



HUMAN RIGHTS DEFENDER OF THE REPUBLIC OF ARMENIA



Alternative UPR Mid-Term Report of the Republic of Armenia

Third Cycle

CONTACT INFORMATION:

Ms. Kristinne Grigoryan, Human
Rights Defender of Armenia

kristinne.grigoryan@ombuds.am

ombuds@ombuds.am

Ms. Anna Karapetyan, Head of
International Cooperation Department

anna.karapetyan@ombuds.am

international@ombuds.am

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List of Abbreviations

RA - Republic of Armenia

HRD - Human Rights Defender

NPM - National Preventive Mechanism

AR - Annual Report

CC - Criminal Code

CPC - Criminal Procedure Code

PWDs - Persons with Disabilities

AP - Action Plan

DV - domestic violence

I. Introduction

The Office of the Human Rights Defender of the Republic of Armenia is an Ombudsman and National Human Rights Institution with the highest "A" international status, functioning in accordance with Paris and International Principles. The HRD is an independent official who observes the maintenance of human rights and freedoms by public and local self-government bodies and officials, as well as, in cases prescribed by the law, by organizations operating in the field of public service. The Defender also facilitates the restoration of violated rights and freedoms.

The HRD is entrusted with the mandate of the National Preventive Mechanism provided by the Optional Protocol, adopted on 18 December 2002, to the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the Republic of Armenia.

The HRD also conducts the monitoring of the implementation of the provisions of the UN Convention on the Rights of the Child adopted on 20 November 1989, as well as the UN Convention on the Rights of Persons with Disabilities (CRPD), adopted on 13 December 2006, as well as carries out the prevention of violations of the rights of the child and persons with disabilities, and the protection thereof.

II. The mandate of the HRD in the UPR Assessment Process and Implemented Methodology

The HRD of Armenia has a crucial role in implementing international commitments into national policies and laws, as well as oversight functions. The HRD constantly observes and assesses the process of the UPR, presenting measures to address the recommendations and outstanding challenges. Each year the HRD presents an annual report on the state of protection of human rights and freedoms in the country. In relation to specific issues forming public resonance or gross violations of human rights, the HRD also develops *ad hoc* public reports.

The summarized information provided in this report is based on the independent monitoring activities of the HRD staff, the study of complaints, as well as the analysis of the information presented by the councils adjunct to the HRD.

III. Summary of Assessed Recommendations by the HRD

Total Number of Assessed Recommendations by the HRD	Number of Recommendations Fully Implemented	Number of Recommendations Partially Implemented	Number of Recommendations Not Implemented
150	3	89	58

IV. Classified Themes of Recommendations

Theme 1: Child Rights

Theme 2: Rights of PWDs

Theme 3: Prohibition of Torture & Ill-treatment

Theme 4: Women’s Rights/Anti-discrimination Policy

Theme 5: Right to Health

Theme 6: Human Trafficking and Exploitation

Theme 7: Freedom of Assembly, Opinion and Expression

Theme 8: National Human Rights Institution

Theme 9: National Human Rights Action Plan

№	Recommendation	Status of implementation¹	Description of activities undertaken, results, challenges
Theme 1: Child Rights			

¹ Categories of implementation status: a) green - fully implemented; b) yellow – partially implemented; c) red – not implemented

1.	<p>153.149 Continue to strengthen its efforts to ensure education for all, paying special attention to children from economically disadvantaged families (Japan);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Fully implemented	<p>The HRD recorded in the 2021 AR that recognizing the right to free secondary education and, at the same time, envisaging a fee for the textbooks to exercise this right is concerning. In particular, any separate provision is not envisaged regarding the provision of textbooks to children of vulnerable groups.</p> <p>In this regard, the HRD applied to the RA Constitutional Court in 2017. The Constitutional Court stated that the state is obliged to guarantee sufficiently specific, transparent, and equality-based procedures to ensure access to textbooks for students of socially vulnerable families (decision SDV-1419 of June 12, 2018).</p> <p>As a positive consequence, on November 29, 2021, the RA Minister of Education, Science, Culture and Sports approved the procedure for providing textbooks to RA public educational institutions and invalidated the N 752 order of August 21, 2009.</p> <p>Point 7 of the approved appendix stipulates that the reimbursement of investment funds for textbooks allocated to students of families registered in the family vulnerability assessment system or included in social support programs implemented by the state is carried out from the state budget within the framework of the</p>
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			"Reimbursement of textbook fees for children from socially vulnerable families" program.
2.	<p>153.150 Ensure that the right to education is effectively offered to all, especially to girls and to children with disabilities, in particular to those in the most remote areas of the country (Holy See);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.151, 153.152, 153.153, 153.154, 153.155, 153.156, 153.215, 153.216</i></p>	Partially implemented	<p>General inclusive education is being implemented at the state level.</p> <p>Nevertheless, systemic issues have been recorded related to the building conditions of educational institutions, including the absence of physical and environmental accessibility adaptations, reasonable accommodations, lack of multidisciplinary teams, and Braille textbooks. The mentioned issues are present both in the field of preschool and general education. Thus, there are many cases when children with disabilities do not attend preschool educational institutions because of the absence of relevant accessibility adaptations, and multidisciplinary teams.</p> <p>As a result, in addition to the violation of the right to education, children with disabilities face the problem of social isolation from an early age.</p>
3.	<p>153.203 Continue efforts to end online and offline child sexual exploitation and abuse (Greece);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>In 2020, Armenia completed the ratification of the Council of Europe Lanzarote Convention. The Convention entered into force on 1 January 2021.</p> <p>Several amendments were made at the</p>

	<p><i>Also covers 153.204, 153.205, 153.206</i></p>		<p>legislative level.</p> <p>The new RA CC entered into force in 2022, prescribes special provisions to enhance the combat against child sexual abuse and exploitation.</p> <p>In particular, creating, distributing or maintaining pornographic material or objects, which includes child pornography, is prohibited under article 300 of CC.</p> <p>Trafficking or exploitation of a child or a person in a vulnerable situation is also considered a crime under the CC.</p> <p>In order to strengthen measures to protect children from violation, the HRD has developed a separate website² for children, allowing them to contact the HRD through the online platform directly in case of an alleged violation of their rights.</p> <p>In addition, in 2022 a Child and Youth Rights Public Council adjunct to the HRD was established³, which, in the framework of its activities, addresses bullying as a discriminatory attitude and sometimes an early sign of violence.</p>
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² <https://children.ombuds.am/?lang=en>

³ https://ombuds.am/en_us/site/ViewNews/2407

4.	<p>153.227 Take further measures to provide early warning and care options for children with various types of disabilities in an inclusive setting (Bulgaria);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	<p>Not implemented</p>	<p>Interagency cooperation to provide early warning and care options for children with various types of disabilities, particularly quick response mechanisms in identifying children who are excluded from education because of different types of disabilities or in vulnerable situations, are not implemented.</p>
5.	<p>153.208 Continue efforts to improve juvenile justice (Tunisia);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.208, 153.209</i></p>	<p>Partially implemented</p>	<p>The HRD ARs highlighted the importance of child-friendly approaches to children in justice. In this regard, within the framework of legislative amendments, some additional procedural guarantees were established. In particular, the new RA CPC envisages the mandatory involvement of a psychologist in all investigative actions where minors are involved.</p> <p>In addition, the HRD representative is involved in the Council for Juvenile Justice and regularly presents recommendations. Nevertheless, the need for better response mechanisms for minors remains an acute problem.</p> <p>As for abolishing the solitary confinement of juveniles as a disciplinary measure, both in law and in practice, the HRD expresses concern in ARs regarding the circumstance of keeping juveniles in solitary confinement (not in the sense of subjecting them to disciplinary punishment) for a long time.</p>

			During the monitoring visits, juveniles living in isolation for more than 10 months were recorded. Relevant proposals were submitted to the RA Ministry of Justice.
Theme 2: Rights of PWDs			
6.	<p>153.219 Ensure the efficiency and adequacy of complaint systems concerning the work of institutions that provide treatment or care for PWDs (Poland);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Not implemented	<p>The complaints of PWDs regarding the work of the institutions that provide treatment are not always adequately recorded by the competent authority. In some cases, records are not done in an appropriate manner. As a result, further issues arise for the person's complaint when examined in order of superiority. The existing procedures are not effective, and useful mechanisms for objective and comprehensive consideration of the information are not implemented.</p> <p>Thus, presented facts are mostly ignored by the body considering the complaint. After examining the individual's complaint, as a rule, the body's position against which the complaint was filed is presented without objectively referring to the information presented by the applicant.</p> <p>This is also due to the fact that, in general, the same body considers complaints against whose employee they submitted.</p>

7.	<p>153.211 Take measures to remove all barriers preventing people with disabilities from participating fully in society, paying special attention to children with disabilities (Italy);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>Despite the constitutional and conventional prohibitions of discrimination based on disabilities, the lack of efficient and effective mechanisms for recording and evaluating manifestations of discrimination continues to be relevant. It is practically impossible to identify, prevent and eliminate the consequences of discrimination.</p> <p>As a result, the isolation of people with disabilities from society deepens since they are deprived of real opportunities to confirm the existence of discriminatory treatment, especially latent and indirect manifestations of discrimination. In practice, discrimination against PWDs is often disguised and does not apparently contain features of discrimination on the basis of disability or is not obviously directed at PWDs.</p> <p>In 2021, the law “On the Rights of Persons with Disabilities” was adopted introducing new legal regulations related to the institute of personal assistant, discrimination based on disabilities and provision of reasonable accommodations at educational and work places followed by the adoption of relevant sub-legislative acts and ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities in 2022. Nevertheless, relevant effective awareness raising campaigns and</p>
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			<p>institutional mechanisms for the application of the norms of law in practice are still not available.</p> <p>Hence, effective monitoring of the legislation on the rights of PWDs and legal practice is crucial for assuring quick responses to violations and submission of recommendations of sectoral reforms. Therefore, enhancing capacities of HRDO for the CRPD monitoring by increasing the budget of the HRD to recruit additional specialists can be considered as one of the institutional mechanisms to address more cases and aspects related to the protection of PWD's rights.</p>
8.	<p>153.212 Further empower persons with disabilities by improving their employment opportunities and access to public buildings, including those providing health-care, educational and social welfare services (Japan);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>The problems related to the exercise of the right to work and employment of PWDs remain unresolved.</p> <p>In addition, the negative consequences of the state of emergency and martial law declared in 2020 have not been overcome yet.</p> <p>This fact is evidenced by the monitoring of the HRD, the study of complaints addressed to the HRD, and the analysis of the information presented by the public council adjunct to the Defender.</p> <p>Additional legal guarantees have been envisaged for PWDs through recent amendments of the</p>

			<p>Labor Code in the 2022. In particular, the workplace and position of an employee who has lost his capacity for work due to occupational disease or work disability shall be preserved until the restoration of his capacity for work or until he is recognized as a person with a disability. In case the employee's ability to work is not restored and the employee is recognized as a person with a disability, the employer may terminate the employment contract, if there is a relevant conclusion issued by the authorized body regarding the work in question. Moreover, after being recognized as a person with a disability, the employee may apply to the employer for reasonable adjustments (accommodations) in order to properly perform his/her work duties or to offer another job with the same employer, in accordance with the procedure established by the legislation of the Republic of Armenia.</p> <p>However, despite the mentioned legislative amendment, it remains concerning that there are no legal guarantees to exclude or reduce cases of discrimination based on disability in the hiring stage of PWDs.</p>
9.	153.213 Continue to take measures to implement its Comprehensive Plan for 2017–2021 on Social Inclusion of Persons with	Partially implemented	According to the current legal regulations, PWDs receive disability pensions and benefits from some social and health services.

	<p>Disabilities (Lao People’s Democratic Republic);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.229</i></p>		<p>Nevertheless, the efficiency of the provided assistance and service to meet the needs of people with disabilities or their impact on the quality of life of PWDs is not adequately assessed.</p> <p>The HRD presented the social inclusion issues PWDs in an ad hoc report and in the 2021 AR, addressing the systemic problems of the employment of PWDs involvement in the community, the realization of need-based services and other rights.</p>
10.	<p>153.214 Continue efforts to promote the rights of persons with special needs (Lebanon);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.230, 153.231, 153.232</i></p>	Not implemented	<p>The HRD noted several times that promotion and guaranteeing the exercise of the rights of PWDs does not refer to providing assistance to PWDs but to establishing and providing opportunities for the exercise of their rights by PWDs independently.</p> <p>Moreover, guaranteeing the right of PWDs to live independently and to be involved in the community is fundamental to the respect and promotion of all their rights.</p> <p>Stereotyped perceptions and approaches regarding the right of PWDs to live independently and be involved in the community lead to the violation of the rights of others, for example, the violation of respect for dignity and private life.</p>

			<p>As a result, the issues related to the right of employment of PWDs living in care institutions continue to be problematic, which is also evidenced by the results of the monitoring visits of the HRD to various institutions. Private conversations with PWDs living in care institutions evidence that they generally do not have precise information about the labor market demands, their development, and the formation of competitive personnel. Most of the students mainly refer to some fixed and standard directions based on gender (boys mostly think about enlisting in the army and then going into contract service, and girls feel about working in the service sector or getting married). During the period in the institution, the child does not form widely applicable knowledge and ideas to build a life independently and self-sufficient. During the visit, it was also noted that there are no effective, implementable, measurable group and individual programs for personality development for children of different age groups. The professional processes aimed at the child's personal growth and independence generally take place in a non-systematic, non-demanding and purposeful way, mainly in the form of conversations with educators. Children receive the "package" of knowledge and skills related to professional orientation in a non-systematic way through discussions with the</p>
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			<p>teacher or other people, which does not ensure the full disclosure and promotion of each child's developmental abilities and capabilities. In this regard, it should be noted that according to the information provided by the Ministry of Labor and Social Affairs, any program was not implemented in the direction of employment or self-employment of disabled graduates with disabilities of orphanages during 2021.</p> <p>In this regard, the HRD regularly conducts awareness-raising campaigns focusing on the right to live independently and respect for the dignity of PWDs in all spheres of social life. In addition, HRD, in cooperation with the Ministry of Labor and Social Affairs, will conduct a series of capacity-building training for employees of care institutions working with children with disabilities focusing on the promotion of the right to be heard and the right to live independently and the promotion of inclusive society.</p>
11.	<p>153.220 Raise the awareness of the key provisions of laws on disability issues, once enacted, among all relevant stakeholders to ensure their effective implementation (Singapore);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Not implemented	<p>The HRD regularly raises concerns in ARs on the lack of proper awareness-raising activities on disability issues. The study and investigation of the applications addressed to the HRD evidence that as a result of administrative deficiencies and improper communication and lack of awareness on the issues concerning the rights of PWDs and</p>

			<p>the determination of the disability status continue to be systemic.</p> <p>The HRD carries out awareness-raising campaigns and events both for PWDs and for the latter's employees. Discussions with employees of competent state bodies constitute a part of the awareness-raising activities.⁴</p> <p>The HRD also has an initiative to conduct awareness-raising activities on CRPD provisions in a comprehensive and easy-to-understand way.</p>
12.	<p>153.224 Accelerate the drafting of those laws that further promote and protect the human rights of persons with disabilities (Viet Nam);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>In 2021, the RA Law "On the Rights of PWDs" and the RA Law "On the Assessment of Person's Functionality", as well as in 2022, the sub-normative legal acts arising from the mentioned laws were adopted. The legal acts will mainly enter into force in 2023.</p> <p>The implementation process of the mentioned legal framework continues to be under the close attention of the HRD.</p>

⁴ <https://ombuds.am/am/site/ViewNews/2426>

13.	<p>153.225 Adopt comprehensive legal and administrative measures aimed at combating discrimination against persons with disabilities and guarantee full access to health, education and employment (Argentina);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.226, 153.228</i></p>	<p>Not implemented</p>	<p>The issue of protection of labor rights and equal opportunities for PWDs remains unresolved systemically.</p> <p>The HRD recommends revising the employment quota system for PWDs as soon as possible and introducing an effective system to ensure their labor rights.</p> <p>Since 2019, the HRD has raised the issue of suspending the legal act ensuring the enforcement of the mandatory provision of jobs for the employment of PWDs (quota) and suggested revising the quota system. In this regard, the UN CRPD Committee also noted that the significant unemployment rates among PWDs and the lack of programs and employment policies that effectively enable them to enter the open labor market are of concern. In the report submitted to the Committee, the Ministry of Labor and Social Affairs of the Republic of Armenia explained the suspension of the quota system in connection with the fulfillment of the quota requirement by the organizations due to a number of objective obstacles in certain areas. Meanwhile, analytical data assessing the objectivity of the cited obstacles were not presented.</p> <p>In addition, it may be added that in response to the HRD's inquiries, the RA Ministry of Labor and Social Affairs reported that 293 PWDs were</p>
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			<p>included in state employment regulation programs in 2021: 94 out of 293 were employed or became self-employed, and 123 were temporarily employed. As a result, 76 people were enrolled in state employment regulation programs but did not become beneficiaries. In comparison with the data received for 2020, it has to be stated that 343 PWDs were employed through the mediation of the state employment agency, including as a result of programs providing stable employment. Such comparative analyses show that the number of people with disabilities employed due to state employment programs decreased by 126 in 2021. Not excluding the fact that the decrease in the number of people with disabilities employed as a result of state programs may be due to the COVID-19 pandemic and the consequences of the war in 2020. However, it is worrying from the point of view of the proper fulfillment of the requirements of Article 27 of the CRPD.</p>
14.	<p>153.210 Take measures to improve the accessibility of persons with disabilities to government buildings, as well as major cultural and recreational venues (Israel);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>According to the RA Law "On the Rights of PWDs", accessibility is defined as one of the fundamental principles of the state policy of ensuring, promoting and protecting the rights of PWDs.</p> <p>Although the accessibility of the physical environment is primary for people with</p>

			<p>disabilities to exercise their rights independently, in the context of universal inclusion, an accessible physical environment is also necessary for every member of society.</p> <p>It should be mentioned that during 2021, the issue of accessibility of the physical environment was not systematically solved.</p> <p>The problem is even more concerning since it leads to the limitation of people with disabilities in receiving education, engaging in employment activities, as well as health care, participating in cultural life, and independent exercise of other rights.</p> <p>The problem of physical accessibility continues to be systemic in institutions where PWDs, including children, live and/or study. The issues of accessibility of the physical environment are more intensified in regional communities.</p>
Theme 3: Prohibition of torture & ill-treatment			
15.	<p>153.84 Close legislative gaps to ensure that all forms of torture and ill-treatment are fully criminalized and take steps to eradicate torture and ill-treatment, and effectively investigate, prosecute and punish such acts (Ireland); Source of Position: A/HRC/44/10/Add.1</p>	Not implemented	<p>The issue of criminalization of all forms of ill-treatment is still unresolved. For instance, provision of inappropriate medical care or keeping a person deprived of liberty in indecent living conditions for a long time.</p> <p>The HRD, as the NPM, regularly presents to the Government in ARs the problems related to</p>

	<p><i>Also covers 153.88</i></p>		<p>protecting the rights of persons deprived of their liberty and proposes solutions.</p> <p>The HRD, as the NPM, visited the “Abovyan” penitentiary institution in March 2022, followed by the unannounced monitoring visit on June 13, 2022. Based on the abovementioned visits, the HRD developed an ad hoc report presenting problems related to protecting the rights of persons deprived of their liberty, such as lack of medical care, failure to ensure the rights of foreign persons due to the language barrier, poor detention conditions, treatment of mentally disordered persons without informed consent, and introduced relevant solutions. In particular, the following recommendations, inter alia, have been presented:</p> <ul style="list-style-type: none">• Ensure the possibility of proper communication between foreign persons deprived of their liberty and the administration of the penitentiary institutions by engaging a translator/interpreter, developing phrasebooks, purchasing special devices for translation or organizing foreign language courses for the employees of the penitentiary institutions;• Develop procedures and forms for giving written informed consent to medical
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			<p>interventions of persons deprived of their liberty;</p> <ul style="list-style-type: none"> ● Separate and properly furnish a cell for pregnant and women with children up to three years old deprived of their liberty; ● Take steps to ensure sufficient conditions (furniture, natural lightning) contributing to the proper implementation of the preliminary medical examination of the persons deprived of their liberty; ● Carry out appropriate renovation works in the bathrooms to properly organize the bathing of persons deprived of their liberty. <p>All recommendations are summarized in the ad hoc report of the HRD.⁵</p>
16.	<p>153.85 Take measures to eradicate torture and ill-treatment during arrest, detention and questioning, and strengthen measures to effectively investigate such cases (Luxembourg);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.87</i></p>	Partially implemented	<p>The HRD recorded in 2021 and 2022 ARs that the introduction of a video recording system in Police stations is an effective measure in terms of preventing torture and ill-treatment. However, the implemented solutions are not complete. In particular, only in some police stations, video recording devices were installed. In some of the stations, only the entrance and exit of the building are video recorded. Hence,</p>

⁵ <https://www.ombuds.am/images/files/78df760d61b812d3a55c0dc9b815d8f3.pdf>

			<p>the interrogation rooms are not being video recorded.</p> <p>In Police stations where interrogation rooms with appropriate video recording devices are envisaged, in some cases, they were not used or various technical issues were recorded.</p> <p>The HRD expresses concern regarding improper physical examination of persons admitted to penitentiary institutions and non-observance of procedures for reporting injuries to law enforcement bodies.</p> <p>At the same time, the HRD considers problematic the lack of appropriate guidelines and methodology instructions, as well as the lack of recording forms, to carry out physical examinations of persons admitted to places of detention by emergency medical personnel.</p>
17.	<p>153.86 Ensure that investigations are conducted by an independent mechanism into all allegations of torture and ill-treatment, particularly in prisons, and that perpetrators are punished (Switzerland); Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.90, 153.91</i></p>	Not implemented	<p>In October 2021, the Special Investigative Service was dissolved, and its functions were transferred to the specialized department of the Investigative Committee.</p> <p>The HRD, as the NPM, strongly criticized the amendment and proposed to restore the service or at least transfer the function of the investigation of the proceedings initiated against the investigators of the Investigative Committee to the National Security Service in order to</p>

			<p>ensure impartiality and independence of investigations.</p> <p>The recommendations of the HRD have been approved. Accordingly, the investigations of the proceedings initiated against the investigators of the Investigative Committee are carried out by the RA National Security Service.</p>
18.	<p>153.87 Conduct credible investigations and prosecutions of individuals responsible for torture, sexual violence and abuse, and other egregious assaults (United States of America); Source of Position: A/HRC/44/10/Add.1</p>	<p>Not implemented</p>	<p>The HRD, as the NPM, has always expressed concern for the effective investigation of torture and ill-treatment cases in the 2020 and 2021 ARs, emphasizing the existence of a large number of decisions on termination of criminal proceedings or criminal prosecution based on the statistics provided by the RA General Prosecutor's Office.</p> <p>According to the statistical data provided by the General Prosecutor's Office in 2021, 50 cases were examined under Article 309, Part 2 of the RA CC, of which:</p> <ul style="list-style-type: none"> ● 27 criminal cases were terminated, ● 16 criminal cases were suspended, ● Preliminary investigation of 7 criminal cases is ongoing. <p>Under Article 309.1 of the RA CC, 49 criminal cases were initiated in 2021, of which:</p> <ul style="list-style-type: none"> ● 37 criminal cases were terminated, ● 7 criminal cases were suspended,

			<ul style="list-style-type: none"> • Preliminary investigation of 5 criminal cases is ongoing. <p>Under Article 341 of the CC, 1 criminal case was initiated in 2021, the preliminary investigation of which is ongoing.</p>
19.	153.89 Repeal the statute of limitations for the crime of torture and other equivalent acts under the Criminal Code (Chile); Source of Position: A/HRC/44/10/Add.1	Fully implemented	<p>The HRD emphasized in 2019, 2020 and 2021 ARs that from the point of view of the absolute prohibition of torture, it is impermissible to exempt the persons who committed torture from criminal responsibility due to the expiration of the statute of limitations and amnesty and presented relevant suggestions.</p> <p>The new CC of 2022 does not envisage a statute of limitations for the crime of torture and other equivalent acts.</p>
20.	153.92 Define torture in accordance with the Convention against Torture (France); Source of Position: A/HRC/44/10/Add.1	Fully implemented	Article 450 of the new CC defines the concept of torture in accordance with the Convention against Torture.
21.	153.93 Safeguard the full enjoyment of the procedural rights of detainees from the very outset of detention, including its notification, and prompt access to medical and legal assistance (Poland); Source of Position: A/HRC/44/10/Add.1	Partially implemented	The HRD presented to the Government in ARs the issues of full enjoyment of the rights of persons deprived of their liberty, such as the insufficient supply of medicines and the presence of expired medicines in penitentiary institutions. The HRD also recorded that due to the lack of appropriate conditions, the patient's admission to the medical center may be delayed,

			<p>even in the case of the need for medical intervention.</p> <p>The HRD suggested possible solutions to the relevant state bodies. In particular, the HRD, among other things, recommended:</p> <ol style="list-style-type: none">1. Expand the list of medicines and their supply in the penitentiary institutions;2. Develop an alternative flexible and prompt mechanism for the procurement of medicines;3. Establish strict supervision over the circulation of medicines that are expired or whose expiration date is unknown;4. Exclude the use of expired medicines;5. Supervise the procedure of receiving, accounting and handing over medicines to a person deprived of liberty in the penitentiary institutions;6. Carry out an assessment of the necessary volume of laboratory tests and ensure the proper equipment of the laboratory;7. Organize necessary examinations of persons deprived of their liberty must on time and without delay. <p>These recommendations are to be addressed.</p>
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Theme 4: Women’s Rights/Anti-discrimination Policy

<p>22.</p>	<p>153.148 Continue enhancing women’s access to basic health care and sexual and reproductive health services, in particular for rural women (India); Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.38</i></p>	<p align="center">Not implemented</p>	<p>The accessibility of medical services for vulnerable groups, women with disabilities, and to persons in penitentiary institutions remains problematic. Problems especially arise for women with disabilities, who face obstacles while trying to access medical care due to discrimination for various reasons, including the inaccessibility of medical services, inadequate training of medical personnel, and stereotypic or inappropriate treatment. These women face many obstacles and problems, especially when exercising reproductive health rights. Special measures are not taken in relation to the realization of the rights of women with disabilities, and the issue remains systematically unresolved.</p> <p>Regarding penitentiary institutions, during the monitoring visits, the HRD recorded that the lack of equipment and instruments necessary for pelvic examination is an obstacle to the provision of proper pelvic services.</p> <p>In addition, comparative studies show that in recent years, attendance at the gynecologist among persons deprived of their liberty has been relatively low.</p>
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			Moreover, annual preventive measures are not fully implemented in penitentiary institutions.
23.	<p>153.164 Continue to promote gender equality and take the necessary measures to increase women’s participation in political life (United Arab Emirates);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.166</i></p>	Partially implemented	<p>Women's participation in political and public life remains low. Despite the welcomed amendments to the Law on Political Parties and the Electoral Code, aimed at encouraging women's political participation, women remain underrepresented in decision-making positions. The only exception is the Parliament, where women make up more than 33% as a result of the continuously increasing gender quota. In the executive branch, only 1 out of 12 portfolios is occupied by a woman. No security and law enforcement body is headed by a woman; the Security Council has no single female member. Although the Parliament elected a female Prosecutor General, she is still to occupy the position. Out of the 11 regions, only one is headed by a female Governor, and out of a total 502 communities, only 8 are led by females.</p> <p>The Judiciary has 26% women representation due to the 25% quota with fewer women in higher instances</p> <p>In 2019 the Council on Women’s Issues chaired by the Deputy Prime-Minister was established, which is a multi-stakeholder platform. Among many factors, the effectiveness of Council on Women’s Issues activities is conditioned by</p>

			<p>regular meetings. The HRD considers an issue that the minimum periodicity of the sessions of the Council is not fixed in legislation and in practice the sessions are not held in proper regularity (almost once a year; the last session was held in march 2021). The representatives of HRD are involved in the activities of the Council on Women's Issues.</p> <p>To alleviate this concern, as well as in order to strengthen the women's agenda within the framework of her mandate, the Defender created the Council on Women's Rights⁶ on August 25, 2022, which is a consultative body and is composed of representatives of CSOs in the field. The Council targets issues such as legal and economic empowerment of women, ensuring legal equality, stimulation of political participation, prevention of violence against women and gender-based violence, their recording and provision of support, and the inclusion and advancement of women in the law enforcement system, and the Armed forces, the monitoring, and evaluation the implementation of strategies and programs, awareness-raising campaigns about the rights of women and girls, educational and professional training programs,</p>
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⁶ https://ombuds.am/en_us/site/ViewNews/2339

			etc. ⁷ A minimum 6 months frequency of meetings is set for this Council.
24.	<p>153.43 Take prompt and resolute action against all instances of violence, hate speech and hate crime, online as well as offline, especially targeting lesbian, gay, bisexual, transgender and intersex persons and women (Germany);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers</i> 153.48, 153.58, 153.61, 153.62, 153.66, 153.69, 153.71, 153.244, 153.67, 153.70</p>	Partially implemented	<p>The new CC established criminal liability for a public speech aimed at inciting or promoting hatred, discrimination, intolerance or hostility against a person or a group of persons based on race, nationality, ethnic or social origin, religion, political or other beliefs or other circumstances of personal or social nature. Furthermore, the CC establishes criminal liability for public calls to violence, as well as publicly justifying and promoting violence based on the same protected grounds.</p> <p>These provisions cover both offline and online speech. Both articles include the commission of an offense through publicly displayed works, mass media, or information or communication technologies as an aggravating circumstance. It should also be noted that these Articles do not explicitly mention sexual orientation, gender identity, as well as gender or sex as protected grounds.</p> <p>At the same time, in the 2021 AR, the HRD noted concerns about degrading and offensive speech levels, including hate speech. High levels</p>

⁷ <https://ombuds.am/am/site/ViewNews/2457>

			<p>of hate speech, insults, and targeting of human rights defenders, including women human rights defenders, CSOs, and journalists were especially disturbing. The HRD called on the Government to conduct awareness-raising campaigns aimed at the general public regarding the negative consequences of hate speech.</p> <p>In practice, an investigation is carried out in connection with cases of violence against lesbian, gay, bisexual, transgender and intersex persons, but the investigation in some cases does not meet the criteria of reasonable time to investigate the case.</p> <p>As to hate crime, please see description to recommendation 153.64.</p>
25.	<p>153.44 Implement the recent recommendation of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe by revising and clarifying the draft law on ensuring equality before the law and ensure credible and effective oversight of its enactment (Netherlands);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Not implemented	<p>While the Government devised the Draft Law on Ensuring Equality before the Law back in 2019, since then, no tangible progress has been recorded related to the adoption of this Draft. The HRD remains concerned at the lack of visible efforts of the Government aimed at ensuring the necessary legislative framework and effective safeguards to combat discrimination.</p> <p>The HRD regularly highlights the importance of the adoption of the Draft law, which would introduce necessary legislative mechanisms for</p>

	<p><i>Also covers</i> 153.48, 153.52, 153.53, 153.54, 153.55, 153.56, 153.57, 153.58, 153.59, 153.60, 153.61, 153.62, 153.65, 153.66, 153.68, 153.69, 153.69, 153.71</p>		<p>combating discrimination in both public and private spheres as well as establishing an effective institutional response mechanism for such cases.</p>
<p>26.</p>	<p>153.45 Continue to strengthen anti-discrimination policy and the protection of vulnerable groups (Romania);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers</i> 153.48, 153.50, 153.52, 153.53, 153.54, 153.55, 153.56, 153.57, 153.58, 153.59, 153.60, 153.61, 153.62, 153.65, 153.66, 153.68, 153.69, 153.71</p>	<p>Partially implemented</p>	<p>The new CC establishes criminal responsibility for discrimination which is defined as distinction in treatment based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, world view, political or other views, belonging to a national minority, property status, birth, health condition, disability, age, or other personal or social circumstances, which violates one's rights or freedoms or which benefits a person without objective grounds and legitimate aim.</p> <p>Acknowledging the improvements that this Article introduced compared to the respective provision of the previous CC, it should nevertheless be stressed that criminalization cannot be regarded as the sole means of combating discrimination and comprehensive anti-discrimination legislation is necessary to address this issue effectively. In this regard, please also see the answer to recommendation 153.44.</p> <p>In the 2020 and 2021 ARs of the HRD, it was recorded that people belonging to socially vulnerable groups, such as people with</p>

			<p>disabilities, children, pensioners, older persons, and particular groups of children, have a specific influence on the family poverty level. Respective recommendations were presented.</p> <p>It is noteworthy that the HRD has public councils adjunct to the HRD, including councils on the protection of rights of PWDs, women's rights, and child and youth rights.⁸</p>
27.	<p>153.46 Continue efforts to strengthen equality between men and women, to combat human trafficking, as well as to further protect the rights of national minorities (Russian Federation);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Not implemented	<p>The issues related to the inequality of men and women in the labor market remain systematically unresolved. Despite existing legislation and the apparent absence of discriminatory provisions in legal acts, women continue to face restrictions on their labor rights and discrimination.</p> <p>The lack of legislative and effective response mechanisms to prevent sexual harassment in the workplace is highly concerning.</p> <p>In addition, women face problems when returning from maternity leave. This systemic issue creates obstacles for women to compete in the labor market, which must be considered from two different views: First, parents face issues while arranging childcare and later face complications when they return from childcare</p>

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			<p>leave. The issue is related to the fact that, in this case, they might not objectively have the same capabilities as their colleagues.</p> <p>Regarding national minorities, in the 2021 AR, the HRD called attention to the criminal prosecution of Sashik Sultanyan, the Chairperson of the Yezidi Center for Human Rights in Armenia. The criminal proceedings were initiated for inciting national hostility. The accusation was based on Sashik Sultanyan's interview with an Iraqi media outlet in the Yezidi language, where he provided his opinion and assessment of the human rights violations in Armenia. The HRD considers these proceedings concerning not only from the perspective of the protection of freedom of expression but also considering the potential threats it poses to the public activities of human rights defenders working on protecting the rights of national minorities.</p>
28.	<p>153.49 Conduct broad public education and awareness with a view to combating hate speech, stereotypes and discrimination (Bahamas);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Not implemented	<p>The most influential source of information in Armenia are the TV channels, some of which are spreading content that multiplies the existing stereotypes about women's role in society. The competent state body responsible for the enforcement of tele-legislation should more effectively react to and address these types of cases, which is not the case.</p>

	<p><i>Also covers 153.51</i></p>		<p>Since 2019, the strategy and AP to combat DV is being developed and has not been adopted. The Draft was discussed and circulated a number of times and HRD recommended special courses and training for concrete professionals to fight the existing stereotypes.</p> <p>Stereotypes cultivate more sex-selective abortions. According to 2021 official statistics, the gender ratio remained at 1.10 in 2020 compared to 2019 and decreased compared to 2018. The same data suggests that the gender ratio did not increase in 2020, which is a positive change, but from a general point of view, the issue continues to remain with the same relevance.</p> <p>The HRD implemented the awareness-raising campaign in cooperation with the Ministry of Justice; several informative video materials on hate speech and its negative effects were filmed and disseminated. The HRD published another video material presenting the mandate of the HRD regarding hate speech.</p> <p>It should also be mentioned that in 2020, the HRD conducted an awareness-raising campaign called “Set an Example”.⁹ The campaign consisted of real women's success stories and</p>
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⁹ <https://ombuds.am/am/site/ViewNews/1090>

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29.	<p>153.63 Ensure prompt, thorough and effective investigations into all cases of violence against lesbian, gay, bisexual, transgender and intersex persons (Malta);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.67, 153.70</i></p>	Not implemented	<p>Throughout the years, the HRD received complaints regarding various types of violations of LGBTI persons' rights, including those related to the inaction and mishandling of hate crime cases by law enforcement agencies. In this regard, training programs of law enforcement agencies and judges are needed to promote tolerance towards LGBTI people and enhance the effectiveness of the investigation of cases of hate crime, hate speech and discrimination towards them.</p>

¹⁰ <https://ombuds.am/am/site/ViewNews/2458>

			Please also see the answers to recommendations 153.43 and 153.64.
30.	<p>153.64 Amend the Criminal Code to include homophobia and transphobia as aggravating criminal circumstances (Malta);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.48, 153.58, 153.61,153.62, 153.66, 153.71, 153.67</i></p>	Partially implemented	<p>The new CC establishes the commission of an offense motivated by hatred, intolerance, or hostility based on race, national, ethnic, or social origin, religion, political or other beliefs, or other circumstances of personal or social nature as an aggravating circumstance. The list of protected grounds is non-exhaustive, which means that it might be implied that it includes sexual orientation and gender identity, as well. However, to avoid any misinterpretation of the provisions, it is nonetheless necessary to amend them explicitly, mentioning sexual orientation and gender identity as protected grounds, especially considering the general inaction of law enforcement agencies regarding crimes committed against LGBTI persons.</p>
31.	<p>153.72 Combat hate speech and hate crimes, which includes adequate references to skin colour, ethnicity, religion, belief, sexual orientation or disability, by adopting necessary adjustments to legislation (Norway);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially Implemented	<p>The new CC establishes the commission of an offense motivated by hatred, intolerance, or hostility based on race, national, ethnic, or social origin, religion, political or other beliefs, or other circumstances of personal or social nature as an aggravating circumstance.</p> <p>The CC also establishes criminal liability for a public speech aimed at inciting or promoting hatred, discrimination, intolerance, or hostility</p>

			<p>against a person or a group of persons based on race, nationality, ethnic or social origin, religion, political or other beliefs, or other circumstances of personal or social nature. Furthermore, the CC establishes criminal liability for public calls to violence and publicly justifies and promotes violence based on the same protected grounds.</p> <p>It should be mentioned that in all these cases, the list of protected grounds explicitly includes ethnicity, religion and belief, and since the list is non-exhaustive, it might be implied that it includes skin colour, sexual orientation and disability, as well.</p> <p>However, in order to avoid any misinterpretation of the provisions, the HRD recommends amending the provisions on aggravating circumstances, hate speech and public calls to violence explicitly mentioning sexual orientation and gender identity as protected grounds, especially considering the general inaction of law enforcement agencies regarding crimes committed against LGBTI persons.</p>
32.	<p>153.73 Introduce legislation criminalizing racist organizations and participation in such organizations (Afghanistan);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Not implemented	<p>No changes to the legislation were made in this regard.</p> <p>It should nonetheless be noted that the new CC of 2022 introduced the institute of criminal liability of legal entities, which will be operable</p>

			from January 1, 2023. This will enable law enforcement agencies to prosecute legal entities disseminating racist speech for hate speech and public calls to violence.
33.	<p>153.74 Develop and implement a common, unified policy for combating discrimination, including effective mechanisms to combat hate speech, hate crimes and other hate-motivated incidents, and preventing and properly investigating such cases, as well as responsibility mechanisms and effective legal remedies (Germany);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>Actions aimed at fighting discrimination are included in various strategies of the RA Government, including the National Strategy for Human Rights Protection and its 2020-2022 AP, the 2019-2023 Strategy on the Implementation of Gender Policy and its AP, etc.</p> <p>However, there is no comprehensive, unified policy for combating discrimination.</p> <p>With regard to the adoption of effective mechanisms, please see the description of activities to the recommendations 153.43, 153.44, 153.45 and 153.64.</p>
34.	<p>153.108 Intensify efforts in creating a safe and enabling environment for civil society, human rights defenders and journalists and ensure that threats and attacks against journalists and human rights defenders, notably those working in the field of anti-discrimination and women’s rights, are duly investigated (Lithuania);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>Both in 2020 and 2021 AR, the HRD expressed concern over the increasing levels of hate speech, insults and targeting of human rights defenders, CSOs and journalists and calls for violence and threats against human rights defenders. Episodes recorded include an attack on the office of a human rights CSO (Open Society Foundations – Armenia), as well as stalking of the employees of said CSO. Cases of threats and incitement to violence against</p>

	<p><i>Also covers</i> 153.111, 153.240, 153.241, 153.242, 153.243, 153.244, 153.245, 153.246</p>		<p>representatives of CSOs were also recorded. These attacks are mainly carried out by marginal groups and aim to obstruct the work of CSOs and human rights defenders. Moreover, the targeting of human rights advocates and journalists included insults and the dissemination of hate speech by public officials. The HRD has been in constant correspondence with the Prosecutor General's Office and the Police regarding the attacks, insults, and hate speech directed against CSOs and their representatives, the violent attack targeting the office of one of the CSOs, referred to above, as well as the cases of obstruction of journalistic work.</p> <p>While in some cases, the law enforcement agencies responded to such cases by instigating criminal proceedings, and the risks posed by these attacks have been addressed, in some cases, the HRD, nevertheless, takes the view that state authorities should have acted in a prompt and more targeted manner. Furthermore, it should be noted that there is a lack of legislative and practical mechanisms to effectively prevent the targeting of human rights defenders and journalists.</p> <p>In 2020, the HRD made a public statement condemning the targeting of human rights NGOs. The HRD emphasized the important role that CSOs and human rights defenders have in a</p>
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			democratic society and noted that the issues of guaranteeing the unhindered activities of civil society representatives and human rights defenders are under the HRD's consistent scrutiny.
35.	153.233 Enhance the efforts to protect and guarantee the rights of persons belonging to minorities, including ethnic and religious minorities (Italy); Source of Position: A/HRC/44/10/Add.1	Partially implemented	The new CC envisages several additional guarantees for persons belonging to minorities. It establishes criminal liability for inciting or promoting hatred, discrimination, intolerance or hostility against a person or a group of persons based on, inter alia, ethnic origin and religion. Similarly, public calls for violence, justification, and promotion of violence, and discrimination based on ethnic origin and religion, are criminalized.
36.	153.235 Adopt the law on national minorities and take further steps to achieve greater representation of minorities in public and political life (Republic of Moldova); Source of Position: A/HRC/44/10/Add.1	Not implemented	The HRD did not observe progress regarding the finalization and adoption of the Draft Law on National Minorities.
37.	153.174 Take measures to define, to prohibit and to penalize sexual harassment (Luxembourg); Source of Position: A/HRC/44/10/Add.1	Partially implemented	Sexual harassment is defined in the Law on Ensuring Equal Rights and Equal Opportunities for Women and Men. Although there is neither an effective response mechanism nor legal responsibility established

			<p>for sexual harassment, and neither are there any other legal mechanisms to combat or prevent this phenomenon, Chapter 27 of the CC prescribes crimes against sexual freedom and integrity.</p> <p>In this regard, the HRD is in the process of developing a report on the compliance of the RA legislation with international and regional standards on sexual harassment in the workplace. Further, the HRD carries out the preparatory work to launch a campaign on sexual harassment.</p> <p>In addition, within the framework of the annual international campaign "16 days of activism against gender-based violence", the HRD prepared a series of posts that, through specially designed pictures, tell a story on the HRD's role in the combat against DV.¹¹</p>
38.	153.176 Ratify the Istanbul Convention and revise the Criminal Code to include domestic violence as a stand-alone criminal offense and an aggravating circumstance covering crimes committed within the family or domestic unit, and invest in the creation of shelters to ensure the effective protection of	Not implemented	<p>RA has not ratified the Istanbul Convention yet.</p> <p>Despite the adoption of the new CC, as a result of which certain acts were criminalized and the commission of several acts by a close relative or partner or former partner was fixed as an aggravating circumstance of the crime, DV as a</p>

¹¹ <https://ombuds.am/am/site/ViewNews/2418>

	<p>women and children survivors of domestic violence (Germany);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers</i> 153.177, 153.178, 153.179, 153.180, 153.181, 153.188</p>		<p>stand-alone crime has not been enshrined in the new CC.</p> <p>Moreover, according to RA legislation, current and former partners are not considered subjects of DV within the meaning of the law, which contradicts international standards.</p> <p>Regarding the adequate protection of DV survivors, the issue of insufficient level of accessibility availability of the shelters remains unresolved.</p>
Theme 5: Right to Health			
39.	<p>153.138 Promote the health-care system and continue improving health services as well as the means so that they are available in all regions (Syrian Arab Republic);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers</i> 153.139, 153.140, 153.141, 153.142</p>	Not implemented	<p>The HRD ARs have recorded issues with regard to access to medical facilities and medical services.</p> <p>The HRD highlighted the necessity to:</p> <ol style="list-style-type: none"> 1. expand the range of medical services, considering the needs of PWDs, 2. ensure the full accessibility of the buildings of medical institutions, 3. ensure accessibility of health information materials for PWDs, 4. introduce a compensation mechanism in case of self-purchase of medicines provided by the state for free or on privileged terms, in order to exclude the

			<p>dependence of the exercise of human rights on the procurement process and administrative/bureaucratic issues. These recommendations are to be addressed.</p>
Theme 6: Human Trafficking and Exploitation			
40.	<p>153.95 Continue its efforts to combat trafficking in human beings and protect victims of trafficking by speeding up the full implementation of the national action plan (Liechtenstein);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.101, 153.105</i></p>	Partially implemented	<p>According to the US State Department 2022 Report, Armenia remained in Tier 2. The RA Government does not fully meet the minimum standards for eliminating trafficking but is making significant efforts in this regard.</p> <p>In 2021, to mark World Day against Trafficking in persons on 30 July, the RA joined the Blue Heart Campaign.</p> <p>However, COVID-19 has created conditions that have increased the number of people who are vulnerable to human trafficking and disrupted the implementation and AP of anti-trafficking strategies.</p> <p>Moreover, the issue of access to legal assistance as soon as there are reasonable grounds for believing that a person is a victim of human trafficking remains unresolved.</p> <p>According to the HRD ARs, it is necessary to continue the provision of awareness-raising</p>

			<p>campaigns on the phenomenon of human trafficking and exploitation, ways to avoid it and protection mechanisms.</p> <p>In 2022, the 2023-2025 national AP for combating human trafficking and exploitation in the RA was developed by the Ministry of Labor and Social Affairs and submitted to public discussion. The HRD submitted a number of recommendations on the AP to the respective state body. The AP is still in the process of elaboration and is pending for adoption. It is necessary to accelerate the process of adoption of the AP.</p>
41.	<p>153.98 Implement the Law on Identification of and Support to Victims of Trafficking in Human Beings and Exploitation and commit to addressing the issue of trafficking in persons and exploitation of the prostitution of women and girls (Republic of Moldova);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.99</i></p>	Partially implemented	<p>The activities aimed at improving the legislation could be a positive development. In particular, indicators for identifying a person as a victim or a victim of a special category, as well as drafts of legal acts on minimum quality standards regarding the provision of housing and physical, psychological, counseling, and legal assistance and care to potential victims, victims and victims of a special category of human trafficking and exploitation, including, in the relevant institution, were developed, which were also reviewed by the HRD.</p> <p>It should be noted that the following crimes are included in the new CC:</p>

			<ol style="list-style-type: none"> 1. Trafficking or exploitation of a child or a person in a vulnerable situation (Article 189) 2. Buying or selling a child (Article 242)
Theme 7: Freedom of Assembly, Opinion and Expression			
42.	<p>153.112 Strengthen protections for the right to freedom of association and peaceful assembly, including revising the current Law on Freedom of Conscience and Religious Organizations in line with recommendations of the Venice Commission (Ireland);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Not implemented	<p>Covid-19, post-war traumatic ambiance, and parliamentary elections created a special environment for political and non-political assemblies with vivid dominance of polarization and hate speech in public discourse. However, in general, the enabling environment for the rights of assembly as well as freedom of speech has been ensured and respected.</p> <p>The HRD regularly monitors all the assemblies and rallies, the rapid response groups are holding private interviews with apprehended persons, the regular and social media are monitored, the 24/7 hotline provides advice and support.</p> <p>Further, the HRD registered violations, revealed the gaps in conduct of law enforcement, requested clarifications and provided recommendations. The remaining challenges are:</p> <ul style="list-style-type: none"> ● Lack of tailored crowd control training; ● Insufficient guidance and lack of clear SOPs for Police responsible for crowd management;

			<ul style="list-style-type: none"> ● Poor communication with organizers and protesters; ● Almost absence of female officers.
43.	<p>153.113 Ensure that the application of the law governing peaceful assembly and freedom of association is not discriminatory, in particular towards the most vulnerable groups such as national and religious minorities and the lesbian, gay, bisexual, transgender and intersex community (Luxembourg);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>In 2020, amendments were made to several laws repealing the ban on being a member of religious organizations, as well as being involved or creating a trade union for penitentiary officers, compulsory enforcement and rescue services. However, the ban remained unlifted for Police National Security Service officers, as well as service persons. Moreover, the Law on Trade Unions prohibits the creation of trade unions of judges and prosecutors.</p> <p>In 2022, the HRD applied to the RA Constitutional Court of the RA claiming that the provisions with regard to the police officers, servicepersons, officers of the National Security Service, judges and prosecutors. The court hearing will take place on March 14, 2023.</p>
44.	<p>153.110 Step up the efforts to enact comprehensive media regulations, including by adopting the legal measures to ensure media ownership transparency and independence of public broadcasters (Czechia);</p> <p>Source of Position: A/HRC/44/10/Add.1</p>	Partially implemented	<p>In 2021, amendments to the Law on State Registration of Legal Entities, State Registration of Separate Subdivisions of Legal Entities, Institutions and Individual Entrepreneurs were adopted, which established the obligation of legal entities (including the media) to present yearly declarations on their beneficial owners.</p>

			From January 1, 2023, all legal entities will submit a declaration on real beneficiaries.
Theme 8: National Human Rights Institution			
45.	<p>153.39 Seek to ensure sufficient and sustainable funding for the national human rights office, including for the operation of its regional offices and prevention mechanisms (Serbia);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.40</i></p>	Partially implemented	<p>The budget of the HRD office, including the regional subdivisions to it, constitutes to be a part of the State Budget, which is funded in a separate line. The activities of the HRD as the National Preventive Mechanism are also specifically funded from the same budget line.</p> <p>Moreover, the amount of allocation for funding provided from the state budget to the HRD and the Staff thereto as well as to the HRD as the National Preventive Mechanism, cannot be less than the amount provided the year before.</p> <p>It should be mentioned that on 11 March 2021, the RA Government proposed an amendment to the Constitutional Law on the HRD, which would remove Article 8 (5) of the Constitutional Law. These proposed amendments have been heavily criticized by the HRD and international organizations. According to the ENNHRI, the guarantee against a regressive provision of funds to the Armenian HRD has been considered a best practice in Europe and is consistent with the additional functions and extensive work carried out by the institution. Accordingly, this provision has been maintained.</p>

			<p>For the purpose of the full operation of the mandate of the HRD, the financial resources provided to the HRD's office, a separate line from the state budget, tend to increase every year.</p> <p>In 2019, the HRD received 454,915,700 AMDs, in 2020: 515,412,300 AMDs, in 2021: 532,166,900 AMDs, and in 2022: 532,166,900 AMDs.</p> <p>For the 2023 Budget cycle, the HRD has requested an increase to, <i>inter alia</i>, open the 5th regional office. Currently, HRD has regional offices in 4 out of 11 regions of Armenia. Nevertheless, there is a growing need for an increase in funding of HRD in view of an <i>inter alia</i> new mandate that is recently vested to the institution by amendment of the law on "Whistleblowers' protection".</p>
Theme 9: National Human Rights Action Plan			
46.	<p>153.34 Take due measures to effectively implement the National Strategy for Human Rights Protection for 2020-2022 (Turkmenistan);</p> <p>Source of Position: A/HRC/44/10/Add.1</p> <p><i>Also covers 153.130</i></p>		<p>The HRD is involved as a co-implementer in the implementation of the AP approved by the RA Government's decision of December 26, 2019, "On approving the National Strategy for the Protection of Human Rights and the resulting action plan for 2020-2022".</p> <p>The HRD is involved in a number of activities in human rights: the right to life, prohibition of</p>

			<p>torture, right to a fair trial, equality of rights, prohibition of discrimination, right to health care, freedom of assembly, right to education, labour rights, children's rights.</p> <p>The representative of the HRD is also a member of the Coordinational Council, that was established to monitor the implementation process of the AP.</p> <p>The HRD will carry out an independent assessment of the implementation process of the HRAP after its completion in the beginning of 2023.</p> <p>It should also be mentioned that the New AP for 2023-2025 is now in the development process and the HRD provided more than one hundred suggestions to be considered within the New AP. The representatives of the HRD also participated in thematic public discussions in the topic. Given that the suggestions of the HRD include systemic issues revealed in the ARs, it is important that the suggestion of the HRD are included and covered within the New AP.</p>
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