

Universal Periodic Review

(21st session)

Contribution of UNESCO to Compilation of UN information

(to Part I. A. and to Part III - F, J, K, and P)

Armenia

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i> <i>dd/mm/yyyy</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>
Convention against Discrimination in Education (1960)	05/09/1993	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Notification of succession 05/09/1993			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Acceptance 18/05/2006			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Accession 27/02/2007			Right to take part in cultural life

II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

Constitutional Framework:

2. **The Constitution of Armenia 2005¹** prescribes that “everyone shall have a right to education. Basic general education shall be compulsory except the cases prescribed by law. The law may establish a higher level of compulsory education. The secondary education in state educational institutions is free of charge. [...]”(Art. 39).

3. According to **art. 89 (5)**, “the Government shall [...] implement state policies in the areas of science, education, culture, health, social security and environmental protection”.

4. “Everyone is equal before the law. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or other personal or social circumstances shall be prohibited” (**Art. 14.1**).

5. “Persons belonging to national minorities have the right to preservation and development of their traditions, religion, language and culture” (**Art. 41**).

Legislative Framework:

6. The Armenian legislative framework is composed of:

- a) The **Law “On education” 1999²**, “*stipulates the new structure of the education system [...]*.”³ It also ensures the right to education without any discrimination (art. 6) as well as the right of parents of children with special needs to choose their education (art.19).
- b) “The **Law on Preschool Education** was adopted in 2005 with the purpose of streamlining the legal, organizational and financial foundations for operating and developing pre-schools.”⁴
- c) “The **Law on [Primary] (Vocational) and Middle Level Professional Education⁵** adopted in July 2005 and the corresponding Strategy were developed with the

¹ <http://www.parliament.am/legislation.php?sel=show&ID=1271&lang=eng>,
<http://www.unesco.org/education/edurights/media/docs/a19b08c9615e9af1a161cde2583cad2ed66c6ea8.pdf>

² <http://www.unesco.org/education/edurights/media/docs/00fd823abe2bad16343cb0a5ecf4fd3f52196741.pdf>

³ IBE, World Data on Education, 7th ed., 2010-2011, Armenia, p. 3,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Armenia.pdf,
Accessed on 19/02/2014

⁴ IBE, World Data on Education, 7th ed., 2010-2011, Armenia, p. 3,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Armenia.pdf,
Accessed on 19/02/2014

objective of creating an efficient system of primary and secondary vocational education in order to train qualified specialists in line with the demands of the economy and the labour market.”⁶

- d) “The **Law on Education of Persons in Need of Special Education Conditions** was adopted in 2005.”⁷
- e) “The **Law of the Republic of Armenia on “Higher and Postgraduate Professional Education”** was adopted in 2004.”⁸[...] In accordance with this Law, “a move has been made from state order to scholarships and student stipend system.”⁹
- f) “The following principles are laid down in the **Law of the Republic of Armenia “On higher and post-graduate professional education”**: access to education according to each individual's capabilities, uninterrupted nature and consequentiality of the educational process, competitiveness, transparency, publicity, etc.”¹⁰
- g) “The **Law of the Republic of Armenia of 2005 “On state inspectorate for education”** and the **Law of the Republic of Armenia of 2009 “On general education”** were adopted for the purpose of implementing the state policy in the field of general education, **ensuring the quality and access to education** as well as improving the legislative framework of education. [...]”¹¹
- h) “In 2005, the Government adopted **Act on Education of People with Special Needs.**”¹²
- i) “In 2011, the National Assembly of the Republic of Armenia adopted the RA **Law On education development 2011-2015 State programme,** which is based on

⁵<http://www.unesco.org/education/edurights/media/docs/88e2ed9dfd24ebf89daa9c1b49beae5af75378ab.pdf>

⁶ IBE, World Data on Education, 7th ed., 2010-2011, Armenia, p. 3, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Armenia.pdf, Accessed on 19/02/2014

⁷ IBE, World Data on Education, 7th ed., 2010-2011, Armenia, p. 3, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Armenia.pdf, Accessed on 19/02/2014

⁸ The Development and State of the Art of Adult Learning and Education, National Report of the Republic of Armenia, 2008, p. 4, http://www.unesco.org/fileadmin/MULTIMEDIA/INSTITUTES/UII/confintea/pdf/National_Reports/Europe%20-%20North%20America/Armenia.pdf, Accessed on 20/02/2014

⁹ Armenia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 14

¹⁰ Armenia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 22

¹¹ Armenia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 2

¹² Armenia, Inclusive Education: The way of future, Third Workshop of the IBE Community of Practice, Commonwealth of Independent States (CIS), 2007, p. 3, http://www.ibe.unesco.org/fileadmin/user_upload/Inclusive_Education/Reports/minsk_07/armenia_inclusion_07.pdf, Accessed on 20/02/2014

strategic programmes and development concepts in the area of education [...]. Particularly, the programmes set the following as its objectives:

- 1. To raise access to education at all levels; to create equal opportunities for quality education for all in line with his or her preferences and abilities, [...]*
- 2. To improve quality of education bringing it into compliance with internationally recognised standards and by ensuring that the society and business community is content with educational services, [...]*
- 3. To ensure progressive growth of allocations from state budget to education and effective application mechanisms thereof [...].”¹³*

j) According to the **Law of the Republic of Armenia “On language”**: “Public education and upbringing in the national minorities’ communities of the Republic of Armenia may be organised in their native language in compliance with the state programme and under state sponsorship, by compulsory teaching of the Armenian language.”¹⁴

Policy Framework:

7. “Educational programmes implemented in the Republic of Armenia are the following:

- a) **General education programmes** (basic and supplementary); [...]
- b) **Professional or vocational education programmes** (basic and supplementary) [...] which include :
 - **Primary vocational (handicraft) education programmes**
 - **Programmes in middle-level vocational education.”¹⁵**
 - “In the year 2000 the government approved the **Regulations for educational activities, licensing and state accreditation of middle and higher professional education institutions and their professions**. These documents regulate the activities of non-state educational institutions and other educational organizations in order to ensure the quality of the educational services provided.”¹⁶
- c) “Since 2003 the **Poverty Reduction Strategic Program (PRSP)** is acting in the Republic of Armenia and in 2007 the process of its elaboration and amendment started. One of the chapters of PRSP is totally devoted to the field of

¹³ Armenia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, pp. 10-11

¹⁴ Armenia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, pp. 27-29

¹⁵ Armenia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 11

¹⁶ IBE, World Data on Education, 7th ed., 2010-2011, Armenia, p. 3,

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Armenia.pdf,

Accessed on 19/02/2014

education.”¹⁷In 2008, “the fund ‘**National Centre for providing quality of professional education**’ was created.”¹⁸

- d) “In 2006, by Government decision, an agenda of Bologna Processes principles’ implementation activates in Tertiary education system was adopted (Republic of Armenia, 2006b), with the objective of becoming a full member of the European Higher Education Area. Therefore, Armenian **Tertiary education reforms** are largely guided by the ratification in 2004 of Lisbon 1997 Convention concerning the recognition of qualifications relating to Tertiary education in the European area and the Bologna Process principles. [...] A **diploma supplement** recommended by Council of Europe and UNESCO in all State and accredited Tertiary education institutions has been mandatory introduced since 2006-2007 academic years.”¹⁹“In 2004 the Government approved ‘**The Strategy of Preliminary (Craftsmanship) and Middle Professional Education and Training**’.”²⁰
- e) “In 2006 the Government has approved the “**Concept Paper on Non-formal Education of Armenia**” which defines and regulates the basic legal and organizational provisions and directions of non-formal education in the Republic of Armenia.”²¹ The **procedure for “Expulsion /Removal/ and Restoration of Students at Higher Education Institutions”** was approved in 2011. [...] The “**Concept Paper on Lifelong Learning**” was approved by the Government of the Republic of Armenia in 2009.
- f) “[...] Since 2007 ‘Social Science’ program, which includes ‘**Human rights**’ and ‘**Civilian Education**’ components, has been implemented in the secondary schools [...].”²²

¹⁷ The Development and State of the Art of Adult Learning and Education, National Report of the Republic of Armenia, 2008, p. 8,

http://www.unesco.org/fileadmin/MULTIMEDIA/INSTITUTES/UII/confintea/pdf/National_Reports/Europe%20-%20North%20America/Armenia.pdf, Accessed on 20/02/2014

¹⁸ Armenian Report for the 4th Consultation on the implementation of the UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms, p. 2

¹⁹ Arayik Navoyan, Tertiary Education Reform in Armenia, <http://unesdoc.unesco.org/images/0021/002121/212196e.pdf>

²⁰ The Development and State of the Art of Adult Learning and Education, National Report of the Republic of Armenia, 2008, p. 4,

http://www.unesco.org/fileadmin/MULTIMEDIA/INSTITUTES/UII/confintea/pdf/National_Reports/Europe%20-%20North%20America/Armenia.pdf, Accessed on 20/02/2014

²¹ Ibid, p. 6

²² Armenian Report for the 4th Consultation on the implementation of the UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms, p. 2

Cooperation:

8. Armenia is **party** to the 1960 UNESCO Convention against Discrimination in Education since 05/09/1993.
9. Armenia **did not report** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:
- **Sixth Consultation** of Member States (covering the period 1994-1999),
 - **Seventh Consultation** of Member States (covering the period 2000-2005).
10. However, Armenia **did report** to UNESCO within the framework of the **Eighth Consultation** of Member States (covering the period 2006-2011).
11. Armenia **reported** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:
- a) **Fourth Consultation** of Member States (covering the period 2005-2008),
 - b) **Fifth Consultation** of Member States (covering the period 2009-2012).
12. Armenia **did not report** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the **First Consultation** of Member States (1993). However, Armenia **did report** to UNESCO within the framework of the **Second Consultation** of Member States (2011).
13. Armenia is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

Constitutional and Legislative Framework:

14. Freedom of expression is guaranteed under Article 27 of the Armenian Constitution (1995).^{23,24}
15. The media is regulated under Law on the Dissemination of Mass Information (2003).²⁵ Article 4 of the Law stipulates: “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.
16. The Law on Television and Radio Broadcasting (2000) establishes the National Commission of Television and Radio Company, an independent body with the status of a state enterprise that has mandates to license and monitor private television and radio

²³ <http://www.parliament.am/parliament.php?id=constitution>

²⁴ <http://www.parliament.am/parliament.php?id=constitution&lang=eng>

²⁵ <http://www.parliament.am/legislation.php?sel=show&ID=1890&lang=eng>

companies.²⁶ Article 15 of the Law states that “sponsorship of television and radio broadcasting is a direct or indirect financial investment of physical and legal entities aimed at increasing the quality of programs and their process of preparation” and the same Article also prohibits sponsorships by political parties and religious organizations²⁷.

17. Armenia partly decriminalized defamation in May 2010²⁸, removing imprisonment from the list of penalties. However, Section 333 of the Criminal Code which stipulates that “false crime reporting” which is consciously provided false information is still punishable up to two years in prison. Individuals found guilty of defamation also face a high monetary fine of up to US\$8,000 which can be financially ruinous for some.

18. Armenia passed the Law on Freedom of Information in 2003.

19. In March 2014, a draft amendment²⁹ was submitted to the Armenian Parliament to amend the Civil Code Article 1087.1 which would place the responsibility on the media for contents generated by users including comments. The draft which was meant as a measure to fight the spread of defamatory remarks and insults online is ambiguous in its wordings and definitions and contains parts that are not feasible including identification of users’ identity.

Media Self-Regulation:

20. Media self-regulation mechanisms exist in the country and are provided through, *inter alia*, the Armenia Press Council, the Media Ethics Observatory³⁰, Journalists Union of Armenia and Yerevan Press Club³¹.

Safety of Journalists:

21. UNESCO recorded no killing of journalists in Armenia between 2008 and 2012³².

²⁶ The law of the republic of Armenia on Television and Radio Broadcasting.
<http://www.parliament.am/legislation.php?sel=show&ID=1464&lang=eng> (accessed 14/01/2014).

²⁷ The law of the republic of Armenia on Television and Radio Broadcasting.
<http://www.parliament.am/legislation.php?sel=show&ID=1464&lang=eng> (accessed 14/01/2014).

²⁸ Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Armenia from 18 to 21 January 2011 (Strasbourg: CoE, 9 May 2011).

<https://wcd.coe.int/ViewDoc.jsp?id=1784273> (accessed 14/01/2014).

²⁹ <http://parliament.am/drafts.php?sel=showdraft&DraftID=33026&lang=arm&enc=armscii>

³⁰ http://www.ypc.am/self_regul/ln/en

³¹ Ibid.

³² UNESCO, UNESCO Condemns Killing of Journalists.

<http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/press-freedom/unesco-condemns-killing-of-journalists/> (accessed 14/01/2014).

III. RECOMMENDATIONS

Right to education

22. Recommendations made within the framework of the Working Group on the Universal Periodic Review in 2010³³

23. The following recommendations formulated during the interactive dialogue/listed below enjoy the support of Armenia which considers that they are already implemented or in the process of implementation:

- i) A - 93.25. Intensify efforts to prevent and combat violence against children, including **corporal punishment** (Brazil); adopt specific legislation punishing violence against children, including the prohibition of corporal punishment; move forward in taking the measures necessary for the **registration** of the highest possible number of births; support educational policies aimed at enabling girls to continue their education and eliminating **stereotypes** regarding gender roles; initiate awareness-raising programmes, particularly in rural areas, in order to change the tendency to value child labour more than education, and encourage access for **minority** children to education in their mother tongue (Uruguay);
- ii) A - 93.30. Take the measures necessary for the in-service training of the judges regarding judicial improvements on issues of human rights (Turkey); set up training programmes on human rights for police officers (Italy); **strengthen human rights education** provided to the police, prison staff and the military (Czech Republic);
- iii) A - 93.41. Continue its efforts in these fields to improve access to education and health and to promote the **rights of women and children** (Lebanon);
- iv) A - 93.42. Continue to implement programmes aimed at guaranteeing **quality education** and health services to its population, at all levels (Cuba);
- v) A - 93.47. Ensure that children belonging to all minority groups have equal access to education (Austria); adopt measures to ensure access for minority groups, especially children, to education in their mother tongue (Azerbaijan);
- vi) A - 93.48. Continue to promote human rights education in school curriculums at all levels (Djibouti);
- vii) A - 93.51. Continue the consistent and successful policy aimed at ensuring the rights of all **national minorities** residing in the country, as well as support for their social, educational, informational and cultural needs (Belarus).

24. Analysis: Armenia adopted various laws and strategies to ensure quality and access to education and to abide by European Union criteria. Human rights education has been included into programmes and manuals. In addition, a number of measures have been taken to provide inclusive education, in terms both of languages and physical access. Though Armenia laws prohibit discrimination on ground of gender or nationality, measures taken to

enforce this right are not sufficient enough. Also, despite Family Code's prohibition, corporal punishment subsists in some institutions.

25. **Specific recommendations for the second UPR cycle on the right to education:**

- 25.1 Armenia is encouraged to continue to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.
- 25.2 Armenia is further encouraged to pursue its efforts to ensure gender equality.
- 25.3 Armenia is encouraged to take further measures to prohibit harmful practices in education.
- 25.4 Armenia could be encouraged to remove financial barriers and to foresee additional expenditure to ensure free secondary education.
- 25.5 Armenia could be encouraged to take further measures targeting those in need or living in rural areas.
- 25.6 Armenia could be encouraged to take additional measures to improve teachers' conditions.

Freedom of opinion and expression

26. Armenia is recommended to review the draft amendment to the Civil Code Article 1087.1 submitted to the Parliament to ensure that it is in accordance with international standards promoting freedom of expression.

27. Armenia is recommended to fully decriminalize defamation and to place it within the civil code in accordance with the international standards.

Cultural rights

28. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003), the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), 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.

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

29. With regard to contribution of science and technology to development, Armenia, following up to its report submitted in 2012, is further encouraged to continue reporting to UNESCO within the framework of the on-going consultations with Member States on the monitoring of the implementation and the proposed revision of the 1974 Recommendation on

the Status of Scientific Researchers, in particular on the measures undertaken in the country to implement such principles of the Recommendation as the obligation of state authorities to ensure that scientific researchers have the responsibility and the right to work in a spirit of intellectual freedom; to participate in the determination of the aims, content and methods of research, which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; to creativity, occupational mobility, international cooperation for furtherance of international peace, cooperation and understanding, etc.