities**

The policy in the sphere of disability is aimed at the protection of the rights and social inclusion of persons with disabilities.

Having ratified the Convention on the Rights of Persons with Disabilities in 2010, the Government initiated the approximation of the legislation and state policy of the Republic of Armenia to the principles and requirements of the Convention. In particular, the Draft Law of the Republic of Armenia "On the protection of the rights and social inclusion of persons with disabilities" has been elaborated, in which the concept of disability has been brought into compliance with the definition used in the UN Convention. It regulates the legal relations pertaining to the minimal social, legal and economic guarantees necessary for ensuring the environment accessible for persons with disabilities, their education, working activity, preservation of health, rehabilitation, as well as equal participation in public life. The Draft Law also vests the Defender with the power to conduct monitoring on the protection of the rights of persons with disabilities. On 23 June 2017, the Draft Law was approved by the Government of the Republic of Armenia and introduced to the National Assembly of the Republic of Armenia in the prescribed manner.

At the same time, the system of disability assessment is being reviewed. It is planned to introduce a new model of multilateral assessment of the needs and capacities of a person, which is based on the ideology and principles of the international classification of functioning (ICF) of the World Health Organization. The main objective of the model is the provision of services which meet in-depth assessed needs of a person.

On 12 January 2017, the Government of the Republic of Armenia approved the "Comprehensive Plan for 2017-2021 on Social Inclusion of Persons with Disabilities". Having been developed on the basis of the fundamental principles of the Convention, it is the main guideline of social inclusion policy for the upcoming five years.

Within the framework of state target programmes, programmes contributing to the rehabilitation and full-fledged inclusion of persons with disabilities are implemented in that sphere.

### **Ensuring the rights of elderly people**

Ensuring the dignified ageing of the elderly by way of creating favourable and healthy environment for them has been one of the most important issues of the social policy of the Government for the recent years. For achieving that goal, the tactics in the sphere of social protection of the elderly has been changed: transition has been made from the social protection and care of the elderly people—considered up to now as a priority—to the implementation of activities aimed at ageing by conducting healthy and active lifestyle (of course, also preserving that component).

The legislation on social protection of the elderly people has been periodically reviewed and improved, appropriate amendments having been made to it. Certain preconditions have been created for the introduction of new models of alternative services aimed at ensuring dignified living conditions for the elderly. The "Strategy and Action Plan for overcoming the consequences of ageing and for social protection of the elderly for 2017-2021" has been approved by the Government of the Republic of Armenia on 18 May 2017.

### **Rights of the Child**

In the recent years, Armenia has taken a number of important steps aimed at ensuring child protection: in particular, of key significance is the fact that in the Constitution adopted on 6 December 2015 as a result of the referendum, the part dedicated to the rights of the child was for the first time enshrined in a separate article. In particular, it is specified by Article 37 of the Constitution of the Republic of Armenia that “in matters concerning the child, primary attention must be given to the interests of the child”.

In 2017, the Draft Laws of the Republic of Armenia "On the rights of the child" and “On social protection of children left without parental care” were submitted to the Government of the Republic of Armenia. Currently, large-scale reforms are being carried out in the sphere of child protection in the direction of de-institutionalisation and creation of alternative services.

As a result of the legislative amendment made in 2002, a separate chapter on having an annual plan for the protection of the rights of the child was included in the Law “On the rights of the child”. The development and approval of the annual plans is a continuous process and enables not only to focus on the issues of different spheres related to child protection, including education, healthcare, social-economic development, etc., but also to identify and assess the needs and try to find solutions.

The next important document related to the rights of the child is the National Strategy on Human Rights Protection approved by the Government of the Republic of Armenia on 4 May 2017, in which the part on the protection of the rights of the child is presented in a separate section. One of the points of the Plan relates to the signing by Armenia of the Optional Protocol to the UN Convention on the Rights of the Child, which enables submitting personal complaints.

The judicial reforms initiated by Armenia are also aimed at the improvement of the accessibility of the system of justice for minors, in accordance with the international standards. In particular, it is enshrined in the Programme of the Government of the Republic of Armenia for 2017-2022 that in the sphere of juvenile justice, the Government of the Republic of Armenia plans to improve by the end of 2020 the legislation aimed at the protection of the rights of the children being offenders, victims and witnesses and ensuring accessibility of justice, as well as regulation of participation of the child in judicial proceedings, including drafting, testing and introducing—by the end of 2022—the concept paper on the rehabilitation and protection of the children being offenders, witnesses and children, who have suffered from crime and violence.

Children are in the centre of attention also within the context of struggle against violence. Upon Protocol Decision of the Government of the Republic of Armenia No 51 of 4 December 2014, the Government of the Republic of Armenia approved the Concept Paper for Combating the Phenomenon of Violence against the Child and the Action Plan. The objective of the Concept Paper is to define the main directions of the state policy aimed at the elimination and prevention of the phenomenon of violence against the child, as well as the rehabilitation of the child subjected to violence and the person, who uses violence. The already initiated activities are aimed at the solution of the following issues: detection of cases of violence, exchange of information, creation of mechanisms for guidance, support and protection of the child, training/re-training of specialists, and creation of new institutes.

For the purpose of improving the legislation related to child labour, the Ministry of Labour and Social Affairs of the Republic of Armenia in cooperation with the International Labour Organisation has been implementing the program “Country Level Engagement and Assistance to Reduce Child Labour” (CLEAR) since November 2017, within the framework of which the actions aimed at the following two objectives are planned:

- Bringing legal/regulatory tools into compliance with the international standards in the sphere of child labour, including its worst forms, and their submission to relevant bodies;

- Improvement of implementation/integration of national and territorial policy and social programs aimed at the reduction and prevention of child labour, including its worst forms.

In the recent years one of the important developments in the sphere of protection of the rights of the child is also the establishment of a separate division for protection of the rights of the child in the structure of the Human Rights Defender of the Republic of Armenia, which enables to examine the complaints on the violations of the rights of the child and to identify legislative issues and gaps in domestic legal acts. In March 2018, the Representative of the Unit became member of the Bureau of the Ad hoc Committee for the Rights of the Child (CAHENF).

### **Prevention of tortures**

On 9 June 2015, the National Assembly of the Republic of Armenia adopted the package on making amendments and supplements to the Criminal Code and Criminal Procedure Code of the Republic of Armenia, as a result of which the national legislation criminalising tortures was brought into compliance with international standards.

In particular, as a result of the mentioned amendments and supplements, the Criminal Code of the Republic of Armenia was amended by Article 309.1 of the Criminal Code of the Republic of Armenia, the definition of torture included wherein is in compliance with Article 1 of the UN Convention.

Article 309.1 of the Criminal Code prescribes a proportionate and more severe punishment, the corpus delicti includes the specific objective required by the Convention. In accordance with the internationally accepted concept paper on the positive obligation of a state to conduct efficient and impartial examination with regard to the cases of torture, and, generally, ill-treatment, the Criminal Procedure Code of the Republic of Armenia envisages that public criminal prosecution is carried out with regard to the cases of torture.

On 19 May 2014, the National Assembly of the Republic of Armenia adopted the Law of the Republic of Armenia "On making amendments and supplements to the Civil Code of the Republic of Armenia", whereby the mechanism of compensation for non-pecuniary damage for the violation of the rights guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms was introduced. In 2015, the mechanism of compensation for non-pecuniary damage was improved and finalised, as a result of which the opportunities of citizens to demand pecuniary or monetary compensation were expanded in all the cases when non-pecuniary or, to put it otherwise, moral damage has been caused by a state or local self-government body or its official with the

violation of their rights. On 16 December 2016, the Laws of the Republic of Armenia "On making supplements to the Civil Code of the Republic of Armenia" and "On making a supplement to the Law of the Republic of Armenia "On advocacy"" were adopted, which replenished the types of just and proportionate compensation envisaged by the legislation to the victims of tortures for damages suffered as a result of torture along with defining the possibility to provide rehabilitation. Upon the Decision of the Government of the Republic of Armenia No 1367-N of 26 October 2017, the procedure and terms of the use of free psychological services by persons having suffered a torture were prescribed.

Bringing of the operating mechanism of providing legal assistance to arrestees and detainees into compliance with international standards can also be singled out from among the measures aimed at ensuring efficient examination of alleged cases of torture. Thus, on 21 December 2015, the Law of the Republic of Armenia "On making amendments and supplements to the "Law of the Republic of Armenia on custody of arrestees and detainees"" was adopted, which envisages that an arrestee or detainee shall be given an opportunity to meet with his or her defence counsel or the advocate, who has visited him or her for the purpose of assuming his or her defence, also on non-working days or hours. According to the Constitutional Law of the Republic of Armenia "On the Human Rights Defender", the status of the national preventive mechanism prescribed by the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is reserved to the Defender. In the capacity of the national preventive mechanism, the objective of the Defender's activities is the prevention of torture and other cruel, inhuman or degrading treatment in places of deprivation of liberty prescribed by part 4 of Article 28 of the mentioned Law. The aforementioned Law also ascertained the powers of the Defender as a national preventive mechanism, bringing them into compliance with the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. For the purpose of guaranteeing the continuity and coordination of prevention of tortures and struggle against impunity, a number of measures have been envisaged by the Action Plan for 2017-2019 proceeding from the National Strategy on Human Rights Protection and the Draft Plan of Judicial Reforms for 2018-2023, as well as the Strategy and Action Plan for 2018-2038 drafted by the Government of the Republic of Armenia for the improvement of the situation in the penitentiary system of the Republic of Armenia.

### **Ensuring the rights of national minorities**

The constitutional amendments of 2015 for the first time enshrined the principle of allocating seats for the representatives of national minorities in the Parliament.

Consequently, it was prescribed by the new Electoral Code that four mandates of deputies shall be distributed among national minority representatives by the principle of 1 mandate to each of the first 4 national minority groups with the largest number of resident population according to the data of the latest census preceding the elections. Thus, as a result of the elections of the National Assembly of 2017, four representatives of national minorities — Yezidi, Russian, Assyrian and Kurdish — received deputy mandates.

According to the amended Constitution of the Republic of Armenia, currently a draft Law “On the exercise of the rights of persons belonging to national minority groups” is being elaborated, which proceeds from the Action Plan for 2017-2019 deriving from the National Strategy on Human Rights Protection.

The Draft Law of the Republic of Armenia "On the exercise of the rights of persons belonging to national minority groups" was drafted by the Ministry of Justice of the Republic of Armenia and sent to the Directorate General of Democracy of the Council of Europe for receiving an expert opinion.

### **Signing and ratification of international documents**

The process of accession to a number of international agreements — according to the tasks undertaken by the Republic of Armenia — is in the phase of domestic coordination, part of them being included as a priority issue in the Action Plan for 2017-2019 deriving from the National Strategy on Human Rights Protection.

### **Cooperation with UN structures promoting the protection of human rights**

Armenia closely cooperates with the Office of the United Nations High Commissioner for Human Rights. On 30 November 2017, the delegation led by Ms Gagnon, Director of the Field Operations and Technical Cooperation Division of the Office of the High Commissioner for Human Rights visited Armenia.

Armenia continues its cooperation also with the UN special procedures. To note, the country has had standing invitation to the UN procedures since 2006. On 12-18 May 2015, Ms Maud de Boer-Buquicchio, Special Rapporteur on the sale of children, child prostitution and child pornography, visited Armenia, and Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Dainius Pūras was in Armenia from 25 September to 5 October 2017.

### **Prevention of Genocide**

During 2015-2017, Armenia continued to conduct consistent policy with regard to the struggling against genocide.

Among the events of 2015-2016, forum "Against the Crime of Genocide"—held in Yerevan and attended by parliamentarians, politicians, diplomats, scientists, genocide scholars—are distinguished by their importance and significance.

Armenia continues its activities in this direction within the framework of the Human Rights Council, introducing the resolution on the prevention of genocide. In particular, at the 28th session of the UN Human Rights Council held in Geneva on March 2015, the resolution on the prevention of genocide initiated by Armenia and co-sponsored by 72 member states was adopted by consensus. The updated and modernized form of the resolution took into account the recent developments in the world: it condemned the genocide as the most abhorrent crime committed against humanity, showing the causal relation between impunity and denial, which, becoming part of the state policy, ultimately hinders the process of reconciliation between peoples.

On 11 September 2015, the resolution entitled International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime was adopted by consensus at the 103rd plenary meeting of the 69th session of the UN General Assembly. The initiative proceeded from the provisions of the resolution on the prevention of genocide introduced by Armenia at the 28th session of the Human Rights Council in Geneva in March 2015. The resolution was co-sponsored by 84 UN member states. According to the resolution, 9 December — the day of the adoption of the UN Convention on the Prevention and Punishment of the Crime of Genocide in 1948 — is declared as an international day. The resolution reconfirms the responsibility of each state to protect its population from genocide and incitement to it. The resolution also enshrines the struggle against the impunity for genocide as the most important factor of prevention.