

ADVANCE QUESTIONS TO ARMENIA

AZERBAIJAN

- In 1998, the Human Rights Committee noted that de facto discrimination against women persists as a matter of custom in Armenia. In 2009, the Committee on Elimination of Discrimination against Women (CEDAW) reiterated its concern about the deeply rooted patriarchal attitudes and strong stereotypes regarding women's roles and responsibilities in the family and society. CEDAW regretted the absence of the explicit and comprehensive definition of discrimination against women in Armenia's legislation, and expressed concern at the lack of express and comprehensive legal provisions prohibiting discrimination against women. *What concrete measures have been undertaken to address these concerns? What the concrete mechanisms are in Armenia to protect woman subjected to domestic violence and to punish the perpetrators?*
- In 2002, the Committee on Elimination of Racial Discrimination (CERD) expressed concern over allegations of discrimination against Yezidis in Armenia by police and local authorities and lack of response by police to crimes committed against this minority by other citizens. *We are interested to learn about the measures taken by the Government of Armenia aimed at eliminating discrimination against Yezidis? CERD has also expressed its concern at the lack of representation of ethnic and national minorities in the National Assembly, recommending steps to secure their due representation. How the Armenian Government intend to close the gap in this field?* In 2002, CERD reiterated its recommendation that Armenia take measures to ensure, wherever possible, access by minority children to education in their mother tongue in Armenia. *Could the government of Armenia indicate whether there has been any follow up on this recommendation?*
- CERD was also concerned about reports of obstacles imposed on religions organizations other than Armenian Apostolic Church. CERD urged the Government to take measures ensuring freedom of religion for all, without discrimination. *What measures have been taken by the government of Armenia to address these concerns?*
- In 2002, CERD invited Armenia to consider making the declaration provided for in article 14 of the Convention. *What are steps the government of Armenia intends to make in this regard?*
- On 2 March 2008, the High Commissioner for Human Rights noted the reports of death and injures on the previous day during the demonstrations in the Armenian capital Yerevan. The High Commissioner expressed concern over reports that force had been used against peaceful demonstrators and that opposition protestors had been detained, calling upon the authorities to exercise the utmost restraint and to ensure that due process is followed in case

of any detentions. The Council of Europe Parliamentary Assembly (CoE PACE) regretted the breakdown of the work of the independent expert group to establish the facts in relation to events of March 1 and 2 March 2008 in Armenia. *In this regard, we ask the government of Armenia is planning to re-establish independent expert group in order to impartially investigate the said events?*

- The PACE Resolution 1677 (2009) noted that public trust in the electoral process is still very low in Armenia. *How does Armenia address this problem?*
- The United Nations Country Team (UNCT) noted that broadcast media lacked pluralism and remained largely pro-government in Armenia. It also noted that the 2008 presidential elections in Armenia generated a major political crisis and demonstrated a deep polarization of society, which led to actions that seriously affected protection and respect for human rights. According to JS4, the Armenian Constitution and other statutes protect freedom of expression, but in practice this right was often threatened, in particular around election time in Armenia. *What the concrete measures is the government of Armenia taking to ensure the right to freedom of opinion and expression in accordance with its international obligations? How does the government of Armenia intend to promote access to a free media?*
- The UN special procedures and non-governmental organization received information about continuing attacks against the human rights defenders and the representatives of opposition in Armenia. *In this regard, could you provide any practical information on the measures taken by the government of Armenia to ensure human rights and fundamental freedoms of citizens, in particular the right to assemble? Could the government of Armenia indicate whether there has been investigated all of cases contained in the communications of the UN special procedures and non-governmental organization?*
- According to JS2, law enforcement authorities in Armenia hindered the professional work of journalists and used violence against them. JS4 recommended ending the impunity of assailants and identifying, arresting and judging the assailants and those backing the attacks. *What concrete measures the government of Armenia takes to address these concerns?*
- The Human Rights Committee noted that the independence of the judiciary is not fully guaranteed in Armenia. CoE Directorate General of Human Rights and Legal Affairs noted that law enforcement bodies as well as the judiciary continued to be perceived by the population as corrupt and subject to influence not only by the state but also by different power groups. *What concrete measures the government of Armenia takes to strengthen the independence of the judiciary? Could the government indicate what reforms are planned to combat corruption in Armenia?*

- The PACE Resolution 1677 (2009) urged Armenian authorities to implement without delay further reforms of the police. CoE Commissioner recommended investigating systematically cases of police abuse to avoid impunity and to put an end to widespread ill-treatment by police. *What steps are being taken by the Armenian authorities in this regard?*
- In 2004 the Committee on the Rights of the Child (CRC) reiterated its concern about the absence of a system of juvenile justice in Armenia. It was also concerned about the length of pretrial detention and the limited access to visitors during this period in Armenia; the use of detention not as measures of last resort, and the often disproportionate length of sentences; conditions of detention; and the absence of facilities for the recovery and social reintegration of juvenile offenders in Armenia. *Could the government of Armenia to indicate the concrete steps that have been taken in order to lift the concern of CRC?*
- CRC recommended that Armenia ensure effective implementation of the minimum employment age in the Labour Code, and of provisions prohibiting heavy and hazardous work for children. It also recommended a national mechanism to monitor implementation at State and local levels should be established. *Which concrete measures have been undertaken by the government of Armenia to implement this recommendation?*
- CRC was concerned at the extent of non-registration of births in Armenia, seemingly connected with the increasing number of births at home and the difficulty of traveling to regional centers from remote areas. According to the report of JS1, there was insufficient access to adequate general health-care service, including reproductive health-care services for women, especially those living in rural and remote areas in Armenia. World Vision Armenia noted that maternal and child mortality rates reminded high in Armenia. *In this regard we ask how does the government of Armenia intend to improve situation with health care service, and in particular in rural and remote areas?*

CZECH REPUBLIC

- What measures has the Government taken or is preparing to take to strengthen fight against domestic violence, does the Government consider e.g. introducing crime of domestic violence into its criminal code? What support and protection is available for victims of domestic violence?
- How is ensured investigation of crimes of torture and other ill-treatment and how is ensured reparation and compensation for their victims? What human rights education is provided to the police and prison staff? How is ensured non-admissibility of any evidence obtained through torture or ill-treatment before the court?

- How far has proceeded the process of ratification of the Rome Statute of the International Criminal Court which Armenia signed in 1999?
- How is ensured protection of rights of children alleged or convicted to have violated criminal laws, does the government consider establishing a system of juvenile justice?
- How is ensured protection of rights of children of persons in detention or in prisons?

DENMARK

- How will Armenia respond to the recommendation made by the Committee Against Torture that Armenia should adopt a definition of torture fully in compliance with article 1 of the Convention Against Torture?
- Please provide further information about the role and the functioning of the Council of Torture Prevention.
- What steps have been taken in order prevent the practice of hazing (the so-called “dedovshchina”) in the military system?
- What measures have been taken in order to ensure freedom of religion for all, without discrimination?

IRELAND

- The Committee on the Elimination of All Forms of Discrimination against Women has noted the absence of a specific definition of discrimination against women in Armenia's legislation. Ireland would like to know whether there any plans to address this?
- Amendments to the Law on Meetings, Rallies and Demonstrations in the wake of protests following the February 2008 presidential election caused concern to civil society actors. Some of the legislative provisions that remain place restrictions on freedom of assembly. What measures are being taken to address the concerns of civil society in this regard?
- The UN Country Team has reported that, while Armenian legislation prohibits torture, inhuman or degrading treatment, there have been numerous cases where police have applied physical and psychological pressure on citizens during arrest and interrogation to extract confession. What efforts are being made to address concerns in this area?

SLOVENIA

- We are concerned at the high incidence of gender based violence, including domestic violence in Armenia. We would like to ask the Government of Armenia whether it intends to adopt a specific law on domestic violence.
- Elections are among the most problematic issues in the Armenian system of governance. We would like to ask what steps are envisaged to ensure a strong mechanism for detecting and punishing electoral fraud and other violations.

SWEDEN

- Civil society organizations have expressed concern at restrictions on freedom of expression with restrictive processing of broadcasting permissions and harassment and arbitrary detentions of journalists and persons opposed to the government, while there are reports of persons being detained in connection with the February 2008 presidential elections and consequent events of 1 March, solely for exercising their freedom of expression, right to peaceful assembly or right to take part in the government of their country.

Could the Government of Armenia elaborate on the measures it is taking to ensure that freedom of expression is respected?

- Armenia has ratified the International Convention on Civil and Political Rights. However, there are continuous reports from international NGOs raising concerns with regard to the impartiality of the judicial system. Worrying reports indicate widespread violation of fair trial standards in relation to the March 1 events including unlawful pressures and intimidation on lawyers and witnesses. Moreover, there are reports of illegitimate filling of ballot boxes, multiple voting, voter intimidation etc. in relation to the electoral process.

Could the Government of Armenia elaborate which measures have been taken to ensure the independence of the judicial system and that sufficient resources are allocated to ensure a functioning judicial system and to respect free and fair elections in the realisation of the right of all persons to take part in the government of their country directly or through freely chosen representatives?

UNITED KINGDOM

- The UK would be grateful if Armenia could elaborate on which civil society organisations were involved in the preparation of the Government's national report, and what role these organisations played?

- The OSCE/ODIHR report into the trials that followed the February 2008 elections identified a number of shortcomings in Armenia's justice system. What plans does Armenia have to reform the country's justice system in line with international standards and OSCE and Council of Europe commitments?
- The OSCE/ODIHR report also highlighted allegations of torture and other ill-treatment, as well as a lack of comprehensive investigations into the allegations. What plans does the Government have to provide a legislative basis for its National Preventive Mechanism (NPM) established under the OPCAT, and to ensure the institutionalised participation by civil society in the mechanism? We would be grateful to know what role the Council on Torture Prevention plays in the NPM.
- We note concerns raised by Armenian civil society on the issue of gender equality and in particular the issue of domestic violence. What efforts are being taken to address the issue of domestic violence, including issues such as psychological abuse, marital rape and sexual assault?
- Please could you inform us as to whether an independent national human rights institution exists in your country and operates in accordance with the Paris principles designed to guide the practice of such institutions?
