



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the initial report of Armenia submitted under article 8 of the Optional Protocol to the Convention on the involvement of children in armed conflict, adopted by the Committee at its sixty-third session (27 May – 14 June 2013)

1. The Committee considered the initial report of Armenia (CRC/C/OPAC/ARM/1) at its 1792nd meeting (see CRC/C/SR.1792), held on 29th May 2013, and adopted at its 1815th meeting, held on 14th June 2013, the following concluding observations.

I. Introduction

2. The Committee welcomes the submission of the State party's initial report (CRC/C/OPAC/ARM/1) providing detailed information regarding its fulfilment of the rights guaranteed by the Optional Protocol as well as the written replies to the list of issues (CRC/C/OPAC/ARM/Q/1/Add.1), taking into account the difficulties in producing these documents for the first time. The Committee also appreciates the constructive dialogue held with the high level and multi-sectoral delegation of the State party.

3. The Committee reminds the State party that the present concluding observations should be read in conjunction with the concluding observations on the State party's third and fourth periodic report under the Convention (CRC/C/ARM/CO/3-4, 2013), and those on the initial report under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPAC/ARM/CO/1, 2013).

II. General observations

Positive aspects

4. The Committee welcomes the ratification by the State party of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, in January 2012.

5. The Committee welcomes the various positive measures taken in areas relevant to the implementation of the Optional Protocol, in particular, the State party's declaration made upon the ratification of the Optional Protocol, that the minimum age for voluntary recruitment into the armed forces of Armenia is 18 years.

III. General measures of implementation

Dissemination

6. While noting the efforts taken by the State party to raise awareness on human rights in the armed forces, the Committee regrets that the State party has not taken sufficient measures to disseminate the Optional Protocol and educate the public at large and children in particular, on its provisions.

7. In light of article 6, paragraph 2, of the Optional Protocol, the Committee recommends that the State party ensure that the principles and provisions of the Optional Protocol are widely disseminated among the general public, children and relevant central and local authorities, by developing systematic information, education and awareness raising programmes.

Data

8. The Committee regrets the absence of data relating to children below the age of 18 years in military schools and military institutes as well as asylum seeking, refugee and migrant children who may have been recruited or used in armed conflicts in other countries.

9. **The Committee recommends that the State party establish a mechanism for the comprehensive collection of data, disaggregated by sex, age, nationality, ethnic origin and socio-economic background, on all areas relevant for the implementation of the Optional Protocol. In particular, such data should be collected in relation to children below the age of 18 years in military schools and military institutes, as well as asylum-seeking, refugee and migrant children under the State party's jurisdiction who may have been involved in armed hostilities.**

IV. Prevention

Military schools

10. The Committee is concerned that:

(a) The general school curriculum for the 8th grade (14 years old) and above includes a course on "Civil defense", which involves firearms training;

(b) The curriculum of the military complex Poqr Mher which allows admission of children as young as 14 years old, also includes firearms training;

(c) The Monte Melkonyan military school which admits boys at the age of 16 years, many of whom are from care institutions and economically disadvantaged families, teaches compulsory military training with the use of firearms and combat training; and

(d) In the absence of explicit prohibition, there is a possibility that children below the age of 18 years could be admitted to military institutes and considered as military personnel, hence called into active service in the event of an outbreak of hostilities. Children in military institutes can also be subjected to military discipline and punishment.

11. **The Committee recommends that the State party exclude military training from the curriculum of general schools and take measures to ban military training with the use of firearms and combat training for children under the age of 18 in military schools. It also recommends that the State party establish regular monitoring of military schools to ensure that the school curriculum and the teaching personnel comply with the Optional Protocol. Furthermore, the Committee recommends that children below the age of 18 years who were admitted to higher military institutes**

should be exempt from mandatory military service in the event of an outbreak of hostilities and should not be subjected to military discipline and punishment.

V. Prohibition and related matters

Prohibition of recruitment

12. The Committee notes that the 1996 Law on the Rights of the Child prohibits the recruitment of children in armed conflict, however, it is concerned that the Law does not provide sanctions in cases of violation. In this respect, the Committee also notes that the Criminal Code does not criminalize the recruitment of children under the age of 18 years into armed forces and their use in hostilities by State armed forces and non-State armed groups.

13. **The Committee recommends that the State party amend its Criminal Code to add a provision that explicitly prohibits the recruitment of children under the age of 18 years into the armed forces and their use in hostilities by the State armed forces and non-State armed groups.**

Extraterritorial Jurisdiction

14. The Committee regrets that legislation in the State party does not establish extraterritorial jurisdiction over the crimes enlisted in the Optional Protocol.

15. **The Committee recommends that the State party take all necessary steps to ensure that domestic legislation enables it to establish and exercise extraterritorial jurisdiction over all offences under the Optional protocol.**

VI. Protection, recovery and reintegration

Measures adopted to protect the rights of child victims

16. The Committee regrets the lack of mechanisms in place to identify at an early stage children among refugees and asylum seekers in particular from Syria and Iraq, who may have been involved in armed conflicts in other countries. It also regrets the lack of procedures for their protection, recovery and re-integration.

17. **The Committee recommends that the State party put in place mechanisms to identify at an early stage children among refugees and asylum seekers coming from countries where there are or have been armed conflicts, and who may have been involved in armed conflicts. It also recommends that the State party ensure that personnel responsible for such identification are trained on child rights, child protection and interviewing skills. The Committee further recommends that the State party develop protocols and specialized services to ensure that former child soldiers are provided with appropriate assistance for their physical and psychological recovery and social reintegration.**

VII. International assistance and cooperation

International cooperation

18. **The Committee recommends that the State party strengthen its cooperation with the International Committee of the Red Cross, the UNHCR and the Special Representative of the Secretary-General for Children and Armed Conflict, and that it**

explore increased cooperation with other relevant United Nations entities in the implementation of the Optional Protocol.

VIII. Follow-up and dissemination

19. The Committee recommends that the State party take all appropriate measures to ensure the full implementation of the present recommendations by, *inter alia*, transmitting them to the National assembly, relevant ministries, including the Ministry of Defence, the Supreme Court, and to regional and local authorities, for appropriate consideration and further action.

20. The Committee recommends that the initial report and written replies submitted by the State party and the related concluding observations adopted by the Committee be made widely available, including (but not exclusively) through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Optional Protocol, its implementation and monitoring.

IX. Next report

21. In accordance with article 8, paragraph 2, the Committee requests the State party to include further information on the implementation of the Optional Protocol and the present concluding observations in its next periodic report under the Convention on the Rights of the Child due by 22 January 2019 in accordance with article 44 of the Convention.
