

**COMMITTEE ON THE  
RIGHTS OF THE CHILD**

**WRITTEN REPLIES BY THE GOVERNMENT OF ARMENIA  
CONCERNING THE LIST OF ISSUES  
(CRC/C/Q/ARM/1)  
RECEIVED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD  
RELATING TO THE CONSIDERATION OF THE INITIAL REPORT OF  
ARMENIA  
(CRC/C/28/ADD.9)**

**[Received on 18 October 1999]**

In reply to the inquiry of the Committee on the Rights of the Child, we submit for your attention additional information concerning the Armenian report on the rights of the child

1. An Administration for Women and Children's Affairs reporting to the Ministry of Social Security was established in 1997 on the basis of the provisions of the Convention on the Rights of the Child and the Rights of the Child Act of 29 May 1996, and in accordance with the Programme entitled "A Policy for Social Security" and Prime Ministerial Decision No. 30 on Social Policy (9 April 1997).

In accordance with Prime Ministerial Order No. 42 on the establishment of a central commission to coordinate activities relating to minors (26 January 1999), a body was set up to coordinate issues affecting children lacking parental care. It oversees the improvement of their social status and seeks to prevent begging and vagrancy.

In 1998-1999 the Ministry of Social Security has prepared and submitted to the Government a number of draft documents dealing directly with children's issues. These include an outline plan on the adoption of children lacking parental care and the establishment of guardianship or wardship over them; regulations governing guardianship and wardship bodies; a code of practice for adopting children of Armenian nationality; model regulations on a help centre to assist children lacking parental care; a code of practice for the placement in children's homes of children lacking parental care; a Government bill to amend and update Prime Ministerial Decision No. 67 of 6 March 1997; an outline plan on the social welfare of persons released from children's homes; and a Government bill providing additional social benefits for orphans.

A bill on a code of practice for the adoption of children residing in children's homes who are suitable for adoption has been drafted and will shortly be submitted to the Government.

2. The National Commission on the Rights of the Child has yet to be established, although the matter is currently under active consideration.

3. In general terms, the most vulnerable sections of the population include children from families without a breadwinner, children of divorced women or single mothers, and children of large families. Thus of the 511 children currently resident in children's homes, 354 have no parents or only one parent. General information has been compiled on the numbers and social status of children under 18:

	At 1 January 1997	At 1 January 1998	At 1 January 1999
Total number of families receiving benefits		135 018	145 276
Total number of children under 18		263 318	275 626
Children with disabilities		7 055	11 028
Children of single mothers		23 841	24 764
Children with one parent only		38 178	30 900
Children with no parents		1 683	1 910
Children of refugees living in temporary shelters		4 072	4 259
Children of families living in the earthquake zone		41 117	43 560
Child beggars and vagrants in Yerevan			105
Children living or working in the streets	325		

Translator's note. These figures should be treated with caution as the original was unclear.

4. Non-governmental organizations (NGOs) did not participate in the preparation of the initial report because there were no social organizations working in the field of children's rights during the reporting period.

5. Pursuant to a decision of the Government's Central Commission for Humanitarian Assistance, 1,281,850,000 drams out of the total humanitarian programme budget of 12,789,437,000 drams (over 10 per cent of total humanitarian programme assistance) was allocated in 1998 to various humanitarian assistance and charitable programmes for the social needs, education and health care of children.

Funding is a major issue in education. Unfortunately, the funds allocated to this sector are somewhat limited. The administration of funds in schools is the responsibility of the schools themselves and the local authorities.

Recent financial indicators, Armenian education system

Year	1993	1994	1995	1996	1997	1998
Government expenditure on education (% of total expenditure)	.0	4 .5	.1	.4	1.0	0.5
Government expenditure on education (% of GDP)	.9	2 .0	.7	.5	.1	----
Government expenditure per student (US\$)		- --	No data		3	6

Government expenditure on the health-care system accounted for 2.7 per cent of the budget in 1990 and 1.1 per cent in 1995. Government spending on the health-care system in real terms was rather low, amounting to \$20 million or \$5.4 per head of population. The bulk of health-care costs are generally met by the patients themselves.

6. Armenia has held and is planning a number of seminars, conferences and panel discussions on the rights of the child. These events are intended for various professional groups such as teachers, medical practitioners and lawyers.

7. A series of international legal agreements, notably the Convention on the Rights of the Child, were translated into Armenian and published in 1997.

A number of international documents and illustrative reference materials on the rights of the child have been translated into Armenian and Russian and republished, including the fact sheet "Rights of the Child", the textbooks "Your Rights" and "Rights of the Child", and other items.

All three levels in the general education system (primary, secondary and higher schools) are currently involved in a programme for teaching human rights, democracy and civil society.

In primary schools (years I-III), a number of schoolbooks such as "Hi There - It's Me, My Rights and Duties" have been prepared. The Ministry of Education and Science, assisted by various NGOs, is organizing a training course for primary school teachers.

A module-based textbook entitled "Human Rights" has been prepared for seventh- and eighth-year pupils.

8. Under Armenian law, the minimum legal age for marriage is 17.

9. Special children's homes, boarding schools and rehabilitation centres have been established for children with disabilities. These enable the Government to make provision for children's health care and social welfare. The State is committed to providing disabled people with free artificial limbs, orthopaedic devices, hearing aids, and so forth.

Children with disabilities receive free medical assistance and medicines. The Government makes a certain amount of financial help available to disabled people in the form of pensions and one-time assistance grants, and secures particular kinds of work for persons with limited work capability. The country's network of child rehabilitation services has been expanded. Social organizations working with disabled children have intensified their activity.

It is unfortunate that many children with disabilities currently live a fairly isolated life in children's homes and other institutions. Very few children with disabilities have the opportunity to make meaningful contacts because most do not attend regular schools. The lack of a social support network and other resources complicates the task of parents raising children with disabilities.

The provision of State benefits to disabled children under 16 falls within the remit of the Ministry of Health. After age 16, this responsibility is taken over by the Ministry of Social Security, which provides a pension in the amount of 4,000 drams (or approximately \$7-8).

Refugee children enjoy the same rights as children of Armenian nationality. All members of refugee families are the focus of special attention as regards living accommodation, special humanitarian assistance programmes, training and job-placement. Apartments are being built to house refugees. A programme is being elaborated and introduced to facilitate the social integration of refugees and especially their children, thereby helping refugee children to overcome social, psychological and language barriers. Specially trained personnel have been entrusted with its implementation.

Unfortunately, increasing numbers of Armenian children are living away from their families. Most of these children are in the care of special organizations such as children's homes, boarding schools and clinics. Although everything possible is done to create favourable conditions for children in this category, they often become still more isolated and vulnerable in such institutions.

Four ministries in Armenia - the Ministry of Education, the Ministry of Internal Affairs, the Ministry of Social Security and the Ministry of Health - are directly involved with children living in special children's institutions.

Children who live and work in the streets fall within the remit of the relevant departments of the Ministry of Internal Affairs. In addition, the Ministry of Social Security has drawn up and submitted to the Government a bill to establish a Children's Help Centre. The Centre is intended to address urgent issues affecting children who lack parental care; it will also provide temporary care solutions for them.

Children belonging to national minorities enjoy exactly the same rights as Armenian children and are not discriminated against in any way.

10. Article 3 of the Convention is taken up by article 9 of the Rights of the Child Act. This specifies that the State and its relevant agencies shall protect children against any form of violence, exploitation, involvement in criminal activity, or other encroachments on their legal rights and interests.

Article 13 of the Act provides for the protection of the rights of the child in the family, and article 14 stipulates that the child's parents or legal representatives shall bear primary responsibility for the protection of the child's rights and legal interests.

Articles 29-42 of the Civil Code deal with specific aspects of the protection of the material and non-material rights and interests of teenagers.

Under the relevant articles of chapters 3 to 5 of the current Criminal Code, heavier penalties shall be imposed for offences against minors.

11. Articles 10 and 15 of the Rights of the Child Act refer to freedom of convictions and views in accordance with the age and maturity of the child. The Act also enshrines the child's right to live in a family and receive an education.

Schoolchildren have the right, *inter alia*, to participate freely in all activities connected with their instruction, state their opinions freely and suggest improvements in teaching methods.

The Rights of the Child Act (art. 21) and the Social Organizations Act (adopted in October 1996) state that children over 10 have the right to participate in and become members of social organizations. A number of children's and youth organizations are currently active in Armenia, enabling children to pursue various interests such as dance, sport, verse reciting, singing and music. Children also have the right to take part in peaceful demonstrations.

12. Article 17 of the Convention is reproduced in the Rights of the Child Act, under which it is a legal offence to disseminate information or literature intended for mass consumption that incites violence and cruelty, and also literature of a degrading nature which might harm children or provoke unlawful acts.

Article 6 of the Press and Other Mass Media Act of 8 October 1991 prohibits the publication of material that incites war, violence, and national or religious hostility, material that publicizes prostitution, drug addiction or other criminally punishable acts, or false and unverified information. Wrongdoers will incur disciplinary, material, administrative and criminal liability.

Children under 16 are prohibited from visiting public cinemas that show films containing cruelty, violence, erotic material or other acts which could potentially harm a child's moral and psychological development.

13. The Criminal Code stipulates that persons under 18 who have committed an offence may not be deprived of their liberty for more than 10 years.

The corrective colony for juveniles at Abovyan provides all the necessary conditions for the inmates' comprehensive development in the spheres of education, work, sport and artistic activity. Juveniles committed to this institution are closely supervised by educators and general-school teachers who attend to every aspect of the character-building process.

Minors in custodial institutions are allowed monthly visits from family members (in practice there is no restriction on the duration of these meetings). Conditions of detention are continuously monitored by the proper authorities such as the Procurator's Office and the public health services, and also by domestic and international NGOs.

No cases of torture or other acts of cruelty against minors have been recorded.

14. In order to establish a unified system of children's homes, Prime Ministerial Decision No. 140 of 5 March 1998 transferred five of the country's six children's homes and one boarding school to the jurisdiction of the Ministry of Social Security. Two children's homes remain under the trusteeship of the Ministry of Education and Science.

Some 76 per cent of children resident in special homes or boarding schools have no parents or only one parent, and a quarter of this group are from broken homes. The fact that some of these children have one or both parents indicates that the principal function of these institutions is to provide care for children from socially disadvantaged families, since they at least provide food and clothing. There is a waiting list of parents wishing to adopt children from children's homes.

The Ministry of Social Security has drawn up and submitted to the Government a code of practice for the placement of children lacking parental care, and a code of practice for the adoption of children residing in children's homes who are suitable for adoption.

Local authorities helped to find guardians for nine children in State care in the first six months of 1999, and these children were subsequently transferred to families.

Until now Armenia has not had a system of foster care. There are a number of reasons for this, notably the fact that relatives used to assume responsibility for the care and upbringing of children. But owing to the financial difficulties being experienced by most Armenian families, many potential guardians are unable to commit themselves to maintaining and bringing up children. Some parents have been forced to give away their own children to children's institutions.

15. As the report notes, the Marriage and Family Code guarantees that the interests of the child are paramount. Decisions concerning adoption are made by the local authorities

When a decision is to be made on adoption, the views of parents and guardians are taken into account, and also the character of the prospective adopter – his or her child-raising abilities and capacity to provide for the child's material needs.

Foreign citizens are also allowed to adopt Armenian children.

There is a move afoot to secure an appropriate decision by Government that would smooth out the preliminaries to adoption. Such a decision would also create the legislative conditions to ensure that a child is adopted by the most appropriate person.

The Armenian Government is considering the possibility of acceding to the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

16. Under article 68 of the Marriage and Family Code, one or both parents may forfeit their parental rights if they are found to have abused these rights or are guilty of cruelty towards their children.

Under article 9 of the Rights of the Child Act, every child has the right to be protected against violence in any form (physical, psychological, etc.). No one, including the parents or official representatives, may abuse or punish a child in a degrading manner. Anyone who violates the rights and lawful interests of a child shall incur full liability under the Constitution and laws of the Republic of Armenia.

Under the articles of chapters 3 to 5 of the current Criminal Code, the commission of offences against minors is regarded as an aggravating circumstance.

Despite the foregoing provisions, Armenia lacks official machinery to monitor or prevent child abuse. The issue of child abuse is alien to Armenian social consciousness because it contradicts moral attitudes about the status of children in the family and society.



18. The legislative basis of child health care is the Armenian Constitution, which states that “the family, motherhood and childhood are under the care and protection of the State” (art. 32). Procedures covering the provision of medical assistance and services are defined by law.

Under the 1999 programme for free medical care and State-run medical services, outpatient care is provided almost free of charge. In-patient care is free for all children up to the age of 8, and in certain circumstances (infectious, oncological, psychiatric, tubercular and sexually transmitted diseases and emergencies), for all children up to the age of 15.

In-patient care is also free for children under 18 who belong to socially disadvantaged groups.

One of the Government’s priorities is to streamline the health-care system. Special attention is being devoted to the physician/child ratio. As of 1998 the Ministry of Health is projecting a ratio of one physician to every 800 children.

19. Teenage pregnancy is not a significant social problem. Teenage girls under 19 have a relatively high fertility rate (compared with other countries) because 17 is the permissible age for marriage and young women often get married before the age of 20.

Over a three-year period, none of the 40 recorded cases of maternal mortality involved women under the age of 19.

Drug treatment units do not keep statistics on under age addicts. There have been no recorded cases of persons under 20 either infected with or suffering from HIV/AIDS. On the other hand, the disease centre reports that increasing numbers of young people are suffering from sexually transmitted and venereal diseases.

Insufficient attention has been paid to sex education for minors. In 1998 a sex education and sexual health unit was set up in the central children’s clinic. The Ministry of Education has plans to include a sex education component in the secondary general-school curriculum.

At 0.003 per cent, the number of suicides among minors aged between 5 and 19 is very low (lower than any other country in the former USSR).

20. The law and Government policy alike provide for the maximum enjoyment of equal rights by all members of society, the elimination of discrimination, and priority attention for the needs of disabled people and the improvement of their status, especially that of children with disabilities.

Article 1 of the Social Welfare (Disabled Persons) Act of 24 May 1993 states that disabled people have exactly the same social, economic and individual rights as those

proclaimed in the Declaration on the Rights of Disabled Persons adopted by the General Assembly, the Armenian Constitution and other normative instruments.

Under current legislation, the State guarantees conditions and opportunities for the individual development of disabled persons, the realization of their capabilities, rights and freedoms, and their participation with other Armenian nationals in the economic and social life of the country.

The network of children's rehabilitation centres has been expanded. In addition to government bodies, social organizations working with disabled people have also stepped up their activities. The "Astgik" union, the "Bridge of Hope" theatre and the "Pyunik" (Phoenix) Handicapped Sports Association have all made noteworthy contributions.

Disabled children under 16 receive free State health care. A number of rehabilitation centres currently offer assistance, including the Central Rehabilitation Centre for Children, the Traumatology and Orthopaedics Research Institute, the Neurological Hospital for Children, the First Aid Hospital for Children and the "Oshakan" Rehabilitation Centre for Children.

Unfortunately, most children with disabilities continue to be educated in special schools. But social attitudes are changing, and the number of parents who want their disabled children to attend normal schools, in addition to the number of schools, teachers and pupils who are prepared to accept them, has noticeably increased.

The State offers a large number of privileges to children with disabilities, including free passes to sanatoriums, exemption from tuition fees at higher educational establishments, and certain tax benefits.

21. Article 8 of the Rights of the Child Act refers to the prerequisites for the normal physical, intellectual and mental development of children. Articles 24 to 32 deal specifically with children in need of special care. Yet despite these legal guarantees, living conditions for children requiring special care have worsened considerably in recent decades. The situation of children who live and work in the streets is an increasingly serious problem. The number of children residing in children's institutions has increased and poverty has exposed many children to malnutrition and to increased risks of death and disease.

Not all children who require special care are monitored comprehensively in Armenia today, but nevertheless statistical records are kept on annual adoptions, children in children's homes and children held in detention.<sup>1</sup>

22. The education departments of district administrations are responsible for the organization and coordination of educational activities and the appointment of head teachers. A bank account has been opened for every school, into which money is paid directly from the central treasury. The Ministry of Education and Science oversees the work of the schools.

Government Order No. 263 of 11 July 1997 made significant changes to school regulations, defining the management structure of schools and the procedure for choosing head teachers. The highest tier of school management is the school board, which makes preliminary estimates, prepares a financial and economic report and appoints head teachers. A national programme is currently under way which incorporates an element of head-teacher training.

One of the central issues of Armenia's educational reforms is the transformation and improvement of the State school curriculum. Particular emphasis is being placed on the introduction of new teaching methods and the assimilation of new classroom material, especially as regards the development of pupils' problem-solving and decision-making skills. Standards based on international models will be developed to assess students' knowledge.

24. All three levels in the general education system (primary, secondary and higher) are currently involved in a programme for teaching human rights, democracy and civil society.

As noted above, in primary schools (years I-III), a number of schoolbooks such as "Hi There - It's Me, My Rights and Duties" have been prepared. The Ministry of Education and Science, assisted by various NGOs, is organizing a training course for primary school teachers.

A module-based textbook entitled "Human Rights" has been prepared for seventh- and eighth-year pupils. The modules are "Human rights theory", "Individual human rights", "Collective human rights", and "Human Rights Protection".

A textbook entitled "Civic Education" is an important resource for higher-level students.

Another good textbook for pupils in years 9 and 10 is "State and Law Fundamentals", which deals with civic and legal education.

---

<sup>1</sup> Annex A [not attached] contains information about Armenia's progress towards meeting the objectives of the Summit for Children, which are due to be implemented by the year 2000.

The teaching of human rights, democracy and the fundamentals of civil society is a relatively new discipline in Armenia, and therefore the preparation of textbooks and guidance materials for teachers is especially important. A work along these lines entitled "Human Rights - A Teacher's Guide" was compiled and published three years ago. The book consists of five sections: human rights, the United Nations and human rights, human rights in education, my rights, and human rights in Armenia.

Another textbook is in preparation for teachers of seventh- and eighth-year pupils which will examine issues having to do with politics, democracy, economics, the environment, national culture, citizenship, sex education, administration, the Constitution and constitutional law, human rights, civil society and leadership.

25. As of 1 July 1998, there were 33,178 refugee children living in Armenian territory, 40 per cent in the towns and the rest in rural areas. As of 1 January 1999, 4,259 refugee children were still living in temporary accommodation and receiving benefits.

As stated above, refugee children enjoy the same rights as children of Armenian nationality.

Armenia's Nationality Act permits refugees to take Armenian citizenship, and many have already done so. Today, however, it is hard to say when the category of "refugee" (and the corresponding category of "refugee child") will cease to be a reality in Armenia. People will continue to be classified as refugees until everyone has been provided with an apartment and a job, overcome their language difficulties, and been compensated for material losses they have incurred.

Of the many problems facing refugees, the education of their children is one of the most serious. Most of the teachers who attend to refugees are Russian speakers, and hence the children do not receive education in Armenian, a knowledge of which is an indispensable requirement for admission into a higher educational establishment. But this problem is gradually being resolved. With the assistance of the State school network in Yerevan, Armenian language training has been provided to approximately 400 female refugees. Some 75 teachers from refugee schools have taken preparatory courses designed to accelerate children's adaptation to school life.

Many NGOs are organizing summer camps for refugee children.

26. There are no complete or accurate statistics on children affected by armed conflicts, thus making further research in this area essential.

27. (a) The Armenian juvenile justice system is not fully developed. There are no special laws, procedures or courts for juvenile offenders nor is there a system of release on bail. The Criminal Code applies to juveniles over the age of 14. An inspector specializing in juvenile and minors' affairs is usually attached to every police station.

(b) Juvenile wrongdoers or suspects may be detained for a maximum of 72 hours.

Under Armenian law, the use of pre-trial detention or remand in custody as preventive measures against juvenile suspects or minors charged with an offence is permitted only when the suspect is accused of a serious, moderately serious or particularly serious offence.

(c) The ratio of convicted juveniles aged between 14 and 17 to the general population was 14.3 per 10,000 in 1994 and 11.0 per 10,000 in 1995. In 1996 as a whole, convictions were obtained against 364 juveniles who committed a total of 450 offences.

The educational and labour colony at Abovyan, the only institution in the country reserved for women and children, has sections for women and juveniles and a remand centre. As of May 1998, it housed 139 juveniles (including those who were convicted as juveniles but have now turned 19 or 20).

The average age of juvenile offenders is 16.5 years.

Most juveniles were accused of offences committed in the course of theft or robbery, which points to an economic motive. And indeed, 96 per cent of juvenile offenders come from socially disadvantaged families. The table below contains information on the offences committed by juvenile offenders committed to the Abovyan educational and labour colony.

Offence	Number of juvenile offenders
Theft	53
Murder, premeditated murder, wilful infliction of serious bodily injuries	10
Theft with assault	8
Sexual violence	4
Robbery	3
Wilful destruction of property	1
Indecent assault on a child	1
Cruelty to animals or birds	1
Acquiring narcotic substances by unlawful means	1
Total	82

28. (a) At the Abovyan educational and labour colony for women and juveniles, juvenile offenders are permitted to see their families once a month, but if necessary, owing to family circumstances or for educative purposes, the number of visits may be increased with the permission of the governor.

Visits by personalities from the world of the arts and representatives of international organizations and humanitarian and non-governmental organizations have become a more regular occurrence, especially of late. These visits are not limited to cultural events or meetings with senior administrators; all visitors have opportunities for face-to-face contacts with the children.

(b) The conditions of children at the colony are monitored by the Office of the Procurator-General and a number of government and social organizations.

(c) No complaints of cruelty or ill-treatment against juveniles have been received.

(d) Education is compulsory at the Abovyan colony for juvenile offenders. The school follows the regular evening-school curriculum established by the Ministry of Education and Science. Lessons are structured according to the seventh- to tenth-year programme. The school has six teachers in various disciplines.

The colony has a general medical service for juveniles and women. The staff includes a therapist, a stomatologist, a gynaecologist and nurses who provide day-to-day medical care for the offenders. Once every two months the colony is visited by a team of specialists from the Ministry of Internal Affairs and the Ministry of National Security. The colony has an infirmary designed for 10 patients. In the event of serious illness or the need for hospital treatment, offenders are transferred to a Ministry of Internal Affairs or Ministry of State Security hospital or the local hospital in the town of Abovyan.

Juveniles receive three meals a day. The daily food requirement is 2,000 calories. The daily cost of feeding one inmate is between 250 and 350 drams.

In addition to sports events, the juvenile offenders also have the opportunity to participate in cultural self-improvement activities. The colony has its own cultural club run by the offenders themselves, which also houses an exhibition of children's pictures. Videos are shown twice a week, and there are film screenings twice a month.

The colony has a library which includes a recently opened human rights section.

29. New draft labour legislation reiterates the main points in the report. Under the draft provisions, special regulations apply to minors starting work in the private sector. The

established code of practice specifies that minors may not be involved in any form of activity connected with the production or distribution of drugs or narcotic substances. They are barred from night work and any form of employment that might negatively affect their moral development and education.

Armenia has not yet ratified Convention No. 138 of the International Labour Organization.

31. There are no accurate statistics on prostitution in Armenia. The problem is not widespread, although there have been rare cases of voluntary and forced prostitution of girls under 18.

There are a number of underlying causes for prostitution among minors. The economic cause is the most compelling because the majority of families of under age prostitutes are in a situation of dire economic necessity. Furthermore, the parents or other family members are often invalids.

32. The Armenian Union of Nationalities was registered with the Ministry of Justice in 1994 as a social organization. In accordance with its charter, it works with national minorities in Armenia and actively cooperates with government bodies and other social organizations.

Government bodies and the Union work together to organize workshops and panel discussions on issues affecting national minorities. They also study minority problems and, where necessary, take appropriate measures to address them.

No violations of minority rights or interests relating to national identity have been recorded.

-----