



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Armenia and welcome the constructive engagement of your Government during the 35th session of the UPR Working Group in January 2020.

As the final outcome report on the review of Armenia has been recently adopted by the Human Rights Council at its 45th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Armenia – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 93 delegations and the presentation made and responses provided by the delegation of Armenia. I have also considered the actions taken by the Government of Armenia to implement the 155 recommendations fully supported as well as those that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the Strategy for Judicial and Legal Reforms aimed at improving and strengthening the independence, impartiality and effectiveness of the justice system, and encourage its implementation. I also welcome the 2019 Penitentiary Reform Strategy aimed at enhancing detention conditions and providing vocational training and other activities for detainees. Equally, I support efforts to improve the national education system, through an increase in public funding, construction of new schools in remote areas, and ensuring availability of e-learning in remote areas. I also note with satisfaction that deinstitutionalization has been one of the priorities of your Government and that the number of children in institutions has decreased significantly.

I welcome the adoption of the sixth National Plan for Organizing the Fight against Trafficking in and Exploitation of Persons, with a particular focus on improving the legislative measures and mechanisms for the identification of and support to victims of trafficking and exploitation.

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His Excellency
Mr. Ara AIVAZIAN
Minister of Foreign Affairs
Republic of Armenia



I further welcome the adoption of the National Strategy for Human Rights Protection and its Action Plan for 2020-2022 and encourage Armenia to implement it effectively in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage Armenia to further strengthen its national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, while linking these to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the practice of Armenia of submitting mid-term reports and encourage the Government to do so again on follow-up to the third cycle of the review, by the end of 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Armenia in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet
High Commissioner for Human Rights

cc: His Excellency
Mr. Artak APITONIAN
Deputy Minister of Foreign Affairs
Republic of Armenia

Mr. Shombi SHARP
United Nations Resident Coordinator
Republic of Armenia



Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the Convention on the Rights of Persons with Disabilities; and the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure.
- Ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).
- Ratifying the Rome Statute of the International Criminal Court.

National human rights framework

- Providing sufficient financial resources to the Human Rights Defender's Office.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Introducing a separate definition and prohibition of hate crime in criminal law.
- Adopting the draft law "On ensuring equality", ensuring that it includes sexual orientation and gender identity as protected grounds.
- Eliminating discrimination, violence, hate speech and hate crime against LGBTI persons.

Development, the environment, and business and human rights

- Combating corruption.

B. Civil and political rights

Right to life, liberty and security of person

- Criminalizing all forms of torture and ill-treatment.
- Eradicating torture and ill-treatment, including by law enforcement officials, and ensuring effective investigation and prosecution of perpetrators.
- Ensuring that all law enforcement officers receive systematic training on the use of force, especially in the context of demonstrations.
- Ensuring that pre-trial detention is used as an exception and applied for limited periods of time.

- Ensuring that detention conditions are in full compliance with the relevant international human rights standards.
- Protecting persons with disabilities who remain institutionalized, in particular children with intellectual and/or psychosocial disabilities, from coercive, inhuman or degrading treatment or punishment.

Administration of justice, including impunity, and the rule of law

- Reforming the judiciary and ensuring its independence and impartiality.
- Ensuring prompt, impartial and effective investigations into all allegations of excessive use of force against protesters.

Fundamental freedoms

- Ensuring a safe and enabling environment for civil society, human rights defenders and journalists, and carrying out investigations into attacks, bringing perpetrators to justice.

Prohibition of all forms of slavery

- Combating trafficking in persons and protecting and assisting victims.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Providing a regulatory framework for the informal sector.
- Supporting the employment of persons with disabilities in the open labour market.
- Creating more opportunities for women to gain access to formal employment.
- Increasing efforts to promote the rights to form and join strong trade unions.

Right to social security

- Providing appropriate pensions and social allowances to persons with disabilities.

Right to an adequate standard of living

- Combating poverty and improving the well-being of children living in poverty.
- Providing children with disabilities and their families with adequate assistance, including early intervention.

Right to health

- Strengthening health care and improving the availability and accessibility of health services in all regions.
- Enhancing women's access to basic health care and sexual and reproductive health services, in particular for rural women, women with disabilities and women from ethnic minorities.

Right to education

- Improving access to education for all, in particular for children from socioeconomically disadvantaged families.
- Guaranteeing reasonable accommodation to facilitate the access of persons with disabilities to inclusive and quality education.

D. Rights of specific persons or groups

Women

- Criminalizing domestic violence and strengthening efforts to prevent and combat domestic violence.
- Promptly and thoroughly investigating all cases of domestic violence.
- Ensuring that victims of domestic violence have access to sufficient, safe and adequately funded shelters as well as access to medical, social, legal and other support services.
- Promoting gender equality and the empowerment of women.

Children

- Monitoring the situation of children placed in residential institutions.
- Combating online child sexual exploitation and abuse.
- Establishing an effective, specialized and well-functioning juvenile justice system, in compliance with international standards.

Persons with disabilities

- Developing a comprehensive infrastructure of health care and educational and social welfare services for children with developmental disabilities and mental health conditions.
- Prioritizing the deinstitutionalization of all children with disabilities and their resettlement in family settings, including by promoting foster care and providing appropriate community-based support to parents.
- Adopting accessible information and communication formats and technologies appropriate for persons with disabilities in relation to all public services.
- Ensuring that persons with disabilities have access to and actively participate in cultural and sports activities and have equal access to facilities and services.

Minorities

- Including representatives of minority groups in the public administration, the police and the judiciary.

Migrants, refugees and asylum seekers

- Ensuring an appropriate number of reception facilities for migrants and asylum seekers.