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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Armenia**

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## **I. Introduction**

1. Ensuring and protecting human rights is one of the main objectives and priorities of the Republic of Armenia. All international and legal norms on human rights and fundamental freedoms are reflected in the Constitution of the Republic of Armenia.
2. As advocate of the Universal Periodic Review (hereinafter UPR), Armenia has kept the spotlight on the implementation of the recommendations made to Armenia on the second cycle of the UPR, as well as has submitted its second mid-term report.
3. In 2018, drastic changes occurred in the political life of Armenia. In spring 2018, a popular Velvet revolution took place in Armenia. Being a purely internal process, the Velvet Revolution served as a new impetus for reforms in the country, including the promotion and protection of human rights.
4. On 9 December 2018, early parliamentary elections were held in the country, as a result of which a new government was formed. The Government agenda includes, inter alia, the rule of law, development of democratic institutions, fight against corruption, economic development, including promotion of private investments, job creation, improvement of state expenditures and a number of other important issues.

## **II. Methodology and consultation process**

5. The preparation of the Report has been co-ordinated by the Ministry of Foreign Affairs of Armenia. The Report has been prepared with the participation of all relevant ministries and agencies. It has been discussed with representatives of non-governmental organisations and civil society. Prior to the elaboration of the Report, open discussions of the periodic reports to various UN treaty bodies had been conducted. In parallel, the shadow reports by NGOs were prepared for the submission to the UN treaty bodies and within the UPR procedure.
6. The Report has been prepared in accordance with the annex to Human Rights Council resolution 16/21, Decision No 17/119 and the Guidance Note for States' national reports for the third UPR cycle.

## **III. Actions aimed at strengthening of human rights**

### **International human rights framework (Recommendations 120.10–120.6, 120.13, 120.14, 120.24)**

7. During the reporting period, Armenia has updated its Core Document, as well as has presented the 3<sup>rd</sup> ICCPR report, and prepared the 4<sup>th</sup> ICESCR report, the 5<sup>th</sup> and 6<sup>th</sup> CRC-OP-SC joint report. The 12–14<sup>th</sup> CERD and the 7<sup>th</sup> CEDAW periodic reports are currently under elaboration.
8. On 26 September 2019, Armenia signed the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.
9. In January 2018, Armenia signed the Council of Europe Convention on preventing and combating violence against women and domestic violence. The Ministry of Justice has initiated the ratification thereof in line with the provisions of the Law “On international treaties”<sup>1</sup>.
10. The Optional Protocol to the UN International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of Persons with Disabilities are currently undergoing internal procedures for ratification.
11. Armenia continued its active co-operation with UN structures and different bodies, including the Office of the High Commissioner for Human Rights (OHCHR).

12. Strengthening co-operation with different UN structures and implementation of the recommendations made to Armenia by UN treaty bodies and special procedures are among Government priorities.

13. According to Resolution 37/26 (2018) initiated by Armenia, a high-level panel discussion on the 70th anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide was organised during the 39th Session of the Human Rights Council (the whole information on the discussion is available at: <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/39thSession/Pages/Panel.s.aspx>). In implementation of Resolution 37/26 (2018), Report of the Secretary-General entitled as “Prevention of genocide” (A/HRC/41/24) was submitted.

14. On 1 May 2006, Armenia extended a standing invitation to all thematic special procedures. During the reporting period, Special Rapporteur on the sale of children, child prostitution, and child pornography Ms Maud de Boer-Buquicchio (12–18 May 2015), Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health Dainius Pūras (25 September–5 October 2017) and Special Rapporteur on the rights to freedom of peaceful assembly and of association Clément Voule (7–16 November 2018) visited Armenia.

## **Progress and best practice**

### **Role and significance of the Human Rights Defender as an independent body (Recommendations 120.127, 120.28–120.30)**

15. Following the constitutional amendments of 2015, Human Rights Defender mandate (the HRD) was significantly strengthened. Everyone has an absolute constitutional right to receive the assistance of the HRD in the event of violation of rights and freedoms, enshrined by the Constitution and laws, on the part of state and local self-government bodies and officials, whereas in the cases prescribed by the Law on the HRD – also on the part of organisations (Article 52 of the Constitution).

16. A separate chapter (Chapter 10) of the Constitution outlines the functions and powers, terms of eligibility and election, as well as the guarantees for the HRD independence and activities.

17. In 2019, the HRD was re-accredited with “A” status by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions, which confirms the full independence, credibility and effective operation of the HRD of Armenia.

18. The HRD has permanent representatives in the Constitutional Court and Parliament to maintain strong institutional interaction. A vivid example of this cooperation is the preparation of amicus briefs submitted to the Constitutional Court by the HRD and his/her intensive participation in Parliamentary Plenary and Committee hearings.

19. The Constitutional Law provides three conventional mandates to the HRD: (i) National Preventive Mechanism (NPM) provided for by the Optional Protocol, (ii) Independent monitoring mechanism under the UN Convention on the Rights of the Child and (iii) Independent monitoring mechanism under the UN Convention on the Rights of Persons with Disabilities.

20. Providing the European Court of Human Rights with objective and impartial information through third party interventions is another tool at the HRD’s disposal. To this end, contribution to the execution of the ECHR judgements and further dialogue with national authorities for this purpose is of utmost importance.

### **Implementation of the Action Plan deriving from the National Strategy for Human Rights Protection (Recommendations 120.31, 120.32, 120.33)**

21. In 2012, the National Strategy for Human Rights Protection was adopted. Since 2014, the Government has adopted two Action Plans deriving from the Strategy – for 2014–2016 and 2017–2019. This process proves that the Government ensures continuity in the implementation of the unified policy in protection of human rights.

22. The new National Strategy for Human Rights Protection and its Action Plan for 2020-2022 are under elaboration and are envisaged to be adopted by the end of 2019. The Government is committed to develop the strategic documents with the involvement and active participation of the competent government agencies, civil society and international partners.

23. Taking into account the previous experience, a coordinating council has been established to monitor and contribute to the implementation of the Action Plan for 2017-2019. The Coordinating Council meets at least once in every three months.

24. The Action Plan introduced the institute of public discussions. After each semester the Coordinating Council organises public discussion on the performance of the Action Plan. Upon the initiative of the Coordinating Council, representatives of the state and local self-government bodies, state and community non-commercial organisations, non-governmental and international organisations not included in the Coordinating Council may be invited to participate in these public discussions.

### **Introducing electronic tools for public awareness and participation**

25. Within the "Open Government Partnership" (OGP) initiative, the Government of Armenia, under the Action Plan for 2014-2016, assumed a commitment to develop and introduce an open public portal for legal acts, enabling Armenian citizens to participate in the discussion of legal acts developed by the Government, National Assembly and local self-government bodies. Since 2017, [www.e-draft.am](http://www.e-draft.am) unified website for publication of legal acts has been operating in Armenia creating a wide opportunity for citizens and multi-sectoral professionals to actively participate and get involved in legislative activities. The creation of this website has developed a new culture in Armenia.

26. The website enables state bodies to present draft legal acts to the public, organise public discussions and ensure active participation of the civil society in legislative activities.

27. Registered users of the website can learn about the drafts, post suggestions and see the summary of accepted/rejected proposals. It enables the public to directly participate in the law-making process, and have their impact on the government policy development in different sectors. The website enjoys unprecedented popularity and operates also in Russian and English.

28. In addition to the e-draft platform, the Government has recently introduced a number of other electronic tools aimed at ensuring transparency, inclusiveness and public involvement in public administration. [www.e-request.am](http://www.e-request.am) is an on-line platform through which citizens may send requests, applications or complaints to state and local self-government bodies and receive their responses through [www.e-hotline.am](http://www.e-hotline.am) website. There is also [www.azdararir.am](http://www.azdararir.am) platform through which citizens may anonymously report about corruption-related crimes, etc.

### **Implementation of Sustainable Development Goals and 2030 Agenda**

29. The Government of Armenia considers the implementation of the UN Sustainable Development Goals (SDGs) as one of the most important tools for implementing comprehensive internal reforms launched in Armenia. Since 2015, the country has actively carried out measures aimed at the establishment of substructures necessary for the implementation of the SDGs, such as National Council for Sustainable Development under the Prime Minister of Armenia, inter-agency working group for the SDGs nationalisation, an innovative platform – the National SDG Innovation Lab of Armenia. The latter is the first such innovative model in the world, where the Government and the UN jointly created a platform for supporting the SDGs acceleration and implementation. In the course of the SDGs implementation in Armenia, the country actively and successfully co-operates with international partners, with the UN in the first place (MAPS mission, the National SDG Innovation Lab of Armenia, UN Global Pulse), as well as with international development organisations, the world's leading technology and innovation centres (Stanford University Changes Lab, Columbia University SIPA, etc.) thereby creating a broad scope for engaging the best experience and methodologies, as well as the new and innovative SDG financing

tools. Simultaneously, for more comprehensive SDG implementation, the SDG Secretariat and the Statistical Committee developed and introduced the SDG Reporting Portal in 2017.

30. At the UN High-level Political Forum on Sustainable Development held in New York on 17 July 2018, former First Deputy Prime Minister of Armenia Ararat Mirzoyan presented the first Voluntary National Review of Armenia summarising the progress of implementation of the Agenda for Sustainable Development and its goals and targets (VNR). The Review considered the concept of national strategy, including sectoral strategies and policies, as well as its connection with the SDGs, in particular, inclusion of the following four dimensions of sustainable development: (1) social, (2) economic, (3) ecological, (4) democracy and legal equality. Main conclusions of the VNR relating to the SDGs implementation have been analysed thoroughly, including the fields where there is a progress, concern, good practice, innovations and opportunities for solutions.

31. In 2016 about OGP participant countries signed a memorandum on the UN 2030 Agenda implementation, in particular the SDG process. The transparent, accountable, participatory and innovative global principles of the OGP directly ensured the implementation of all Goal Indicators, mainly of SDG 16. The commitments of the government of Armenia under the OGP Action Plan for 2018-2020 are ensured by 6 out of 10 targets of SDG 16.

32. The government of Armenia, jointly with the UN Development Program, has launched the nationalisation of the sustainable development goals during which active involvement and continuous work of both the UNDP and relevant bodies, in particular, the Ministry of Justice, staff to the Human Rights Defender and the National Statistical Service of Armenia are envisaged. SDG 16 has been the initial target of the program implemented for ensuring the nationalisation of the UN SDGs. Within the framework of the program it is envisaged to establish a dialogue platform for bringing in compliance with the reform agenda and the key national strategic package, to develop new and effective methods of collecting data for the SDG 16 implementation purpose, technical assistance to the HRD and the National Statistical Service for the purpose of ensuring the application of the approach based on human rights in the course of data collection in the monitoring, assessment and accountability process of the SDGs implementation.

## **Civil and political rights**

### **Right to vote (Recommendations 120.126, 120.153-120.155)**

33. The Electoral Code of Armenia was adopted on 25 May 2016. The draft Code had undergone international expertise and been positively assessed by the Venice Commission of the Council of Europe and the OSCE/ODIHR<sup>2</sup>. Its legal regulations ensure unprecedented and comprehensive transparency and sufficient accountability at all stages of the processes.

34. The Ministry of Justice has developed the draft Decision of the Government "On approving the 2019-2023 Strategy for Judicial and Legal Reforms and its Action Plans". The draft Strategy and its short-term Action Plan for 2019-2020, inter alia, envisage amendments to the Electoral Code. Amendments to the Law "On political parties" are also under consideration.

35. After the Velvet Revolution victory of April-May 2018 in Armenia, it became obvious that the National Assembly of the sixth convocation did not reflect the real political preferences of the Armenian people and the real correlation of political forces. This situation incited undeniable need for holding early parliamentary elections in Armenia (Programme of the Government adopted by Decision No 581-A of 1 June 2018). It was necessary to hold the early parliamentary elections within a maximum period of one year.

36. On 23 September 2018 early elections to the Council of Elders of Yerevan, on 21 October elections of local self-government bodies in 49 other communities took place. Despite the time constraints, the early parliamentary elections were held on 9 December 2018 in accordance with the regulations of the current Electoral Code of Armenia and in

full compliance with the time limits stipulated by the Electoral Code, as well as in complete co-operation with all bodies organising the electoral processes.

37. 509 international observers from 8 international organisations, including the OSCE/ODIHR, OSCE Parliamentary Assembly, PACE<sup>3</sup>, European Parliament, CIS<sup>4</sup> Executive Committee were registered and participated in the early parliamentary elections.

38. The early parliamentary elections were held with wide participation of NGOs<sup>5</sup> and civil society, particularly they were observed by about 18 000 representatives of 22 local non-governmental organisations.

39. The conducting of early parliamentary elections was highly assessed by both participating political forces and other political parties, representatives of civil society, local and international observers.

40. In particular, as stated by the OSCE/ODIHR Election Observation Mission in its 2019 Final Report, the elections “were held with respect for fundamental freedoms and enjoyed broad public trust that needs to be preserved through further electoral reforms”, it also stated that “the Central Election Commission (CEC) conducted its work professionally and transparently, and met all legal deadlines, despite the shortened timeframe. The CEC and the Territorial Election Commissions (TECs) enjoyed confidence among electoral stakeholders.”<sup>6</sup>

41. For the first time in the history of independent Armenia, the results of elections, including those of the Yerevan Council of Elders or local self-government bodies, were not disputed either through extra-judicial or judicial procedure, and there was no distrust expressed. The results of elections were accepted by both voters and political forces participating in the elections, as well as by the civil society.

## **Freedom of expression and assembly**

### **Access to information (Recommendations 120.139, 120.141, 120.142, 120.143, 120.144, 120.146, 120.151, 120.152)**

42. The right to peaceful assemblies is guaranteed by the Constitution of Armenia, and the terms and procedure for the exercise and protection of the freedom of assembly is prescribed by the Law “On freedom of assemblies”.

43. The people's Velvet Revolution of 2018 became an unprecedented example of the realisation of the right to peaceful assemblies. The OSCE/ODIHR Election Observation Mission stated in its 2019 Final Report that “Fundamental freedoms of expression, association, assembly and movement were fully respected during the campaign”, and “the campaign culminated in a three-hour live debate on 5 December on the public television (TV) channel *HI*, during which the leaders of all national lists discussed, in a mutually respectful and generally congenial manner, issues, such as national security, anti-corruption, independence of the judiciary, transitional justice and economic development”<sup>7</sup>.

44. Thus, the people's Velvet Revolution contributed to strengthening of the freedom of expression in Armenia, including through the open political debate held during the pre-election campaign of the early parliamentary elections of 2018.

45. Society at large participated in the rallies in spring 2018 in different parts of Armenia raising various demands – from legislative and judicial reforms to economic matters and issues of ensuring social justice. It is worth mentioning that young people and women were active participants of the rallies<sup>8</sup>.

46. New communication technologies, in particular, social platforms had a major impact on holding the 2018 peaceful assemblies.

47. From 7 to 16 November 2018, Special Rapporteur on the rights to freedom of peaceful assembly and of association Clément Voule visited Armenia and stated that the people of Armenia had shown pride for the unprecedented exercise of the right to peaceful assembly resulting in what seems a long term course for change<sup>9</sup>.

48. Cases of disproportionate application of force by the police officers during assemblies have received adequate response especially during the reporting period. In the mentioned period, different liability measures have been imposed on about 30 police officers who demonstrated unlawful conduct against the demonstrators. Judgements of conviction have already been rendered with regard to a number of initiated criminal cases, some of the criminal cases are still under preliminary investigation.

49. After the 2018 people's Velvet Revolution, the case of March 1 has taken a new turn, which refers to the excessive use of force by the authorities against the demonstrators and participants of peaceful rallies following the presidential elections in Armenia on 19 February 2008, as a result of which 10 persons died, several hundred were injured. A number of criminal cases have been initiated with regard to events of March 1–2, including those against high-ranking officials.

50. The investigation of the reopened case aims to identify the guilty persons and provide compensation to the victims. The Government of Armenia has allocated AMD 720 million from its reserve fund for providing assistance to the suffered persons and the families of persons deceased during the events of March 1–2 in Yerevan. This decision of the Government is conditioned by part 1 of Article 3 of the Law “On assistance to persons suffered during the events taken place in the city of Yerevan on 1–2 March” adopted on 4 June 2019 and by point 3 of Decision of the Government No 990 “On approving the form, amount of the assistance, form of the application to be submitted for providing assistance, list of documents to be attached to the application, as well as the procedure for considering applications and providing assistance” adopted on 8 August 2019 and deriving therefrom. AMD 30 million will be allocated to the legal successors of the deceased during the March 2008 events, AMD 15 million – to persons having received grave bodily injuries, AMD 5 million – to persons having received medium gravity injuries. Thus, assistance will be provided to the relatives of 10 deceased, 10 victims having received grave injuries and 54 persons having received medium gravity injuries.

**Judicial and legal reforms (Recommendations 120.27, 120.126, 120.127, 120.130, 120.132, 120.145)**

51. The Ministry of Justice of Armenia has developed the draft Decision of the Government "On approving the 2019-2023 Strategy for Judicial and Legal Reforms of Armenia and its Action Plan". In 2020, the Strategy and its short-term Action Plan for 2019-2020 envisage inter alia to develop the Law “On the procedure for forming a fact-finding commission and its activities”, consideration and adoption of the documents prescribing the composition and Rules of Procedure of the Commission for Constitutional Reforms, development of the package of amendments and supplements to the Electoral Code of Armenia, adoption of the package of drafts on making amendments and supplements to the Constitutional Law “Judicial Code of the Republic of Armenia” and related laws, adoption of the new Criminal Code and Criminal Procedure Code, improvement of legislation in the areas of civil, administrative procedure, bankruptcy, commercial arbitration, conciliation and advocacy, reforms in legislation related to prosecution and law-enforcement bodies, development of the e-justice system. The Draft has been currently posted on the [www.e-draft.am](http://www.e-draft.am) website for public discussion. In parallel, working discussions are conducted with the participation of all interested parties.

52. Within the framework of judicial and legal reforms, the package of amendments and supplements to the Judicial Code of Armenia has been elaborated and submitted for public discussion. As a result of the adoption of the package, introduction of a balanced mechanism for evaluation of the integrity of judges is foreseen. On the one hand, that mechanism will enable to effectively combat corruption, nepotism, delivery of a judicial act motivated by personal links, as well as concealing fundamental violations of human rights. On the other hand, it will prevent undermining the independence and stability of the judicial system due to the fact that the main body responsible for the whole process will be the Supreme Judicial Council endowed with the constitutional mission to ensure independence of the judiciary. In case of judges of the Constitutional Court the responsible body will be the Constitutional Court.

**Fight against corruption (Recommendation 120.128)**

53. Fight against corruption is one of the priorities of the newly-elected Government of Armenia. The Government affirmed its strong political commitment to uncompromised fight against corruption in full compliance with the legislation of Armenia anticipating broad public support to the process and cooperation with law enforcement bodies. It resulted in defeat of systemic corruption in the country. The oligarchy has no leverage in the Government's decisions.

54. On 3 October 2019, "The Anti-Corruption Strategy and its Implementation Action Plan for 2019-2022" was adopted by the Government Draft Decision No 1332-N. The Strategy introduces anti-corruption institutional framework with the directions of prevention, examination and anti-corruption education. It, *inter alia*, includes issues related to the establishment of the anti-corruption institutional body, anti-corruption court, penalization of illegal assets, verification of property status of public persons and enlargement of the declaration system. The Draft Decision has been amended and submitted for public discussion also in marzes (provinces).

55. Pursuant to Decision No 808-N of the Prime Minister of Armenia of 24 June 2019, the Anti-Corruption Policy Council was established to fight corruption, discuss solutions and explore priorities in this direction. It also aims at discussing solutions, expressing position related to the policy drafts, programmes and legal acts contributing to the prevention of corruption. The Council is headed by the Prime Minister.

56. During 2018-2019, hundreds of corruption-related criminal cases were instituted and examined by the competent bodies of Armenia within the fight against corruption. During that period, the resigned President of the country, former Deputy Prime Minister, former Minister of Defence, former Chief of the General Staff of the Armed Forces of Armenia, former Minister of Nature Protection, former Head of the Service for Compulsory Enforcement of Judicial Acts and other high-ranking officials were involved as accused in the criminal cases.

57. During 2018, an essentially positive rate was recorded in the field of detection and recovery of the overall damage caused to the state by crime in criminal cases instituted by the competent bodies of Armenia with regard to the crimes disclosed. In particular, the overall damage caused to the state under cases of the crimes disclosed during 2018 amounted to AMD 84.869.951.060. AMD 27.775.221.334 from the overall damage detected was recovered during 2018 and the damage of about AMD 6.922.245.802 with the available monetary funds are guaranteed by the necessary criminal procedural toolkit, i.e. by the attachment imposed on the available currency or foreign currency of the amount concerned.

**Prevention of torture (Recommendations 120.89, 120.90, 120.91, 120.92, 120.93)**

58. On 9 June 2015, the National Assembly adopted the draft Laws "On making amendments and supplements to the Criminal Code and the Criminal Procedure Code of Armenia". The need for adopting these drafts was conditioned by the necessity to ensure compliance of the sector of criminal liability for torture prescribed by the legislation of Armenia with the UN Convention against Torture, to address the issues raised in the Annual Report of 2013 and 2014 of the Human Rights Defender, as well as to execute the judgments of the European Court of Human Rights (e.g. "*Virabyan v. Armenia*", "*Nalbandyan v. Armenia*").

59. After making the legislative amendments and supplements, Article 119 of the Criminal Code of Armenia was amended in such a way as to also cover cases of causing severe physical pain or mental suffering by a person not considered as an official, i.e. by a private entity. In addition, the mentioned *corpus delicti* was excluded from the scope of acts of the Criminal Procedure Code, subject to prosecution under private charges.

60. Thus, as a result of the given legislative amendments, full compliance between the domestic legislation and the international commitments of Armenia has been ensured and the *corpus delicti* of torture is in full compliance with Articles 1 and 4 of the UN Convention against Torture.

**Fight against trafficking in human beings (Recommendations 120.25, 120.58, 120.119, 120.120, 120.121, 120.122, 120.123, 120.124, 120.125)**

61. In June 2019, Law "On making amendments and supplements to the Law "On identification of and support to victims of trafficking in human beings and exploitation" was adopted. By this amendment, child victims of trafficking will have the right to receive state financial support until attaining the full age. Another regulation concerns improvement of protection of the rights of child victims of trafficking, a procedure for exchange of information about special category victims of trafficking and exploitation and introduced new referral mechanism for them. The final version of the document is envisaged to be submitted to the Government by April 2020.

62. Thus, by adopting the Law "On making amendments and supplements to the Law" On identification of and support to victims of trafficking in human beings and exploitation ", the deadlines for document circulation and information transfer are clarified and certain inaccuracies eliminated. Through developing and introducing the new referral mechanism for children, ground for multi-professional framework is established to enable improvement of identification of children and early prevention.

63. Two state programmes are underway: the State Programme for Social-Psychological Rehabilitation Services for Victims of Trafficking in Human Beings and Exploitation, Women and Girls Subjected to Sexual Exploitation and the State Programme for Lump-Sum Monetary Compensation for Victims of Trafficking in Human Beings and Exploitation. Within their scope the special category victims receive long-term assistance and financial support. The first program includes shelter and in-kind assistance, legal protection, as well as provides access to state healthcare, educational and other social programmes, facilitates rehabilitation and helps to avoid revictimisation. It is envisaged to expand the programme in 2020 and fully incorporate in the state budgetary programs.

64. The National Action Plan of Armenia on fight against Trafficking in Human Beings and Exploitation for 2019-2021 has been drafted.

**Ensuring rights of persons belonging to special groups and non- discrimination**

**Women's rights**

**(Recommendations 120.24, 120.47, 120.48, 120.49, 120.50, 120.51, 120.52, 120.53, 120.54, 120.55, 120.56, 120.57, 120.58, 120.59, 120.60, 120.61, 120.62, 120.63, 120.64, 120.65, 120.66, 120.67, 120.68, 120.69, 120.70, 120.71, 120.72, 120.73, 120.74, 120.76, 120.100, 120.103, 120.104, 120.105, 120.106, 120.107, 120.108, 120.109, 120.110, 120.111, 120.112, 120.113, 120.115, 120.156, 120.157, 120.158, 120.159)**

65. In the recent years, major steps have been taken towards gender equality and empowerment of women. Throughout the 2018, a large number of women participated in the rallies, guaranteeing their peaceful nature. As active participants of the demonstrations, women were the driving force of the revolution.

66. Increase of the role of women in the legislative body is obvious, gender sensitive quotas were prescribed by the Electoral Code of Armenia adopted on 25 May 2016 (entered into legal force from 1 June 2016). The quota has increased at 10% as compared to the previous Code and was aimed at expanding the representation of women in the legislature. A requirement of 25% for the involvement of women in the electoral lists of political parties and alliances running in the parliamentary elections has been prescribed, which is envisaged to reach 30% as of 2021.

67. The 464 out of a total number of 1.444 candidates in the elections of the National Assembly of 9 December 2018 or 32% were women, as a result of which the 32 out of 132 Deputies of the National Assembly or 24% are women. The female Deputies in the composition of the previous convocation of the National Assembly made 18%. Women constituted 10.951 out of 18.000 or 62% of the national observers accredited by the CEC for the early parliamentary elections and 696 out of 1163 or 60% of journalists.

68. In 2018, the 344 out of a total number of 948 or 36% of the candidates to the elections to the Yerevan Council of Elders were women. As a result, the 19 out of the 65 members of the Council of Elders or 29% are women. In the elections of local self-

government bodies held in October 2018, in the city of Etchmiadzin a female Mayor was elected, which was for the first time in the history of the third Republic. Women constituted the 346 out of 688 or 50% of national observers accredited by the CEC for the elections of local self-government bodies and 296 out of 516 or 57% of journalists.

69. Pursuant to the Decision of the National Assembly of 14 February 2019, the Programme of the Government was adopted, according to which “the attention of the Government will be focused on expanding of the economic opportunities for women, as well as on creating favourable conditions for the exercise of equal rights and equal opportunities for women and men”.

70. Armenia attaches importance to the involvement of women in the peace and security. On 28 February 2019, Armenia adopted the first National Action Plan on implementation of the provisions of the UN SC Resolution 1325, which was developed by the Inter-Agency Commission. Activities aimed at implementing the provisions of the NAP are being carried out in close co-operation with NGOs and international organisations.

71. The Ministry of Defence continues to pursue a policy of promoting the involvement of women in the armed forces (up to the 5% target established by the UN). Female peace-keeping forces will be included also in the composition of the Armenian peace-keeping troops in the UNIFIL<sup>10</sup> mission in the nearest future. Within the scope of the co-operation between the Ministry of Defence and the UN Population Fund, based on the provisions of the UN SC Resolution 1325 and Order of the Minister of Defence No 128 of 16 February 2016 "On approving the Guideline and its Action Plan for protecting the rights of women and ensuring equal opportunities within the defence system of Armenia" ensuring the implementation of those provisions, a female peace-keeping platoon (20 female peace-keepers) was established within the brigade of peace-keeping forces of the Ministry of Defence. The first group of 4 female peace-keepers have already joined the Armenian troops carrying out peace-keeping mission in Kosovo ("the Kosovo forces").

72. In 2017, the Law "On prevention of domestic violence, protection of persons subjected to domestic violence and restoration of solidarity in family" was adopted. To ensure the implementation of the Law, several by-laws have been drafted. Since 2019, six state centres in Yerevan and in 3 *marzes* have been providing support to victims of domestic violence.

73. In September 2019, the Government approved the Strategy on the gender policy implementation for 2019-2023, whereby five priorities were defined: equal participation of women and men in administration and decision making, overcoming gender discrimination in the social and economic sectors, expansion of the full and effective participation of and opportunities for women and men in education, science and healthcare, prevention of gender discrimination.

74. A supplement was made to the Law "On human reproductive health and reproductive rights" in 2016, Article 10 of which prescribes the prohibition of sex selective abortions and Article 47.12 of the Code of Administrative Offences envisages administrative liability for failure to carry out necessary measures provided for by law before and after induced termination of pregnancy (abortion) by the doctor.

75. By joint Order of the Minister of Health No 1129-A of 8 May 2015 and of the Minister of Labour and Social Affairs No 75-A/1 of 13 May 2015, the Programme on preventing induced terminations of pregnancy conditioned by the sex selection for 2015-2017 was approved. As a result of the above mentioned Programme, relevant capabilities were ensured, and public awareness level was raised in the *marzes* and urban communities of Armenia. The balanced consolidation of measures and activities, selection of the rich toolkit and sequence of their application became the main guarantee for the achievements of the Programme.

76. One of the peculiarities of the sector of information and communication technologies (ICT) of Armenia is the high involvement of women. According to the 2018-2019 research and data collected by the Enterprise Incubator Foundation, the involvement of women and girls in the ICT sector in Armenia constitutes 37%. With this indicator, Armenia ranks the 4th in the world. The index gradually increases due to the

encouragement of the organisations of the sector and conditions created, in particular, combination of work and family, paid maternal care, creation of maternal and children's care corners in companies. In the ICT sector high-level professional capacities and skills are the priority. The number of women and girls studying and teaching in the centers of natural sciences, technical HEIs, scientific and research centres is also a favorable precondition and factor contributing to the development of women's professional, entrepreneurial and leadership skills.

77. The draft Law "On ensuring equality" was elaborated by the Ministry of Justice and posted on e-draft.am for public discussion. The draft Law will give the opportunity to ensure equality before the law, prevent manifestations of discrimination, as well as to exercise equal rights. The draft Law guarantees the establishment of the Equality body adjunct to the Office of the Human Rights Defender, which will be provided with mechanisms for supporting victims of discrimination and initiating investigations under cases of alleged discrimination.

**Rights of the child (Recommendations 120.34, 120.35, 120.36, 120.37, 120.38, 120.38, 120.39, 120.40, 120.41, 120.42, 120.136, 120.137, 120.138)**

78. In 2017 Armenia joined two important international initiatives: the "We Protect Global Alliance" network aimed at eliminating the on-line sexual exploitation of children and the "Global Partnership to End Violence Against Children", aimed at strengthening the state efforts and implementing reforms to end online child sexual exploitation and abuse.

79. The Inter-Agency Council for Juvenile Justice has been established, which is a powerful national platform aimed at preventing child abuse, as well as co-ordinating and monitoring the programmes on the protection of the rights and interests of the child in the system of justice.

80. To meet the requirements of the UN Convention on the Rights of the Child, the European Social Charter (Revised) and the commitments assumed by other international instruments legislative amendments are implemented for the protection of the rights of the child. The functions and composition of the National Commission for the Protection of Rights of the Child have been reviewed, enhancing the role of monitoring.

81. The number of children placed in care institutions has been reduced in recent years, following the policy of ensuring the right of the child to live in family. As of May 2019, about 230 children aged from six to eighteen from socially vulnerable families received care at four child care and protection boarding institutions, compared to the 1000 children, who received care previously. In this context, the draft decision on closing of 4 child care and protection boarding institutions and 1 orphanage was elaborated and submitted to the Government.

82. Since 2013, the allocations from the State Budget for the programmes related to children in the social sphere have been increased: in 2019, five programmes will be implemented aimed at expanding the services of child day care, which are considered to be an alternative at twenty-four-hour care institutions. The programmes are implemented through delegating non-governmental organisations by a tender.

83. In 2020, it is envisaged to continue the expansion of the community-based and inclusive day care services in 30 large communities of 10 marzes in co-operation with non-governmental organisations. Starting from 2020, a new programme for preventing the access of children to institutions will be launched in all marzes and in Yerevan.

84. For the purpose of developing the system of protection of children's rights, database sub-system "Children facing difficult life situation" is being improved and a number of activities are being implemented jointly with the partner organisations. The 21 indicators of monitoring have been introduced within the system and the new sub-system of foster care has been developed.

85. Due to the steps undertaken continuous reduction of the infant mortality rate has been recorded in Armenia in recent years. According to the data of the Statistical Committee, in 2011, it constituted 11.6%, in 2015 – 8.8%, in 2017 – 8.2%, and 7.1% in 2018, according to the preliminary data of 2018. According to the UN estimate indicator, in

the years following 2010, the reduction of indicators continued more in line with the official data, constituting 15.3% in 2011, in 2015 – 12.5%, and in 2017 – 11.4%. According to the 2017 Annual Report of UNICEF, Armenia is in the 4th place among the 52 countries having comparable (below average) income with its child mortality rate (*UNICEF, EVERY CHILD ALIVE, 2017*).

**Rights of persons with disabilities (Recommendations 120.168, 120.169, 120.170, 120.171)**

86. The rights of persons with disabilities are ensured by the Law "On social protection of persons with disabilities in Armenia". According to the recommendations of the UN Committee on the Rights of Persons with Disabilities with regard to the initial national report of Armenia, the draft laws regulating disability issues are currently being developed. The draft laws will provide fundamentally new and equal approaches to ensure the rights of persons with disabilities and promote their inclusiveness.

87. By the Decision of the Government of 12 January 2017, the "Comprehensive Plan for 2017-2021 on Social Inclusion of Persons with Disabilities" was approved. According to the plan, definite measures were ensured providing equal conditions and social inclusion for persons with disabilities. The measures include all the spheres of social life and are aimed to ensure the accessibility of vehicles, education institutions, buildings and structures of social significance, the exercise of the rights of persons with disabilities to education, work and information, as well as at the promotion of employment.

88. Pursuant to point 6 of Article 6 of the Law "On education" (HO-297-N): "The State shall create necessary conditions for the purpose of receiving education in line with the peculiarities of development of citizens in need of special conditions for education and for ensuring social adaptation". It is also enshrined by the Law that the education of children with special educational needs may be provided upon the choice of parents both at general education institutions and special schools through special programmes. For the purpose of the implementation of these provisions the programme of inclusive education was introduced in 2001. The inclusive education system operates parallel to the special general education schools. It was first introduced for pilot purposes in 5 general education schools and was expanded in the following years. During the 2017-2018 academic year, inclusive education was provided in 201 general education schools, where studied about 6225 children with special educational needs. During the 2018-2019 academic year, inclusive education has been provided in 136 general education schools, where studied about 3330 children with special educational needs.

89. The common state standard for general education has been approved upon Decision of the Government No 1088-N of 11 July 2011. Pursuant to this standard, for effective organisation of education for children with special educational needs, the content of the general education programme is adapted to their intellectual capacities and perceptions.

90. On 1 December 2014, the National Assembly adopted the Law "On making supplements and amendments to the Law "On general education" (HO-200-N), according to which a transition general education system to the universal inclusive education has been made, applying the three-level system of addressing the educational needs of the child. Through the implementation of the Law, children in need of special educational conditions receive pedagogical and psychological support at 3 levels: at general education schools, as well as territorial and republican pedagogical and psychological support centres.

91. Pursuant to Decision No 2179-N of 26 December 2002, special institutions of general education operate in Armenia for children with different health problems: hearing impairment, visual impairment, locomotor system disorders, mental retardation.

**Refugees and asylum-seekers**

92. Armenia continues supporting the UN Global Compact on Refugees and Migrants considering its provisions in domestic policy development. Armenia expressed its concern with regard to the violence exercised against the civil population by terrorist and extremist groups, which resulted in large flows of refugees. To this end, great importance is attached to early prevention efforts.

93. Armenia is a member of the UNHCR ExCom<sup>11</sup> since April 2015, reaffirming its readiness to provide assistance and durable solutions to refugee related issues.

94. Armenia received the first flow of refugees after the pogroms of Armenians organised in the city of Sumgait, Azerbaijan back in February 1988, followed by massacres of Armenians in other settlements of Azerbaijan.

95. Legal, social and economic guarantees to persons forcibly displaced from Azerbaijan in 1988-1992 and having received the citizenship of Armenia were stipulated by the law.

96. Armenia and Nagorno-Karabakh continue to face challenges with regards to the enforced displacement in the context of the Nagorno-Karabakh conflict, since the hostile attitude of Azerbaijan precludes the return of refugees and IDPs to the places of their former residence in safety and dignity. Moreover, renewed attacks of Azerbaijan against the peaceful population in Nagorno-Karabakh resulted in the new wave of displacement, especially in April 2016<sup>12</sup>.

97. Armenia has received considerable influx of refugees also from Syria (about 22.000 refugees). Having limited resources, the authorities of Armenia have created decent life conditions for the refugees and ensured their comprehensive integration taking into account their high entrepreneurial skills. In this regard, noteworthy is the example of the refugees from Syria, who have not only taken their unique place in the social and economic life of Armenia, but also created new culture in the field of provision of services, in particular introducing new food culture.

98. Taking into account the number of asylum seekers in Armenia and the capacity of the special accommodation facility for 45 beds, it is envisaged to build a new centre for asylum-seekers in compliance with the international standards intended for more than 100 persons. The design activities for the construction of the centre are currently underway, exploitation of the building is envisaged as of 2021.

99. Armenia remains committed to improving the legal framework on refugees. On 16 December 2015, the National Assembly adopted the Law “On making amendments and supplements to the Law “On refugees and asylum”. The draft is aimed at ensuring the implementation of the asylum policy adopted by the Government, i.e. bringing the national legislation on the rights of asylum-seekers and refugees into compliance with the international standards, pursuant to the commitments assumed by Armenia under international conventions.

100. On 21 July 2016, the Government approved the Concept Paper on the policy on integration of persons recognised as refugees and granted asylum in Armenia, as well as of long-term migrants. On 23 February 2017, the Action Plan aimed at the implementation of the Concept Paper was approved.

**National minorities (Recommendations 120.75, 120.166, 120.172, 120.173, 120.174, 120.175, 120.176, 120.177, 120.178, 120.179)**

101. Protection of the rights of persons belonging to national minorities, preservation of their culture and cultural heritage are among the policy priorities of Armenia.

102. All historical and architectural, cultural and religious structures located within the territory of Armenia, regardless of their ethnic or religious belonging are under state protection. Together with the historical monuments and religious heritage belonging to the Armenian Apostolic Church, monuments belonging to other religious denominations and ethnic groups are registered and preserved in different marzes of Armenia.

103. On 29 September 2019, opening of the largest Yezidi temple in the world (Quba heft merê diwanê u Tawûsê Melek) took place in Armenia, which was attended by high-ranking officials of Armenia, as well as heads of Yezidi communities from all over the world.

104. The constitutional amendments of 2015 for the first time enshrined the principle of allocating the seats for the representatives of national minorities in the parliament. As a result, the new Electoral Code prescribed that four mandates of Deputies of the National Assembly are distributed among representatives of national minorities according to the

principle of one mandate to each of the first four national minorities with greater number of resident population according to the data of the latest census preceding the elections<sup>13</sup>.

105. As a result of the early parliamentary elections held on 9 December 2018, four national minorities are represented as Deputies of the seventh convocation of the National Assembly: Yezidis, Russians, Assyrians and Kurds.

106. The draft Law "On national minorities" was developed to ensure the protection of national minorities rights and was posted on the e-draft.am platform for public discussion. Currently, it is envisaged to conduct a new cycle of discussions of the draft Law with the participation of international experts and representatives of national minorities.

107. The Council on National Minorities was reorganised by the Decision of the Prime Minister of 3 May 2019. Pursuant to this decision, the Council shall function adjunct to the Chief Adviser to the Prime Minister, and the technical maintenance for organising the Council's activities shall be carried out by the Staff of the Prime Minister through a relevant subdivision. The rules of procedure of the Council and the method of distribution of the financial resources in the amount of AMD 20 million allocated to the national minorities organisations from the state budget were approved by the Council.

108. Since 2007, by nomination of the organisations represented in the Council and upon motion of the Staff of the President every academic year representatives of the Yezidi, Kurdish and Assyrian communities are provided with seats on a non-competitive basis to study at the Faculty of Oriental Studies of the Yerevan State University. Starting from 2010, this privilege is also granted to those representatives of other national minorities nominated by the organisations representing the relevant communities in the Council, wishing to study in the departments related to culture and language at higher education institutions with the aim to develop their national culture and language. Later, upon the motion of the Council, the higher education institutions apply full or partial discount on tuition fee for those students.

## **Economic, social and cultural rights**

### **Economic development, social justice and ensuring equal conditions of life**

109. In 2018 the Government Programme provided key importance to ensuring inclusive economic growth, job creation and fighting poverty. Prioritising social implications of economic growth, the Government has undertaken consistent steps aimed at introducing inclusive economic model, entrepreneurial initiatives and employment promotion, as well as improving social conditions for certain groups of the society. In 2018, a growth in the volume of the processing industry, particularly 40,8% growth in clothing production volumes and 77,0% growth in fibre products industry was recorded. In 2018, 65,4% growth in textile production export was recorded. In the same period of time, 9,8% growth of added value of services, as well as 4,5% growth in construction sector was recorded. The above-stated developments also significantly contributed to employment growth.

110. In post-revolution period, 16 programmes with regard to postponing VAT and 34 programmes with regard to exemption from duties were approved. The approved programmes envisaged to create 2763 jobs, out of which 1604 are already created.

111. Point 5.2 (Free, decent and happy citizen) of Section 5 (Poverty reduction, social assistance) of the Government Programme approved in accordance with Decision of the Government No 581-N of 1 June 2018, stated that the social security is of primary significance, and inter alia, significant improvement of the living standards, sustained growth in employment rate, real growth of salaries, preventive actions against the poverty causing risks are the Government priorities. Point 6.2 (Fight against shadow economy, increasing state revenues) of Section 6 (Sustained economy development) of the same Programme sets out that another factor impeding real economic development is the shadow economy. It was also stated that in order to ensure equal competitive conditions in business environment, the Government has decided to significantly reduce the shadow economy.

112. Highlighting the importance of decent work, the ILO<sup>14</sup> and the Tripartite Partners in Armenia jointly developed and signed Decent Work Country Programme for 2019-2023 (DWCP) on 14 May 2019 outlining the priorities, main outputs of cooperation strategy between the ILO and Armenia and its implementation for 5 years period. The DWCP promotes decent work as the main component of development policy and at the same time as national policy goal of the Government and social partners.

113. The priorities of Decent Work Country Programme are the following: improving mechanisms regulating legal labour relations, improving employment policy, expanding employment capacities of women and men, enhancing social dialogue and collective bargaining at all levels.

114. Through current programmes of social assistance, a number of steps were carried out to promote employment, as well as to provide targeted assistance in case of extreme poverty. Particularly, in 2019, the Government adopted a decision to maintain family allowances in case of seasonal agricultural work. In order to assist the extreme poor, the Government adopted a decision ensuring a possibility to include people without permanent place of residence and registration in the system of family allowances.

115. With the support of international and local partners the Ministry of Labour and Social Affairs started implementing "Staged poverty reduction programme", within the 2019 framework of which it is expected to assist establishing a sustainable source of income for about 1000 families engaged in livestock farming.

116. In February 2019, pursuant to the Prime-Minister's decision, a working group on reforming allowance system and establishing sustainable source of income of families was created. The full reform package for the system will be submitted by December 2019. The reform is being implemented on the basis of principles of developing flexible assistance packages based on needs assessment and employment promotion.

**Right to health (Recommendations 120.161, 120.162, 120.164, 120.165)**

117. In 2015-2019, construction of 2 regional medical centres and reconstruction and furnishing of 6 regional medical centres with medical devices were carried out. In 2014–2016, Armenia continued the upgrading of the infrastructure of primary health care in rural communities of *marzes*. 12 additional out-patient clinics were involved in the programme, reconstruction works in polyclinics were carried out.

118. With the purpose of organising higher-quality urgent medical assistance in remote *marzes* of Armenia, the procedure for transporting the patient by a helicopter by "emergency response service" of out-going emergency medical aid within state-guaranteed free medical aid and service was approved by Order of the Minister of Healthcare of the Republic of Armenia N 611-A of 12 March 2019.

119. International Health Regulations (Medical and Sanitary Rules) have continuously been introduced. Based on findings of Joint External Evaluation carried out in 2016, and with the inter-agency co-operation "Health security strategic programme" aimed at filling the gaps and ensuring progress is under elaboration.

120. The system of epidemiological control of infectious diseases, chemical and radioactive contamination has been continuously developed, which was put into operation at all levels. Access to high-quality laboratory services in all *marzes* aimed at detection of pathogens has been ensured. Emergency response capacities have been ensured in all *marzes* due to the operation of emergency response teams. "One health" approach is underway at all levels, ensuring reducing or excluding the diseases common for humans and animals, as well as environmental impact.

121. Starting from July 2019, the Government has been allocating additional funds, due to which in-patient treatment of children under 18, as well as a number of services provided by new and expensive technologies are delivered free of charge, which ensure equal opportunities for all children under 18, irrespective of the social status of the family and its possibility to afford the treatment.

122. With the purpose to improve the effectiveness of emergency medical aid service, the fleet of ambulance has been upgraded and furnished with modern equipment.

123. The Ministry of Health is developing a Draft Decision of the Government "On approving the concept for comprehensive health medical insurance". This measure is conditioned by the necessity to introduce comprehensive health medical insurance, aimed at preserving and improving individual healthcare and public health, delivering modern, high quality, affordable healthcare services by attracting new healthcare funding sources, as well as introducing new mechanism to control the quality of medical aid. It is expected that every citizen who has insured his or her health and needs medical aid and service, will have the opportunity to benefit healthcare service package irrespective of sex, age, place of residence and social status.

## **IV Challenges deserving attention of international community**

### **Prevention of Genocide (Recommendations 120.87, 120.88)**

124. In the modern world, the risks of the recurrence of the crime of genocide have not disappeared, which underlines the necessity to ensure the continuity and joint efforts in the fight against this crime. As a country consistently highlighting the need of the coherent action towards the prevention of the crime of genocide Armenia has continued its efforts in that direction during the reporting period, including through the UPR, which has been used to draw the Member States attention to the necessity of acceding to the Convention on the Prevention and Punishment of the Crime of Genocide.

125. Likewise, within the scope of the Human Rights Council, Armenia submitted biannual Resolution on Prevention of Genocide. Most of the main developments that took place in the context of genocide prevention were reflected in the mentioned Resolutions, including the importance of the use of new mechanisms, the role of education, and especially of the genocide education contributing to the prevention of genocide were emphasized. The HRC resolutions on the prevention of genocide show possible risks, including the causal relation between impunity and denial, which, forming part of the state policy, may undermine the process of reconciliation of peoples. The adoption of these resolutions by the HRC is also a contribution to the universal coverage and awareness raising about the Convention on the Prevention and Punishment of the Crime of Genocide.

126. Armenia has initiated the international public and political Global Forum against the crime of genocide and took the lead in building a global community network against the crime of genocide. The third global forum was held in Yerevan on 9 - 11 December 2018. It was dedicated to the prevention of the crime of genocide through education, culture and museums. The forum was organised by the Ministry of Foreign Affairs with the support of the UN Office on Genocide Prevention and the Responsibility to Protect and in co-operation with the International Association of Genocide Scholars. Simultaneously events dedicated to the 70<sup>th</sup> anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide were held.

127. Armenia is actively involved in the events dedicated to the observance of the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime. Since 2015, the Permanent Mission of Armenia to the United Nations, in partnership with UN Office on Genocide Prevention and the Responsibility to Protect, co-hosted the annual observance of the International Day.

128. As a homeland of genocide survivors, Armenia alerts not only about the genocide denial but also about the implications of recent justifications of this crime.<sup>15</sup>

129. The report of the Secretary-General (A/HRC/41/24) of 24 June 2019 dedicated to genocide prevention draws attention to the necessity of preventing genocide and other crimes against humanity, as well as to the issues aimed at strengthening the capacities, encouraging different regional initiatives, developing mechanisms of early detection and prevention within the United Nations system.

### **Negative influence of unilateral coercive measures on human rights**

130. In its previous report, Armenia drew the attention of the Member States to the imposition of unilateral coercive measures against Armenia by Turkey and Azerbaijan since 1993, in particular, to the fact of the unilateral closure of the land border of the country, which is a violation of UN Charter, the international law, including the Convention on Transit Trade of Land-locked States. There has been no positive development in this regard in the reporting period and today 82% of land border of Armenia remains closed, including all roads, railways and pipelines connecting Turkey and Azerbaijan with Armenia. This all affects the economy, in particular, the growth of export of goods, pricing policy of imported goods, as well as has a direct negative impact on the exercise of human rights, including effectiveness of the right to development, the implementation of Sustainable Development Goals and freedom of movement.

### **Disseminating anti-Armenian sentiment and inciting war**

131. Armenia is concerned about the propaganda of racial hatred and war mongering exerted by Azerbaijan. The dissemination of documents promulgating hate speech and encouraging violence, including by the use of media and other means of communication is particularly alarming. The use of new means of communication, including social platforms for spreading hate speech is also a matter of concern.

132. Another expression of hatred is the practice of restricting the exercise of civil and political rights. In particular, Armenia draws the attention of the Human Rights Council to the gross violations of the rights of ethnic Armenians (regardless of their citizenship), who are denied entry to Azerbaijan and detained based on their ethnic origin.

133. Azerbaijan continues to promote as a role model those who have committed grave crimes against Armenians, including murderers. The Azerbaijani school textbooks are full of hate propagandas against Armenians.

134. In this context, Armenia deems important the launch of the Strategy and Plan of Action on Hate Speech declared by the Secretary-General of the United Nations in 2019, the main principles of which address hate speech, including those made by the governments.<sup>16</sup>

### **Ensuring universality of human rights**

135. Armenia is a staunch supporter of the application of universal human rights principles on an equal footing, without any distinction, based on the norms of the Charter of the United Nations and on the provisions of the Universal Declaration of Human Rights.

136. The "Leave no one behind" pledge is the main principle of the activities of the 2030 Agenda for Sustainable Development and should be universally applied. People living in conflict areas should not be deprived of the full enjoyment of their rights, including through the close cooperation with the international institutions.

137. Remaining committed to the principles of respect and protection of human rights, Nagorno-Karabakh unilaterally joined the international fundamental instruments on human rights and voluntarily submitted its initial report (A/HRC/40/G/3\*) on the Implementation of the UN International Covenant on Civil and Political Rights.<sup>17</sup>

138. Nagorno-Karabakh is people. It is 150 thousand individual human beings with dignity, responsibility and rights. Like any other people, they are entitled to freely enjoy their inalienable rights – all of them, including the right to self-determination, the right to freely determine their political status and freely pursue their economic, social and cultural development. In their condition, the right to life is especially endangered, as the existential security of the people of Nagorno-Karabakh remains the biggest sustained threat. An example of such a threat was the war against Nagorno-Karabakh incited by Azerbaijan in 2016, which was accompanied by gross violations of the international humanitarian law, with targeted shelling on schools, as a result of which children were killed and injured, elderly persons were tortured, bodies of captured military servants were mutilated in DAESH style (for detailed information see the Report of Nagorno-Karabakh Ombudsman,

distributed during the 70th session of the UN General Assembly (<http://undocs.org/A/70/863>).

139. Armenia continues to remain faithful to the peaceful settlement of the conflict within the framework of the OSCE Minsk Group Co-Chairmanship, which is the only internationally agreed format of the Nagorno-Karabakh conflict resolution and complies with the Ceasefire Agreement concluded between Nagorno-Karabakh, Azerbaijan and Armenia in May 1994. Armenia reiterates its firm commitment to peaceful resolution of conflicts and pledges to continue to do its utmost to participate in the further construction of international security architecture.

#### Notes

- <sup>1</sup> On 26 July 2019, the Minister of Justice requested the Council of Europe Venice Commission opinion on the compliance of ratification of the Convention with the Constitution of Armenia. After receiving the opinion of the Venice Commission, the Government will apply to the Constitutional Court pursuant to part 3 of Article 169 of the Constitution for determining the compliance of the obligations enshrined in the international treaty to the Constitution. Thereafter, it will be submitted to the National Assembly for ratification, as soon as all domestic procedures are ensured.
- <sup>2</sup> OSCE: Organization for Security and Cooperation in Europe – ODIHR: Office for Democratic institutions and Human Rights.
- <sup>3</sup> PACE: Parliamentary Assembly of the Council of Europe.
- <sup>4</sup> CIS: The Commonwealth of Independent States.
- <sup>5</sup> NGOs: Non-governmental organizations.
- <sup>6</sup> Republic of Armenia, Early Parliamentary elections 9 December 2018, ODIHR Election Observation Mission Final Report.
- <sup>7</sup> Republic of Armenia, Early Parliamentary elections 9 December 2018, ODIHR Election Observation Mission Final Report.
- <sup>8</sup> Antonio Guterres “Armenia’s young people were at the heart of that country’s peaceful political transition earlier this year – showing the potential of youth to use their voice to advance democracy. SG’s address to the General Assembly, 25 September 2018.
- <sup>9</sup> Statement by the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi VOULE, at the conclusion of his visit to the Republic of Armenia, 16 November 2018
- <sup>10</sup> UNIFIL: United Nations Interim Force in Lebanon.
- <sup>11</sup> UNHCR ExCom – Executive Committee of the Programme of the United Nations High Commissioner for Refugees.
- <sup>12</sup> UNHCR/Armenia – [www.unhcr.org](http://www.unhcr.org)
- <sup>13</sup> Pursuant to the results of the census of 2011.
- <sup>14</sup> ILO – International Labour Organization.
- <sup>15</sup> In his speech on 24 April 2019, Turkish President Erdoğan called the population in the Ottoman Empire “the Armenian gangs and their supporters”, considering their relocation as “the most reasonable action”.
- <sup>16</sup> Tackling hate speech is the responsibility of all – governments, societies, the private sector, starting with individual women and men. All are responsible, all must act (UN Strategy and Plan of Action on Hate Speech).
- <sup>17</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/088/39/PDF/G1908839.pdf?OpenElement>