



**United Nations Armenia Country Team Report prepared in accordance with paragraph  
15(B) of resolution 5/1 of the HR Council  
For the Third Universal Periodic Review of the Republic of Armenia**

**I. INTRODUCTION**

This report is a joint undertaking of the United Nations Country Team (UNCT) in Armenia for the period of second half of 2015 to mid-2019. It does not aim to be exhaustive but highlight the main issues, which are addressed by the UNCT in the country through Agencies' mandates. UNDP, UNICEF, UNHCR and WFP have contributed to this report.

To strengthen its coordinated work in the HR sector and in particular in the UPR process UN Armenia Office continued the coordination through the interagency HR/UPR WG established in 2013 and supported broad consultations on the Report of the Working Group on the Universal Periodic Review\* Armenia. The awareness raising seminars on UPR conducted for the CSOs and media in 2013-15 resulted in more active participation of CSOs in the UPR follow-up processes. Thematic WG of more than 60 CSOs were established and coordinated by Open Society Foundations in close cooperation with UNDP and UPR-Info.

**II. BACKGROUND AND FRAMEWORK**

**Scope of international obligations:** Since independence in 1991, Armenia became a signatory and has ratified more than 50 main International HR Conventions and Protocols. In the period between the second and third cycles of UPR (and by the time of submission of this report of June 2019), Armenia in 2018 signed the Council of Europe (CoE) Convention on Preventing and Combating Violence against Women and Domestic Violence; ratification of the UN Convention on Protection of the Rights of All Migrant Workers and Members of Their Families is still pending.

At the level of legislation, Armenia continues to be quite advanced, as the country has ratified most of the UN and regional (COE)HR instruments and brought legislation in conformity with them. There is an apparent disparity between the framework and practice, with evidence of serious HR abuses particularly in the area of rule of law, access to justice and fair trial, torture and ill-treatment, societal discrimination against vulnerable, women, girls and minority groups, complemented by unequal access to basic services. Citizens know little about their rights, and their trust and readiness to seek remedies were low and served as one of the main triggers for the rise of collective civic activism during the "velvet revolution" of May 2018.

Following peaceful protests with demand for stronger democratic governance, social justice and rule of law, expressed by many Armenian citizens, a transitional Government ascended to power in May 2018 until December 9, 2018 snap-elections. The Government announced its primary objective to undertake quick measures for a rights-based and inclusive policy formulation for the RA's development and reform agenda.

The expectation on the new Government for restoration of justice and rule of law through opening the traditionally unresponsive and opaque public institutions and bringing the services closer to people, are very high. However, there is still a deep mistrust by citizens and businesses toward judiciary as a consequence of lack of transparency and predictability of the judgments and application of the laws.

In general, awareness of International HR Instruments and the country's HR obligations is still very low among national institutions, including the judicial and law enforcement sectors. As a rule, the provisions of the UN HR Treaties are not referred to or applied in the court decisions.

**Constitutional and legislative framework:** Armenia's constitutional amendments provide for a republic with an elected head of state and a unicameral legislature, the National Assembly. According to the constitutional referendum of December 2015, the country was expected to transition gradually to a parliamentary republic by the end of the existing presidential term in 2018. Following the "velvet revolution" and change of Government in May 2018, the December 9 snap parliamentary elections, brought "My Step" coalition, led by acting Prime Minister from the Civil Contract party to power with 70 percent of the votes and an overwhelming majority of seats in the Parliament.

The 2015 Constitution gives larger scope and functions to the HR Defender's Office (HRDO, which is the NHRI of Armenia)to protect HR, including more reference to option and right for applying to international bodies to ensure protection of HR and freedoms. Thirdly, the Court of Cassation is called to "eliminate the fundamental violations of HR and freedoms".

“The Concept of Gender Policy in the Republic of Armenia” was approved by Government of the RA on February 11, 2010. Since then number of reforms were implemented covering also a big scope of legislative amendments. An important step was adoption of the Law on “Prevention of violence within the family, protection of victims of violence in family and restoration of peace in the family” on 8 December 2017.

#### **Institutional and HR infrastructure and policy measures:**

The NHRI, was established in 2004. Following the Constitutional amendments of 2015, a new Law on the HR Defender was adopted in December 2016 and entered into force in March 2017 significantly expanding HRDO mandate. The HRD is also acting as the National Preventive Mechanism (NPM).

In addition to the functions of the Monitoring Body on Child Rights under CRC (since 2016), the draft law on the Rights of PWDs and Social Inclusion envisages granting functions of the Monitoring Body for the rights of PWDs under CRPD to the HRDO. The office was re-accredited to A status in 2019.

*Policy measures:* Armenia’s National HR agenda is guided by National HR Strategy adopted in 2012, and the following two cycles of HR Action Plans of 2014-16, and 2017-19. This major framework document is complemented by Strategies and Action Plans in other thematic areas, such as justice, social inclusion, gender equality, child rights, migration and others. UNDP supports the Government in development of a new HR Strategy and Action Plan for 2019-2021 and putting in place a M&E mechanism for effective implementation of the National HR framework.

Starting late 2014, the Ministry of Labor and Social Affairs (MoLSA) developed a Policy Concept on Determining Disability based on Multi-Dimensional Assessment in line with WHO International Classification of Functioning, Disability and Health (ICF) which was approved by the Government and laid ground for comprehensive reform process.

The Government’s elaboration of HR Education Action Plan for the School System as an important HR achievement (supported by UNDP) stayed on Ministry of Education and Science agenda pending adoption for almost 6 years.

### **III. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND**

#### **Cooperation with HR mechanisms:**

In 2018, Armenia received the Report of the UN Special Rapporteur on the Right to Health following his visit in 2017. The UN Special Rapporteur on Freedom of Assembly and Association visited Armenia in October 2018, with Report received in June 2019.

The Government is in follow-up process on recommendations of 2016-17 reviews by CAT, CEDAW, CRPD and CERD. The issues of discrimination and necessity for adoption of standalone legal framework on non-discrimination, hate crime and hate speech was mentioned by three Treaty Bodies (CEDAW and CRPD, and CERD). The CRPD also called for a standalone law on the rights of PWDs, a HR-based concept of disability and disability determination focusing on the barriers and referring to individual requirements, will and preferences of the person with disability. CEDAW outlined GBV/DV, discrimination, labor rights and economic empowerment of women, right to health and reproductive rights.

In 2019 the Government expects the review by HR Committee on ICCPR, with periodic reports due to CESCR and CRC.

#### **Implementation of international HR obligations:**

##### **1. Equality and non-discrimination**

Armenia’s current legislative framework provides basic prohibition of discrimination in Armenia, it does not provide effective legal protection remedies for vulnerable groups. There is no comprehensive legislation on anti-discrimination. Adoption of a comprehensive standalone anti-discrimination law defining the concept and types of discrimination and putting in place prevention mechanisms are imperative actions as recommended by a number of UN HR Mechanisms and CoE reports.

**The Government started drafting the Law on Equality and non-discrimination in 2017. The Draft will be submitted to Parliament by fall-2019.**

*Recommendations:* (i) Ensure targeted and comprehensive outreach and awareness raising campaign upon adoption of the AD Draft Law to inform the public about their rights and mechanisms for protection; (ii) Ensure sufficient funding for mechanisms and bodies envisaged in the Law.

- (i) Rights of PWDs

**Achievements and best practices:** The Ministry of Labor and Social Affairs (MoLSA) with support of UNDP and UNICEF in the UN Partnership for the Rights of PWDs Project developed a Policy Concept on Determining Disability based on Multi-Dimensional Assessment in line with WHO International Classification of Functioning, Disability and Health (ICF) approved by the Government in January 2014. Since 2014 the new human-rights based model for disability assessment and determination is awaiting final approval by the Government. In 2017 The Government approved the National Strategy and Action Plan for 2017-2021 on Social Inclusion of PWDs. In 2016 The RA Government approved the Action Plan and timetable for implementing a universal inclusive education system to be in place by 2025.

**Main issues/gaps:** More than 180,000 people with disabilities live in Armenia today, including 8,000 children (*1% of the child population*). According to the WHO estimation on childhood disability the real number is higher and may reach up to 12,000, as in some cases children's disabilities are not registered. A large-scale study by UNICEF in Armenia revealed that children with disabilities face strong disadvantages in accessing kindergartens, schools, health and rehabilitation services. 18% of surveyed children do not attend schools, 71% do not attend kindergartens (80% in rural areas); only 23% of children with disabilities receive services envisaged by Individual Rehabilitation Plan (IRP); only 80% of children with disabilities are under the supervision of a pediatrician or family; and 27% of children with disabilities received a technical assisting device. Service provision outside Yerevan remains a major issue in absence of state policy for service provision, lack of funds, lack of professional staff (and incentives to bring this staff to the regions), lack of equipment and assistive technology.

People with disabilities are almost deprived of employment opportunities because of the limited or no possibility for physical access to the working space and no interest of the employers to hire them.

**Recommendations:** (i) Introduce a human-rights based model of disability assessment to comprehensively assess individuals and identify required services and support, (ii) Strengthen early identification and early intervention services, (iii) Expand early childhood development services to ensure all children are able to access services, , (iv) Promote multisectoral (health, education and social), integrated services of high in quality and cost-effective, (v) Create possibilities for children with disabilities to exercise their right and have access to services on community bases and live in a caring and supportive family environment, (vi) Expand inclusive preschool services to ensure that all children, including children with severe and multi-disability exercise their rights, (vii) Establish routine monitoring mechanism on the availability, access and affordability of services for persons/children with disabilities, (viii) Improve disaggregated data collection and cross-sectoral data management, (ix) Ensure an inclusive education system at all levels and lifelong learning to ensure that children/PWDs develop their personality, talents and creativity to their fullest potential, (x) Ensure that persons/children with disabilities receive the support required (including personal assistance), within the general education system, to facilitate their effective education, (xi) Promote Universal design of products, environments, programs and services, (xii) increase investment and efficiency of public spending on health, social protection and education, including improvement and disaggregation of budgetary data; (xiii) Strengthen HR and tolerance education in the school system through active application of the HR/tolerance curriculum.

#### (ii) Gender Equality

**Achievements and best practices:** Constitutional amendments of 2015 have had their positive effect, *inter alia*, on implementation of the gender policy. It explicitly declares equality of men and women. Following that, the Government has adopted the 2019-2021 National Programme and the Action Plan for implementation of the provisions of the Resolution N 1325 of the UN Security Council and signed the Istanbul Convention in 2018 (but not yet ratified). It has adopted the Law on Prevention of Violence within the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family. It has also approved the 2017-2019 Action Plan of the National Strategy on HR Protection.

In 2014, the Government adopted the decree on the need to adopt measures aimed at prevention of gender-biased sex selection and sex-selective abortions. In 2015, the Government developed and approved a programme to prevent gender-biased sex selection for 2015-2017. In June 2016, Parliament adopted the legislative amendment package presented by the Government that banned sex-selective abortions. A new programme for 2018-2022 is drafted, however due to political changes in 2018 the draft document should be revised and finalized.

**Main issues/gaps:** Even though the Electoral Code of 2016 sets gender quotas, women's participation still remains low. There are, currently, 132 elected parliament members, of which 32 or 24% are women. Participation of women in the government is low as well. For the last five years Armenia has had two (since 2019 one) female ministers in the government. Low representation is present in the deputy ministerial level as well, permeating lower levels of civil service. Gender imbalance is more visible at the local level. The first and only woman mayor was elected only in 2018. Overall, the imbalance in labour market leads to wage gap of 35.9 percent.

Stereotypes and stigma are one of the biggest challenges for the gender equality, which even lead to justification of gender-based violence and domestic violence. Challenges still remain in regard to protection and social support of victims of domestic violence. No referral was established, as well as no state-run shelters are functioning to provide assistance to DV victims.

The harmful practice of son preference (because of gender inequality and stereotypes) combined with access to advanced technologies that allow early identification of sex of the foetus has led to interference into the natural balance of the sexes at the time of birth, driving it up from the natural 106 boys per 100 girls to 111 to 100. While the decrease in sex ratio at birth from 114 boys to 100 girls in 2010 to 111 boys to 100 girls in 2017 is undoubtedly a success, persistent challenges need to be addressed.

**Recommendations:** (i) *Take action to ensure women's equal participation in the decision-making processes on the high level of public and state service, across all branches of power. Take action to address stereotypes to women's HR, gender equality and prevent GBV/DV.*

(ii) *Legislation, including criminal legislation, needs to be revised to meet international standards. Ratify the CoE Convention on Preventing and Combating Violence against Women and Domestic Violence.*

(iii) *Adopt the National Program and Action Plan to Prevent Gender-biased Sex Selection for 2019-2022, public awareness activities in society, including with health and medical sector and faith based organizations, on prevention of son preference and undervaluing of girls, as well as consequences of sex imbalances at birth.*

*More opportunities should be created for women to gain access to formal employment, including by promoting the equal sharing of domestic and family responsibilities between men and women, providing sufficient and adequate childcare facilities. A regulatory framework should be provided for the informal sector, including access of women in this sector to social protection, maternity protection and childcare support. Special attention should be paid to the needs of rural women, including access to basic services and infrastructure.*

## **2. Administration of justice, including impunity, and the rule of law**

### (i) Access to Justice

#### **Main issues/gaps:**

The constitution and laws provide for the right to a fair and public trial, but the judiciary largely lacked the independence to enforce this right. The legal framework provides for presumption of innocence but suspects usually did not enjoy this right. Defendants have the right to counsel of their own choosing, and the law requires the Government to provide them with a state guaranteed legal aid upon request as a guarantee for access to justice. A shortage of defense lawyers sometimes led to denial of this right outside of Yerevan. State-guaranteed free legal aid is still limited to criminal cases only and is provided only at the secondary level, leaving uncovered the primary consultations for the most vulnerable seeking for legal remedies. As stated in the Government Programme the main impediment to the independence of the judiciary in Armenia were the unlawful instructions issued to courts from the authorities. Another challenge is the case overload in courts, high number of cases per judge and low number of judges. Currently the Government in consultations with international partners is developing a comprehensive justice sector reform aiming at restoration of trust, access to quick and quality services, and in securing the necessary mechanisms and legal guarantees for access to justice and fair trial for the most vulnerable. , including renewal of the judiciary, the anti-corruption function of the judiciary and the effectiveness of the system of the administration of justice.

**Recommendations:** (i) *Organize a wide-ranging public information campaign about broader coverage of state guaranteed legal aid services, the campaign could be carried out in cooperation between the Chamber of Advocates and the Ministry of Justice, possibly involving other legal institutions as well. (ii) Adopt a separate law on state guaranteed free legal aid services, introducing quality control measures for legal aid services, results-based budgeting for the system, capacity development of the public defenders and expanding the scope and modalities of free legal-aid provision. (iii) Introduce alternative dispute resolution methods as a means to unburden the courts and guarantee quick access to services and legal remedies for the citizens.*

### (ii) Torture and other Cruel, Inhuman or degrading treatment and punishment

#### **Main issues/gaps:**

The law prohibits such practices and the definition of torture is brought in compliance with the UN CAT. There are reports that members of the security forces regularly tortured or otherwise abused individuals in their custody, and in 2018 Special Investigative Service launched a number of criminal cases relating to ill-treatment committed by the Police officers, official data and information on the outcomes of the cases was not made publicly available. CSOs continued to report allegations of torture and ill-treatment in the country; by mid-2018 71 cases were reported, out of which only one was sent to the court. According to HRNGOs, most victims did not report abuses due to fear of retaliation. Mistreatment occurred in police stations, which, unlike prisons and police detention facilities, were not subject to public monitoring. The change of the Government

resulted in change of the Police leadership. The Police reform is ongoing, including prevention of torture. **UNDP through the EU funded technical assistance project supports installation of audio-visual recording system in the interrogation rooms (where most of allegedly reported cases of torture take place) in 10 pilot police stations.**

**Recommendations:** (i) Introduce and apply measures aimed at prevention of torture in the law enforcement sector, including selection and training of law enforcement officers, mechanisms of internal monitoring and introduce independent accountability mechanisms for police forces to secure the full respect for HR. (iii) Ensure audio- or videotaping of all interrogations in police stations and detention facilities, after a pilot in 10 police stations; (iv) Set-up a system of electronic protocol and ensure electronic protocol is opened from the moment of detention immediately upon the de facto deprivation of liberty of persons. Ensure access to these records by lawyers and relatives of the detained. (v) Ensure mechanisms are in place for prompt, thorough and impartial investigations into allegations of torture and ill-treatment by law enforcement officials and military personnel and ensure that all investigations into allegations of crimes involving public officials are undertaken timely and properly.

### **3. Rights of the Child**

#### **Achievements and best practices:**

Constitutional Amendments of 2015 regulate the rights of the child (Article 37), stating, inter alia, that a child shall have the right to freely express his or her opinion in accordance with the age and maturity of the child, shall be taken into consideration in matters concerning him or her and that primary attention must be given to the interests of the child.

A special child rights protection unit was established within the HRDO in 2016. Child-friendly website and direct complaint mechanism were developed and capacities of the staff to work with children were improved with UNICEF's support.

(i) Health & Nutrition – UNICEF supported development of the Every Newborn Action Plan to strengthen neonatal care services in the country. Child Injuries and Traumas Prevention Strategy is developed to improve prevention interventions and data recording /reporting systems. The National Immunization Programme continues to be one of the best performing programs in the Europe and Central Asia region, with coverage against most of the antigens above 90%.

(ii) Education & Disaster Risk Reduction (DRR) - For improving the learning and inclusion of children with special educational needs, ICF was introduced as a unified tool for assessing and certifying education needs.

MoES included the need for expansion of alternative preschool services (UNICEF model) into the Government plans for 2019-2021. Supported improvement of the monitoring of participation of all children with disabilities in education. More than 400 remote-rural schools in Armenia were excluded from the National School Seismic Improvement Program because of small number of students (less than 100). In 2018, the Government decided to invest in small remote and rural schools as a result of UNICEF's technical assistance and advocacy. The new National Safer School budget programme was launched in 2019.

In partnership with UNICEF and UNDP the Government established the National DRR Platform for promoting DRR in education.

(iii) Child Protection - The Government is committed to deinstitutionalization. During the recent 2-3 years the Government reduced reliance on residential care, reallocating resources from residential to alternative care and reducing the number of children in residential institutions.

Armenia acceded to the Global Partnership to End Violence against Children in 2018 and became a pathfinding country, committing to adopt a national action plan to end violence against children contributing to SDG 16.2.

(iv) Social Protection - The Government Programme 2019-2023 puts poverty reduction through education and jobs at its heart, with particular objectives of eradication of extreme poverty by 2023 and substantially decreasing poverty. The Programme envisages further introduction of the system of integrated social services (ISS) in the country, at the same time focusing on various segments of social protection through improved targeting. This is in line with the Agenda 2030 and the goal of leaving no one behind. The landmark Law on Social Assistance from December 2014 and related by-laws substantially regulated social service delivery in the country, including ISS.

**Main issues/gaps:** Neonatal deaths account for more than 75% of infant mortality with no reduction of post-neonatal deaths. Child injuries are a serious public health concern, being a leading cause of mortality of children 1-5 years old. A serious challenge for the immunization programme is an ongoing anti-HPV vaccination campaign, which creates a lack of trust in vaccines among some groups of population. About a quarter of young children suffer from double burden of malnutrition – 9% stunting and 14% overweight, with children from poor households and rural children at higher risk. Nutrition of school-age children has become another priority for the country.

Armenia has a relatively low pre-school enrolment rate of children aged 0-5 at 30% (37% in urban areas and 21% in rural areas), while enrolment of children 3-5 y.o. increased to 56.4% in 2017. Insufficient access to kindergartens and shortages of educational resources affect the quality of education. About 300 rural communities, especially the remote and small ones (less than 500 population) do not have any early childhood education services. Assistance to parents in difficult

circumstances is weak as institutionalization of children remains the key option for alternative care of children, increasing their risk of being subjected to ill-treatment and violence. The National Commission for the Protection of Children's Rights is not functioning effectively, while the inter-sectoral coordination among ministries and agencies at regional and local levels is not adequate. The access to and quality of alternative measures to the formal justice system need to be enhanced and no children should be placed in solitary confinement when in penitentiaries.

In 2017, 2.1% of children below 18 lived in extreme poverty and 30.8% lived in poverty. Geographic disparities are high, in some regions every second child is poor (Shirak). The assessment of multidimensional poverty among children in Armenia shows that 61.6% of children are deprived in 2 or more dimensions, particularly utilities, housing and leisure (up to 75.9% in rural settings). Budgetary data are not disaggregated by genderage or geography, which makes analysis of budgetary data from the equity and rights-based perspective difficult.

Access to safe drinking water and sanitation stands at 98.1% and 76.6% of households in Armenia. In 33% of surveyed schools the elementary schools lack separate toilets for girls and boys. Only 6.6% of toilets in schools are accessible for PWDs.

Despite progress in legislation, the principle of the best interests of the child is not systematically implemented by professionals working with/for children, social norms and/or low capacity of professionals do not contribute to proper interpretation of the principle in practice. Secondary legislation is not fully in place and implemented, Criminal Code does not criminalize domestic violence, Istanbul and Lanzarote conventions are signed but pending ratification.

The judicial process is not child-friendly, does not fully take into account specific issues and needs of child victims, including gender-related specificities, and does not protect children from secondary victimization in line with UN standards. Diversion and mediation are under-regulated, range of available alternative sanctions is too narrow. No comprehensive training on dealing with child offenders and child victims and witnesses in criminal, civil and administrative procedures is available. Adequate services for children victims of crime and violence are not in place. Regulations on referral, reporting, as well as division of duties and responsibilities within child protection system lack clarity, which results in ineffective response to violence against children.

**Recommendations:** (i) A continuum approach of care from pregnancy through delivery up to five years at antenatal, maternity and primary healthcare levels needs to be implemented; implementing multi-component interventions to address the double burden of malnutrition among children and prioritizing prevention of overweight and obesity; implementing priority interventions reflected in the Child Injuries and Traumas Prevention Strategy (ii) Make Legal and policy revisions towards progressive elimination of the special education system and full implementation of inclusive education and strengthen pre-school education in terms of coverage, quality, and accessibility. (iii) Conduct an assessment of the child protection system and develop, a costed Master Plan/Strategy to ensure legislation, procedures and skills are in place for effective response to child protection needs based on the best interests of the child. Amend judicial process to ensure protection of child victims and witnesses from secondary victimization. Quality therapeutic, support and rehabilitation services for children victims of crime should be in place for children. (iv) develop a comprehensive standalone social protection strategy, which considers all dimensions of social protection and deprivation, and all those in need through a lifecycle approach (from early childhood to adolescence, adulthood and retirement); (v) Cash transfers for families and children should meaningfully contribute to reducing poverty and deprivations while allowing for investment in their wellbeing. These should be complemented, coordinated and closely linked with other essential social protection interventions, social care and support services and active labour market policies. (vi) The reform of integrated social services in the country should be fully rolled out throughout the country, including integrated databases, M&E systems, professional case management and social work, local social planning and coordination among social service providers to respond to the multiple vulnerabilities of families and children; (vii) Allocated adequate financial resources to social protection, health and education and used in an effective and efficient manner as an investment in human capital, and accompanied with better reflection of child rights in budgetary processes. (v) Increase allocation of resources to alternative care services as well as the cooperation among all social services to prevent re-institutionalization of children should be improved. (vi) Closely monitor the newly established services to ensure quality. Diversify mix of services so that various needs of children are considered, including children with emotional and mental health issues, with challenging behavior, victims of abuse, etc.

Collect detailed evidence of lacking facilities with the aim of improving access to safe water and sanitation in schools to ensure that dignified hygiene facilities are provided for boys and girls in an inclusive manner.

**4. Refugees and asylum-seekers** - As of 31 December 2018, Armenia hosted 18,933 persons under UNHCR's mandate, 17,970 refugees and persons in refugee-like situation, 115 asylum-seekers and 848 stateless persons. The number of persons in refugee-like situation is estimated at 14,573. Most of newly arrived asylum-seekers mostly living in urban areas.

**Achievements and best practices:** Law on Refugees and Asylum (the Law) was brought closer in line with international standards<sup>1</sup> - UNHCR commends Armenia's efforts to bring its asylum legislation closer to international standards. Two packages of amendments to the Law were adopted by the National Assembly in 2015. First one included amendments to the Law initiated by the Migration Service (MS) on (i) granting asylum in case of mass influx to groups regardless of their country of origin, and no longer only from "bordering" states; (ii) allowing independent claims of family members, (iii) definitions of specific needs of asylum-seekers and refugees; (iv) definitions of exclusion, cessation and cancellation clauses in line with the 1951 Refugee Convention; and (v) provision of assistance to asylum-seekers who are not accommodated in the reception centre. Police also proposed amendments to the Law on biometric travel documents for refugees compliant with the requirements of the International Civil Aviation Organization (ICAO). Due to competing priorities, these documents have not been issued so far. The Government has also developed an Action Plan for 2017-2021 pursuing further alignment of the migration legislation with international standards. The government has, *inter alia*, set up a programme to provide housing in the Integration Centre and rental subsidies.

**Main issues/gaps:** (i) Fair and efficient asylum procedure<sup>2</sup> - While the overall quality of the procedure and decision-making for determination of refugee status have improved over the last decade, there are a number of shortcomings in the asylum procedure that still need to be addressed, notably: (1) challenges and delays with registration of asylum applications, in particular, asylum requests referred from penitentiary establishments; (2) absence of mechanism of identification of persons with specific needs during registration and no system of prioritization of assessment of their asylum applications and timely referral to available psycho-social protection mechanisms; (3) influence of the National Security Service (NSS) for undisclosed "security concerns" in some sensitive cases; (4) lack of access of asylum-seekers and their representative to secret evidence, which undermines the adversarial system of justice and is an obstacle for effective representation of asylum-seekers and refugees; (5) political considerations prevailing over protection needs during adjudication of cases of asylum-seekers of certain nationalities, religious and gender profiles; (6) lack of continuous training for refugee status determination (RSD) specialists and deficiencies of the quality control mechanism within the MS; and (7) deficiencies in the use of country of origin information (COI) during RSD. The heavy workload of public defenders and the quality, the absence of an effective referral mechanism, and the lack of funds for interpretation hinder access and affect the quality of the free legal aid. Furthermore, the high workload of judges causes delays, with some cases taking 2 to 3 years before a final decision is taken. (ii) Access to socio-economic rights - legal frameworks stipulate asylum-seekers and refugees' rights to health care, education and employment on equal footing with citizens. Nevertheless, discrimination, lack of awareness of service providers and language barriers constitute some of obstacles faced by persons under UNHCR's mandate to enjoy their rights, especially those with disabilities, LGBTI and persons having different religious background (who are not of Armenian origin). They experience obstacles in accessing the labour market, and have difficulties covering their basic needs and finding decent job and housing. The lack of awareness by service providers, including health, financial and social services, on the plight of refugees and asylum-seekers and particularly their documentation adds further obstacles to their access to the services. (iii) Preventing and addressing statelessness - Armenia's international obligations in the field of identification and protection of stateless persons have remained unimplemented. In particular, there is no procedure set out for the determination of statelessness status. In addition, no comprehensive and up-to-date statistics are available on statelessness.

**Recommendations:** (i) *Adopt legislation on disclosure of sensitive information in asylum procedures to allow asylum-seekers to effectively enjoy the right to a fair judicial process based on, inter alia, the principle of equality of arms;* (ii) *Establish clear mechanisms of cooperation between the MS and NSS with a view to address legitimate security concerns in line with international refugee law in the context of the asylum procedure;* (iii) *Develop a sustainable mechanism of COI research to enhance decision-making and consider refugee law specialisation for judiciary to ensure a qualitative judicial review;* (iv) *Allocate sufficient resources for interpretation within the RSD, at border crossing points and in penitentiary institutions;* (v) *Ensure that asylum-seekers and refugees have access to, qualified and free legal aid;* (vi) *Develop and implement a comprehensive state integration strategy providing a holistic approach to the integration of displaced persons;* and (vii) *Adopt legislation to set out the rights and obligations of stateless persons and ensure issuance of identity documents to all stateless persons, in accordance with the requirements of the 1954 Convention and ICAO standards.*

## **5. Right to food**

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<sup>1</sup>Linked to 2nd cycle UPR recommendation no. 120.124: "Continue to enhance its positive policies and programs for trafficked victims and refugees" (Philippines)

<sup>2</sup> Linked to 2nd cycle UPR recommendation no. 120.124: "Continue to enhance its positive policies and programs for trafficked victims and refugees" (Philippines)

**Achievements and Best Practices:** Growth in Armenia’s agricultural sector over the past few decades has resulted in increased self-sufficiency for many food products and overall food availability – driving down the prevalence of undernourishment fourfold (between 2000-2016). Several policies were adopted over the years, including: the *Law on Ensuring Food Security* (2002), the *Policy for Ensuring Food Security* (2005) and the *Concept on Ensuring Food Security* (2011).

**Main Issues/Gaps:** Despite increased food availability and overall economic growth, uneven development across the country (regional disparities) has left nearly 6% of Armenians undernourished and 16% of households - food insecure. Additionally, neither diet diversification nor the consumption of *more* nutritious foods have significantly improved. Policies and strategies specific to food security have placed focus on agriculture without specifically addressing the major gaps in food accessibility and utilization.

**Recommendations:** (i) Update the *Concept on Ensuring Food Security* (2011) to include all pillars of food security; (ii) apply well-targeted healthcare, social protection measures and territory-specific policies to reduce existing disparities in hunger and malnutrition, (iii) revise social protection policy instruments to cover the most deprived, and (iv) coordinate and manage the implementation and impact of food security policies.

## **6. Right to health**

**Main issues/gaps:** There are severe and mounting environmental challenges facing Armenia that affect child welfare and infringe on a child’s right to attain the highest standard of health. Climate change is expected to exacerbate many of the conditions that lead to children being deprived of their rights. Air pollution and associated heavy metal contamination threatens children’s health in a number of hotspots across the country. 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 present a substantial, but as yet under-studied and unquantified threat to human health in Armenia. Serious concerns for the safety of downwind and downstream populations from smelting and extraction sites, as well as the wider population due to the uptake of contaminants into the food chain are justified by scientific studies undertaken by scientific and academic institutions that have identified the existence of heavy metals at concentrations far above national standards and international recommended safe levels.

## **7. Reproductive health**

### ***Achievements and best practices:***

In 2016 with support of UNFPA the National Strategy on Reproductive Health improvement was introduced. Such important issues, like emergency preparedness of RH services, contraceptive commodity security, clinical guidelines and sex selective abortions were included in strategy among others. In 2019 MoH in collaboration with UN agencies and international organizations has worked to ensure early universal access to free services for antenatal care, HIV and syphilis testing for pregnant women and their partners, treatment for women who test positive and community engagement. These services are provided as part of an equitable, accessible, universal health system in which maternal and child health programmes are integrated with programmes for HIV and sexually transmitted infections. In 2026 WHO validates elimination of mother-to-child transmission of HIV and syphilis in Armenia.

UNFPA provided TA for procurement of contraceptives establishment of the logistic MIS to track flow and distribution of contraceptives.

**Main issues/gaps:** In spite of existence of high-quality clinical guidelines, there is a low implementation rate in health care facilities. Service providers, especially older generation doctors, reject new approaches. Even though PWDs receive free medical assistance, however stigma and inaccessibility of medical services many women with disabilities experience difficulties in realization of their reproductive and health service.

Even though relevant protocols were adopted, medical staff has received special training in this regard and the government has allocated funds and procured modern contraceptives for free distribution to vulnerable groups of population, which resulted in raising the MSPR from 27 percent to 28 percent (DHS 2015-2016), the modern contraceptive prevalence rate still remains low.

The Law on Education recognizes the preservation of health as one of its functions and towards realization of which it introduced the healthy lifestyle education curriculum for 8-11 grades in 2008. The curriculum incorporates reproductive health section which aims to provide comprehensive sexuality education to students at all schools in Armenia. A recent survey conducted among school-aged children revealed inadequate knowledge pertaining to RH issues thus challenging the effectiveness of the program in meeting its goals. Those challenges include 1) selective omission of sensitive topics that



results in a partial coverage of the actual program; 2) inadequate preparedness of teachers in delivering the program; and 3) lack of formal school M&E mechanisms.

**Recommendations:** (i) Improve maternal and neonatal care which requires a combination of health system reforms and policies regarding several issues, such as stewardship issues, including the improvement of data collection and use, the development of a good information system, and a greater attention to the roles and rights of the patients; resource generation, including update human resources plan, training appropriate number of health professionals with right skills mix, with special regards to midwives and nurses, and providing basic and relevant equipment at all levels; service delivery. Development of mechanisms and tools for guideline implementation in all level maternity facilities. (ii) Ensure accessibility of medical services for PWDs. (iii) The state should take steps to tackle the challenges affecting successful delivery of sexual and reproductive health school programme.

Targeting child marriage is another direction that has a set of benefits for girls not to be vulnerable to multiple risks due to early entry into a union frequently against own will and later on, in some cases, being at risk of exploitation due to lack of education, thus, employment and financial viability. As of now, according to 2015 DHS 13 women out of 100 had reported that they married before the age of 18 with 1% of married women aged 25-49 state being married before the age of 15.

Improving the evidence base for identifying the most at-risk girls for child marriage would set the stage for future engagement with those communities where the incidence is high.

## **8. Right to development**

### Population and Development

**Achievements and best practices:** With active involvement of UNFPA the current demographic situation was acknowledged as a priority issue to be addressed and as a result according to the Decree N347A of Prime-Minister of RA the Council on the improvement of demographic situation which was established on April 04, 2019.

**Main issues/gaps:** Armenia faces population decline rooted in low fertility, declining number of births, and high migration, as well as high infertility and prenatal sex selection and gender inequalities. Armenia's population is rapidly ageing, adding to the burden that the State bears in terms of social security, and impacting the economy as the share of the working age population shrinks. Researches shows that even though the couples have the desire to have more children, in practice they do not. There is lack of family friendly policies, which more often lead to the decision of choosing between having children or being active in the labour market. A new council was established to tackle these issues, but there is lack of coordination mechanisms.

**Recommendations:** Establish effective coordination mechanisms between different State and non-government actors and an operational M&E system to ensure effective implementation of the works directed to the improvement of the demographic situation..

## **9. Right to privacy, marriage and family life**

### Family planning

**Main issues/gaps:** The chapter three (Article 10) of the Family Code states that the legal age for marriage for both male and female is 18. There are sub conditions that allow marriages at an earlier age, an individual may enter marriage at 17, if there is the consent of the legal guardian. An individual may also enter marriage at 16 if there is consent of the legal guardian and the marriage partner is at least 18.

**Recommendation:** Reconsider the sub-conditions that enable marriage at an age less than the one recommended by the international HR bodies.

It is critical to target the main agents of socialization that help forming values and norms, which include social structures such as the family, educational institutions and media. It is also important to engage adolescents and youth in those initiatives not only targeting them as beneficiaries, but rather as agents of change who can address peers in the socialization process.