



**Convention on the
Rights of the Child**

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Committee on the Rights of the Child

**Consideration of the reports submitted by States
parties under article 44 of the Convention**

**Third and fourth periodic reports of States parties due in
2009**

Armenia*

[4 February 2010]

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

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I. Introduction

1. The Republic of Armenia hereby submits its third and fourth joint periodic national report (hereinafter referred to as “the Report”) on the implementation of the UN Convention on the Rights of the Child (hereinafter referred to as “the Convention”). As an exceptional measure, in order to help the State party catch up with its reporting obligations so as to be in full compliance with the Convention, the UN Committee on the Rights of the Child had invited Armenia to submit its third and fourth periodic reports in one consolidated report (see Concluding Observations: Armenia, CRC/C/15/Add.225). The Report covers the period extending from 2001–2009.

2. The Report is submitted under Article 44 of the Convention. It was prepared in accordance with the revised guidelines issued by the Committee on 29 November 2005. Based on the revised guidelines, the State party provides information on the following: (a) follow-up measures taken with regard to the concluding observations adopted by the Committee in relation to the second periodic report of Armenia; (b) implementation of comprehensive national programmes and monitoring of progress of such implementation; (c) allocation of budgetary and other resources; (d) statistical data; (e) information on factors and difficulties affecting the fulfilment of the State party’s obligations.

3. The Report was elaborated by the interagency working group established upon the Decision of the Prime Minister of the Republic of Armenia No. 320-A of 21 April 2009, with the co-ordination by the Ministry of Foreign Affairs of the Republic of Armenia. The working group engaged in elaboration of the Report was composed of representatives from all interested ministries and agencies:

- (a) Staff to the President of the Republic of Armenia;
- (b) Government of the Republic of Armenia;
- (c) Ministry of Foreign Affairs of the Republic of Armenia;
- (d) Ministry of Health of the Republic of Armenia;
- (e) Ministry of Labour and Social Affairs of the Republic of Armenia;
- (f) Ministry of Justice of the Republic of Armenia;
- (g) Ministry of Sport and Youth Affairs of the Republic of Armenia;
- (h) Ministry of Culture of the Republic of Armenia;
- (i) Ministry of Education and Science of the Republic of Armenia;
- (j) Ministry of Defence of the Republic of Armenia;
- (k) Ministry of Territorial Administration of the Republic of Armenia;
- (l) Police adjunct to the Government of the Republic of Armenia;
- (m) National Assembly of the Republic of Armenia;
- (n) General Prosecutor’s Office of the Republic of Armenia;
- (o) National Statistical Service of the Republic of Armenia;
- (p) Court of Cassation of the Republic of Armenia;
- (q) Office of the Human Rights Defender of the Republic of Armenia.

4. The Report was approved by the Government of the Republic of Armenia on 4 February 2010.

II. General measures of implementation (arts. 4, 42 and 44, para. 6)

A. Review and amendment of the legislation of the Republic of Armenia for the purpose of bringing it into conformity with the Convention on the Rights of the Child

5. During the reporting period, Armenia has acceded to and ratified a number of important international instruments relating to the rights of the child, which include, inter alia, the following:

(a) Two optional protocols to the Convention on the Rights of the Child, i.e., Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (ratified on 28 February 2005, entered into force on 30 July 2005);

(b) ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ratified on 22 March 2005, entered into force on 2 January 2006);

(c) Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, signed in The Hague on 19 October 1996 (ratified on 20 December 2006, entered into force on 1 May 2008);

(d) Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, signed in The Hague on 29 May 1993, with the declarations attached to it (ratified on 23 October 2006, entered into force on 1 June 2007);

(e) Convention on the Civil Aspects of International Child Abduction signed in The Hague on 25 October 1980, with the reservations attached to it (ratified on 23 October 2006, entered into force on 1 June 2007);

(f) European Convention on the Adoption of Children (Revised) (signed on 27 November 2008);

(g) Convention on the Rights of Persons with Disabilities and the Optional Protocol to it (ratified on 30 March 2007);

(h) United Nations Convention against Transnational Organized Crime (ratified on 25 March 2003, entered into force on 29 September 2003);

(i) Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (ratified on 25 March 2003, entered into force on 29 September 2003);

(j) Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (ratified on 25 March 2003, entered into force 29 September 2003);

(k) Council of Europe Convention on Action against Trafficking in Human Beings (ratified on 20 March 2008, entered into force on 1 August 2008).

6. On 27 November 2005, the amendments to the Constitution of the Republic of Armenia were adopted through a referendum, which was aimed at bringing the main law of the Republic of Armenia into full conformity with the fundamental international instruments.

7. The constitutional amendments of 2005 have further reinforced the human and citizen's rights (including of children), and legislative mechanisms were developed for their full and comprehensive implementation and promotion.
8. Extensive work has been carried out with respect to analysing the legislative framework in order to bring the domestic legislation in line with the revised Constitution of the Republic of Armenia.
9. The new Criminal Code of the Republic of Armenia entered into force on 1 August 2003. Chapter 14 of the Criminal Code of the Republic of Armenia regulates the criminal liability of juveniles and the specifics of their punishment.
10. On 21 October 2003 the Law of the Republic of Armenia "On the Human Rights Defender" was adopted, which thoroughly regulates the procedure for organisation and operation of the human rights institution, and which is called to ensure the promotion of human and citizen's rights without differentiation as to whether a person has attained full age or not.
11. The new Labour Code of the Republic of Armenia was adopted on 11 October 2004 and entered into force on 21 June 2005, which includes a number of articles laying down the procedure for and conditions of hiring minors.
12. The Family Code of the Republic of Armenia was adopted on 9 November 2004, which clearly prescribes that "The State shall ensure the best protection of the rights of children". Sections 4–6 of the Code regulate the protection of the rights and legitimate interests of children.
13. Adhering to the principles of social state, the Government of the Republic of Armenia carries out consistent activities directed at reforms in the main fields of life activities of children.
14. Particularly, it concerns the issues pertaining to the care, education, upbringing, as well as socio-psychological rehabilitation, productive life and regular development of children in difficult life situations and children in need of special protection and care.
15. Issues in this field are multifaceted and are conditioned with the circumstances when the families in poor living conditions and unfavourable moral and physiological conditions fail to ensure necessary care and upbringing, as well as primary social protection for their children, and fail to fulfil their obligations due to non-respect, neglect or incapacity.
16. Law-making activity, knowledge of legal norms and their application mechanisms, as well as their introduction in practice have a special role in this process, especially for the specialists working in the relevant field.
17. The effective protection of the rights of the child requires implementation of a number of measures in accordance with the priorities set by the State.
18. A new three-level system for the protection of children — national, regional and community — was introduced in the Republic of Armenia in 2006.
19. A Commission for the Protection of Children operates at national level (see paras. 34–40 of the Report).
20. The established institution ensures effective, good administration and regulation of the child protection system, as well as the implementation of strategy programmes adopted by the State.
21. The introduction of a unified system provides for the decision-making process on the future life of the child in difficult life situations, based on professional evaluation results.

22. The main objective of the system is to implement a consistent and co-ordinated policy at the public administration level, which will ensure a consistent approach towards the protection of children's rights and interests through the National Commission for the Protection of Children's Rights, divisions of Marzpetarans (regional governor's offices) and Yerevan Municipality for the protection of children's rights, as well as guardianship and curatorship authorities in communities.

23. The composition of divisions for the protection of children includes a doctor, lawyer, psychologist, social worker, and pedagogue; based on their professional evaluation and conclusion, the child in a difficult life situation is referred to a relevant childcare institution; the child and his or her family are provided with professional advice and support, by utilising resources of different institutions, including international and local non-governmental organisations active in the Marzes of the Republic of Armenia.

24. The established institution is called to ensure effective, good administration and regulation of the child protection system, as well as the implementation of strategy programmes adopted by the State.

25. The introduction of a unified system provides for the decision-making process on the future life of the child in difficult life situations, based on professional evaluation results.

26. On 7 June 2009, a Memorandum of Understanding was signed between the National Assembly of the Republic of Armenia and the United Nations Children's Fund Armenia Office. Within the framework of the Memorandum, the Parties agreed to implement a number of measures, including directed at improvement of the legislation aimed at the protection of children's rights.

27. On 18 November 2009, the National Assembly adopted the Laws of the Republic of Armenia "On making supplements and an amendment to the Law of the Republic of Armenia "On the rights of the child" and to the Law of the Republic of Armenia "On television and radio", based on which the scope of dissemination of information and literature, which negatively affects the health, mental and physical development and upbringing of the child, or discredits the family, was widened.

B. National Programme of the Republic of Armenia for the Protection of Children's Rights

28. The 2004–2015 National Programme for the Protection of Children's Rights in the Republic of Armenia (hereinafter referred to as "the Programme") was approved by the Decision of the Government of the Republic of Armenia No. 1745-N of 18 December 2003. The provisions of the Programme are in conformity with the provisions of the UN Convention on the Rights of the Child; the Programme was prepared with due regard to the recommendations of the UN Committee on the Rights of the Child addressed to the Republic of Armenia. It is aimed at ensuring the fulfilment of obligations undertaken under the document "Favourable World for Children", as well as of the implementation of the provisions of the Law of the Republic of Armenia "On the rights of the child" (see the full text of the Programme in the Annex).

29. The aim of the Programme is to streamline the policy in different fields pursued in regard with children, recognising the priority of issues relating to children. Analysing the current situation, the Programme sets goals as well as a strategy for achieving those goals in the following directions: improvement of legislative framework, health-care, social security, education, rest, leisure and cultural life, delinquency and justice, as well as

monitoring of the Programme and follow-up measures. Within the framework of the National Programme, the following measures were undertaken in the Republic of Armenia:

(a) Programme of State Support to Graduates of Child Care Institutions – 2004–2015:

The Programme has been implemented since 2003; it is foreseen to be continued until 2015;

(b) Organisation of care for graduates of Nor-Kharberd specialised orphanage – 2007–2008–2015:

At the end of 2009 the new building of the specialised orphanage will be put into operation, which is designed for the care of 100 graduates;

(c) Programme “When September Comes” – 2004–2015:

The Programme is ongoing; it is implemented for schoolchildren of the 1st grade of general education schools from the vulnerable families included in the family allowance scheme;

(d) Organisation of care for children in child care institutions – 2004–2015:

Children are secured with permanent care; child care is carried out in the institutions operating under the Ministry of Labour and Social Affairs of the Republic of Armenia; these institutions include eight orphanages, including two specialised orphanages; seven child care and protection boarding schools, and four benevolent orphanages;

(e) Development of minimum criteria for the care of children in child care institutions – 2004–2005:

On 5 August 2004, the Decision of the Government of the Republic of Armenia No. 1324-N “On recognising as a public administration body authorised by the Government of the Republic of Armenia and approving the minimum state social criteria for the care and upbringing of children in orphanages” was adopted;

Thus, it has been introduced in the child care institutions since 2005;

The application of the state criteria for the care and upbringing of children in the institutions is under permanent supervision by the authorised body – Ministry of Labour and Social Affairs of the Republic of Armenia, in accordance with the procedure prescribed by law;

(f) Programme on deinstitutionalisation of children – 2004–2015:

A programme on the “Services for return of children in the care of child care institutions of the Republic of Armenia to their families (deinstitutionalisation)” has been implemented in Lori Marz since 2006; its goal is to ensure the care and upbringing of children in the institutions in their biological families, securing sound guarantees for the productive life of the child in the family;

The Programme is implemented by “Aravot” non-governmental organisation acting in Lori Marz of the Republic of Armenia, based on the principles of social partnership and at the expense of the State Budget. Since 2006, within the framework of the Programme, 30 children have been returned to their biological families; the institutionalisation of 120 children from vulnerable families in orphanages or other boarding institutions has been prevented;

(g) Introduction of the institution of foster family; establishment of a bank of candidates for foster families:

The pilot project “Foster family” has been implemented in the Republic of Armenia since 2004; within the framework of the project, with the assistance of the UN Children’s Fund and due to the joint efforts of the Ministry of Labour and Social Affairs of the Republic of Armenia and Fund for Armenian Relief Children’s Reception and Orientation Centre, 18 former educatees of orphanages are being brought up in 16 foster families;

The care of 22 graduates of orphanages in 20 foster families is financed from the State Budget since 2008;

The compilation of data of the candidates is ongoing; it is centralised in the Ministry of Labour and Social Affairs of the Republic of Armenia;

The bank of foster families as well as of candidates for foster parents is established in the “Nork” information-analytical centre operating under the Ministry of Labour and Social Affairs of the Republic of Armenia;

(h) Programme on securing the right to work of the child, and preventing and eliminating child labour exploitation and economic exploitation of the child – 2007–2009:

Elaboration and implementation of the programme relating to the right to work of the child have been postponed;

Moreover, in 2008, with the financing of the United Nations Children’s Fund, the Harmonious Development Society non-governmental organisation implemented the study “Child labour in the Republic of Armenia” (situation analysis); the relevant report was issued, which was discussed by the interested bodies;

(i) Establishment of 25 community child day care centres:

Since 2005 two child day care centres have been established in Yerevan, capital of the Republic of Armenia, as well as in Gyumri since 2006, which are financed by the State;

The Centre is designed to host 100 children simultaneously;

Four child day care centres in Tavush Marz of the Republic of Armenia have been financed by the State Budget since 2008.

30. During the recent years, seven child development and rehabilitation centres have been established — and now operate — by the UN Children’s Fund in different Marzes of the Republic of Armenia, and the child day care centre of Goris in Syunik Marz has been operating since 2008.

31. “World Vision” international non-governmental organisation has established 15 community child day care centres in six Marzes of the Republic of Armenia for children with disabilities and children from socially vulnerable families.

32. Due to the financial and economic crisis, implementation of social programmes provided for in sections 28, 30 and 31 of the National Programme, is postponed.

33. The issues pertaining to the implementation of the National Programme are in the continuous focus of attention of the Government of the Republic of Armenia.

34. With a view to implementing a co-ordinated policy with respect to children, as well as ensuring the implementation of the National Programme on the Protection of the Rights of the Child, the National Commission for the Protection of Children’s Rights (hereinafter referred to as “the National Commission”) was established upon the Decision of the Prime Minister of the Republic of Armenia No. 835-A of 28 October 2005 “On establishing a National Commission for the Protection of Children and approving the Statute and individual composition of the Commission”.

35. It is an advisory body, the activities of which are aimed at supporting the implementation of a consistent state policy on the protection of the rights and interests of the child, as well as at developing the child protection system. The following agencies and ministries are included in the composition of the National Commission: the Staff of the Government of the Republic of Armenia, the Ministry of Labour and Social Affairs of the Republic of Armenia, the Ministry of Justice of the Republic of Armenia, the Ministry of Territorial Administration of the Republic of Armenia, the Ministry of Health of the Republic of Armenia, the Ministry of Finances of the Republic of Armenia, the Ministry of Education and Science of the Republic of Armenia, the Ministry of Culture of the Republic of Armenia, and the Police of the Republic of Armenia.

36. The main functions of the Commission are the following:

(a) Submit recommendations on the implementation of measures envisaged in the 2004–2015 National Programme for the Protection of the Rights of the Child in the Republic of Armenia, on applications and complaints of citizens with regard to the activities of divisions of Marzpetarans of the Republic of Armenia (Yerevan Municipality) for the protection of children’s rights, as well as on the activities — carried out jointly with state bodies and non-governmental organisations — aimed at prevention of juvenile delinquency;

(b) Discuss the process of fulfilment of international obligations of the Republic of Armenia in the field of protection of children’s rights and submit recommendations for their effective implementation, discuss draft regulatory legal acts regulating the relations in the field of protection of the rights and interests of the child and submit opinions thereon, as well as discuss annual activity reports of the divisions for the protection of the rights of the child and submit a brief report to the Prime Minister of the Republic of Armenia;

(c) Investigate and analyse the causes of violations of the rights of the child and submit recommendation on making necessary amendments to the legislation of the Republic of Armenia.

37. Since its establishment, the National Commission has regularly convened sittings during which both the urgent issues of the day as well as issues and achievements in the progress of reform policy implemented in the field of protection of children were discussed.

38. The issues of the agenda of the National Commission include the process of formation of the regional divisions for the protection of children’s rights as well as the process of reorganisation of special general education institutions, discussion of the reorganisation issue of the Yerevan special school No. 18 of children displaying anti-social behaviour, the report of the Programme “Support to the implementation of child care and protection reforms in Armenia” and discussion of the output of the Programme, as well as a number of other issues.

39. International and non-governmental organisations have also actively participated in the activities of the National Commission.

40. In 2008 the representatives of the National Commission organised round tables — in all Marzes of the Republic of Armenia — with the divisions for the protection of children’s rights, other state bodies concerned, as well as non-governmental organisations, where issues and progress of reforms of the field were discussed.

41. The following bodies have a special role in the protection of the rights of the child: local self-government bodies, represented by guardianship and curatorship authorities and guardianship and curatorship committees adjunct thereto – at community level; regional divisions for the protection of the child – at regional level; the National Commission – at national level; the mentioned bodies, as authorised local self-government and state bodies, are directly responsible for resolving issues relating to children, as well as assisting and

supporting children and their families in difficult situations. Particular importance is attached to the activities of guardianship and curatorship authorities adjunct to the local self-government bodies. In 1999, upon the Order of the Prime Minister of the Republic of Armenia, the previously suspended operation of the guardianship, curatorship and adoption commissions was resumed in the Republic of Armenia.

42. The Statute of the Guardianship and Curatorship Commission was approved upon the Decision of the Government of the Republic of Armenia No. 922-N of 22 June 2006.

43. The commissions function on voluntary basis and are composed of the representatives of the given community, quarter municipality, police, general education schools, kindergartens, and various responsible structures dealing with issues relating to children.

44. Guardianship and curatorship authorities, functioning on voluntary basis, face difficulties in resolving issues relating to children or in taking adequate decisions to respond to a given situation.

45. Currently, acknowledging the significance of the issue, measures are being taken to create positions in those commissions.

46. In 2005 a working group was established with the support of the UN Children's Fund, which developed the "State concept paper for the prevention of violence against and neglect of children, the principles of interagency co-operation and rules of procedure"; it was presented by the Police of the Republic of Armenia to the National Commission for the Protection of Children.

47. The 2010–2015 Programme of co-operation between the Government of the Republic of Armenia and the UN Children's Fund has been elaborated. The mentioned document outlines the priorities and the strategy which enable to ensure the protection of the rights of the child. The 2010–2015 Programme has been developed in conformity with the national priorities of the Republic of Armenia and the Sustainable Development Programme adopted in 2008. A tendency to shift from assistance to development is contemplated in the Programme. Being developed in line with the priorities of the United Nations Development Assistance Framework (UNDAF), the Programme will have its contribution in ensuring child health, education, nutrition and protection. It will help the Government of the Republic of Armenia, through local capacity building, decentralisation and planning, to solve such interconnected issues as the poverty reduction and securing child protection.

1. Independent monitoring: the role of the Ombudsman's Office in promoting the protection of children's rights

48. According to Article 2 of the Law of the Republic of Armenia "On the Human Rights Defender", the Human Rights Defender (hereinafter referred to as "the Defender") is an independent and unaltered person who is charged with protecting the human rights and fundamental freedoms violated by the state and local self-government bodies or their officials. The Human Rights Defender of the Republic of Armenia, within the framework of the powers vested in him or her under the said Law, is charged with protecting the rights of the child as well, through the following mechanisms:

(a) Considering complaints filed with the Staff of the Defender concerning the facts of violation of the rights of the child;

(b) When being informed of the facts of violation of the rights of the child (through mass media and reporting of other persons), quickly responding to such situations and conducting examination of the case by the Defender at his or her own initiative;

(c) Paying regular visits to institutions for the upbringing of the child as well as other institutions for the social protection of the population (orphanages, women and juvenile prisons, child care and upbringing institutions, day centres, etc.), identifying the issues existing in these institutions, as well as focusing the attention of competent authorities to the solution of these issues;

(d) Organising meetings with non-governmental organisations dealing with the protection of the rights of the child and considering the main issues also from the perspective of the non-governmental sector, and responding to these issues.

49. Moreover, since 2008 the Staff of the Defender commenced an ongoing process of examining the legislation of the Republic of Armenia on the rights of the child and of elaborating specific recommendations on its improvement. The first results were reflected in the Defender's public ad-hoc report "On some problems in the legislation of the Republic of Armenia relating to the rights of the child" released in 2008, which was prepared with the support of the United Nations Children's Fund and published with the support of Eurasia Partnership Foundation. The report has been submitted both to competent authorities and during the public hearings held in the National Assembly of the Republic of Armenia. It is envisaged to implement — in the nearest future — the main recommendations included in the said report on legislative amendments.

50. Complaints on the alleged violations of the rights of the child addressed to the Defender mainly concerned the following:

(a) Difficulties in enforcement of judicial acts on maintenance payments, which is conditioned by the failure by parents to make maintenance payments on time, by concealing the real income, leaving for another country, as well as by failure to use all the possibilities reserved to the compulsory enforcement officers under the legislation for ensuring the compulsory enforcement of judicial acts by them, their non-operative behaviour and, in some cases, by their inaction;

(b) Cases of abuse of parental rights towards the child by separated parents. The parent living separately from the child due to various reasons, mainly divorce, often abuses the right to visit the child to the detriment of the best interests of the child. The guardianship and curatorship authority whose participation in legal proceedings involving such issues is compulsory, must examine the issue in advance with the utmost care and have the answers to all the questions. Meanwhile, according to the Defender, the position of this authority is often conditioned by the sympathy for one of the parents and not by the obligation to protect the interests of the child;

(c) The acts (inaction) of guardianship and curatorship authorities, i.e., their conclusions and decisions on assigning the care of the child to one of the parents, deciding on the appropriateness of the stay of the child with one of the parents and on other disputes concerning the child.

2. Budgetary allocations for children

51. Information on the amount and percentage of the budget devoted to children is presented in Annex 1.

52. Information on the actual State Budget financing for 2007-2008 and funds envisaged for 2009 with respect to the programmes "Children's daily care services", "Children's boarding care and protection services", "Social care services for children in risk zone", "Services for introduction of the institution of foster family in the Republic of Armenia", "Provision of monetary assistance package to the families of children transferred to their biological families" is given below.

On the actual financing for 2007–2008 and funds envisaged for 2009 within the scope of the funds envisaged by the State Budget of 2007–2009

<i>Title of the programme</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Provision of monetary assistance to children of school age in the care of children's boarding houses	1 254 280.9	1 350 716.3	1 672 853.9
Social care services	128 712.2	132 501.4	145 617.8
Services of return to family of children in the care of child care institutions of the Republic of Armenia (deinstitutionalisation)	17 102.3	19 609.9	20 426
Services of introduction of the institution of foster family in the Republic of Armenia	0	15 797.3	23 055
Services of boarding care and protection of children	283 239.9	696 522.2	909 188.2

53. The gender and age composition of the permanent population of the Republic of Armenia by groups, urban and rural areas is given below.

The gender and age composition of the permanent population of the Republic of Armenia by age groups, urban and rural areas as of 1 January 2009 and 1 January 2008

Number of the permanent population of the Republic of Armenia by gender and age as of 1 January 2009

<i>Mf</i>	<i>Urban population</i>			<i>Rural population</i>			<i>Total population</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>
0–4	64 327	56 792	121 119	38 083	32 116	70 199	102 410	88 908	191 318
5–9	59 014	52 468	111 482	38 704	32 394	71 098	97 718	84 862	182 580
10–14	69 247	63 275	132 522	49 696	45 067	94 763	118 943	108 342	227 285
15–19	91 968	88 644	180 612	64 098	61 169	125 267	156 066	149 813	305 879
20–24	98 124	98 062	196 186	61 993	58 817	120 810	160 117	156 879	316 996
25–29	92 053	94 537	186 590	49 604	46 140	95 744	141 657	140 677	282 334
30–34	75 638	79 520	155 158	37 470	38 002	75 472	113 108	117 522	230 630
35–39	61 634	68 374	130 008	34 220	35 231	69 451	95 854	103 605	199 459
40–44	59 695	71 535	131 230	41 497	41 036	82 533	101 192	112 571	213 763
45–49	77 595	93 739	171 334	49 317	47 155	96 472	126 912	140 894	267 806
50–54	70 777	85 323	156 100	35 409	35 066	70 475	106 186	120 389	226 575
55–59	53 416	66 490	119 906	20 944	22 971	4 3915	74 360	89 461	163 821
60–64	29 476	38 131	67 607	10 610	13 309	23 919	40 086	51 440	91 526
65–69	29 466	40 370	69 836	13 520	19 054	32 574	42 986	59 424	102 410
70–74	27 011	39 367	66 378	15 982	22 896	38 878	42 993	62 263	105 256
75–79	18 426	28 307	46 733	13 165	18 997	32 162	31 591	47 304	78 895
80+	9 432	21 173	30 605	6 654	14 184	20 838	16 086	35 357	51 443
Total	987 299	1 086 107	2 073 406	580 966	583 604	1 164 570	1 568 265	1 669 711	3 237 976

**Number of the permanent population of the Republic of Armenia by gender and age
as of 1 January 2008**

Age	Urban population			Rural population			Total population		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
	1	2	3	4	5	6	7	8	9
0-4	62 484	55 158	117 642	37 143	31 177	68 320	99 627	86 335	185 962
5-9	60 187	53 803	113 990	40 741	34 271	75 012	100 928	88 074	189 002
10-14	72 034	66 756	138 790	52 168	48 096	100 264	124 202	114 852	239 054
15-19	95 244	92 446	187 690	65 280	62 754	128 034	160 524	155 200	315 724
20-24	98 446	99 273	197 719	60 434	56 854	117 288	158 880	156 127	315 007
25-29	89 749	92 698	182 447	46 887	44 237	91 124	136 636	136 935	273 571
30-34	72 751	77 293	150 044	36 228	37 029	73 257	108 979	114 322	223 301
35-39	60 390	67 590	127 980	34 874	35 634	70 508	95 264	103 224	198 488
40-44	62 560	75 971	138 531	43 874	42 885	86 759	106 434	118 856	225 290
45-49	79 822	95 770	175 592	48 407	46 353	94 760	128 229	142 123	270 352
50-54	67 156	81 445	148 601	32 071	31 895	63 966	99 227	113 340	212 567
55-59	51 323	62 977	114 300	19 106	21 375	40 481	70 429	84 352	154 781
60-64	25 341	33 189	58 530	9 123	11 554	20 677	34 464	44 743	79 207
65-69	34 538	46 675	81 213	16 544	23 118	39 662	51 082	69 793	120 875
70-74	25 617	36 866	62 483	15 940	22 185	38 125	41 557	59 051	100 608
75-79	18 440	28 694	47 134	13 409	19 593	33 002	31 849	48 287	80 136
80+	8 445	19 346	27 791	5 801	12 569	18 370	14 246	31 915	46 161
Total	984 527	1 085 950	2 070 477	5 78 030	581 579	1 159 609	1 562 557	1 667 529	3 230 086

3. Cooperation with civil society

54. Acknowledging that the best way of fighting the social orphanhood of children is to place the child with the family and to provide him or her with an opportunity to be brought up in a family environment, the state social policy and measures are currently aimed at supporting the families to ensure the normal development of children in the family.

55. To this end, the Ministry of Labour and Social Affairs of the Republic of Armenia announced a tender for implementing the "Pilot programme of deinstitutionalisation of children from Lori Marz's Vanadzor Orphanage, Vanadzor No. 2 and No. 3, Stepanavan No. 1 and Spitak No. 1 general education special institutions for orphans, children deprived of parental care and children with mental retardation" approved by the Decision of the Government of the Republic of Armenia No. 206-N of 12 January 2006, as well as for selecting a non-governmental organisation and for providing to it a grant in the prescribed manner. "Aravot" non-governmental charitable organisation of Lori Marz was selected as a result of the tender.

56. The goal of the programme "Services for return of children in the care of child care institutions of the Republic of Armenia to their families (deinstitutionalisation)", underway in Lori Marz of the Republic of Armenia since 2006, is to ensure the care and upbringing of children in the institutions in their biological families, securing sound guarantees for the productive life of the child in the family. The Project is implemented by "Aravot" non-

governmental organisation acting in Lori Marz of the Republic of Armenia, based on the principles of social partnership and at the expense of the State Budget.

57. Within the framework of the Programme, 30 children have been returned to their biological families; the institutionalisation of 120 children from vulnerable families in orphanages or other boarding institutions has been prevented. The Programme is implemented in accordance with the agreement and terms of reference concluded with the Ministry of Labour and Social Affairs of the Republic of Armenia. Quarterly reports are submitted on the works performed.

58. The introduction of the institution of foster family largely contributes to the resolution of the issue of deinstitutionalisation of children.

59. This issue was also addressed through both reforming the legal framework and implementing pilot projects.

60. According to Article 139 of the Family Code of the Republic of Armenia, children deprived of parental care are placed with foster families for upbringing.

61. Children Support Foundation Centre (earlier named “Children’s Reception and Orientation Centre”) of the Fund for Armenian Relief, functioning since 2000, has a long-standing record of co-operation with the Ministry of Labour and Social Affairs of the Republic of Armenia.

62. Based on the recommendation of the United Nations Children’s Fund, the idea of foster family was developed in 2004 in collaboration with the Ministry of Labour and Social Affairs of the Republic of Armenia, and a working group was set up to realise that idea.

63. Since 2006, a pilot project “Foster Family” is underway in Lori and Gegharkunik Marzes. Within the framework of the Project, with the assistance of the UN Children’s’ Fund and due to joint efforts of the Ministry of Labour and Social Affairs of the Republic of Armenia and Fund for Armenian Relief Children’s Reception and Orientation Centre, 18 former educatees of orphanages are being brought up in 16 foster families.

64. Until 2008, the payment for their care was made at the expense of the funds of the United Nations Children’s Fund. Since January 2008 foster families are financed from the funds of the State Budget of the Republic of Armenia.

65. As of 2009, 22 children deprived of parental care are being brought up in 20 foster families

66. The procedure for placement of the child with a foster family has also been developed; relations pertaining to the placement of a child deprived of parental care with a foster family for bringing up are defined.

67. The necessary legal framework for the process is laid down in the Decision of the Government of the Republic of Armenia No. 459-N of 8 May 2008 “On approving the procedure for placing children with foster families, the payment procedure and amount of monthly funds paid to foster families for the maintenance of each child and payment procedure and amount of remuneration paid to foster families for the care and upbringing of the child, as well as the form of the agreement on the placement of the child with the foster family”.

68. The mission of the Centre is to provide assistance to children that found themselves in difficult life conditions, are abandoned, that suffered different hardships and abuses, and children whose basic needs are not met and whose rights are violated.

69. The staff of the Centre provides professional assistance to families in the care and upbringing of children.

70. In 2003 the Ministry of Labour and Social Affairs of the Republic of Armenia commenced the Programme of State Support to Graduates of Child Care Institutions of the Republic of Armenia. The implementation of this Programme is based on the provisions (point 4) of the Memorandum of Understanding signed between the Government of the Republic of Armenia and European Commission Food Safety Project in 2001, Article 9 of the Law of the Republic of Armenia “On social protection of children left without parental care” (HO-421-N of 24 September 2002) and the Programme of State Support to Graduates of Child Care Institutions of the Republic of Armenia approved by the Decision of the Government of the Republic of Armenia No. 1419-N of 30 October 2003. The following activities are envisaged to be implemented under the Programme:

- (a) Surveys among graduates, preparation of individual programmes;
- (b) Social patronage of beneficiaries;
- (c) Provision of housing;
- (d) Professional orientation, education and training;
- (e) Assuring income for covering basic needs;
- (f) Aid in kind (provision of property);
- (g) Provision of medical aid;
- (h) Provision of legal assistance.

71. During USSR years the State took care of issues relating to the graduates of orphanages. Back in those years these persons were provided with housing, employment, and with an opportunity to receive free education.

72. After the independence, the orphanages were secured with adequate conditions; however, issues of graduates of orphanages after their leaving these orphanages were not addressed in a systemised manner.

73. That is the reason why, although the Programme commenced in 2003, graduates of years 1991 to 2003 were also included in it.

74. In the first years the Programme mainly focused on issues of persons who had graduated from orphanages before 2003; most of these persons did not have shelter, had serious psychological and health problems, many had convictions. It was due to uniting efforts and work of multidisciplinary teams that it became possible to enable these persons to live a decent life.

75. The Programme was implemented by the Armenian Democratic Forum non-governmental organisation in 2003–2005, while the Fund for Armenian Relief took the gear since 2006.

76. Three hundred and fifty six graduates were involved in surveys under the Programme financing, out of which 282 (including graduates of 2008) became beneficiaries of the Programme. Forty graduates that participated in surveys are included in the waiting lists and will become beneficiaries of the Programme in the upcoming years. The other 34 either do not meet the criteria set by the Programme, or have possessions left by their parents, or are not residing in the Republic of Armenia. Personal files of all these persons are kept at the Ministry of Labour and Social Affairs. In the years 2003–2008:

- (a) 282 graduates became beneficiaries;
- (b) 24 beneficiaries received vocational training;
- (c) 57 beneficiaries received primary vocational education;

- (d) 60 beneficiaries received vocational training;
- (e) 13 beneficiaries received secondary vocational education;
- (f) 17 beneficiaries received higher education;
- (g) 82 new graduates received lump-sum monetary assistance;
- (h) 237 beneficiaries underwent medical examination and received medical assistance, 25 beneficiaries underwent surgery;
- (i) 4 legal proceedings were dismissed.

77. Under the programmes, 149 apartments were purchased in 2003–2007, and property for furnishing the apartments purchased in the mentioned period was fully purchased. Graduates having received apartments have received the property. Property envisaged by the Programme for years 2008–2009 was not purchased since the property envisaged by the programmes of earlier years had been purchased and had been stored in the state non-commercial organisations of the system.

78. As of the end of 2009, 173 beneficiaries are on the waiting list for receiving apartments. Every year 30–35 educatees graduate from orphanages, and most of them are potential beneficiaries.

79. The apartments are provided under the condition of ten years of gratuitous use; to this end, trilateral agreement on gratuitous use is concluded (between the beneficiary, the Ministry of Labour and Social Affairs and the State Property Management Department adjunct to the Government of the Republic of Armenia).

80. In the waiting list for receiving apartments there are currently 83 persons belonging to the group of children left without parental care. No tenders have been announced under the programmes for years 2008–2009.

81. The draft decision of the Government of the Republic of Armenia “On approving the procedure for registration for the purpose of resolving housing issues of persons belonging to the group of children left without parental care; the procedure for providing apartment purchase certificates for the purpose of resolving housing issues of persons belonging to the group of children left without parental care; the Programme of State Support to Persons Belonging to the Group of Children Left Without Parental Care; as well as repealing the Decisions of the Government of the Republic of Armenia No. 983-N of 23 July 2003 and No. 1419-N of 30 October 2003” was elaborated and submitted to interested ministries.

82. The Ministry of Labour and Social Affairs of the Republic of Armenia closely cooperates with “Huysi Kamurj” non-governmental organisation, which was founded in 1996 with an objective to support the social integration of children with disabilities and their parents as full member of society, and to protect their right to education and full participation in social life.

83. Since 2008, based on the principles of social partnership, child care day centres in Tavush Marz provide social care services for children in difficult situations.

84. Since 2001, “Huysi Kamurj” non-governmental organisation initiated the establishment of child development community centres in Tavush Marz – Dilijan, Ijevan, Berd and Noyemberyan, which are co-financed by the State.

85. Today children and adolescents with disabilities and socio-psychological problems benefit from the services provided by these centres, the activities whereof are mainly directed at supporting the social integration of children in difficult situations.

86. The Programme is implemented in accordance with measure 29 in Annex 2 of the 2004–2015 National Programme for the Protection of the Rights of the Child in the

Republic of Armenia approved by the Decision of the Government of the Republic of Armenia No. 1745-N of 18 December 2003.

87. Children in the Centre are taught self-service skills, and various development methodologies and games — which reveal and strengthen the potential of the given child — are organised by the specialists.

88. The Ministry of Labour and Social Affairs of the Republic of Armenia effectively co-operates with a number of international and local non-governmental organisations having significant contribution in the field of protection of the child in the Republic of Armenia.

4. Dissemination of the provisions of the Convention and measures taken to make the provisions of the Convention widely known

89. Provisions of the Convention on the Rights of the Child are published and widely disseminated in the Republic of Armenia in the form of booklets and posters. Public hearings on various issues relating to the rights of children are regularly held. The United Nations Children’s Fund and the National Assembly of the Republic of Armenia have organised various awareness-raising events, e.g. exhibitions of photos in the major settlements of the Republic of Armenia.

90. The Republic of Armenia pays great attention to human rights education considering it as an important factor contributing to the development of democracy. Thus, since 2001, Human Rights is included as a separate subject in the general education curriculum and is taught in the 9th grade. Students study also “Civic Education” and “State and Law” subjects. The activities undertaken by the Republic of Armenia towards education and teaching of human rights are thoroughly described in para. 50 of the second and third joint periodic report on the Implementation of the UN International Covenant on Civil and Political Rights.

91. Since 2001, with the support of the UN Children’s Fund and “Project Harmony” international non-governmental organisation, training courses are conducted for police officers dealing with juveniles on the topics dedicated to the rights of children and the psychological assistance to children in difficult situations. About 80 employees were trained only in 2008. Every year police officers dealing with juveniles pass special trainings at the training academy of the Police of the Republic of Armenia. In 2006, with the support of the UN Children’s Fund, a working group was established which developed a manual titled “Guidelines for reviewing the job description of the employees of the Police of the Republic of Armenia dealing with juvenile matters; rules of conduct and professional guidelines”, which enables the police officers dealing with juvenile matters to make correct decisions and work in difficult situations they face in dealing with juveniles.

III. Definition of the child (art. 1)

92. In addition to the information on the definition of the child provided in the previous report, the following developments were recorded during the period covered by the present report.

93. Article 6 (4) of the Constitution of the Republic of Armenia amended through the referendum of 27 November 2005, defines that international treaties are a constituent part of the legal system of the Republic of Armenia. Where ratified international treaties lay down rules other than those provided for by laws, the norms of international treaties shall apply.

94. Thus, the rights of the child are protected in the Republic of Armenia not only by domestic laws and legal acts, but also by international treaties ratified or approved by the Republic of Armenia, including the provisions of the UN Convention on the Rights of the Child.

95. Article 36 of the Constitution of the Republic of Armenia prescribes that parents shall have the right and obligation to take care of upbringing, health, full and harmonious development and education of their children.

96. According to Article 32 of the Constitution of the Republic of Armenia, it shall be prohibited to admit children under the age of sixteen to permanent employment. The procedure and conditions for admitting them to temporary employment shall be laid down by law. Forced labour shall be prohibited.

97. According to Article 17 (2) of the Labour Code adopted in 2004, minors aged 14 to 16 who are working under an employment contract with the consent of one of the parents, adopter or curator are considered as employees. Point 3 of the same Article states that conclusion of a labour contract with citizens under the age of fourteen or involving them in labour shall be prohibited. Pursuant to Article 89 (1) (5) of the Code, one of the documents required for admitting a minor citizen aged 14 to 16 is the written consent of one of the parents, adopter or curator.

98. Pursuant to Article 10 of the Family Code of the Republic of Armenia adopted in 2004, one of the necessary conditions for entering into marriage is the attainment of the marriageable age (the age of seventeen for women and the age of eighteen for men).

99. Article 9 of the same Law states that marriage is entered into in bodies of State Registration of Civil Status Acts with mandatory presence of the intending spouses, in the manner prescribed by the legislation of the Republic of Armenia. Rights and duties of spouses arise upon the state registration of the marriage in bodies of State Registration of Civil Status Acts.

100. According to Article 24 (3) of the Civil Code of the Republic of Armenia, in case when the law allows entry into marriage before attaining the age of eighteen, a citizen shall acquire full active legal capacity upon entry into marriage. Active legal capacity acquired as a result of entry into marriage shall be retained in full also in case of dissolution of the marriage before attaining the age of eighteen. In case of annulling a marriage, a court may render a judgment on the full loss of active legal capacity by the minor spouse from the moment determined by the court.

**Number of children under the age of eighteen by gender
(people)**

	<i>Number of children below the age of eighteen (0–17)</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>
01.01.2008	422 242	383 091	805 333
01.01.2009	409 754	368 775	778 529

101. Chapter 20 of the Criminal Code of the Republic of Armenia (adopted in 2003) defines the crimes against the interests of the family and the child; Article 169.1 of the Code criminalises communication of false information to bodies of State Registration of Civil Status Acts. Thus, when registering a marriage, false information on the attainment by a person of the marriageable age is communicated, the person is subject to criminal liability.

102. Article 24 of the Criminal Code of the Republic of Armenia defines the age of criminal liability, according to which only those persons who have attained the age of sixteen before committing a criminal offence shall be held criminally liable. Persons who have attained the age of fourteen before committing a criminal offence are subject to criminal liability for murder (Articles 104–108), intentionally inflicting grave or medium gravity injury to health (Articles 112–116), abduction (Article 131), rape (Article 138), violent actions of sexual nature (Article 139), robbery (Article 175), theft (Article 177), larceny (Article 176), extortion (Article 182), taking illegal possession of a vehicle or other means of transport without an intention to steal (Article 183), intentional destruction or damage to property under aggravating circumstances (Article 185 (2) and (3)), stealing or extortion of weapons, ammunition, explosives or explosive devices (Article 238), stealing or extortion of narcotic drugs or psychotropic substances (Article 269), wrecking means of transportation or communication (Article 246), and hooliganism (Article 258). Where a person has attained the age of criminal liability, but — due to mental retardation — was not able to fully realise the nature and consequences of the offence or to control it, he or she shall not be subject to criminal liability.

103. Article 45 of the Family Code of the Republic of Armenia stipulates the right of the child to have a first name, surname and a patronymic name.

104. Interrogation procedure of a juvenile witness or victim is laid down in Article 207 of the Criminal Procedure Code of the Republic of Armenia:

(a) A juvenile witness or victim, regardless of age, may be interrogated, provided he or she can provide information of value to the case;

(b) Interrogation of a witness or a victim under the age of sixteen is carried out with the participation of a pedagogue. The legal representative of a juvenile witness or victim has the right to be present at his or her interrogation;

(c) Prior to commencing the interrogation, the rights of the legal representative to be present at the interrogation, to state his or her observations and to ask questions upon permission of the investigator, as well as his or her obligations are explained to him or her. The investigator has the right not to accept the questions posed, but they are included in the protocol;

(d) It is explained to a witness or a victim under the age of sixteen that it is his or her duty to tell everything relevant to the case in truth, but he or she is not warned about the liability imposed for refusing or avoiding to testify and for giving false testimony.

105. Article 166 of the Criminal Code of the Republic of Armenia criminalises the involvement of a child by a person who has attained the age of eighteen in regular use of alcoholic beverages, in non-medical use of drastic or other soporific substances, in prostitution, vagrancy or beggary, in preparation of pornographic materials or objects. Commission of the same offence by a parent, a teacher or another individual charged with the upbringing of the child is considered as an aggravating circumstance and is punished by a fine in the amount of 100-fold to 250-fold of the minimum salary or by detention for a maximum term of two months or by imprisonment for a maximum term of five years with or without deprivation of the right to hold certain positions or to engage in certain activities for a maximum term of three years.

106. According to Article 177 of the Code of Administrative Offences, driving a minor into a state of drunkenness by his or her parents or by other persons entails an imposition of a fine in the amount of up to 50 to 100 per cent of the established minimum salary. In addition, Article 166 of the Criminal Code states that involvement of a child by a person who has attained the age of eighteen in regular use of alcoholic beverages, in non-medical use of drastic or other soporific substances, in prostitution, vagrancy or beggary, in

preparation of pornographic materials or objects is punishable by a fine in the amount of 50-fold to 150-fold of the minimum salary or by detention for a term of one to three months or by imprisonment for a maximum term of five years. The same offence, if committed by a parent, a teacher or another individual charged with the upbringing of the child, is punishable by a fine in the amount of 100-fold to 250-fold of the minimum salary or by detention for a maximum term of two months or by imprisonment for a maximum term of five years with or without deprivation of the right to hold certain positions or to engage in certain activities for a maximum term of three years. Article 166 of the Criminal Code also lays down that the offences provided for in part 1 or 2 of the Article, when (1) committed against two or more persons, and/or (2) accompanied by use or threat to use violence, are punishable by imprisonment for a maximum term of six years.

107. The subdivisions on juvenile matters of the Police of the Republic of Armenia, according to an order regulating their activities, register the minors that make regular use of alcoholic beverages. Consistent preventive works are ongoing with the mentioned minors.

108. The Criminal Code defines the peculiarities of criminal liability and punishment of juveniles, as well as stipulates a number of crimes committed against juveniles, and in some case commission of an offence against juveniles is considered a circumstance aggravating the crime. The Code contains a separate chapter on crimes against the interests of the family and the child (Chapter 20). Police officers dealing with juvenile matters are engaged in activities aimed at preventing and detecting crimes and other offences, including cases of violence and abuse, committed both by and against juveniles; they closely co-operate both with other subdivisions and services of the Police, divisions dealing with juvenile matters in local self-government bodies, with other interested ministries and agencies, as well as with international institutions and local non-governmental organisations. The Police acknowledges the principal significance of the interagency approach in combating child exploitation. The Police expresses readiness to provide best possible services in assisting, both in education issues and provision of necessary means, children affected by crime to enable them to enhance their capacities. The Police bears the primary responsibility for investigating cases of child exploitation.

IV. General principles (arts. 2, 3, 6 and 12)

Article 2

Non-discrimination

109. Article 14.1 of the Constitution of the Republic of Armenia of 2005 prescribes that everyone shall be equal before the law. Information on elimination of all forms of discrimination is presented in detail in the fifth and sixth joint periodic national report of the Republic of Armenia on the Implementation of the International Convention on the Elimination of all Forms of Racial Discrimination and in the third and fourth joint periodic national report of the Republic of Armenia on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (see CEDAW/C/ARM/4).

110. Article 26 of the Constitution lays down that everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to change one's religion or belief and freedom to manifest one's religion or belief, either alone or in community with others, through preaching, church ceremonies and other rites of worship. The exercise of this right may be limited only by law, when necessary for the protection of public safety, health or morals, or for the protection of the rights and freedoms of others.

111. Article 27 states that everyone shall have the right to freely express his or her opinion. No one shall be forced to renounce or change his or her opinion. Everyone shall

have the right to freedom of speech, including the freedom to seek, receive and impart information and ideas through any media and regardless of state frontiers.

112. Article 41 prescribes that everyone shall have the right to preserve his or her national and ethnic identity. Persons belonging to national minorities shall have the right to preserve and develop their traditions, religion, language, and culture.

113. According to Article 6 of the Law of the Republic of Armenia “On employment of population and social protection in case of unemployment”, persons seeking employment are those unemployed persons who have attained the working age as defined by the Labour Code of the Republic of Armenia, i.e., persons having active legal capacity who have attained the age of sixteen and who, irrespective of their occupation, have applied to the State Employment Service for the purpose of finding a job.

114. According to the Law of the Republic of Armenia “On freedom of conscience and religious organisations”, children under the age of eighteen may not obtain membership to a religious organisation, irrespective of the fact of their participation in religious practices, and any other circumstances.

Article 3

Best interests of the child

115. Article 36 (1) of the Constitution of the Republic of Armenia states that parents shall have the right and obligation to take care of upbringing, health, full and harmonious development and education of their children.

116. At the same time, as mentioned in para. 69 of the previous report, Article 3 of the Law “On the rights of the child” states that the protection of the rights of the child is carried out by the authorised state and local self-government bodies. The state co-operates — through respective agencies — with persons and non-governmental associations promoting children’s rights.

117. Article 43 (1) of the Family Code of the Republic of Armenia enshrines the right of the child to protection of his or her rights and legitimate interests, which is implemented by parents (legal representatives), and, in cases stipulated by law, by guardianship and curatorship authorities.

118. Pursuant to part 2 of the same Article, the child has the right to be protected from abuse on the part of his or her parents (legal representatives). In case of violation of the rights and interests of the child (including due to failure by the parents or one of the parents to fulfil the duty to bring up the child, provide education for the child, or due to improper fulfilment thereof, or in case of abuse of parental rights), the child has the right to apply for the protection to guardianship and curatorship authority on his or her own.

119. Chapter 11 of the above-mentioned Code establishes the rights and duties of parents; Article 51 lays down the rights and duties of parents to bring up and educate children, and Article 52 lays down the rights and duties of parents to protect the rights and interests of children. Article 53 (1) states that parental rights may not be realised to the detriment of children’s interests. The assurance of children’s interests shall be the primary concern of the parents. While exercising parental rights, parents may not inflict harm to physical and mental health of children, or to their moral development. The manners of children’s upbringing shall exclude ignorant, cruel, rude attitude towards them, as well as degrading treatment, insult or exploitation. Parents who exercise parental rights to the detriment of the rights and interests of children bear liability in the manner prescribed by law. Article 57 provides for the protection of parental rights.

120. Article 59 of the Code clearly defines the cases when parents may be deprived of their rights, particularly, when they maliciously evade from fulfilling their parental duties, including from making maintenance payments; when they refuse, without justifiable reasons, to take their child from the maternity house or other medical institutions, as well as from rearing organisations, organisations for social protection of population or other similar organisations; when they abuse their parental rights, in particular, have negative impact on the children by their immoral behaviour; when they treat children cruelly, in particular, exercise physical or mental violence towards them, infringe their sexual integrity; when they suffer from chronic alcohol, narcotic drug or toxic addiction; when they commit a deliberate crime against their children. In accordance with Article 63, in the best interests of the child, the court may render a judgment on taking the child from the parents (one of the parents) without depriving him or her of parental rights (restriction of parental rights).

121. In the best interests of the child, Article 67 of the Family Code of the Republic of Armenia prescribes that while examining disputes on upbringing of children, the court is obliged to involve the guardianship and curatorship authority, irrespective of who filed the lawsuit with regard to the child's protection. The guardianship and curatorship authority is obliged to conduct a home study with regard to the child and person/persons who seek to bring up the child, and present to the court the home study report and the conclusion on the essence of the dispute on the basis of that report.

122. Chapter 17 of the Code is devoted to detection and placement of children left without parental care. According to Article 109 (1) (1), protection of the rights and interests of children in case of parents' death, their being deprived of parental rights, restriction of their parental rights, declaring them as having no active legal capacity, evasion by the parents from rearing of children and protecting their rights and interests (including, refusal of parents to take their children from rearing, medical institutions, those of social protection of population and other organisations), as well as in other cases of absence of parental care the guardianship and curatorship authorities are charged with protecting the rights and interests of children. Articles 110-111 define the procedure for detection, registration and placement of children left without parental care, which ensures compliance with the observations expressed in paras. 11-12 of the Concluding Observations (CRC/C/15/Add.225) of the Committee on the Rights of the Child (hereinafter referred to as CRC/C/15/Add.225 document).

123. Chapter 18 of the Code defines the procedure and conditions of adoption, Article 121 of which states that the adoption of a child having attained the age of ten requires his or her consent. If, before submission of an adoption application, the child has lived in the family of the adopter and considers him or her a parent, adoption may, as an exception, be effected without the child's consent.

124. Moreover, Article 44 of the Code defines that children shall have the right to participate in the hearing of the case resolving a matter affecting their interests and shall have the right to express their opinion in the family as well as before judicial and other bodies. It is mandatory to take into account the opinion of a child who has attained the age of ten in cases connected to freedom of conscience, participation in certain activities, refusal to receive out-of-school education, living with one of the parents, maintaining contact with the relatives, as well as in other cases provided for by law. In cases stipulated by this Code, a court or a guardianship and curatorship authority may make a decision concerning a child who has attained the age of ten only upon his or her consent.

125. On 5 August 2004 the Government of the Republic of Armenia adopted the Decision No. 1324 "On recognising as a public administration body authorised by the Government of the Republic of Armenia and approving the minimum state social criteria for the care and upbringing of children in orphanages". Among 21 approved criteria are those relating to the health and safety of the child. Particularly, an orphanage shall be

provided with first medical assistance services and medical equipment, while every child in the orphanage undergoes medical examination by a relevant medical institution, according to individual instructions. The management of the institution ensures all necessary means for the health care of the child. The orphanage provides the child with relevant residential space that is safe for the life and is meeting the sanitary and hygiene standards established by the legislation of the Republic of Armenia, taking into account his or her gender, age and health condition, as well as all appropriate measures for the safety of children in different situations.

126. Articles 170 and 173 of the Criminal Code of the Republic of Armenia criminalise the failure to perform the duty of upbringing of the child and malicious evasion by the parent from taking care of the child. In case of failure to perform the duties of upbringing and education of the child, parents and persons substituting them shall be subject to liability under Article 178 of the Code of Administrative Offences of the Republic of Armenia as well.

127. With regard to juvenile crime, great importance and significance is attached to the elaboration and implementation of relevant socio-economic and legal measures aimed at impacting on the current situation of juvenile crime through state and public measures and at effectively combating it. This is the reason that Articles 85–96 of Chapter 14 of Section 5 of the Criminal Code of the Republic of Armenia cover the issues of criminal liability and punishment of juveniles. One of the peculiarities of criminal liability of juveniles is the imposition of such punishments that may be applied to juveniles with due account of life and education conditions of each juvenile, level of his or her mental development, health condition, other features of the person, as well as the impact of others on him or her. Pursuant to Article 90 (2) of the Criminal Code, the term of imprisonment — to be imposed by combination of crimes — of persons having committed a medium gravity, grave or particularly grave criminal offence prior to the attainment of the age of sixteen, may not exceed seven years. According to part 3 of the same Article, the term of imprisonment — to be imposed by combination of crimes — of persons having committed a medium gravity, grave or particularly grave criminal offence at the age of sixteen up to eighteen years, may not exceed ten years; according to part 4 of the same Article, the final punishment in the form of imprisonment — to be imposed by combination of verdicts — may not exceed 12 years.

Article 6

The right to life, survival and development

128. According to Article 15 of the Constitution of the Republic of Armenia, “Everyone has the right to life”. No one may be sentenced to the death penalty or be executed. Thus, the death penalty — as a form of punishment — has been abolished in the Republic of Armenia. With a view to protecting the right to life laid down by the Constitution, the death penalty — as an exceptional form of punishment — has been removed from the general part of the new Criminal Code which entered into force in 2003.

129. The Republic of Armenia signed Protocol No. 6 to the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the abolition of the death penalty on 25 January 2001 and ratified it on 29 September 2003.

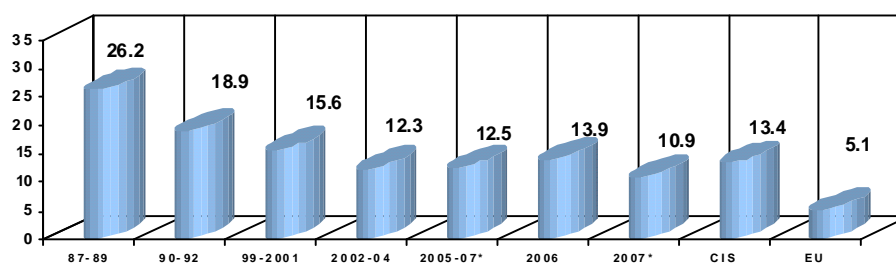
130. Life imprisonment — as a separate and main form of punishment which has not existed before — was for the first time envisaged in the Criminal Code of the Republic of Armenia. The provision in Article 60 (2) of the Criminal Code, according to which life imprisonment may not be imposed on persons under the age of eighteen at the time of

committing a criminal offence and on women pregnant at the time of committing a criminal offence or of delivering the judgement, derives from the principle of humanity.

131. The right to life of the child is laid down in Article 5 of the Law of the Republic of Armenia “On the rights of the child”, and murder of a newborn by his or her mother is criminalised under Article 106 of the Criminal Code of the Republic of Armenia.

132. According to official statistical data, infant mortality in the Republic of Armenia is on a medium level (as per WHO classification) showing obviously decreasing trends in the period of 1990–2008 (in 1990 – 18.5, in 2008 – 10.8). This situation is much better as compared to many CIS countries, however the level of infant mortality in Armenia exceeds the average European level to some extent.

Infant mortality trends in Armenia as compared to other countries

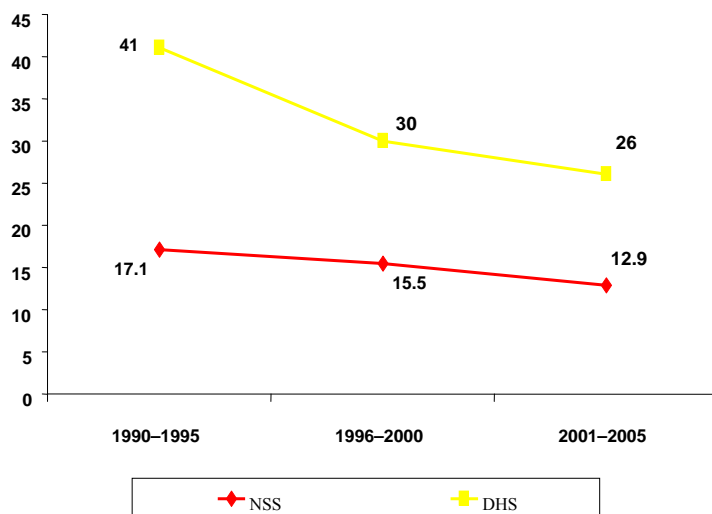


133. In the last decade, the indicator of infant mortality in the last decade, the indicator of infant mortality (0-1 year) is decreasing less obviously, moreover, in 2006 this indicator even increased conditioned by the adoption of new legislation on births and infant mortality. (Up to 2005, the national definitions of live-birth and perinatal life considerably differed from the accepted international criteria. On 16 June 2005, the Government of the Republic of Armenia adopted the Decision No. 949-N “On issues of infant mortality and birth classification and registration and on improvement of the situation pertaining thereto”. The implementation of this Decision was completed in 2006 due to which there was a significant improvement in the situation with respect to under-registration of infant mortality. As a result of introducing the new system, the “registered” infant mortality rate has increased but it also resulted in the decrease of the difference between the official and alternative assessments of the indicator).

134. According to the data of the National Statistical Service, the infant mortality indicator in Armenia has decreased by approximately 30% in the period of 1990–2005; while the indicator recorded in 2008 has remained almost at the same level as compared with that of 2007 (in 2007 – 10.9, in 2008 – 10.8).

135. The data collected by international independent organisations through alternative surveys are also indicative of the fact of decline of infant mortality rate in Armenia.

**INFANT MORTALITY ACCORDING TO NSS AND DHS DATA,
ARMENIA**

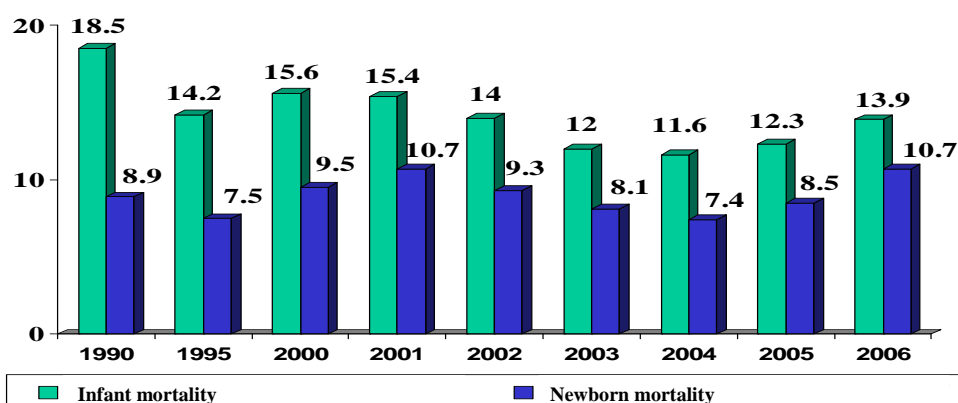


136. Thus, according to the results of the survey conducted in Armenian households in 2005 (Demographic and Health Survey financed by USAID and conducted by ORC Macro International Inc. in cooperation with the National Statistical Service of the Republic of Armenia and the Ministry of Health of the Republic of Armenia), in the period of 1990–2005, the infant mortality rate has decreased by 37% (in the period of 1990–1995 the average rate of infant mortality was 41%, while in 2000–2005 this rate was 26%).

137. According to the estimate indicator of the UN Children’s Fund, the analysis of infant mortality trends in the region shows that Armenia has succeeded in reducing the infant mortality rate by 52% in the period of 1990–2005. According to international expert evaluations, in 2004, Armenia has been recognised as one of those exceptional countries that will succeed in continuous decline of the child mortality rate and will achieve the millennium goals set for 2015, if the same trends further persist in this sphere. However, it should be noted that in the period of 1990–2003, mortality rate of children under the age of five has decreased by 45%, while in the period of 2003–2005 this indicator has decreased only by 6%, showing that this goal may be achieved only through consolidation of available resources and further investments in this field.

138. It is worth mentioning that in the period of 1990–2006 mortality indicators for almost all age groups of early childhood have decreased, while newborn mortality has not decreased, but on the contrary increased by about 20% (in 1990 – 8.9%, in 2006 – 10.7%).

Infant and newborn mortality ratio, %, NSS 1995–2006



139. The cause structure of newborn mortality (NM) has considerably changed during the last 15 years. In 2000, in the structure of causes of NM cases of asphyxia were in the first place, cases of congenital malformation were in the second place and cases of respiratory distress syndrome (RDS) conditioned by prematurity were only in the third place, while in 2008 in the structure of causes of NM cases of prematurity were in the first place, cases of congenital malformations were on the second place and cases of asphyxia were in the third place. Such a structure of causes for NM is typical of both developed countries (39% of prematurity and 23% of congenital malformations) and developing countries (still persisting high level of 18% asphyxia cases and 18% infections).

140. Diseases typical to perinatal period are in the first place, congenital malformations are in the second place, and respiratory infections and diarrhoea are respectively in the third and fourth places in the structure of causes for infant mortality. It is worth mentioning that the rate of congenital malformations occupying the third and fourth places for a number of years has increased reaching the second level and resulting in almost double increase of the rate during the last 15 years. Meanwhile, cases of diarrhoea and respiratory diseases have reduced by almost 60% respectively, due to which cases of post-natal mortality have decreased by approximately 40%, while cases of newborn deaths have increased by almost 1/3.

141. A more comprehensive indicator reflecting the problems of early childhood is the rate of under-five child mortality which tends to decline within the period of last years (in 1990 – 19.3%, in 2008 – 12.2%). In Armenia, mortality of girls aged 0–5 is lower than that of boys, which evidences that there is no gender discrimination and that girls receive the same care as boys in Armenia.

Under-five child mortality rates

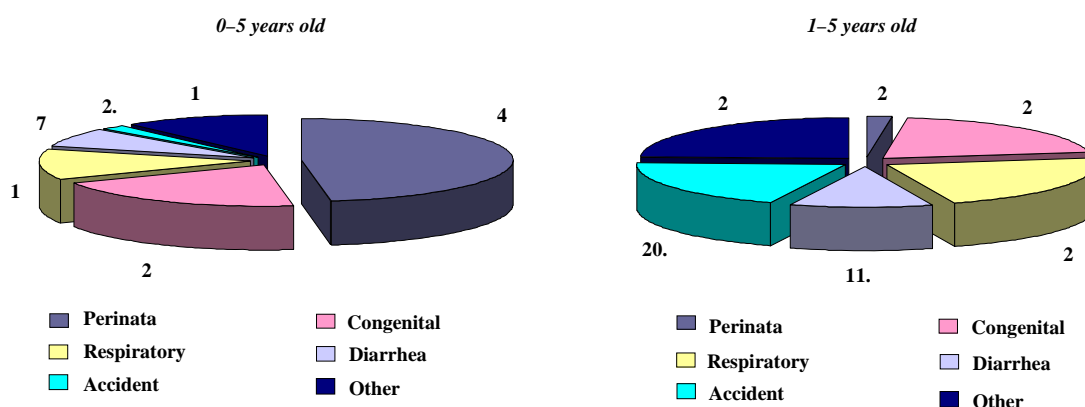
	<i>Ratio (per 1,000 live births)</i>	
	<i>Girls</i>	<i>Boys</i>
2007	10.3	14.1
2008	10.5	13.5

142. Official data evidence that diarrhoea and respiratory diseases are still the main causes for child mortality in the early stages (up to five years) of life. Accidents and injuries

are also the main causes for the mortality of this age group. This problem becomes more actual when age groups of 0–1 and 1–5 are considered individually in the structure of causes for under-five child mortality.

143. Currently, due to macro-economic stability and economic growth, the Government of the Republic of Armenia attaches much importance to improving the financing of health care sector and making it more socially oriented. Funding of the health care sector from the State Budget of the Republic of Armenia continues to rise. Actual expenditures on health care equalled to 1.2% of the country’s GDP in 2003, and to 1.54% in 2007. Subsidies for primary health care are increasing correspondingly: for the same period, they rose 2.57 times and are already higher than the funds allocated by the state to in-patient clinics.

CAUSE STRUCTURE OF INFANT MORTALITY, ARMENIA, 2006



Source: National Statistical Service of the Republic.

144. The priorities set by the State in 2007 include the mother and child health care target programme, according to which the in-patient medical aid of children under the age of seven and primary medical aid of children under the age of eighteen, as well as services related to obstetric aid are sponsored by the state. In 2008, within the framework of mother and child health care provided in in-patient institutions, AMD 4.3 billion was spent which constitutes about 11% of overall allocations for the health care sector. The State has financed health resort treatment of about 1052 children, including 697 children suffering from and exposed to tuberculosis, and has provided for medical treatment of about 830,000 children in outpatient clinics.

145. In 2007, ten cases of road traffic accidents were recorded, 13 minors died, three of which in pedestrian accidents. In 2008, five cases were recorded, five minors died, four of which in pedestrian accidents. Within five months of 2009, four cases have been recorded, four minors died, one of which in a pedestrian accident.

146. In 2007, 30 minors committed or attempted to commit suicide that resulted in fatal outcome for 11 of them; in 2008, 24 minors committed or attempted to commit suicide that resulted in fatal outcome for eight of them; in 2009, 28 minors committed or attempted to commit suicide resulting in fatal outcome for nine of them.

Mortality of persons aged 0–19 as per the following causes in 2007–2008
(According to second copies of death records provided by territorial divisions of
Registration of Civil Status Acts under the Ministry of Justice of the Republic of
Armenia)
(Per 100,000 population)

	2007		2008	
	<i>0–14 years of age</i>	<i>15–19 years of age</i>	<i>0–14 years of age</i>	<i>15–19 years of age</i>
HIV/AIDS, tuberculosis, hepatitis, poliomyelitis and other infectious diseases (A00-B99)*	4.6	0	7.7	0.6
Road traffic accidents (V00-V99)*	1.3	1.9	1.3	3.9
Suicides (X60-X84)*	0.2	1.6	0.3	0.3

* According to ICD – 10.

Article 12
Respect for the views of the child

147. Article 27 of the Constitution of the Republic of Armenia enshrines that everyone has the right to freely express his or her opinion. No one may be forced to renounce his or her opinion or to change it. Everyone shall have the right to freedom of speech. Besides, Article 18 of the Constitution states that everyone shall have the right to effective legal remedies for the protection of his or her rights and freedoms before judicial as well as other state bodies.

148. Provisions of Article 50 of the Criminal Procedure Code of the Republic of Armenia concerning the peculiarities of proceedings on juvenile cases, are applied with respect to criminal cases concerning criminal offences committed by persons who were under the age of eighteen at the time of committing the offence. The procedure for conducting proceedings on juvenile cases is regulated by the general rules of the Criminal Procedure Code as well as by Articles 439–443 of Chapter 50 of the Criminal Procedure Code.

149. The issue of the right of the child to express his or her views has already been covered above (see Article 3 of this document and paragraphs 97–106 of the previous report).

150. During 2008–2009, independent rehabilitation councils have been created in schools No. 69, 12, 18, 83, 188 and 197 of Yerevan city with a view to creating a more disciplined, safe and transparent environment, to assisting students in involving and participating in the everyday life of the school and displaying more responsible behaviour, to acquainting them with the legislative system of the Republic of Armenia and to encouraging students to participate in upbringing and educational processes. Given the successful testing of this initiative, it has been decided to expand the project over ten more schools of Yerevan during 2009–2010.

V. Civil rights and freedoms (arts. 7, 8, 13–17 and 37 (a))

Article 7

151. Article 6 of the Law of the Republic of Armenia “On the rights of the child” lays down the right of the child to a name and a nationality, according to which every child shall have the right from birth to a name and a nationality. The fact of birth of a child is registered by the Civil Status Acts Registration Body in the manner prescribed by law.

152. Article 45 of the Family Code of the Republic of Armenia stipulates the right of the child to have a name, surname and a patronymic name. A child shall be given a name upon the consent of the parents, and the patronymic name shall be given by the name of the father, in the manner prescribed by this Code. The surname of a child shall be determined by the surname of his or her parents. Where parents have different surnames, the surname of the mother or the father shall be given to the child upon the consent of the parents. Disagreement between the parents in connection to the name or surname of the child shall be resolved by the guardianship and curatorship authority. Where the paternity of a child has not been determined, the child shall be given a name in accordance with the instruction of the mother; the name of a person registered as the father of the child shall be given as a patronymic name, and the surname of the mother shall be given as the surname of the child.

153. In 2004, the Law of the Republic of Armenia “On the registration of civil status acts” was adopted, Chapter 2 of which regulates the procedure for birth registration. Article 15 of the same Law states that the state registration of a birth is carried out by the body of Registration of Civil Status Acts of the place of birth of the child or of the place of residence of the parents (one of the parents), while in the case of foundlings the state registration of the birth is carried out by the body of Registration of Civil Status Acts of the place where the child was found. The actual place of birth of a child or the place where he or she was found (the name of the administrative-territorial unit, urban or rural community) shall be indicated as the place of birth of the child in the birth record. According to Article 16 of the mentioned Law, the written statement on the birth of a child must be submitted to the body of Registration of Civil Status Acts not later than within one year after the birth of the child, and Article 21 provides for the birth registration of a child aged one year and more. According to Article 22, the following information shall be specified in the birth record: the name, patronymic name, surname, national origin – upon the mutual consent and will of parents, gender, place and date of birth of the child; the number of born children (one, two or more live births or still births); the number of the child as of the number of children of the newborn’s mother; data of the document certifying the fact of birth of the child; the name, patronymic name, surname, national origin, place and time of birth, nationality, place of residence, place of work, occupation and education of the parents; data of the document serving as a ground for recording information about the father; the name, patronymic name, surname and place of residence of the applying person or name and registered office of the body or organisation giving the statement on the birth of the child; data of the identification document of the applicant; date and number of the birth record and the place of state registration of the birth (name of the body of Registration of Civil Status Acts); serial number of the issued birth certificate; the place of residence of the child; and other appropriate information. No information on the name shall be registered in the birth record of a stillborn. Article 20 defines the procedure for the birth registration of a stillborn or a child having died during the four weeks of life.

154. Article 30.1 of the Constitution of the Republic of Armenia states that a child born from nationals of the Republic of Armenia shall be a national of the Republic of Armenia. Every child has a right to acquire the nationality of the Republic of Armenia where one of his or her parents is a national of the Republic of Armenia.

155. Relations regulated by the Law of the Republic of Armenia “On the nationality of the Republic of Armenia” were covered in paragraphs 114–126 of the previous report.

Number of live births in the Republic of Armenia as per the months of registration 2007–2008
(According to second copies of birth records provided by territorial divisions of Registration of Civil Status Acts under the Ministry of Justice of the Republic of Armenia)

	<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>	<i>VI</i>	<i>VII</i>	<i>VIII</i>	<i>IX</i>	<i>X</i>	<i>XI</i>	<i>XII</i>	<i>Total</i>
2007	3 362	2 872	3 061	2 931	2 994	3 084	3 560	3 795	3 911	3 907	3 495	3 133	40 105
2008	3 389	3 019	3 116	3 052	3 054	2 968	3 590	3 875	3 957	3 998	3 702	3 465	41 185

Article 8

156. The Constitution of the Republic of Armenia lays down the right of a person to freedom of thought, conscience and religion, as well as the right to a nationality, also providing that nationality may be terminated only in cases and by the procedure defined by law (Articles 26 and 30.1). Article 41 of the Constitution establishes that everyone shall have the right to preserve his or her national and ethnic identity. Persons belonging to national minorities have the right to preserve and develop their traditions, religion, language, and culture.

157. The Criminal Code of the Republic of Armenia prescribes sanctions for illegally separating a child from his or her parents or for replacing a child (Article 167), as well as for breaching the confidentiality of adoption or instigating or forcing to give consent to adoption (Article 169).

158. The Law of the Republic of Armenia “On the nationality of the Republic of Armenia” lays down provisions on the nationality of children in case of acquisition by their parents of the nationality of the Republic of Armenia. Particularly, according to Article 16 of the Law, a child under the age of fourteen of parents having acquired the nationality of the Republic of Armenia shall acquire the nationality of the Republic of Armenia. Where the nationality of the Republic of Armenia is acquired only by one of the parents while the other parent is a foreign national or a stateless person, their child under the age of fourteen shall acquire the nationality of the Republic of Armenia where there is the consent of the parents, or where the child resides in the Republic of Armenia and there is the consent of the parent who holds the nationality of the Republic of Armenia.

Article 13

Freedom of expression

159. Article 27 of the Constitution not only defines the right of everyone to freedom of expression but also states that everyone has the right to freedom of speech, including the right to seek, receive and impart information and ideas through any media and regardless of state frontiers. Freedom of media and other means of information shall be guaranteed. The State shall guarantee the existence and functioning of a public radio and television offering a variety of informational, educational, cultural, and entertainment programmes.

160. The Family Code of the Republic of Armenia prescribes that a child shall have the right to participate in the hearing of the case resolving a matter affecting their interests and shall have the right to express their opinion in the family as well as before judicial and other

bodies. It is mandatory to take into account the opinion of a child who has attained the age of ten in cases connected to freedom of conscience, participation in certain activities, refusal to receive out-of-school education, living with one of the parents, maintaining contact with the relatives, as well as in other cases provided for by law.

161. The Law of the Republic of Armenia "On mass information" was adopted in 2003 whereby the Law of the Republic of Armenia "On the press and other mass media" was repealed. Article 7 of the Law states that it is prohibited to disseminate information which constitutes a secret as defined by law, or information advocating criminally punishable acts, as well as information violating the right to respect for private or family life.

Issue of periodic and serial publications (without newspapers) as per target directions

	<i>Number of publications (unit)</i>	<i>Number of issues (unit)</i>	<i>One-time print run (thousand copies)</i>	<i>Annual print run (thousand copies)</i>
For a broad circle of readers including:	63	381	123.1	659.0
Illustrated-popular	12	75	16.8	130.7
Literature-fiction	3	8	1.8	4.6
Informative-advertising	29	177	62.0	309.7
For women	3	26	7.0	70.0
For the youth	6	43	20.5	58.0
For children	10	52	15.0	86.0
Total	201	999	220.5	1 131.3

Publication of books and brochures as per target directions, 2008

	<i>Number of books and brochures (unit)</i>	<i>One-time print run (thousand copies)</i>
Popular-political	46	255.6
Scientific	250	88.0
Popular science	93	37.1
Official-governmental	57	31.0
Text-books for higher education institutions	301	75.1
Manuals for practical and laboratory works	225	28.9
Text-books for general education schools	56	919.1
Bulletins	28	20.2
Dictionaries	21	8.2
For a broad circle of readers	54	22.6
Religious literature	28	17.8
Training and methodology literature for general education schools	49	53.7
Training and methodology literature for specialists	18	6.7
Training and methodology literature for different forms of education	22	17.4
Encyclopaedia	3	2.5

	<i>Number of books and brochures (unit)</i>	<i>One-time print run (thousand copies)</i>
Fiction	266	100.0
Children's literature	70	92.0
Total	1 587	1 775.9

162. Article 18 of the Law “On the rights of the child” states that every child shall have the right to get acquainted with the history, traditions, spiritual values of his or her nation, as well as with the universal culture. Every child shall have the right to freedom of creation of fiction, scientific and technical works, to participation in the cultural life, and to manifesting his or her skills and hobbies.

163. With a view to developing creative skill of the child, the State promotes the production of films, video films and TV programmes, production of films, video films and TV programmes for children, publication of newspapers, magazines and books for children, and provides for their accessibility. The same Article also states that propaganda of the cult of violence and cruelty or dissemination of information and literature humiliating human dignity, having a negative impact on the child and inclining to offences shall be prosecuted under the law.

164. The list of programmes of the Public Television Company designed for child and adolescence, as well as for the youth, and children's programmes of private TV companies is presented in Annex 3.

Article 14 **Freedom of thought, conscience and religion**

165. The Constitution enshrines the freedom of thought, conscience and religion (Article 26), which may be restricted only by law when it is necessary to protect public safety, health or morals, or the rights and freedoms of others.

166. Article 1 of the Law “On freedom of conscience and religious organisations” states that the freedom of conscience and religion of the citizens is guaranteed in the Republic of Armenia. Every citizen shall be free in determining his or her attitude to religion, shall have the right to manifest any religion or to manifest no religion at all, to perform religious practices individually or in community with other citizens.

167. According to Article 160 of the Criminal Code of the Republic of Armenia, impediment to the lawful activities of religious organisations or of performance of religious practices is punishable by a fine in the maximum amount of 200-fold of the minimum salary or by detention for a maximum term of two months.

168. The right of the child to freedom of thought, conscience and religion is also prescribed by the Law (Article 10). Teaching of the subject of history of the Armenian Apostolic Church in schools does not hinder the followers of other religions to exercise their right to freedom of religion and conscience.

Article 15 **Freedom of association and of peaceful assembly**

169. Article 28 of the Constitution of the Republic of Armenia states that everyone shall have the right to form associations with others, including the right to form and join trade

unions. Every citizen shall have the right to establish political parties together with other citizens and to join them. The rights to establish political parties and trade unions and to join them may be restricted in the manner prescribed by law for the officers of the armed forces and of the police, officers of national security authorities and prosecution authorities, as well as for judges and members of the Constitutional Court. No one shall be compelled to join any political party or association. The activities of associations may be suspended or prohibited only in cases provided for by law and through judicial procedure.

170. This constitutional provision was incorporated into Article 21 of the Law as well.

171. The Law of the Republic of Armenia “On non-governmental organisations”, which was adopted in 2001, defines the procedure for the establishment and activities of non-governmental organisations. Article 6 (2) of this Law establishes that a minor under the age of fourteen may join an organisation upon his or her will, on the basis of a request filed by a legal representative. A minor at the age of fourteen to eighteen, unless declared as having full active legal capacity by the procedure defined by law, may join an organisation on the basis of a request filed by himself or herself, upon the written consent of a legal representative. The Statute of an organisation may provide for the peculiarities of the rights and duties of minor members. Article 9 states that where the person willing to establish an organisation is a minor under the age of fourteen, the agreement shall be concluded by his or her legal representative on behalf of the minor. Unless declared as having full active legal capacity by the procedure defined by law, a minor at the age of fourteen to eighteen shall conclude the agreement upon the written consent of his or her legal representative.

172. As a guarantee for this right, Article 161 of the Criminal Code of the Republic of Armenia criminalises impediment to the exercise of the right to form associations (non-governmental or trade unions) or to establish political parties, as well as impediment to their activities.

Article 16

Protection of privacy

173. Article 14 of the Constitution of the Republic of Armenia states that human dignity shall be respected and protected by the State as an inherent foundation of human rights and freedoms. Article 16 lays down the right to liberty and security of person. Article 23 states that everyone shall have the right to respect for his private and family life. No information — other than that provided for by law — concerning a person may be collected, stored, used or disseminated without his or her consent. Everyone shall have the right to secrecy of correspondence, telephone conversations, postal, telegraph and other communications, which may be restricted only in cases and in the manner prescribed by law, upon a court order. Article 24 provides for the right of inviolability of home. It shall be prohibited to enter a person’s home against his or her will, except for cases provided for by law. Home may be subjected to search only in cases prescribed by law, upon a court order.

174. Article 18 of the Constitution enshrines the right of a person to judicial protection of his or her rights and freedoms, as well as the right to protection of his or her rights and freedoms through any other means not prohibited by law.

175. Article 22 (1) of the Law states that every child shall have the right to honour and dignity. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family life, correspondence, telephone conversations or home, nor to unlawful attacks on his or her honour and dignity.

176. Article 146 of the Criminal Code of the Republic of Armenia provides for liability for the unlawful interference with secrecy of correspondence, telephone conversations, postal, telegraph or other communications.

177. The economic development of our country resulted in the revision of the approach adopted with regard to the issues connected to the breach of secrecy of correspondence, telephone conversations, postal, telegraph or other communications, as well as issues connected to inviolability of home, and a more severe approach was adopted with this regard. According to Article 147 of the Criminal Code of the Republic of Armenia, unlawful entry into a person's home against his or her will shall be punishable by a fine in the amount of 50-fold to 100-fold of the minimum salary or by detention for a maximum term of two months. The same acts committed by use of or threat to use violence shall be punishable by a fine in the amount of 100-fold to 200-fold of the minimum salary or by imprisonment for a maximum term of two years. The offence provided for in Article 147 (1) or (2) of the Criminal Code committed by use of official position shall be punishable by a fine in the amount of 200-fold to 400-fold of the minimum salary, or by deprivation of the right to hold certain positions or to engage in certain activities for a term of two to five years, or by detention for a term of one to two months, or by imprisonment for a maximum term of three years.

178. Article 146 of the Criminal Code states that unlawful interference with the secrecy of correspondence, telephone conversations, postal, telegraph or other communications shall be punishable by a fine in the amount of 50-fold to 100-fold of the minimum salary. The same act committed by use of official position shall be punishable by a fine in the amount of 100-fold to 300-fold of the minimum salary, or by deprivation of the right to hold certain positions or to engage in certain activities for a term of two to five years, or by detention for a term of one to two months.

Article 17

Access to appropriate information

179. One thousand and thirty one libraries function in the Republic of Armenia, 38 of which are children's libraries, and about 70% of other libraries have children's sections. In 2009, there were 20,483 readers at the age and under fifteen, and 180,141 readers at the age of fifteen to twenty six. With a view to providing the accessibility of library services, an automated uniform information network has been introduced in the libraries of Armenia, including the Children's National Library after Khnko-Aper. It is planned to include also other children's libraries to this network in the future. With a view to providing the accessibility of library services, since 2008, the project of mobile library named "Bibliobus" has been implemented, covering near-border and distant settlements of Lori Marz of the Republic of Armenia, as well as communities of Ararat, Aragatsotn, Vayots Dzor, and Syunik Marzes of the Republic of Armenia; more than 2,800 units of literature have been donated from the collection of the National Library of the Republic of Armenia for the purpose of providing the population with library-informational services and replenishing the collections of books of 25 municipal libraries. Within the framework of this project, assistance was provided to children's libraries and children's sections as well. The project is ongoing and is envisaged to be implemented in other Marzes as well. Since 2008, an informative-communication project named "Arev" [Sun] has also been introduced, which enables blind and partially sighted persons to "read" letters and numbers through audio signals through a computer. In 2008, "Arev" informative-communication project was introduced in the regional library of Syunik Marz and in 2009 it will be introduced also in Lori and Shirak Marzes of the Republic of Armenia (readers of children's sections of libraries also benefit from this project). The project named "Family librarian" is also one of

the new services of mobile libraries, which enables the provision of library services at home for disabled persons.

180. Within the framework of “Target programmes for the development of fiction, children’s libraries and the press; publication of children’s fiction books, replenishment of library collections”, the programme named “State sponsorship in the field of literature” is implemented together with its sub-programme named “Publication of children’s literature and child and adolescence literature”. Within the framework of the mentioned programme, 32 units of books were published in 2006, 38 units of books were published in 2007 and 48 units of books were published in 2008, whereof 20 units of books were text-books and manuals for the music and art schools. In 2009, 25 units of books are planned to be published (the reduction of the number is conditioned by the economic crisis), and 21 units of books are designed for music and art schools. Published children’s literature is provided to the children’s and school libraries free of charge.

**Quantitative distribution of children’s libraries in the Marzes of the Republic of Armenia 2003–2008
(Unit)**

	2003	2004	2005	2006	2007	2008
Aragatsotn	1	1	1	1	1	1
Ararat	2	2	2	2	2	2
Armavir	5	5	3	3	3	3
Gegharkunik	4	4	4	4	3	3
Lori	7	7	7	7	7	7
Kotayk	2	2	2	2	2	2
Shirak	9	8	8	8	8	8
Syunik	8	8	8	8	8	8
Vayots Dzor	2	1	2	2	1	-
Tavush	3	3	3	3	3	3
Total, Republic of Armenia	43	41	40	40	38	37

Issue of periodic and serial publications (without newspapers) according to target directions, 2008

	<i>Number of publications (unit)</i>	<i>Number of issues (unit)</i>	<i>One-time print run (thousand copies)</i>	<i>Annual print run (thousand copies)</i>
For a broad circle of readers	63	381	123.1	659.0
Including:				
Illustrated-popular	12	75	16.8	130.7
Literature-fiction	3	8	1.8	4.6
Informative-advertising	29	177	62.0	309.7
For women	3	26	7.0	70.0
For the youth	6	43	20.5	58.0
For children	10	52	15.0	86.0
Total	201	999	220.5	1 131.3

Publication of books and brochures according to target directions, 2008

	<i>Number of books and brochures (unit)</i>	<i>One-time print run (thousand copies)</i>
Popular-political	46	255.6
Scientific	250	88.0
Popular science	93	37.1
Official-governmental	57	31.0
Text-books for higher education institutions	301	75.1
Manuals for practical and laboratory works	225	28.9
Text-books for general education schools	56	919.1
Bulletins	28	20.2
Dictionaries	21	8.2
For a broad circle of readers	54	22.6
Religious literature	28	17.8
Training and methodology literature for general education schools	49	53.7
Training and methodology literature for specialists	18	6.7
Training and methodology literature for different forms of education	22	17.4
Encyclopaedia	3	2.5
Fiction	266	100.0
Children's literature	70	92.0
Total	1 587	1 775.9

181. Eleven newspapers (nine of them are published with the state support) and 4 journals were published in the languages of the national minorities in Armenia in 2008–2009.

- (a) “National Union of Yezidis” NGO – “Yezdikhana”;
- (b) “National Committee of Yezidis” NGO – “Lalish”;
- (c) “Ria Taza” newspaper Editorial Office” LLC – “Ria Taza”;
- (d) “Dialogue of Cultures” Information Centre” LLC – “Palitra”;
- (e) “Golos” LLC – “Golos Armenii”;
- (f) “Novoye Vremya” daily Editorial Office” LLC – “Novoye Vremya”;
- (g) “Patrida” NGO – “Byzantine Heritage”;
- (h) “Ukraine” Federation of Ukrainians of Armenia” NGO – “Dnipro Slavutich”;
- (i) “Litera” LLC – “Literaturnaya Armenia”;
- (j) “Kurdish National Council of Armenia” NGO – “Zagros”;
- (k) “Armenian Society of Cultural Connections” NGO – “Palitra”;
- (l) “Patrida” NGO – “Byzantine Heritage”;
- (m) “Litera” LLC – “Literaturnaya Armenia”;
- (n) Jewish Community – “Magen David” (David’s shield) in Russian;

(o) Kurdish Community's "Mezopotamia" newspaper in Armenian and Kurdish.

182. The annual and medium-term expenditure framework of the Ministry of Culture of the Republic of Armenia envisages annual budgetary allocations to support the cultural activities of the national minorities of the Republic of Armenia within the framework of the sub-project "Support to the Culture of National Minorities" of the Project "State Support to Implementation of Cultural Activities".

183. During the last years the increase in budgetary allocations allowed not only to increase the number and to extend the geography of participants in the events held traditionally, but also to include new projects. We additionally inform that it is already three years that the Ministry of Culture of the Republic of Armenia organises its annual music festivals and painting exhibitions in close cooperation with the national minorities residing in the Marzes, by involving a vast number of community artists, irrespective of age. Plans of all activities are discussed with the representatives of unions of the national minorities of the Republic of Armenia. Thus, in 2006, the music festival was organised in Vanadzor, in 2007 — in Gyumri, and in 2008 — in Akhtala.

184. For the purpose of ensuring the recognition of historical and modern monuments of national minorities, since 2008 the Ministry of Culture has undertaken a new project — production of series of films. A 34-minutes film titled "Our song and our monuments" on the monuments of Aragatsotn and Lori — northern zone of Armenia, is already ready, where Akhtala music festival is also presented.

185. Currently, one of the significant issues of the cultural policy is also the involvement of creators and groups of the national minorities in the cultural activities. In particular, for the purpose of reviving the cultural life in the Marzes and encouraging groups of creators, the Ministry of Culture of the Republic of Armenia always invites relevant groups of national minorities (Russian theatre group "Garmosha") to the events at national level ("National festival of puppet theatres"), as well as provides for the media coverage of their work.

Article 37 (a)

Non-subjection to torture or other cruel, inhuman or degrading treatment

186. According to Article 17 of the Constitution of the Republic of Armenia, "no one shall be subjected to torture or to inhuman or degrading treatment or punishment". All persons arrested, detained or deprived of liberty shall have the right to be treated humanely and with respect for dignity. No one may be subjected to scientific, medical or other experiments without his or her consent.

187. As it has already been mentioned, the death penalty has been abolished according to Article 15 of the Constitution of the Republic of Armenia.

188. Chapter 14 of the Criminal Code of the Republic of Armenia regulates peculiarities of criminal liability and punishment of juveniles. Article 89 of this Code states that imprisonment for a maximum term of one year is imposed on juveniles for a criminal offence of minor gravity, whereas for a criminal offence of medium gravity — for a maximum term of three years; for a grave or particularly grave criminal offence committed before reaching the age of sixteen — for a maximum term of seven years; for a grave or particularly grave criminal offence committed at the age of sixteen up to eighteen — for a maximum term of ten years.

189. When imposing a punishment on a juvenile, his or her living and educational conditions, the degree of mental development, the state of health and other characteristics

of a person, as well as influence of other persons on him or her shall be taken into consideration.

190. A juvenile may be exempt from criminal liability by application of compulsory measures of educational character. Particularly, according to Article 91, a court may exempt a juvenile having committed a criminal offence of minor or medium gravity for the first time from criminal liability where it finds that his or her correction is possible by the application of compulsory measures of educational character. Such measures include warning, placing under the supervision of parents or their substitutes or local self-government bodies or a competent authority supervising the convict's behaviour — for a maximum term of six months, imposition of a duty to settle the caused damage within the time-limit defined by the court, restriction in leisure time and setting special requirements for behaviour — for a maximum term of six months.

191. A juvenile having committed a minor or medium gravity criminal offence may be exempt from criminal liability if the court finds that the purposes of the punishment may be achieved through placing the juvenile in a teaching-educational or medical-educational institution intended for juveniles. Placement in a special teaching-educational or medical-educational institution shall be imposed for a maximum term of three years but not more than the attainment of the age of majority (Article 93).

192. According to Article 69 of the Criminal Procedure Code of the Republic of Armenia, participation of a counsel in the proceedings is mandatory if the suspect or the accused is a juvenile at the time of committing the criminal offence.

193. According to Article 148, placing under supervision may be imposed on a juvenile as a measure of restraint. Remand detention as a measure of restraint may be imposed only upon a court order (Article 136). Chapter 50 of the Code defines the peculiarities of criminal proceedings on juveniles.

194. Article 56 (procedure and conditions of serving detention) of the Penitentiary Code of the Republic of Armenia adopted in 2004 states that once a month, juvenile convicts shall be granted an up to four-hour short visit by parents or other legal representatives. Convicts shall be entitled to at least one hour, and juvenile convicts – to at least two hours of walk per day. Article 68 states that in correctional establishments juvenile convicts shall be held separately from adults.

195. Article 109 defines the peculiarities of serving the sentence by juveniles, according to which a juvenile sentenced to imprisonment for a definite term shall serve the sentence in the same correctional establishment until the sentence term expires, but not beyond his or her reaching the age of twenty one. If a convict who has reached the age of eighteen displays negative behaviour, the provision in part 1 of this Article shall not apply. It shall be prohibited to transfer a juvenile sentenced to imprisonment for a definite term to a closed correctional establishment for serving the sentence.

196. For the purpose of organising the education and vocational training of remand prisoners and convicts, relevant arrangements with various educational institutions are planned. The issue of general education of juvenile convicts has already been resolved: since 1 December 2006, the Minister of Education and Science of the Republic of Armenia has entitled the Technical College No. 2 of Abovyan to organise general education of convicts as well, where courses are currently organised in accordance with the educational programmes established in the Republic of Armenia.

197. In the acting legislation, as contrary to the previous one, the types of punishment imposed on juveniles are separated (Article 86 of the Criminal Code of the Republic of Armenia). It should be noted that the acting Criminal Code does not provide for special punishments imposed only on juveniles. Detention with respect to a juvenile having

attained the age of sixteen at the time of rendering the judgment may be imposed for a term of 15 days up to 2 months (Criminal Code, Article 88).

198. It is worth mentioning that interrogation of a witness or a victim under the age of sixteen is carried out with the participation of a pedagogue. The legal representative of a juvenile witness or victim has the right to be present at his or her interrogation (Criminal Procedure Code, Article 207 (2)).

199. According to Article 207 (1) and (4) of the Criminal Procedure Code, a juvenile witness or victim, regardless of age, may be interrogated, provided he or she can provide information of value to the case. It is explained to a witness or a victim under the age of sixteen that it is his or her duty to tell everything relevant to the case in truth, but he or she is not warned about the liability imposed for refusing or avoiding to testify and for giving false testimony.

200. During the last years, vast attention has been paid to the consideration of the problem during the training courses organised for specialists (pedagogues, psychologists, social workers, doctors, management and other members of staff) from 17 institutions (eight orphanages, seven institutions performing boarding care and protection of children, two day-centres for social care of children, as well as four charitable orphanages) functioning within the system of the Ministry of Labour and Social Affairs of the Republic of Armenia.

201. A number of workshops have been conducted aimed at preventing violence, including on topics relating to detection of cases of violence against the child and neglect of the child in different areas of social life as well as to clarification of reasons thereof; indicators describing the occurrence of violence against the child were presented; information was provided on mechanisms preventing the phenomenon.

202. Such workshops are included in the annual programmes of training of specialists of the social sphere through three-stage system implemented by the National Institute of Social Studies functioning within the system of the Ministry of Labour and Social Affairs of the Republic of Armenia.

203. Such trainings are continuous.

204. The trainings are conducted by the best specialists of the Republic of Armenia and those having substantial experience in the field.

205. Taking into account the actuality of prevention and elimination of violence against and neglect of the child, 319 employees were enrolled in all trainings conducted within the system in the course of 2009.

206. The problem of preventing violence against and neglect of the child in the Republic of Armenia is discussed and signified at the national level, which is reflected in the draft "State concept paper of preventing violence against and neglect of the child". It is foreseen to enforce this concept paper in the near future.

207. The concept paper is based on the respective provisions of Article 9 of the Law of the Republic of Armenia "On the rights of the child" and aims to fulfil the commitments defined by the UN Convention on the Rights of the Child and ILO Convention on Worst Forms of Child Labour, Revised European Social Charter and other international instruments of the Republic of Armenia.

208. Attaching importance to the impermissibility of the acts of violence against the child in child care and protection institutions, the Government of the Republic of Armenia approved by the Decision No. 1324-N of 5 August 2004 the minimum state social criteria for care and upbringing of the child in child care and protection institutions.

209. Point 6 of the second Criterion titled “Protection of the rights of the child” presented in the Decision prescribes that in child care and protection institutions children’s protection shall, in a manner established by the legislation of the Republic of Armenia, be ensured from:

- (a) Psychological and physical violence, including sexual abuse and perversion;
- (b) Cruel treatment;
- (c) Crime;
- (d) Neglect and unfair treatment;
- (e) Substances hazardous to health, and life-threatening conditions.

210. All forms of corporal punishment against children are strictly prohibited in the mentioned care institutions also under the acting statute; the process of introduction of respective criteria is constantly monitored by the management and by the superior bodies of the institutions.

VI. Family environment and alternative care (arts. 5, 9–11, 18, paras. 1 and 2; 19–21, 25, 27, paras. 4 and 39)

Article 5

211. Article 36 of the Constitution of the Republic of Armenia prescribes that parents have the right and duty to take care for the upbringing, health, full and harmonious development, and education of their children. Deprivation or restriction of parental rights may be exercised only by the decision of the court in conformity with the procedure and in cases prescribed by law.

212. The Family Code of the Republic of Armenia regulates in detail the rights of the child (Chapter 10) and the rights and duties of parents (Chapter 11). According to that, the child has the right to live and be raised in a family (as far as possible), to know his or her parents, to enjoy their care, to live together with them, except for the cases when it may be contrary to his or her interests. The child has also the right to receive upbringing from his or her parents, security of his/her interests, full development, respect for his or her human dignity, as well as to enjoy living conditions necessary for his or her full physical, mental, and spiritual development. In case of absence of parents, of deprivation of parental rights and other cases when a child is deprived of parental care, the right to be raised in a family is ensured by the guardianship and curatorship authority (Article 42). The child has the right to maintain contact with his or her parents and other relatives, and the termination of the marriage of his or her parents, the invalidation thereof or the separation of parents shall not affect the rights of the child (Article 42). The child has the right to the protection of his or her rights and legitimate interests. The rights and legitimate interests of the child are protected by the parents (legal representatives), and in cases stipulated by this Code – by the guardianship and curatorship authority. A minor, who has been declared as having full active legal capacity in the manner prescribed by law, has the right to exercise his or her rights (including the right to protection) and duties independently. The child has the right to be protected from the abuse on the part of his or her parents (legal representatives). In case of violation of the rights and interests of the child (including due to failure by the parents or one of the parents to fulfil the duty to bring up the child, provide education for the child, or due to improper fulfilment thereof, or in case of abuse of parental rights), the child has the right to apply for the protection to guardianship and curatorship authority on his or her own (Article 43).

213. The Code prescribes equal rights and duties for both parents with regard to education of the child. Article 51 of the Code stipulates that the parents have the right and are obliged to bring up their children. Parents bear responsibility for the education and development of their children. They are obliged to take care for the health, physical, mental, spiritual and moral development of their children. Parents have the preference right to bring up their children as against all other persons. Parents bear the responsibility to ensure education for their children. Taking into account the opinion of their children, parents have the right to choose the educational institution and the form of education children will receive until children receive basic general education.

214. Article 52 of the same Chapter states that parents have the right and are obliged to bring up their children. Parents bear responsibility for the education and development of their children. They are obliged to take care of the health, physical, mental, spiritual and moral development of their children. Parents have the preference right to bring up their children as against all other persons. Parents bear the responsibility to ensure education for their children. Taking into account the opinion of their children, parents have the right to choose the educational institution and the form of education children will receive until children receive basic general education.

215. Parents bear the responsibility for the protection of the rights and legitimate interests of their children. Parents are deemed to be the legal representatives of their children and act without a power of attorney for the protection of their rights and interests in any relationship with natural or legal persons.

216. See also paragraphs 160–166 of the previous report (CRC/C/93/Add.6).

Article 9

217. Article 35 of the Constitution of the Republic of Armenia states that the family is the natural and fundamental group unit of society. Article 36 states that parents shall have the right and duty to take care of upbringing, health, full and harmonious development and education of their children.

218. Article 41 (2) of the Family Code of the Republic of Armenia clearly lays down that every child shall have the right to live and be raised in a family (as far as possible), to know his or her parents, to enjoy their care, to live together with them, except for the cases when it is contrary to his or her interests. The child shall also have the right to receive upbringing from his or her parents, security of his or her interests, full development, respect for his or her human dignity, as well as to enjoy living conditions necessary for his or her full physical, mental, and spiritual development. In case of absence of parents, their being deprived of parental rights and other cases when the child is deprived of parental care, the right of the child to be brought up in a family shall be ensured by the guardianship and curatorship authority.

219. Article 57 of the Code prescribes that parents shall have the right to demand their child back from a person who keeps the child with him or her without any legal ground or a court order.

220. The Code also provides for the grounds of depriving of parental rights, which may be exercised only through judicial procedure (Articles 59–60).

221. Article 62 provides for the opportunity to restore parental rights, pursuant to which parental rights may be restored if the parents or one of the parents has changed his or her behaviour, manner of living and/or attitude toward upbringing of the child. Parental rights are restored through judicial procedure, based on the claim of the parent deprived of

parental rights. The actions on restoration of parental rights are examined with the compulsory participation of guardianship and curatorship authority.

222. Article 54 states that the parent, who lives separately from the child, shall have the right to maintain contact with him or her, to participate in his or her upbringing and to solve the issues of receiving education by the child. The parent, with whom the child lives, must not create obstacles for the other parent to maintain contact with the child, if such contact does not harm the physical and mental health of the child or his or her moral development.

Article 10

Family reunification

223. In addition to the information stated in the previous report (see CRC/C/93/Add.6, paragraphs 182–185) it should be stated that pursuant to Article 25 of the Constitution of the Republic of Armenia as of 2005, “Everyone shall have the right to leave the Republic of Armenia. Every citizen and everyone entitled to reside in the Republic of Armenia shall have the right to return to the Republic of Armenia”.

Article 35

224. Article 131 (2) (4) of the Criminal Code of the Republic of Armenia provides for imprisonment for a term of four to eight years for covert or overt abduction of a minor through deceit, abuse of confidence, violence or threat to use violence.

225. Pursuant to Article 132 (2) (1) of the Criminal Code of the Republic of Armenia, recruitment, transportation, transfer, hiding or reception of a person under the age of eighteen for the purpose of exploitation shall be punishable by imprisonment for a term of seven to ten years.

226. Pursuant to Article 133 (2) (4) of the Criminal Code of the Republic of Armenia, illegal deprivation of liberty of a minor shall be punishable by imprisonment for a term of three to five years.

227. Article 167 of the Criminal Code of the Republic of Armenia criminalises separation of a child from his or her parents against the will of the parents, with the exception of cases provided for by law. Under point 4 of part 2 of the same Article, illicit transfer of a child from one country to another constitutes an aggravating circumstance.

228. Under Article 168, traffic in children is criminalised, unless elements of *corpus delicti* provided for in Articles 132–132.1 of the Code are present.

229. Concurrently, articles stipulating abduction of person (Article 131), recruitment, transportation, transfer, hiding or reception of a person for the purpose of exploitation (Article 132), engaging a person in prostitution or other forms of sexual exploitation, forced labour or services, or putting or keeping in slavery or practices similar to slavery (Article 312.1), illegal deprivation of liberty (Article 133) provide — as an aggravating circumstance — the commission of the same offence against minors.

230. Pursuant to Article 23 of the Law “On the rights of the child”, safety of the child is guaranteed in the Republic of Armenia. Illicit transfer (including to other countries) and abduction of, or traffic in children entail liability in accordance with the legislation of the Republic of Armenia.

231. According to statistical data provided by the Information Centre of the Police of the Republic of Armenia, in the course of 2008, three cases of sale of children for the purpose of adoption were recorded, in the first quarter of 2009 – four cases for the same purpose

were recorded, three of which were attempted sale of children. No cases of illicit transfer from the Republic of Armenia and abduction were recorded.

Article 18, paragraphs 1 and 2

232. The information with regard to parental guidance is presented under Article 5 of the Report, in addition to paragraphs 160–166 of the previous report (CRC/C/93/Add.6).

Parental responsibilities

233. Article 49 of the Family Code of the Republic of Armenia prescribes the equal rights and duties of parents towards children. Article 54 establishes the exercise of parental rights by parents living separately from their children, according to which the parent living apart from his or her child has equal right to maintain contact with the child and to participate in his or her upbringing. A parent living with the child shall not impede the contact of the child with the other parent, unless it prejudices the physical or mental health of the child. In case of a disagreement between parents, the matter is settled through judicial procedure, with the compulsory participation of the guardianship and curatorship authority.

234. Article 109 of the Code covers children left without parental care (see Article 3 of this document).

235. The Law of the Republic of Armenia “On social protection of children left without parental care” was adopted in 2002, which covers children left without parental care and persons under the age of twenty three equivalent to them, by providing for the legal regulation and guarantees for their social protection.

Article 19

236. The officers of the Police of the Republic of Armenia dealing with cases of minors pursue consistent day-to-day activities to detect and hold accountable — in accordance with the laws of the Republic of Armenia — parents or their substitutes who affect adversely on their children, as well as practice exploitation, physical or sexual abuse of children. Thus, in the course of 2008, 25 parents (their substitutes) were registered for exerting adverse influence on their children, and respective works are pursued with their regard.

Article 20

Children deprived of a family environment

237. The protection of the rights and interests of children left without parental care is carried out by the State. Chapter 3 of the Law of the Republic of Armenia “On social protection of children left without parental care” provides for the protection of the rights of children in adverse conditions.

238. Articles 33 to 38 of the Civil Code of the Republic of Armenia defines the concept of guardianship and curatorship.

239. Article 58 of the Family Code of the Republic of Armenia states that guardianship and curatorship authority is entitled to take away the child from his or her parents (one of the parents) or the persons who have the care of the child in case of imminent threat to the life and health of the child. As stated above, Chapter 17 regulates the detection and placement of children left without parental care. Article 111 prescribes that children left without parental care are — for the purpose of upbringing — subject to placement in a family (adoption), guardianship (curatorship) or foster placement, and, in case of absence of

such opportunities, in all types of organisations for children left without parental care (upbringing, medical, social protection of population, or other similar organisations). When placing a child, due regard shall be paid to his or her ethnic background, certain religious and cultural belonging, mother tongue, and opportunities to ensure continuity in his or her upbringing and education.

240. Chapter 19 of the Code defines the guardianship and curatorship of children, stating that guardianship and curatorship shall be assigned to those children who are left without parental care, with the view to ensuring their custody, upbringing, provision of education, as well as protection of their rights and interests. Only adult persons having active legal capacity are eligible to be assigned — upon their consent — as guardians (curators) of children. A guardian (curator) is not assigned for children under the complete care of the State in upbringing, medical, population's social protection and similar organisations. These organisations are charged with fulfilling the duties of guardians (curators).

241. Chapter 20 covers the foster placement of the child, pursuant to which the upbringing of the child (children) may be carried out in a foster family based on an agreement on placing the child (children) in a family for upbringing. The agreement on placing the child (children) in a family for upbringing shall stipulate the conditions of living, upbringing and education of the child, the rights and duties of the foster parents, the duties of the guardianship and curatorship authority with regard to the foster family, as well as the grounds and consequences of termination of such agreement. The amount of remuneration to the foster parents for care and upbringing of children under their custody is defined by the Government of the Republic of Armenia.

242. Pursuant to the Constitution of the Republic of Armenia, motherhood and childhood are under the protection of the State.

243. Children enjoy all those human and citizens' rights and freedoms the exercise of which is not hindered by the lack of adulthood.

244. The basic guarantees for children are laid down in the legislation of the Republic of Armenia, which include their right to survival, satisfactory living standard, health, opportunity to receive education, to housing, social security, and other rights.

245. Rights and state social guarantees for children left without parental care are attached special legal importance. Children left without parental care for different reasons in the Republic of Armenia are viewed as needing special protection and care of the State.

246. A necessary condition for implementing reforms in the field is the development and improvement of the respective legal framework.

247. State policy in this field is implemented based on the Law of the Republic of Armenia "On the rights of the child", the Family Code of the Republic of Armenia, the Law of the Republic of Armenia "On social protection of children left without parental care", and the National Programme of the Republic of Armenia for 2004–2015 for the Protection of the Rights of the Child approved by the Decision of the Government of the Republic of Armenia No. 1745-N of 18 December 2003. Within the framework of the National Programme, socio-psychological, medical, legal, custody and upbringing services are rendered to children left without parental care who are in orphanages, in dire life conditions, in adverse conditions of care and upbringing, and to graduates of orphanages.

248. The implemented strategy of reforms of childhood protection system carries continuous improvement of the activities and conditions of care and social protection institutions for children left without parental care, improvement of work methodology, raising of qualification level of specialists, and implementation of target programmes.

249. As of 1 November 2009, the number of children left without parental care and under the complete care of the State makes 880 in eight orphanages, including 380 children with disabilities in the care of specialised orphanages and about 250 children in four orphanages under the auspices of international charity organisations.
250. In 2009, the State Budget of the Republic of Armenia allocated AMD 1 billion 661 million on the account of 935 children in orphanages.
251. The daily share for the care of one child made AMD 4,870, and AMD 4,930 is allocated under the State Budget of the Republic of Armenia for 2010.
252. In 2005, the State Budget of the Republic of Armenia for the first time allocated money necessary to cover minor expenses for children in orphanages, pursuant to point 16 of the Annex approved by the Decision of the Government of the Republic of Armenia No. 1324-N of 5 August 2004 “On recognising as a public administration body authorised by the Government of the Republic of Armenia and approving the minimum state social criteria for the care and upbringing of children in orphanages”.
253. The State Budget for 2009 allocated AMD 15,232 thousand to that end. The Programme for 2010 allocates AMD 12,840 thousand to that end.
254. The care and upbringing of children left without parental care is regulated by the Decision of the Government of the Republic of Armenia No. 381-N of 24 March 2005 “On approving the list of the types of child care and protection institutions in the Republic of Armenia and the criteria of placing children in such institutions”.
255. On 9 November 2006, the Government of the Republic of Armenia adopted the Decision No. 1735-N “On approving the procedure for placing children in child care and protection institutions (orphanages, boarding schools)” which sets forth the requirements for entering these institutions by children left without parental care.
256. In general terms, the number of children entering orphanages has a tendency to decline which is considerably due to the regulation of the respective legislative field, as well as to the seven child care and protection institutions — which function in Yerevan and in five Marzes — established in 2007 in the Republic of Armenia as a result of child protection reforms. The institutions render support to indigent families and families in dire conditions with regard to the care and upbringing of children.
257. The introduction of the institute of foster family in the Republic of Armenia also serves the aim of ensuring the right of the child deprived of family to live in a family environment.
258. With a view to introducing a targeted and effective policy, pursuant to the Law of the Republic of Armenia “On social protection of children left without parental care”, the Ministry of Labour and Social Affairs of the Republic of Armenia has been implementing since 2004 centralised registration of children left without parental care in children’s institutions, families of relatives or foster families, as well as centralised registration of persons left without parental care or equivalent persons needing a house.
259. According to data as of 2007, the number of children left without parental care was 1,023 in the centralised registration system, and according to data as of November 2009, the number of registered children makes 1,571.
260. The number of registered persons left without parental care, who need a house and are in the care of families, makes 89, and the number of orphanage graduates needing a house makes 173.
261. Since 2007, houses have been provided on account of the State Budget of the Republic of Armenia to such persons each year.

262. For the purpose of social protection of children left without parental care and their inclusion in the society, programmes targeting adult educatee of orphanages are continued to be implemented and guarantees are provided as defined by the Law of the Republic of Armenia “On social protection of children left without parental care”.

The problems of disabled children without parents or left without parental care and residing in the Republic of Armenia, and, in general, the issues of the social protection of children in dire circumstances, of protection of their legitimate interests and rights, the full implementation of which is the guarantee for stable development of future society, have become a major concern for the State and society.

263. The state social policy in Armenia is developed and implemented with due regard to the significance and actuality of such problems.

264. In this context, the following have been adopted as major directions:

- (a) Establishment of a unified system for the protection and care of the child;
- (b) Reduction of the number of children in orphanages, in care and protection institutions, and in special state institutions; prevention of the flow of children to such institutions;
- (c) Improvement of the activities and conditions of child care and protection institutions.

265. One of the mainstays in state social policy for improvement of children’s condition — the protection of children in difficult life situations — is therefore being developed.

266. The Decision of the Government of the Republic of Armenia No. 206-N “On 2006–2010 strategy for reforms in social protection of children in difficult life situations” adopted in 2006 is targeted at the mentioned issue. The main principles of the Strategy are defined as follows:

- (a) Ensuring full socialisation of children;
- (b) Socio-psychological recovery, adaptation in social life;
- (c) Best interests of the child;
- (d) Social protection of children in difficult life situations.

267. The Law of the Republic of Armenia “On social assistance” defines the concept of “difficult life situation” as an objective situation interfering with human activity as a result of disability, lack of self-reliance, disease, being deprived of parental care, poverty, family conflicts, undergoing cruel treatment and violence, helplessness, loneliness, social isolation, accident or emergency situation, returning from places of imprisonment, which a person is not able to overcome on his or her own and has the right to and the need for state and public protection.

268. The Government of the Republic of Armenia has recently adopted a number of decisions targeted at the improvement of the situation of persons with disabilities, poor families, children in special facilities. The said decisions include the following:

- (a) Decision of the Government of the Republic of Armenia No. 1324-N “On recognising as a public administration body authorised by the Government of the Republic of Armenia and approving the minimum state social criteria for the care and upbringing of children in orphanages” was adopted on 5 August 2004. The minimum state social criteria for the care and upbringing children in orphanages were approved by this Decision according to its Annex, which entered into force on 1 January 2005;

(b) Decision of the Government of the Republic of Armenia No. 815-N of 31 May 2007 “On approving the minimum criteria for care and services for children under the care of orphanages (irrespective of legal form)”. The introduction of this Decision enabled to ensure the care and upbringing of children in orphanages in compliance with the state social minimum criteria, as well as to establish control over their implementation;

(c) Decision of the Government of the Republic of Armenia No. 381-N of 24 March 2005 “On approving the list of types of child care and protection institutions, the standards for placement of children therein and on making a supplement and an amendment to the Decision of the Government of the Republic of Armenia No. 2179-N of 26 December 2002”. The Decision has specified the types of child care and protection institutions in the Republic of Armenia, approved the standards for admitting children to these institutions, the introduction of which will prevent the institutionalisation of children.

Other laws, Decisions of the Government of the Republic of Armenia, and target programmes have been adopted as well.

269. The following problems are currently of special importance in the field of protection of children in difficult life situations:

- (a) Protection of children left without parental care;
- (b) Protection of children with disabilities;
- (c) Protection of children under the care of institutions;
- (d) Protection of children dropped out of general education system;
- (e) Protection of beggar children;
- (f) Protection of children who have undergone violence (including psychological and physical violence, cruel treatment, sexual and labour exploitation);
- (g) Prevention of violence against, and neglect of, children;
- (h) Protection of children of poor families or families living in unfavourable conditions.

270. In recent years considerable work has been carried out in the Republic of Armenia for improvement of the legal framework relating to children, elaboration and implementation of assistance programmes, as well as institutional reforms.

271. These reforms are especially targeted at the protection of the rights and interests of children left without parental care.

272. A considerable increase in the number of children under the care of orphanages was recorded in the country in the period from 1998 to 2004.

273. The situation has been fixed since 2006 due to the policy implemented by the State. It aims at improving the care and upbringing of children in orphanages, prevention of social orphanhood, ensuring the right to live in a family environment and receive family upbringing, as well as full integration into society. As a result, the rate of institutionalisation of children is decreasing. Works are being carried out for sustainable improvement of operation of orphanages.

274. Regular trainings of specialists are being conducted, compliance with the minimum criteria necessary for care, upbringing and services is permanently monitored.

275. The operation of institutions as well as the working methods are being improved based on international best practice for the purpose of protection of the rights and legitimate interests of children under the care of orphanages, creation of conditions favourable to their care, upbringing and development, natural course of physical and mental development,

psychological recovery and efficient socialisation, as well as maintenance and development of person.

276. Major repairs of premises are being carried out at the expense of the funds from the State Budget of the Republic of Armenia, as well as from international organisations and individual benefactors.

277. However, there are special issues in such organisations, which are linked primarily to the circumstance of children being deprived of their families, difficulties in clarifying their family status – from the legal viewpoint, as well as specifics of, and potential shortfalls in, collective upbringing.

278. The most positive way for solving the issue concerned is to return a child left without parental care to a family environment – biological, adoptive, or foster family.

279. In connection with the improvement of child care and upbringing in orphanages, the following has been approved by decisions of the Government of the Republic of Armenia:

(a) Decision No. 1324 of 5 August 2004 “On approving minimum state criteria for care and services for children under the care of orphanages (irrespective of legal form)”;

(b) Decision No. 381-N of 24 March 2005 “On approving the list of types of child care and protection institutions in the Republic of Armenia and the standards for placement of children therein”;

(c) Decision No. 1735-N of 9 November 2006 “On approving the procedure for placement of children in child care and protection institutions (orphanages, boarding schools, and other boarding institutions)”, clarifying the criteria for placement into those institutions;

(d) Other legal acts.

**Age and gender distribution of the number of children in orphanages, 2003–2008
end of year
(people)**

	<i>Total</i>						<i>Of which girls</i>					
	2003	2004	2005	2006	2007	2008	2003	2004	2005	2006	2007	2008
Under 1 year of age	68	61	108	66	91	85	38	33	58	38	47	43
From 1 to 6 years of age	264	270	192	245	229	347	118	125	96	106	90	137
From 7 to 9 years of age	206	232	201	196	183	171	90	107	86	93	84	77
From 10 to 15 years of age	407	430	442	420	394	403	213	230	229	225	202	204
From 16 to 18 years of age	200	182	199	201	205	247	119	110	110	107	118	125
19 and higher	15	15	14	14	-	-	12	11	9	9	-	-
Total	1 160	1 190	1 156	1 142	1 102	1 253	590	616	588	578	541	586

**Article 21
Adoption**

280. Chapter 18 of the Family Code of the Republic of Armenia regulates the relationships pertaining to adoption. Adoption is a legal action under which the adopters and those being adopted acquire the rights and duties prescribed by law for parents and children respectively. Adoption is considered the preferred option for placement of children left without parental care. Adoption of siblings by different persons is not allowed, except

for cases when the adoption is in the child's best interests. Adoption of children holding the nationality of the Republic of Armenia by foreign nationals and stateless persons as well as by the nationals of the Republic of Armenia residing outside the Republic of Armenia is permitted only in those cases where there is no possibility to place those children in a family of nationals of the Republic of Armenia permanently residing in the territory of the Republic of Armenia or for the adoption of those children by their relatives. Information on children eligible for adoption is provided to foreign nationals, stateless persons as well as nationals of the Republic of Armenia living outside the Republic of Armenia three months after the centralised registration of children concerned.

281. Adoption is granted by court on the basis of the application of a person(s) willing to adopt a child. The action on the approval of adoption of a child is examined in special proceedings as provided for by the civil procedure legislation. The court examines the actions on the approval of the adoption of a child with compulsory participation of the guardianship and curatorship authority and the person willing to adopt the child.

282. Article 116 specifies those entitled to adopt, whereas Article 117 prescribes that the age difference between a single adopter and the child being adopted shall not be less than 18 years. According to Article 121, the adoption of a child who has attained the age of ten requires the child's consent.

283. Article 150 of the Code prescribes that the adoption of a child holding the nationality of the Republic of Armenia by foreign nationals or stateless persons, as well as by nationals of the Republic of Armenia residing outside the territory of the Republic of Armenia is implemented upon the Decision of the Government of the Republic of Armenia, in case of receiving a preliminary consent. Protection of the rights and interests of a child holding the nationality of the Republic of Armenia and adopted outside the territory of the Republic of Armenia by foreign nationals or stateless persons is, unless otherwise prescribed by international treaties of the Republic of Armenia, implemented by consular offices of the Republic of Armenia within the framework permitted by the norms of international law, where the records of the mentioned children are kept before their attaining full age. The record keeping procedure in consular offices of the Republic of Armenia of a child holding the nationality of the Republic of Armenia and adopted by foreign nationals or stateless persons is approved by the Government of the Republic of Armenia.

284. In the period of 2000–2008, 2,883 persons were registered in the data bank of the Ministry of Labour and Social Affairs of the Republic of Armenia as persons willing to adopt a child, out of which 1,376 were foreign nationals; 1,736 children eligible for adoption were registered, of which 1,265 were adopted, 558 of which – by foreign nationals.

285. Those children are adopted in the Republic of Armenia in respect of whom the legal grounds prescribed by the Law of the Republic of Armenia are present. Following the adoption of the Hague Convention, amendments are being made to the legislation of the Republic of Armenia with the purpose of bringing it in full compliance with the international legal framework.

Children are mainly placed in adoptive families in the U.S., France, Italy, Russian Federation, and Greece, and the majority of adopters are of the Armenian origin.

Age and gender distribution of the number of children eligible for adoption in centralised registration, 2003–2008¹
(people)

	<i>Total</i>						<i>Of which girls</i>					
	2003	2004	2005	2006	2007	2008	2003	2004	2005	2006	2007	2008
Under 6 months	34	79	57	34	39	30	16	41	34	20	19	16
From 6 months to 1 year of age	59	31	21	54	66	47	36	14	10	31	36	25
From 1 to 6 years of age	72	40	29	49	42	40	38	17	9	21	21	18
From 6 to 10 years of age	24	25	20	22	26	17	8	10	2	11	11	10
From 10 to 15 years of age	37	33	24	28	32	15	7	10	5	7	10	3
From 15 to 18 years of age	14	17	13	16	14	7	5	6	4	7	8	4
Total	240	225	164	203	219	156	110	98	64	97	105	76

Gender distribution of the number of children eligible for adoption included in centralised registration, by Marzes of the Republic of Armenia and Yerevan city, 2003–2008
(people)

	<i>Total</i>						<i>Of which girls</i>					
	2003	2004	2005	2006	2007	2008	2003	2004	2005	2006	2007	2008
Yerevan	118	97	60	92	112	83	66	48	33	50	62	43
Aragatsotn	5	7	4	12	9	1	1	3	2	5	3	-
Ararat	15	20	27	21	19	5	7	9	10	9	10	3
Armavir	16	13	2	8	6	6	6	1	-	4	1	2
Gegharkunik	19	18	29	19	14	12	2	3	2	6	4	4
Lori	36	24	12	12	16	11	16	12	6	9	7	4
Kotayk	8	4	5	6	6	9	3	3	1	2	-	2
Shirak	11	30	20	28	27	22	5	15	8	11	14	14
Syunik	7	4	1	1	-	7	2	3	1	-	-	4
Vayots Dzor	1	4	1	1	1	-	-	1	-	-	-	-
Tavush	4	4	3	3	9	-	2	-	1	1	4	-
Total	240	225	164	203	219	156	110	98	64	97	105	76

¹ The number of adopted children in centralised registration may vary with the number of children eligible for adoption in centralised registration since a child adopted within the reporting period may have been registered as a child eligible for adoption in the previous year. The child is deemed to be adopted on the date of the decision on adoption.

**Age and gender distribution of the number of adopted children included in centralised registration, 2003–2008
(people)**

	<i>Total</i>						<i>Of which girls</i>					
	2003	2004	2005	2006	2007	2008	2003	2004	2005	2006	2007	2008
Under 6 months	23	22	6	-	5	4	12	9	2	-	3	4
From 6 months to 1 year of age	52	34	22	20	25	29	29	19	14	15	13	16
From 1 to 6 years of age	77	34	23	32	62	58	43	14	9	18	32	31
From 6 to 10 years of age	24	21	12	4	15	10	9	8	4	1	8	3
From 10 to 15 years of age	27	26	10	20	11	9	6	7	4	6	-	3
From 15 to 18 years of age	12	13	6	8	8	-	4	4	2	2	4	-
Total	215	150	79	84	126	110	103	61	35	42	60	57

**Gender distribution of the number of adopted children included in centralised registration, by Marzes of the Republic of Armenia and Yerevan city, 2003–2008
(people)**

	<i>Total</i>						<i>Of which girls</i>					
	2003	2004	2005	2006	2007	2008	2003	2004	2005	2006	2007	2008
Yerevan	104	70	28	39	59	71	63	38	16	23	39	42
Aragatsotn	6	4	-	3	3	1	1	1	-	3	-	-
Ararat	12	6	8	5	19	1	5	3	5	3	7	-
Armavir	16	13	2	5	4	4	7	1	-	3	-	2
Gegharkunik	21	12	13	13	8	6	2	1	2	-	2	2
Lori	25	16	8	7	8	11	12	6	3	4	7	4
Kotayk	9	4	5	4	4	2	3	3	2	1	-	-
Shirak	10	9	12	8	15	12	5	3	5	5	3	6
Syunik	6	7	1	-	-	2	3	3	1	-	-	1
Vayots Dzor	2	5	1	-	1	-	-	1	-	-	-	-
Tavush	4	4	1	-	5	-	2	1	1	-	2	-
Total	215	150	79	84	126	110	103	61	35	42	60	57

286. For the prevention of orphanhood of children, the adoption process is permanently being reformed in the Republic of Armenia; a number of legal acts providing for the framework of the process have been elaborated; an information database has been created.

287. Since 2000, the Ministry of Labour and Social Affairs of the Republic of Armenia is maintaining a centralised registration of children eligible for adoption, adoption candidates and adopters in the Republic of Armenia.

288. In the Republic of Armenia, the relationships arising in the process of adoption of a child are regulated by the Family Code of the Republic of Armenia, by the Civil Procedure Code of the Republic of Armenia, as well as by international treaties of the Republic of Armenia.

289. A number of legislative acts governing the adoption process have been adopted by the Government of the Republic of Armenia; the mechanisms have been specified in accordance with which all the authorities implementing the protection of the rights of the child, i.e., guardianship and curatorship authorities, regional structures, the Republican Commission on Adoption, courts, as well as interested agencies – the Government of the Republic of Armenia, the Ministry of Labour and Social Affairs of the Republic of Armenia, the Ministry of Foreign Affairs of the Republic of Armenia, and the Police of the Republic of Armenia, are involved in the adoption process and, treating the legitimate interests of the child as the paramount consideration, participate in the adoption process within the framework of their powers.

290. Enshrining the right of the child to live in a family and recognising that adoption — as an opportunity to have a permanent family — is considered the most preferred option for placement of children left without parental care, Armenia, right upon the first years of its independence, acceded to the UN Convention on the Rights of the Child in 1992, by stating its commitment to make the issues of children a priority and accepting that “inter-country adoption may be considered as an alternative means of child’s care”.

291. In 2005 the National Assembly of the Republic of Armenia adopted the Family Code of the Republic of Armenia, Articles 112, 114 and 150 of which regulate the relationships pertaining to adoption of a child holding the nationality of the Republic of Armenia by foreign nationals and stateless persons willing to adopt a child in the Republic of Armenia as well as by nationals of the Republic of Armenia residing outside the territory of the Republic of Armenia. According to the provisions of the Family Code of the Republic of Armenia, “Information on children eligible for adoption is provided to foreign nationals, stateless persons as well as nationals of the Republic of Armenia living outside the Republic of Armenia three months after the centralised registration of children concerned.”

292. Upon approval of the Family Code of the Republic of Armenia, a number of legal acts arising from the above-mentioned Code were adopted by the Government of the Republic of Armenia.

293. Decision of the Government of the Republic of Armenia No. 209-N of 1 February 2007 “On approving the procedure for registration of persons willing to adopt a child” which regulates the relationships pertaining to the registration of foreign nationals, stateless persons as well as nationals of the Republic of Armenia living outside the territory of the Republic of Armenia willing to adopt a child holding the nationality of the Republic of Armenia.

294. Decision of the Government of the Republic of Armenia No. 517-N of 5 May 2005 “On approving the list of diseases in case of which a person may not adopt a child, accept him or her in the family for guardianship (curatorship), or accept him or her in the family for upbringing”, which is a guarantee for placement of a child left without parental care in a healthy and well-off family.

295. In accordance with the requirements of the Family Code of the Republic of Armenia, on 21 April 2005 the Government of the Republic of Armenia adopted also the Decision No. 623-N “On approving the record keeping procedure in consular offices of the Republic of Armenia of children holding the nationality of the Republic of Armenia adopted by foreign nationals and stateless persons”, which is in line with the provision on review provided for by the Convention and the Family Code of the Republic of Armenia. In 2006 the Republic of Armenia ratified the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in respect of Intercountry Adoption, which establishes a concise procedure and conditions for the process of inter-country adoption, on relations between Armenia and member States of the Convention, and fully enables to clarify the

psychological and educational development prospect — after adoption — of a child subject to adoption, and for making sure that the adoption was granted in the best interests of the child.

296. Legislation of the Republic of Armenia on adoption — being in compliance with the provision on review — provided for by the Convention — in respect of care and upbringing of an adopted child in the adoptive family — provides that foreign nationals who have adopted a child holding the nationality of the Republic of Armenia shall, before the child attains his or her full age, submit to the authority conducting the record keeping of the child an annual statement on the health and life conditions of the child issued and approved by relevant competent authorities of their permanent place of residence.

297. In case of changing their permanent place of residence, adopters shall, within a one month period, inform thereon the relevant authority conducting the record keeping of the child (Decision of the Government of the Republic of Armenia No. 623-N of 21 April 2005).

298. Keeping in mind the provisions of the Convention concerning effective review with regard to the future destiny of adopted children, bilateral treaties on inter-state co-operation in the field of adoption should be concluded with the countries that have ratified the Convention, especially those countries, the nationals of which adopt children holding the nationality of the Republic of Armenia more often.

299. With a view to bringing the Civil Procedure Code of the Republic of Armenia — adopted by the National Assembly of the Republic of Armenia on 17 June 1998 — into compliance with the provisions of the Family Code of the Republic of Armenia, a supplement was made therein, according to which, the courts of the Republic of Armenia shall, in accordance with Articles 1731–1735 of Chapter 29 of the Code, deliver judgments on child adoption in the manner prescribed by the civil procedure legislation.

300. In accordance with the existing legislation, since 2000, the Ministry of Labour and Social Affairs of the Republic of Armenia is maintaining a centralised registration of children eligible for adoption, adoption candidates, as well as adopters and adopted children.

301. As a result of data analysis of centralised registration, within the period from 2000 to 2008, 2,883 persons were registered as persons willing to adopt a child, out of which 1,376 were foreign nationals; 1,736 children eligible for adoption were registered, of which 1,265 were adopted, 558 of which – by foreign nationals.

302. The number of children eligible for adoption holding the nationality of the Republic of Armenia is annually decreasing.

303. The Decision of the Government of the Republic of Armenia No. 459 of 8 May 2008 “On approving the procedure for placing children with foster families, the payment procedure and amount of monthly funds paid to foster families for the maintenance of each child and payment procedure and amount of remuneration paid to foster families for the care and upbringing of the child, as well as the form of the agreement on the placement of the child with the foster family”. Upbringing of a child (children) left without parental care may be carried out in a foster family which is formed based on an agreement on placing of the child (children) with a family for upbringing. In accordance with the agreement signed between a foster parent and the guardianship and curatorship commission, guardianship and curatorship authorities assist the foster family in the care and upbringing of the child, as well as exercise control over conditions and over the process as a whole. A relevant point on revision of the document is also set forth in the agreement, if appropriate. Periodic review of the condition of children is carried out 4–6 times in a year as well as on ad hoc basis.

Article 25

Periodic review of placement

304. Since February 2000, pursuant to the agreement signed between the Fund for Armenian Relief and the Police of the Republic of Armenia, the Children's Reception and Orientation Centre is functioning. In accordance with the Statute of the Centre, those children — directed by subdivision on juvenile matters of the Police of the Republic of Armenia and divisions for protection of children's rights — are received in the Centre, who are from three to 18 year of age and are lost, astray, beggar, vagabond, offender, or victim of violence.

305. A computer database on biological data of children of 3 to 18 years of age has been created in the Centre; meantime, medical, social and psychological services are operating. Based on the results of further orientation of minors received in the Centre, the latter are furnished with the required documents (birth certificate, passport, military service record card), temporary accommodation, food, and clothing.

A detailed and consistent work is being carried out with the minors directed to the Centre. Based on studies and upon the decision of the multidisciplinary council comprising employees from the subdivision on juvenile matters, issues relating to future upbringing or returning to a parent of minors received in the Centre are settled. Those offender juveniles received in the Centre, who are not convicted because of their age, are placed in Vardashen or Nubarashen educational establishments for children displaying anti-social behaviour.

306. An individual prophylactic work is being carried out by the multidisciplinary council with each minor received in the Centre. The minor is studied and evaluated, based on which a database is created, which covers data on personal life, family of the minor and the work carried out with him or her.

Article 27, paragraph 4

Recovery of maintenance for the child

307. According to Article 34 of the Constitution of the Republic of Armenia, everyone shall have the right to adequate standard of living, including housing, for him or her as well as for his or her family, as well as the right to improve life conditions. The State shall undertake all appropriate measures for realisation of this right of citizens.

308. Malicious evasion — for more than three months — by the parent from making court-ordered maintenance payments to a child or a child who has attained the age of 18 and who is incapable to work, is punishable by a fine in the amount of 100-fold to 200-fold of the minimum salary (Article 173 of the Criminal Code).

Article 39

Abuse and neglect

309. Every child has the right to be protected from any type of violence (physical, psychological and other). Everyone, including parents or other legal representatives, is prohibited from subjecting the child to violence or degrading punishment or to any other similar treatment. In case of violating the rights and legitimate interests of the child, those responsible for it are held liable in the manner prescribed by the legislation of the Republic of Armenia. The State and its relevant bodies ensure the protection of the child from any type of violence, exploitation, engagement in any criminal activity, including use of narcotic substances, their manufacturing or trafficking therein, beggary, prostitution,

gambling, as well as other encroachment of his or her rights and legitimate interests (Article 9 of the Law “On the rights of the child”).

310. Articles 165 and 166 of the Criminal Code of the Republic of Armenia provide for criminal liability for involving minors in the commitment of a criminal offence and in performance of anti-social acts (acts associated with regular use of alcoholic beverages, non-medical use of drastic or other soporific substances, prostitution, vagrancy or beggary, preparation of pornographic materials or objects). Article 262 (3) of the Criminal Code of the Republic of Armenia provides for liability for involving a person — who has not yet attained the age of 18 — in prostitution. In accordance with Article 59 of the Family Code of the Republic of Armenia, amongst other reasons, cruel treatment against children, including use of mental or physical violence against them, as well as sexual harassment, may serve as a ground for depriving of parental rights.

311. Section 7 of the Criminal Code of the Republic of Armenia establishes crimes against individuals. Meantime, under Article 63 of the Code, commission of a criminal offence against a minor or another helpless or unprotected person is deemed to be a circumstance aggravating the liability and the punishment.

312. Twelve adults were held criminally liable under Article 166 of the Criminal Code of the Republic of Armenia in 2008 for involving minors in the commitment of anti-social acts.

313. In the best interests of the child, the court may render a judgment on taking the child from the parents (one of the parents) without depriving him or her of parental rights (restriction of parental rights).

314. Restriction of parental rights is permitted where leaving a child with the parents or one of them is dangerous for him or her due to reasons which are beyond the control of the parents or one of them (mental or any other chronic disease, hard circumstances, etc.). Restriction of parental rights is also permitted in cases where though leaving a child with the parents or one of them is dangerous for the child due to the behaviour of the latter, there are no sufficient grounds for depriving parents or one of them of parental rights. Where the parents or any of them do not change their behaviour, the guardianship and curatorship authority may, in the best interests of the child and before the expiry of that period, file an action on depriving parents or any of them of parental rights.

315. An action on restriction of parental rights may be filed by close relatives of a child, those authorities and organisations which are charged by law with protecting the rights of the child, as well as pre-school, general education and other organisations.

316. Actions on restriction of parental rights are examined with the compulsory participation of guardianship and curatorship authority. Within a three day period upon the entry into force of the court judgment on restriction of parental rights of parents or any of them, the court is obliged to send the excerpt of the judgment to the bodies of State Registration of Civil Status Acts of state registration of child’s birth.

317. The Police conducts the record keeping of not only those juveniles who have committed a crime but also of those who commit offences entailing administrative or public consequences, those using alcoholic beverages, those under the age of 16 who abandon their family on voluntary basis, those abandoning special educational and upbringing establishments on voluntary basis, those maliciously evading from learning, gamblers, those involved in vagrancy or beggary, and others leading an anti-social life.

During 2008, 168 juveniles were referred to the Children’s Assistance Centre by the Police divisions. Since 2000, the Police of the Republic of Armenia collaborates with the Children’s Assistance Centre of the Fund for Armenian Relief.

318. After carrying out individual works with all the minors referred to the Centre, the multidisciplinary council operating in the Centre performs evaluation of the child; relevant activities are being carried out also with the members of the family. Children may stay in the Centre for a period of up to three months. Activities are being carried out with the latter by psychologists, pedagogues, and social workers. Here from the minors are mainly referred to families, and, if appropriate, are placed in relevant educational and upbringing institutions.

VII. Basic health and welfare (arts. 6, 18, paras. 3, 23, 24, 26, and 27, paras. 1–3)

Article 6, paragraph 2

319. In accordance with Article 38 of the Constitution of the Republic of Armenia, “Everyone shall have the right to receive medical assistance and services in the manner prescribed by law”. Everyone shall have the right to benefit from basic medical services free of charge. Their list and procedure for provision thereof shall be prescribed by law”.

320. In considering the process of development of this constitutional norm, a significant change in terms of its content following the constitutional amendments of 2005 can be observed. In particular, before the amendments, the Constitution of the Republic of Armenia stated, “Everyone shall have the right to health care. The procedure for medical assistance and services shall be prescribed by law. The State shall implement public health care programmes and contribute to the development of physical culture and sport.” As can be seen, the mentioned provision stipulated only the right to health care, and the State was obliged to only implement public health care programmes and contribute to the development of physical culture and sport. Following the constitutional amendments, the right to medical assistance and services in the manner prescribed by law was recognised for each natural person by the Constitution of the Republic of Armenia; the Republic of Armenia has, on the level of the Constitution, undertaken a responsibility to ensure for each person the opportunity to receive basic medical services free of charge.

321. The implementation of the mentioned constitutional norm is ensured through a number of legislative acts and acts of secondary legislation. Amongst these legal acts the Law of the Republic of Armenia “On medical assistance and services to the population” can be emphasised, a number of articles of which cover the provision of medical assistance and services free of charge. Particularly:

(a) Article 2 of the Law defines primary health care as a type of medical assistance and service which is free of charge for each person, is based on more accessible methods and technologies and is guaranteed by the State;

(b) Article 4 states that each person has the right to medical assistance and services free of charge within the scope of state target health care programmes guaranteed by the State;

(c) Article 10 states that every child, within the scope of state target health care programmes, has the right to receive free of charge medical assistance and services;

(d) Article 11 states that a person suffering from a disease dangerous for the surroundings shall have the right to receive state-guaranteed free of charge medical assistance and services and get treatment in specialised establishments providing medical assistance and services;

(e) Article 14 states that persons who have suffered in emergency situations enjoy state-guaranteed free of charge medical assistance and services.

322. It is also worth mentioning that Decision No. 318-N adopted on 4 March 2004 regulates in detail the organisation and financing procedure of free of charge medical assistance and services guaranteed by the State.

Article 26

323. According to Article 5 (1) of the Law of the Republic of Armenia “On social assistance”, one of the main principles of social assistance arrangement and provision is the priority of provision of social assistance to children, i.e., giving preference to children in the delivery of social services.

324. According to the Law of the Republic of Armenia “On state benefits”, the types of state benefits are family allowance, child care allowance and maternity allowance. Family allowance is granted to poor families, where the amount of the allowance is determined by adding the base portion of the allowance to the additional payment to minor members of the family. Moreover, the additional payment to children varies based on the level of family security, place of residence (high mountainous – 2,000 metre above the sea level; border), and the number of children in the family.

325. In 2009, the amount of additional payment granted to minor members of a family eligible for allowance has increased (at all levels and groups of differentiation), and the average amount of family allowance amounts to AMD 23,560 instead of AMD 21,100 in the previous year.

326. According to the information database of November 2009, 5,764 children of single mothers (born out of wedlock) are registered amongst the families receiving state benefits.

327. As a result of the policy implemented by the Government of the Republic of Armenia, amongst the families receiving family allowance, the share of families with children has increased (at the background of decrease of the number of families receiving state benefits). The share of families with a child amongst the families receiving family allowance in 2009 amounted to 81.33% instead of 76.34% in the previous year.

328. In accordance with the Law of the Republic of Armenia “On state benefits”, a family eligible for benefit may be provided a lump sum pecuniary aid, where:

(a) A child is born in the family receiving state benefit: in 2009 – in the amount of AMD 50,000, as against AMD 35,000 in 2008 (a lump sum maternity allowance);

(b) A child of a family receiving state benefit is admitted to the first grade in a general education school: in 2009 – in the amount of AMD 25,000, as against AMD 20,000 in 2008.

329. The number of children with disabilities in families eligible for family allowance amounts by year to:

(a) 3,916 in 2007;

(b) 3,667 in 2008;

(c) 3,173 in 2009.

Such a decrease in the amounts is due to the decrease in the number of families receiving state benefits.

330. A working parent is eligible for child care allowance for a child under the age of 2 years, within the whole period of the child care leave, but no longer than before the child

attains the age of 2 years. The amount of the child care allowance for children under the age of 2 years has increased six times from AMD 3,000 to AMD 18,000.

331. The amount of a lump sum maternity allowance is differentiated based on the subsequent number of the child born in the family. The amount of the lump sum allowance for the third and each next child born in families was set at AMD 430,000 in 2009. In 2008, the third and each next child born in the family was granted a lump sum aid in the amount of AMD 300,000 where that family was deemed to be poor in accordance with the procedure established by the Government of the Republic of Armenia.

Article 18, paragraph 3

332. Article 37 of the Constitution of the Republic of Armenia prescribes that everyone shall have the right to social security in case of seniority age, disability, illness, loss of breadwinner, unemployment as well as other cases provided for by law. The scope and forms of social security are defined by law.

333. The Law of the Republic of Armenia “On state pensions” was adopted in 2002, under Article 26 of which every child who has not yet attained the age of eighteen is eligible for survivor’s pension. Under Article 33, any person recognised as “a child with disabilities” is granted a disability social pension, the amount of which is determined under Article 34. Under Article 35, the survivor’s social pension extends to those children left without parental care whose parents are unknown.

334. Article 49 of the Family Code of the Republic of Armenia prescribes the equal rights and duties of parents towards children. Article 54 establishes the exercise of parental rights by parents living separately from their children, according to which the parent living apart from his or her child has equal right to maintain contact with the child and to participate in his or her upbringing. A parent living with the child shall not impede the contact of the child with the other parent, unless it prejudices the physical or mental health of the child. In case of a disagreement between parents, the matter is settled through judicial procedure, with the compulsory participation of the guardianship and curatorship authority.

335. Article 109 of the Code covers children left without parental care (see also the information under Article 20 in the Report, paras. 57–63, 77–78, 120, 419 and 445.3).

336. The Law of the Republic of Armenia “On social protection of children left without parental care” was adopted in 2002, which covers children left without parental care and persons under the age of 23 equivalent to them, by providing for the legal regulation and guarantees for their social protection.

Article 23 Children with disabilities

337. Eight thousand two hundred and seventy four children with disabilities are registered in the Republic of Armenia, which makes 5% of persons with disabilities registered in the Republic of Armenia. 2,543 of them are females. The number of children with disabilities by age and gender is as follows:

- (a) From 0 to 6 year of age – 1,698, of which 498 females;
- (b) From 7 to 13 year of age – 3,621, of which 1,141 females;
- (c) From 14 to 16 year of age – 2,019, of which 638 females;
- (d) From 17 to 18 year of age – 936, of which 266 females.

338. Neurological diseases are in the first place among the diseases causing disability of children under the age of eighteen – 2,531 children:

- (a) Mental diseases are in the second place – 1,347 children;
- (b) Congenital anomalies are in the third place – 1,310 children.

339. The number of children with disabilities by diseases is presented below:

<i>No.</i>	<i>Disease</i>	<i>Total</i>	<i>Of which females</i>
1.	Contagious and parasitical diseases	125	41
2.	Neoplastic diseases	360	128
3.	Separate disorders of haematopoietic glands	86	22
4.	Endocrine system diseases, nutritional and metabolic disorders	487	192
5.	Mental diseases and behavioural disorders	1 347	399
6.	Neurological diseases	2 531	778
7.	Eye and assist device diseases	563	135
8.	Eye and papillary process diseases	458	173
9.	Blood circulation system diseases	52	14
10.	Respiratory organs diseases	131	17
11.	Digestive organs diseases	60	14
12.	Dermatosis and hypoderm diseases	31	5
13.	Musculodermic system and conjunctive tissues diseases	256	75
14.	Urogenital system diseases	140	26
15.	Congenital anomalies, morphological disorders	1 310	465

340. The distribution of children with disabilities by place of residence is as follows:

- (a) Urban dwellers – 5,285 children with disabilities, of which 1,662 are female;
- (b) Rural dwellers – 2,989, of which 881 are female.

341. Rights and social safeguards of persons with disabilities, including children with disabilities, rehabilitation process and other issues of persons with disabilities are regulated by the Law of the Republic of Armenia “On social protection of persons with disabilities in the Republic of Armenia”.

342. The procedure for determining disability is established by the Decision of the Government of the Republic of Armenia No. 276-N of 2 March 2006 “On approving the procedure for carrying out medical and social expert examination”.

343. In accordance with the Decision of the Government of the Republic of Armenia No. 453-N of 12 April 2007 “On approving the procedure for provision of prosthesis orthopaedic articles, rehabilitation technical and other accessories, and the terms for use of prosthesis orthopaedic articles, rehabilitation technical and other accessories as well as on repealing the Decision of the Government of the Republic of Armenia No. 1780-N of 24 December 2003”, children with disabilities have the right to receive the above-mentioned articles free of charge.

344. Children with disabilities have the right also to receive free of charge medical assistance as well as medicine.

345. Pension is defined for children with disabilities in the amount of 140% of the basic pension.

346. In accordance with the laws of the Republic of Armenia “On education” and “On education of persons with special educational needs”, the education of children with special educational needs may, at parents’ choice, be implemented both in general education as well as in specialised institutions through special programmes.

347. The concept paper on inclusive education was approved by the protocol decision No. 20 in the sitting of 25 May 2005 of the Government of the Republic of Armenia, which is aimed at identifying the main provisions of special education reforms and organisation of education in general education schools for children with special educational needs.

348. The education of children with mental and physical development problems in the Republic of Armenia is currently organised in around 32 general education institutions as well as in special educational institutions for children with mental retardation, with visual, hearing, behavioural and emotional and volition, as well as deep speech disorders.

349. Children under the age of 18 are classified in the benefit scheme among those with high points of insecurity. Thereby the probability for families having a child with disabilities to receive a benefit is quite high.

350. As of July 2009, 3,173 families are registered in the Republic of Armenia, which have a child with disabilities among them.

Age and gender distribution of the number of registered persons with disabilities, 2004–2008 end of the year (people)

	<i>Total</i>					<i>Of which women</i>				
	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Number of persons with disabilities	135 716	141 248	148 656	158 758	170 950	54 146	57 822	62 542	68 004	75 054
Of which for an indefinite period	90 417	92 111	95 975	100 350	106 201	35 779	37 192	39 411	41 567	44 424
Under 18 years of age	7 870	8 304	8 449	8 690	8 706	2 419	2 593	2 615	3 056	2 669
From 18 to 40 years of age	23 551	24 403	24 755	25 112	26 860	6 878	7 060	7 223	7 530	8 145
Of which for an indefinite period	11 857	12 721	13 826	15 326	16 565	3 595	3 774	4 008	4 350	4 601
From 40 to pension age	51 429	57 340	63 601	72 274	83 494	23 202	26 765	30 079	33 618	39 334
Of which for an indefinite period	25 694	28 189	30 298	32 342	37 746	10 537	12 014	12 778	13 417	14 917
Of retirement age and higher	52 866	51 201	51 851	52 682	51 890	21 647	21 404	22 625	23 800	24 906
Of which for an indefinite period	52 866	51 201	51 851	52 682	51 890	21 647	21 404	22 625	23 800	24 906

Age and gender distribution of the number of registered rural dwelling persons with disabilities, 2004–2008 end of the year (people)

	<i>Total</i>					<i>Of which women</i>				
	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Number of persons with disabilities	97 797	101 290	106 694	114 904	122 639	41 082	43 601	47 062	51 077	56 251
Of which for an indefinite period	67 029	68 073	71 191	74 112	78 959	28 058	29 005	30 790	32 337	34 686
Under 18 years of age	5 084	5 346	5 359	5 829	5 523	1 561	1 689	1 687	2 158	1 735

	<i>Total</i>					<i>Of which women</i>				
	2004	2005	2006	2007	2008	2004	2005	2006	2007	2008
From 18 to 40 years of age	15 231	15 866	16 033	16 241	17 622	4 635	4 766	4 805	5 010	5 473
Of which for an indefinite period	7 957	8 597	9 282	10 175	11 072	2 521	2 656	2 787	2 996	3 200
From 40 to pension age	37 144	41 014	45 239	52 008	58 801	17 257	19 775	22 087	24 489	28 589
Of which for an indefinite period	18 734	20 412	21 846	23 111	27 194	7 908	8 978	9 520	9 921	11 032
Of retirement age and higher	40 338	39 064	40 063	40 826	40 693	176 29	17 371	18 483	19 420	20 454
Of which for an indefinite period	40 338	39 064	40 063	40 826	40 693	176 29	17 371	18 483	19 420	20 454

Gender distribution of the number of registered persons with disabilities, by Marzes of the Republic of Armenia and Yerevan city, 2004–2008 end of the year (people)

	<i>Total</i>					<i>Of which women</i>				
	2004	2005	2006	2007	2008	2004	2005	2006	2007	2008
Yerevan	49 045	49 692	52 508	55 367	59 967	20 380	21 222	22 932	24 158	26 929
Aragatsotn	5 088	5 931	6 359	6 955	7 483	1 865	2 251	2 517	2 874	3 176
Ararat	9 170	10 393	11 075	12 283	13 484	3 610	4 204	4 658	5 354	5 958
Armavir	8 493	8 962	9 414	10 086	10 808	2 914	3 143	3 399	3 734	4 140
Gegharkunik	9 595	10 571	11 181	12 266	13 187	3 555	4 029	4 437	5 035	5 529
Lori	14 536	15 188	15 604	16 388	17 327	5 959	6 371	6 660	7 123	7 710
Kotayk	7 057	8 066	8 587	9 636	10 629	2 786	3 223	3 518	4 046	4 514
Shirak	11 780	12 928	13 990	14 965	16 272	4 554	5 160	5 756	6 454	7 246
Syunik	8 477	8 804	9 103	9 529	9 951	3 556	3 764	3 989	4 245	4 488
Vayots Dzor	3 166	3 177	3 256	3 411	3 651	1 368	1 408	1 487	1 578	1 721
Tavush	9 309	7 536	7 579	7 872	8 191	3 599	3 047	3 189	3 403	3 643
Total	135 716	141 248	148 656	158 758	170 950	54 146	57 822	62 542	68 004	75 054

Article 24 Health and health services

1. Health care

351. The right of children to health care is guaranteed by the Constitution and laws of the Republic of Armenia, as well as by a number of international instruments.

352. Article 48 of the Constitution of the Republic of Armenia has prioritised family, maternity and childhood protection and patronage amongst the main issues of the State in the economic, social and cultural spheres. The issues on health and development of children are reflected in a number of laws: the Law of the Republic of Armenia “On medical assistance and services to the population”, the Law of the Republic of Armenia “On the rights of the child”, the Law of the Republic of Armenia “On human reproductive health and reproductive rights” (2002), the Law of the Republic of Armenia “On prevention of disease caused by human immunodeficiency virus” (1997), the Law of the Republic of Armenia “On psychiatric assistance” (2004), the Law of the Republic of Armenia “On narcotic drugs and psychotropic substances” (2002), the Law of the Republic of Armenia

“On advertising” (1998) which prohibits the advertisement and free of charge distribution of artificial powdered milk.

(a) The Law of the Republic of Armenia “On human reproductive health and reproductive rights” (2002) defines the concept of “adolescent” as a medical and biological (physiological) concept, which includes 10–18 age group and characterises the transition period from childhood to adulthood. According to this Law, adolescents have the right to be aware of issues on sexual and reproductive health, to have an access to available and full medical counselling and medical assistance in private and confidential conditions. A separate Article of the Law provides for certain definitions on artificial termination of pregnancy (abortion);

(b) The Law of the Republic of Armenia “On restrictions on the sale, consumption and use of tobacco” was adopted in 2004, which prescribes a number of provisions for the protection of children under the age of 18 from tobacco smoke; for example, in accordance with this Law, the sale of tobacco to children, as well as smoking in a number of educational, children’s and health care institutions is forbidden. With a view to amending the legislative framework in order to effectively implement the provisions of this Law, a package of amendments and supplements in a number of laws was adopted by the National Assembly of the Republic of Armenia in 2009.

353. A number of national strategies and programmes have also been adopted on health issues of children.

(a) Decision of the Government of the Republic of Armenia No. 1000-N of 8 August 2003 “On approving the mother and child health care 2003–2015 strategy” defines the objectives aimed at improving the health of women and children and reducing infant and maternal mortality rate, as well as the main strategies for achieving these goals;

(b) Decision of the Government of the Republic of Armenia No. 1745-N of 18 December 2003 “On approving the 2004–2015 National Programme for the Protection of the rights of the child in the Republic of Armenia” envisages to implement the international commitments assumed with regard to children;

(c) The National Programme on combating HIV/AIDS in the Republic of Armenia (2007) aims at effectively combating HIV/AIDS epidemic during 2007–2011, including prevention of HIV among the most vulnerable adolescents and young people of 10–19 age group;

(d) The National Programme on improvement of reproductive health (2007) approved the development concept, strategies, timetable of actions and the deadlines for the implementation thereof in the field of reproductive health of population during 2007–2015;

(e) The National Programme on Immuno-Prophylaxis (2005) in the Republic of Armenia aims at reducing — through vaccination — of the rate of morbidity from manageable contagious diseases, preventing mortality as a consequence thereof, and ensuring the immunity of the population against contagious diseases;

(f) The concept paper of the Ministry of Health of the Republic of Armenia “On adolescent/youth friendly health care services” (2005) defined the priorities of health, development and protection related issues of adolescents and youth and set an objective to establish adolescent/youth friendly health care services;

(g) The Tobacco Control State Programme 2005–2009 was adopted upon the Decision of the Government of the Republic of Armenia No. 1630 of 22 September 2005 “On approving the Tobacco Control State Programme and the list of priority measures in the field of tobacco control”;

(h) The National Strategy for Child and Adolescent Health and Development and the Action Plan 2009–2015, which was approved by the Government of the Republic of Armenia in September 2009.

354. The provision of medical assistance and services within the framework of basic benefit package includes:

- (a) Primary health care (children from 0 to 18 age of year under the Programme);
- (b) Under the in-patient assistance programme:
 - (i) Children from 0 to 7 year of age;
 - (ii) Children from 0 to 18 year of age involved in socially insecure groups and suffering from certain diseases;
 - (iii) Implementation of preventive/screening programmes, including pre-natal and post-natal screening.

Mortality rates of children under the age of 5

	<i>Ratio (per 1,000 live births)</i>	
	<i>Girls</i>	<i>Boys</i>
2007	10.3	14.1
2008	10.5	13.5

Maternal mortality rates, 2007–2008 (ratio per 100,000 live births)

	<i>Urban area</i>	<i>Rural area</i>	<i>Total</i>
2007	20	7	15
2008	42	33	39

2. Arrangement of medical services

355. Child health care in Armenia is currently carried out through primary health care and in-patient facilities.

356. The primary level includes 467 medical facilities rendering out-patient polyclinic services and 638 rural obstetric services operating in Armenia. A district doctor performing medical functions (family doctor) performs general surveillance of a healthy child through evaluation of child growth and development; examination of pre-conscripted age children, organisation of laboratory and instrumental diagnostic examinations and, if appropriate, treatment; evaluation of physical development and puberty of girls aged 15–18; arrangement of referral of a child to specialised institutions; and other functions. Medical assistance and services for adolescents (from 15 to 18 year of age) are also carried out by a district paediatrician or a family doctor or an adolescent paediatrician attending the child, including provision of adolescent friendly medical services.

357. Out-patient services in the second level are provided by relevant specialists in currently operating polyclinics, or, in some cases, by practitioners of in-patient facilities. In-patient services in the secondary level are provided in community in-patient clinics (former central regional hospitals), as well as in those of Yerevan, Gyumri, and Vanadzor. The services in the tertiary level are centralised in Yerevan's in-patient clinics.

358. Specialised assistance is rendered to children also by a number of services: psychiatric, anti-tuberculosis, HIV/AIDS prevention Republican Centre.

359. The network of dispensary services for patients with chronic diseases is being developed in recent years. These are centralised mainly in in-patient clinics of Yerevan and include a number of diseases such as chronic ailment, rheumatologic disease, neurological disorders, gastroenterological, urological diseases, etc.

360. Since primary health care is still a priority in the sphere of health care, starting from 2006 the whole population was covered by these programmes irrespective of age and social status (except for dentistry services, which is free of charge only for those involved in socially insecure groups of population and for children under the age of 8), as a result of which the average annual number of visits of patients per resident to out-patient establishments increased in 2007 amounting to 3.2 as compared to 2.0 in 2003.

361. However, the level of use of health care services, on the whole, is still low in both institutions providing out-patient polyclinic services as well as in institutions providing in-patient services, and relevant indicators are three times smaller than the average indicators of CIS and new EU member States.

362. Independence of Armenia, war, blockade, difficulties and flaws in economic reforms followed by the decrease in allocations in the public sphere and deterioration of social-economic situation of population resulted in the tendency of growth of infant mortality rate registered at the beginning of 1990s. Though, on the whole, the infant mortality rate has not increased during the crisis period in Armenia and, on the contrary, it has decreased in the period between 1990 and 2005 by around 30%. Although the decline trends of infant mortality rate have decreased in the years following, it remains favourable in comparison to the average indicator of CIS countries. The given trend is confirmed not only by official statistics but also by independent observations of international organisations. This phenomenon has a number of explanations: particularly, the dominant attention towards children in Armenian families.

363. It is also due to the circumstance that since the beginning of 1990s the Ministry of Health initiated re-consideration measures for mother and child health care related problems, evaluation of needs, as well as elaboration and implementation of a number of target programmes. They were particularly targeted at enhancing immunoprophylaxis measures for children, combating acute respiratory diseases and diarrhoeas, encouraging breastfeeding, early detection of disorders in normal growth and development of a child, etc. The cornerstone of the mentioned programmes was emphasising and specifying the role of the primary level of health care, as well as active introduction of contemporary medical approaches. The elaboration and continuous implementation of these programmes became possible due to the efforts of international organisations, particularly, the establishment of effective co-operation with the WHO and UN Children's Fund. One of the pledges of success was also upholding the activity of certain structures inherited from the soviet period and updating their activity.

364. In the last decade, starting from 1998, the children's health care system has undergone a series of considerable changes. They were conditioned by the following developments: reforms in the field of primary health care, including the introduction of the family health care system, integration of children's polyclinics with those for adults, changes in children's in-patient services, the inclusion of a part of them in "health care pyramids", the trends of reduction of the number of beds in children's departments at certain hospitals, as well as impoverishment in health care staff and facilities.

365. The mentioned changes have had a considerable effect upon the child health care system at the regional level, by reducing their effectiveness. In parallel to that, reforms continued to be implemented in the child health care sector. Among them is, for example,

the establishment of the Institute of Child and Adolescent Health based on “Arabkir” Medical Complex (the former Children’s Republican Clinical Hospital was a part of it), which undertook the organisational-methodological activity as well as implementation of new programmes in the sector.

366. The Ministry of Health of the Republic of Armenia, in co-operation with the UN Children’s Fund, has elaborated and approved the concept on early detection of development disorders with children and early intervention, which enabled to approve a new model for child development and rehabilitation services, particularly through establishing regional and community centres. Newborn screening projects have been initiated. The works for introduction of target programmes are ongoing, particularly, introduction of integrated management of childhood illness strategy, immunoprophylaxis programme, breastfeeding encouragement programme and other.

367. In accordance with the approaches adopted in the soviet period, the ophthalmologic aid at the primary level in most cases was provided by general paediatricians. Besides, there were also children’s hospitals, resort centres. A large number of paediatricians and other paediatric niche specialists were needed for providing the operation of this system. They were graduates of the Paediatric Department (opened in 1959) of the Yerevan State Medical Institute. More than 2,000 paediatricians were working in the health care system of the country at the beginning of 1990s. Staff capacity, irrespective of implicit blanks in the operation of the system, played a pivotal role in the reduction of infant mortality rate in Armenia in 1970–1990.

368. Based on the need of introducing international approaches in the higher education system, in 1999 the Paediatric Department of Yerevan State Medical University was closed in 1999, and in 2004 there were the last paediatric graduates from the University. Besides, in the transition period, at the end of 1990s and before 2004, the paediatric department alumni, following the changes taking place in the health care system, have mainly left the child health care sector. Since 1990s the number of paediatric specialists operating in the system has gradually decreased. In 2006 the total number of paediatricians in Armenia amounted to 1,236 physicians, 780 of which working in the field of primary health care. This reduction was conditioned by the closure of the paediatric faculty as well as by the introduction of family health care system which was followed by transition of performance of functions of management of children from paediatricians to family doctors at the primary level.

369. The majority of paediatricians operating at the primary level has been trained as family doctors or are currently passing training courses. The number of paediatricians in the coming years is supposed to become even less. Every year in the last decade only a few students entered the clinical studies with the profession of “Pediatry”. As a result, there is a tendency of continuous aging of the staff and a shortage of young staff, which is peculiar not only to Marzes but now also to Yerevan. The lack of knowledge on paediatric diseases with “aged” niche specialists – neurologists, thyroid specialists, EENT specialists, and psychiatrists providing services to children in Marzes is a special issue.

370. Paediatricians are currently prepared from among the graduates of general medicine department, through clinical studies during three years. The curriculum of general medicine and stomatology departments of Russia underlies the curriculum on the subject of “Pediatry” of the general medicine department, whereas in Russia as well as in a number of CIS countries there still operate paediatric departments, and provision of medical assistance to children is mainly the preserve of the graduates from paediatric departments.

371. The establishment of the two-cycle system in recent years provided for by the Bologna Declaration and ratified by Armenia calls for the development of new and balanced approaches in the paediatric sphere as well.

3. Demographic indicators

372. The representation of the demographic situation of the population of the Republic of Armenia has undergone certain changes in recent years, which, in its turn, affected the health care sector.

(a) *The number of the population and its age and gender composition*

(a) The number of the population as of beginning of 2008 amounted to 3,238,400 people, 64% of which live in urban areas, whereas 36% in rural areas. 48.3% of the population of the country were male, whereas 51.7% were female. The low childbirth rates as well as the relatively high Armenia specific indicator of the average life expectancy of both males and females have considerably contributed to the change in age composition of the population of Armenia in the period from 1990 to 2007;

(b) At the beginning of 2007, 0–15 age group made 21.7% of the population of Armenia, people of working age made 65.8%, and people of retirement age (63+/60+) made 12.5%. In fact, 521 children and pensioners fall per 1,000 persons of working age. As compared to 1990, the number of children has considerably decreased and the number of persons of the age higher than the working age has considerably increased (32.2%, 58.7%, and 9.1% respectively);

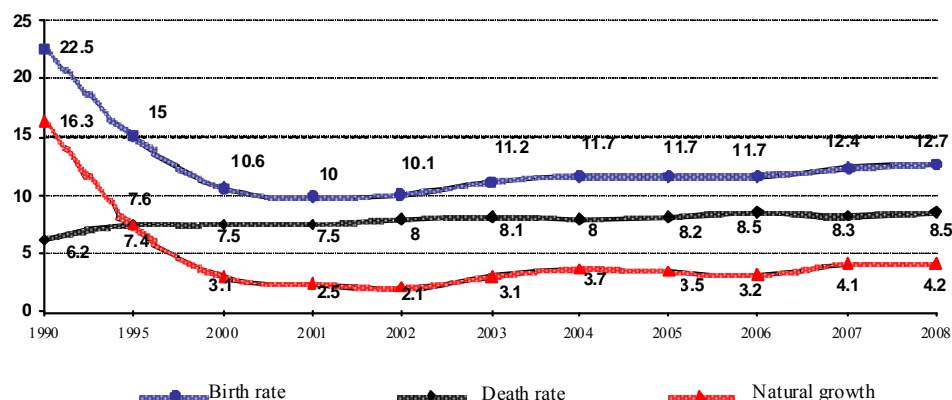
(c) Around 30% are children (0–18 age group) in the total composition of the population; 0–1 age group makes 1.2%; 0–5 age group makes 5.5% (the same indicator amounted to 11% in 1990). In fact, the share of children of the age of early childhood became twice as less in the total number of the population. According to the generalised survey of the National Statistical Service of the Republic of Armenia of life conditions of households in 2004 and 2006, the share of households with no children has increased in 2006. 50.3% of households do not have a child under the age of 16 (as compared to 45.3% in 2004). Each 5th family (20.3%) has one child, and around the same number of families (21.4%) have two children;

(d) In connection with positive trends in social-economic development of the country, reduction in emigration, repatriation of comparatively young families and trends in increase of childbirth rate, it is foreseen that the type of the population in Armenia will switch in the nearest future from regressive to permanent, then again to progressive.

(b) *Birth, mortality and natural growth*

(a) In accordance with the officially published data of the National Statistical Service, as compared to 2007 the number of newborn registered in Armenia in 2008 increased by around 3% amounting to 41,238 (40,105 in 2007). However, the natural growth per 1,000 people in 1990–2001 has decreased 6.5 times (1990 – 16.3; 2001 – 2.5), and the birth rate has decreased by more than twice (1990 – 22.5; 2001 – 10.0). Despite these negative trends, as compared to many CIS countries, the positive balance of natural growth maintained in challenging years of crisis in Armenia, and the indicator has shown a tendency for stable growth in the last five years (2001 – 2.1; 2008 – 4.2);

Relative indicators of birth, death and natural growth per 1,000 people, 1990–2008



(b) Thus, though in the last five years there is a certain growth in the childbirth rate, generally, in the period from 1990 to 2008 the number of newborn registered in Armenia has decreased for about twice (1990 – 79,882; 2008 – 41,238);

(c) The reproductive behaviour of the population has also changed (a tendency for having small number of children in family); the total fertility rate has considerably decreased (TFR – the average number of children per each woman of reproductive age) making 2.6 in 1990; 1.8 in 1995; and 1.3 in 2000; moreover, the percentage of decrease of this indicator within rural population exceeds the respective indicator in urban areas. However, it is worth mentioning, that such a low total fertility rate of 2,000 does not fully reflect to reality, which is explained by the difference in the actual and official number of the population. Upon census 2001 and the adjustment of the number of the population, the values of these indicators reflect a picture more close to reality, according to which, TFR demonstrated some tendency for increase after 2002, amounting to 1.21 in 2002, and to 1.4 in 2007). Another indicator characterising the reproductive behaviour, i.e., the average age at first marriage has also shown a negative tendency in the last 15 years. It increased both in case of male (in 1990 – 25.5; in 2006 – 28.2), and female (in 1990 – 22.3; in 2006 – 24.1). In the light of such a negative background of demographic indicators, the issues relating to child health care and decrease in infant mortality rate are becoming more crucial.

(c) *The average life expectancy at birth*

373. (a) In the last 15 years the average life expectancy in Armenia varied between 70 and 73 (in 1990/1991 – 70.4; in 2006/2007 – 73.4). Moreover, in 1990–2006 it increased by around three years mainly at the account of prolonging life span of female. This difference in gender indicator is partially explained by a biological factor: the number of boys born is more than that of girls, but women live longer than men. Though the level of that difference is mainly dependant also upon the overall level of country's social-economic welfare.

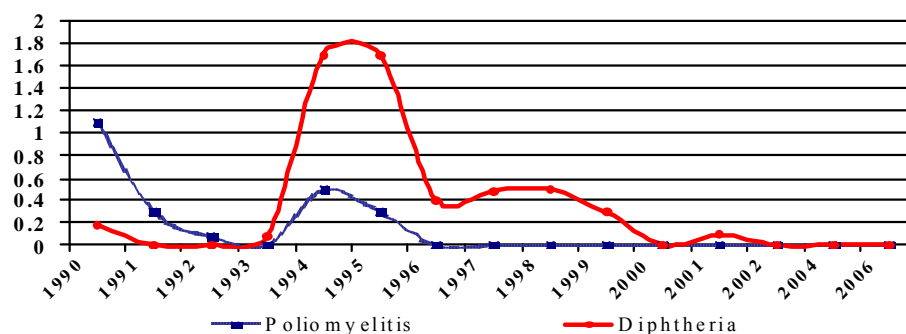
4. Immunoprophylaxis National Programme

374. The child disease with manageable infections, thanks to the “Immunoprophylaxis” National Programme being implemented in Armenia since 1994, remains favourable. The following are defined within this Programme as target diseases: diphtheria, stupor, pertusis, poliomyelitis, measles, tuberculosis, smallpox, and hepatitis B. The latter was involved in the national calendar since 1999. In 2002 a trivalent Rubella, Measles Smallpox immuniser was introduced, and since September 2009 quintavalent vaccine with HIB component was

introduced, which, in addition to the above-mentioned, also protects from the diseases caused by haemophilus influenzae.

375. One of the successes acquired within the framework of this Programme is the total elimination of poliomyelitis, in connection with which in 2002 Armenia, together with other countries of the European region, has been certified by the World Health Organisation as a “polio-free zone”. As can be seen from the below given Table, following 2003, no cases of poliomyelitis and diphtheria were registered in the country.

Child disease with manageable infections, 1990–2004
(per 100,000 people)



376. Immunoprophylaxis activities are currently being implemented in the Republic of Armenia in accordance with the Decision of the Government of the Republic of Armenia No. 2119-N of 9 November 2005 “On Approving the Immunoprophylaxis National Programme in the Republic of Armenia, the list of immunoprophylaxis measures, the composition of the republican commission co-ordinating the immunoprophylaxis activities, and the immunisation national calendar” which is targeted at reducing manageable contagious diseases, preventing cases of death from manageable contagious diseases, and ensuring immunity of population against contagious diseases.

377. Immunoprophylaxis services are available and accessible to all groups of population in the Republic of Armenia, which is proved by the results of sample survey of involvement in immunisation, conducted by international organisations in 2006, and by the results of management evaluation of the Immunoprophylaxis National Programme. The level of involvement in the immunisation of target age groups in Armenia is over 90%.

378. However, the level of timely and full involvement of target age groups in the immunisation is still low.

379. For surveillance of measles, Rubella, and smallpox, “National Programme on elimination of measles and Rubella, surveillance of smallpox, and prevention of congenital Rubella syndrome (CRS) in the Republic of Armenia” was approved by the Protocol Decision of the Government of the Republic of Armenia No .25 of 28 June 2007. The introduction of combined immunisation of measles-Rubella-smallpox in the national immunisation calendar in 2002 and the consistency in the latter’s implementation, 96 per cent involvement in the immunisation amongst 6–27 age group in October 2007, as well as the ensurance of involvement of more than 90 per cent with women of fertile age in immunisation against Rubella give the country an exceptional opportunity not only to eliminate the local cases of measles and Rubella but also to efficiently prevent the congenital Rubella syndrome. The further policy dimensions of this sphere are reflected in the above-mentioned strategy papers.

380. In fact, though the implementation of measures within the framework of the Programme ensured the acquisition of high levels of involvement in immunisation in the country and yet permissible low indicators of morbidity with target diseases defined within the scope of the Programme, further maintenance of this successes is susceptible, unless urgent measures are undertaken for the improvement of the situation.

5. Acquisition of vaccines

381. AMD 150.0 mln allocations were envisaged to be made from the State Budget in 2009 under the Immunoprophylaxis National Programme as compared to AMD 120.0 mln in 2008, or there was a 25.0 per cent increase. The BCG (tuberculosis) vaccine was acquired within the scope of the Programme in the amount of AMD 5.0 mln; for hepatitis B – AMD 20.0 mln; for diphtheria, stupor, and peruses – AMD 35.0 mln; for diphtheria and stupor – AMD 20.0 mln; for poliomyelitis – AMD 18.0 mln; for measles, Rubella, and smallpox – AMD 40.5 mln; also, syringes – AMD 8.0 mln; incineration boxes – AMD 3.5 mln; and other expenses.

6. Morbidity

382. Within the period from 1990–2007, some positive trends were registered in the health care of children aged 0–5; the child morbidity has been reduced by about 1/3; the indicator of breastfeeding increased three times; and the situation is favourable in terms of child infections: only a few cases of diphtheria have been registered in the last years, and in 2002 Armenia was certified by the WHO as a “polio-free zone”. In 2007 Armenia was recognised by international expert assessment as a country which has solved the “iodine deficiency” public health issue through salt universal iodification. Considerable efforts have been introduced for preventing mother-to-child HIV transition. And all this thanks to target programmes implemented within the scope of international co-operation – “Immunoprophylaxis”, “Integrated child disease management”, “Safe maternity”, “Breastfeeding encouragement”, “Combating iodine deficiency”, “HIV prevention with children”, etc. The latter were mainly targeted at the settlement of problems in early childhood period and were implemented within the framework of co-operation between the government, international organisations and civil society (UN Children’s Fund, World Health Organisation, UN Population Fund, United States Agency for International Development, other international and non-governmental organisations).

383. There is an increase in the rate of morbidity of children from diseases, such as cancer, tuberculosis, neurological system diseases, and other.

384. Diarrhoea and respiratory diseases are deemed to be one of the main causes of child morbidity and mortality. The level of child morbidity and mother’s awareness in case of these diseases was estimated in 2005 during the Armenia Demographic and Health Survey, according to which 8 per cent of children had acute respiratory diseases, and 17 per cent had diarrhoea. 16 per cent of children had fever. It has been clarified that the less the educational level of the mother, the higher is the morbidity of a child. Nearly all the mothers have, before referring to a medical practitioner, started the treatment of their children on their own and often through use of antibiotics. Only 1/4 of such children have further received assistance by a practitioner. Moreover, mothers with higher educational level have referred to practitioners four times more than those with primary/secondary education.

385. The introduction of integrated child disease management strategy is targeted at child morbidity reduction, which is a joint WHO/UNICEF strategy and thanks to which the decrease of child disability and mortality, as well as improvement of child growth and development is possible. It is deemed to be an outcome of development of the international

practice accumulated in that field and relies upon cotemporary achievements of medicine and empirical medicine.

386. The introduction of the integrated child disease management strategy in Armenia started as a pilot programme in 2001, and, upon summarisation of results, it was approved as a national programme in 2003. Since 2004, the introduction of the community component of the integrated child disease management strategy was initiated. The integrated child disease management strategy is introduced in Armenia through the support of WHO/UNICEF and co-operation with other international organisations. Within the scope of the Programme on strategy of integrated child disease management, around 2,000 health practitioners from the system of primary health care have passed training courses.

387. In 2005, an estimation of child in-patient services was implemented with a view to introducing an in-patient component of the strategy of integrated child disease management. In 2006–2007, the WHO booklet on Arrangement of child's hospital assistance was localised and translated. In 2008 the process of training of in-patient physicians was initiated.

388. There is no accurate statistics on chronic diseases in Armenia. However, in accordance with the official data, the morbidity indicators of children suffering from various chronic diseases are increasing; the total morbidity rate of diabetes of children aged 0–14 amounted to 220 as of data 2005 (32.3/100,000 per child population aged 0–14), and to 273 as of data 2007 (43.7/100,000 per child population aged 0–14). The disease with neoplasias with children aged 0–14 in 2005 amounted to 364 (53.5/100,000 per child population), in 2007 amounted to 723 (115.8/100,000 per child population); diseases with hyperpiesia in 2005 amounted to 49 (7.2/100,000 per child population), in 2007 amounted to 86 (13.8/100,000 per child population²).

389. The number of children aged 0–14 under out-patient surveillance amounts to 52,514 or 7,902.8/100,000 per child population (Statistical Bulletin 2005).

390. During the last decade a number of measures have been undertaken by the Ministry of Health of the Republic of Armenia with a view to resolving issues relating to chronic diseases. The issues relating to management of chronic child diseases, epilepsy, diabetes and a number of other diseases began to be regulated, which, to some extent, are covered by the basic benefit package. New models of longitudinal continuing and out-patient management of patients are being introduced by “Arabkir” Medical Complex & Institute of Child and Adolescent Health. There are currently specialised child out-patient centres in Armenia; particularly, centres for chronic diseases, epileptology, surdology, gastroenterology and hepatology, endocrinology, nephrology, urine surgery, rheumatology, allergology and bronchial asthma, as well as fibrocystic disease of pancreas; establishment of a children's dermatological dispensary centre is planned as well.

391. Children registered in the mentioned centres are, within the scope of the basic benefit package, provided with necessary examinations and counselling; in case of certain diseases they are also provided with medicine partially at the expense of the State Budget and partially at the support of a number of charitable funds.

392. According to the data of specialised dispensary centres, the number of children with chronic diseases under dispensary surveillance amounts to 1,575; the number of children with bronchial asthma and other allergological diseases amounts to 387; the number of

² Info-Analytical Republican Centre of the National Institute of Health of the Ministry of Health of the Republic of Armenia, Statistical Bulletin, 2007.

children with gastroenterological and liver diseases amounts to 1,015; and the number of children with rheumatologic problems amounts to 94.

7. HIV/AIDS

393. From 1988 to 1 December 2009, 808 cases of HIV infection have been registered in the Republic of Armenia among the citizens of the Republic of Armenia, of which 137 cases were reported during 2009. Among HIV-positive people, males prevail, comprising 590 people (73%), and 218 cases (27%) of infection have been recorded among women. Among children, 16 cases (2%) of HIV infection have been recorded. These children have mainly acquired the virus from their HIV-infected mothers during pregnancy. Since the beginning of the AIDS epidemics, 33 women and 4 children have died. As of 2007, the age group 10–24 years made approximately 2% (10 people).

394. Since 2006, mass HIV testing of pregnant women is being carried out in Armenia, and in case of detection of infectious cases, complex, including preventive antiretroviral treatment is delivered. As a result, significant success has been made in this field. In 2007 almost 80% of pregnant women underwent voluntary counselling and testing; as of 1 August 2009, transmission of the virus was prevented for 13 children from among those born to 25 HIV-infected mothers (HIV status of 12 children is still under clarification).

395. The main trends of the national strategy towards prevention of mother-to-child transmission of HIV are reflected in the 2007–2011 National Programme on combating HIV/AIDS, and the practices for arranging treatment and nutrition for infants born to HIV-infected mothers are clarified through national guidelines based thereon. Pursuant to the national strategy, the State is obliged to provide such children with infant formula. Taking into account the low prevalence of HIV and the low number of children with HIV status, such solution of the problem is completely realistic for Armenia.

8. Sexually transmitted infections

396. Most gynaecological pathologies are conditioned by sexually transmitted infections which increase the indicators of maternal and infant morbidity and mortality. Dramatic raise in the indicator of the prevalence of sexual infections recorded in a number of CIS countries has not been observed in Armenia yet, but the number of syphilis and gonorrhoea cases has increased in the last years. Syphilis morbidity rate for men and women has been recorded as 4.3 per 100,000 population, and in case of gonorrhoea it has amounted to 24.3 for men and 7.7 per 100,000 women.

397. Reports of the Ministry of Health of the Republic of Armenia record increase in sexual infections, in particular, among young people and adolescents.

9. Child and adolescent health and the environment

398. At present, Armenia is in transition period and faces urgent environmental issues which, in their turn, affect children's health condition. Child body, as compared to that of adults, is more vulnerable to adverse effect of numerous and various environmental factors. It is conditioned by the fact that environmental factors affect children's health in the period of growth, development and formation of their body and in the future — during the adult life of today's children — as a result of the accumulated pollution. Environmental factors affect the health of all children, but their influence is greater on the health of children of vulnerable groups.

399. Issues relating to the organisation of education process for children still need to be settled. Facility conditions for pre-primary education and educational institutions are insufficient: appropriate buildings are not available in 46% of the communities. In considerable number of institutions there is no central or local heating system, and heating

is carried out by means of electric and other heaters. Therefore, only certain spaces (school and kindergarten classrooms) of buildings are heated and the temperature in other spaces (bedrooms, toilets) is below the normal room temperature. Availability of safe running water and the sanitary conditions necessary for observance of proper personal hygiene also constitute a problem. Most of the schools do not provide all the necessary conditions for physical education of students. Deterioration in health and functional condition of students is conditioned by their insufficient physical activity as well.

400. Adverse effect of the environment on children's health results in certain changes in the indicators of their health condition, which are supported by the data from annual medical examinations. For example, continuous decrease in visual acuity is observed among children of different age. Of the total, 10% of 3 year old children suffer such visual problem; among 7 year old children, the indicator amounts to 28%; and among 14 year old students, it reaches up to 45%. Such progression of visual impairment may be the result of the incompliance of children's furniture and text-books to sanitary norms and rules, as well as of negligence of established hygiene requirements during the study process. The same pattern of disorders is also recorded with regard to the detection of posture faults. To summarise, this tendency is supported by the fact that 75% of children diagnosed as a result of annual medical examinations at the primary level have been included in the first group of health, and the other 25% are children suffering from functional disorders, chronic diseases, and children at the decompensated stage of a disease. Increase is observed in the number of children at the age of 7 to 14 suffering from infectious diseases, diseases of digestive organs and of nervous system, allergic diseases, as well as from rheumatism, vegetative dystonia, and neuroses. The structure and prevalence of functional disorders and of chronic diseases diagnosed in children during regular medical examinations are also indicative of the trend of deterioration of the health condition of children as a result of the influence of the environment, and, in particular, of the educational process; they are indicative also of the necessity for enhancing preventive measures aimed at preventing this trend.

401. Considerable work is carried out with this regard in Armenia. Problems relate to the jurisdiction of various agencies. Decisions of the fourth European Ministerial Conference on Health and Environment called "Future for our children" held within the framework of the process "Environment and health" held in Budapest in 2004, as well as the Ministerial Declaration on Environment and Health, and actions and approaches consonant to the European Action Plan on Environment and Health of Children are incorporated in different legal acts, policy papers, national and international programmes. Among them are the following: the Decision No. 1204-N of 1 August 2002 "On the National Action Plan of the Republic of Armenia in the field of environmental hygiene"; the Decision No. 593 of 20 May 2002 "On approving the complex project of capital repair and improvement of general education schools of the Republic of Armenia", which is a basis for calculation of the resources as regards the provision of educational institutions with educational facilities and the necessity for their capital repair; the Decision No. 994-N of 8 August 2003 "On approving the Poverty Reduction Strategy Paper"; the Decision No. 1745-N of 18 December 2003 "On approving the 2004–2015 National Programme for the Protection of the Rights of the Child in the Republic of Armenia"; the Decision of the Government of the Republic of Armenia No. 878-N of 24 July 2008 "On approving the Action Plan of the Government of the Republic of Armenia for 2008–2012"; the Decision No. 738-N of 21 June 2007 "On approving the State Medium-Term Expenditure Programme of the Republic of Armenia for 2008–2010"; the Millennium Development Goals; the school construction projects; the Project for Urban Heating Supply (with regard to schools) financed by the World Bank and the United States Agency for International Development; "School construction" programme of the Lincy Foundation.

10. Medical services rendered to pregnant women

402. Pre-natal care in the Republic of Armenia is carried out by obstetrician-gynaecologists, family physicians, obstetricians and nurses. Around 93% of women in Armenia receive professional assistance and care in pre-natal period. Such services are slightly more accessible in urban areas (96%), than in rural settlements (89%). The majority of women make four or more pre-natal visits. Most women make the first pre-natal visit in the first trimester of pregnancy (Demographic and health survey [ADHS], 2005).

403. Taking into account the policy conducted by the Ministry of Health of the Republic of Armenia in the sector of obstetrical services, a considerable increase in the State Budget funds has been envisaged for 2008 and 2009 in respect of prices of medical assistance relating to pregnancy and delivery, which will be primarily directed at increasing the remuneration of health practitioners. Obstetrical state certificate programme has been introduced in the Republic of Armenia since 1 July 2008, within the framework of which raise in the quality and accessibility has been recorded.

404. Almost all women (97%) in Armenia give birth in medical institutions; 93% – under the supervision of a physician, and around 4% under the supervision of a nurse or an obstetrician. Only 2% of women give birth at home, as compared to the 9% in 2000 (ADHS, 2005). The number of births in medical institutions has increased by 6% (from 91% in 2000 to 97% in 2005). The share of services related to obstetrical services provided by a physician or nurse/obstetrician has also changed. In 2000, it amounted to 83% and 14% correspondingly.³

405. The other indicator is the time of making the first pre-natal visit. In 2005, only 48.2% of pregnant women received pre-natal care in the first trimester of pregnancy, which was almost twice less as compared to 85% of 1990 (Ministry of Health, 2006). Altogether 71% of pregnant women made four or more pre-natal visits (ADHS, 2005), but the scope of services and information are insufficient.

406. During the last years, cases of sexual infections have increased among pregnant women (e.g., chlamydiosis, ureaplasmosis, cytomegalovirus, and genital herpes). In the course of pregnancy, examination of sexual infections is carried out only to detect syphilis, gonorrhoea and trichomoniasis; however, due to limited means, pregnant women almost never undergo examination to detect sexual infections.

407. The repeated miscarriage rate constitutes 16–20%, which can be indicative of the chronic nature of infections. Under conditions combined with the growing rate of early delivery (61.7 per 1,000 live births), only four deliveries of five occur on expected date (40 weeks). Pursuant to 2005 Report of the Ministry of Health of the Republic of Armenia, the indicator of newborn babies born underweight amounted to 7.3% (including newborn babies born with the weight of 500.0 grams). Increase is also observed in the rate of congenital malformations.

11. Maternal morbidity and mortality

408. The maternal mortality rate in Armenia is comparatively lower than the average rates in the region (31.8 per 100,000), but it exceeds the average rates in the Central and Eastern Europe (15.6 per 100,000) and is much higher than the rate recorded in the Western Europe (8.8 per 100,000).

³ ADHS, 2000.

409. Data analysis as regards maternal mortality rate in Armenia is carried out on the basis of three years, as the population is less than 5 million.⁴ The registered rate for 1996–1998 per 100,000 live births was 30.5; for 1999–2001 it was 43.3 per 100,000; in 2002–2004 – 25 per 100,000; in 2005–2006 – 28 per 100,000.⁵ Maternal mortality rates for 2007–2008 vary considerably (rate reduction for more than twice), which serves as an evidence for the above-mentioned in respect of the fact that in case of small population, annual rates do not reflect the real trends and are not statistically accurate.

Maternal mortality rates for 2007 and 2008 (per 100,000 live births)

	<i>City</i>	<i>Village</i>	<i>Total</i>
2007	20	7	15
2008	42	33	39

410. Main reasons for maternal mortality in Armenia are bleeding (22%); pregnancy progressing with complications, especially with pre-eclampsia and eclampsia (15.6%); artificial termination of pregnancy (12.5%); and infections (9.4%).

411. For the last ten years, the rate of maternal mortality caused by artificial termination of pregnancy varies between 10–20%. In 2005, the average maternal mortality rate caused by artificial termination of pregnancy amounted to 5%.⁶ This rate exceeds for several times the average rate in developed countries, and clearly suggests the possibility of reducing the rate of maternal mortality caused by artificial termination of pregnancy.

12. Nutrition of children and women

412. The Ministry of Health of the Republic of Armenia considers as one of its primary tasks the improvement of baby and infant nutrition practices with a view to promoting the best health and development of children, since proper nutrition guarantees healthy growth and development for each child.

413. The initiative for encouraging breastfeeding has been undertaken in Armenia still since 1993. The programme approved by the Collegium of the Ministry of Health of the Republic of Armenia in 1994 implied promotion of breastfeeding encouragement and assistance practices among health practitioners and parents, as well as implementation of fundamental structural-organisational changes at the level of facilities providing obstetrical services.

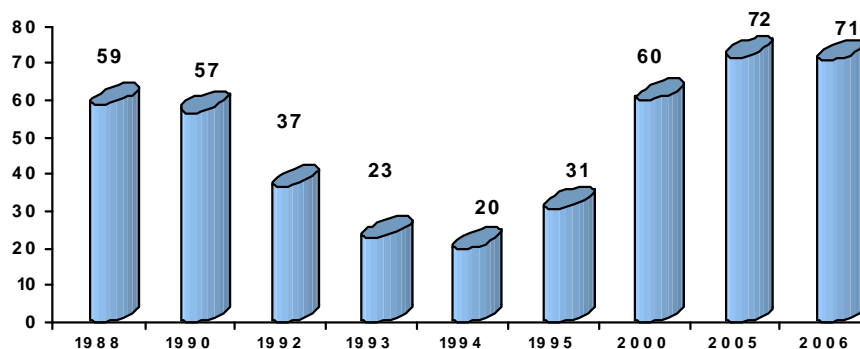
414. The progress of the programme is obvious. The rate of children receiving exclusively breastfeeding for four months (among children who have attained the age of one) has increased more than three times, as compared to 1993 (1994 – 20%; 2002 – 59%; 2005 – 72%; 2006 – 71%). However, it should be mentioned that growth rate for the years following 2000 has considerably slowed down.

⁴ According to WHO recommendations.

⁵ Ministry of Health of the Republic of Armenia, 2006.

⁶ Ministry of Health of the Republic of Armenia, 2006.

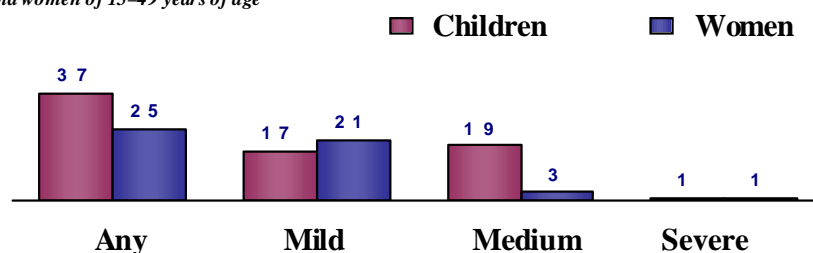
Breastfeeding rate pursuant to the data of the Ministry of Health of the Republic of Armenia



415. Alternative survey data also support the fact that certain progress had been recorded in this field till 2000. Thus, exclusive breastfeeding rate in 1998 amounted to 20% instead of 0.7% of 1994 and reached up to 45% in 2000 (ANDHS-2000). Unfortunately, findings of the same survey for 2005 indicate certain regress. Particularly, in 2005 the number of infants weaned at the age of four months was twice higher; the rate of infants under four months receiving exclusive breastfeeding was lower (37% instead of 45%), and only one-third of infants under six months received exclusive breastfeeding.

Anaemia among women and children by severity, ADHS-2005

Percentage of children 6-59 months of age and women of 15-49 years of age



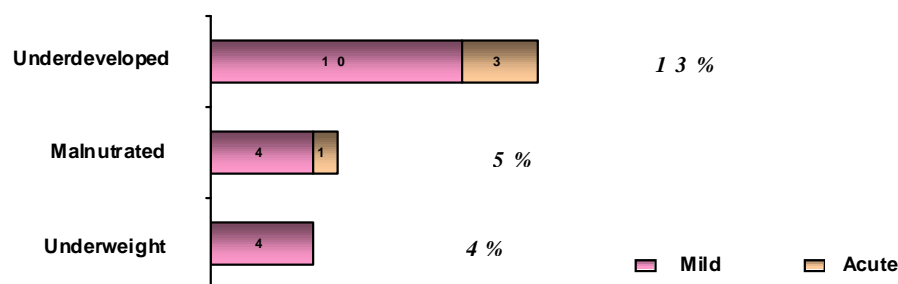
416. As regards the prevalence of anaemia and chronic malnutrition among children, the situation needs improvement, as well. Pursuant to the findings of the National Demographic and Health Survey (ANDHS) carried out in 2000, the rate of children under the age of five suffering from anaemia constituted 24%; moreover, the rate of children suffering from anaemia and living in rural settlements was twice higher than the rate of children living in urban areas (33% and 16% respectively).

417. Findings of the same survey carried out in 2005 attested that rates of anaemia did not tend to improve; on the contrary, they had become considerably higher both among children and women, amounting to 37% and 25% respectively. As distinct from 24% rate registered in ANDHS-2000, pursuant to ANDHS-2005, 37% of children at the age of 6 to 59 months suffered some level of anaemia. It is worth mentioning that pursuant to the findings of ANDHS-2005, prevalence of anaemia, both among children and women, was higher in families of the lowest level of prosperity (48%), but it was of more importance the fact that anaemia prevalence was rather high also among children from families with the highest level of prosperity (32%).

418. Child nutrition status in Armenia was also assessed within the framework of National Demographic and Health Surveys (ANDHS 2000 and 2005) conducted in households in 2000 and 2005 at national level.

419. Findings of the survey for 2005 attested that 13% of children under the age of five were short (underdeveloped) (Z-Score -2); 3% were very short (Z-Score -3); 5% were malnourished, and 4% were underweight.

**Child nutrition status, %
ANDHS-2005**



420. Children living in rural settlements are for around one third shorter than those living in urban areas. The high average national rate (13%) for the prevalence of underdevelopment attests that it is a serious problem for the Republic of Armenia at the level of population (exceeds the threshold of 10%). It is worth mentioning that the same rate of 13% for underdevelopment has been preserved as compared to 2000, and the underweight rate has increased almost twice. Actually, the underdevelopment rate did not improve in 2005, and underweight and malnutrition rates considerably grew.

421. As a mountainous country separated from oceans, Armenia is a region of endemic iodine deficiency. Within the framework of the programme for fight against iodine deficiency, significant work has been carried out with the support of the UN Children's Fund, among them, revision of national normative standards, training of specialists, promotion among the population, and improvement of legislation. At present, Armenia is internationally recognised as a country with "Universal Salt Iodisation", as the survey conducted in the spring 2005 attested the notable achievements in this field: among 900 examined children at the age of 8 to 12 (the survey was representative, at national level), the median urinary iodine level was 313 mcg/l (100–300 mcg/l is the optimal range recommended by the WHO), and adequate iodised salt was used in more than 95% of households. Pursuant to ANDHS-2005, this rate was even higher, amounting to 97%.

13. Information concerning adolescent health care

422. At present, in the current official statistics, the age group of school-aged children and adolescents is not distinguished as age groups of 6 to 10 and 10 to 18 years of age. Correspondingly, the current statistics of their health is not complete and is primarily based on a number of surveys, of which the most comprehensive one is the Survey on the Health Behaviour of School-Aged Children (2005) conducted by "Arabkir" Medical Complex & Institute of Child and Adolescent Health with the support of the UN Children's Fund; it provides disaggregated data by age and gender that will assist to elaborate in the future more target measures directed at different target groups.

423. According to the findings of the survey carried out in 2005 in a number of rural settlements of Armenia by the Association for the Care of the Children's Health (ACCH), almost 20% of school-aged children suffered from some form of allergic disease, asthma, or

were in pre-asthmatic states. Medical examinations show that almost 60% of school-aged children suffer from at least one of the following diseases or states: chronic otitis, sinusitis, adenoid vegetation, caries, chronic cough, inflammatory and other diseases of urethra, chronic gastroduodenitis, periodic diseases, orthopaedic diseases, among them, scoliosis, as well as neural disorders.

424. Adolescents lack information on health issues. They have a vague understanding of the changes in their bodies at the awkward age; they lack information on pregnancy, the risk for contracting HIV/AIDS and sexual infections, their prevention methods, as well as symptoms of diseases. They also do not know where, upon necessity, to apply for relevant medical assistance (Assessment and mapping report on programmes targeted to adolescents, UN Children's Fund, 2004).

425. The report on the Analysis of Reproductive Health Situation conducted by the Ministry of Health shows that since 1990 the pregnancy rate among adolescents has increased twice, which is mainly conditioned by early marriages. Pursuant to the same report, increase in the birth rate — from 30 per 1,000 to 50 per 1,000 — has been observed among adolescents during the last ten years, while in Europe this rate varies from 5 to 10 per 1,000 live births. The report also states that adolescents are not aware of sexual health issues due to lack of sexual education lessons in school curricula.

426. Since 2007, within the framework of the basic benefit package, preventive medical examinations have been carried out twice a year among school-aged children at the age of 12 to 17, both girls and boys, pursuant to the criterion of the Ministry of Health of the Republic of Armenia.

427. The concept paper for "Healthy lifestyle" and the syllabus for 8th and 9th grades have been elaborated and approved. The concept paper for the course "Healthy lifestyle" aims at touching upon issues related to health, security and safety of students during the whole period of general education and at regulating the ways of their settlement. The course intends to instil in the students the merit to evaluate their own and other's health as an ultimate value and the behaviour aimed at maintaining it. The syllabus of the 28-hour course "Healthy lifestyle" for 8th and 9th grades of general education schools will cover issues of HIV/AIDS prevention and of instilling of safe behaviour, information on reproductive health of adolescents, with due regard to the age peculiarities of students of 8th and 9th grades, their basic knowledge level, as well as national-cultural peculiarities.

428. The establishment of adolescent/youth friendly health care services is aimed at protecting and improving the health of young people, as well as at preventing diseases, at relevant diagnosis and effective treatment, in combination with the provision of information and teaching of skills in a comprehensible and friendly manner. Since 2005, the Ministry of Health of the Republic of Armenia has initiated the introduction of the TYFHCS, with the support of the UN Children's Fund. The concept paper of the TYFHCS has been elaborated, localisation and summary of the modules for trainers and participants of the WHO Orientation Programme on "Teenager Health" has been carried out, adolescent friendly services have been introduced in Marzes, and training courses have been organised for health practitioners and related specialists. The set of national standards and criteria has been elaborated for adolescent friendly services. The current legislative framework has been revised, and parliamentary hearings were held in November 2007. Teaching and methodology materials have been elaborated in 2007–2008; the assessment guideline for adolescent sexual development as well as the questionnaire on psycho-social test have been included in the state criterion of 2008 by the Ministry of Health of the Republic of Armenia.

14. Practices harmful for children's health

429. Data concerning the use of alcohol and drugs were studied within the framework of the 2005 Survey on the Health Behaviour of School-Aged Adolescents in Armenia, which made apparent that at least two thirds of the latter start using alcohol at school age (boys more frequently than girls). Altogether 2.5% of the interviewed adolescents stated that they had tried a drug (hemp).

430. Pursuant to the findings of the Survey on the Health Behaviour of School-Aged Adolescents, 9% of boys and 10% of girls interviewed had thought of suicide in the year preceding the survey. Almost of the same number of adolescents had thought to refer to alcohol or drugs “for help” in order to overcome their concerns and mental strain.

Article 26

431. Article 37 of the Constitution of the Republic of Armenia prescribes that everyone shall have the right to social security in case of seniority age, disability, illness, loss of breadwinner, unemployment as well as other cases provided for by law. The scope and forms of social security are defined by law.

432. The Law of the Republic of Armenia “On state pensions” was adopted in 2002; under Article 26 of this Law, children under the age of eighteen shall have the right to insurance pension in case of loss of breadwinner. Under Article 33, any person recognised as “a child with disabilities” is granted a disability social pension, the amount of which is determined under Article 34. Under Article 35, the survivor's social pension extends to those children left without parental care whose parents are unknown.

Article 27, paragraphs 1–3

433. According to Article 34 of the Constitution of the Republic of Armenia, everyone shall have the right to adequate standard of living, including housing, for him or her as well as for his or her family, as well as the right to improve life conditions. The State shall undertake all appropriate measures for realisation of this right of citizens.

VIII. Education, leisure and cultural activities (arts. 28, 29 and 31)

Article 28

434. The right to education in the Republic of Armenia is ensured by the Constitution and a number of legislative acts. In particular, pursuant to Article 39 of the Constitution, everyone shall have the right to education. Primary general education is compulsory, except for cases provided for by law. The law may establish higher levels of compulsory education. Secondary education in state educational institutions is free of charge. Each citizen shall have the right to receive higher and other vocational education free of charge on a competitive basis in state educational institutions. The State shall, in cases and in the manner provided for by law, provide financial and other assistance to educational institutions implementing higher and other vocational education programmes, as well as to those studying there.

435. This constitutional norm has been incorporated into the Laws of the Republic of Armenia “On education” adopted in 1999, “On higher and postgraduate vocational

education” adopted in 2004, “On pre-school education”, “On preliminary vocational (technical) and secondary vocational education”, “On education of persons with special educational needs” and “On general education” adopted in 2005.

436. As far as the provision referred to in para. 55 (e) of the CRC/C/Q/ARM/2 document is concerned, it is worth mentioning that the Law of the Republic of Armenia “On language” clearly prescribes that the Republic of Armenia guarantees the free use of minority languages on its territory; general education and upbringing in the communities of the national minorities of the Republic of Armenia may be arranged in their mother tongue, under the state programme and the state auspices, with compulsory teaching of Armenian. In the Republic of Armenia, only the Government of the Republic of Armenia may found a non-general education institution where the language of instruction is a foreign language. Upon the Decision of the Government of the Republic of Armenia No. 138 of 18 February 2002, “State programme on language policy of the Republic of Armenia” was approved, one of the main issues of which is promoting the development of the language and culture of the national minorities.

General education

437. Since 2004, the state general education curriculum framework, state criterion of secondary education and subject criteria and curricula for 12-year general education schools elaborated on the basis thereof, as well as the concept paper for knowledge evaluation and the draft concept paper for evaluation of students’ performance arising therefrom have considerably improved the current system of the content of education and of recording of results. To some extent, it has also improved the quality of education. The process of continuous and large-scale trainings of teachers has also played its positive role in the improvement of the quality of education.

438. It shall be mentioned that recently, considerable work has been carried out for studying language, culture and history of national minorities in their mother tongue in general education schools.

439. Thus, the concept paper for teaching of the mother tongue of Yezidis — constituting a majority among the national minorities — has been drawn up, and the curriculum for 1st to 12th grades has been elaborated. In 2005, textbooks for 1st to 3rd grades and, in 2008, for 4th and 5th grades were published. Currently, preparation works are carried out for publication of textbooks for 6th to 9th grades.

440. The 1st to 12th grades criterion and curricula for the Assyrian language are at the final stage of examination; curricula for 1st to 3rd grades have been published.

441. The concept paper and curriculum for teaching the Kurdish language are at the preliminary stage of examination.

442. An exemplary curriculum is elaborated for schools (classes) staffed with representatives of the national minorities in order to regulate the teaching process of the mother tongue, culture and history for representatives of the national minorities at general education schools.

443. With regard to the low level of pre-primary education, decrease in attendance rates, as well as absences and increase in primary and secondary education drop-out rates, it should be mentioned that with a view to raising the level of pre-primary education, professional capacity building of specialists (training courses) and improvement of teaching and methodology bases have been chosen as priority directions of the activities in the field of pre-school education: a programme for examination of the strategy for early development of children and for reforms in pre-school education has been elaborated,

which will make it possible to increase — through short-term groups — the enrolment rate, particularly for children of socially vulnerable groups, in pre-school institutions.

444. For the purpose of quality assurance of education, criteria for the development of five and six years old children, corresponding curricula and teaching and methodology literature have been created (with the financial support of the UNICEF) and guaranteed for use.

445. Conceptual materials for pedagogical and psychological diagnosis of children and programmes for child-centred teaching in work with troublesome children have been elaborated (“Overcoming pedagogical and psychological difficulties”, “Working with misbehaving children”).

446. Secondary vocational education is carried out at secondary vocational education institutions — colleges, as well as at higher education institutions — through separate education programmes.

447. Graduates of secondary vocational education institutions having passed the graduation attestation are qualified as specialists.

448. In Armenia, secondary education programmes are currently implemented in 84 state educational institutions, of which 54 operate under the Ministry of Education and Science of the Republic of Armenia.

449. Almost 28,000 students study and 4,000 professors teach in 84 state secondary vocational education institutions.

450. Secondary vocational education programmes are implemented in five higher education institutions of Armenia, as well.

451. Education in secondary vocational education institutions is provided both free of charge and on a fee-paying basis.

452. Amounts of tuition fees are established by educational institutions. It amounts to AMD 30,000 to AMD 250,000 and depends on the profession and the region.

453. By the Decision No. 73-N of 12 January 2006, the Government of the Republic of Armenia approved the list of professions of preliminary and secondary vocational education by their teaching basis, form, duration and qualifications, which include 352 professions of secondary vocational education, of which around 100 professions are currently taught in the colleges of the Republic of Armenia.

454. Preliminary vocational (technical) education is provided in the preliminary vocational education institutions, i.e., technical colleges, Abovyan penitentiary establishment, as well as secondary vocational education establishments, i.e., colleges and educational complexes. The objective of this education is to prepare specialists requiring preliminary vocational qualification on the basis of basic or secondary (complete) general education.

455. As of 1 July 2009, 30 technical colleges operate in Armenia, of which 16 operate under the Ministry of Education and Science of the Republic of Armenia.

456. Around 7,500 students study and 480 professors and training officers work at 30 technical colleges.

457. By the Decision of the Government of the Republic of Armenia No. 73-N of 12 January 2006, the list of professions of preliminary vocational (technical) education was approved, which included 102 professions of technical education with around 350 qualifications, of which almost 50 are currently taught.

<i>Yerevan municipality/Marzes</i>	<i>Number of technical colleges</i>	<i>Number of secondary vocational education institutions</i>
Yerevan	9	30
Aragatsotn Marz	3	-
Armavir Marz	1	5
Ghegharkunik Marz	2	7
Lori Marz	2	9
Kotayk Marz	5	6
Shirak Marz	6	8
Tavush Marz	1	6
Syunik Marz	1	8
Vayots Dzor Marz	-	1
Ararat Marz	-	4
Total	30	84

458. While entering state secondary vocational education institutions, citizens having the status mentioned below, enjoy privileges:

(a) Persons with disabilities of the 1st and 2nd groups and persons under the age of eighteen having disabilities since childhood, for whom, pursuant to the conclusion given by the Medical and Social Expertise Agency, study and further work with the given profession is not contraindicated;

(b) Children of military servants who were killed (deceased) or acquired a disability of the 1st group during the defence of the Republic of Armenia, as well as citizens who acquired a disability while performing their duties during compulsory military service, pursuant to the statements issued by the Ministry of Defence of the Republic of Armenia, the Police of the Republic of Armenia adjunct to the Government of the Republic of Armenia, the National Security Service adjunct to the Government of the Republic of Armenia and the Ministry of Emergency Situations of the Republic of Armenia;

(c) Children left without parental care and persons belonging to the group of children left without parental care who have not attained the age of twenty three before 1 September of the given academic year.

459. In 2003 the “Strategy for the Development of Higher Education” was approved by the Government of the Republic of Armenia, in which implementation and reform of new management methods, establishment of new forms of state funding, extension of links with the labour market, as well as integration to the European Higher Education Area in the field of higher and post-graduate vocational education and involvement in the Bologna Process were reflected.

460. In 2006, upon the Order of the Minister of Education and Science of the Republic of Armenia, the programme for introduction in the Republic of Armenia of the three-fold degree system of higher education was approved, which was based on Bologna principles and which laid down uniform and co-ordinated approaches for the purpose of final transition to the three-fold degree system (at present, all higher education institutions of the Republic of Armenia have introduced the three-fold degree system, i.e., bachelor, master and doctor), by defining the problems that the system encounters and stating the activities and the time-table for the settlement thereof.

461. In 2006, the Government of the Republic of Armenia adopted the Decision on the provision of student allowances and state scholarships in higher education institutions of the Republic of Armenia; in the overall context of these reforms, particular importance is attached to competitive education and to the concept of transposition of students based on their academic performance. In 2006/07 academic year, the state higher education institutions, guided by the procedure approved by the Decision of the Government of the Republic of Armenia and by the procedures arising therefrom as elaborated by the higher education institutions, applied the principle of rotation, which provided equal approach to all students of education institutions. Moreover, based on the requirement of the Constitution of the Republic of Armenia as regards the receipt of free higher education in state higher education institutions on a competitive basis, all state higher education institutions shall necessarily receive student allowances.

462. Reforms made in the field of higher and postgraduate vocational education of the Republic of Armenia, provide, on national basis and in accordance with international standards, affordability and quality of education to students, as well as protection of their rights.

463. In particular, the Law of the Republic of Armenia “On higher and postgraduate vocational education” ensures the protection of the following rights of students:

(a) Choose required or elective courses for the teaching of given profession or specialisation, which are provided by the relevant faculty (educational subdivision) and chair;

(b) Participate in the formation of the content of his or her education (in the choice of educational courses and specialisation), in compliance with the requirements of the state educational criteria for the higher vocational education;

(c) In addition to educational courses of the chosen profession, master any other educational course instructed in the given or any other higher education institution, in the manner prescribed by the Statute of the higher education institution concerned;

(d) Participate in the works of respective administration bodies of higher education institutions, as provided for by law or the Statute of the higher education institution;

(e) Avail themselves free of charge of libraries, laboratories, information storages of higher education institutions, of services provided by educational, scientific, medical and other subdivisions, participate in scientific and research activities, conferences, seminars and symposia;

(f) Appeal against orders and administrative orders issued by the management of the higher education institution, in the manner prescribed by the legislation of the Republic of Armenia;

(g) Enjoy the right to partial or complete reimbursement for the annual tuition fee, in the manner prescribed by the legislation of the Republic of Armenia;

(h) Receive, in the manner prescribed by the existing legislation of the Republic of Armenia and the Statute of the higher education institution, scholarships in the prescribed amount, including nominal scholarships, scholarships awarded by legal or natural persons, grants, as well as student loans;

(i) Familiarise themselves with the Statute and other regulatory documents of the higher education institution, conclude contracts with the higher education institution on the conditions of education;

(j) Be granted, where necessary and in the manner defined by the authorised body, academic leave for a term of up to one year, except for cases prescribed by legislation;

(k) In case of full-time education, be on leave not less than twice and for a total duration of not less than seven weeks within a given academic year;

(l) Receive, where there is a hall of residence and a need for housing, relevant room in a hall of residence, in the manner prescribed by the higher education institution;

(m) Be transformed to another higher education institution, including a higher education institution in foreign states, in the manner prescribed by the Government of the Republic of Armenia;

(n) Receive moral and/or financial encouragement for high academic performance and participation in scientific and research activities, in the manner prescribed by the legislation of the Republic of Armenia and the higher education institution.

464. Pursuant to the requirements of the Procedure for granting student allowance and state scholarship in higher education institutions of the Republic of Armenia, partial reimbursement for tuition fees are provided for different groups of students studying at higher education institutions, based on social conditions and academic performance of the student; several social groups as defined by law are granted complete reimbursement of tuition fee (free of charge) in the form of student allowance.

465. Besides, as formerly, currently, too, certain privileges defined by the legislation of the Republic of Armenia are provided to children entering higher education institutions.

Article 29

466. In the education sector, the State guarantees the implementation of the following principles:

(a) Humanitarian nature of the education; priority for national and universal values, for human life and health, for free and comprehensive development of an individual; emphasis on civic conscience; respect for an individual and his or her rights and freedoms; dignity; patriotism; diligence; responsibility; tolerance; and development of environmental outlook;

(b) Equal opportunities for education, as well as affordability, continuity, consecution and compliance of the education to the level of development, peculiarities and proficiency level of learners;

(c) Ensuring the principles of democratic administration in the sector of education;

(d) Enhancement of creative activity in educational institutions; priority for capacity building in learners as regards their analytical and critical thinking, as well as their skills of acquiring and using knowledge on their own and skills of using information technologies;

(e) Continuous improvement of the quality of education, its compliance with international standards, as well as integration into the international educational system;

(f) Striking balance between autonomy of and state supervision over educational institutions;

(g) Irrespective of their legal form, equality of educational institutions and of their students and employees;

- (h) Mutual co-ordination of general education and other educational programmes;
- (i) Affordability, continuity, consecution and compliance of the education with the level of development, peculiarities and proficiency level of learners in conformity with the state mandatory minimum;
- (j) Support to the educational activity aimed at preserving the Armenian identity in the Diaspora;
- (k) Secular nature of the education in educational institutions;
- (l) Guaranteeing opportunities for citizens to receive education in state and private educational institutions;
- (m) Ensuring equal status for graduation documents issued by state and accredited private educational institutions.

1. Main tasks, objectives and principles of pre-school education

467. The principles of pre-school education are as follows:

- (a) Equal conditions for comprehensive development of the child, for display of skills, attractions, capacities, abilities and talents;
- (b) Uniform approach to issues concerning the development, upbringing, education of children as well as issues pertaining to their health and rehabilitation;
- (c) Equal involvement of families and pre-school educational institutions in educational and upbringing activities;
- (d) Consecution and continuity of pre-school and general education;
- (e) Secular nature of pre-school education;
- (f) Provision of an individual approach with a view to developing the child's personality;
- (g) Compliance of the content, level and volume of education with the development peculiarities and health condition of the child at pre-school age.

2. Objectives and tasks of pre-school education

468. The objectives of pre-school education are as follows:

- (a) Care for and strengthening of physical and mental health of the child;
- (b) Balanced development and education of children at pre-school age;
- (c) Preparation for school education.

469. The tasks of pre-school education are as follows:

- (a) Primary capacity building in children at pre-school age with regard to communication and counting in their mother tongue;
- (b) Care for the child at pre-school age and prevention and correction of development disorders;
- (c) Familiarisation with primary rules of conduct, with the nature of the motherland and environment, history and national culture, creation of bases for mental, moral, aesthetic and physical development of the child, formation of elementary working skills and capacities;

(d) Instillation of love for motherland, respect for family, national traditions, other tongue, national values, as well as formation and establishment of respectful treatment towards surroundings and environment;

(e) Formation of the child's personality, development of creative skills;

(f) Ensuring the level of preparation for continuing education in conformity with pre-school education criteria;

(g) Provision of social and pedagogical support to families.

470. In the sector of pre-school education, current strategic directions are: improvement of the legislative framework, strengthening and development of the network, improvement of the quality of services, extension of affordability and enrolment.

471. The 2008–2015 strategy and pilot programme for pre-school education reforms of the Republic of Armenia was approved by the Decision of the Government of the Republic of Armenia of 13 March 2008.

472. The plan for effective preparation of children at the age of 5 to 6 for primary education is particularly emphasised in the strategy programme. The pilot programme has been implemented in 22 institutions of the two most vulnerable Marzes, i.e., Shirak and Lori Marzes of the Republic of Armenia, with enrolment of 540 children, for the implementation whereof almost USD 198.0 has been provided from the loan means of the "Education quality and compliance" programme. Programmes have been implemented in general education schools in such communities where there are no pre-school institutions at all or where there are no functioning pre-school institutions; these programmes have been formed through three resources: grants, and investments made by communities and parents. As a result, relevant conditions and developing environment have been established in all the institutions to organise the education and upbringing of children.

473. Considering the increase in the availability and affordability level of pre-school education as a priority in the sub-programme, a gradual growth is envisaged in the enrolment rate of children involved in senior groups (5 to 6 years old) and, at the end of the programme period (2016), the enrolment rate is planned to reach to up to 90%. The Protocol Decision of the Government of the Republic of Armenia No. 29 of 16 July 2009 "On further implementation process of the 2008–2015 Strategy Programme of Pre-School Education Reforms in the Republic of Armenia" envisages awarding of grants to almost 140 pre-school institutions in different communities of Armenia to implement pre-school education programmes.

474. The Ministry of Education and Science has arranged trainings for pedagogical staff of the institutions implementing pre-school programmes and has drafted educational-legal documents for different models. The institutions have been provided with relevant curricula and methodology literature, as well as educational criteria and methodology materials.

475. The scope of co-operation with different international and non-governmental organisations aiming at the development of the sector has been expanded. In particular, due to technical support within the scope of co-operation with the UN Children's Fund, guidelines, manuals and curricula have been published.

476. The number of private educational institutions carrying out pre-school educational programmes and the number of children at pre-school age enrolled therein have increased.

477. Main objectives and tasks of general education are as follows:

(a) The object of activities of general education schools is the implementation of basic programmes of general education;

(b) General education schools carry out educational activity in favour of the individual, society and the State; ensure mastering of the mandatory minimum of the general education state criterion, subject criteria and content of curricula, the comprehensive development of an individual, his or her health care; create conditions to meet self-education and supplementary (preferential and pre-vocational) educational requirements;

(c) General education schools are responsible for choosing methods and forms of education in compliance with the general education state criterion, the general education state programme and with due regard to the age, physiological and socio-psychological development peculiarities of learners, their attractions and abilities, as well as for their life safety and health care;

(d) As an indivisible part of implementation of general education basic programmes, general education schools may include the following:

- (i) Teaching and methodology, experimental and research activities carried out by general education schools;
- (ii) Activities arranged for professional development of pedagogical staff;
- (iii) Organisation of general education supplementary courses for learners;
- (iv) Activities arranged for health care of learners;
- (v) Provision of food to learners;
- (vi) Organised transportation of learners;
- (vii) Arrangement of after-school curbs and/or overnight accommodation;
- (viii) Arrangement of students' rest time in educational complexes and health camps.

478. Tasks of the state policy in the field of technical and secondary vocational education in the Republic of Armenia are as follows:

- (a) Ensuring the quality of technical and secondary vocational education and introduction of an appropriate system of improvement;
- (b) Support to preparation and training of specialists for priority and important sectors;
- (c) Ensuring the continuity, transparency and publicity of educational process;
- (d) Developing the system of technical and secondary vocational education and teaching and increasing its competitiveness;
- (e) Educating students in the spirit of national, moral and universal values.

479. Main objectives and tasks of higher education are as follows:

- (a) Ensuring the quality of higher and postgraduate education;
- (b) Support to preparation and training of specialists for sectors of priority and importance to the State;
- (c) Contributing to the development of international scientific and educational co-operation and to integration thereto;
- (d) Developing the system of higher and postgraduate vocational education and increasing its competitiveness in the international arena;

(e) Introduction of international (European) standards for internal (inside a higher education institution) and external assessment of education quality and for accreditation into the system of higher and postgraduate vocational education of the Republic of Armenia;

(f) Ensuring equality of the accredited educational institutions, irrespective of their form of ownership.

Distribution of the number of students of general education schools by Marzes of the Republic of Armenia and Yerevan and by types of schools, 2007/08 academic year (people)

	<i>Elementary general</i>	<i>Basic general</i>	<i>Secondary (complete) general</i>	<i>College</i>	<i>Senior technical</i>	<i>Boarding school</i>	<i>For children with mental deficiencies</i>	<i>For children with hearing impairment</i>	<i>For children with visual impairment</i>	<i>For children with speech disturbance</i>	<i>For children with muscular-skeletal disorders</i>	<i>For orphans and children deprived of parent</i>	<i>Special educational</i>	<i>Other</i>	<i>Total</i>
Yerevan	459	1 439	119 065	4 494	1 713	208	222	223	244	118	83	-	1 395	787	130 450
Aragatsotn	-	1 430	20 382	128	241	-	71	-	-	-	-	-	78	-	22 330
Ararat	-	214	37 581	324	-	-	-	-	-	-	-	-	-	-	38 119
Armavir	-	539	40 167	713	40	160	257	-	-	-	-	-	-	-	41 876
Gegharkunik	-	606	35 213	493	-	-	-	-	-	-	-	-	-	-	36 312
Lori	-	2 226	35 315	406	-	-	-	-	-	-	-	-	121	147	38 215
Kotayk	-	407	35 492	-	264	90	-	-	-	-	-	-	-	-	36 253
Shirak	28	653	37 349	1 929	623	91	116	-	308	-	-	429	19	-	41 545
Syunik	20	1 092	15 658	570	-	788	-	-	65	-	-	524	152	-	18 869
Vayots Dzor	26	332	8 160	253	-	-	-	-	-	-	-	-	-	-	8 771
Tavush	50	1 180	17 169	141	-	-	-	-	-	-	-	-	-	-	18 540
Total Republic of Armenia	583	10 118	401 551	9 451	2 881	1 337	666	223	617	118	83	953	1 765	934	431 280

Distribution of the number of students of general education schools by Marzes of the Republic of Armenia and Yerevan and by types of schools, 2008/09 academic year (people)

	<i>Elementary general</i>	<i>Basic general</i>	<i>Secondary (complete) general</i>	<i>Senior</i>	<i>College</i>	<i>Senior technical</i>	<i>Boarding school</i>	<i>For children with mental deficiencies</i>	<i>For children with hearing impairment</i>	<i>For children with visual impairment</i>	<i>For children with speech disturbance</i>	<i>For children with muscular-skeletal disorders</i>	<i>For orphans and children deprived of parent</i>	<i>Special educational</i>	<i>Other</i>	<i>Total</i>
Yerevan	3	140	115 436	1 998	4 983	1 720	59	226	106	233	125	420	-	726	283	126 458
Aragatsotn	-	1 152	17 897	1 063	118	242	-	77	-	-	-	-	-	118	-	20 667
Ararat	-	199	36 094	-	335	-	-	-	-	-	-	-	-	-	-	36 628
Armavir	-	502	37 725	-	701	79	160	220	-	-	-	-	282	-	-	39 669
Gegharkunik	837	598	33 204	913	387	-	-	-	-	-	-	-	-	-	-	35 939
Lori	633	1 675	32 300	-	405	-	-	-	-	-	-	-	58	-	320	35 391
Kotayk	-	479	35 811	-	-	535	76	26	-	-	-	-	-	-	-	36 927
Shirak	28	596	34 123	1 257	1 794	766	94	111	-	-	-	-	-	73	256	39 098
Syunik	12	1 024	14 853	-	712	-	754	-	-	44	-	-	611	227	-	18 237
Vayots Dzor	24	279	7 505	57	227	-	-	-	-	-	-	-	-	-	-	8 092
Tavush	-	1 167	16 389	-	119	-	-	-	-	-	-	-	-	-	-	17 675
Total Republic of Armenia	1 537	7 811	381 337	5 288	9 781	3 342	1 143	660	106	277	125	420	951	1 144	859	414 781

Gender distribution of the number of students of general education schools by Marzes of the Republic of Armenia and Yerevan and by levels of general education programmes, 2007/08 academic year (people)

	<i>I-IV grades</i>		<i>V-IX grades</i>		<i>X-XI grades</i>	
	<i>Total</i>	<i>Of which girls</i>	<i>Total</i>	<i>Of which girls</i>	<i>Total</i>	<i>Of which girls</i>
Yerevan	37 525	17 644	67 522	32 102	25 403	13 117
Aragatsotn	6 503	3 001	11 412	5 441	4 415	2 252
Ararat	10 503	4 906	20 192	9 732	7 424	3 913
Armavir	11 475	5 180	21 875	10 473	8 526	4 497
Gegharkunik	10 321	4 703	18 990	9 215	7 001	3 559
Lori	11 076	5 259	19 378	9 394	7 761	4 118
Kotayk	10 339	4 879	18 279	8 858	7 635	4 039
Shirak	10 737	5 015	20 936	10 095	9 872	5 301
Syunik	5 540	2 654	9 454	4 622	3 875	2 046
Vayots Dzor	2 389	1 105	4 363	2 142	2 019	943
Tavush	5 433	2 607	9 649	4 628	3 458	1 854
Total Republic of Armenia	121 841	56 953	222 050	106 702	87 389	45 639

Gender distribution of the number of students of general education schools by Marzes of the Republic of Armenia and Yerevan and by levels of general education programmes, 2008/09 academic year (people)

	<i>I-IV grades</i>		<i>V-IX grades</i>		<i>X-XI grades</i>	
	<i>Total</i>	<i>Of which girls</i>	<i>Total</i>	<i>Of which girls</i>	<i>Total</i>	<i>Of which girls</i>
Yerevan	35 569	16 774	64 406	30 604	26 483	13 239
Aragatsotn	5 700	2 643	10 657	4 984	4 310	2 194
Ararat	9 937	4 624	19 184	9 154	7 507	3 929
Armavir	10 896	5 012	20 731	9 787	8 042	4 149
Gegharkunik	9 551	4 369	18 598	8 929	7 790	3 956
Lori	9 787	4 643	18 047	8 714	7 557	3 969
Kotayk	10 756	4 930	18 585	8 833	7 586	3 951
Shirak	9 893	4 677	19 950	9 527	9 255	4 708
Syunik	5 241	2 559	9 393	4 637	3 603	1 863
Vayots Dzor	2 148	978	4 063	1 965	1 881	933
Tavush	5 050	2 424	9 300	4 461	3 325	1 742
Total Republic of Armenia	114 528	53 633	212 914	101 595	87 339	44 633

**Gender and age distribution of the number of students in general education schools,
2008/09 academic year
(people)**

	<i>Total</i>	<i>Including</i>	
		<i>Girls</i>	<i>Boys</i>
Under 6 years of age	3 361	1 575	1 786
6 years of age	29 276	13 585	15 691
7 years of age	30 650	14 271	16 379
8 years of age	26 188	12 264	13 924
9 years of age	30 457	14 246	16 211
10 years of age	36 315	17 107	19 208
11 years of age	39 617	18 631	20 986
12 years of age	40 581	19 548	21 033
13 years of age	43 072	20 770	22 302
14 years of age	45 036	21 708	23 328
15 years of age	43 039	21 604	21 435
16 years of age	39 081	20 418	18 663
17 years of age	7 723	3 952	3 771
18 years of age and higher	385	182	203
Total	414 781	199 861	214 920

**Gender distribution of the number of students dropped out of general education
schools by age and reason, beginning of 2007/08 academic year**

**(a) Total
(people)**

<i>Age, years of age</i>	<i>Including, by reasons</i>									
	<i>Total</i>	<i>Absence of willingness</i>	<i>Unfavourable socio-economic conditions</i>	<i>Parents do not send to school (do not allow)</i>	<i>Disability</i>					
					<i>Hearing impairment</i>	<i>Visual impairment</i>	<i>Muscular- skeletal</i>	<i>Mental deficiency</i>	<i>Other</i>	<i>Other</i>
Under 7	194	4	-	28	-	-	1	-	2	159
7	174	7	2	4	1	-	-	1	6	153
8	196	11	3	3	-	1	1	1	3	173
9	199	8	-	5	-	-	-	1	-	185
10	198	6	6	3	-	-	1	1	1	180
11	156	11	-	3	-	-	-	-	1	141
12	197	13	2	6	-	-	1	-	3	172
13	240	17	1	11	1	1	2	1	2	204
14	338	11	-	21	1	-	-	2	2	301
15	545	49	10	27	1	-	-	1	2	455
16	569	53	9	23	-	-	3	-	6	475

<i>Including, by reasons</i>										
Age, years of age	Total	Absence of willingness	Unfavourable socio-economic conditions	Parents do not send to school (do not allow)	Disability					Other
					Hearing impairment	Visual impairment	Muscular-skeletal	Mental deficiency	Other	
17 and higher	200	8	6	1	1	-	-	-	6	178
Total	3 206	198	39	135	5	2	9	8	34	2 776

**(b) Of which girls
(people)**

<i>Including, by reasons</i>										
Age, years of age	Total	Absence of willingness	Unfavourable socio-economic conditions	Parents do not send to school (do not allow)	Disability					Other
					Hearing impairment	Visual impairment	Muscular-skeletal	Mental deficiency	Other	
Under 7	99	3	-	17	-	-	-	-	-	79
7	74	2	-	1	-	-	-	1	4	66
8	82	5	-	2	-	-	-	-	3	72
9	97	4	-	2	-	-	-	-	-	91
10	88	2	4	1	-	-	1	-	-	80
11	65	3	-	1	-	-	-	-	-	61
12	94	11	1	3	-	-	1	-	1	77
13	103	5	1	7	-	-	2	1	1	86
14	153	3	-	10	-	-	-	-	-	140
15	195	13	5	8	-	-	-	-	2	167
16	184	15	3	2	-	-	-	-	3	161
17 and higher	59	2	3	1	-	-	-	-	1	52
Total	1 293	68	17	55	-	-	4	2	15	1 132

Gender distribution of the number of students dropped out of general education schools by age and reason, beginning of 2008/09 academic year

**(a) Total
(people)**

<i>Including, by reasons</i>										
Age, years of age	Total	Absence of willingness	Unfavourable socio-economic conditions	Parents do not send to school (do not allow)	Disability					Other
					Hearing impairment	Visual impairment	Musculo-skeletal	Mental deficiency	Other	
Under 6	3	-	-	-	-	-	-	-	-	3
6	232	75	9	26	-	-	4	1	1	116
7	260	79	10	1	-	-	-	3	2	165
8	286	100	16	4	-	2	1	3	2	158
9	316	93	13	3	-	1	-	1	1	204
10	365	106	24	7	-	2	-	1	1	224

Age, years of age	Including, by reasons									
	Total	Absence of willingness	Unfavourable socio-economic conditions	Parents do not send to school (do not allow)	Disability					
					Hearing impairment	Visual impairment	Musculo-skeletal	Mental deficiency	Other	Other
11	388	104	24	6	3	2	2	-	1	246
12	385	129	12	8	-	-	-	-	-	236
13	479	155	16	10	1	-	-	2	1	294
14	666	192	10	24	-	4	-	24	2	410
15	1 084	473	20	48	-	2	-	-	12	529
16	1 018	396	13	33	4	1	-	4	9	558
17	281	147	30	11	-	-	-	1	1	91
18 and higher	113	23	6	9	2	1	-	-	-	72
Total	5 876	2 072	203	190	10	15	7	40	33	3 306

(b) Of which girls (people)

Age, years of age	Including, by reasons									
	Total	Absence of willingness	Unfavourable socio-economic conditions	Parents do not send to school (do not allow)	Disability					
					Hearing impairment	Visual impairment	Musculo-skeletal	Mental deficiency	Other	Other
Under 6	1	-	-	-	-	-	-	-	-	1
6	110	36	3	15	-	-	3	1	1	51
7	119	39	3	1	-	-	-	2	1	73
8	133	52	8	1	-	1	1	1	-	69
9	137	43	4	3	-	-	-	-	-	87
10	169	47	14	1	-	2	-	-	1	104
11	169	45	8	4	-	2	1	-	-	109
12	159	47	4	2	-	-	-	-	-	106
13	201	60	5	3	1	-	-	-	-	132
14	248	80	2	6	-	1	-	2	1	156
15	381	151	4	19	-	1	-	-	2	204
16	371	128	5	14	2	1	-	-	4	217
17	105	60	5	2	-	-	-	-	1	37
18 and higher	36	6	3	6	-	1	-	-	-	20
Total	2 339	794	68	77	3	9	5	6	11	1 366

Enrolment of students in general education schools by gender, 2003–2008 (%)

	<i>Total</i>	<i>Girls</i>	<i>Boys</i>
2003	93.9	94.5	93.3
2004	90.0	91.0	89.1
2005	91.8	93.1	90.7
2006	93.1	93.9	92.4
2007	93.2	93.5	92.9
2008	95.5	96.2	94.9

Enrolment of students in general education schools by gender, 2003–2008 (%)

	<i>Total</i>	<i>Girls</i>	<i>Boys</i>
2003	86.6	87.6	85.7
2004	87.4	88.5	86.4
2005	89.2	90.5	87.9
2006	90.9	92.4	89.5
2007	89.2	90.4	88.2
2008	90.8	92.1	89.6

Gender distribution of the number of students of preliminary vocational (technical) education institutions by Marzes of the Republic of Armenia and Yerevan, 2007/08 and 2008/09 academic year (people)

	<i>2007/08 academic year</i>		<i>2008/09 academic year</i>	
	<i>Total</i>	<i>Of which women</i>	<i>Total</i>	<i>Of which women</i>
Yerevan	1 520	460	1 659	431
Aragatsotn	401	157	444	137
Ararat	-	-	-	-
Armavir	75	-	81	-
Gegharkunik	352	27	304	26
Lori	222	47	225	50
Kotayk	496	137	502	157
Shirak	927	225	1 092	415
Syunik	145	23	160	46
Vayots Dzor	-	-	-	-
Tavush	106	20	114	26
Total Republic of Armenia	4 244	1 096	4 581	1 288

Gender and age distribution of the number of students of preliminary vocational (technical) education institutions, 2007/08 academic year (people)

		Age											
		<i>14 and under</i>	15	16	17	18	19	20	21	22	23	24	<i>25 and higher</i>
Yerevan	Total	15	466	447	425	82	33	18	9	8	8	1	8
	Women	2	132	121	113	45	24	10	3	5	-	-	5
Aragatsotn	Total	-	75	126	99	44	30	11	7	2	3	1	3
	Women	-	20	46	25	27	16	12	3	2	1	2	3
Ararat	Total	-	-	-	-	-	-	-	-	-	-	-	-
	Women	-	-	-	-	-	-	-	-	-	-	-	-
Armavir	Total	-	16	26	27	6	-	-	-	-	-	-	-
	Women	-	-	-	-	-	-	-	-	-	-	-	-
Gegharkunik	Total	3	53	69	107	32	4	15	14	12	7	13	23
	Women	-	-	-	7	3	2	3	1	4	-	1	6
Lori	Total	1	37	12	66	22	21	30	15	14	1	1	2
	Women	-	2	2	19	2	6	6	3	4	1	1	1
Kotayk	Total	40	89	117	130	51	28	10	3	7	9	1	11
	Women	22	19	16	38	1	17	6	4	3	1	1	9
Shirak	Total	-	249	252	278	98	11	11	10	5	6	4	3
	Women	-	69	54	46	33	6	7	5	1	1	2	1
Syunik	Total	1	21	42	39	14	2	4	4	6	3	2	7
	Women	-	-	2	2	1	2	2	2	4	-	2	6
Vayots Dzor	Total	-	-	-	-	-	-	-	-	-	-	-	-
	Women	-	-	-	-	-	-	-	-	-	-	-	-
Tavush	Total	1	14	26	27	13	5	6	1	2	5	3	3
	Women	-	1	3	3	4	4	1	-	1	1	-	2
Total Republic of Armenia		61	1 020	1 117	1 198	362	134	105	63	56	42	26	60
Of which women		24	243	244	253	116	77	47	21	24	5	9	33

Gender and age distribution of the number of students of preliminary vocational (technical) education institutions, 2008/09 academic year (people)

		Age											
		<i>14 and under</i>	15	16	17	18	19	20	21	22	23	24	<i>25 and higher</i>
Yerevan	Total	26	421	523	439	124	27	23	35	9	8	9	15
	Women	5	92	116	139	43	15	7	11	2	-	1	
Aragatsotn	Total	-	54	52	161	57	33	11	7	6	5	7	51
	Women	-	20	10	38	18	29	9	4	4	3	-	2
Ararat	Total	-	-	-	-	-	-	-	-	-	-	-	-
	Women	-	-	-	-	-	-	-	-	-	-	-	-
Armavir	Total	-	21	32	23	5	-	-	-	-	-	-	-
	Women	-	-	-	-	-	-	-	-	-	-	-	-
Gegharkunik	Total	2	26	65	65	43	16	24	14	15	14	9	11
	Women	-	-	-	-	5	6	8	2	1	2	1	1
Lori	Total	-	38	53	60	40	29	3	2	-	-	-	-
	Women	-	3	4	-	36	2	3	2	-	-	-	-
Kotayk	Total	-	115	127	164	55	16	14	4	4	-	1	2
	Women	-	36	37	43	17	6	9	3	3	-	1	2
Shirak	Total	9	256	211	357	188	15	9	15	7	-	6	19
	Women	6	132	100	64	91	8	2	2	2	-	2	6
Syunik	Total	-	19	30	43	11	11	7	6	7	4	2	20
	Women	-	-	1	7	3	4	2	4	4	3	1	17
Vayots Dzor	Total	-	-	-	-	-	-	-	-	-	-	-	-
	Women	-	-	-	-	-	-	-	-	-	-	-	-
Tavush	Total	-	15	26	36	3	4	5	8	3	1	6	7
	Women	-	1	4	6	3	4	2	-	-	-	2	4
Total Republic of Armenia		37	965	1 119	1348	526	151	96	91	51	32	40	125
Of which women		11	284	272	297	216	74	42	28	16	8	8	32

Distribution of the number of students dropped out of preliminary vocational (technical) education institutions by years and reasons, 2007/08 academic year (people)

	<i>Number of students</i>							
	<i>Including:</i>							
	<i>1st year</i>		<i>2nd year</i>		<i>3rd year</i>			
	<i>Total</i>	<i>Of which women</i>	<i>Total</i>	<i>Of which women</i>	<i>Total</i>	<i>Of which women</i>	<i>Total</i>	<i>Of which women</i>
Financial need	5	-	1	-	3	-	1	-
Conscripted to the Armed Forces of the Republic of Armenia	36	-	4	-	5	-	27	-
Lack of academic performance	4	-	-	-	4	-	-	-
Other reasons	47	22	31	15	9	5	7	2
Total	92	22	36	15	21	5	35	2

Distribution of the number of students dropped out of preliminary vocational (technical) education institutions by years and reasons, 2007/09 academic year (people)

	<i>Number of students</i>							
	<i>Including:</i>							
	<i>1st year</i>		<i>2nd year</i>		<i>3rd year</i>			
	<i>Total</i>	<i>Of which women</i>	<i>Total</i>	<i>Of which women</i>	<i>Total</i>	<i>Of which women</i>	<i>Total</i>	<i>Of which women</i>
Financial need	6	1	3	-	3	1	-	-
Conscripted to the Armed Forces of the Republic of Armenia	43	-	1	-	15	-	27	-
Lack of academic performance	11	4	1	-	4	2	6	2
Other reasons	24	9	9	5	10	1	5	3
Total	84	14	14	5	32	4	38	5

Gender distribution of the number of children attending pre-school institutions by Marzes of the Republic of Armenia and Yerevan, 2003–2008 (people)

	<i>Number of children attending</i>						<i>Of which girls</i>					
	2003	2004	2005	2006	2007	2008	2003	2004	2005	2006	2007	2008
Yerevan	21 629	21 507	22 413	22 078	22 887	23 977	10 705	10 703	10 985	10 891	11 272	11 834
Aragatsotn	895	903	782	1 471	802	1 152	492	467	427	804	386	468
Ararat	3 001	3 359	3 679	3 725	3 904	4 252	1 570	1 741	2 002	1 995	2 000	2 196
Armavir	3 089	3 082	3 312	3 369	3 754	3 975	1 456	1 309	1 770	1 808	1 977	2 004
Gegharkunik	2 314	2 469	2 593	2 404	2 461	2 570	1 328	1 379	1 445	1 348	1 380	1 302
Lori	3 522	2 915	3 179	3 283	3 221	3 482	1 695	1 456	1 585	1 621	1 521	1 701

	Number of children attending						Of which girls					
	2003	2004	2005	2006	2007	2008	2003	2004	2005	2006	2007	2008
Kotayk	2 940	2 614	3 326	2 529	3 839	4 056	1 460	1 237	1 695	1 316	1 919	2 011
Shirak	3 337	3 168	3 378	3 271	3 516	3 801	1 814	1 594	1 713	1 714	1 907	2 019
Syunik	3 565	3 399	3 303	3 137	3 467	3 543	1 730	1 690	1 668	1 574	1 701	1 749
Vayots Dzor	714	684	669	778	628	702	359	336	317	348	297	326
Tavush	1 849	1 871	2 040	1 970	2 012	2 208	984	965	1 003	1 020	1 022	1 094
Total, Republic of Armenia	46 855	45 971	48 674	48 015	50 491	53 718	23 593	22 877	24 610	24 439	25 382	26 704

Gender and age distribution of the number of children attending pre-school institutions by Marzes of the Republic of Armenia and Yerevan, 2007 (people)

	Under 1.5 years of age		From 1.5 to 3 years of age		From 3 to 5 years of age		6 years of age		7 years of age	
	Total	Of which girls	Total	Of which girls	Total	Of which girls	Total	Of which girls	Total	Of which girls
Yerevan	107	56	3 756	1 839	12 017	5 918	6 119	2 998	888	461
Aragatsotn	-	-	125	63	225	119	369	144	83	60
Ararat	18	9	475	263	2 150	1 057	1 091	568	170	103
Armavir	20	10	333	161	1 747	1 016	1 318	632	336	158
Gegharkunik	24	14	268	147	933	497	1 044	616	192	106
Lori	-	-	477	223	1 650	740	916	462	178	96
Kotayk	41	28	649	308	1 563	747	1 231	638	355	198
Shirak	3	3	482	272	2 405	1 329	487	227	139	76
Syunik	10	5	471	248	2 042	974	935	470	9	4
Vayots Dzor	-	-	31	14	260	125	268	119	69	39
Tavush	16	9	145	76	1 255	629	578	297	18	11
Total, Republic of Armenia	239	134	7 212	3 614	26 247	13 151	14 356	7 171	2 437	1 312

Gender and age distribution of the number of children attending pre-school institutions by Marzes of the Republic of Armenia and Yerevan, 2008 (people)

	Under 1.5 years of age		From 1.5 to 3 years of age		From 3 to 5 years of age		6 years of age		7 years of age	
	Total	Of which girls	Total	Of which girls	Total	Of which girls	Total	Of which girls	Total	Of which girls
Yerevan	116	54	4 243	1 960	12 157	6 111	6 657	3 276	804	433

	<i>Under 1.5 years of age</i>		<i>From 1.5 to 3 years of age</i>		<i>From 3 to 5 years of age</i>		<i>6 years of age</i>		<i>7 years of age</i>	
	<i>Total</i>	<i>Of which girls</i>	<i>Total</i>	<i>Of which girls</i>	<i>Total</i>	<i>Of which girls</i>	<i>Total</i>	<i>Of which girls</i>	<i>Total</i>	<i>Of which girls</i>
Aragatsotn	5	3	242	78	477	213	330	138	98	36
Ararat	-	-	364	206	2 777	1 398	1 069	571	42	21
Armavir	15	8	268	125	2 127	1 037	1 238	675	327	159
Gegharkunik	15	10	285	149	843	421	1 122	559	305	163
Lori	-	-	488	261	1 863	919	996	455	135	66
Kotayk	41	28	645	305	1 647	806	1 368	693	355	179
Shirak	2	2	504	272	2 727	1 422	482	284	86	39
Syunik	-	-	550	265	1 836	909	1 153	573	4	2
Vayots Dzor	-	-	14	6	402	185	255	119	31	16
Tavush	20	9	176	83	1 333	652	616	322	63	28
Total, Republic of Armenia	214	114	7 779	3 710	28 189	14 073	15 286	7 665	2 250	1 142

Enrolment of children in pre-school institutions, 2004–2008 (%)

	2004	2005	2006	2007	2008
Urban communities	27.4	29.7	29.0	31.1	39.3
Rural communities	8.7	9.6	10.5	10.3	13.6
Total	20.0	21.8	21.8	23.3	29.8

Article 31

480. With a view to implementing a uniform policy in the sphere of artistic and aesthetic education of children, the Ministry of Culture of the Republic of Armenia has elaborated and submitted for the approval the Government of the Republic of Armenia “The Concept Paper for artistic education”. It was approved by the Protocol Decision of the Government of the Republic of Armenia No. 47 of 18 November 2004.

481. The Concept Paper reflects the following human and citizen’s rights and freedoms in the field of culture and arts:

- (a) Participate in cultural life, engage in cultural activity;
- (b) Communicate with cultural values;
- (c) Engage in creative activity;
- (d) Receive artistic education and choose forms and means of such education.

482. Implementation of the Concept Paper provides an opportunity to implement uniform state policy in the sector of artistic education, to define directions for regulation of the legal framework, to establish principles for elaboration of uniform education criteria, to ensure the provision of uniform plans and methods for artistic education, to establish contemporary standards for improvement and upgrading of the logistic base, to ensure the

creation of conditions for meeting staffing demand in cultural sector, to bring the system of artistic education in line with contemporary standards.

483. In parallel with the implementation of the provisions set forth in the Concept Paper, the adoption of the “National programme on the protection of the rights of the child for 2004–2015” (Decision of the Government of the Republic of Armenia No. 1745-N of 18 December 2003) was also important for organisation of rest, leisure and cultural life of children. The following has been carried out to meet the requirements of the above-mentioned Concept Paper and Programme:

(a) With a view to ensuring access to artistic education, point 6 of Annex 2 of the Decision of the Government of the Republic of Armenia No. 589-N of 5 April 2007 “On approving the programme of development of culture in the Marzes of the Republic of Armenia” envisages the measure “Creation of affordable conditions for education of children (provision of target state sponsorship by giving priority to national music instruments)”, for the realisation of which the Ministry of Culture of the Republic of Armenia has presented the draft Decision of the Government of the Republic of Armenia “On reimbursement of tuition fees for teaching national music instruments in music and arts schools of the Republic of Armenia” (approved by the Decision of the Government of the Republic of Armenia No. 1167-N of 11 October 2007).

484. Music and arts schools where departments of national music instruments function and which have filed appropriate applications, have been included in the system of reimbursement of tuition fees. Based on the principle of uniform development, equal amount of reimbursement was set for learners of all schools. Initially, the provision of state assistance was emphasised, as drastic decrease was recorded in the number of students enrolled in departments of national, wind and string instruments; however, later on, other principles for allocation of financial means will be taken into account, such as specialist demands, the scope of educational services rendered by the school, number of population and students, etc, as well as the amount of investments made by the given community in the school.

485. In 2007, reimbursement of tuition fees was provided to 1993 students from 134 schools of the Republic of Armenia. In the course of programme implementation, departments of national music instruments have been re-opened in a number of schools and the list of the schools failing to file applications has been adjusted. Reimbursement of tuition fees for study of national music instruments not only provided an opportunity for ensuring access to education, but also solved a number of problems at schools, such as acquisition of new instruments and educational literature, salary supplements for teachers, etc. The programme implementation also derives from the cultural aspect of the Poverty Reduction Strategy Paper aimed at ensuring access to education for socially vulnerable children.

486. In 2008, reimbursement of tuition fees was provided to 2,062 students of 139 schools of the Republic of Armenia.

487. In 2009, reimbursement of tuition fees is envisaged to be provided not only for students learning in departments of national music instruments, but also in departments of wind and string instruments. Of the total, 2,443 students of 142 schools are included in the programme, of which 2,078 study in departments of national music instruments, 99 in departments of string instruments and 266 in departments of wind instruments.

488. A data bank on gifted children of the Republic of Armenia has been established in the Ministry of Culture of the Republic of Armenia, which contains data on 447 children from around 97 music, arts and artistic schools of Yerevan and Marzes of the Republic of Armenia. The established data bank aims at more targeted implementation of programmes intended for development and enhancement of creative capacities of gifted children and

adolescents. 41 children from artistic educational institutions of border settlements are also included in the data bank of gifted children of the Republic of Armenia.

489. For the purpose of arrangement of methodological works, regional methodology centres (branches of republican methodology centre) have been operating in 10 Marzes since 2009, which are located at supporting schools selected for this purpose (one music, arts and artistic school in each Marz, totally – 30 schools). Methodological works have been arranged at supporting schools for all the schools of the given Marz, such as introduction of curricula and subject programmes, consultation, exchange of advanced experience, organisation of mastering and training courses. In 2009, free of charge distribution of new teaching and methodology manuals and textbooks — published under state support — among schools operating in the Marzes was continued.

Implementation of programmes aimed at organisation of rest and leisure

490. The following measures have been carried out to organise rest and leisure of children in an interesting way:

(a) For the purpose of developing artistic capacities of gifted children and organising their summer holidays in an interesting way, child and adolescent creative summer camp “Artutik” is arranged in the Creative House of Composers in Dilijan, where 55 gifted children from 10 Marzes of the Republic of Armenia, as well as from Yerevan, Artsakh and Javakhk have a rest and receive mastering courses;

(b) The main objective of the Programme for organisation of educational trips for children and adolescents to museums, art galleries, concert and other cultural organisations of the capital and administrative centres of Marzes is to promote the development of the outlook of children, their patriotic education, development of aesthetic taste and communicating national arts and cultural heritage. The Programme has been implemented since 2008;

(c) The Programme for the development and enhancement of artistic capacities of gifted children and adolescents in the Marzes of the Republic of Armenia aims at more effective teaching of children — studying at music, arts and artistic schools — of professional educational programmes, at the development of their creative capacities through mastering courses, as well as at the implementation of the Programme of child and adolescent cultural days of Marzes in the capital called “We and our Marz”.

491. Organising national and international contests, festivals, exhibitions for adolescent creators and ensuring their participation therein:

(a) National contest of child and adolescent choruses called “Singing Armenia”, at the initial selection stage of which children’s choruses from all the Marzes (music and general education schools) take part. The choruses declared as the best ones in Marzes participate at the final stage of the contest organised in the capital;

(b) “Republican contest of photographic art”, at which adolescent photographers from Yerevan and Marzes of the Republic of Armenia participate;

(c) “Republican contest-exhibition of adolescent stylists, designers, design engineers and architects”, which was first held in 2008 with participation of stylists from all the Marzes. The contest-exhibition aims at fostering capacity building of adolescent creators, at exchange of experience and at presentation of their works to the public.

For the purposes of revival of the cultural life in Marzes, as well as for deconcentration of cultural life from the capital to the Marzes, the Ministry of Culture of the Republic of Armenia organises a number of cultural events in the Marzes of the Republic of Armenia. In particular, “Republican contest of puppet stocks” was first

organised in Yerevan in 2005, in 2006 – in Gegharkunik, in 2006 – in Tavush, and in 2008 – in Lori. Puppet stocks not only from Yerevan and from the Marzes of the Republic of Armenia, but also from Javakhk and Artsakh participate in the festival. Almost 20 stocks apply for participation in the festival every year. In Marzes, puppet shows are organised not only in administrative centres, but also in other towns and major settlements.

492. “The 7th music festival of the national minorities of the Republic of Armenia”, which was organised in Lori Marz in 2008 and presented the culture, national songs and dances of the national minorities residing in Armenia, also pursued the above-mentioned purposes. Representatives (among them, children’s bands) of 11 national unions residing in the Republic of Armenia participated in the festival.

493. State assistance to socially vulnerable children and children with disabilities in the sphere of specialised cultural training and aesthetic education:

(a) Due to the activities of the “Special Creative Centre for Children” SNCO operating under the Ministry of Culture of the Republic of Armenia, 470 children with disabilities, deprived of parents and from socially vulnerable families study arts and crafts at five special boarding schools in Yerevan and at 2 branches in Vanadzor. The Centre provides children with materials and instruments free of charge, and they are awarded with certificates after the completion of courses. Concerts and exhibitions are also organised;

(b) Due to the activities of the “Special Creative Centre for Juvenile Offenders” SNCO operating (since 2007) under the Ministry of Culture of the Republic of Armenia, arts and crafts trainings are organised for juvenile offenders at penitentiary establishments and outside. Currently, 90 children attend the trainings at the Centre. They are provided with materials and instruments free of charge, and they are awarded with certificates after the completion of courses. Concerts and exhibitions are also organised.

494. Target programmes for the development of children’s cinema and theatre:

(a) National contest of child and adolescent theatres called “Pomegranate seed”: National Festival of child and adolescent theatres called “Pomegranate Seed” fosters the development of child and adolescent theatres, as well as the identification of gifted children, and encourages creative activity. The Festival is traditionally held for the eighth time. In general, 30 children’s stocks from Yerevan, Marzes of the Republic of Armenia, Artsakh and Javakhk participated in the first stage and 24 children’s stocks in the second stage of the 2008 Festival. Almost twenty thousand spectators have attended the festival shows free of charge;

(b) “Tumanyan Fairy Tale Day” International Puppet Theatre Festival in Dsegh: It is already four years that this Festival is organised in the village of Dsegh of Lori Marz of the Republic of Armenia. Altogether 14 stocks from Armenia and foreign countries participated in the Festival in 2008;

(c) Shooting of children’s cartoons: Shooting of children’s cartoons promotes the development of children’s cinema, patriotic education and widening of their outlook, as well as the organisation of leisure and rest. From 4 to 5 cartoons are shot for children under annual state assistance;

(d) Child and Adolescent Cinema and Animation Festival: The Festival is planned to be held in 2009 for the first time. Films shot by adolescent authors from Armenia and foreign countries will participate in the Festival.

Cultural unions of Armenia

<i>Type of the organisation</i>	<i>Description</i>	<i>Total number</i>	<i>Children's participation</i>
Cultural centres of national minorities	The objective – preserving cultural identity of national minorities	Exact number is unknown	With Children's participation
Creative unions	The complete list is provided ⁷	14	
Children's creative unions	Music, dance, fine art and drawing departments	Exact number is unknown	With Children's participation
Art schools	Music, drawing, dance and theatre	46	6,748
Theatre of Young Spectator	There are drawing, dance, music and recitation groups in the Theatre		With Children's participation
Music schools for children	Departments of various music instruments	122	25,678
Drawing schools	Drawing, sculpture, fine art and history of art	25	1,599

IX. Special protection measures (arts. 22, 30, 32–36, 37 (b)–(d), 38, 39 and 40)

Article 22

495. The Law of the Republic of Armenia “On refugees and asylum” adopted on 27 November 2008 regulates the relations pertaining to the recognition of refugees and granting of asylum, as well as ensures the application of the Convention relating to the Status of Refugees of 1951 (hereinafter referred to as “the Convention”) and of its Protocol of 1967 and recognises the right of any alien and stateless person to seek an asylum in the territory of the Republic of Armenia and at state border checkpoints of the Republic of Armenia and to be granted an asylum therein, if they meet the necessary requirements for granting an asylum as prescribed by law. In accordance with the principles and norms of international law, the Law also protects all aliens and stateless persons from expulsion to their country of citizenship or former place of permanent residence and to any other country where they would be in danger of being subjected to torture, inhuman or degrading treatment.

496. Having regard to the rights of children and the guarantees for the protection of such rights, Article 7 of the Law prescribes that a spouse of a refugee granted an asylum in the Republic of Armenia, his or her child under the age of eighteen as well as any person under his or her custody shall also be considered refugees and persons granted an asylum in the

⁷ Artists' Union of Armenia, Theatre Workers' Union, Music Company, Writer's Union of Armenia, Union of Art of Dance Workers, Union of Art of Dance, Journalists' Union, Architects' Union, Union of Composers and Musicologists, Designers' Union, Cinematographers' Union, Armenian Association of Film Critics and Cinema Journalists, National Theatrical Creative Union, Armenian Actors' Union.

Republic of Armenia, where they cohabit with the refugee in the Republic of Armenia and do not hold a citizenship, other than that of the refugee, of another country providing effective protection. Parents of the child recognised as a refugee and granted an asylum in the Republic of Armenia, his or her siblings under the age of eighteen, as well as siblings above the age of eighteen who have no active legal capacity are also considered refugees and are granted an asylum in the Republic of Armenia, where they cohabit in the Republic of Armenia with the child holding a refugee status and do not hold a citizenship, other than that of the child, of another state providing effective protection.

497. Article 8 of the Law states that a minor with no accompanying person or separated from the family shall be an asylum-seeker or a refugee with no legal representative (parents or parent, guardian, curator) in the Republic of Armenia. General asylum procedures provided for by this Law are applied to a minor with no accompanying person or separated from the family, unless otherwise provided for by this Law and other laws of the Republic of Armenia. Minors with no accompanying person or separated from the family shall have the rights equal to those of asylum-seekers or refugees, unless otherwise provided for by this Law and other laws of the Republic of Armenia. The authorised body shall assist a minor with no accompanying person or separated from the family to be placed and cared for in the manner prescribed by the legislation of the Republic of Armenia, as well as to exercise all the rights established by the legislation of the Republic of Armenia. All state authorities, as prescribed by law, that deal with the issues of minor asylum-seekers or refugees with no accompanying person, shall, having regard to the particular state of minor asylum-seekers with no accompanying person or separated from the family and, to the utmost extent, taking into consideration their interests, assist them within the scope of their powers. Based on the above-mentioned provision, a number of articles define the obligations of the authorised bodies; in particular, as soon as the authorised body of migration affairs receives an application for granting an asylum by a minor asylum-seeker with no accompanying person and separated from the family, it shall refer to the authorised body of labour and social affairs, and, where appropriate, to the divisions for the protection of children, to arrange the placement of and care for minor and disabled asylum-seekers with no accompanying person and separated from the family (Article 34); the Ministry of Labour and Social Affairs, upon the motion of the authorised body and in co-operation with guardianship authorities and the divisions for the protection of children, arranges the placement of and care for minor asylum-seekers with no accompanying person and separated from the family (Article 38); the Ministry of Education and Science takes measures to implement the right to education of asylum-seekers in the Republic of Armenia and the refugees granted an asylum in the Republic of Armenia. Upon the application of a guardianship authority, the Ministry of Education and Science settles the issue of entrance of a minor asylum-seeker with no accompanying person and separated from the family and of refugees granted an asylum, to an educational institution (Article 39); guardianship authorities, upon the motion of the authorised body of labour and social affairs or of the divisions for the protection of children, arrange, within the territory of their community, the issue of appointment of a guardian or a curator for a minor asylum-seeker with no accompanying person and separated from the family (Article 41); the divisions for the protection of children, in co-operation with guardianship authorities, arrange the placement of and care for minor asylum-seekers with no accompanying person or separated from the family (Article 42).

498. Article 50 of the Law provides guarantees for minor asylum-seekers with no accompanying person or separated from the family, in accordance with which in case of a minor asylum-seeker (asylum-seekers) with no accompanying person or separated from the family (hereinafter referred to as “the minor asylum-seeker(s) with no accompanying person”), the authorised body shall instantly inform the authorised body of labour and social affairs to support in the appointment of a guardian (curator) for the minor asylum-

seekers with no accompanying person. The authorised body shall undertake the tracing of the child's parents or other relatives for the purpose of reunification of the family, except for the cases when the tracing and reunification are not in the child's best interests. The authorised body of labour and social affairs, jointly with the divisions for the protection of children, initiates the process of the placement of the minor asylum-seekers with no accompanying person and of the appointment of a guardian. When placing the child, the guardianship authorities of the Republic of Armenia shall, in the best interests of children, ensure the co-habitation of the minor asylum-seekers that are members of one family. The guardian(s) is (are) obliged to duly represent the interests of the minor asylum-seeker(s) with no accompanying person in the course of the asylum proceedings. The authorised body shall not take any action in the course of the asylum proceedings without the participation of the guardian and shall ensure that the interview is held in the manner prescribed by law at the presence of the latter, and the official conducting it shall have necessary knowledge and skills for work with minors. All the officials engaged in the asylum proceedings of the minor asylum-seeker with no accompanying person shall always act in the best interests of the child.

499. As a result of the war unleashed by Azerbaijan for violent suppression of the right to self-determination of the people of Nagorno-Karabakh, the number of refugee children amounted to almost 70,000 as of 1997. Below, information is provided about refugees by number, gender, age, education, disability, housing conditions, allowance beneficiaries and employment. Since 2000, as a result of the naturalisation process, the current number of refugees has reached up to 4,000 including the newly arrived.

500. The Republic of Armenia has continuously pursued a policy of comprehensive integration of refugees, including minor refugees, into society. As of 2008, 82,000 refugees were granted the nationality of the Republic of Armenia.

Information on refugees fled from Azerbaijan in 1988–1992 by Marzes as of 1997

<i>Marzes</i>	<i>Number</i>		<i>Total</i>	<i>Gender</i>		<i>Age</i>			<i>Education</i>		<i>Housing conditions</i>		<i>Allowances and other means</i>	<i>Employed</i>
	<i>People</i>	<i>Temporarily absent</i>		<i>Male</i>	<i>Female</i>	<i>Under 16</i>	<i>16–60</i>	<i>Higher than 60</i>	<i>Higher</i>	<i>Disabled</i>	<i>Permanent</i>	<i>Temporary</i>		
Yerevan	72 107	22 191	18 976	33 766	38 341	15 142	35 332	21 633	4 326	2 812	61 128	10 979	33 890	15 237
Aragatsotn	9 236	642	2 368	4 063	5 173	1 662	4 433	3 141	297	351	8 359	877	5 607	1 733
Ararat	61 204	9 714	14 928	27 077	34 127	13 290	31 486	16 428	2 543	2 682	52 398	8 806	30 417	10 427
Armavir	27 216	8 820	69 787	11 893	15 323	4 681	13 477	9 058	1 006	1 051	23 780	3 436	13 455	5 175
Gegharkunik	35 028	4 600	8 203	15 517	16 511	7 253	17 339	10 436	1 331	1 476	30 494	4 534	16 642	5 718
Lori	22 384	3 846	5 317	9 222	13 162	4 387	11 482	6 515	1 365	889	19 221	3 163	10 145	4 492
Kotayk	38 725	6 122	9 633	16 961	21 764	8 248	19 905	10 572	2 439	1 704	31 942	6 783	15 257	8 050
Shirak	5 251	675	1 281	2 278	2 973	1 092	2 609	1 550	357	241	4 468	783	2 412	1 370
Syunik	18 687	4 424	5 190	7 586	11 101	4 260	9 398	5 029	1 046	434	17 440	1 247	9 126	3 471
Vayots Dzor	6 142	637	1 574	2 419	3 723	1 405	3 097	1 640	264	127	5 749	393	2 715	1 407
Tavush	15 348	3 736	2 584	6 520	8 828	3 960	5 549	5 839	592	338	14 032	1 316	6 538	2 850
Total	311 328	65 407	77 032	137 302	174 026	65 380	15 410	91 841	15 566	12 105	269 011	42 317	146 204	59 930

Article 30

501. The issue of ensuring the rights of national minorities is constantly at the centre of attention of the Government of the Republic of Armenia. More details about measures and actions undertaken by the Republic of Armenia may be found in the Fifth and Sixth (joint) Periodic National Report of the Republic of Armenia on the Implementation of the International Convention on the Elimination of all Forms of Racial Discrimination and in the Second and Third (joint) Periodic Report of the Republic of Armenia on Implementation of the UN International Covenant on Civil and Political Rights.

Article 32

502. Article 257 of the Labour Code establishes that persons under eighteen years of age may not be involved in performing: (1) heavy work, (2) manufacture work involving possible exposure to agents which are toxic, carcinogenic, or hazardous to the health, (3) work involving possible exposure to ionising radiation, (4) work involving a high risk of accidents or occupational diseases, as well as work the performance of which requires a high level of caution and experience. The list of heavy and harmful jobs is established by the Government of the Republic of Armenia. Under new economic conditions, however, it is necessary that relevant safeguards are set for employed minors in order to protect them from exploitation.

Structure of employed population by groups

Average annual	People in thousands				
	2004	2005	2006	2007	2008
Employed, total	1 081.7	1 097.8	1 092.4	1 101.5	1 117.6
Of which:					
Working minors	3.0	2.5	1.5	1.8	1.1
Share in the total, %					
Working minors	0.3	0.2	0.1	0.2	0.1

503. The Labour and Employment Department of the Staff of the Ministry of Labour and Social Affairs of the Republic of Armenia presented the Draft Law of the Republic of Armenia “On Employment and Social Protection in Case of Unemployment” to the Government of the Republic of Armenia, which provides for better chances of employment for children having attained the age of employment who are deprived of parental care and for persons deemed to be children deprived of parental care.

In particular, after being registered as unemployed for more than 6 months (instead of the one-year term, as previously in force) they will be considered as persons having trouble finding employment and as job seekers unable to find employment under equal opportunities in the job market; the State Employment Service develops and conducts specialised training and salary reimbursement programmes aimed at assisting in finding a job.

504. Articles 144 (3) and 148 (3) of the Labour Code of the Republic of Armenia prohibit engagement of employees below the age of eighteen in overtime and night time work, respectively.

- (a) According to Article 149 of the Labour Code of the Republic of Armenia:
 - (i) “Persons under eighteen years of age may not be appointed to duty at an organisation or at home”;
 - (ii) According to Article 140 of the Labour Code of the Republic of Armenia, shorter work hours shall be set for: employees from fourteen to sixteen years of age – 24 hours per week, and employees from sixteen to eighteen years of age – 36 hours per week.

505. Article 153 provides that employees under eighteen years of age who work for more than four hours must be granted an additional break of at least 30 minutes to rest during their work hours.

506. Pursuant to Article 154 of the Labour Code of the Republic of Armenia, the duration of daily uninterrupted rest time of employees from fourteen to sixteen years of age must be at least 14 hours, and not less than 12 hours for persons from sixteen to eighteen years of age, and must fall within the time range of 10:00 p.m. to 6:00 a.m. Article 155 (7) of the Code provides that persons under eighteen years of age must be provided with at least two rest days per week.

507. Pursuant to Article 164 of the Code, employees under the age of eighteen shall, after six months of uninterrupted work at an organisation, be entitled to choose the time of the annual leave.

The right of a child to allowance

508. According to pension legislation of the Republic of Armenia, the following pensions are assigned for and paid to children:

- (a) Disability pension is granted to a child recognised as disabled by the Medical and Social Expertise body, for the whole period of disability;
- (b) Pension for the loss of a breadwinner is granted to the child, brother, sister, or grandchild of a deceased bread-winner not having attained the age of eighteen; in the case of the brother, sister, or grandchild of the breadwinner, the pension is granted if they do not have parents capable of work and are unemployed.

509. In case a student attending an educational institution full-time (during daytime) loses a breadwinner, s/he is entitled to a pension until graduation from the educational institution, but before attaining twenty-three years of age.

510. Provisions on pension in the case of losing a breadwinner also apply to the family of the deceased person.

511. A minor receiving a pension for having lost a breadwinner shall maintain the right thereto in case of adoption.

512. Children staying at an orphanage shall be paid 50% of the pension. Prior to attainment of maturity by the child, the pension amounts are deposited to the account opened for the child specially for that purpose in the manner established by the state administration body authorized in the sphere of pensions and are paid to the child within one month of the day s/he reaches maturity.

513. The pensions are granted irrespective of the earnings and means of the child and the persons responsible for keeping the child.

514. In case of losing the breadwinner, the pension is paid to one of the family’s adults capable of work, as well as to a minor member entitled to dispose of the earnings of the family by law, or to the guardian.

515. A child having attained the age of fourteen is entitled to receive the pension in person.

Article 33

516. According to Article 24 of the Criminal Code of the Republic of Armenia, a person who has attained the age of sixteen when committing an offence shall be held criminally liable. Part 2 of the same Article provides the offences for which minors aged fourteen to sixteen may be held liable; according to part 2, a minor may be held criminally liable for stealing or extorting narcotic drugs or psychotropic substances.

517. The previous text of the Criminal Code ascribed liability for the use of narcotic drugs without prescription of a physician. Yet legislative amendments dated 26 May 2008 repealed Article 271 which prescribed liability for the use of narcotic drugs without the prescription of a physician. Instead, the Administrative Offences Code of the Republic of Armenia was supplemented by Article 441, which ascribes liability for the use of narcotic drugs and psychotropic substances without prescription of a physician. The mentioned Article also provides that a person who voluntarily applies to a relevant medical institution for medical aid, as a result of use of narcotic drugs and psychotropic substances without prescription of a physician, is exempted from administrative liability for the offence as provided for by the mentioned Article. Likewise, the illicit circulation of narcotic drugs and psychotropic substances with no intention of trafficking was decriminalised and administrative liability was ascribed thereto.

518. Persons who have attained the age of fourteen when committing an offence shall be held criminally liable for stealing or extortion of narcotic drugs or psychotropic substances (Article 269).

519. According to statistics provided by the Police of the Republic of Armenia, the following cases of use of narcotic drugs without prescription of a physician have been recorded and registered.

<i>Period</i>	<i>Number of recorded cases</i>	<i>Registered minors</i>
2004	3 cases	1
2005	4 cases	3
2006	3 cases	0
2007	2 cases	0
2008	6 cases	5

520. It should be mentioned that drug addiction among minors is not an issue requiring urgent attention in Armenia. Nevertheless, in line with Article 33 of the Convention on the Rights of the Child, preventive work against the increase of drug addiction among schoolchildren and students is under the constant attention of the Police of the Republic of Armenia.

521. Police officers of the Police of the Republic of Armenia in charge of minors' affairs attach special importance to the prevention of use and trafficking of narcotic drugs among minors. For this purpose, police officers in charge of minors' affairs pay regular inspection visits to relevant administrative districts, secondary schools, educational institutions, and residential neighbourhoods and hold educational presentations on such topics as "Drug Addiction and Minors", "The Dangers of Drug Addiction", and relevant topics in order to help minors to make right choices.

522. The Government of the Republic of Armenia has approved the “National Programme on Combating Drug Addiction and Illicit Trafficking in Narcotic Drugs in the Republic of Armenia for Years 2009–2012”, which includes a number of preventive measures.

Article 34

523. Article 132 bis (2) of the Criminal Code of the Republic of Armenia ascribes liability for involving a person not having attained the age of eighteen in prostitution or other forms of sexual exploitation.

524. According to Criminal Code of the Republic of Armenia, rape, as well as other violent actions of a sexual nature, against a minor is punished by imprisonment for four to ten years (Article 138 (2) (3), Article 139 (2) (3)); sexual intercourse or actions of a sexual nature with a person obviously below the age of sixteen by a person having attained the age of eighteen is punished by a fine in the amount of 100-fold to 200-fold of the minimum wage or by imprisonment for a maximum term of two years (Article 141 of the Criminal Code of the Republic of Armenia); committing lecherous actions towards a person obviously below the age of sixteen is punished by a fine in the amount of 200-fold to 400-fold of the minimum wage or by imprisonment for a maximum term of two years (Article 142).

525. Committing actions under Chapter 18 — which establishes crimes against sexual inviolability and sexual freedom (rape – Article 138, violent actions of a sexual nature – Article 139, compelling to actions of a sexual nature – Article 140) — against minors is considered as aggravating circumstances. Also, Article 141 provides a fine in the amount of 100-fold to 250-fold of the minimum wage or imprisonment for a maximum term of two years for engaging in sexual intercourse or actions of a sexual nature with a person obviously below the age of sixteen by a person having attained the age of eighteen, in the absence of elements of the offences provided for in Articles 138, 139, or 140 of the Code. Article 142 ascribes liability for committing lecherous actions towards a person obviously below the age of sixteen.

526. According to statistics provided by the Police of the Republic of Armenia, 53 cases of offences against sexual inviolability and sexual freedom of minors have been registered in the territory of the Republic of Armenia in 2008, out of which: 15 cases of rape (Article 138 of the Criminal Code of the Republic of Armenia); 4 attempts of rape (Articles 34–138 of the Criminal Code of the Republic of Armenia); 3 cases of violent actions of a sexual nature (Article 139 of the Criminal Code of the Republic of Armenia); 27 cases of committing actions of a sexual nature with a person below the age of sixteen (Article 141 of the Criminal Code of the Republic of Armenia); 4 cases of lecherous actions (Article 142 of the Criminal Code of the Republic of Armenia).

527. The Police of the Republic of Armenia is engaged in measures to prevent prostitution among minors, although it is not a large-scale problem in Armenia. In 2008, only six minors were registered by the Police of the Republic of Armenia for involvement in prostitution. Relevant work is being carried out with such minors.

528. Continuous improvements in the social and economic fields in recent years and targeted programmes undertaken have contributed to a decrease in the number of tramps and beggars among minors. Also, a gradual decrease in the number of children engaged in begging is registered as a result of complex activities and cooperative efforts between interested ministries and international and non-governmental organisations.

529. Thus, the number of minor beggars in 1997 was around 300, while the number decreased to 15 in 2008.

530. The Police of the Republic of Armenia undertakes preventive measures against prostitution. In this regard, wide-scale cooperation is established with non-governmental organisations, especially with those engaged in the protection of women rights. A series of documentaries on the issue of migrant prostitution have been prepared, and relevant analyses have been published. Crimes connected with women have always been under the special attention of the police. All possible measures are undertaken for subjecting pimps and offenders to liability. Prostitution among minors and all types of offences connected with them are at the centre of attention of the police.

531. For the prevention of prostitution among minors, police officers carry out numerous preventive measures, including inspection visits, meetings with school teachers and representatives of parent committees. In this regard, a close eye is kept on minors from socially vulnerable families. Students of special schools are under the permanent supervision of the police, etc.

532. As prostitutes are considered to be a risk group for spreading sexually transmitted disease (STD), they are admitted by the Police to the Republican Dermatovenerologic Dispensary of the Republic of Armenia, where they undergo examination and receive appropriate treatment in case of necessity under state-provided programmes.

533. In 2008, six minors have been documented for prostitution. Article 179 bis of the Administrative Offences Code of the Republic of Armenia ascribes administrative liability for prostitution (punished by a fine in the amount of 20 to 50% of the minimum wage for persons aged between sixteen to eighteen).

534. Homosexuality or violent actions of a sexual nature against the will of the victim, by use or threat to use violence against her/him or other person or through the use of the victim's helpless position is punished by 3 to 6 years of imprisonment. The same actions committed (1) by a group of people, (2) against the victim or other person with particular cruelty, (3) against a minor, (4) having negligently caused the death of the victim or other grave consequences, (5) by a person previously having committed offences provided for in Articles 138 and 139 of the Criminal Code of the Republic of Armenia are punished by four to ten years of imprisonment. Acts provided by parts 1 and 2 of Article 139 of the Criminal Code that have been committed against a victim below the age of fourteen are punished by eight to fifteen years of imprisonment.

535. The Police of the Republic of Armenia closely cooperates with non-governmental organisations engaged in the elimination of issues of sexual abuse and violence. Day-to-day efforts are made to prevent and reveal cases of sexual abuse. The Police of the Republic of Armenia also cooperates with the Women's Rights Centre, which has set up an Emergency Shelter for assisting girls subjected to violence and sexual abuse. At the Emergency Shelter, victims are provided with free accommodation and food, psychological and legal consultancy, social and medical aid. Also, a 24-hour Children's Support Centre operates for minor girls that were subjected to violence and sexual abuse, where they receive assistance by police officers, a psychologist, physician, and social worker. It should be mentioned that prostitution does not entail criminal liability under the Criminal Code of the Republic of Armenia and is not prosecuted, yet the offenders are subject to administrative liability pursuant to Article 179 bis of the Administrative Offences Code of the Republic of Armenia (punished by a fine in the amount of 20 to 50% of the minimum wage for persons aged between sixteen to eighteen). Prostitutes are tested for STDs and HIV/AIDS under free state-provided programmes and, in case tested positive, receive free treatment.

536. Since 2003, the exploitative use of persons in prostitution as well as trafficking are prosecuted under the Criminal Code of the Republic of Armenia. Reintegration of and assistance to victims is mainly carried out through non-governmental organisations with the support of the Police of the Republic of Armenia and in cooperation with the Ministry of

Labour and Social Affairs. Persons having been engaged in an offence where there is a possibility of STD transmission are admitted to the Sexually Transmitted Diseases Dispensary, where they undergo medical examination under state-provided programmes (including HIV/AIDS testing) and receive appropriate treatment. Foreign nationals that are victims of human exploitation (trafficking) are admitted to non-governmental organisations, where they are provided with shelter and appropriate care. The rights of victims of human exploitation (trafficking) are being protected. They are not arrested or detained if they have not committed an act prosecuted under the Criminal Code. They are not arrested or detained even when they engaged in prostitution during trafficking, and committed, against their will and compulsorily, offences such as the use of false documents, the crossing of a border with false documents, etc. In this process, the Police of the Republic of Armenia cooperates closely with all interested bodies.

537. It should be mentioned that certain improvements have been made in dealing with children on the street as well. Due to cooperation with different international and local organisations, Armenia has shown a drastic reduction in the number of vagrant juveniles.

538. Through the cooperation of the Police of the Republic of Armenia and Project Harmony international non-governmental organisation, trainings on various legal topics, including violence, are held in general education schools with the direct participation of teachers and police officers and through interactive teaching, enabling minors to learn and get to know their rights and obligations and become aware of the legislative framework in force in the Republic of Armenia.

539. Measures aimed at the prevention of violence were undertaken and were covered by mass media. TV programs and news conferences were aired and held with the participation of bodies and organisations responsible for the prevention of violence, and relevant articles were published.

540. A joint regional consultancy meeting was held in Tbilisi, Georgia in October 2009 within the project of “Cooperation Against the Abuse and Neglect of a Child”, in which representatives of the governments of Armenia, Azerbaijan, and Georgia, as well as of “Arevamanuk” (Armenia), “Public Health Development Foundation” (Georgia), and “Trustworthy Future” (Azerbaijan) non-governmental organisations participated.

541. The process of reforms and the results of relevant activity in the system of child protection were presented during the discussion. The discussions touched upon cases of violence against children, certain tendencies of development, as well as actions aimed at the prevention and elimination of the problem; also, specific cases were analysed, contemporary and effective solutions of the issue were presented. Fostering an atmosphere of intolerance among the public was highlighted as an important element in combating the problem of violence against children, and interstate cooperation in addressing issues of abuse and neglect of a child was emphasized.

Article 36

542. Information concerning the abovementioned article is covered in the section concerning Article 4 of the Convention.

Article 37 (b)–(d)

543. A Subdivision on Juvenile Affairs operates under the Police of the Republic of Armenia, the main objective of which is to prevent minors from committing antisocial acts and to contribute to forming a person useful to society. The Subdivision on Juvenile

Matters is comprised of 250 employees who work with vagrant minors, truants, as well as minors having committed crimes and various violations of law. The unit's operations cover 1,473 schools. Since 2000, the Police of the Republic of Armenia is actively engaged in reforms introduced in the field of children's rights protection. Work is carried out daily for the timely identification of children on the wrong track and for putting them back on the right one, for the detection of adults having a negative influence on their children or those inducing children to a crime of beggary; also, educational presentations are held at schools on various legal topics.

544. As a result of wide-scale preventive work carried out in recent years, positive shifts are noticed in the figures for crimes committed by juveniles. In comparing the number of crimes committed by minors for the past ten years, a reduction both in number of cases and that of juvenile offenders is noticed. A reduction is observed in the overall number of crimes, as well as in the number of cases of grave crimes committed by minors.

<i>Year</i>	<i>Minors subjected to criminal liability</i>	<i>Number of documented offences</i>
1997	675	741
1998	479	589
1999	472	588
2000	414	610
2001	538	611
2002	408	587
2003	361	553
2004	383	557
2005	356	511
2006	395	506
2007	366	563
2008	282	536

545. In recent years, notable developments in children's rights protection are observed in the judicial system, reflected in the judgments made by courts. In this regard, it is worth mentioning the Court of Cassation's examination of actions on enforcing or altering the decisions adopted by the Guardianship and Curatorship Commission, where, in rendering its judgments, the Court of Cassation was guided by the provisions of the Convention concerning the best interests of the child.

Article 38

546. There has never been a practice of recruiting minors to military service in the Republic of Armenia. The age of conscription is set at 18.

Article 39 **Psychological recovery and social reintegration**

547. Malicious evasion by the parent from providing court-ordered means of subsistence to a child or to one's child below the age of eighteen incapable of work for more than three months is a criminally punishable act (Article 173 of the Criminal Code).

548. Articles 165 and 166 of the Criminal Code of the Republic of Armenia ascribe criminal liability for involving a minor in the commission of an offence or of antisocial actions (regular use of alcoholic beverages, non-medical use of drastic or other soporific substances, prostitution, vagrancy or beggary, acts connected with the preparation of pornographic materials or objects). Article 262 (3) of the Criminal Code of the Republic of Armenia ascribes liability for involving in prostitution a person who has not attained the age of eighteen, through the exploitive use of such person.

Article 40

549. Chapter 50 of the Criminal Procedure Code of the Republic of Armenia provides the specifics of proceedings on juvenile cases. 2. The procedure of proceedings on juvenile cases is regulated by the general rules of the mentioned Code, as well as by the articles of Chapter 50. The legal representative of a juvenile suspect or accused participates in the examination of cases on juvenile delinquencies (Article 411).

550. Article 205 bis of the Criminal Procedure Code prescribes the duration of interrogation; according to part 1 of the Article, the interrogation may not exceed four consecutive hours, and that of a minor as well as of a person suffering from mental or other serious disease may not exceed two consecutive hours.

551. According to Article 138 (3) of Criminal Procedure Code of the Republic of Armenia, the detention term in pre-trial criminal proceedings may not exceed two months, except for cases provided for by the Code; part 4 of the same article provides that the term of holding the accused in detention in pre-trial proceeding, taking into consideration the particular complexity of the case, may be extended up to six months by court, and in exceptional cases, when the person is charged with a grave or particularly grave crime, up to 12 months.

552. Article 267 of the Criminal Code of the Republic of Armenia prescribes punishment for the violation of the rules of manufacturing, acquiring, storing, recording, releasing, transferring or delivering narcotic drugs or psychotropic substances, as well as of substances, equipments, or instruments used for manufacturing thereof and placed under special control; Article 268 of the Code prescribes punishment for the illicit manufacturing, processing, acquiring, storing, transferring or delivering narcotic drugs or psychotropic substances without the purpose of realising thereof.

553. Article 269 of the Criminal Code ascribes criminal liability for persons having attained the age of fourteen for stealing or extorting narcotic drugs or psychotropic substances.

554. The legal representative of a witness not having attained the age of fourteen, and, upon the permission of the body conducting the criminal proceedings, the legal representative of an older minor, shall have the right to know that the person represented by her/him has been summoned to the body conducting the criminal proceedings and to participate in the investigative operation or other procedural actions by accompanying the minor.

555. By participating in the investigative operation or other procedural actions, the legal representative of the witness has rights and obligations as prescribed by Article 87 of the Criminal Procedure Code of the Republic of Armenia.

556. The minor witness or minor victim, irrespective of age, may be interrogated provided that s/he may provide information relevant for the case.

557. In the Republic of Armenia, criminal proceedings shall be conducted in Armenian as provided by Article 15 of Criminal Procedure Code of the Republic of Armenia. During

criminal proceedings, each person, except for the body conducting the criminal proceedings, shall have the right to express her/himself in the language s/he has a command of. By the decision of a body conducting the criminal proceedings, persons participating in criminal proceedings who do not have a command of the language of the criminal proceedings shall be provided with the possibility of exercising all their rights provided by the Criminal Procedure Code through the assistance of an interpreter free of charge. Relevant persons lacking command of the language of criminal proceedings shall be provided with the certified copies of documents subject to provision, as provided by this Code, in the language they have a command of. Documents in other languages shall be attached to a criminal case with their Armenian translations.

558. The legislature has attached special importance to the interrogation of a deaf, mute, or blind witness and has established the following: “The interrogation of a deaf, mute, or blind witness shall be conducted with the participation of an interpreter understanding her/his signs or capable of communicating with her/him by means of signs. A note on the participation of the interpreter shall be made in the protocol”. In case the witness has a mental or other serious disease, the interrogation of the witness shall be conducted upon permission and with the participation of a doctor (Article 208 of the Criminal Procedure Code).

559. A minor witness may be interrogated in the absence of the defendant by motion of the parties or by initiative of the court, when necessary for the complete, comprehensive, and impartial examination of the circumstances of the case. The testimony of the minor witness is made available to the defendant after s/he returns to the courtroom, and s/he is given the opportunity of addressing questions to such witness and giving testimony concerning the information provided by the witness. The witness under the age of sixteen shall be removed from the courtroom after her/his interrogation is over, except for cases when the court, by motion of a party or by its own initiative, considers as necessary the further presence of such witness (Article 341 of the Criminal Procedure Code).

560. Article 440 of the Criminal Procedure Code provides that apart from the circumstances subject to approval in all cases, in juvenile cases the following is to be clarified with regard to the minor:

- (a) Age of the minor (day, month, and year of birth);
- (b) Conditions of life and upbringing;
- (c) Condition of health and general development.

561. According to Article 443 of the Criminal Procedure Code, the court, upon delivering a judgment and arriving at a conclusion that a minor may be rectified without recourse to criminal punishment measures, may exempt the minor from punishment and impose compulsory measures of a disciplinary nature against her/him.

562. The difference between compulsory measures of disciplinary nature and punishment is that the former do not entail a conviction and are applied with regard to minors. As a general rule, compulsory measures of disciplinary nature may be applied only with regard to persons not having attained maturity (persons fourteen to eighteen years of age). Compulsory measures of disciplinary nature are listed in Article 91(2) of the Criminal Code.

563. Imposing remand detention against a juvenile suspect or accused as a measure of restraint is permitted solely where s/he is implicated for committing a crime of medium gravity, grave, or particularly grave crimes (Article 342 of the Criminal Procedure Code).

564. Pursuant to Article 148 (1) of the Criminal Procedure Code, placing under supervision shall mean to place upon the parents, guardians, trustees of the juvenile suspect

or accused, or the administration of closed child care centres where such juvenile suspect or accused is kept, the obligation of ensuring the proper behaviour of the suspect or accused, her/his appearance upon the summons of the body conducting criminal proceeding, and the fulfilment of other procedural obligations.

565. Such obligation may be placed upon the parents or persons surrogating them through marriage or family law provisions and through Article 92 (2) of the Criminal Code.

566. Pursuant to Article 448 (2) of Criminal Procedure Code, in case placing under supervision, as a measure of restraint, is applied to a juvenile, the body conducting the criminal proceedings familiarises the minor's parents, guardians, trustees, representative of the administration of the closed child care centre with the decision made, and provides a copy of the decision, familiarises them with the content of suspicion or charge, explains to them their rights, obligations, and responsibility, which is documented in the protocol.

567. Parents, guardians, trustees have the right to refuse to perform supervision over the juvenile suspect or accused. For failure to perform their obligations, the persons who have assumed the obligation to supervise are liable as provided by law.

568. The suspect, the accused, their counsels and legal representatives, other interested participants of the proceedings may appeal the decision of the investigator and the investigative body on applying, or changing, a measure of restraint to the relevant prosecutor, and the decision of prosecutor may be appealed to a superior prosecutor.

569. The court decision on applying, or rejecting, a measure of restraint in the course of pre-trial proceeding, or on extending, or rejecting, the term of applying remand detention as a measure of restraint may be appealed to the Court of Appeals (Article 150 of the Criminal Procedure Code).

570. The procedure for the proceedings on cases of applying compulsory measures of medical nature is defined by the general rules and Articles 450, 451, 454, 456 of Chapter 52 of the Criminal Procedure Code.

571. Compulsory measures of medical nature are imposed by the court on such persons who have committed an act prohibited by criminal law in a state of insanity and where such persons continue to be dangerous for the society (Article 450 of the Criminal Procedure Code).

572. The pre-trial preparation of materials for cases on applying compulsory measures of medical nature are carried out in the form of a preliminary investigation, and the decision on instituting proceedings on the imposition of compulsory measures of a medical nature is made by an investigator or a prosecutor. The counsel, legal representative, the person against whom proceedings on applying compulsory measures of a medical nature have been instituted, except for cases when her/his mental state obstructs her/his participation, may participate in investigative operations. In case a person — against whom proceedings on applying compulsory measures of medical nature have been instituted — cannot participate in case proceedings due to her/his mental state, the investigator or prosecutor draws up a protocol on this matter, which is sent to the judge for resolving the issue of recognising the relevant person as incapable of work (Article 451 of the Criminal Procedure Code).

573. The participation of the counsel is compulsory from the moment of instituting proceedings on applying compulsory measures of medical nature; in the cases of those persons against whom compulsory measures of medical nature have been instituted, close relatives or the representative of the medical institution where the person is located participate in such cases as a legal representative by the decision of the investigator, prosecutor, or court – (Article 455 of the Criminal Procedure Code).

574. A person against whom proceedings on applying compulsory measures of medical nature are instituted enjoys all the rights of an accused. Such person has the right, depending on the degree and nature of illness, to know which socially dangerous act s/he is implicated of, to have counsel, give clarifications, submit evidence, participate in investigative operations upon permission of the investigator, acquaint her/himself with protocols of investigative operations s/he has taken part in, make comments on the completeness and accurateness of protocols, file motions and challenges, familiarise with all materials of the case after the conclusion of the case proceedings and make any records without limitation of their volume, receive a copy of the decision on referring the case to the court for applying compulsory measures of medical nature, participate in trial, examine the evidence, familiarise with protocols of court session and make comments (Article 456 of the Criminal Procedure Code).

575. Article 21 of the Constitution of the Republic of Armenia declares that “the person charged with a criminal offence shall be presumed innocent until proven guilty in the manner prescribed by law by a court judgment entered into legal force”. This article of the Constitution declares the presumption of innocence, which reflects not the opinion of one or the other person presiding the case but an impartial legal status, and is mandatory for all state bodies and officials who do not have the right to treat the accused as someone guilty would be treated, in the manner prescribed by law. According to Article 18, the presumption of innocence is considered to be the core of criminal procedure legislation of any civilised state and has been established not only in Article 18 of the Criminal Procedure Code, but also in the Universal Declaration of Human Rights and Fundamental Freedoms and Covenant on Civil and Political Rights.

576. Article 16 of the Constitution of the Republic of Armenia establishes that everyone has a right to freedom and inviolability. No one may be arrested or searched except in the manner prescribed by law. A person may be detained only by the decision of court in the manner prescribed by law. The state guarantees the freedom and personal inviolability of a person. According to Article 170 of the Criminal Procedure Code, each person has the right to protect her/his personal and family life from unlawful interference and her/his honour and good repute from infringement. Information on personal or family life of a person, as well as other data of personal nature, shall not be collected, stored, used, and disseminated when conducting procedural actions, unless necessary. Upon demand of court, investigative body, investigator, prosecutor, the participants of investigative and judicial operations are obliged not to publicise the information referred to above, for which they sign a gag order. Evidences concerning the intimate aspects of personal or family life shall be examined in a closed court hearing upon demand of those persons participating in criminal procedure, whose personal or family life secret is under danger of being publicised. Violation of personal or family privacy results in liability prescribed by law, and the damage caused to the person as a result thereof is subject to compensation in the manner prescribed by law.

577. In accordance with the international treaties of the Republic of Armenia, every convict has a right to apply to interstate bodies for the protection of human rights and freedoms, if all the measures of legal protection provided for by criminal procedure legislation have been exhausted (Article 103 of the Criminal Procedure Code).

578. For committing a crime, the following number of minors were taken to the Police of the Republic of Armenia: 395 in 2005, 366 in 2007, and 282 in 2008. Nevertheless, during a year only 30 to 40 juveniles serve a sentence in juvenile prison, whereas work with others is carried out without depriving of liberty, at their places of residence. All juveniles having committed a crime are provided with the assistance of an attorney.

579. Within the framework of the National Programme on the Protection of Rights of the Child, the Police of the Republic of Armenia, together with Project Harmony and with funding of the Department of State of the USA, has set up six Community Rehabilitation

Centres in Yerevan, Vanadzor, Gyumri, Alaverdi, Ijevan and Chambarak, which play a major role in the reintegration of juveniles. Since 2006, 356 minors having demonstrated antisocial behaviour and having committed offences were referred to the centres from police departments, schools and communities, 329 of which agreed to cooperate with the centres, for which agreements of rehabilitation activities were executed with them. Of those 329 cases, 300 were successful. The mentioned centres are unprecedented in the sense that they bring together police officers, social workers, psychologists, and volunteers engaged in the activities of the centre to perform wide-range work with juvenile offenders. The main objective of these centres is to transfer juvenile offenders to an atmosphere which underlines the principles of morality and human values, as well as responsibility, accountability and civics. The minors are shown the effects of their committed offence or act on the victim and on society. The aim is to teach them to feel sympathy for the victim and to provide an opportunity to acquire skills required for being a useful member of society. These minors shall continually be offered (and not coerced) to cooperate with society and be provided with a prompt opportunity to implement such a desire for cooperation in a relevant environment, as soon as possible. That is, the Community Rehabilitation Centre is a new model of alternative service for juvenile offenders in our country, which has already yielded positive results, for which six more rehabilitation centres are planned to be set up in different marzes (provinces) of the country.

580. In 2005, 22 juveniles committed repeat crimes, 19 committed repeat crimes in 2006, 26 in 2007, and 13 in 2008.
