



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### **Concluding observations on the combined third and fourth periodic reports of Armenia, adopted by the Committee at its sixty-third session (27 May – 14 June 2013)**

1. The Committee considered the consolidated third and fourth periodic reports of Armenia (CRC/C/ARM/3-4) at its 1790th and 1791st meetings (see CRC/C/SR.1790 and 1791), held on 29th May 2013, and adopted, at its 1815th meeting, held on 14th June 2013, the following concluding observations.

#### **I. Introduction**

2. The Committee welcomes the submission of the consolidated third and fourth periodic reports of Armenia and the written replies to its list of issues (CRC/Q/ARM/3-4/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multi-sectoral delegation of the State party.

#### **II. Follow-up measures undertaken and progress achieved by the State party**

3. The Committee welcomes the adoption of the following legislative measures:

(a) The amendments and supplements to the Law on the Rights of the Child on 18 November 2009, 25 October 2010 and 23 May 2011; and

(b) The Family Code on 9 November 2004, including provisions on protection of the rights and legitimate interests of children.

4. The Committee also welcomes the ratification of and/or accession to:

(a) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in June 2005;

(b) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in September 2005; and,

(c) The International Convention on the Rights of Persons with Disabilities in September 2010;

(d) The ILO Convention No 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in January 2006;

(e) The ILO Convention No138 concerning Minimum Age for Admission to Employment in January 2006;

(f) The Hague Convention No 34 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children in March 2007;

(g) The Hague Convention No 33 on Protection of Children and Cooperation in respect of Inter-country Adoption in March 2007; and

(h) The Council of Europe Convention on Action against Trafficking in Human Beings in April 2008.

5. The Committee also welcomes the following institutional and policy measures:

(a) The National Programme for the Protection of Children's Rights for 2013-2016;

(b) The Programme of State Support to Graduates of Child Care Institutions for 2004-2015; and

(c) The Programme on deinstitutionalization of children for 2004-2015.

## **A. Main areas of concern and recommendations**

### **The Committee's previous recommendations**

6. While welcoming the State party's efforts to implement the Committee's concluding observations of 26 February 2004 on the State party's second periodic report (CRC/C/93/Add.6), the Committee notes with regret that some of the recommendations contained therein have not been sufficiently addressed.

**7. The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations (CRC/C/93/Add.6) that have not been implemented or sufficiently implemented, and in particular, it recommends that the State party:**

**(a) Develop a comprehensive system for the analysis of data collected in order to assess progress achieved in the realization of children's rights and to help design policies to implement the Convention; and**

**(b) Strengthen its efforts in disseminating information on the Convention and its implementation and develop systematic and ongoing training programmes on the provisions of the Convention for all professional groups working with or for children.**

### **Legislation**

8. The Committee notes the adoption of several child-related laws over the reporting period, in particular amendments to the Law on the Rights of the Child of 1996. It also notes that numerous legislative initiatives aimed at improving the situation of children's rights are pending approval by the Parliament. However, the Committee regrets that adoption of some of these draft legislations has been delayed for several years, which has impeded the full and effective realization of children's rights in many areas. The Committee is also concerned about the inadequate implementation and enforcement of existing laws and regulations in the area of children's rights.

9. **The Committee recommends that the State party accelerate the adoption of legislative proposals in the area of children's rights that are in full conformity with the Convention, and urges the State party to ensure that the laws are fully and effectively implemented and include enforcement mechanisms.**

#### **Comprehensive policy and strategy**

10. The Committee notes the adoption of the National Programme for the Protection of Children's Rights for 2013-2016 and many other strategies and plans covering different areas of the Convention. However, the Committee regrets that the programme and strategies lack adequate financial resources and mostly rely on funding by international organizations. It also regrets that there is no regular assessment of progress under such programmes and strategies.

11. **The Committee urges the State party to provide all the necessary human, technical and financial resources for an effective implementation of the National Programme for the Protection of Children's Rights and other strategies and plans in the area of children's rights. It also recommends that the State party ensure regular assessment of the effectiveness of the National Programme and its implementation, as well as of other strategies and plans, in order to avoid any possible overlaps.**

#### **Coordination**

12. The Committee welcomes the establishment of the National Commission for the Protection of Children's Rights in 2005 as a coordinating body. However, the Committee regrets that the Commission is not very effective in its coordinating role. It is also concerned that the inter-sectoral coordination among ministries and the agencies at regional and local levels is not adequate.

13. **The Committee urges the State party to take the necessary measures to provide the Commission with the required authority and adequate human, technical and financial resources so that it can effectively coordinate actions for children's rights among government entities as well as to improve inter-sectoral coordination among ministries, between national level institutions and those at regional and local levels, with particular attention to rural and the more disadvantaged areas.**

#### **Allocation of resources**

14. The Committee is concerned about the significant decrease in budget allocations, in particular in the areas of health and education (from 2.1% in 2007 to 1.5% in 2012 and from 3.2% in 2010 to 2.5% of GDP in 2012 respectively) and regrets the lack of information on a child rights based perspective in the budgeting process.

15. **The Committee recalls its recommendations during its Day of General Discussion in 2007 on "Resources for the Rights of the Child - Responsibility of States", and recommends that the State party:**

(a) **Increase substantially the allocations in the areas of health and education to adequate levels;**

(b) **Establish a budgeting process, which includes child rights perspective and specifies clear allocations to children in the relevant sectors and agencies, including specific indicators and a tracking system; and**

(c) **Establish mechanisms to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated to the implementation of the Convention.**

**Independent monitoring**

16. The Committee welcomes the establishment in 2011 of the focal point responsible for monitoring, protecting and promoting the rights of children in the Office of the Human Rights Defender. It is however concerned that the office lacks capacity and resources to carry out its mandate effectively. It is also concerned that the public, children in particular, do not seem to be aware of the individual complaints mechanism of the Human Rights Defender's office.

17. **Taking into account the Committee's general comment No. 2 on the Role of Independent Human Rights Institutions (CRC/GC/2002/2), the Committee recommends that the State party take measures to establish a child rights unit at the Office of the Human Rights Defender and provide it with necessary human, technical and financial resources. It also recommends that the State party take measures to inform the public, in particular children, of the individual complaints mechanism of the Human Rights Defender's office, via mass media and briefings in schools. In doing so, the Committee recommends that the State party seek technical cooperation on this from, among others, the Office of the United Nations High Commissioner for Human Rights and United Nations Children's Fund (UNICEF).**

**B. General principles (arts. 2, 3, 6 and 12 of the Convention)****Non-discrimination**

18. The Committee is concerned at the prevalence of discrimination on the basis of gender. It is particularly concerned about sex-selective abortion in rural areas. The Committee also remains concerned at the de facto discrimination against categories of children in marginalized and disadvantaged situations, including children with disabilities, children living with HIV, children from poor families, children living in rural areas, children in street situations and children living in institutions.

19. **The Committee urges the State party to enforce its legislation against discrimination on the basis of gender and take measures to prevent and ban sex-selective abortions. It also recommends that the State party ensure that its programmes address the situation of discrimination against categories of children in marginalized and disadvantaged situations, including children with disabilities, children living with HIV, children from poor families, children living in rural areas, children in street situations and children living in institutions. The Committee further recommends that the State party include information in its next periodic report on measures and programmes relevant to the Convention and undertaken by the State party in follow-up to the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as the outcome document adopted at the 2009 Durban Review Conference.**

**Best interests of the child**

20. The Committee notes the inclusion of the "legitimate interests of the child" principle in the Family Code of 2004, but it considers that the "legitimate interests of the child" is not equivalent to "the best interests of the child" in its scope. In addition, the Committee regrets the lack of information on guidelines and procedures for ensuring that the right of the child to have his or her best interests taken into account as a primary consideration is applied consistently throughout the State party's policies, legislation and programmes.

21. **The Committee draws the State party's attention to its General Comment No 14 on the right of the child to have his or her best interests taken as a primary**

consideration (CRC/C/GC/14) and recommends that the State party amend its legislation to better reflect the right established by the Convention. It also recommends that the State party strengthen its efforts to ensure that this right is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings as well as in all policies, programmes and projects relevant to and with an impact on children. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area, and to disseminate these to the public, including traditional and religious leaders, courts of law, administrative authorities and legislative bodies.

#### **Respect for the views of the child**

22. The Committee notes that the right to be heard is included in a number of laws, but is concerned that children's views are not taken into account on a regular basis in all matters that affect them and regrets that the existing Youth Parliaments are not functioning effectively. The Committee is also concerned that consent to medical intervention for children under the age of 18 is given only by the child's representative.

23. **The Committee draws the State party's attention to its General Comment No. 12 on the right of the child to be heard (CRC/C/GC/12) and recommends that it take measures to strengthen this right in accordance with article 12 of the Convention. In doing so, it recommends that the State party:**

(a) **Take legislative and policy measures in order to promote and facilitate the respect for the views of the child within the family, schools, care institutions and the courts in all matters affecting him or her;**

(b) **Reactivate and strengthen the Youth Parliaments and encourage children's active participation in them;**

(c) **Ensure that children's views are taken into account in cases of medical interventions as indicated in the Committee's General Comment No 15 (CRC/C/GC/15).**

### **C. Violence against children (articles 19, 37 (a) and 39 of the Convention)**

#### **Ill treatment and corporal punishment**

24. The Committee is concerned at the information that children in closed and partially closed institutions, in particular in Vanadzor Children's Home and at the Vanadzor Care and Protection Centre (Boarding school) No 1 are subjected to ill treatment and violence. It is also concerned that although both the Family Code and the Rights of the Child Act of 1996 have provisions against corporal punishment, there is a lack of enforcement mechanisms and the State party's legislation does not provide sanctions in cases of violation.

25. **The Committee urges the State party to take urgent measures in closed or partially closed institutions, in particular in Vanadzor Children's Home and at the Vanadzor Care and Protection Centre (Boarding school) No 1, to investigate the individual cases of violence as well as prosecute and punish perpetrators. Furthermore, it recommends that the State party prohibit the use of corporal punishment in all settings and provide for enforcement mechanisms under its legislation, including appropriate sanctions in cases of violation. It further recommends that the State party strengthen and expand awareness-raising and education programmes and campaigns, in order to promote positive, non-violent and**

participatory forms of child rearing and discipline, and accelerate the adoption of the draft Law on Domestic Violence.

#### **Freedom of the child from all forms of violence**

26. Recalling the recommendations of the United Nations study on violence against children of 2006 (A/61/299), the Committee recommends that the State party prioritize the elimination of all forms of violence against children. The Committee further recommends that the State party take into account General Comment No. 13 (CRC/C/GC/13, 2011), and in particular:

(a) Develop a comprehensive national strategy to prevent and address all forms of violence against children;

(b) Adopt a national coordinating framework to address all forms of violence against children;

(c) Adopt legislation to explicitly prohibit all forms of violence against children in all settings;

(c) Pay particular attention to the gender dimension of violence;

(d) Cooperate with the Special Representative of the Secretary-General on violence against children and other relevant United Nations institutions.

#### **Harmful practices**

27. The Committee notes with concern that girls in the Yezidi community are often married before the legal age of marriage in a traditional ceremony.

28. The Committee recommends that the State party fully enforce the age of marriage set out in law for all forms of marriage and develop and undertake comprehensive awareness-raising programs on the negative implications of early marriage for the girl child's rights to health, education and development, targeting in particular parents and community leaders.

### **D. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)**

#### **Family environment**

29. The Committee welcomes the three-tier child protection system established on national, regional and local levels, but is concerned that child protection at the local level seems to be carried out to a large extent by volunteers without necessary qualifications and training. The Committee is also concerned that due to economic hardships and inability to cover the costs associated with schooling or the basic needs of children, some families are forced to enrol their children in boarding schools and children's homes.

30. The Committee recommends that the State party take measures to involve in child protection at the local level professionals with experience of working with children and provide training to volunteers for additional support in their work. It further recommends that the State party strengthen its support to families in situations of vulnerability, in particular, families living in extreme poverty through systematic, long-term policies and programmes to ensure access to social services and sustainable income opportunities. It further recommends that the State party prohibit placement of children in care institutions for financial reasons only and use placement only as a last resort in accordance with UN Guidelines for the Alternative Care of Children adopted on 20 November 2009.

### **Children deprived of a family environment**

31. The Committee welcomes the decision by the government which clarifies the criteria for admission to care institutions. However, the Committee remains concerned that:

- (a) Alternative family based care and community based care systems for children deprived of family environment are insufficient. There are only few foster families.
- (b) Increasing numbers of children, particularly those from families in vulnerable situations with at least one parent alive, are being placed in institutional care;
- (c) Despite the criteria established, there are no safeguards and procedures for ensuring that institutional care is genuinely used as a measure of last resort; and
- (d) The assistance to children who leave care institutions remains insufficient.

32. **Recalling the Guidelines for the Alternative Care of Children annexed to the United Nations General Assembly resolution 64/142 of 20 December 2009, the Committee recommends that the State party:**

- (a) Ensure sufficient alternative family and community based care options for children deprived of family environment;**
- (b) Increase support to families in vulnerable situations with universal and targeted services by strengthening their parenting skills, and including them in social assistance programs;**
- (c) Ensure that placement in institutional care is used only as a last resort and that adequate safeguards and clear needs-based and best interests of the child criteria are used for determining whether a child should be placed in institutional care; and**
- (d) Provide maximum support to the children who leave care institutions in finding study and/or work opportunities and provide them with adequate accommodation.**

### **Adoption**

33. The Committee welcomes the enactment of the Adoption Act of 2010 and ratification of the Hague Convention No 33 on Protection of Children and Co-operation in Respect of Intercountry Adoption. However, it is concerned about the shortcomings in their implementation. The Committee is particularly concerned that:

- (a) Monitoring and review of the adoption process are not centralized and are carried out at regional (marz) level by the Family, Women and Child Protection units, while the decisions are taken by local courts;
- (b) Criteria for selection of adoptive parents are too formal and are based on material conditions of potential parents and not on the parenting skills;
- (c) The respect for privacy of parties involved in the adoption process is used to justify restrictions on monitoring the adoption process.

34. **The Committee recommends that the State party establish effective mechanisms to implement the Hague Convention No. 33 and the Adoption Act of 2010, in particular:**

- (a) Create a centralized system for review of the adoption process;**
- (b) Establish clear criteria and procedures for selection of adoptive parents based not only on the material conditions, but also on other conditions that enable the child to grow up in a healthy and sound environment with responsible parents and**

**provide training and support services for adoptive parents before and following the adoption; and**

**(c) Establish a system of monitoring each step of the adoption process by an independent body.**

**E. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)**

**Children with disabilities**

35. The Committee welcomes the adoption of the Law “On education of persons with special needs” in 2005 and amendments to the Law “On general education” in 2012, both of which provide for the inclusive education for children with special needs. However, the Committee is concerned that:

(a) The number and proportion of children with disabilities in children’s homes are increasing due to lack of family support and alternative family and community based care options;

(b) Children with disabilities in regions (marzs) do not have access to adequate care and services, especially early detection and rehabilitation services;

(c) Children with disabilities remain in the care institutions even after they graduate as no other solution is provided to them and children with mental disabilities are often placed in mental health hospitals;

(d) Despite the increasing trend in inclusive education, a large number of children with disabilities who live in care institutions and rural areas, do not receive formal education; and

(e) Services that are free of charge are of low quality which forces the parents of children with disabilities to pay additional fees to get, for example, quality prosthesis items or orthopaedic shoes.

36. **In light of its General Comment No. 9 on the Rights of Children with Disabilities (CRC/C/GC/9, 2006) on the Rights of Children with Disabilities, the Committee urges the State party to ensure conformity of its legislation, policies and practices with, inter alia, articles 23 and 27 of the Convention with the aim of effectively addressing the needs of children with disabilities in a non-discriminatory manner. Furthermore, the Committee recommends that the State party:**

**(a) Take measures for the deinstitutionalization of children with disabilities and provide them with alternative family and community based care options;**

**(b) Allocate adequate human, technical and financial resources for ensuring the availability of early detection and rehabilitation services for children with disabilities, especially for children in the regions (marzs);**

**(c) Ensure that children with disabilities receive adequate support even after graduating from the care institutions, and ensure that children with mental disabilities are not placed in mental health institutions but are rather provided with adequate support and a place in the community;**

**(d) Continue its efforts to include children with disabilities in the mainstream education system, and in doing so, pay particular attention to children with disabilities in care institutions and rural areas;**

(e) **Take immediate measures to ensure that service providers do not take fees for services that are free of charge and establish regular control of the quality of services and products provided.**

#### **Health and health services**

37. The Committee welcomes the Obstetric Care State Certificate Programme of 2008 and the Child Certificate programme introduced in 2011 aimed at improving maternal and child health. It also welcomes the 2011 National Concept and Action Plan for Enrichment of Wheat Flour and National Strategy on Food Security with an action plan for 2010 - 2015. Nevertheless, the Committee remains concerned that:

(a) Significant disparities between urban and rural areas in access to health care services exist as some services such as intensive neonatal health care are available only in the capital;

(b) Despite the achievements in reducing the infant mortality, the neonatal and perinatal mortality rates remain high due to insufficient equipment in neonatal departments and inadequate training of staff.

(c) Informal (under the table) payments are common especially in hospital settings, which creates obstacles in accessing free medical care;

(d) There is a lack of qualified medical personnel who are experienced in the provision of Maternal and Child Health services both in terms of preventive health and outreach care as well as those needed to provide curative care in hospitals; and

(e) Despite the significant achievements in the area of nutrition, the problems of malnutrition among women and children still prevail especially in rural areas, and high level of obesity is noted among children under 5 years of age.

38. **The Committee urges the State party to:**

(a) **Ensure equal access to all health care services, in particular, provide equitable access to health care during pregnancy, at the delivery, including access to Emergency Obstetric Care and care for the newborn during the neonatal period, and adequate resources to provide emergency services and resuscitations in rural areas;**

(b) **Provide health institutions with adequate supplies and equipment, especially in neonatal departments as well as training of staff;**

(c) **Eliminate all informal fees for health care services that are free of charge, and set up a confidential system for reporting and action in case of non-compliance;**

(d) **Take measures to ensure that all health care personnel responsible for health care for children are well qualified and well trained; and**

(e) **Continue the implementation of its action plans and strategies aimed at improving the nutritional status of pregnant women, infants, pre-school children and adolescents, especially in rural areas. This includes promoting healthy eating habits and refrain from overconsumption of sugary drinks and “junk food” which is contributing to a growing problem of obesity in children.**

**In doing so, seek financial and technical assistance from, inter alia, UNICEF and the World Health Organization (WHO), for implementing the above recommendations.**

### **HIV/AIDS**

39. The Committee notes as positive the introduction of the Prevention of Mother to Child HIV Transmission services. However, it remains concerned that awareness of HIV/AIDS is extremely low, especially among children in rural areas.

40. **In the light of its General Comment No. 3 on HIV/AIDS and the rights of the child (CRC/GC/2003/4, 2003), the Committee recommends that the State party continue its Prevention of Mother to Child HIV Transmission services and undertake additional awareness-raising campaigns on HIV/AIDS among adolescent children, especially in rural areas. In undertaking the above, the Committee recommends that the State party seek technical assistance from, inter alia, the United Nations Joint Programme on HIV/AIDS (UNAIDS) and UNICEF.**

### **Breastfeeding**

41. The Committee is concerned that the implementation of baby friendly hospital initiatives and reassessment process have been discontinued since 2008. It is also concerned at the aggressive marketing practices of infant food companies and distributors and the weak enforcement of laws that regulate infant food marketing.

42. **The Committee recommends that the State party:**

(a) **Undertake measures to resume its baby friendly hospital initiatives and ensure its maternity hospitals meet the required standards and are certified as baby-friendly under the Baby-Friendly Hospital Initiative (BFHI);**

(b) **Ensure regular monitoring of existing international marketing regulations relating to breast-milk substitutes and take necessary actions against those who violate these regulations and accelerate the adoption of the draft Law on Breastfeeding; and**

(c) **Promote proper infant and young child feeding practices through health care system in institutions and communities.**

### **Standard of living**

43. The Committee regrets that the child poverty rate has increased due to the economic crisis, with children with disabilities being among the hardest hit. The Committee welcomes the existing benefit packages for families with children, but is concerned that only 54.3% of extremely poor families and 4.1% of poor families benefit on a regular basis, due to the inadequate family benefit formula and lack of awareness of the existing government support.

44. **The Committee urges the State party to continue and strengthen its efforts to combat poverty and to ensure that benefit packages cover all families in vulnerable situations by facilitating their access to State support and raising awareness on the existing benefits, as well as to guarantee the right of all children to an adequate standard of living.**

## **F. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)**

### **Education, including vocational training and guidance**

45. The Committee welcomes that children belonging to minority groups have access to education and textbooks in their mother tongue. However the Committee remains concerned that:

(a) The poor infrastructure for schools, in particular pre- primary schools, including poor heating and poor water and sanitation remain a problem;

(b) The quality of education remains poor and there is a low demand for professional teachers;

(c) There is a high number of drop outs from schools after the primary education; and

(d) Study of the dominant religion in the country is a compulsory subject in the curriculum of schools.

46. **Taking into account its General Comment No. 1 on the Aims of Education (CRC/GC/2001/1), the Committee recommends that the State party:**

(a) **Invest in improving the school infrastructure, including access to heating, safe water and sanitation, in particular for buildings of pre-primary schools;**

(b) **Allocate adequate human, technical and financial resources for improving teacher training and establish strict qualification requirements for those working as teachers;**

(c) **Undertake a study on the root causes of drop outs from schools and provide incentives for children to continue their education in secondary school; and**

(d) **Revise the curriculum of schools in order to reflect the freedom of religion of all children and eliminate the compulsory subject of the History of Armenian Church from the curriculum.**

## **G. Other special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)**

### **Unaccompanied, asylum seeking and refugee children**

47. The Committee welcomes the adoption of the 2008 Law on Refugees and Asylum which provides basic safeguards for the protection of unaccompanied refugee and asylum seeking children. However, the Committee regrets that the Law fails to meet minimum social and economic standards prescribed by the 1951 Convention on the Status of Refugees such as access to decent housing, public relief and naturalization. The Committee is also concerned that some refugee parents have been facing problems enrolling their children in schools due to the absence of documents from previous schools and translation of documents into Armenian. The Committee is further concerned that the State party's law on citizenship has gaps which gives rise to possible statelessness of children of foreign parents or children whose parents lost Armenian citizenship.

48. **In light of its General Comment No 6 on the treatment of unaccompanied and separated children outside their countries of origin (CRC/GC/2005/6), the Committee recommends that the State party amend its Law on Refugees and Asylum Seekers to provide basic safeguards and ensure its effective implementation. It also recommends**

that the State party ensure that all children regardless of their status have access to education and remove administrative barriers for the enrolment of refugee and asylum seeking children. Further, the Committee recommends that the State party amend its legislation to ensure that no children under its jurisdiction can become stateless as a result of its regulations and practices.

#### **Economic exploitation, including child labour**

49. The Committee is concerned that significant numbers of children, including those below the age of 14, are dropping out of schools to work in informal sectors such as agriculture, car service, construction and gathering of waste metal and family businesses. It is particularly concerned about the increasing number of children involved in begging in the streets and in heavy manual labour such as labourers and loaders. It is further concerned that labour inspectorates are not effective in controlling child labour.

50. **The Committee urges the State party to ensure that labour legislation and practices comply with article 32 of the Convention, including effective implementation of existing laws and strengthen and involve labour inspectorates and establish child labour reporting mechanisms. The Committee further recommends that the State party ensure the prosecution of perpetrators of child exploitation with commensurate sanctions, and in doing so ensure that such reporting mechanisms are known to and accessible by children. The Committee also recommends that the State party seek technical assistance from the International Programme on the Elimination of Child Labour of the International Labour Organisation in this regard.**

#### **Administration of juvenile justice**

51. While noting that every court in the State party has a judge specialized in dealing with cases of children and that issues of children in conflict with the law are regulated in the criminal legislation, the Committee remains concerned that:

(a) There is no holistic juvenile justice system, including juvenile courts and comprehensive law on juvenile justice, with provisions for diversion mechanisms and efficient alternatives to the formal justice system;

(b) Children are detained during the pre-trial investigation for lengthy periods;

(c) Children may be subjected to 5 to 10 days of solitary confinement as a punishment;

(d) The Abovyan penitentiary institution where children are detained lacks basic hygienic supplies and beddings. Children in such institutions are not provided with proper education; and

(e) There are no effective rehabilitation and reintegration programmes for children when they leave penitentiary institutions.

52. **The Committee urges the State party to establish a clear timeline for considering its draft Criminal Procedure Code, which provides for the establishment of a holistic juvenile justice system, and ensure its full compliance with the Convention, in particular articles 37, 39 and 40, and with other relevant standards, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Guidelines for Action on Children in the Criminal Justice System, and the Committee's general comment No. 10 (CRC/C/GC/10, 2007). In particular, the Committee recommends that the State party:**

(a) Establish a holistic juvenile justice system, including juvenile courts, on the basis of a comprehensive legal framework, as well as diversion measures to prevent children in conflict with the law from entering the formal justice system and to develop more alternatives to trial, sentencing and execution of punishment such as community service and mediation between the victim and offender in order to avoid stigmatization and provide for their effective reintegration;

(b) Ensure that the pre-trial detention of children is used as a last resort and for the shortest time possible;

(c) Take immediate measures to ban solitary confinement of children, which amounts to inhuman treatment;

(d) Take immediate measures that children in Abovyan and other prisons are provided with all basic supplies, hygienic items and clean beddings and that children in prisons are provided with proper education; and

(e) Establish effective rehabilitation and reintegration programmes specifically targeting children who leave penitentiary institutions.

In doing so, make use, if relevant, of the technical assistance tools developed by the United Nations Interagency Panel on Juvenile Justice and its members, including UNODC, UNICEF, OHCHR and NGOs, and seek technical assistance in the area of juvenile justice from members of the Panel.

#### **Child victims and witnesses of crimes**

53. While noting that the State party has some measures to protect child victims and witnesses, such as the presence of a legal representative and psychologists during interrogations, the Committee regrets that the efforts are insufficient and are not properly reflected in its legislation.

54. The Committee recommends that the State party ensure, through adequate legal provisions and regulations, that all children victims and/or witnesses of crimes are provided with the protection required by the Convention and that the State party take fully into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution 2005/20).

### **H. Ratification of international human rights instruments**

55. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

### **I. Cooperation with regional and international bodies**

56. The Committee recommends that the State party cooperate with the Council of Europe (COE) towards the implementation of the Convention and other human rights instruments, both in the State party and in other COE member States.

## **J. Follow-up and dissemination**

57. The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented by, *inter alia*, transmitting them to the Head of State, the National assembly, relevant ministries, the Supreme Court, regional and local authorities for appropriate consideration and further action.

58. The Committee further recommends that the combined third to fourth periodic reports and the written replies by the State party and the related recommendations (concluding observations) be made widely available in Armenian and other languages of the country, including (but not exclusively) through the Internet, to the public at large, civil society organizations, media, youth groups, professional groups and children, in order to generate debate and awareness of the Convention and the Optional Protocols thereto and of their implementation and monitoring.

## **K. Next report**

59. The Committee invites the State party to submit its consolidated fifth and sixth periodic report by 22 January 2019 and to include in it information on the implementation of the present concluding observations. The Committee draws attention to its harmonized treaty-specific reporting guidelines adopted on 1 October 2010 (CRC/C/58/Rev.2 and Corr. 1) and reminds the State party that future reports should be in compliance with the guidelines and not exceed 60 pages. The Committee urges the State party to submit its report in accordance with the guidelines. In the event a report exceeding the page limitations is submitted, the State party will be asked to review and resubmit the report in accordance with the above-mentioned guidelines. The Committee reminds the State party that if it is not in a position to review and resubmit the report, translation of the report for purposes of examination of the treaty body cannot be guaranteed.

60. The Committee also invites the State party to submit an updated core document in accordance with the requirements of the common core document in the harmonized guidelines on reporting, approved at the fifth Inter-Committee Meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3).