



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

Distr.: General
14 January 2003

Original: English

**Committee on the Elimination of Discrimination
against Women**
Exceptional session

Summary record of the 572nd meeting

Held at Headquarters, New York, on Wednesday, 7 August 2002, at 3 p.m.

Chairperson: Ms. Abaka

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02-51487 (E)

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The meeting was called to order at 3.10 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

*Second periodic report of Armenia (continued)
(CEDAW/C/ARM/2;
CEDAW/PSWG/2002/EXC/CRP.1/Add.2 and
CRP.2)*

1. *At the invitation of the Chairperson, Mr. Abelian, Ms. Ayvazian and Ms. Hakobyan (Armenia) took places at the Committee table.*

Articles 1-6

2. **Ms. Hakobyan** (Armenia), replying to the questions posed under articles 1-6 of the Convention, expressed satisfaction at the extent of the Committee's knowledge of Armenian history and women's role in shaping it. She was determined to build on that tradition and on the strengths of Armenian women, particularly their high level of education and their strong participation in non-governmental organizations (NGOs). As Deputy Minister for Women's Issues, she was responsible for coordinating all women-related activities undertaken by Government ministries and for promoting cooperation with NGOs. Her Government was committed to working with civil society and pooling resources so as to enhance the effectiveness of programme implementation. Her Department's tasks also included eliminating gender-based vertical and horizontal segregation in the labour market, monitoring the impact on women of poverty reduction programmes, supporting women's empowerment, raising public awareness of the positive contribution of women to decision-making, recognizing and promoting the role of women in all peace processes and their participation in governmental and appointed bodies, and making recommendations for additional legislation.

3. Trafficking in women was closely related to the high level of female unemployment. Her Government was therefore addressing that problem by, inter alia, creating new job opportunities for women. The proposed conceptual plan for preventing violence against women would be an integral part of the National Programme and Plan of Action to Improve the Status of Women and Enhance Their Role in Society. A report had been prepared by her Government on the

implementation of the National Programme of Action for the Period 1998-2000, and would be distributed informally to the members of the Committee.

4. **Ms. Ayvazian** (Armenia) emphasized that trafficking and migration were separate issues: migrants were exercising their right to freedom of movement, whereas trafficking was a crime. Commenting on the legal provisions on trafficking and prostitution, she noted that the currently applicable Criminal Code dated from 1969, when Armenia was part of the Soviet Union. Amendments were being contemplated.

5. As a transitional step to the establishment of a post of ombudsman, the Commission on Human Rights had been created in 1998. Currently, the Commission had six women members: two were representatives of Government ministries and four had been nominated by NGOs. The Commission was authorized to consider complaints and to forward them for action to the appropriate Government bodies. Its sessions were open to the media. While there were no analogous regional bodies, the members of the Commission travelled to different regions to study the situation of human rights and reported on their findings at the Commission's sessions.

Articles 7-9

6. **Ms. Corti** said that increasing political participation by women and their representation in decision-making bodies was a prerequisite for achieving real progress on women's issues. Moreover, the presence of a significant number of women in such bodies as the National Assembly would contribute to changing perceptions of women's role in society. Under the Armenian Constitution, women were entitled on equal terms with men to vote and to be elected to any public post. However, in implementing that provision, the Government must actively promote women's involvement in political life by, inter alia, introducing temporary special measures, as described in article 4, paragraph 1, of the Convention. Those measures should aim to increase the number of women candidates fielded by political parties and build on women's participation in NGOs. She urged the Government to refer, in that connection, to the Committee's General Recommendation No. 23.

7. **Ms. Saiga** said that she shared the concerns expressed about women's underrepresentation in

elected bodies. According to the State party's responses to the list of issues and questions (CEDAW/PSWG/2002/EXC/CRP.2), proposals in that area had been drawn up and were under consideration. She would be interested to know what specific measures were envisaged.

8. **Ms. Tavares da Silva** said that the State party should also have provided data on the number of women in elected bodies at the regional and local levels. She understood that a recent attempt to introduce a draft law instituting a five-per-cent electoral quota for women had failed. Five per cent was a paltry figure that did Armenian democracy no credit. She asked who had proposed the measure and whether the Government planned to take up the issue of quotas again. Lastly, she noted that, while women accounted for about 70 per cent of officials in such fields as health, culture and education, there was no indication in the State party's report of whether they occupied senior decision-making posts.

9. **Ms. Kapalata** expressed surprise that, despite their high level of education, few Armenian women represented their Government at the international level and that there were no data on the number of Armenian women employed in international organizations. The world could not afford for Armenian women to remain outside international forums. She therefore urged the Government to introduce temporary special measures to rectify the situation.

10. **Ms. Gaspard** (France) said that, while Armenian women had been among the first to win the right to vote and had been represented in the Government as early as 1918, the situation actually seemed to have regressed: currently, only four out of 131 deputies in the National Assembly were women and there were no women ministers in the Armenian Government. Without a critical mass of women in decision-making positions, issues affecting women would be neglected. The idea that women did not wish to enter public and political life was a fallacy advanced by men in order to protect their positions. There was a need to change public attitudes on that issue by highlighting women's positive contribution to decision-making. Lastly, she asked why the State party had not provided sex-disaggregated data on women's representation in the civil service, as requested in question 11 in the list of issues and questions (CEDAW/PSWG/2002/EXC/CRP.1/Add.2).

11. **Ms. Ayvazian** (Armenia) said that there was an ongoing debate within the Government and civil society concerning the advisability of instituting electoral quotas. Surveys showed that there was little public support for the concept. Her Government had no plans to introduce draft legislation on electoral quotas in the near future. Explaining the absence of women officials in senior decision-making posts, she pointed out that it was difficult for women to gain promotion, not only because of stereotypes but also because of the practical problems of combining work and family life. Her Government already recognized NGOs, including women's NGOs, as a valuable resource, and those organizations were making their voices heard. She noted, in that connection, that the debate concerning Armenia's accession to the Convention on the Political Rights of Women had been initiated by women's NGOs.

12. **Mr. Abelian** (Armenia) said that unfortunately in the early part of the century Armenia had remained independent for only two years, from 1918 to 1920, before becoming a Soviet Socialist Republic. After the collapse of the Soviet Union, Armenia had been obliged to create a foreign service almost overnight with people who had not been specifically trained for the job. And the new political parties formed in haste to fill the vacuum had necessarily been based on older, local, traditional political alliances. Gender equality was moving slowly, but a political will was there to follow the French example and strive for 50 per cent representation. He for one was eager to have more women in the foreign service and was pleased to say that the Permanent Mission had just gained a woman First Secretary. The gender balance in the foreign service was now nearly as high as that in the United Nations: of 188 people in the Ministry of Foreign Affairs, 72 were women. The proportion in outside postings was admittedly lower; there were only 12 women ambassadors posted abroad.

13. **Ms. Ayvazian** (Armenia) said that answers to some questions had been omitted from responses to the list of issues owing to a lack of sex-disaggregated data, a situation the delegation hoped to correct in the next report.

14. **Ms. Ferrer Gómez** asked to what extent women were active in political parties, as a proportion of the membership and of leadership positions. If the data were not available, the delegation could provide the information in the next report.

15. **Ms. Kwaku** said that the report conceded that political participation by women was very low in Armenia. She had been happy to learn from the oral presentation that efforts were being made, on the part of both Government and non-governmental organizations, to correct the situation, and also hoped to see progress reflected in the next report.

16. **Ms. Schöpp-Schilling** said that she had great empathy with Armenia's difficulties in rebuilding its society. She would encourage the Deputy Minister to identify men like the Ambassador who would support the strategies necessary to create institutions in which women would have a voice.

17. If she might suggest a framework for such strategies, it would consist first of all in setting up the national machinery for promoting women's rights. Next, it was important to involve more women in government bodies; for every opening, two names, of different sexes, might be proposed to overcome the notion that there were no qualified women. In pushing for greater representation in the parliament, it was important that names of women candidates should not be placed at the bottom of the list.

18. Bilateral and international support could be enlisted to assist in training and in mentoring women entering the political arena to ensure their capacity to act successfully. There was time before the next elections coming up in a year and a half to enlist international help and identify the individuals in Government who would be supportive of an action plan. To increase women's presence in government bodies and ministries, affirmative action as provided for in article 4, paragraph 1, could be applied. Unless women participated, a country did not truly have a democracy and was not effectively ensuring the welfare of half its population.

19. **Ms. Ayvazian** (Armenia) said that the Government was grateful for the suggestions and would try to implement them. She noted, for example, that women's participation in political parties, in very rough terms was less than 20 per cent overall. In general women were not active in politics in Armenia, but the Government was aware of its responsibility to create a favourable environment. There had been several programmes instituted in the past few years to develop women's political skills for participation in public life, and the Ministry was hoping they yielded results.

Articles 10 to 14

20. **Ms. Corti** said that Armenia's achievements in education deserved congratulations. She was very pleased to see that there had been a significant increase in the number of girls studying technical subjects such as chemistry and computer sciences and other subjects not traditionally the province of women. She was curious to know the reasons for the popularity of private schools and what sorts of students they attracted, since their diplomas apparently were not in all cases equivalent to those of public institutions.

21. With regard to employment, the very generous maternity leave granted by law to women might actually create a disincentive to hire women in a period of rising unemployment. Under private enterprise, some measures desirable in themselves could result in discrimination against women.

22. She was concerned about the deterioration in the health of Armenian women, the decrease in the health budget and the decline in the quality of care owing to privatization. She would appreciate a breakdown of the reasons why many women were giving birth at home, whether it was owing to cost, lack of access to services or other factors. The use of abortion as a widespread method of family planning was worrisome, given the health consequences of multiple abortions, and suggested that contraceptives were not available. She would also like to hear what the Government planned to do to address the problem of increasing gonorrhoea and syphilis infections.

23. **Ms. Feng Cui** said that, in view of the broad range of measures for rural women called for in the Convention, that section of the report, was too brief. The Committee was well aware of the problems entailed by the Armenian economic transition and the immense challenges posed by the large numbers of refugees, some 219,000 in rural areas, which the Government must feed, shelter and provide with jobs. The report did not touch upon many of the concerns of the Convention, such as the problem of discrimination against women in rural areas where traditional stereotypes prevailed, the increased burden of manual labour on rural women due to the migration of men and young people to the cities, their exclusion from political life and their lack of access to health care, social security and credit. She noted that the vast majority of teachers in rural schools were women, suggesting a high level of education. However, the

overall impression was that the Government was not paying much attention to rural areas. She hoped to see more coverage of those areas in the next report.

24. **Ms. Kwaku** said that she agreed with Ms. Feng Cui on the inadequacy of measures to enhance the situation of rural women.

25. **Ms. Saiga** said that if the majority of the unemployed were highly-skilled women in their 50s the country was wasting valuable human resources. It was also a matter of concern that there appeared to be no means of exerting pressure on employers who refused to employ women approaching retirement age. Their apparent preference for younger, unskilled women was revelatory of stereotypical attitudes towards women. It would facilitate the Committee's consideration of the question if the delegation could clarify whether the retirement age in Armenia was the same for men and women, and confirm the figure for average life expectancy.

26. **Ms. Kapalata**, also requesting further clarifications, said that her interpretation of paragraph 69 of the report was that discrimination against women with children born out of wedlock persisted. The delegation might elaborate further on the reference to changing attitudes in that regard (para. 69).

27. Information on specific policies or programmes targeting refugee women would also be appreciated. The terms "refugees" and "migrants" appeared to be used interchangeably in the report.

28. **Ms. Livingstone Raday** said that there was clearly a need for proactive legislative measures to prevent discrimination in the hiring, promotion and dismissal of women, and to outlaw sexual harassment in the workplace. It was a matter of concern that there appeared to be no criminal or civil remedies enabling the Government, NGOs or individual women to take legal action against discrimination in the public and private sectors.

29. The sole anti-discrimination provision appeared to relate to pregnancy and maternity leave. Existing legislative provisions and government policy on other social issues only served to reinforce gender stereotypes. Maternity leave arrangements only deterred employers from hiring women, since the costs were met by employers rather than by the social security system. She had been surprised to learn that the Labour Code prohibited pregnant women and

women with children under two years old from being employed for night shifts and overtime. Such a provision should surely be optional. There was also no mention in the report of any efforts to implement article 11, paragraph 2 (c) concerning the provision of supporting social services to enable parents to combine family obligations with other responsibilities. She wished to stress that all child-care provisions should be made gender neutral.

30. The Government would also be well advised to compile gender-disaggregated data on labour conditions. The report made the unsubstantiated claim that Armenia had achieved gender parity in wages, an achievement of which no other country could boast.

31. **The Chairperson**, speaking in her capacity as expert, noted with concern that abortion was described in the report as a "method of family planning", and one of the most widespread to boot. Both the male and female population had a right to information on modern contraceptive methods. Moreover, the Government should be promoting use of male as well as female condoms with a view to preventing the spread of HIV/AIDS.

32. Although lung cancer and smoking were listed as major causes of mortality, the report made no mention of efforts to raise women's awareness of those serious health hazards. It claimed, furthermore, that there was no data on drug addiction since the phenomenon was not widespread. Armenia would be an exception among countries if such were the case. The Government should be promoting research on drug addiction and alcoholism, particularly in the context of a worsening economic situation.

33. **Ms. Schöpp-Schilling**, noting that the delegation had spoken of Armenia's high rate of ratification of international treaties, requested it to explain what was preventing Armenia from ratifying the Optional Protocol and accepting the amendment to article 20 of the Convention.

34. **Ms. González Martínez** requested the delegation to clarify what was meant by the statement that the provisions of the labour code were applicable only to the extent that they did not conflict with Armenian legislation and relevant international treaties. It should also explain the alarming data relating to contraceptive methods and abortions.

35. **Ms. Ayvazian** (Armenia), responding to questions put to her delegation, said that the maternity leave provisions applied equally to the private and public sector. It was against the law in Armenia for employers to refuse to hire a woman on the grounds of pregnancy, or to penalize her for taking maternity leave. The main problem was that women often failed to take their complaints to court. Many women also chose not to take their full maternity leave entitlement in order to advance their careers.
36. The national plan of action on children's rights contained a number of provisions relating to maternity, nutrition and family care. Moreover, significant legislative and administrative changes were in the final stages of approval. A more detailed implementation plan would be prepared in due course.
37. Several programmes had in fact been launched by the Government to raise awareness of family planning methods, including a new sex education programme for schools. The main obstacle was the widespread prejudice against the use of contraception.
38. Men and women in Armenia were indeed entitled to the same wage for the same job. However, men typically held higher positions, hence their higher salary. Since the private sector was in its formative stage, no wage-related information was yet available. The compilation of accurate data on employment conditions was hampered by the practice of hiring employees in the fledgling private sector without formal contracts.
39. There were no programmes specifically targeting rural women, but efforts to improve conditions in rural areas included schemes to exempt village people from the value added tax (VAT) and utility payments.
40. The high unemployment rate among women in their 50s could be attributed to the changing nature of the Armenian economy following the collapse of the Soviet Union. The training shortage would be addressed in future programmes as well as in the context of Armenia's poverty reduction strategy paper (PRSP).
41. The refugees living in rural parts of Armenia mostly came from urban areas in Azerbaijan. Retraining programmes were clearly needed, but the benefits were not always visible in the short term.
42. With regard to retirement, it was unfortunately true that different age-related provisions did indeed apply to men and women.
43. **Mr. Abelian** (Armenia) said that, although it was poor in resources, Armenia had an exceptionally high rate of literacy and relied heavily on the skills of its population. The system which succeeded the era of Soviet dominance had been marked by the introduction of subjects like human rights and sex education into the school curriculum, but the education sector was still plagued by financial restrictions and a shortage of teaching materials. In addition, over recent years, following an extensive Government review of educational standards in newly established private tertiary institutions, State accreditation had been withdrawn from a number of those institutions. A similar process was under way with regard to private secondary institutions and the public was expected to derive benefit from tighter regulations and would have freedom of choice in the dual, public/private system of education without sacrificing quality.
44. Migration had altered the demographics of Armenia in terms of widening the generation gap. That situation, compounded by a steady population decline, was expected to have a serious impact on the future labour pool.
45. He said that Armenia had been an early supporter of the wishes of the Committee to increase the number of its meetings and hoped that the exceptional session would help to remove the backlog of reports due for consideration. For its part, Armenia would recommend that the Committee should be granted the required resources to consider the reports of States Parties. The adoption of the Optional Protocol had been inadvertently delayed because of the complex nature of the process involved, but action to accelerate it was continuing.
46. Official statistics showed that there were approximately 14,000 drug users in Armenia, but there were no precise data on women. Since 1993 the numbers of addicts had increased in spite of drug awareness campaigns. Smoking had been a widespread problem throughout Eastern Europe, but there was hope for optimism as the impact of an anti-tobacco campaign, initiated by a member of the National Assembly, took effect.
47. Over the past two years, UNHCR reports had shown a trend of increased integration of refugees into

Armenian society, but there were still refugees and internally displaced persons living near the conflict zone who still hoped to resettle in their countries of origin.

Articles 15 and 16

48. **Ms. Goonesekere** noted with interest Armenia's extensive legislation recognizing the equal rights of men and women and the property rights of spouses. However, in a context where women were reluctant to have recourse to court procedures in the settlement of disputes, she would welcome information on how the system enforced Armenia's laws on parental rights, and on the deprivation and restoration of those rights through court procedures in favour of women. She wondered whether men could potentially use those procedures to deprive women of their rights as spouses.

49. She expressed concern that Armenian law seemed to recognize the problem of underage marriage without seeking to curb the practice. The Convention, reinforced by article 24, paragraph 1, of the Convention on the Rights of the Child, was very clear on the commitment of States to intervene in the prohibition of child marriages.

50. Furthermore, she referred to article 17 of the Marriage and Family Code which stated that the rights and obligations of spouses commenced upon the registration of the marriage in a registry office. Since registration had implications on the legal status of the parties, she inquired whether it was universal and whether information was available on situations involving non-registration.

51. **Ms. Tavares da Silva** said underage marriage should be discouraged, not only because it contravened the Convention, but also because there were significant health consequences to be considered. Furthermore, the marriage of minors undermined the enjoyment of their property rights, reinforced cultural stereotypes and contributed to the imbalance of power within marriages.

52. **Ms. Shin**, noting the low age of marriage, said that early marriages jeopardized the possibility for young girls to continue their education.

53. She suggested that, in preparing future periodic reports, the Government could simply state that there was no information available in matters for which statistics could not be provided.

54. **Ms. Kwaku** noted that the 1969 Marriage and Family Code of the Republic of Armenia had undergone several revisions and amendments which had produced a new draft. She therefore asked whether the new Code had been adopted, what had been improved in the new version, and what benefits were expected to accrue to women.

55. **Ms. Corti** said she was interested in knowing how the payment of alimony was enforced, particularly with respect to migration. What mechanisms existed to ensure that men who emigrated did not evade their obligations?

56. **Ms. Ayvazian** (Armenia), referring to questions raised on the access of women to the courts for the settlement of disputes, said all persons were equal under the law. She said that the issue of prejudice did not arise in the case of divorce since a previously married couple would already have been subjected to a certain number of court procedures. In reality there were no impediments to gaining access to court procedures, but she did not have specific data on relevant cases.

57. The age of marriage was 18 and 17 years for men and women respectively. Under the law, in the case of registered marriages women had full legal competence, regardless of age, even in the event of divorce. In response to the question on registration of marriages, she confirmed that marriage was subject to universal registration and that there were other provisions to regulate relations between persons, regardless of sex. The new Marriage and Family Code had not yet passed the first reading and was due for further modification. Delinquency in the payment of alimony was punishable by law. Armenia had signed conventions with some countries on legal aid in civil or criminal matters in order to pursue, through local authorities, the execution of court decisions, but there still remained a number of countries with which no such agreements were in place.

58. **Mr. Abelian** (Armenia) commended the leadership of the Committee and said that his delegation found its dialogue with the Committee to be more useful, action-oriented and constructive than it had been five years earlier.

59. Although Armenia, the State, was only ten years old, it had existed for over 4,000 years as a civilization. Seventy years under Soviet dominance had been a setback and his country was now making a fresh start

in all areas. There was need to reconstruct infrastructure and to build systems of data collection, free of ideological considerations, in order to ensure reliable and comprehensive statistics. He assured the Committee that the next periodic report would provide a clearer understanding of Armenia's situation.

60. He had been personally involved in lobbying in favour of increasing the role of men in the national anti-discrimination machinery and such participation was already proving beneficial. Armenia was trying to make full use of the Committee's conclusions and comments in enhancing the implementation of its programmes concerning women.

61. **Ms. Hakobyan** (Armenia) said that the fruitful exchange of ideas with the Committee sharpened the challenge faced by her Government in advancing the cause of Armenian women.

62. **The Chairperson**, thanking the delegation for its participation, expressed the Committee's appreciation for the constructive engagement of the Armenian Government in seeking to surmount obstacles. She promised the full support of the Committee in the achievement of full implementation of Armenia's commitments under the Convention. She also said the Committee would be grateful if the Government kept the Committee informed of action taken in follow-up to the concluding comments. She hoped the discussions would stimulate further interest throughout the Government and would continue to include the participation of civil society. Wide dissemination of the concluding comments in the Armenian language was also necessary. She looked forward to Armenia's accession to the Optional Protocol as well as its acceptance of the amendments to article 20, paragraph 1 of the Convention.

The meeting rose at 5.15 p.m.