



## Convention on the Rights of Persons with Disabilities

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### Committee on the Rights of Persons with Disabilities

#### List of issues in relation to the initial report of Armenia\*

##### A. Purpose and general obligations (arts. 1-4)

1. Please indicate whether the State party will ratify the Optional Protocol to the Convention.
2. Please provide updated information on the legislation, strategies and policies related to disability adopted since 2012 and on efforts to review and harmonize them with the Convention. Please indicate the timeline for the adoption of legislation, strategies and policies regarding the implementation of the Convention at the domestic level.
3. Please indicate whether the draft law “On the protection of the rights of persons with disabilities and social inclusion thereof in the Republic of Armenia” has been adopted and if not, what is the timeline for its adoption? Also please indicate the conformity of this law with the Convention.
4. Please indicate the extent to which organizations of persons with disabilities are involved in the drafting of new laws and strategies in order to ensure that legislation complies with the Convention. Please also comment on measures taken to ensure the independence and effectiveness of the National Commission for Persons with Disabilities and on the involvement of such organizations in its work.
5. Please provide information about the training of professionals and staff working with persons with disabilities in the rights enshrined in the Convention.

##### B. Specific rights

###### Equality and non-discrimination (art. 5)

6. Please indicate whether and how the law “Ensuring Equal Rights and Equal Opportunities for Women and Men (2013)” includes an explicit prohibition of discrimination on the basis of his/her disability and penalties for non-compliance.
7. Please indicate whether a law to eliminate discrimination on the grounds of disability has been adopted, following recommendations by the Human Rights Committee (2012) and the Human Rights Council, as part of the universal periodic review (2015).<sup>1</sup>

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\* Adopted by the pre-sessional working group at its sixth session (5-9 September 2016).



**Women with disabilities (art. 6)**

8. Please indicate the specific measures implemented to protect women and girls with disabilities, particularly those with intellectual and psychosocial disabilities, from gender-based violence, harassment and abuse in private (family) and institutional settings.

9. Please describe how disability has been mainstreamed into specific gender policies, strategies and any action plans adopted to combat gender-based discrimination.

**Children with disabilities (art. 7)**

10. Please describe the efforts to improve the quality, transparency and accessibility of early intervention, rehabilitation, social protection and mainstream educational services for all children with disabilities, including those who require more intensive support, to prevent their seclusion at home and to provide services and support to children and their families.

11. Please indicate the measures in place, including an action plan, to repeal the practice of placing children with disabilities in orphanages and to support alternative family care services.

12. Please provide updated information on the steps taken to address the concern of the Committee on the Rights of the Child that “despite the increasing trend in inclusive education, a large number of children with disabilities who live in care institutions and rural areas, do not receive formal education”.

**Accessibility (art. 9)**

13. Please explain whether accessibility plans and respective monitoring, compliance and sanction mechanisms are in place or planned covering, among other things, the physical environment, transport and information and communication technologies and systems, in urban and rural areas?

**Situations of risk and humanitarian emergencies (art. 11)**

14. Please specify to what extent public warnings on situations of risk and humanitarian emergencies by the Crisis Management Centre of the Ministry of Emergency Situations are available and accessible to all persons with disabilities in cities and rural areas.

**Equal recognition before the law (art. 12)**

15. Please indicate whether there are any plans to harmonize the Civil Code with the Convention, in order to repeal and replace the norm of incapacity and the guardianship system with a supported decision-making system.

16. Please provide information on the number of persons with disabilities whose legal capacity has been restored after the 2015 ruling of the Constitutional Court allowing persons deprived of legal capacity to apply for such restoration.

**Access to justice (art. 13)**

17. What measures have been taken to address the absence of a number of procedural safeguards for persons with disabilities, including the right to a fair trial and full and equal access to justice, especially for persons with intellectual or/and psychosocial disabilities?

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<sup>1</sup> See CCPR/C/ARM/CO/2, para 6, and A/HRC/29/11, para. 120.

**Liberty and security of the person (art. 14)**

18. What measures are being taken to prohibit compulsory treatment and deprivation of liberty on the basis of disability, without informed consent and court decision, and to ensure that any laws covering persons still in psychiatric institutions are compatible with the Convention

**Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

19. What specific measures are being taken to prevent treatment without consent, seclusion and the use of chemical and physical restraints for persons with disabilities, especially those with psychosocial and/or intellectual disabilities?

**Freedom from exploitation, violence and abuse (art. 16)**

20. Please explain the specific measures to ensure the protection of persons with disabilities from exploitation, violence and abuse and that persons with disabilities victims of violence and exploitation have access to effective recovery, rehabilitation and social reintegration services and programmes. Please indicate why “it is difficult to figure out the number of persons with disabilities among the victims of violence” (see CRPD/C/ARM/1, para .128) and the concrete plans to collect data on persons with disabilities who have been subjected to violence, including disaggregated data by age, sex, ethnicity and impairment type.

**Living independently and being included in the community (art. 19)**

21. Please inform the Committee about the concrete and targeted measures adopted to replace the institutionalization of persons with disabilities with the comprehensive provision of community-based services and independent living measures.

22. Please provide data on the number and percentage of persons with intellectual and psychosocial disabilities living in institutions and being transferred into community-based services and independent-living settings.

**Freedom of expression and opinion, and access to information (art. 21)**

23. Please provide information on how the Law on Freedom of Information guarantees the provision of publicly available information for persons with disabilities in accessible formats such as sign language, Braille and easy to read formats. Has any legal regulation of Armenian sign language been adopted recognizing it as an official language?

**Respect for privacy (art. 22)**

24. Please indicate the specific measures implemented to safeguard the right to privacy of persons with disabilities in all settings, particularly those still living in psychiatric and other institutions.

**Education (art. 24)**

25. Please explain how the concept of “special conditions of education”, enshrined within the Law On General Education of 2011, promotes the transfer of children with disabilities from segregated education to inclusive and quality educational settings, and include data on such transfer. Please also indicate measures to support teachers.

**Health (art. 25)**

26. Please indicate the policies and measures to provide accessible, gender-sensitive, mainstream and quality health-care services to persons with disabilities, on an equal basis with others. Please provide information on the financial resources and training provided for that purpose.

**Habilitation and rehabilitation (art. 26)**

27. Please provide information on the measures to ensure that rehabilitation and habilitation programmes are designed and implemented in line with the Convention.

**Work and employment (art. 27)**

28. Please provide information on the specific measures adopted to implement reasonable accommodation at work and to ensure job security and career advancement in the open labour market for persons with disabilities, especially for women with disabilities.

**Adequate standard of living and social protection (art. 28)**

29. Please provide data about the poverty rate of persons with disabilities and information on specific support measures especially for families who have a member with disabilities.

30. Please provide information on the measures to increase the accessibility of social protection programmes, particularly to women, girls, and elderly persons with disabilities.

**C. Specific obligations**

**Statistics and data collection (art. 31)**

31. Please inform the Committee about the measures envisaged to develop a system of disaggregated data collection and analysis in line with the Convention.

**National implementation and monitoring (art. 33)**

32. Please provide information on the establishment of a national independent mechanism to monitor the implementation of the Convention, and on the involvement of organizations of persons with disabilities in any consultations on proposals for such a mechanism.

33. What measures are being taken to ensure that rights recognized in the Convention are mainstreamed in the national plans to implement and monitor the 2030 Agenda for Sustainable Development and the Sustainable Development Goals?

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