



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
1 November 2011
English
Original: Russian

**Committee on the Elimination of Discrimination
against Women**
Fifty-first session
13 February–2 March 2012

**Concluding observations of the Committee on the
Elimination of Discrimination against Women:
Armenia**

Addendum

**Information provided by the Government of Armenia on the
follow-up to the concluding observations of the Committee
(CEDAW/C/ARM/CO/4/Rev.1)***

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Information on the implementation by Armenia of paragraphs 19 and 23 of the concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/ARM/CO/4/Rev.1)

1. Armenia hereby provides the following information on action taken in response to the concluding observations of the Committee on the Elimination of Discrimination against Women, and specifically on the measures taken to implement paragraphs 19 and 23.

Information on the implementation of paragraph 19 of the concluding observations (CEDAW/C/ARM/CO/4/Rev.1)

2. An expert group attached to the Ministry of Labour and Social Issues has been engaged since 2009 in a joint project with the United Nations Development Programme (UNDP) to draw up a law on the provision of equal rights and equal opportunities for women and men. The draft law has currently been submitted to the Government for consideration. The text has already been approved by the Government's social committee and will very shortly be submitted for consideration by the Cabinet of Ministers.

3. Specifically, the draft law:

(a) Establishes a clear-cut system for a national gender-equality mechanism, which will monitor the implementation of the law and facilitate gender mainstreaming in all areas of State policy;

(b) Prohibits discrimination on the grounds of sex;

(c) Establishes standards whereby an action — or lack of action — may be clearly deemed sexual discrimination and specifies what constitutes evidence for such discrimination;

(d) Defines the basic areas and relations of public life to be regulated by the law, which is aimed at ensuring equal rights and equal opportunities for men and women in politics, State administration, work or employment, business, health, education and other fields;

(e) Determines the application of specific temporary measures and places them in categories, defining the scope, characteristics, frameworks and timescale of their implementation;

(f) Facilitates the formation of a culture of gender equality, tolerance and pluralism and the rejection of patriarchal stereotypes and a culture of domination and violence;

(g) Provides for an institution that will consider complaints concerning possible cases of sexual discrimination and sets out the procedure for the submission and consideration of such complaints;

(h) Defines the obligations and powers of senior officials or employers.

4. In February 2010, the Government adopted Registered Decision No. 5 approving the Gender Policy Framework. The Framework establishes the priority directions and general strategy for State policy on women and men with a view to ensuring equal rights and equal opportunities in all areas of life for all citizens, regardless of their sex. Registered Decision No. 5 provides that the Minister of Labour and Social Issues is responsible for coordinating gender policy in Armenia.

5. On 20 May 2011, the Government adopted Registered Decision No. 19 approving the Strategic Gender Policy Programme of the Republic of Armenia for 2011–2015 and the Annual Programme of Gender Policy Activities of the Republic of Armenia for 2011.
6. The activities proposed for the next five years aim to mainstream the gender component in the policymaking process in every aspect of public, political, social, economic and cultural life, incorporate the gender dimension in the drafting of national long-term, medium-term and special-purpose development programmes, establish a national gender-equality mechanism, scrutinize legislation from a gender perspective and implement special measures to rectify the gender imbalance in all areas of public life.
7. The special post of adviser on women’s, children’s and ethnic minorities’ affairs has been established in the office of the Human Rights Defender (Ombudsman).

Information on the implementation of paragraph 23 of the concluding observations

8. The legislation of Armenia provides for every guarantee for the protection of human and civil rights and fundamental freedoms, including the prohibition of discrimination against women. The basic guarantor of the protection of human rights and fundamental freedoms in Armenia is the Constitution, in accordance with article 3 of which “the human being, his or her dignity and fundamental human rights and freedoms are of supreme importance. The State guarantees the protection of human rights and freedoms in accordance with the principles and norms of international law.” Under article 14.1 of the Constitution:

“All persons shall be equal before the law. Any discrimination based on sex, race, colour, ethnic or social origin, genetic features, language, religion, belief, political or any other views, membership of an ethnic minority, property status, birth, disability, age or other personal or social circumstances shall be prohibited.”

The principle of equality between men and women is also set out in many other articles of the Constitution, guaranteeing the protection of fundamental human and civil rights and freedoms.

9. Thus article 18, paragraph 4, states: “All persons shall, in conformity with the international treaties to which the Republic of Armenia is party, be entitled to apply to the international agencies protecting human rights and freedoms with a request to protect their rights and freedoms.” Under article 19, a person has the right to the restitution of his or her violated rights and to the justification of a charge against him or her at a public hearing conducted in a spirit of justice and equality by an independent and impartial court within a reasonable period of time.

10. Under article 20 of the Constitution,

“All persons shall be entitled to legal assistance. In cases prescribed by the law, the legal assistance shall be provided from State resources. Every person shall have the right to a defence counsel chosen by him or her from the moment of arrest, subsection to a preventive measure or indictment. Every person shall have the right of appeal before a higher court against a judgement against him or her, in accordance with the procedure prescribed by law. A convicted person shall be entitled to request a pardon or a mitigation of punishment.”

11. The principle of the protection of human rights and equality between men and women is provided for in many other articles of the Constitution and in the criminal, administrative, civil and other texts forming the legislative basis of the State. Article 143 of

the Criminal Code provides for criminal liability for a direct or indirect violation of human or civil rights and freedoms on the basis of ethnicity, race, sex, language, religion, political or other views, social origin or property or other status that has damaged a citizen's lawful interests. Article 156 of the Code provides for criminal liability for the unjustified denial of employment to or unjustified dismissal of a woman because she is pregnant or the same treatment of any person on the grounds that he or she has a child under the age of 3. Every effort is made to eliminate impunity for violence against women. Every case of violence against women is therefore required to be registered with the police. The new Criminal Code contains provisions on the prosecution and punishment of any person guilty of violence and to ensure that women receive equal protection and equal access to justice. Several articles of the Criminal Code provide that violence against pregnant women is an aggravating circumstance.

12. Article 3 of the Labour Code pertains to principles of labour law. Paragraph 3 of the article provides for equal rights for the parties to labour relations, regardless of their sex, race, ethnicity, language, origin, citizenship, social status, religious belief, marital status, age, ideological beliefs or opinions, membership of a party, trade union or social organization or any other circumstance unrelated to an employee's performance.

13. The Law of the Republic of Armenia on the Human Rights Defender, which established the institution of the country's Human Rights Defender, has been in effect since 1 January 2004. Under article 2 of the law, the Human Rights Defender is an independent official holding permanent status, who, in accordance with the Constitution and the law of Armenia, and with the generally recognized principles and norms of international law, defends human rights and fundamental freedoms violated by State bodies, local government authorities and officials. Under article 8, paragraph 1, of the Law on the Human Rights Defender, any individual may, regardless of ethnicity, citizenship, place of residence, sex, race, age, political or other views or capability, apply to the Human Rights Defender. With a view to improving the effectiveness of activities aimed at eliminating gender-based violence in Armenia, establishing a mechanism for information gathering and exchange and drawing up a national programme against gender-based violence, the Prime Minister issued Decision No. 213-A, which established an interdepartmental committee to combat gender-based violence, to be coordinated by the Ministry of Labour and Social Issues. The committee answers to the Prime Minister and is required to submit a report on its activities within two weeks of the end of each half year.

14. On 17 June 2011, the Government adopted Registered Decision No. 23 approving the National Programme against Gender-based Violence, the Strategic Programme against Gender-based Violence for 2011–2014 and the annual programme of activities against gender-based violence for 2011. The main aim of the National Programme is to reduce gender-based violence. To achieve this aim, work is envisaged in three basic areas:

- (a) Preventing gender-based violence;
- (b) Protecting victims of gender-based violence;
- (c) Prosecuting persons engaging in gender-based violence.

15. It is planned over the next five years to carry out appropriate activities in these three areas, which will be approved annually by the Government. The expert group, with contributions from all the relevant departments, has drawn up a draft law on domestic violence, which was duly transmitted to the Government by the Ministry in accordance with established procedure. The Prime Minister has, however, decided that a discussion on the draft text should be postponed until Armenia accedes to the Council of Europe Convention on preventing and combating violence against women and domestic violence, in order to avoid the need to make further amendments to the law following the country's adoption of the Convention.

16. In that connection, the interdepartmental committee against gender-based violence has set up a working group to complete a draft law on domestic violence, in line with the provisions of the Council of Europe Convention. The final draft will be transmitted to the Government in June 2012.

17. In order to raise public awareness of the question of violence against women and involvement in unacceptable relations, the Ministry of Labour and Social Issues conducts an annual information campaign entitled “16-day action against gender-based violence”, with support from United Nations bodies and other international organizations and with the backing of social and State organizations.

18. In order to raise awareness among State officials throughout the country concerning the problems of gender-based violence, the Ministry of Labour and Social Issues issued an educational component or module, which was included in a career development course for civil servants under the “Gender issues” programme approved by Decision No. 567-A of 8 July 2008 of the Civil Service Council.
