

Universal Periodic Review (35th session, January – February 2020)

Contribution of UNESCO

Armenia

I. Background and framework

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
<i>Convention against Discrimination in Education 1960</i>	State Party 05/09/1993	Reservation to this Convention shall not be permitted		Right to education
<i>Convention concerning the Protection of the World Cultural and Natural Heritage (1972)</i>	05/09/1993 Notification of succession			Right to take part in cultural life
<i>Convention for the Safeguarding of the Intangible Cultural Heritage (2003)</i>	18/05/2006 Acceptance			Right to take part in cultural life
<i>Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)</i>	27/02/2007 Accession			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

A. Education

1. The first **Constitution of the Republic of Armenia** was adopted on 5 July 1995¹, in which fundamental rights and freedoms of persons and citizens are enshrined. Amendments to the Constitution of the Republic of Armenia were adopted on 6 December 2015. The right to education is enshrined in Article 38: “Everyone shall have the right to education. The programmes of compulsory education and the duration thereof shall be prescribed by law. Secondary education in state education institutions shall be free of charge. Everyone shall, in the cases and in the manner prescribed by law, have the right to free of charge education on a competitive basis in state higher and other vocational education institutions. Higher education institutions shall, to the extent prescribed by law, have the right to self-governance, including academic freedom and freedom of research”. Article 29 states that: “Discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, world view, political or other views, affiliation to a national minority, property status, birth, disability, age, or personal or social circumstances shall be prohibited.”

2. The Law of the Republic of Armenia (HO-297) “**On education**” (1999)² stipulates that “The Republic of Armenia shall ensure the right to education, regardless of the nationality, race, gender, language, belief, political or other views, social origin, property status or other circumstances.” The legal equality of women and men is also provided for in this law.

3. The Law on the Republic of Armenia (HO-160-N) “**On general education**”³ was adopted in July 2009 and an amendment to that law in 2014 provided for a transition from the system of general education to universal inclusive education. **An amendment to the 1999 ‘On education’**⁴ law was adopted in April 2015, which makes 12 years of education both compulsory and free (including vocational education).

4. Freedom of expression is guaranteed under Article 42 of the Armenian Constitution (1995). The Article also stipulates that State shall guarantee the existence and activities of an independent and public radio and television service offering a variety of informational, cultural and entertaining programs.⁵

¹ <http://www.parliament.am/legislation.php?sel=show&ID=1793&lang=arm>, *unofficial translation provided in the Armenia Report submitted for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education*, 2016, p. 5.

² <http://www.arlis.am/documentview.aspx?docid=22493>, *unofficial translation provided in the Armenia Report submitted for the ninth consultation*, p. 5.

³ <http://www.arlis.am/documentview.aspx?docid=53007>, *unofficial translation provided in the Armenia Report submitted for the ninth consultation*, p. 5.

⁴ <http://www.arlis.am/documentview.aspx?docid=97395>, *unofficial translation provided in the Armenia Report submitted for the ninth consultation*, p. 6.

⁵ <http://www.parliament.am/parliament.php?id=constitution&lang=eng>

5. The media is regulated under the Law on the Dissemination of Mass Information (2003).⁶ Article 4 of the Law stipulates that media products are produced and disseminated without prior or current state registration, licensing, declaration or notice to any state body. Censorship and interfering journalists' legitimate professional activities are prohibited under the same Article.

6. Armenia decriminalized defamation in May 2010, removing imprisonment from the list of penalties. Matters related to libel and insult were moved to civil law jurisdiction.⁷

7. Armenia passed the Law on Freedom of Information in 2003.⁸

Implementation of legislation:

8. The Law on Television and Radio Broadcasting (2000) establishes the National Commission of Television and Radio, an independent body with the status of a state enterprise that has mandates for licensing and monitoring private television and radio companies.⁹ It consists of eight members. The National Assembly elects half of the members and the President of the Republic appoints the other half.¹⁰

Safety of Journalists:

9. UNESCO has recorded no killings of journalists in Armenia since systematic reporting began in 2008.

III. Review and specific recommendations

A. Education

10. During the last UPR cycle, Armenia received recommendations to ensure access to education, including higher education, for children from national minorities and other vulnerable groups such as refugees and asylum seekers, and to expand access to inclusive education for persons with disabilities.

⁶ <http://www.parliament.am/legislation.php?sel=show&ID=1890&lang=eng>

⁷ <https://www.osce.org/fom/303181?download=true>

⁸ <http://www.freedominfo.org/wp-content/uploads/documents/Armenia%20FOI.pdf>

⁹ <http://www.parliament.am/legislation.php?sel=show&ID=1464&lang=eng>

¹⁰ <http://www.tvradio.am/en/hrah.html>

Access

- Armenia has yet to achieve universal primary education. The net enrolment rate in 2017 was 92%.¹¹
- Poverty and rural location are key factors that create a disparity in completion rates, especially at higher levels.¹²
- Child labour may be one reason that children miss out on education. In 2015, a survey found that 4.5% of 5 – 11 year olds and 15.7% of 12 – 15 year olds were working, and the majority of that group were classified as engaged in child labour.¹³

Allocation of resources

- The Prospective Development Strategic Programme of the Republic of Armenia for 2014 – 2025 envisaged consistent increase in state expenditure for education, ensuring the target of 3.7% against GDP by 2025. Nevertheless, the economic recession, decrease in GDP and narrowing of the scope of budget resources limited the possibilities for maintaining the expenditures in the envisaged amounts.¹⁴
- In 2016 government expenditure on education was 2.8% of GDP and the education share of total government expenditure was 10.2%.¹⁵

National minorities

- Language of instruction is governed by the law “On language”. The official language of teaching and learning systems is literary Armenian. In the communities of national minorities, teaching may be organized in their native language in accordance with the state programme, as well as with state support, by compulsory instruction of Armenian.¹⁶
- A special curriculum for classes of national minorities where time is allocated to studying native language, literature, culture and history of national minorities is offered for grades 1st – 12th.¹⁷ Minority language textbooks have been produced and teacher training opportunities have been provided.¹⁸

Quality

- In connection with shifting to the 12-year education system, the “state standard of general education” was drafted and approved. In 2015, revision of the content of general education –

¹¹ Global Education Monitoring Report 2019, p. 292.

¹² Ibid, p. 319.

¹³ Armenia National Child Labour Survey 2015, p. 50 – 52.

https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_28755/lang--en/index.htm

¹⁴ Report submitted by Armenia for the ninth consultation, op cit., p 13

¹⁵ GEM Report 2019, p. 283

¹⁶ Report submitted by Armenia for the ninth consultation, op cit. pp. 9 – 10.

¹⁷ Ibid, p. 65.

¹⁸ Report submitted by Armenia to the CERD, 2016. p. 20.

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fARM%2f7-11&Lang=en

subject syllabuses and standards – began. New standards were introduced in the field of professional education.¹⁹

Refugees and migrants

- Programmes have been carried out to increase enrolment of children in pre-school education, with a special focus on socially disadvantaged families, including the children of national minorities, refugees and migrants.²⁰ Pre-school groups can offer a shorter 4-hour regime to increase access and help families to integrate.²¹
- School-age migrant children can join mainstream education, and special educational needs are addressed by an Individual Curriculum Plan involving additional specialists: special pedagogues, social care teachers and psychologists.²²
- Procedures are in place for those with no documentation to join higher education institutions,²³ and allowances to facilitate access to TVET for foreign nationals include translated entrance exams, stipends or refund of tuition fees.²⁴

Disabilities

- Thousands of children in Armenia are separated from family environments and placed in residential institutions, often due to disability.²⁵ Provision of quality, inclusive education that can be accessed in the community is essential to the government’s deinstitutionalization programme.²⁶
- The Draft Law²⁷ on the protection of the rights of persons with disabilities is based on a system of social inclusion rather than the previous social protection model, and places the onus on the government to ensure accessible and equal conditions for the education of persons with disabilities.²⁸
- The Strategic Programme for 2017 – 2021 for the protection of rights of children prioritizes the integration of children with disabilities into society, the provision of equally accessible, inclusive and quality education, and ensures the right of a child to live with their family.²⁹

School Environment

¹⁹ Report submitted by Armenia for the ninth consultation, op cit. p. 50

²⁰ Report submitted by Armenia to the CERD, 2016. p. 20.

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fARM%2f7-11&Lang=en

²¹ Report submitted by Armenia for the ninth consultation, op cit. p. 23.

²² Report submitted by Armenia for the ninth consultation, op cit. p. 71.

²³ Ibid, p. 23.

²⁴ Ibid, pp. 24 – 25.

²⁵ Human Rights Watch, “*When Will I get to Go Home?*” <https://www.hrw.org/report/2017/02/22/when-will-i-get-go-home/abuses-and-discrimination-against-children-institutions>. p. 3.

²⁶ Ibid, p. 5

²⁷ https://www.globaldisabilityrightsnow.org/sites/default/files/related-files/274/Disability_Law_English.pdf

²⁸ Ombudsman of Armenia website: <http://www.ombuds.am/en/categories/persons-with-disabilities.html>

²⁹ Information received from Armenia on follow-up to the concluding observations of the CERD, CRPD/C/ARM/CO/1/Add.1, 17 December 2018.

- Many school structures seem to be not suitable and in need of renovation. Urban and rural schools often have unequal physical conditions, and older schools built in the Soviet times are not suitable for the climate, or accessible for children with disabilities.³⁰

Specific recommendations:

11. Armenia should be encouraged to:

- Continue efforts to improve access to education for all, with special attention given to children from socio-economically disadvantaged families and those from migrant backgrounds.
- Expedite the process of deinstitutionalization and ensure provision of quality, inclusive education for all, including children with disabilities.
- Increase spending on education to reach the Education 2030 target of 4% of GDP and 15% of total expenditure.
- Build upon the progressive expansion of the pre-school education system and consider enshrining the right to one year of free and compulsory pre-primary education for all in line with the 2030 Agenda.
- Improve the education environment by providing adequate funding for the maintenance and renovation of buildings, and introducing up-to-date ICT facilities, eliminating differences in physical conditions of education institutions in urban and rural areas and making the environment suitable for children with special educational needs.
- Accelerate the process of adoption of the Draft Law “On Protection of the Rights and Social Inclusion of Persons with Disabilities in the Republic of Armenia” to bring the legal framework in line with the Convention on the Rights of Persons with Disabilities.
- Continue to submit regularly comprehensive national reports for the periodic consultations on UNESCO’s education-related standard-setting instruments and notably the Convention against Discrimination in Education.
- Share with UNESCO any relevant information to update its country profile on UNESCO’s Observatory on the Right to Education.³¹

B. Freedom of opinion and expression

12. Armenia is recommended to continue with its current dispensation on freedom of expression and opinion.

³⁰ Education for All 2015 National Review – Armenia. <https://unesdoc.unesco.org/ark:/48223/pf0000229906>, p. 19.

³¹ <http://www.unesco.org/education/edurights/index.php?action=home&lng=en>

C. Cultural rights

13. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)³², the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)³³ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)³⁴, Armenia is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Armenia is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

D. Freedom of scientific research and the right to benefit from scientific progress and its applications

14. Armenia did not submit its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). Therefore Armenia is encouraged to report to UNESCO in future on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument paying particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to science, the principle of non-discrimination, including urging active promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.

³² Periodic Report available at: <https://whc.unesco.org/archive/2015/whc15-39COM-10A-en.pdf>

³³ Periodic Report available at: <https://ich.unesco.org/en-state/armenia-AM?info=periodic-reporting#rp>

³⁴ Periodic Report available at: https://en.unesco.org/creativity/sites/creativity/files/periodic_reports/old/armenia_qpr_2005_convention_extended_version.pdf