

## Second periodic reports

### Armenia

#### (Exceptional session)

25. The Committee considered the second periodic report of Armenia (CEDAW/C/ARM/2) at its 571st and 572nd meetings on 7 August 2002 (see CEDAW/C/SR.571 and 572).

(a) *Introduction by the State party*

26. In introducing the report, the representative of Armenia informed the Committee that the Government had sought to implement the recommendations and suggestions in the Committee's concluding comments on Armenia's initial report, but despite its best efforts, 10 years had not been sufficient for Armenia to solve the problems it had faced as a result of transition, a devastating earthquake, a blockade and other extremely difficult circumstances.

27. In May 2002 a decree of the Prime Minister had created the position of Deputy Minister for Women's Issues within the Ministry of Social Security. The Deputy Minister heads the Department of Women's Affairs, coordinates all women-related activities of other ministries, ensures collaboration with women's non-governmental organizations (NGOs) and enforces compliance with the Convention. By the same decree, two commissions for women's issues had been established, the first to develop the "National Programme and Plan of Action for the Improvement of Women's Status and the Enhancement of their Role in the Society" and create mechanisms for its implementation, and the second to deal with trafficking of women.

28. The Government was aware of the crucial role of NGOs in the advancement of women. NGOs had traditionally worked in close collaboration with government entities, but four NGO representatives had been included in one of the commissions, thereby allowing for more direct cooperation, including in the design and implementation of government programmes. Women's NGOs and the Ministry of Social Security had collaborated on the creation of the "Ororots" or "Cradle" Programme, which supported pregnant women and newborns. The Ministries of Health and Social Security and NGOs were also planning additional projects aimed at improving conditions in maternity wards in the light of the maternal mortality rate, which had increased from 32 per 100,000 from 1995 to 1997 to 42 per 100,000 between 1998 and 2000.

29. Although there was no legal impediment to women standing for election to the National Assembly, there were only four women in the 131-member National Assembly. A fair and transparent environment needed to be created with sufficient financial resources and the removal of social, cultural and psychological barriers to encourage a greater number of women to run for office; however, partly as a result of training and seminars by NGOs, data indicated that more women would run in the regional and municipal elections scheduled for 20 October 2002 than in previous years.

30. The representative indicated that the Ministry of Social Security planned to create new employment opportunities for women, implement special zero-interest microcredit programmes in urban and rural areas to support women entrepreneurs, promote the activities of women in small and medium-sized businesses and increase the financing given to state-operated day-care facilities. One of the most important goals of the Ministry of Social Security was the removal of discrimination against women through the reduction of

poverty and a "Poverty Reduction Strategy" had been presented to the public for discussion.

31. The representative indicated that, since its independence, Armenia had signed and ratified over 40 international instruments on human rights, a number of which were directed at the protection of women's rights. Armenia had signed the United Nations Convention against Transnational Organized Crime and its supplementary Protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and against the Smuggling of Migrants by Land, Sea and Air, and the Rome Statute of the International Criminal Court, and it was envisaged that those instruments would be ratified during the fall session of the National Assembly. In addition, Armenia had become a full member of the Council of Europe on 25 January 2001 and signed the European Convention on the Protection of Human Rights and Fundamental Freedoms and its Protocols. Under the Decree by the President of Armenia, a special working group was set up, which would develop recommendations on legislative reforms and practical measures aimed at compliance with the requirements of the Convention. National legislation affirmed the notion of equality of rights for everyone in all spheres, equality of opportunity for women and men in health care, education, economic opportunities, employment and the administration of justice.

32. The Constitutional Court assessed whether the obligations in international instruments were in compliance with the Armenian Constitution prior to their ratification. On ratification, treaties became an integral part of the Armenian legal system, with Article 116 of the Constitution providing that laws and other legal acts of the Republic of Armenia should apply to the extent that they did not contradict the Constitution. Draft legislation was submitted to international experts in order to assess their compliance with Armenia's international obligations, especially in the field of human rights.

33. Trafficking in women was a comparatively new phenomenon in Armenia and was not directly addressed in legislation. Some of the components of trafficking, such as illegal border crossing and the preparation of forged documents, were punishable under current laws, and a number of articles in the Criminal Code, including those on rape, sex with minors, bogus marriage, polygamy, pimping and kidnapping, were also relevant. A special inter-ministerial working group tasked with elaborating appropriate programmes of action, proposing necessary legislative reforms or amendments and designing concrete projects had recently been formed, and television programmes, articles and awareness-raising campaigns had also addressed the issue. The Government believed that the provision of qualified assistance and professional consultation on migration issues would reduce the risk of trafficking for potential migrants and, accordingly, in March 2002, the State Department for Migration and Refugees established a "Migrants Service Point" (MSP), which was also implementing trafficking prevention programmes.

34. The representative indicated that, although reported rates of crimes against women in the home were very low, it was generally acknowledged that they were underreported because of the desire to keep the family together for the sake of the children, financial dependence or fear of public opinion. Social and economic conditions also prevented reporting and prosecutions. Although the Criminal Code regulated acts of violence against women in general, there was no specific legislation on domestic violence, and large numbers considered that a man was justified in beating his wife in certain situations. The representative indicated that public attitudes towards the legal system were negative and consequently resort to courts was unusual. An anti-corruption strategy and action plan were developed and submitted for the approval of the Prime Minister by the Joint Working Group on Anti-Corruption.

35. The representative stated that the transition to a market economy had not been a gradual process, but had been fragmented and the impact on the State economy had been significant. Although 98 to 99 per cent of the population was literate, 55 per cent lived in poverty and about 66 per cent of the unemployed in Armenia were women. In general, women were employed in less mobile and consequently non-competitive situations in the labour market, which resulted, inter alia, in a decrease in their standard of living. Currently, social security and benefits were reduced to a minimum for categories such as single mothers, mothers with more than one child and those with disabilities. There had also been budget reductions in health, education and culture. Many mothers had chosen to place their children under State guardianship, and the Ministry of Social Security together with UNICEF were monitoring orphanages as well as families which had placed their children in those facilities. As a result, many children would be returned to their families and would receive some financial assistance.

36. In concluding, the representative emphasized the commitment of the Government of Armenia to improving the situation of women and securing de jure and de facto equality between women and men. The challenges facing women had become more clearly articulated in recent years, the number of women's NGOs had significantly increased and society was becoming more conscious of gender issues. The public perception of gender roles had not changed significantly, but there was greater consciousness of the necessity of changing the existing situation.

*(b) Concluding comments of the Committee*

**Introduction**

37. The Committee commends the State party on its second report, which was presented in a timely manner. It also commends the State party for the written replies to the questions of the Committee's pre-session working group, and the frank oral presentation of the delegation that sought to clarify the current situation of women in Armenia, and provided additional information on the implementation of the Convention.

38. The Committee congratulates the State party for the high-level delegation headed by the Permanent Representative of Armenia to the United Nations and the Deputy Minister for Social Security. The Committee appreciates the open dialogue that took place between the delegation and the members of the Committee.

**Positive aspects**

39. The Committee welcomes the establishment of a national machinery for the advancement of women through the creation, in May 2002, of the position of Deputy Minister for Women's Issues in the Ministry of Social Security to coordinate all the activities of other ministries with regard to women and to ensure collaboration with women's NGOs.

40. The Committee expresses satisfaction at the continuing achievements of Armenian women in the field of education, particularly in the technical and scientific areas, including new technology.

41. The Committee welcomes the growing number of non-governmental organizations that play a prominent role in promoting women's empowerment in Armenia and appreciates that the State party has included four NGO representatives in its Commission on Human Rights.

**Principal areas of concern and recommendations**

42. The Committee is concerned that women are underrepresented in decision-making and political bodies, in particular in the National Assembly where they hold only 4 out of 131 seats. The Committee is concerned that

women's skills and potential are not sufficiently utilized in Armenia's efforts to battle the serious economic and social challenges the State party is facing, including the refugee problem. The Committee is also concerned that, despite their participation in the NGO sector, women are not active in politics generally, and that their level of participation in political parties is less than 20 per cent.

**43. The Committee recommends the adoption and implementation of measures to increase women's participation in the political sphere and to consider applying temporary special measures set forth in article 4, paragraph 1, of the Convention, such as quotas. The Committee recommends that the State party offer support training programmes for current and future women leaders and carry out awareness-raising campaigns on the importance of women's participation in political decision-making.**

44. The Committee notes that, despite the growing number of NGOs active in women's empowerment, the cooperation between the State party and non-governmental organizations in the implementation of the Convention and the preparation of the report has been limited.

**45. The Committee encourages the State party to involve non-governmental organizations in all stages of the implementation of the Convention, including in policy-making.**

46. The Committee expresses concern at the prevalence of violence against women and that the current legislation on violence does not include any specific provisions on domestic violence. It is concerned that the current penalties for rape are very light and can suggest to the community that this infringement of human rights is not a serious crime.

**47. The Committee urges the State party to recognize that violence against women, including domestic violence, constitutes a violation of the human rights of women under the Convention and requests the State party to place a high priority on the introduction of comprehensive and holistic measures to address violence against women and girls in the family and society. It calls on the State party to ensure that such violence is prosecuted and heavily penalized. Drawing on its general recommendation 19, the Committee requests the State party to enact legislation on domestic violence, and to ensure that victims have immediate means of redress and protection. It recommends that measures be taken to provide shelters for women and girl victims of violence and to ensure that all public officials, in particular law enforcement officials and the judiciary, as well as health providers and social workers, are fully sensitized to all forms of violence against women and girls. The Committee also recommends that the State party undertake awareness-raising measures, including zero-tolerance campaigns through the media and public education programmes, to ensure all forms of violence against women and girls, including domestic violence, are regarded as morally and socially unacceptable.**

48. While noting the establishment of the Migrants Service Point as part of an anti-trafficking strategy, the Committee is concerned at the absence of a comprehensive policy, including legislation, to combat trafficking in women and girls. The Committee is also concerned that current legislative provisions to address components of trafficking may exacerbate the situation of victims, rather than discourage perpetrators.

**49. The Committee urges the State party to assign the issue of trafficking in women and girls high priority through the formulation of a comprehensive strategy to combat this crime, which should include the prosecution and punishment of offenders and increased international, regional and bilateral cooperation with countries of origin, transit and destination of trafficked women. It recommends the introduction of**

measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, education initiatives for vulnerable groups, including teenage girls, as well as social support, rehabilitation and reintegration measures for women and girls who have been victims of trafficking. The Committee calls on the State party to ensure that trafficked women and girls have the support they need so that they can give testimony against perpetrators of trafficking and urges training of border police and law enforcement personnel so that they have the skills necessary to recognize and provide support for victims of trafficking.

50. The Committee expresses concern at the lack of information in the report and in the responses on prostitution and that the State party has not made sufficient efforts to address the issue of exploitation of prostitutes.

**51. The Committee requests the State party to provide information on prostitution in its next periodic report and to formulate and implement a comprehensive programme to address this phenomenon, including through the enactment of legislation against exploitation of prostitutes.**

52. The Committee expresses concern that budget cuts in the health-care system severely limit women's access to health care. It is concerned about the status of women's health, especially their reproductive health, and the increase in the rate of maternal mortality. The Committee is concerned at the widespread use of abortion as a commonly used means of birth control, particularly in rural areas.

**53. The Committee urges the State party to maintain access to affordable and adequate health care. Drawing attention to its general recommendation 24 on women and health, the Committee calls on the State party to ensure the availability and accessibility of affordable contraceptive means to both women and men as part of a comprehensive health policy. The Committee encourages the State party to promote programmes of sex education for both girls and boys. The Committee calls on the State party to take all appropriate steps to foster responsible sexual behaviour and take all appropriate steps to stop the use of abortion as a means of birth control.**

54. The Committee is particularly concerned that deeply rooted patriarchal attitudes in the family and society persist despite the high level of education that women have achieved.

**55. The Committee recommends that the State party take urgent and wide-ranging measures, such as the revision of curricula and textbooks and the implementation of awareness-raising programmes, including specific programmes targeting men and boys, to change stereotypical and discriminatory attitudes and perceptions about the roles and responsibilities of women and girls and men and boys in the family and in society.**

56. The Committee expresses concern at the higher level of women's unemployment than men's. The Committee is concerned at the lack of sex-disaggregated data relating to specific employment issues, in particular wages. It is concerned that there is no equal employment opportunities legislation, providing appropriate civil and criminal remedies for discrimination in hiring, promotion, dismissal and sexual harassment in the public and private sectors. The Committee is also concerned that some of the protective provisions for women in employment are formulated in a way that perpetuates disadvantageous stereotypes.

**57. The Committee recommends that the State party adopt equal employment opportunities legislation. The Committee also recommends the setting up of training programmes aiming to facilitate women's employment and urges the State party to collate sex-disaggregated data on all aspects of women's employment, and especially wages, so as to address**

**the employment situation in an informed way. In addition, the Committee recommends that the State party review its protective legislation in order to address any negative impact it may have on women's employment.**

58. The Committee expresses concern regarding the situation of rural women, including their access to health-care services and income-generating activities.

**59. The Committee encourages the State party to develop special policies and programmes aimed at the economic empowerment of rural women and their access to health-care services.**

60. The Committee is concerned that the situation of growing economic hardship and extreme poverty in the country, especially the feminization of poverty, negatively impacts on women's enjoyment of their human rights.

**61. The Committee urges the States party to develop poverty reduction programmes targeted to women, including for the predominantly female refugee population.**

62. The Committee notes the insufficiency of sex-disaggregated statistical data in all fields. It is also concerned that the impact of policies and programmes aimed at the advancement of women has not been assessed.

**63. The Committee recommends a comprehensive compilation of sex-disaggregated data and urges the State party to include relevant statistics and data in its next report. It also recommends the introduction of regular impact assessments of legislation, policies and programmes.**

64. The Committee is concerned that the minimum legal age for marriage is 17 years for women and 18 years for men. It is also concerned that in exceptional circumstances girls may marry at 16.

**65. The Committee recommends that the State party raise the age of marriage for women to 18 years.**

**66. The Committee urges the State party to sign and ratify the Optional Protocol to the Convention and to deposit, as soon as possible, its instrument of acceptance of the amendment to article 20, paragraph 1 of the Convention on the Committee's meeting time.**

**67. The Committee requests the State party to respond to the concerns expressed in these concluding comments in its next periodic report under article 18 of the Convention.**

68. Taking account of the gender dimension of declarations, programmes and platforms for action adopted by relevant United Nations conferences, summits and special sessions (such as the special session of the General Assembly to review and appraise the implementation of the Programme of Action of the International Conference on Population and Development (the twenty-first special session), the special session on children (the twenty-seventh special session), the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Second World Assembly on Ageing), the Committee requests the State party to include information on the implementation of aspects of these documents relating to relevant articles of the Convention in its next periodic report.

**69. The Committee requests the wide dissemination in Armenia of the present concluding comments in order to make the people of Armenia, and particularly government administrators and politicians, aware of the steps that have been taken to ensure de jure and de facto equality for women and the future steps required in that regard. It also requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace in the twenty-first century".**