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Compilation on Armenia

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1,2}

2. The Committee against Torture invited the State to ratify the core United Nations human rights treaties to which it was not yet a party, as well as the Rome Statute of the International Criminal Court.³

3. The Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Special Rapporteur on the rights to freedom of peaceful assembly and of association encouraged the State to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.⁴

4. The Special Rapporteur on freedom of peaceful assembly and of association recommended that the State expedite the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.⁵

5. Several treaty bodies and Special Rapporteurs made recommendations for the ratification of the remaining optional protocols or declarations relating to individual complaints procedures of the international human rights treaties.⁶

6. The Committee on the Elimination of Discrimination against Women, the Committee on the Rights of Persons with Disabilities, the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, and the United Nations country team for Armenia,



recommended that the State ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.⁷

7. The Special Rapporteur on sale of children recommended that the State ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.⁸

8. The Committee on the Rights of Persons with Disabilities recommended that the State adopt all appropriate measures to ratify and implement without delay the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.⁹

9. The United Nations country team noted that awareness of international human rights instruments and of the country's human rights obligations was still very low among national institutions, including the judicial and law enforcement sectors.¹⁰

10. Armenia contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2014, 2015, 2016, 2017 and 2018.

III. National human rights framework¹¹

11. The Committee on the Elimination of Racial Discrimination recommended that the State speed up the adoption of the draft law on anti-discrimination.¹²

12. The Committee on the Rights of Persons with Disabilities recommended that the State ensure that the draft law on anti-discrimination encompassed a definition of disability-based discrimination in the public and private sectors, including multiple and intersecting forms of discrimination, particularly gender-based discrimination, and set up mechanisms to impose sanctions for contravening the rights of persons with disabilities. It also recommended that the State include the concept of reasonable accommodation in anti-discrimination legislation and recognize the denial of such accommodation as a form of discrimination.¹³

13. The Committee on the Elimination of Discrimination against Women invited the State to criminalize hate speech and acts against lesbian and bisexual women and transgender and intersex persons and provide victims with effective access to justice.¹⁴

14. The Committee on the Elimination of Racial Discrimination recommended that the State introduce a separate definition and prohibition of hate crime in its criminal law.¹⁵

15. The Committee on the Elimination of Racial Discrimination was concerned by the absence of legislation criminalizing racist organizations and participation in such organizations.¹⁶

16. The Committee on the Elimination of Racial Discrimination recommended that the State provide sufficient and sustainable funding to the Human Rights Defender's Office, including for the continued operation of its regional offices and the national preventive mechanism, in full accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).¹⁷

17. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment recommended that the national preventive mechanism produce material on its mandate and activities and distribute it in places of deprivation of liberty and among civil society at large. It also recommended that the mechanism regularly publish the results of its work, be it through its annual report, a thematic report or reports on visits, and make public its observations on existing and draft legislation.¹⁸

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination¹⁹

18. The Committee on the Elimination of Racial Discrimination was concerned at reports of racist hate speech and discriminatory statements in public discourse, including by public and political figures and in the media, in particular on the Internet, mainly against religious minorities, asylum seekers and refugees. It recommended that the State register, investigate and bring to justice cases of hate speech and sanction those responsible.²⁰

19. The Committee on the Elimination of Discrimination against Women was concerned about the persistence of discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society.²¹

20. The Committee on the Rights of Persons with Disabilities was concerned about the overall negative image of persons with disabilities and the lack of programmes to raise awareness about their rights, as well as about media coverage of disability that was based on stereotypes and perpetuated discriminatory attitudes towards persons with disabilities.²²

21. The Special Rapporteur on freedom of peaceful assembly and of association was dismayed to learn that the LGBT Christian Forum of Eastern Europe and Central Asia, due to take place in Yerevan from 15 to 18 November 2018, had been cancelled because of concerns related to the safety of its participants, incitement to hatred and death threats against the organizers.²³

22. The Special Rapporteur recommended that the State ensure that there was no discrimination in the application of the laws governing the rights to freedom of peaceful assembly and of association, in particular regarding the groups most at risk, such as national and religious minorities, lesbian, gay, bisexual and transgender groups, children and women.²⁴

2. Development, the environment, and business and human rights

23. The United Nations country team stated that largely due to threats from the mining and metal smelting industry, air pollution and heavy metal contamination of air, water, land and food in Armenia presented a substantial, but as yet understudied and unquantified, threat to human health in the country.²⁵

B. Civil and political rights

1. Right to life, liberty and security of person²⁶

24. The Committee against Torture remained concerned at the persistent allegations of torture and ill-treatment perpetrated by law enforcement officials during arrest, detention and interrogation. It recommended that the State eradicate torture and ill-treatment and effectively investigate, prosecute and punish such acts, inter alia by ensuring prompt medical examination of alleged victims of torture or ill-treatment, by reinforcing the measures aimed at preventing and combating corruption in the judiciary that may hinder effective investigation, prosecution and punishment for acts of torture and ill-treatment, and by strengthening the investigative capacity and the independence of the Special Investigation Service.²⁷

25. The Committee against Torture recommended that all law enforcement officers receive systematic training on the use of force, especially in the context of demonstrations, and on the employment of non-violent means and crowd control, and that the principles of necessity and proportionality be strictly adhered to in practice during the policing of demonstrations.²⁸

26. The Committee against Torture remained concerned at reports that detained persons did not always enjoy in practice all the fundamental legal safeguards from the very outset of their detention, including prompt access to a lawyer and to a doctor (including a doctor of their own choice) and notification of their detention.²⁹

27. The Committee on Enforced Disappearances recommended that all registers and/or records of persons deprived of their liberty be accurately and promptly completed and kept up to date.³⁰

28. The Committee against Torture recommended that the State ensure the mandatory video and audio recording of all criminal interrogations and equip all interrogation rooms in police stations and other places of deprivation of liberty with video and audio recording devices. It also recommended that the State ensure that audiovisual footage be kept for a period sufficient for it to be used as evidence, including in court, that videotapes be reviewed to identify and investigate torture and other breaches of standards, and that tapes be made available to defendants and their counsels.³¹

29. The Committee against Torture was concerned at the extensive use of pretrial detention as a preventive measure. It recommended that the State ensure that pretrial detention was used as an exception, was applied for limited periods of time, was clearly regulated and was subject to judicial review at all times in order to guarantee fundamental legal and procedural safeguards.³²

30. The Committee against Torture remained concerned at the poor material conditions in some prisons, especially Nubarashen, Vanadzor and Yerevan-Kentron prisons, including the inadequate sanitary conditions, the low quality of nutrition and the extremely limited offer of extra-regime activities.³³

31. The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health stated that overcrowding and unsanitary conditions in prisons and the lack of meaningful access to physicians and health services were reportedly acting as a vector for the spread of tuberculosis.³⁴

32. The Committee on the Rights of Persons with Disabilities was concerned about the inhuman and degrading treatment of persons with disabilities in institutions, including children with intellectual and/or psychosocial disabilities in specialized institutions, perpetrated by staff members, caregivers and other residents, as well as about neglect and the use of physical restraints as means of treatment and punishment. It was also concerned about the inefficiency and inadequacy of complaints systems and the lack of monitoring of institutions.³⁵

2. Administration of justice, including impunity, and the rule of law³⁶

33. The United Nations country team stated that the constitution and laws provided for the right to a fair and public trial, but that the judiciary largely lacked the independence to enforce that right. It noted that the legal framework provided for presumption of innocence but that suspects usually did not enjoy that right. It noted that the main impediment to the independence of the judiciary was the unlawful instructions issued to courts from the authorities. Another challenge was the case overload in courts, the high number of cases per judge and the low number of judges. State-guaranteed free legal aid was still limited to criminal cases only, and was provided only at the secondary level.³⁷

34. The Committee against Torture urged the State to repeal the statute of limitations for the crime of torture or other acts amounting thereto under the Criminal Code. It stated that the State should also ensure that pardon, amnesty and any other similar measures leading to impunity for acts of torture were prohibited both in law and in practice.³⁸

35. The Committee against Torture recommended that the State combat the practice of coerced confessions effectively; amend the relevant legislation to ensure that, both in law and in practice, in any case in which a person alleges that a confession was obtained through torture, the proceedings are suspended until the claim has been thoroughly investigated; review cases of convictions based solely on confessions and provide redress to victims; and ensure that officials who extract such confessions, including persons liable

under the principle of command responsibility, are brought to justice, and are prosecuted and punished accordingly.³⁹

36. The Committee against Torture stated that the State should ensure that prompt, impartial and effective investigations were undertaken into all allegations of excessive use of force against protesters, ill-treatment and denial of fundamental legal guarantees, including during the protests of June 2015 and 17–31 July 2016, that perpetrators were prosecuted and that victims were provided with redress.⁴⁰

37. The Committee on the Elimination of Racial Discrimination remained concerned at the low number of cases of racial discrimination registered, investigated and brought before the courts. It recommended that the State take all steps necessary to facilitate access by minorities to justice, to disseminate information on legislation relating to racial discrimination and to inform the population residing in its territory about all the legal remedies available to them and about the possibility of obtaining legal assistance.⁴¹

3. Fundamental freedoms⁴²

38. The Special Rapporteur on freedom of peaceful assembly and of association noted attacks, smear campaigns and cases of harassment directed at non-governmental organizations working on sensitive issues, such as sexual orientation and gender identity, violence against women, religious and national minorities, and combating corruption, fraud and money-laundering.⁴³

39. The Special Rapporteur on freedom of peaceful assembly and of association noted that the activities of environmentalist human rights defenders and groups were increasing in the country, including through the use of social media and other online platforms, and that certain restrictions to their rights of freedom of assembly and association had been reported in the past years.⁴⁴

40. The Special Rapporteur on freedom of peaceful assembly and of association recommended that the State ensure that those monitoring assemblies, including journalists, media workers and human rights defenders, were protected at all times during assemblies and that violations were duly investigated.⁴⁵

4. Prohibition of all forms of slavery⁴⁶

41. The Committee on the Elimination of Discrimination against Women remained concerned about the lack of measures to address the root causes of trafficking in persons, in particular women and girls, and exploitation of prostitution, such as poverty and discriminatory gender stereotypes. It recommended that the State adopt a comprehensive State policy to address the issue of trafficking in persons and exploitation of prostitution of women and girls.⁴⁷

5. Right to privacy⁴⁸

42. The Special Rapporteur on health noted that it was reported that the police had permanent access to patients' medical records without requiring the patients' consent. He was concerned that oncologists routinely provided written reports to the police about patients who received opioid medication, with information that violated the right to privacy and confidentiality.⁴⁹

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁵⁰

43. The Committee on the Rights of Persons with Disabilities was concerned about the significant unemployment rates among persons with disabilities and the lack of adequate employment policies and programmes to complement the use of quotas to enable persons with disabilities to participate effectively in the open labour market.⁵¹

44. The Committee on the Elimination of Discrimination against Women was concerned about persistent vertical and horizontal gender segregation in the labour market, the high

unemployment rate among women and the concentration of women in part-time work and low-paid jobs in the informal sector. It noted with concern the low representation of women in management positions and the persistent gender wage gap.⁵²

45. The United Nations country team noted that a regulatory framework should be provided for the informal sector, that included access by women in this sector to social protection, maternity protection and childcare support.⁵³

46. The International Labour Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations asked the Government to take steps to amend section 178 (2) of the Labour Code and section 6 (2) of Law No. HO-57-N on ensuring the equal rights of and equal opportunities for women and men in order to give full legislative expression to the principle of equal remuneration for men and women for work of equal value.⁵⁴

47. The Committee on the Elimination of Discrimination against Women recommended that the State provide a regulatory framework for the informal sector and ensure that women in this sector have access to social protection, maternity protection and childcare support.⁵⁵

48. The ILO Committee of Experts asked the Government to take measures to amend the Labour Code or to adopt separate legislation with the aim of defining, prohibiting and penalizing sexual harassment in both its forms – quid pro quo and hostile environment. It also requested the Government to take practical measures, in collaboration with workers' and employers' organizations, to prevent sexual harassment in employment and occupation.⁵⁶

49. The Special Rapporteur on freedom of peaceful assembly and of association noted that the Armenian labour market was insufficiently regulated, allowing for workers to be dismissed without sufficient safeguards.⁵⁷

50. The Special Rapporteur on freedom of peaceful assembly and of association observed that trade unions were extremely weak in the country. He recommended that the State increase efforts to promote the rights to form and join strong trade unions that could assist workers in claiming rights and better working conditions, and ensure the full implementation of the recommendations laid out in the reports of the ILO Committee of Experts.⁵⁸

2. Right to social security

51. The United Nations country team recommended that the State develop a comprehensive stand-alone social protection strategy, which considered all dimensions of social protection and deprivation, and all those in need, through a life-cycle approach – from early childhood, to adolescence, adulthood and retirement.⁵⁹

52. The United Nations country team stated that cash transfers for families and children should meaningfully contribute to reducing poverty and deprivations while allowing for investment in their well-being. It stated that these should be complemented by and coordinated and closely linked with other essential social protection interventions, social care and support services, and active labour market policies.⁶⁰

53. The Committee on the Rights of Persons with Disabilities was concerned that the majority of persons with disabilities lived in poverty, including in rural and remote areas, and that the available social allowances were insufficient to cover the minimum necessary for an adequate standard of living and the additional expenses related to disability. It noted with concern that the State had not taken appropriate measures to increase the accessibility of social protection programmes, including public housing.⁶¹

3. Right to an adequate standard of living⁶²

54. The United Nations country team noted that in 2017, 2.1 per cent of children below the age of 18 lived in extreme poverty and 30.8 per cent lived in poverty. Geographic disparities were high; in some regions, such as Shirak, every second child was poor.⁶³

55. The United Nations country team noted that despite increased food availability and overall economic growth, uneven development across the country – that is, regional disparities – had left nearly 6 per cent of Armenians undernourished and 16 per cent of households food-insecure.⁶⁴

56. The United Nations country team noted that about a quarter of young children suffered from malnutrition, with 9 per cent suffering from stunting and 14 per cent being overweight. Children from poor households and rural children were at higher risk.⁶⁵

57. The United Nations country team noted that households' access to safe drinking water and sanitation stood respectively at 98.1 per cent and 76.6 per cent. Thirty-three per cent of elementary schools lacked separate toilets for girls and boys. Only 6.6 per cent of toilets in schools were accessible for persons with disabilities.⁶⁶

58. The Special Rapporteur on sale of children was deeply concerned at the lack of sustainable programmes to strengthen families and parenting and the limited social services available for children and families in vulnerable situations. During her visit, she had learned of cases of children who had been pushed to engage in prostitution, forced labour or begging on the streets in order to provide for their families. She also noted that the lack of adequate State support for families often resulted in children being placed in institutions.⁶⁷

59. The Committee on the Rights of Persons with Disabilities was concerned at the lack of State support, including early intervention, for children with disabilities and their families, and the high poverty rate among children with disabilities and their families, especially in rural and remote areas.⁶⁸

4. Right to health⁶⁹

60. The Special Rapporteur on health stated that the high level of out-of-pocket payments for accessing health care meant that for certain sectors of the population, health care was considered unaffordable.⁷⁰

61. The Special Rapporteur on health recommended that the State strengthen the health-care system and guarantee adequate, equitable and sustainable financing by substantially increasing national budget allocations for health, and continue to improve the availability and accessibility of health services in all regions.⁷¹

62. The Special Rapporteur on health stated that the mental health system still contained elements of outdated models and practices, including easy and frequent hospitalization of people with mental health conditions, overmedication and long-term confinement based on labels such as “chronic patients”.⁷²

63. The Special Rapporteur on health noted that financial and other incentives needed to be in place to expand community-based services that empowered people with psychosocial or intellectual disabilities, integrated them into communities, supported their needs and fulfilled their right to live independently in society.⁷³

64. The Committee on the Rights of Persons with Disabilities recommended that the State ensure the availability and accessibility of health-care services and facilities for all persons with disabilities throughout the country, including emergency services and HIV/AIDS prevention, treatment, care and support programmes.⁷⁴

65. The Special Rapporteur on health recommended that the State introduce explicit provisions in the law, including in the Law on Medical Care, to protect the right to non-discrimination on the basis of health status, particularly tuberculosis and HIV status. He also recommended that the State address widespread misconceptions about HIV/AIDS through evidence-based public awareness, education and information campaigns.⁷⁵

66. The Committee on the Elimination of Discrimination against Women recommended that the State enhance women's access to basic health care and sexual and reproductive health services, in particular for rural women, women with disabilities and women from ethnic minorities, including by increasing allocations from the State budget to health care and the introduction of a mandatory health insurance system. It also recommended that the State ensure access to modern contraceptives and family planning services, as well as to safe abortion, for all groups of women.⁷⁶

67. The United Nations country team recommended that the State take steps to tackle the challenges affecting successful delivery of the school programme on sexual and reproductive health.⁷⁷

68. The Committee on the Elimination of Discrimination against Women recommended that the practice of sex-selective abortion be immediately halted.⁷⁸

69. The Committee against Torture recommended that the State improve access to and the quality of health care, including psychiatric care, for prisoners in all places of deprivation of liberty, including for prisoners serving life sentences, provide for adequate medical equipment, and increase the number of professional medical staff in all detention facilities and ensure their independence and impartiality.⁷⁹

5. Right to education⁸⁰

70. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that Armenia should be encouraged to improve the education environment by providing adequate funding for the maintenance and renovation of buildings, introducing up-to-date information and communications technology facilities, eliminating differences in the physical condition of educational institutions in urban and rural areas, and making the environment suitable for children with special educational needs.⁸¹

71. UNESCO stated that Armenia should be encouraged to continue efforts to improve access to education for all, with special attention given to children from socioeconomically disadvantaged families and those from migrant backgrounds.⁸²

72. The Committee on the Rights of Persons with Disabilities was concerned that, despite the increasing trend towards inclusive education, many children with disabilities remained in segregated educational settings. It was concerned about the lack of accessibility and reasonable accommodation for children with disabilities in mainstream schools, and the lack of sufficient support and training for administrative and teaching staff with regard to inclusive education. The Committee was further concerned about the absence of a comprehensive strategy to promote inclusive education in urban and rural areas.⁸³

73. The Committee on the Elimination of Discrimination against Women was concerned by the seasonal absences of girls from class owing to the labour migration of their parents.⁸⁴

74. The Office of the United Nations High Commissioner for Refugees (UNHCR) stated that refugee children and youth experienced difficulties in accessing secondary education. It recommended that the Government improve the access of asylum-seeking and refugee children and provide catch-up and language classes in order to ensure successful enrolment.⁸⁵

75. The Special Rapporteur on health reported that he had visited a number of primary and secondary schools and that through conversations with teachers and children he had been able to see that more effort was needed to ensure awareness of issues such as bullying.⁸⁶

D. Rights of specific persons or groups

1. Women⁸⁷

76. The Committee on the Elimination of Discrimination against Women remained concerned about persistently low levels of participation of women at the highest levels of decision-making, such as in the National Assembly, the Government, regional and local municipalities, the judiciary and the foreign service, as well as in mechanisms for the prevention, management and resolution of conflict.⁸⁸

77. The Committee on the Elimination of Discrimination against Women recommended that the State introduce mandatory education on gender equality, women's rights and gender-based violence in school curricula at the primary and secondary levels, as well as in legal training. It also recommended that the State continue to review all school textbooks to eliminate discriminatory gender stereotypes.⁸⁹

78. The Committee against Torture remained concerned that domestic violence was still prevalent and often went unreported owing to entrenched gender stereotypes justifying such violence and the lack of due diligence on the part of law enforcement officials in pursuing cases. It recommended that the State strengthen its efforts to prevent and combat domestic violence, including by adopting without undue delay a law criminalizing domestic violence and ensuring its effective implementation. It also recommended that all cases of domestic violence be promptly and thoroughly investigated, that perpetrators be prosecuted and, if convicted, punished with effective and dissuasive sanctions, and that victims have access to means of protection and redress, including sufficient, safe and adequately funded shelters as well as access to medical, social, legal and other support services.⁹⁰

79. The Committee on the Elimination of Discrimination against Women remained concerned about the persisting option to deviate from the legal age for marriage on cultural, ethnic and other grounds, and recommended that the State remove the possibility of approving exceptions to the minimum age of marriage at 18 years.⁹¹

80. The Committee on the Elimination of Racial Discrimination remained concerned at reports that child marriage remained frequent in the Yazidi community and that rates of unregistered marriages were high.⁹²

2. Children⁹³

81. The United Nations country team noted that institutionalization of children remained the key option for alternative care of children, which increased their risk of being subjected to ill-treatment and violence. It recommended that the State increase the allocation of resources to alternative care services, and improve the cooperation among all social services to prevent reinstitutionalization of children.⁹⁴

82. The Special Rapporteur on sale of children noted with concern that there were no oversight mechanisms to monitor the situation of children placed in residential institutions, foster families, adoption, or under guardianship or trusteeship.⁹⁵

83. The Special Rapporteur on sale of children recommended that the Government adopt the legislative measures necessary to prohibit all forms of violence against children in all settings, create a child-sensitive justice system, and ensure the right to care, recovery and rehabilitation of child victims.⁹⁶

84. The Committee against Torture recommended that the State consider establishing an effective, specialized and well-functioning juvenile justice system, in compliance with international standards. It also recommended that the State abolish the solitary confinement of juveniles as a disciplinary measure, both in law and in practice.⁹⁷

85. The Special Rapporteur on sale of children noted that cases of child sexual abuse and exploitation were not systematically reported, investigated and prosecuted. She noted that sociocultural factors played an important role in underreporting. Legislative gaps, the absence of child-friendly identification and reporting, and the lack of awareness and specialized training of prosecutors who dealt with crimes of sale and sexual exploitation of children also considerably affected the effective prosecution of cases.⁹⁸

86. The ILO Committee of Experts requested the Government to strengthen the inspection services in order to improve their capacity to detect cases of child labour.⁹⁹

3. Persons with disabilities¹⁰⁰

87. The United Nations country team noted that a large-scale United Nations Children's Fund (UNICEF) study in Armenia had revealed that children with disabilities faced strong disadvantages in accessing kindergartens, schools, and health and rehabilitation services. Service provision outside Yerevan remained a major issue in the absence of a State policy for service provision and in view of the lack of funds, lack of professional staff (and of incentives for bringing those staff to the regions), and lack of equipment and of assistive technology.¹⁰¹

88. The Special Rapporteur on health recommended that the State develop a comprehensive infrastructure of health care and educational and social welfare services for

children with developmental disabilities and mental health conditions, so that those children and their families received all the services they needed at the community level, to prevent their placement in institutional care and the excessive use of biomedical interventions.¹⁰²

89. The Committee on the Rights of Persons with Disabilities was concerned at reports on the institutionalization of a high number of children with disabilities in orphanages and residential special schools, including their transinstitutionalization from one institution to another under the guise of deinstitutionalization, and the continuing investment in such institutions. It recommended that the State prioritize the deinstitutionalization of all children with disabilities and their resettlement in family settings, including by promoting foster care and providing appropriate community-based support to parents.¹⁰³

90. The Committee on the Rights of Persons with Disabilities recommended that the State adopt legal measures and allocate sufficient resources for the development of support services, including personal assistance, that would facilitate the independent living of all persons with disabilities in the community.¹⁰⁴

91. The Committee on the Rights of Persons with Disabilities recommended that the State prohibit and criminalize all forms of violence and abuse against children with disabilities in all settings, including in the home and residential institutions.¹⁰⁵

92. The Committee on the Rights of Persons with Disabilities recommended that the State implement effective legal, policy and practical measures to address gender-based violence against women with disabilities, particularly those living in institutions; prevent and investigate violations of their human rights and prosecute and punish those responsible; and ensure that those affected have access to immediate protection and accessible support services, including reasonable accommodation in mainstream services and shelter facilities, as well as means of redress.¹⁰⁶

93. The Committee on the Elimination of Discrimination against Women was preoccupied by the situation of economic dependency that women with disabilities faced, putting them at risk of situations of violence.¹⁰⁷

94. The Committee on the Rights of Persons with Disabilities was concerned about the overall lack of accessibility for persons with disabilities and recommended that the State remove all barriers to access to buildings and public services.¹⁰⁸

95. The Committee on the Rights of Persons with Disabilities was concerned that accessibility of information and communication was very limited for persons with disabilities. It recommended that the State invest in the systematic training of sign language interpreters and provide sign language interpretation in public and private services, and ensure that television programmes were duly interpreted and subtitled for persons with hearing impairment. It also recommended that the State adopt accessible information and communication formats and technologies that were appropriate for persons with disabilities – including web accessibility, Braille, and Easy Read and plain formats, in relation to all public services.¹⁰⁹

96. The Committee on the Rights of Persons with Disabilities recommended that the State take the legal and other measures necessary to enable the political and public participation of all persons with disabilities, including with respect to their right to vote and stand for elections.¹¹⁰

97. The Committee on the Rights of Persons with Disabilities was concerned about the limited access and participation of persons with disabilities, including children with disabilities, especially those living in rural areas, with respect to sports and cultural activities and events.¹¹¹

4. Minorities¹¹²

98. The Committee on the Elimination of Racial Discrimination recommended that the State review the quota system so as to allow for greater representation of minorities in the National Assembly. It also recommended that the State include representatives of minority groups in the public administration, the police and the judiciary.¹¹³

99. The Committee on the Elimination of Discrimination against Women recommended that the State take all appropriate measures, including temporary special measures, where needed, to combat all forms of discrimination against women belonging to ethnic minorities so as to ensure their equal access to justice, education, health, social security and social services, housing and employment.¹¹⁴

5. Migrants, refugees and asylum seekers¹¹⁵

100. UNHCR noted challenges and delays with the registration of asylum applications, in particular asylum requests referred from penitentiary establishments; the absence of a mechanism of identification of persons with specific needs during registration and of a system of prioritization of assessment of their asylum applications and timely referral to available psychosocial protection mechanisms; and a lack of continuous training opportunities for refugee status determination specialists and public defenders.¹¹⁶

101. UNHCR recommended that the Government ensure that all possible alternatives to detention were considered prior to resorting to detention; that it ensure that detention of asylum seekers was only used as a measure of last resort and for as short a period as possible, and only after an individual determination that detention was necessary, reasonable and proportionate to a legitimate purpose; and that it prohibit the detention of children for immigration-related reasons in law and in practice, including for unaccompanied and separated children and accompanied children.¹¹⁷

102. The Committee against Torture recommended that the State ensure that the exemption from criminal responsibility for irregular border crossing for refugees and asylum seekers was strictly enforced in practice, and that it refrain from detaining refugees and asylum seekers on this ground.¹¹⁸

103. The Committee on the Elimination of Discrimination against Women recommended that the State ensure an appropriate number of reception facilities for migrants and asylum seekers, allowing for safe accommodation of women.¹¹⁹

104. The United Nations country team stated that persons under the mandate of UNHCR, especially those with disabilities, lesbian, gay, bisexual, transgender and intersex persons, and persons with a different religious background and who were not of Armenian origin, experienced obstacles in accessing the labour market, finding housing and covering their basic needs. The lack of awareness by service providers, including by providers of health, financial and social services, added further obstacles to their access to the services.¹²⁰

6. Stateless persons

105. UNHCR recommended that the Government develop and adopt comprehensive legislation to set out the rights and obligations of stateless persons, establish a formal statelessness status determination procedure to identify stateless persons within its territory, and ensure the issuance of identity documents to all stateless persons in the country.¹²¹

Notes

¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Armenia will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/AMIndex.aspx.

² For relevant recommendations, see A/HRC/29/11, paras. 120.1–120.26 and 120.45–120.46.

³ CAT/C/ARM/CO/4, para. 49.

⁴ CERD/C/ARM/CO/7-11, para. 18; CEDAW/C/ARM/CO/5-6, para. 53; and A/HRC/41/41/Add.4, para. 135 (a).

⁵ A/HRC/41/41/Add.4, para. 135 (a). See also A/HRC/38/36/Add.2, para. 111 (a).

⁶ A/HRC/38/36/Add.2, para. 111 (a); A/HRC/31/58/Add.2, para. 71 (e); CRPD/C/ARM/CO/1, para. 6 (d); CAT/C/ARM/CO/4, para. 48; CERD/C/ARM/CO/7-11, para. 25; and CED/C/ARM/CO/1, para. 8.

⁷ CRPD/C/ARM/CO/1, para. 10 (e); CEDAW/C/ARM/CO/5-6, para. 17 (b); A/HRC/31/58/Add.2, para. 71 (d); and United Nations country team submission for the universal periodic review, p. 4.

⁸ A/HRC/31/58/Add.2, para. 71 (d).

⁹ CRPD/C/ARM/CO/1, para. 54.

- ¹⁰ United Nations country team submission, p. 1.
- ¹¹ For relevant recommendations, see A/HRC/29/11, paras. 120.27–120.33, 120.44, 120.48–120.52, 120.55–120.56, 120.82, 120.84, 121.1 and 121.7.
- ¹² CERD/C/ARM/CO/7-11, para. 6. See also CEDAW/C/ARM/CO/5-6, paras. 8–9; and United Nations country team submission, pp. 2–3.
- ¹³ CRPD/C/ARM/CO/1, para. 8 (a)–(b).
- ¹⁴ CEDAW/C/ARM/CO/5-6, paras. 44–45.
- ¹⁵ CERD/C/ARM/CO/7-11, para. 12.
- ¹⁶ *Ibid.*, para. 9.
- ¹⁷ CERD/C/ARM/CO/7-11, paras. 7–8. See also CED/C/ARM/CO/1, para. 10.
- ¹⁸ CAT/OP/ARM/2, paras. 29 and 36.
- ¹⁹ For relevant recommendations, see A/HRC/29/11, paras. 120.43, 120.47, 120.72, 120.79–120.81, 120.83, 120.85–120.86 and 121.2.
- ²⁰ CERD/C/ARM/CO/7-11, paras. 11–12.
- ²¹ CEDAW/C/ARM/CO/5-6, para. 14.
- ²² CRPD/C/ARM/CO/1, paras. 7 and 13.
- ²³ A/HRC/41/41/Add.4, para. 112.
- ²⁴ *Ibid.*, para. 135 (d).
- ²⁵ United Nations country team submission, p. 8.
- ²⁶ For relevant recommendations, see A/HRC/29/11, paras. 120.87–120.98 and 121.3.
- ²⁷ CAT/C/ARM/CO/4, paras. 17–18. See also the United Nations country team submission, p. 5.
- ²⁸ CAT/C/ARM/CO/4, para. 21.
- ²⁹ *Ibid.*, para. 9.
- ³⁰ CED/C/ARM/CO/1, para. 19 (b).
- ³¹ CAT/C/ARM/CO/4, para. 12.
- ³² *Ibid.*, paras. 15 and 16 (a).
- ³³ *Ibid.*, paras. 26 and 30.
- ³⁴ A/HRC/38/36/Add.2, para. 93.
- ³⁵ CRPD/C/ARM/CO/1, para. 25.
- ³⁶ For relevant recommendations, see A/HRC/29/11, paras. 120.126–120.135 and 120.145.
- ³⁷ United Nations country team submission, p. 4.
- ³⁸ CAT/C/ARM/CO/4, para. 8.
- ³⁹ *Ibid.*, para. 14.
- ⁴⁰ *Ibid.*, para. 21. See also A/HRC/41/41/Add.4, paras. 55, 58 and 136 (f).
- ⁴¹ CERD/C/ARM/CO/7-11, paras. 13–14.
- ⁴² For relevant recommendations, see A/HRC/29/11, paras. 120.139–120.144, 120.146–120.155, 121.8 and 121.10.
- ⁴³ A/HRC/41/41/Add.4, para. 111.
- ⁴⁴ *Ibid.*, para. 78.
- ⁴⁵ *Ibid.*, paras. 73 and 136 (g). See also CAT/C/ARM/CO/4, para. 23.
- ⁴⁶ For relevant recommendations, see A/HRC/29/11, paras. 120.119–120.125.
- ⁴⁷ CEDAW/C/ARM/CO/5-6, paras. 18 (a) and 19 (a).
- ⁴⁸ For relevant recommendations, see A/HRC/29/11, paras. 120.137–120.138.
- ⁴⁹ A/HRC/38/36/Add.2, paras. 99 and 105.
- ⁵⁰ For the relevant recommendation, see A/HRC/29/11, para. 120.159.
- ⁵¹ CRPD/C/ARM/CO/1, para. 47. See also the United Nations country team submission, p. 3.
- ⁵² CEDAW/C/ARM/CO/5-6, para. 24.
- ⁵³ United Nations country team submission, p. 4.
- ⁵⁴ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298519:NO. See also CEDAW/C/ARM/CO/5-6, para. 25 (a).
- ⁵⁵ CEDAW/C/ARM/CO/5-6, para. 25 (d).
- ⁵⁶ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3300897:NO. See also CEDAW/C/ARM/CO/5-6, paras. 24–25 (e).
- ⁵⁷ A/HRC/41/41/Add.4, para. 119.
- ⁵⁸ *Ibid.*, paras. 117 and 137 (g).
- ⁵⁹ United Nations country team submission, p. 6.
- ⁶⁰ *Ibid.*
- ⁶¹ CRPD/C/ARM/CO/1, para. 49.
- ⁶² For relevant recommendations, see A/HRC/29/11, paras. 120.161 and 120.163.
- ⁶³ United Nations country team submission, p. 6.
- ⁶⁴ *Ibid.*, p. 8.
- ⁶⁵ *Ibid.*, p. 6.
- ⁶⁶ *Ibid.*

- ⁶⁷ A/HRC/31/58/Add.2, paras. 22–23.
- ⁶⁸ CRPD/C/ARM/CO/1, para. 11 (b).
- ⁶⁹ For relevant recommendations, see A/HRC/29/11, paras. 120.162 and 120.164–120.165.
- ⁷⁰ A/HRC/38/36/Add.2, para. 29.
- ⁷¹ Ibid., para. 111 (c).
- ⁷² Ibid., para. 65.
- ⁷³ Ibid., para. 68.
- ⁷⁴ CRPD/C/ARM/CO/1, para. 44 (b). See also the United Nations country team submission, p. 8.
- ⁷⁵ A/HRC/38/36/Add.2, para. 111 (f)–(g).
- ⁷⁶ CEDAW/C/ARM/CO/5-6, para. 27 (b)–(c).
- ⁷⁷ United Nations country team submission, p. 9.
- ⁷⁸ CEDAW/C/ARM/CO/5-6, para. 29. See also A/HRC/731/58/Add.2, para. 24; and the United Nations country team submission, p. 3.
- ⁷⁹ CAT/C/ARM/CO/4, para. 30 (b).
- ⁸⁰ For the relevant recommendation, see A/HRC/29/11, para. 120.166.
- ⁸¹ UNESCO submission for the universal periodic review of Armenia, para. 11.
- ⁸² Ibid.
- ⁸³ CRPD/C/ARM/CO/1, para. 41.
- ⁸⁴ CEDAW/C/ARM/CO/5-6, para. 22.
- ⁸⁵ UNHCR submission for the universal periodic review of Armenia, pp. 4–5.
- ⁸⁶ A/HRC/38/36/Add.2, para. 61.
- ⁸⁷ For relevant recommendations, see A/HRC/29/11, paras. 120.53–120.54, 120.57–120.71, 120.73–120.77, 120.99–120.115 and 120.156–120.158.
- ⁸⁸ CEDAW/C/ARM/CO/5-6, para. 20 (a). See also the United Nations country team submission, p. 4.
- ⁸⁹ CEDAW/C/ARM/CO/5-6, para. 15 (d) and (f).
- ⁹⁰ CAT/C/ARM/CO/4, paras. 24–25. See also CEDAW/C/ARM/CO/5-6, paras. 16–17; A/HRC/31/58/Add.2, para. 71 (c); and the United Nations country team submission, p. 4.
- ⁹¹ CEDAW/C/ARM/CO/5-6, paras. 46 and 47 (b). See also the United Nations country team submission, p. 10.
- ⁹² CERD/C/ARM/CO/7-11, para. 23. See also CEDAW/C/ARM/CO/5-6, para. 40; and A/HRC/31/58/Add.2, para. 14.
- ⁹³ For relevant recommendations, see A/HRC/29/11, paras. 120.34–120.42, 120.116–120.118, 120.136, 121.4 and 121.6.
- ⁹⁴ United Nations country team submission, pp. 6–7.
- ⁹⁵ A/HRC/31/58/Add.2, para. 60.
- ⁹⁶ Ibid., para. 71 (b).
- ⁹⁷ CAT/C/ARM/CO/4, paras. 37 and 38 (a) and (d). See also the United Nations country team submission, p. 6.
- ⁹⁸ A/HRC/31/58/Add.2, para. 50.
- ⁹⁹ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3790870:NO.
- ¹⁰⁰ For relevant recommendations, see A/HRC/29/11, paras. 120.167–120.171.
- ¹⁰¹ United Nations country team submission, p. 3.
- ¹⁰² A/HRC/38/36/Add.2, para. 111 (l).
- ¹⁰³ CRPD/C/ARM/CO/1, paras. 11 (a) and 12 (a).
- ¹⁰⁴ Ibid., para. 32.
- ¹⁰⁵ Ibid., paras. 12 (d). See also CAT/C/ARM/CO/4, paras. 39–40.
- ¹⁰⁶ CRPD/C/ARM/CO/1, para. 10 (d).
- ¹⁰⁷ CEDAW/C/ARM/CO/5-6, para. 36.
- ¹⁰⁸ CRPD/C/ARM/CO/1, para. 16 (b).
- ¹⁰⁹ Ibid., paras. 35 and 36 (a)–(b).
- ¹¹⁰ Ibid., para. 52.
- ¹¹¹ Ibid., para. 53.
- ¹¹² For relevant recommendations, see A/HRC/29/11, paras. 120.78, 120.172–120.179 and 121.9.
- ¹¹³ CERD/C/ARM/CO/7-11, para. 22.
- ¹¹⁴ CEDAW/C/ARM/CO/5-6, para. 41.
- ¹¹⁵ For relevant recommendations, see A/HRC/29/11, paras. 120.160 and 121.5.
- ¹¹⁶ UNHCR submission, pp. 2–3. See also the United Nations country team submission, p. 7.
- ¹¹⁷ UNHCR submission, p. 4.
- ¹¹⁸ CAT/C/ARM/CO/4, para. 42 (a).
- ¹¹⁹ CEDAW/C/ARM/CO/5-6, para. 39 (c).

¹²⁰ United Nations country team submission, p. 7. See also the UNHCR submission, p. 4.

¹²¹ UNHCR submission, p. 5. See also the United Nations country team submission, p. 8.
