

STATEMENT

UPR Pre-Session on Armenia

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Delivered by: Open Society Foundations –Armenia on behalf of
Group of Civil Society Organizations

Independence of Judiciary and Prevention of Torture and Ill-treatment in Armenia

Situation: (I) independence of judiciary

- Poor mechanisms in place to scrutinize judges' asset declarations and ensure integrity. The mechanisms for appointment and promotion of judges are problematic.
- Supreme Judicial Council lacks independence and cannot ensure the protection of other judges.
- The Minister of Justice can launch disciplinary proceedings against judges and make inquiries about ongoing cases.

Recommendations: (I) independence of judiciary

- Carry out comprehensive vetting of judges, based on law and objective, non-discriminatory criteria;
- Adopt Constitutional amendments to introduce non-partisan mechanism for appointment of judges, especially the members of the Constitutional Court, Supreme Judicial Council, heads of courts,
- Provide mechanisms for appealing the Supreme Judicial Council's decisions, and restrict the Council's discretionary powers.

Situation: (II) Prevention of torture and ill-treatment

- Cruel, inhumane and degrading treatment and punishment are not criminalized. **Until now, no official has been convicted for torture.** No adequate rehabilitation is available for torture victims.
- LGBTI inmates face isolation and humiliation in prisons. Suicide and self-harming cases in prisons are not investigated effectively. Access to healthcare, including psychiatric care is impeded for many prisoners.

Recommendations: (II) Prevention of torture and ill-treatment

- Criminalize cruel, inhuman and degrading treatment and punishment
- Exclude the use of evidence extorted through torture,
- Ensure the quality and accessibility of medical services, including mental healthcare and access to methadone substitutional therapy for prisoners.
- Undertake legislative and other measures to eradicate the flourishing criminal culture in prisons and the widespread discriminatory policies towards the LGBTI inmates.

UPR alternative report on behalf of 35 civil society organizations addresses the following issues in Armenia:

- Justice
- Torture and other ill-treatment
- Right to life
- Right to free elections
- Anti-discrimination
- Freedom of assembly and association, media, and protection of human rights defenders

THANK YOU

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