

## — Armenia and the European Social Charter —

### Ratifications

Armenia ratified the revised European Social Charter on 21/01/2004 and has accepted 67 of the 98 paragraphs.

It has not signed the Additional Protocol of 1995 providing for a system of collective complaints.

#### *Table of accepted provisions*

1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	2.5	2.6	2.7	3.1	
3.2	3.3	3.4	4.1	4.2	4.3	4.4	4.5	5	6.1	6.2	6.3	
6.4	7.1	7.2	7.3	7.4	7.5	7.6	7.7	7.8	7.9	7.10	8.1	
8.2	8.3	8.4	8.5	9	10.1	10.2	10.3	10.4	10.5	11.1	11.2	
11.3	12.1	12.2	12.3	12.4	13.1	13.2	13.3	13.4	14.1	14.2	15.1	
15.2	15.3	16	17.1	17.2	18.1	18.2	18.3	18.4	19.1	19.2	19.3	
19.4	19.5	19.6	19.7	19.8	19.9	19.10	19.11	19.12	20	21	22	
23	24	25	26.1	26.2	27.1	27.2	27.3	28	29	30	31.1	
31.2	31.3							Grey = Accepted provisions				

### The Charter in domestic law

Automatic incorporation into domestic law.

### Reports \*

Between 2006 and 2009, Armenia submitted 3 reports on the application of the revised Charter. The [3<sup>rd</sup> report](#) on the revised Charter on the accepted provisions of Thematic Group 2 "Health, social security and social protection" (Articles 3, 12, 13 and 14) was submitted on 21/05/2009.

The next report will concern the accepted provisions relating to Thematic Group 3 "Labour rights", i.e.

- . The right to just conditions of work (Article 2)
- . The right to a fair remuneration (article 4)
- . The right to organise (Article 5)
- . The right to collective bargaining (Article 6)
- . The right of workers' representatives to protection in the undertaking and facilities to be accorded to them (Article 28)

It is due by 31/10/2009.

\* [Under the new reporting system in effect since 31 October 2007](#), by decision of the Committee of Ministers, the provisions of both the 1961 Charter and the Revised Charter have been divided into four thematic groups. States are to present a report on the provisions relating to one of the four thematic groups on an annual basis. Consequently each provision of the Charter will be reported on once very four years.

## Situation of Armenia with respect to the application of the Charter

### Cases of non-conformity

#### *Thematic Group 1 "Employment, training and equal opportunities"*

► Article 15§2 – right of persons with disabilities to independence, social integration and participation in the life of the community (employment of persons with disabilities)

The effective protection of persons with disabilities against discrimination in employment has not been established.

[\(Conclusions 2008\)](#)

#### *Thematic Group 3 "Labour rights"*

► Article 4§4 – right to a fair remuneration (reasonable notice of termination of employment)

1. The period of notice and the amount of severance pay are not calculated in light of the employees' length of service.

2. One month is not a reasonable period of notice for employees with more than one year's service.

3. Employees who fail to fulfil or inadequately fulfil their obligations, employees in whom the employer has lost confidence or who are performing military service may be dismissed without notice.

[\(Conclusions 2007\)](#)

#### *Thematic Group 4 "Children, families, migrants"*

► Article 17§1 – right of children and young persons to social, legal and economic protection (assistance, education and training)

Corporal punishment of children within the family and alternative child care is not prohibited.

[\(Conclusions 2007\)](#)

**The European Committee of Social Rights has been unable to assess compliance with the following provisions and has invited the Armenian Government to provide more information in the next report:**

#### *Thematic Group 1 "Employment, training and equal opportunities"*

(Report to be submitted before 31 October 2011)

- Article 1§1 Conclusions 2008
- Article 1§2 Conclusions 2008
- Article 18§1 Conclusions 2008
- Article 18§2 Conclusions 2008
- Article 18§3 Conclusions 2008
- Article 20 Conclusions 2008

#### *Thematic Group 2 "Health, social security and social protection"*

(Report under examination by the European Committee of Social Rights – Conclusions to be published by the end of 2009)

- Article 3§1 Conclusions 2007

- ▶ Article 14§2 Conclusions 2007

*Thematic Group 3 "Labour rights"*

(Report to be submitted before 31 October 2009)

- ▶ Article 2§1 Conclusions 2007
- ▶ Article 2§4 Conclusions 2007
- ▶ Article 2§5 Conclusions 2007
- ▶ Article 4§2 Conclusions 2007
- ▶ Article 4§5 Conclusions 2007
- ▶ Article 22 Conclusions 2007
- ▶ Article 28 Conclusions 2007

*Thematic Group 4 "Children, families, migrants"*

(Report to be submitted before 31 October 2010)

- ▶ Article 8§2 Conclusions 2007
- ▶ Article 8§4 Conclusions 2007
- ▶ Article 8§5 Conclusions 2007
- ▶ Article 17§2 Conclusions 2007
- ▶ Article 27§1 Conclusions 2007
- ▶ Article 27§2 Conclusions 2007
- ▶ Article 27§3 Conclusions 2007

### **Activities in the country**

A training seminar in view of the submission of Armenia's next report under the revised Charter took place in Yerevan on 11-12 July 2007 within the framework of a Joint Programme between the Council of Europe and the European Commission.

A meeting on provisions of the revised Charter not accepted by Armenia was held in Yerevan on 29 September – 1 October 2008.