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Human Rights Committee

Concluding observations on the third periodic report of Armenia*

1. The Committee considered the third periodic report of Armenia¹ at its 3807th and 3808th meetings,² held on 14 and 15 October 2021, in hybrid format owing to restrictions imposed in connection with the coronavirus disease (COVID-19) pandemic. At its 3832nd meeting, held on 3 November 2021, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the third periodic report of Armenia and the information presented therein. It expresses appreciation for the opportunity to renew its constructive dialogue with the State party's high-level delegation. The Committee is grateful to the State party for its commitment in engaging with the treaty bodies during the COVID-19 pandemic and for providing information on the measures taken during the reporting period to implement the provisions of the Covenant. The Committee is also grateful to the State party for its written replies³ to the list of issues,⁴ which were supplemented by the oral responses provided by the delegation and for the supplementary information provided to it in writing.

B. Positive aspects

3. The Committee welcomes the adoption by the State party of the following legislative, policy and institutional measures:

- (a) Amendments to the Constitution, approved by referendum in 2015;
- (b) Amendments to the Criminal Code and the Code of Criminal Procedure, in 2021;
- (c) The National Strategy on the Protection of Human Rights and its Action Plan for 2020–2022, in 2020;
- (d) The Strategy for the Implementation of a Gender Policy for 2019–2023 and its Action Plan, in 2019;
- (e) The Strategy on Judicial and Legal Reforms for 2019–2023 and its Action Plan for 2019–2020, in 2019;
- (f) The Strategic Plan for the Protection of the Rights of the Child for 2017–2021.

* Adopted by the Committee at its 133rd session (11 October–5 November 2021).

¹ [CCPR/C/ARM/3](#).

² See [CCPR/C/SR.3807](#) and [CCPR/C/SR.3808](#).

³ [CCPR/C/ARM/RQ/3](#).

⁴ [CCPR/C/ARM/Q/3](#).



4. The Committee welcomes the State party's ratification, on 18 March 2021, of the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty. It also welcomes the ratification by the State party of the following international instruments:

(a) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, on 24 March 2021;

(b) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, on 13 October 2020.

C. Principal matters of concern and recommendations

Implementation of the Covenant and its Optional Protocol

5. The Committee notes that training courses have been provided to law enforcement officers and relevant legal practitioners, and that the Constitutional Court and the Court of Cassation have invoked the Covenant while reviewing domestic cases. It regrets, however, the lack of concrete examples of court cases in which the provisions of the Covenant have been directly applied. It is also concerned at the limited level of awareness of the Optional Protocol among legal professionals and the general public, which has resulted in the underuse of the individual complaints procedure under the Optional Protocol since the adoption of the previous concluding observations (art. 2).

6. The State party should intensify its efforts to raise awareness among judges, prosecutors, lawyers, law enforcement officers, civil society actors and members of the general public about the Covenant and its applicability in domestic law and about the individual complaints procedure available under the Optional Protocol, including by providing specific and adequate training on the Covenant and its Optional Protocol.

Corruption

7. While noting the measures taken to combat corruption, including the adoption of the Anti-Corruption Strategy for 2019–2020, the Committee is concerned about allegations of persistent corruption in critical areas of public administration, such as the judiciary, tax and customs, health, education, the military and law enforcement. The Committee is particularly concerned about reports of:

(a) Weak enforcement of anti-corruption laws;

(b) Insufficient human, technical and financial resources provided to the anti-corruption bodies;

(c) Inadequate measures to address cases involving conflict of interests and incompatibilities among the members of the National Assembly;

(d) Lack of transparency in natural resources management, particularly in the mining sector, including with regard to the Amulsar gold mine (arts. 2, 14 and 25).

8. The State should continue and strengthen its efforts to combat corruption and promote good governance, transparency and accountability. In particular, the State party should:

(a) **Investigate and prosecute those responsible of corruption, including high-level corruption, and, if a person is convicted, apply penalties commensurate with the gravity of the offence and ensure the recovery of assets, where appropriate;**

(b) **Allocate adequate human and financial resources to the Anti-Corruption Committee and the Anti-Corruption Commission and provide relevant training to law enforcement officers, prosecutors and judges, particularly those in anti-corruption courts, on detecting and investigating cases of corruption and prosecuting those responsible of corruption;**

(c) **Take all measures necessary to address cases involving conflict of interests and incompatibilities among the members of the National Assembly, including by**

strictly enforcing the 2016 law on guarantees regarding the activities of members of the National Assembly and the related code of conduct;

(d) Ensure that government permits granted for the exploitation of natural resources and mining projects, including in the Amulsar gold mine, are compliant with domestic legislation and that adequate environmental impact assessments are carried out in a systematic and transparent manner.

Non-discrimination

9. While noting that the Constitution contains a general non-discrimination clause and that the new Criminal Code punishes discrimination on several grounds prohibited under the Covenant, the Committee remains concerned that the existing legal framework does not afford comprehensive protection against discrimination on all the grounds mentioned in the Covenant and on the grounds of sexual orientation and gender identity. It is also concerned that the draft law on ensuring legal equality: (a) does not contain a comprehensive list of prohibited grounds of discrimination, such as sexual orientation and gender identity; (b) does not clearly prohibit discrimination in all sectors of the private sphere; and (c) does not guarantee the right to effective remedies, including in the private sphere. The Committee further regrets that the new Criminal Code does not explicitly criminalize acts of hate speech and hate crime on all prohibited grounds, including sexual orientation and gender identity, and that hate crimes are only defined as grounds aggravating the punishment or liability for a crime (arts. 2, 20 and 26).

10. The State party should:

(a) Amend the Criminal Code and revise and adopt the draft law on ensuring legal equality to bring them fully into line with the Covenant by including a definition of direct, indirect and multiple discrimination, including in the private sphere, that covers all the grounds mentioned in the Covenant and that encompasses sexual orientation and gender identity and ensure access to effective and appropriate remedies for victims of discrimination, including in the private sphere;

(b) Amend the Criminal Code to introduce a separate definition and prohibition of hate crime and to explicitly criminalize acts of hate speech and hate crime on all prohibited grounds under the Covenant and on the grounds of sexual orientation and gender identity.

Discrimination and violence on grounds of sexual orientation and gender identity

11. The Committee remains concerned about reports of harassment, social stigmatization, discrimination and violence against lesbian, gay, bisexual and transgender persons. It is particularly concerned about:

(a) The lack of prompt and effective investigations into cases of violence against lesbian, gay, bisexual and transgender persons and of prosecution and punishment of perpetrators;

(b) The prevalence of homophobic and transphobic rhetoric by politicians and other public officials with impunity (arts. 2, 7, 9, 17 and 26).

12. The State party should:

(a) Provide effective protection against all forms of discrimination and violence on the basis of sexual orientation and gender identity, both in law and in practice, and ensure that no such discrimination or violence is tolerated, that such conduct is properly addressed and that remedies are provided to victims;

(b) Combat homophobic and transphobic discourse, including by providing appropriate training to judges, prosecutors, law enforcement and other officials on combating discriminatory attitudes towards lesbian, gay, bisexual and transgender individuals and by conducting similar awareness-raising activities aimed at the general public.

Gender equality

13. While welcoming the measures taken to promote gender equality, including the adoption of the 2013 law on equal rights and equal opportunities for women and men, the Committee remains concerned about:

(a) The persistence of patriarchal attitudes and discriminatory gender stereotypes, particularly in the media, regarding the roles and responsibilities of women and men in the family and in society;

(b) The low levels of representation of women in political and public life, including in executive and legislative bodies at the national, regional and local levels, particularly in decision-making positions, as well as in the judiciary and the public prosecution service (arts. 2–3 and 25–26).

14. The State party should strengthen the measures aimed at ensuring gender equality, including by:

(a) **Raising public awareness of the principle of equality between women and men and the need to eliminate gender stereotypes, and ensuring that media outlets promote positive images of women as active participants in public and political life;**

(b) **Stepping up efforts to achieve, within specific time frames, the full and equal participation of women in political and public life, including in the National Assembly, ministerial positions, regional and local municipalities, and the judiciary and the public prosecution service, particularly in decision-making positions, if necessary by imposing penalties for non-compliance with the current quota requirements and by introducing a gender parity system in all elected and appointed bodies.**

Violence against women

15. The Committee welcomes the various measures taken to address violence against women, including the adoption of the 2017 law on the prevention of violence within the family, the protection of victims of violence within the family and the restoration of peace in the family, the creation of a hotline to lodge complaints and the setting up of a mobile response system for urgent interventions. However, it is concerned by the persistence of violence against women, in particular the rise in cases of domestic violence in the context of the COVID-19 pandemic. It also notes with concern:

(a) That the law on domestic violence prioritizes family unity and reconciliation over preventive and protective measures;

(b) The low level of reporting on and of investigating, prosecuting and convicting perpetrators of violence against women, and the lenient sentences imposed on them when convicted;

(c) The insufficient number of shelters throughout the territory of the State party, the inadequate enforcement and monitoring of protection orders and the lack of appropriate support services for victims (arts. 2–3, 7 and 26).

16. The State party should redouble its efforts to prevent and combat all forms of violence against women effectively, including domestic and sexual violence, in particular by:

(a) **Revising the law on domestic violence to ensure a victim-centred approach that guarantees access to immediate means of redress and protection;**

(b) **Establishing an effective mechanism to encourage the reporting of cases of violence against women and by intensifying efforts to address the social stigmatization of victims;**

(c) **Ensuring that all cases of violence against women are promptly and thoroughly investigated, that perpetrators are prosecuted and, if convicted, are punished with appropriate sanctions and that victims have access to effective remedies and means of protection, including sufficient, safe and adequately funded shelters and**

suitable medical, psychosocial, legal and rehabilitative support services throughout the country, during the COVID-19 pandemic and beyond;

(d) Considering ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

Voluntary termination of pregnancy and sexual and reproductive rights

17. The Committee takes notes of the 2016 amendments to the law on reproductive health and rights, which prohibits sex-selective abortions and introduces mandatory counselling and a three-day period of reflection. Nevertheless, the Committee remains concerned by the widespread practice of sex-selective abortion. It is particularly concerned about:

(a) The lack of information on specific mechanisms to ensure that health workers who do not comply with the prohibition of sex-selective abortions are duly identified and appropriately sanctioned;

(b) Limited access to safe and affordable abortion services, contraceptives and other sexual and reproductive health care services, especially for women in rural areas, women living in poverty, women with disabilities and women from ethnic or religious minorities, including Yazidi women;

(c) The lack of comprehensive sexual education programmes in schools and the “abstinence only” and “fear-based” approach to sexual education in existing programmes (arts. 2–3 and 6).

18. The State party should:

(a) **Remove the mandatory counselling and the three-day period of reflection from the law on reproductive health and rights and ensure its implementation to eradicate the practice of sex-selective abortion, including by establishing mechanisms to identify and sanction health workers who do not comply with the prohibition of sex-selective abortions;**

(b) **Enhance women’s access to sexual and reproductive health services, in particular safe and legal abortion and affordable contraceptives, including emergency contraceptives, especially for rural women, women living in poverty, women with disabilities and women from ethnic or religious minorities;**

(c) **Implement comprehensive programmes on sexual and reproductive health education and on the prevention of sexually transmitted infections for men, women, girls and boys throughout the country, including in rural and isolated areas.**

Non-combat deaths in the armed forces, hazing and ill-treatment

19. While noting the measures adopted to prevent non-combat deaths in the Armenian armed forces, including the establishment of the Human Rights and Integrity-Building Centre, the processing of complaints submitted to the Hotline 1-28 service and the issuance of guidelines by the Prosecutor General on non-combat deaths in the army, the Committee remains concerned about the high number of non-combat deaths in the armed forces and about allegations of continued hazing and other mistreatment of conscripts by officers and fellow soldiers. The Committee is particularly concerned that effective investigations, prosecutions and convictions for such acts remain limited (arts. 6–7).

20. The State party should intensify its efforts to prevent non-combat deaths in the armed forces, hazing and the mistreatment of conscripts. Furthermore, it should ensure prompt, impartial and thorough investigations into all non-combat deaths in the armed forces and into all allegations of abuse of conscripts; prosecute and punish those responsible with appropriate penalties; and provide adequate compensation and rehabilitation for the victims of hazing and mistreatment, including through appropriate medical and psychosocial support. The State party should also ensure that those lodging complaints, including through the Hotline 1-28 service, are duly protected against reprisals.

Torture and other cruel, inhuman or degrading treatment or punishment

21. The Committee welcomes the measures taken to combat torture and ill-treatment, including the setting up of mailboxes for inmates in prisons to lodge confidential complaints of torture and ill-treatment and the establishment of audiovisual recordings of persons under investigation during interrogations in a number of police stations. However, it is concerned about:

(a) The persistence of allegations of torture and ill-treatment perpetrated by law enforcement officers and the low number of investigations, prosecutions and convictions for torture since the adoption of a new definition of torture in 2015;

(b) The underuse of audio or video recording during interrogations (art. 7).

22. The State party should take robust measures to eradicate torture and ill-treatment by, inter alia:

(a) **Allocating sufficient human and financial resources to the new investigative committee and guaranteeing its independence with a view to ensuring that all allegations of torture and ill-treatment are promptly, impartially, thoroughly and effectively investigated, that perpetrators are prosecuted and, if found guilty, are punished with sanctions commensurate with the severity of the crime, and that victims are provided with full reparation, including rehabilitation and adequate compensation;**

(b) **Increasing the use of audio and video recording of criminal interrogations and equip all interrogation rooms in police stations and other places of deprivation of liberty with audio and video recording devices.**

Liberty and security of person

23. The Committee takes note of the amendments made in 2021 to the Code of Criminal Procedure, which provides for enhanced fundamental legal safeguards against torture and ill-treatment and new alternative preventive measures, among other things. The Committee remains concerned, however, about reports that:

(a) Detained persons do not always enjoy in practice all the fundamental legal safeguards from the very outset of their detention, including the rights to have prompt access to a lawyer and to a doctor of their own choice, to notify a person of their choice of their detention and to be brought promptly before a judge;

(b) Lengthy pretrial detention is still extensively used as a preventive measure (arts. 9–10).

24. The State party should take effective measures to guarantee that all detained persons are afforded in practice all the fundamental legal and procedural safeguards from the outset of their detention. In particular, it should:

(a) **Guarantee detainees the rights to promptly contact a family member or any other person of their choice, to have prompt and confidential access to a qualified and independent lawyer or, when needed, to free legal aid, to have access to a medical examination by an independent doctor and to be promptly brought before a competent, independent and impartial court within a maximum of 48 hours;**

(b) **Decrease the use of pretrial detention by ensuring a wider use of non-custodial preventive measures as provided for in the new Code of Criminal Procedure and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and ensure that no one is held in pretrial detention for longer than prescribed by law.**

Conditions of detention

25. While noting the measures taken to address overcrowding and improve conditions of detention, including the amendments to the Penitentiary Code, the adoption of the law on probation and the plans to replace several old and inadequate detention facilities with new

prisons built according to “contemporary international standards”, the Committee remains concerned about:

(a) The poor material conditions in some prisons, especially Nubarashen, Vanadzor and Yerevan-Kentron prisons, including the inadequate sanitary conditions, insufficient access to free-of-charge quality health care – including psychiatric care – and the extremely limited offer of activities that disproportionately affect detainees with disabilities;

(b) Informal prison hierarchies, which lead to unequal conditions of detention and increase the incidence of abuse within places of detention (arts. 7 and 10).

26. The State party should continue to take effective measures to ensure that the conditions of detention are in full compliance with the relevant international human rights standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). It should, in particular:

(a) **Enhance the measures designed to prevent overcrowding, particularly through the wider application of non-custodial measures as an alternative to imprisonment, step up efforts to improve the material conditions of detention and ensure access to free-of-charge quality health care – including psychiatric care – for prisoners in all places of deprivation of liberty, and meet the particular needs of prisoners with disabilities;**

(b) **Take all measures necessary to address unequal living conditions, including by eliminating informal prison hierarchies.**

Elimination of slavery, servitude and trafficking in persons

27. The Committee appreciates the continuous efforts made to combat trafficking in persons, including through the adoption of the National Programme on Combating Trafficking in Human Beings for 2020–2022. It is concerned, however, about:

(a) The limited data available on trafficking in persons to, in and from the State party;

(b) The low rate of investigations, prosecutions and convictions and the insufficient rehabilitation and reintegration support services provided to victims;

(c) The obstacles that hinder effective victim identification, victim protection and accountability for perpetrators;

(d) The abolition of the labour inspectorate in 2013 and the insufficient capacities of the State Health Inspectorate to carry out effective and systematic worksite inspections in all sectors where child labour is prevalent (arts. 2, 6–8, 24 and 26).

28. The State party should:

(a) **Improve its system for collecting data on trafficking cases in order to better evaluate the scope of the phenomenon and to assess the efficiency of the programmes that are presently being carried out;**

(b) **Guarantee the strict application of the law on identification of and support to persons subjected to trafficking in human beings and exploitation, as well as of the provisions of the Criminal Code outlawing all forms of trafficking in persons, and ensure that individuals responsible for trafficking in persons are prosecuted and receive punishment commensurate with the crimes committed and that victims receive full reparation;**

(c) **Strengthen the training of judges, prosecutors, law enforcement officers and immigration agents on trafficking, victim identification, victim protection, accountability and reparation;**

(d) **Strengthen the capacities of labour inspectors to carry out their duties effectively and systematically in all sectors where child labour is prevalent.**

Treatment of aliens, including refugees, asylum seekers and stateless persons

29. The Committee welcomes the efforts of the State party to continue to strengthen its asylum and migration systems. It remains concerned, however, about reports that:

(a) Asylum seekers continue to be detained for irregularly entering and staying in the State party, including owing to the incorrect interpretation by the authorities of article 329 (3) of the Criminal Code;

(b) The Criminal Code and Code of Criminal Procedure do not provide sufficient safeguards against refoulement in cases of extradition;

(c) The draft law on foreigners and stateless persons has been pending adoption since 2013, leaving stateless persons without adequate protection (arts. 7, 9, 12–13 and 24).

30. **The State party should:**

(a) **Ensure that article 329 (3) of the Criminal Code is correctly interpreted and implemented in order to exempt asylum seekers from criminal liability for crossing borders irregularly;**

(b) **Review the Criminal Code and the Code of Criminal Procedure to strengthen procedural safeguards against refoulement in cases of extradition;**

(c) **Expedite the adoption of the draft law on foreigners and stateless persons to improve protection of stateless persons, including by establishing a statelessness status determination procedure.**

Independence of the judiciary

31. While noting the measures taken to reform the judiciary and the public prosecution service, including the amendments made to the Constitution and the Judicial Code, the Committee remains concerned about: (a) the role of and influence exerted by the executive and legislative branches; (b) the current procedures and criteria for the selection, appointment, suspension, removal of and disciplinary action against judges and prosecutors; and (c) the lack of security of tenure of judges and prosecutors. The Committee is also concerned about the potential detrimental impact of the law on the early retirement of judges of the Constitutional Court and about undue political pressure on the members of the Constitutional Court, particularly its president (art. 14).

32. **The State party should take all the measures necessary to safeguard, in law and in practice, the full independence, impartiality and safety of judges and prosecutors, including by:**

(a) **Ensuring that they are protected from any form of undue pressure or interference from the executive and legislative branches;**

(b) **Ensuring that procedures for the selection, appointment, suspension, removal and disciplining of judges and prosecutors are in compliance with the Covenant and relevant international standards;**

(c) **Guaranteeing the security of tenure of judges and prosecutors;**

(d) **Repealing the law on the early retirement of judges of the Constitutional Court and ensuring that the Court and its judges, particularly its president, are protected from any undue political pressure.**

Right to privacy

33. The Committee is concerned about reports that the amendments to the laws on the legal regime of the state of emergency and on electronic communication, which were introduced in March 2020 in response to the COVID-19 pandemic, did not afford sufficient safeguards against arbitrary interference with the privacy of individuals, owing, inter alia, to the wide powers granted to public agencies to access users' information and retrieve data without a court order (art. 17).

34. **The State party should ensure that:**

(a) **All types of surveillance activities and interference with privacy, both civilian and military, including online surveillance, interception of communications, access to communications data and retrieval of data, are governed by appropriate legislation that conforms with the Covenant, in particular article 17, and the principles of legality, proportionality and necessity;**

(b) **Surveillance and interception are conducted subject to judicial authorization and to effective and independent oversight mechanisms, and that the persons affected have proper access to effective remedies in cases of abuse.**

Freedom of thought, conscience and religion

35. The Committee notes with appreciation that a genuine alternative service of a civilian nature has been put in place and is accessible to all conscientious objectors, including Jehovah's Witnesses. It welcomes the release of all conscientious objectors imprisoned for refusing to perform the military service or the former alternative to military service. The Committee is concerned, however, that:

(a) The new civilian alternative to the military service remains discriminatory in duration by comparison with the military service;

(b) The draft law on freedom-of-conscience and religious organizations still contains vaguely formulated limitations and excessive restrictions on the freedom of conscience and religious belief;

(c) Employees of the military, national security, penitentiary or rescue services, among others, are still prohibited by law from being members of a religious organization, although the Constitutional Court has found the same restriction concerning police officers to be unconstitutional (arts. 2, 18 and 26).

36. **The State party should:**

(a) **Take all measures necessary to ensure that the civilian alternative to the military service is not discriminatory in duration by comparison with the military service;**

(b) **Revise the draft law on freedom-of-conscience and religious organizations to remove all restrictions that go beyond the narrowly construed restrictions permitted under article 18 of the Covenant;**

(c) **Amend all discriminatory laws that unduly restrict the freedom of conscience and religious belief of employees of the military, national security, penitentiary or rescue services, among others, to allow them to be members of a religious organization.**

Freedom of expression

37. The Committee is concerned about:

(a) Reports of threats, intimidation, harassment and attacks against journalists, including online journalists, human rights defenders, particularly women, and lesbian, gay, bisexual and transgender human rights defenders and environmental activists, including those working on issues concerning gold mining operations;

(b) Allegations of the use of criminal provisions, such as perjury, non-compliance with the lawful orders of the police and violence against representatives of the authorities, to hamper the activities of journalists and to curb their freedom of expression;

(c) The increased number of civil defamation lawsuits brought against journalists and media outlets and the imposition of disproportionate financial sanctions as a result;

(d) Censorship imposed by the Government on media outlets with regard to the COVID-19 pandemic (arts. 2, 7, 14, 19, 21–22 and 26).

38. **The State party should:**

(a) **Refrain from intimidating, threatening, harassing and attacking journalists, human rights defenders and environmental activists who are exercising their right to freedom of expression;**

(b) **Ensure that all violations committed against members of these groups are investigated thoroughly and impartially so that the perpetrators can be tried and sentenced to penalties commensurate with the gravity of their offences and that the victims can receive redress;**

(c) **Ensure that criminal provisions and civil defamation lawsuits brought by private persons are not used against journalists and media outlets as a tool to suppress critical reporting on matters of public interest;**

(d) **Provide adequate compensation for media outlets that have experienced censorship as a result of excessively restrictive measures adopted in the context of the COVID-19 pandemic.**

Right of peaceful assembly and excessive use of force

39. The Committee notes the initiation of criminal proceedings for excessive use of force by police officers during the protests that took place in March 2008, June 2015, July 2016 and April 2018, as well as the provision of redress for a number of victims or families of victims. It remains concerned, however, about the lack of accountability of law enforcement officers in such cases. The Committee is also concerned about the undue legal restrictions on the exercise of freedom of peaceful assembly in the amendments to the law on freedom of assemblies. It is further concerned about reports of: (a) unjustifiable police interference in and disproportionate presence at peaceful demonstrations; (b) arbitrary and prolonged detention of assembly participants without ensuring fundamental legal safeguards; (c) criminal proceedings initiated against assembly participants; and (d) the continued failure by the competent authorities to promptly investigate violations by the police of the right to peaceful assembly and to bring perpetrators to justice (arts. 6–7, 9–10, 14, 19 and 21).

40. **In line with the Committee's general comment No. 37 (2020), the State party should:**

(a) **Strengthen its efforts to ensure that all law enforcement officers found responsible for excessive use of force during the March 2008, June 2015, July 2016 and April 2018 events, including those with command responsibility, are held accountable and appropriately sanctioned, and that all the victims of those acts receive adequate compensation and rehabilitation;**

(b) **Review the amendments to the law on freedom of assemblies to bring it into conformity with article 21 of the Covenant;**

(c) **Refrain from undue interference with assembly participants and reduce police presence at peaceful demonstrations;**

(d) **Ensure that impartial and thorough investigations are undertaken without delay by the public prosecutor's office into all allegations of the excessive use of force and arbitrary arrest and detention by State agents at protests, and ensure that the perpetrators are prosecuted and, if found guilty, that they are punished and that the victims have access to adequate remedies;**

(e) **Ensure that domestic laws and regulations on the use of force are in full conformity with the Basic Principles on the use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, that all law enforcement officers systematically receive training on the use of force, especially in the context of demonstrations, and the employment of non-violent means and crowd control, and that the principles of necessity and proportionality are strictly adhered to in practice during the policing of demonstrations.**

Participation in public affairs

41. The Committee notes the efforts of the State party to strengthen its democracy and improve the transparency of its electoral system, including through the amendments to the Electoral Code and the law on political parties. It is concerned, however, about:

- (a) The reported lack of transparency in campaign financing;
- (b) Undue limitations on the right to stand for presidential and legislative elections owing to strict eligibility requirements;
- (c) The inaccessibility of a significant number of polling stations for voters requiring mobility assistance (arts. 2 and 25–26).

42. **The State party should bring its electoral regulations and practices into full compliance with the Covenant, including its article 25, including by:**

- (a) Ensuring that the mandatory disclosure of campaign financing information is fully respected to improve transparency and create equal conditions for the campaign;**
- (b) Revising the limitations on the right to stand for presidential and legislative elections with a view to ensuring their compatibility with the Covenant;**
- (c) Ensuring full accessibility of polling stations for persons with disabilities.**

D. Dissemination and follow-up

43. **The State party should widely disseminate the Covenant, its two Optional Protocols, its third periodic report and the present concluding observations with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public. The State party should ensure that the periodic report and the present concluding observations are translated into the official language of the State party.**

44. **In accordance with rule 75, paragraph 1, of the Committee's rules of procedure, the State party is requested to provide, by 5 November 2024, information on the implementation of the recommendations made by the Committee in paragraphs 16 (violence against women), 40 (right of peaceful assembly and excessive use of force) and 42 (participation in public affairs) above.**

45. **In line with the Committee's predictable review cycle, the State party will receive in 2027 the Committee's list of issues prior to the submission of the report and will be expected to submit within one year its replies to the list of issues, which will constitute its fourth periodic report. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State party will take place in 2029 in Geneva.**