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## **National report submitted in accordance with paragraph 15 (a) of the Annex to Human Rights Council resolution 5/1\***

### **Armenia**

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\* The present document was not edited before being sent to the United Nations translation services.

## **I. Methodology**

1. The National Report of the Republic of Armenia submitted in accordance with paragraph 15(A) of the Annex to United Nations Human Rights Council (HRC) Resolution 5/1 was prepared in accordance with 1483-N Decision of the Government of the Republic of Armenia from 23 November 2007 “On establishing the procedure for preparation and approval of national reports of the Republic of Armenia arising from international obligations of the Republic of Armenia,” and was approved by the Government of the Republic of Armenia on 4 February 2010.
2. For the purposes of preparing the report for submission to universal periodic review and providing the required information, as well as fulfilling the obligations undertaken before the international human rights treaty bodies, by 320-A Decision of the Prime Minister of the Republic of Armenia from 21 April 2009, inter-agency working groups were established to prepare the national reports on the implementation of the UN International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Council of Europe Framework Convention for the Protection of National Minorities. The mentioned reports, prior to their submission to the Government of Armenia for approval, have been discussed with the representatives of non-governmental and international organizations, and finalized by taking their opinions into consideration.
3. This report was prepared by the Ministry of Foreign Affairs of the Republic of Armenia in cooperation with the Staff of the President of the Republic of Armenia, the National Assembly, the Ministry of Justice, the Ministry of Labor and Social Affairs, the Ministry of Health, the Ministry of Education and Science, the Ministry of Culture, the Ministry of Territorial Administration, the Ministry of Finance, the Police, and the General Prosecutor’s Office. This report was also presented to non-governmental organizations for opinion.

## **II. General information about the country**

4. Pursuant to the Constitution of the Republic of Armenia (hereinafter referred to as "the Constitution"), the Republic of Armenia is a sovereign, democratic, social state governed by the rule of law.
5. In accordance with Article 2 of the Constitution, the power shall lie with the people who shall exercise it through free elections, referenda, as well as through state and local self-government bodies and officials.
6. State power shall be exercised in conformity with the Constitution and the laws based on the separation and balance of the legislative, executive and judicial powers (Article 5).
7. The President of the Republic of Armenia is the head of the State and oversees the observance of the Constitution, ensures the smooth functioning of legislative, executive, and judicial powers. The President is elected by the citizens of the Republic of Armenia for a term of five years and may not be elected for the post for more than two consecutive terms.
8. The legislative power in Armenia is exercised by the National Assembly, which is elected for a term of five years and is comprised of 131 members. The right of legislative

initiative in the National Assembly belongs to the members of the National Assembly and the Government.

9. Internal policy is developed and implemented by the Government, whereas foreign policy is developed and implemented by the Government together with the President of the Republic of Armenia. The Government is composed of the Prime Minister and ministers. Upon the recommendation of the Prime Minister, the President of the Republic of Armenia may appoint one of the ministers as Deputy Prime Minister.

### **III. Legislation and human rights**

10. Since becoming a member of the United Nations in 1992, and acknowledging the universal values, principles of human rights protection and establishment of democracy as an inseparable part of the state ideology, Armenia has actively worked and cooperated with various UN bodies and agencies with the purpose of protecting and promoting human rights. In April 2006, Armenia extended a standing invitation to all special procedures of the HRC.

11. Armenia has acceded to more than 50 human rights international treaties, including all fundamental ones. Armenia has signed the International Convention on the Rights of Persons with Disabilities and its Optional Protocol, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the UN International Covenant on Economic, Social and Cultural Rights; these instruments are currently in the process of ratification.

12. The representative of Armenia has been appointed as the UN Special Rapporteur on Contemporary Forms of Slavery, including its Causes and Consequences.

13. Article 3 of the Constitution stipulates: "The human being, his or her dignity and the fundamental human rights and freedoms are an ultimate value. The State ensures the protection of fundamental human and civic rights and freedoms in conformity with the principles and rules of international law. The State is bound by fundamental human and civic rights and freedoms as a directly applicable right." Human dignity shall be respected and protected by the State as an inherent foundation of human rights and freedoms (Article 14).

14. The Constitution establishes that international treaties shall enter into force only after being ratified or approved, shall be a constituent part of the legal system, and if ratified international treaties define norms other than those provided for by laws, the norms of the treaties shall prevail. International treaties, which contradict the Constitution, shall not be ratified (Article 6).

15. On 21 October 2003, the Law of the Republic of Armenia "On Human Rights Defender" was adopted, which regulates the procedure for organizing and functioning of the human rights institution. Pursuant to Article 2 of the Law, the Human Rights Defender (hereinafter referred to as "the Defender") is an independent and irreplaceable person who protects the human rights and freedoms violated by state and local self-government bodies and officials. The Defender is elected by the National Assembly for a term of six years, receiving at least 3/5 of the total number of votes of the members of the National Assembly. Pursuant to point 42 of the Decree of the President of the Republic of Armenia No. NH-174-N of 18 July 2007, draft laws concerning human rights and freedoms, prior to their submission to the Government, shall be presented to the Defender for opinion. The Defender is recognized as the national preventive mechanism pursuant to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

16. Armenia continues to carry out reforms in the country in order to fully ensure the protection of human rights and the rule of law:

- The Criminal Procedure Code of the Republic of Armenia entered into force in 1998. It is regularly amended, thus becoming more compliant with the international commitments undertaken by the Republic of Armenia;
- The Electoral Code of the Republic of Armenia was adopted in 1999, which underwent significant amendments in 2008;
- The Law of the Republic of Armenia “On local self-governance” was adopted in 2002, defining the principles of local self-governance, the local self-government bodies, the powers thereof, the legal, economic and financial grounds and safeguards thereof, as well as regulating the interrelations between the State and the local self-government bodies;
- The new Criminal Code of the Republic of Armenia (2003), the new Labor Code of the Republic of Armenia (2005), the Family Code of the Republic of Armenia (2005), and the Judicial Code of the Republic of Armenia (2007) have also entered into force.

17. The Constitution was amended and supplemented through the referendum of 27 November 2005, introducing substantial improvements, *inter alia*, in the provisions concerning the fundamental rights and freedoms, thus making them more compliant with the requirements of the international covenants on human rights.

18. The elaboration of the comprehensive national program on human rights protection is currently underway, and is expected to be approved in 2011.

## **IV. Protection and promotion of human rights**

### **A. Genocide**

19. Armenia continues to pursue its efforts towards recognition of the Armenian genocide of 1915-1923 by the international community for the purpose of not only establishing supremacy of international law and justice, but also preventing the recurrence of such crimes in the future through ruling out the impunity.

20. In 1998, the United Nations Commission on Human Rights, by the initiative of the Government of the Republic of Armenia, adopted the Resolution “On the 50th Anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide,” and in 1999 and 2001, the Resolution “On prevention and punishment of the crime of genocide.” In March 2008, the United Nations Human Rights Council unanimously adopted the Resolution entitled “Prevention of Genocide,” submitted by Armenia and co-sponsored by 62 countries. With the adoption of the Resolution, issues relating to the recognition and prevention of genocide were elevated to a new level by establishing direct State responsibility before its people. Owing to the mentioned resolutions, the international community has currently focused its attention to the issue of early warning in situations that could lead to genocide, which is pivotal in the prevention of genocides.

### **B. Right to self-determination**

21. Adhering to the provisions of the Charter of the United Nations, the Human Rights Covenants, as well as being guided by the principles enshrined in the Helsinki Final Act, Armenia regards the right of peoples to self-determination as a fundamental and

indispensable human right and takes consistent steps towards its realization. Armenia is guided by the fact that the principle of the right of peoples to self-determination is currently a binding and universally recognized fundamental norm of international and national law for all states with no exception, and its implementation derives from international obligations assumed by the states.

22. There is no hierarchy in international law between the principles of territorial integrity of the state and the right of peoples to self-determination, and the very right to self-determination may not be restricted, suspended, or turned into an issue of territorial integrity of state or of maintaining existing state borders. Armenia has always expressed the position of inadmissibility of such hierarchy, and considers such attempts as efforts aimed at restricting, obstructing, or suppressing free expression of the will of people. The right of peoples to self-determination as an imperative norm of international law should always and in all cases be recognized, irrespective of when, in what circumstances and on which basis the unification, transfer or alienation of the territory, the population of which puts forward the question of self-determination, took place.

23. The people of Nagorno-Karabakh, acting in full compliance with the provisions of the USSR laws and the principles of international law, gained independence from Azerbaijan SSR on 10 December 1991 through referendum, and established a separate state unit called “The Nagorno-Karabakh Republic” (NKR)<sup>1</sup>. Since the establishment of independent statehood, the people of Nagorno-Karabakh have exercised their right to self-determination by forming public administration bodies, holding elections, adopting laws through the legislature, and performing other necessary functions of state governance. The Government of the Nagorno-Karabakh Republic bears responsibility for the political, civil, economic, social, and cultural rights of the people of the Nagorno-Karabakh Republic through decisions passed and policies implemented. As a common principle and being committed to the objective of building a democratic society based on rule of law, the authorities of the Nagorno-Karabakh Republic have unilaterally acceded to the fundamental instruments of international law and transposed these instruments into their own legislation.

24. The Republic of Armenia is firmly committed to the exercise of the right of the people of Nagorno-Karabakh to self-determination, and renders its assistance to the promotion of all the fundamental rights of its people in every possible way.

25. Following its policy of forced suppression of the Nagorno-Karabakh people’s right to self-determination and its exercise, and as a result of the war unleashed by such policies which caused great human and material losses, Azerbaijan pursues a policy of economic blockade against Armenia and Nagorno-Karabakh, which is a serious impediment to the full exercise of the right to development and many other rights, political, civil and socio-economic rights first and foremost.

## C. Justice

26. In accordance with Chapter 6 of the Constitution, in Armenia justice is administered only through courts, in compliance with the Constitution and the laws. Constitutional justice is administered through the Constitutional Court. In the Republic of Armenia, there are first instance courts of general jurisdiction, courts of appeal and court of cassation, which in its turn consists of two chambers, *i.e.*, Criminal Chamber and Civil and Administrative Chamber, as well as specialized courts in cases prescribed by law. The Administrative Court currently functions as a specialized court.

27. In 2007, the Judicial Code of the Republic of Armenia entered into force, which, in addition to Articles 96-98 of the Constitution, regulates the relationship pertaining to the organization and operation of the judiciary (with the exception of the Constitutional Court

of the Republic of Armenia). It has adopted a series of principles characteristic of democratic countries and recognized in the international law; which are called to ensure administration of justice solely in compliance with the law and provide the judges and courts with genuine guarantees for autonomy, independence, and self-rule.

28. The Council of Justice, as an independent body (including from the executive branch), plays an important role in matters relating to the independence of judges; it is vested with the right to impose disciplinary sanctions on judges.

29. As a result of the constitutional amendments of 2005, since 1 July 2006 natural and legal persons have also been granted with the right to apply to the Constitutional Court; and they may appeal in the Constitutional Court the constitutionality of the provision of a law applied in their respect by a final judicial act (Article 101). In this respect, the Constitutional Court, in the period of July 2006 to October 2009, has examined 46 cases filed based on individual applications submitted by tens of nationals, and the challenged legislative provisions in twenty of the cases examined were declared as contradicting to the Constitution of the Republic of Armenia and invalid.

30. Upon acceding to the European Convention for the Protection of Human Rights and Fundamental Freedoms in 2002, Armenia has recognized the powers of the European Court of Human Rights. As of 1 December 2009, the European Court had delivered 20 judgments.

31. The Law of the Republic of Armenia «On the profession of advocates», adopted in 2004, provides for the Public Defense Institution and defines that the State ensures free legal aid in criminal matters in the manner and cases prescribed by the Criminal Procedure Code of the Republic of Armenia, as well as in the manner prescribed by the Civil Procedure Code of the Republic of Armenia.

#### **D. Right to life**

32. Article 15 of the Constitution prescribes the right to life and the right to non-conviction to or no exercise of death penalty. In 2003, Armenia ratified Protocol No. 6 on the Elimination of Death Penalty to the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms, and has signed Protocol No.13. The Death Penalty, as an exclusive type of punishment, has been removed from the general part of the new Criminal Code which entered into force in 2003.

33. Since its independence, Armenia has not executed death penalty, whereas the punishment imposed against persons convicted to death penalty before 2003 has been replaced with life imprisonment. Persons who have not attained the age of 18, as well as women who are pregnant at the time of committing an offence or of delivering the judgment, shall not be sentenced to life imprisonment in Armenia.

#### **E. Protection from torture and other cruel or degrading treatment**

34. During the recent years, extensive legislative and institutional efforts have been undertaken in Armenia aimed at eliminating torture and other cruel, degrading treatment or punishment.

35. Article 17 of the Constitution prescribes that “no one shall be subjected to torture, inhuman or degrading treatment or punishment. All arrestees, remand prisoners, and persons sentenced to imprisonment shall have the right to be treated with humanity and with respect for dignity.” Armenia has ratified all the fundamental international treaties relating to this sphere, namely the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the European

Convention on Prevention of Torture and Inhuman or Degrading Treatment or Punishment of 1987 and its two Protocols. Third and Fourth Combined Periodic Report of the Republic of Armenia on Implementation of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was submitted in 2009.

36. Since 2001 the Penitentiary Department and the establishments under its authority were transferred from the jurisdiction of the Ministry of Interior Affairs to the jurisdiction of the Ministry of Justice, with an aim to improve the whole system of the penitentiary service, as well as to contribute to the improvement of the conditions of detainees, and ensure the highest protection of their rights.

37. The Law of the Republic of Armenia “On the custody of arrestees and remand prisoners”, enacted on 7 March 2002, pursues the same goal; the Law lays down the general principles, conditions of, and procedures for holding arrestees or remand prisoners under arrest or in remand detention, the rights of arrestees and remand prisoners, guarantees for ensuring their rights, their duties, as well as the procedure for releasing these persons from arrest or remand detention. The aforementioned Law prohibits physical violence, as well as inhuman or degrading actions against arrestees or remand prisoners (Article 2).

38. Pursuant to Article 6 of the Criminal Procedure Code of the Republic of Armenia adopted in 2004, the execution of a sentence, as well as imposition of compulsory medical measures combined with execution of the sentence, must not be accompanied by physical violence against a person, as well as by such actions, which may lead to socio-psychological degradation of the person. No person deprived of liberty upon a judgment shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. No circumstance may serve as a ground for justifying torture or other cruel, inhuman or degrading treatment or punishment.

39. It is prohibited to subject an arrestee or a remand prisoner to medical or scientific experiments regardless of his or her consent.

40. In correctional establishments women are kept separately from men. Female and juvenile arrestees or remand prisoners are being provided with improved living conditions in police holding facilities and remand facilities. It is prohibited to place pregnant women or women with children in a disciplinary cell as a sanction.

41. According to the Constitution (Article 103), exclusive powers are vested in prosecution authorities with regard to exercising control over the legality of inquest and preliminary investigation and of the application of punishments and other compulsory measures. Since 2007, the Law of the Republic of Armenia “On Prosecutor’s Office” is in force.

42. The implemented legislative reforms have created substantial preconditions for establishing a system of independent monitoring over the places of custody. Since 2005, the Public Monitoring Group carrying out monitoring in penitentiary establishments and bodies under the Ministry of Justice of the Republic of Armenia, and the Public Monitoring Group carrying out monitoring in police holding facilities under the Police of the Republic of Armenia have been functioning. The groups are comprised of representatives of non-governmental organizations who are authorized to unimpeded access to police holding facilities and penitentiary institutions and bodies, to familiarize themselves with the situation, to meet with persons deprived of liberty and those under the control of penitentiary bodies, and to submit relevant reports.

43. The objectives of the activities of the Groups are the following: to conduct public monitoring of the protection of the rights of prisoners and persons under the control of penitentiary bodies; to improve the working and living conditions for prisoners in penitentiary establishments; to carry out activities aimed at the detection and prevention of

human rights violations in the Penitentiary Service; to present to the public issues relating to the penitentiary service; and numerous other tasks.

44. In the period of 2000-2009, no cases of torture and other cruel, inhuman or degrading treatment were reported in penitentiary institutions, with the exception of one case, with regard to which a criminal case was instituted, and the offenders were sentenced to two years of imprisonment.

45. The administration of remand facilities or correctional establishments is obliged to accept proposals, requests, and complaints filed by remand prisoners or convicts. From 2006 to June 2009, 43844 requests, 40 complaints, and 4 proposals were submitted by remand prisoners and convicts.

46. The Criminal Procedure Code of the Republic of Armenia was amended with a view to making the interrogation process more manageable and minimizing inhuman and other degrading treatment of suspects or the accused. Pursuant to it, materials, which were obtained through violence, threat, deception, ridicule of a person, as well as through other unlawful actions, infringement of the rights of a witness, or serious violation of the execution procedure of investigative or other procedural activities, may not form basis for charges in criminal proceedings and used as evidence (Article 105). Despite the provisions set forth through legislative reforms, on the implementation level there are still issues requiring constant attention and additional improvement of activities undertaken.

47. Issues relating to the organization of education and professional training of remand prisoners and convicts are still to be addressed. The organization of public education for juvenile convicts has already been resolved.

48. Continuous efforts are underway in the Republic aimed at resolving the existing problems relating to the conditions of holding persons in police holding facilities and penitentiary institutions.

49. The European Court of Human Rights has so far rendered three judgments against the Republic of Armenia, finding violation of Article 3 of the European Convention on Human Rights.

50. Pursuant to Article 16 of the Criminal Code, persons shall not be extradited to a foreign state, where there are substantial reasons to believe that extradition has been requested for inquest or application of a punishment on the basis of to their race, religion, belonging to an ethnic or a certain social group, or political opinion. No one shall be extradited to a foreign state where he or she may be in a serious danger of being subjected to torture or inhuman or degrading treatment or punishment. Where, under the laws of the state requesting extradition of the persons having committed a criminal offence, such offence is punishable by death penalty, the extradition of the persons having committed the offence may be refused unless the requesting party gives sufficient guarantees that death penalty will not be executed.

## **F. Freedom of thought, conscience and religion**

51. Article 26 of the Constitution provides for the freedom of thought, conscience and religion, whereas Article 8 provides for religious rights. The main law of the Republic of Armenia regulating the activities of religious organizations is the Law "On freedom of conscience and religious organizations."

52. The Constitution clearly stipulates the principle of reciprocal non-interference between the State and religious organizations in each other's affairs. It also envisages mutually beneficial co-operation between the State and different religious organizations and



freedom of activities stating: “Freedom of activities for all religious organizations acting in accordance with the law shall be guaranteed in the Republic of Armenia.”

53. During the years after establishment of independence, Armenia undertook serious steps aimed at ensuring religious diversity in the country. In 1997, there were 14 religious organizations registered in the country, whereas in 2009 the number of registered religious organizations reached 66.

54. In December 2003, the Law of the Republic of Armenia “On Alternative Service” was adopted, which regulates the relations with regard to replacing the mandatory military service for the citizens of the Republic of Armenia with alternative service. The Law was amended twice, in 2004 and 2006, with the purpose of bringing it in line with international standards.

## **G. Freedom of opinion and expression**

55. Article 27 of the Constitution prescribes that everyone shall have the right to freedom of expression, including freedom to search for, receive, and impart information and ideas by any means of information regardless of the state frontiers. Freedom of mass media and other means of mass information shall be guaranteed.

56. This field is regulated by a number of laws, including the laws of the Republic of Armenia “On Television and Radio” (2000), “On Freedom of Information” (2005), “On Electronic Communication” (2005), and “On Mass Information” (2003). Article 4 of the Law “On Mass Information” provides for a system of guarantees for ensuring the right to freedom of speech in the field of media, in particular: (a) persons engaged in media activities and journalists operate freely, based on the principles of equality, legality, freedom of speech (expression), and pluralism; the journalist is, as a person performing a public duty, protected by the legislation of the Republic of Armenia in the course of performing his or her professional lawful activity, (b) mass media products are produced and distributed without preliminary or current state registration, licensing, declaration in state or other bodies, or notice to any body.

57. The State creates necessary conditions and undertakes measures for providing access to the programs of the Public Television and Radio Company (at least one television channel and one radio channel) within the entire territory of the Republic of Armenia.

58. In 2001, the Law of the Republic of Armenia “On Regulations of the National Commission on Television and Radio” was adopted, which lays down that the National Commission on Television and Radio is an independent regulatory body which is called to ensure the freedom, independence, and diversity of broadcast media, as well as to carry out licensing and control over the activities of television and radio companies in the manner prescribed by the legislation.

59. According to the amendments of December 2008 to the Law of the Republic of Armenia “On Television and Radio,” the Public Television should provide air time for special programs and broadcasts in the languages of the national minorities of Armenia, imposing a quota of up to two hours per week on television, and one hour per day on radio.

60. Currently 83 television channels are broadcast in Armenia, of which 48 are broadcast in the territory of one Marz (region), and 20 radio channels, of which two channels are broadcast in Marzes. There are 12 national dailies and 49 other periodicals, of which 22 periodicals are national and 27 periodicals are sub-national (Marz).

## **H. Freedom of peaceful assembly and association**

61. The right to association, to form and join political parties is enshrined in Article 28 of the Constitution. Establishment of non-governmental political associations and the procedure for their operation are provided for in the laws of the Republic of Armenia "On Freedom of Conscience and Religious Organizations" (1991), "On Non-governmental Organizations" (2001), and "On Political Parties" (2002). Relations pertaining to the associations are regulated also by the Law of the Republic of Armenia "On State Registration of Legal Entities" (2001).

62. Article 3 of the Labor Code, adopted in 2004, as a principle of labor legislation, provides for the right to free association for the protection of the rights and interests of employers and employees (including the right to form and join trade unions and employers' unions).

63. There are more than 3000 registered non-governmental organizations in Armenia; however not all of these organizations are actively engaged.

64. There are 74 registered political parties in Armenia, of which five, following the parliamentary elections held in 2007, are represented in the National Assembly.

65. Article 29 of the Constitution prescribes the right to freedom of peaceful and unarmed assembly.

66. Specific procedures for the exercise of the right to peaceful assembly are established in the Law of the Republic of Armenia "On Meetings, Assemblies, Rallies and Demonstrations" (2004). The Law regulates, in detail, the rights and obligations of persons organizing public events, the powers of the authorized bodies and the police, the limitations on organizing and holding public events, the procedure for notification of public events, etc.

67. According to Article 163 of the Criminal Code of the Republic of Armenia, the obstruction of organization of, or participation in lawful meetings, assemblies, rallies or demonstrations, or compelling to participate in meetings, assemblies, rallies or demonstrations by the use or the threat of use of violence are deemed criminal offences, whereas Article 225.1 criminalizes the organizing and holding of a public event in violation of the procedure prescribed by law.

## **I. Healthcare**

68. In accordance with Article 38 of the Constitution, "Every person shall have the right to medical aid and service in the manner prescribed by law." Everyone has the right to benefit from free general medical services. The list and procedure for provision thereof are prescribed by law."

69. According to the Decision of the Government of the Republic of Armenia No. 1207-N of 30 October 2008 "On approving the Sustainable Development Program," increased access to and affordability of health care services, and continuous improvement of the quality of health care services remain priorities for the state policy, with a special emphasis on increasing the access to basic services across the regions of the country, and on the disparities in the rate of utilization of health care services among population groups with different income levels.

70. Since 1999, reforms have been carried out in the health care system of the Republic of Armenia directed towards creating conditions for all people to receive medical aid and

medical care; these reforms were mainly targeted at the development of the primary health care and the creation of favorable conditions for introduction of family doctors.

71. The 2008-2013 Strategy for Primary Health Care of the Population of the Republic of Armenia was adopted. Taking into consideration that primary health care is still considered a main priority, since 2006 the whole population, irrespective of the age and social status, has been included in this program (except for stomatological medical aid, which is provided free of charge only for socially vulnerable groups and children of up to eight years of age), as a result of which the average annual number of visits to out-patient polyclinic establishments has significantly increased, reaching 2.8 per capita in 2006 as compared to 2.0 per capita in 2003.

72. The development of the primary health care made it possible to improve and ensure access to medical aid, thus securing the principles of social justice and equality conditioned thereby. Primary health care sector includes 467 medical facilities rendering out-patient polyclinic services and 638 medical obstetric units in rural communities, which operate in Armenia.

73. The problem of the affordability of medical aid to children and women is emphasized in the package of state-sponsored general services developed within the framework of financial management system reforms, and a special attention is drawn to the annual target program for mother and child health care, according to which in-patient services for children under the age of seven and primary health care of children under the age of eighteen, as well as obstetric services are covered by the state-sponsored program. Around 93 per cent of women in Armenia receive professional aid and care in pre-natal period. Such services are to some extent more accessible in urban areas (96 per cent) than in rural settlements (89 per cent). Almost all women (97 per cent) give birth at medical establishments. Only two percent of women give birth at home, as compared to the nine percent in 2000. Medical aid and care for prenatal period and at birth are provided free of charge, within the framework of state health care target programs guaranteed by the State.

74. The State has financed health resort treatment of about 1052 children, including 697 children suffering from, and exposed to tuberculosis, and sponsored medical care of about 830000 children in out-patient clinics.

75. Since 2002, Armenia has been certified as a “poliomyelitis-free” zone.

76. Armenia succeeded in reducing the infant mortality rate (IMR) by 52 per cent in the period of 1990-2005. In 2007, IMR decreased by about 20 per cent as compared to 2006 (in 1990-1995, the average IMR was 41 per cent, whereas in 2000-2005 it was 26 per cent, in 2006 - 13.9 per cent, and in 2009 - 10.9 per cent).

77. The level of involvement in the vaccination of targeted age groups in the country is over 90 per cent. However, the level of timely and full involvement of target age groups in vaccination is still low.

78. In the field of healthcare, funding from the State Budget of the Republic of Armenia continues to increase. The Government of the Republic of Armenia attaches importance to the improvement of health sector funding and to its social orientation. Actual expenditures on health care in 2003 equaled 1.2 per cent of the country's GDP, and 1.54 per cent in 2007. Accordingly, allocations for primary health care are also increasing: during the same period these allocations increased 2.75 times and already exceed the state funds allocated to hospitals.

79. The country still faces the problem of ensuring full accessibility of health care services at all levels, particularly for the socially vulnerable groups, as well as those in rural and remote areas.

## J. Right to education

80. Article 39 of the Constitution stipulates that everyone shall have the right to education. In the Republic of Armenia basic general education is compulsory, except for cases prescribed by law.

81. Secondary education at state educational institutions is free of charge. There is also an opportunity for free education on competitive basis at technical and vocational secondary educational institutions, as well as at higher educational institutions.

82. In 1999, the Law of the Republic of Armenia "On Education" was adopted, according to which the right to education is ensured for everyone in the Republic of Armenia, irrespective of ethnicity, race, sex, language, religion, political or other views; legal equality between men and women is also ensured. The field of education is regulated by the laws of the Republic of Armenia "On Higher and Post-graduate Professional Education" (2004), "On Preliminary and Middle-level Professional (vocational) Education" (2005), "On Pre-school Education" (2005), "On Education of Persons with Special Educational Needs" (2005), and "On Public Education" (2009).

83. In Armenia, primary education is not a matter of concern; the enrolment rate in primary school is considerably high: the literacy rate is 99.5 per cent.

84. The primary purpose of the educational reforms carried out during the last decade is to increase the quality of education by ensuring efficient functioning of the system, and to ensure equal opportunities for citizens to obtain education according to their aspirations and competences.

85. In the field of education the state guarantees, *inter alia*, the following principles: the humanitarian nature of education; priority of national and universal values, human life and health; free and comprehensive development of an individual; importance of civic consciousness; respect to an individual and for his or her rights and freedoms; dignity; patriotism; hard work; responsibility; tolerance; shaping an environmental outlook.

86. As of 2007, there were 1417 state schools functioning in the Republic, of which 9 were elementary, 154 - basic (grades 1-9), and 1169 – secondary. Currently, there are 48 separate high schools in the Republic.

87. In the field of public education, importance is attached to improving the education of children with special educational needs; the education, upon the choice of the parents, may be pursued both in general public schools (49 schools) and in special establishments with special curricula.

88. In 2005, the Government of the Republic of Armenia approved the Concept for Inclusive Education, which is aimed at specifying the key issues of organizing education of children with special educational needs in public schools and of the reforms of special education.

89. The Republic of Armenia pays great attention to education in human rights, considering it as an important factor contributing to the development of democracy. Since 2001, Human Rights is included in the curriculum of public schools as a separate educational subject (9<sup>th</sup> grade). Pupils also study the following subjects: "Civic Education" and "State and Law." As regards the teaching of human rights, considerable work has been carried out not only with respect to the elaboration of textbooks but also to the training of teachers and faculty members. Non-governmental organizations have played a considerable role in these activities.

90. At present, in Armenia there are 84 state educational institutions offering middle-level professional education programs, with the enrolment of approximately 28000

students. As of 2009, there are 30 vocational schools functioning in the Republic, with the enrolment of approximately 7500 students.

91. In 2003, the Government of the Republic of Armenia approved the Higher Education Development Strategy, which addresses both the application of new management methods and the reform, the establishment of new forms of state funding, expanding the links with the labor market, and the integration with the European Higher Education Area in the field of higher and post-graduate professional education and involvement in the Bologna process.

92. At present, within the social policy, the assistance provided by the State in the field of higher education is currently limited to state scholarship with full compensation provided to certain groups of students based on their social status (students who have lost both parents, persons with disability of first and second categories, children of perished or deceased military servicemen, persons who have acquired disability during military service, persons involved in target education).

## **K. Rights of women**

93. Armenia has ratified the UN Convention on Elimination of all Forms of Discrimination against Women (1993).

94. In 2010-2011, Armenia will chair the UN Commission on the Status of Women.

95. In Armenia, there are no laws, legal acts, decisions or policies that contain provisions discriminating against women.

96. In 2004, the Government of the Republic of Armenia adopted the 2004-2010 National Plan for the Improvement of the Situation of Women and Enhancement of their Role in the Society, which defined the principles, priorities and main directions of the state policy towards the solution of women's problems, and aimed to contribute to ensuring complete equality of rights and opportunities for men and women.

97. In November 2009, the Concept Paper of the Government of the Republic of Armenia on Gender Equality for 2010-2014 was submitted to the Government of the Republic of Armenia for approval: the Concept Paper was elaborated with direct participation of non-governmental organizations.

98. The Draft Law of the Republic of Armenia "On Ensuring Equal Rights and Equal Opportunities for Men and Women" is in the process of elaboration.

99. Upon the decision of the Prime Minister of the Republic of Armenia of 26 May 2009, the Council on Women's Issues has been re-formed and is chaired by the Prime Minister. The Council is called to protect the rights of women, to supervise the implementation of measures envisaged by the national plan on the improvement of the situation of women, and gender issues.

100. The Armenian legislation provides women with all opportunities to participate in the political and social life of the country on equal basis with men. However, despite some progress, women are under-represented in the decision-making level, which continues to be the major problem among women's issues. To rectify the situation, amendments were made to the Election Code of the Republic of Armenia, which stipulated a fifteen percent quota for inclusion in the proportional lists, instead of the previous five percent. Women are mainly represented in the middle levels of governance, as well as in non-governmental organizations.

101. Combating trafficking in human beings is recognized as one of the priorities of the Government of the Republic of Armenia. The activities are coordinated by the Council on Trafficking Issues chaired by the Deputy Prime Minister of the Republic of Armenia.

102. Armenia ratified the UN Convention against Transnational Organized Crime and its two Optional Protocols, the Optional Protocol to the UN Convention on the Rights of the Child, and the Council of Europe Convention on Action against Trafficking in Human Beings. The Criminal Code of the Republic of Armenia underwent respective amendments to include rather heavy sanctions for this type of crime.

103. In Armenia, activities in this direction are carried out within the framework of the Second National Program on Combating Trafficking in Human Beings for 2007-2009. In 2008, the Government of the Republic of Armenia approved the "National Referral Procedure for Persons subjected to human trafficking." Currently, the elaboration of the National Program for 2010-2013 is underway.

104. In Armenia, non-governmental organizations play an invaluable role in the fight against trafficking in human beings, which, *inter alia*, assist in provision of shelter and support to the victims of trafficking.

105. The problem of combating violence against women has been extensively discussed in Armenia during the recent years. In 2006, upon the Order of the Head of the Police of the Republic of Armenia, a working group was established, supervised by the Deputy Head of the Police, aimed at effective implementation of the provisions of the 2004-2010 National Plan for the Improvement of the Situation of Women and Enhancement of their Role in the Society with regard to measures against violence against women. To that end, crimes against women are recorded at the information center of the Police of the Republic of Armenia.

106. Currently, provisions condemning violence against women are included in the Criminal Code and the Family Code of the Republic of Armenia.

107. In 2007, pursuant to international obligations undertaken, an inter-agency working group was established within the framework of the "Legal initiative against family violence" project implemented by "Center of Women's Rights" non-governmental organization, which elaborated the draft Law on Domestic Violence.

## **L. Right of the child**

108. Armenia has ratified the most important international instruments relating to the rights of the child.

109. This sphere is mainly regulated by the Law of the Republic of Armenia "On the Rights of the Child" (1996). The Family Code of the Republic of Armenia clearly stipulates: "The State shall ensure the primary protection of the rights of children." Sections 4-6 of the Family Code regulate the protection of rights and lawful interests of children. A number of articles in the Labor Code of the Republic of Armenia envisage the procedure for, and the conditions of hiring minors. Chapter 14 of the Criminal Code of the Republic of Armenia regulates the criminal liability of juveniles and specifications of sanctions.

110. The National Commission for the Protection of Children is the body responsible for the protection of children in Armenia. It is an advisory body, the activities of which are aimed at fostering the implementation of the uniform national policy on the protection of child's rights and interests, as well as at the development of the child protection system.

111. In 2006, a new three-tiered system for the protection of children was established in Armenia at national, regional, and community levels. The main purpose of this system is to

implement a uniform and coordinated state policy that will provide for a single uniform methodology for the protection of the rights and interests of children through the National Commission for the Protection of Children, through the children's rights protection divisions at the Marzpetarans (regional governor's offices) of the Republic of Armenia and the Yerevan Municipality, and through the guardianship and trusteeship bodies in the communities.

112. In 2003, the Government approved the 2004-2015 National Plan on the Protection of the Rights of the Child, within the framework of which the following programs, *inter alia*, have been implemented: "State support to the Graduates of Orphanages of the Republic of Armenia" for the period of 2004–2015; "Organization of Child Care in Orphanages" for the period of 2004-2015; "De-institutionalization of Children from Orphanages" for the period of 2004-2015, "Introduction of the Foster Care Institution"; "Creation of a Databank of Foster Families"; "Creation of Twenty-five Day-care Community Centers for Children."

113. Since 2001, child development and child day-care community centers have been established by the efforts of the state and non-governmental organizations. At present, children and juniors with disabilities and social-psychological problems benefit from the services provided by these centers, the activities of which are mainly directed at supporting the social integration of children in especially difficult circumstances.

114. Some improvements have been registered also with regard to street children. At present, due to the cooperation with different international and local organizations, drastic reduction in the number of vagrant juveniles has been registered in Armenia.

115. Seminars on different legal issues, including violence, are organized in general education schools through interactive learning with direct participation of teachers and policemen. These seminars enable juveniles to learn and know their rights and responsibilities, be aware of the legalization of the Republic of Armenia.

## **M. Proper living standards, pensions**

116. Socio-economic development of Armenia and the issue of ensuring proper living standards for the population are among the most important tasks of the Government of the Republic of Armenia. To this end, the 2003-2015 Poverty Reduction Strategy Program was approved in 2003. The Program was revised in 2008, taking into account the rapid economic growth registered in the Republic and its effect on the overall socio-economic situation (in 1999 the poverty rate was 56.1 per cent and the extreme poverty rate was 21 per cent, whereas in 2006 these rates were 26.5 per cent and 4.1 per cent, correspondingly). In 2008, the Government adopted the Sustainable Development Program, with new target thresholds.

117. The Law of the Republic of Armenia "On Mandatory Social Security Payments" has entered into force in 1997, defining the concept of mandatory social security payments, the legal, financial, and organizational aspects for collection, rates of, and procedure for payments in the Republic of Armenia.

118. The Law "On State Pensions" of 2003 guarantees the pension security for the citizens of the Republic of Armenia and provides for the following types of pensions: insurance pensions – seniority, preferential, long-term service, disability, loss of bread-winner; partial; and social pensions – seniority, disability, loss of bread-winner.

119. The social security of the citizens of the Republic of Armenia is also guaranteed by the laws of the Republic of Armenia "On the Social Security of Military Servicemen and their Families" (1998), "On the Social Protection of Children without Parental Care" (2002), "On Social Assistance" (2005), and "On State Allowances" (2005).

120. Despite the existence of the relevant legal framework and the continuous steps undertaken by the Government, the pensions, family benefits and other social security payments are still insufficient to ensure proper living standards for the beneficiaries.

## **N. National minorities, non-discrimination**

121. A relevant legislative framework has been established in the Republic of Armenia for ensuring the rights and freedoms of the minorities residing in the territory of the Republic of Armenia.

122. The Republic of Armenia has ratified the UN Convention on the Elimination of All Forms of Racial Discrimination, the Council of Europe Framework Convention for the Protection of National Minorities, and the European Charter for Regional or Minority Languages, and submits national reports on the implementation of these instruments in the prescribed manner. The Third Report of the Republic of Armenia on Implementation of the Council of Europe Framework Convention for the Protection of National Minorities, as well as the Fifth and Sixth Periodic Report on the Implementation of the UN Convention on the Elimination of All Forms of Racial Discrimination were submitted in 2009.

123. In 1993, the Republic of Armenia acceded to the Convention No. 111 of the International Labor Organization on Discrimination in respect of Employment and Occupation, the provisions of which have been incorporated in the relevant domestic legal acts of the Republic of Armenia.

124. During the Constitutional Reforms of the Republic of Armenia, the Constitution has been supplemented by a new Article 14.1, which particularly states: "Everyone shall be equal before the law. Discrimination on the grounds of sex, race, color, ethnic or social origin, genetic features, language, religion, outlook, political or other views, membership to a national minority, property status, birth, disability, age or other circumstances of a personal or social nature shall be prohibited."

125. Article 41 of the Constitution proclaims that everyone shall have the right to preserve his or her national and ethnic identity. Persons belonging to national minorities have the right to preserve and develop their traditions, religion, language, and culture.

126. Article 3 of the Law of the Republic of Armenia "On Citizenship" prescribes that the citizens of the Republic of Armenia shall be equal before the law irrespective of the grounds of acquisition of the citizenship of the Republic of Armenia, nationality, race, sex, language, belief, political or other views, social origin, property or other status, and are entitled to enjoy all the rights, freedoms, and duties defined by the Constitution and laws.

127. The Criminal Code of the Republic of Armenia stipulates that direct and indirect infringement of human and civic rights and freedoms on the grounds of the person's national origin, race, sex, language, belief, political or other views, social origin, property or other status, which caused harm to the person's lawful interests, shall be punished by a fine or imprisonment.

128. Armenia actively cooperates with the bodies of the Council of Europe dealing with, and carrying out monitoring of issues related to national minorities: the Committee of Experts on Issues relating to the Protection of National Minorities, the Advisory Committee on the Framework Convention for the Protection of National Minorities, the European Commission against Racism and Intolerance, and the Committee of Experts of the European Charter for Regional or Minority Languages.

129. In the Republic of Armenia, there are eleven national minorities: Russians, Assyrians, Yezidis, Kurds, Greeks, Ukrainians, Belarusians, Germans, Polish, Jews, and



Georgians, who-according to the 2001 census, constitute 2.2 per cent of the population of the Republic of Armenia.

130. Continuous contribution to the preservation, dissemination and development of the cultural heritage and the culture of the national minorities is one of the priorities of the cultural policy of the Republic of Armenia. It was reflected in 2008-2012 Action Plan of the Government of the Republic of Armenia. The objective of the relevant measures envisaged is to preserve the cultural identity of the national minorities and involve them in the cultural life of Armenia through publication of non-state press and literature in the languages of national minorities, organization of festivals, restoration of monuments of religious and ethnic communities, and assistance in the development of contemporary art.

131. Point 6 of the cultural activity plan provided for by the provisions of the National Security Strategy relates to the protection of historical, spiritual, cultural values and the ethnic identity of the national minorities residing in the territory of Armenia, and provides that the policy of the Republic of Armenia with regard to the national minorities rests upon three fundamental principles:

- (a) Assisting in the preservation of ethnic identity and the development of ethnic culture;
- (b) Prevention of any form of ethnic discrimination;
- (c) Assisting in the full integration of the non-Armenian population into the society of Armenia.

132. The Law of the Republic of Armenia “On Fundamentals of Cultural Legislation”, adopted in 2002, was of vast importance in organizing the cultural life and solving the existing issues of the national minorities in Armenia: it defined the state policy directions aimed at assisting the cultural development of national minorities.

133. With regard to the protection of national minorities, the establishment of the Coordinating Council for National Minorities (hereinafter referred to as “the Council”), upon the executive order of the President of the Republic of Armenia in 2000, was an important step aimed at ensuring the protection of the national minorities in the Republic, activating their inter-community relations, as well as making the state care in relation to specific educational-cultural, legal and other issues more effective. Two representatives from each of the eleven national minorities residing in the Republic of Armenia are nominated as members of the Council.

134. The Department for Ethnic Minorities and Religious Affairs of the Government of the Republic of Armenia was established in 2004. The Department participates in the drawing up of the Action Plan of the Government of Armenia, exercises the functions of the authorized body of the Government of the Republic of Armenia responsible for regulating relations between the State and religious organizations as prescribed by the Law of the Republic of Armenia “On Freedom of Conscience and Religious Organizations,” and ensuring “the preservation of the traditions of persons belonging to the national minorities and the protection of their right to the development of their language and culture”.

135. Since 2000, financial assistance in the amount of AMD 10 million is provided from the State Budget to organizations representing the eleven communities, which are members of the Council, for the purpose of supporting educational-cultural activities of the national minorities.

136. The representatives of the eleven nationalities represented in the Council participate in the activities held. Moreover, each community invites the representatives of all other ethnic communities to celebrate its national holidays. All this allows the national minorities residing in the territory of the Republic of Armenia to get acquainted with one another’s

languages, traditions, customs, and rituals, which, in its turn, creates an atmosphere of mutual understanding and tolerance and contributes to cultural interosculation and enrichment.

137. The most noteworthy recent initiatives of the Council were the publication of textbooks for elementary classes in the Yezidi and Assyrian languages, the establishment of the Cultural Center of Nationalities in 2006 with the support of the Armenian authorities, the publication of a new Kurdish periodical “Zagros” (2007).

138. Meanwhile, specific educational, cultural, and social programs for the national minorities are also financed by the state authorities. It should be mentioned that notwithstanding the crisis, the educational and cultural programs for national minorities continue to be smoothly implemented.

139. The “Union of Nationalities of the Republic of Armenia” non-governmental organization also plays a rather active role in the sphere of protection of the rights of national minorities in Armenia; it co-ordinates the activities of non-governmental organizations of the national minorities residing in Armenia, upon their consent, in order to strengthen the cooperation and mutual understanding among all nations. Fourteen non-governmental organizations of national minorities are members to the Council of Nationalities.

140. Annual and Medium-Term Expenditure Framework of the Ministry of Culture of the Republic of Armenia envisages annual budgetary allocations for supporting the cultural events of the national minorities. Particularly, AMD 700000 was envisaged in 2007, AMD 1800000 in 2008, and AMD 2300000 in the budget of 2009.

141. Since the representatives of the national minorities mainly reside in the Marzes (regions) of the Republic of Armenia, regional cultural development programs also take this fact into consideration. Differentiated approach is used towards each Marz based on the peculiarities and problems of the national minorities residing in the given Marz. Representatives of unions of the national minorities are involved in the elaboration of the above-mentioned programs.

142. In 2008-2009, eleven newspapers and four journals are published in Armenia in national minority languages (of which nine newspapers and three journals are published with state assistance). In 2008, state assistance in the amount of AMD 9627100 was allocated to the press published in national minority languages, and AMD 12168000 was allocated in 2009.

143. Armenia attaches great importance to the exercise of the national minorities’ children’s right to education and organization of their education in their native languages. Since 2007, launching of groups in pre-school institutions comprised of children of the national minorities is permitted for the number of children being 8-10, whereas the number of children in a standard group is set at 25-30.

144. During 2007-2009, the major achievements in the sphere of education of the national minorities, in addition to various other steps undertaken, include: development and introduction of the “Model curriculum of general education schools for national minorities” (2009); development of textbooks of Yezidi language and literature for 4-5 grades (2008); publication of textbooks for 6-7 grades (2009); development and publication of Assyrian ABC book (2007); publication of the textbook for elementary class “Let’s Speak Assyrian” (2009); inclusion of “Rights of National Minorities” and “Tolerance” thematic units in the curriculum of the “Social Science” subject; and regular trainings of teachers belonging to national minorities.

145. Applicants belonging to national minorities are admitted to higher educational institutions both on equal basis and based on the applications submitted by the heads of the

national minorities. In 2004-2009, the number of persons belonging to national minorities involved in higher education was 74.

146. Notwithstanding the steps taken by the State aimed at providing the national minorities of Armenia with their own teachers, this issue is not yet completely resolved in Russian Molokan, Yezidi, and Kurdish communities.

147. The fact of such adherence to cultural traditions results in incomplete education of children. Labor in Russian Molokan, Yezidi, and Kurdish communities is preferred over education. The issue of overcoming such approach towards education is under constant attention of relevant Armenian state authorities, which have regular meetings with the representatives of the communities with the purpose of discussing and finding solutions to the problem.

148. The Armenian authorities also attach high importance to the fight against any form of racial discrimination at both national and international level. During the World Conference against Racism held in Durban in 2001, Armenia was elected as Vice-Chair of the Conference and was actively participating in its activities. Since 2007, *i.e.*, from the very beginning of the preparatory activities for the Durban Review Conference held in 2009, Armenia has actively participated in those activities and has been elected as Vice-Chairperson of the Preparatory Committee. The principles of the Durban Declaration and the Program of Action underlie the activities of the Armenian state authorities with respect to the fight against racial discrimination. At the national level, these principles are taken into account both while implementing legal reforms, and undertaking practical measures.

149. With respect to dissemination of national hatred, in recent years incitement to hatred towards Armenians and Armenia, as well as apparent war propaganda by Azerbaijan has become a matter of major concern. Such actions by the mentioned country are violation of its international commitments. Manifestations of intolerance and dissemination of xenophobia towards Armenians are not only gross violations of human rights but also raise concerns with regard to ensuring peace and stability in the region; and this poses a potential danger for Armenia's security. A number of well-known, independent monitoring bodies engaged in the protection of human rights, namely - the Advisory Committee on the Framework Convention for the Protection of National Minorities<sup>2</sup>, the European Commission against Racism<sup>3</sup>, the Commissioner for Human Rights of the Council of Europe<sup>4</sup>, have expressed their deep concern with respect to such behavior by Azerbaijan, *i.e.*, dissemination of hatred and hostility and manifestations of discrimination against individuals of Armenian origin. Armenia has repeatedly voiced its concerns in this regard, calling the international community, particularly the Human Rights Council, to undertake measures aimed at halting and preventing such manifestations.

## **O. Refugees, asylum seekers**

150. Armenia has always taken all possible measures to ensure comprehensive and equal protection of the rights and freedoms of persons seeking asylum and recognized as refugees in the Republic of Armenia, as defined by international norms and the legislation of the Republic of Armenia. In 2008, the new Law "On Refugees and Asylum" was adopted, which is in full compliance with the requirements of the 1951 Geneva Convention and its Protocol, and other international instruments.

151. Armenia has continuously pursued a policy of full integration of refugees, including those who are minors, into the society. As of 2009, 82600 refugees were granted citizenship of the Republic of Armenia.

152. From 1999 to 2009, 1670 foreign citizens sought asylum. Of those, 198 applied for a refugee status, 35 were granted a refugee status, and 121 applications were rejected. 1472 individuals sought temporary asylum, and 825 of them were granted the status.

153. The Law of the Republic of Armenia “On Foreigners”, adopted in 2006, defined the types of residency status for foreigners, the grounds and time limits for granting residency status, the grounds for rejecting the residency status, the procedures for granting and rejecting work permits to foreigners, the procedures for leaving the territory of the Republic of Armenia by foreigners, and for their deportation, and other issues.

154. In the Republic of Armenia, foreigners shall have the same rights, freedoms and duties as the citizens of the Republic of Armenia, and shall bear the same responsibilities as the citizens of the Republic of Armenia in the territory of the Republic of Armenia.

155. Refugees which were granted asylum in the territory of the Republic of Armenia shall have the right to benefit from the social services envisaged for the Armenian citizens as prescribed by the legislation of the Republic of Armenia, to receive state allowances and other monetary assistance, free medical aid and care guaranteed by the State, as well as the right to pension insurance specified by the legislation of the Republic of Armenia, and the right to social protection in case of unemployment, provided that they meet the requirements of the legislation of the Republic of Armenia regulating the relevant field. In accordance with the Civil Code of the Republic of Armenia, everyone shall have the right to apply to courts for protection of his or her rights; this provision extends also to refugees and asylum seekers. The Law of the Republic of Armenia “On Refugees and Asylum” guarantees the right to judicial protection for rejected asylum seekers. In accordance with the Law of the Republic of Armenia “On State Duty,” the decision on rejection may be appealed before the courts without payment of state duty.

156. Despite the immense efforts made for years with the purpose of resolving the problems of more than 400000 refugees exiled from Azerbaijan, Armenia has not yet fully resolved the housing problem of the refugees. According to preliminary estimates, AMD 15-16 billion will be required for solving the housing problem of beneficiary refugee families. However, only AMD 815 million is annually allocated for this purpose from the State Budget of the Republic of Armenia. According to preliminary assessments, another 3500-4000 refugee families still lack permanent shelter.

157. In addition to this, the Government also deals with the problem of returning the persons internally displaced due to military operations to their permanent places of residence. In 2008, the Assistance Program for Return of the Internally Displaced Persons Residing in Border Settlements of Armenia to Their Places of Origin was adopted: the implementation of the program will require approximately USD 38.5 million.

158. Rapid resolution of the housing problem for both refugees and internally displaced persons will be possible only with adequate and continuous assistance from the international community.

## **V. Conclusion**

159. The Republic of Armenia continuously pursues its policy of comprehensive protection and promotion of human rights with the objective of building a society based on universal values and rule-of-law.

160. To achieve these objectives, Armenia will continue to cooperate with all international bodies, special procedures both at regional and international levels, while also expanding its cooperation with the United Nations Human Rights Council, the UN High

Commissioner for Human Rights, and the Special Advisor of the Secretary General for the Prevention of Genocide.

*Notes*

<sup>1</sup> CCPR/C/92/Add.2 point 21-24.

<sup>2</sup> ACFC/OP/II(2007)007

[http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_2nd\\_OP\\_Azerbaijan\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_OP_Azerbaijan_en.pdf) and Council of Europe Resolution CM/ResCMN(2008)11

[http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_2nd\\_CM\\_Res\\_Azerbaijan\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_CM_Res_Azerbaijan_en.pdf)

<sup>3</sup> CRI(2007)22 [http://hudoc.ecri.coe.int/XMLEcri/ENGLISH/Cycle\\_03/03\\_CbC\\_eng/AZE-CbC-III-2007-22-ENG.pdf](http://hudoc.ecri.coe.int/XMLEcri/ENGLISH/Cycle_03/03_CbC_eng/AZE-CbC-III-2007-22-ENG.pdf)

<sup>4</sup> CommDH(2008)2

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